

GROTON CONSERVATION COMMISSION

Minutes

August 24, 2004

Chairman Bruce Clements called the meeting to order at 7:00 p.m. Members Craig Auman, Kris Corwin, Peter Morrison, Bruce Easom, and Evan Owen were present. Stacey Laudenslager has recently resigned. Conservation Assistant Barbara Ganem was also present.

B. Ganem reported that notice of the Commission vacancy has been posted on the town web site, in the Groton Herald, and on cable.

After review of the minutes of August 10, 2004, and upon a motion by C. Auman, seconded by P. Morrison, it was

VOTED: to approve the minutes of August 10, 2004 as amended.

K. Corwin and B. Easom abstained from the vote.

In response to a request from the Groton Education Foundation for a donation, Commissioners noted that it would be fiscally irresponsible and inappropriate to offer funds from the conservation budget for this purpose.

Chairman B. Clements explained that the work originally commenced by a Selectmen-appointed committee to study the feasibility of the Town adopting the Community Preservation Act is now being carried on by a citizens' group. It is the intention of the group to get the support of as many Town boards and commissions as possible; he asked if the Commission was willing to support this effort. Upon a motion by C. Auman, seconded by P. Morrison, it was

VOTED: that the Commission support adoption of the Community Preservation Act, a question to be placed on the ballot in the fall elections.

The Commission has previously discussed representation on the Weed Advisory Committee, and B. Clements indicated that after talking with Dr. Eger, he is willing to volunteer for this position. Upon a motion by P. Morrison, seconded by K. Corwin, it was

VOTED: to appoint Bruce Clements as the Commission's representative to the Weed Advisory Committee.

B. Easom agreed to serve as an alternate when B. Clements is unavailable for a meeting.

Upon a motion by C. Auman, seconded by P. Morrison, it was

VOTED: to approve the Executive Session minutes of July 27, 2004 as drafted.

In discussion on the Amended Order of Conditions for the farmhouse demolition project at the new High School, members recommended changes in the draft Order for DEP #169-802, including limiting the time when the project may be carried on (between September 15 and March 1) and allowing hand removal on the Smith I site. P. Morrison moved significance, regular conditions, and amended special conditions, seconded by C. Auman. It was

VOTED: to approve the Amended Order of Condition as drafted for DEP #169-802.

Upon a motion by P. Morrison, seconded by K. Corwin, it was

VOTED: to add the following Condition to the DEP #169-802 Amendment: A rigid plastic elbow shall be added to the existing drain pipe at Certified Vernal Pool #3165 at the invert in such a way that the pipe does not drain the vernal pool.

7:15 p.m. – Birchwood Avenue Request for Determination of Applicability

Stan Dillis explained that a septic system was installed on the neighboring lot at 22 Birchwood Ave. before the new Wetlands Protection Bylaw went into effect. A small depression, approximately 50 SF, with hydric soils and wetland vegetation exists on that lot, and work on the septic system which is the subject of this filing is within 100 feet. Members noted that the area needs some stabilization. K. Corwin questioned whether the Commission is viewing the site as previously disturbed. S. Dillis maintained that the site was disturbed as part of the soil testing necessary to design a septic system. He pointed out that the septic testing was done during a period when the Bylaw was not in effect although the septic system has only recently been installed. K. Corwin said a negative Determination assumes that the work will not have an impact on the resource area and also implies that it is acceptable under our Bylaw. She noted that there is no evidence either way about whether the site was disturbed, and she expressed concern that it sets a precedent. B. Clements commented that, as a practical matter, it does not seem to impact the resource area. Mr. Dillis estimated that the work (grading) will be approximately 20' from the depression. He said that testing was done back in the 1970's or 1980's, and he thought a 15' wide swath of trees was cut in order to provide access for an excavator. Upon a motion by P. Morrison, seconded by C. Auman, it was

VOTED: to issue a negative #3 Determination with the condition that erosion control measures be put in place at the edge of disturbance.

The motion passed with B. Clements, C. Auman, P. Morrison, and K. Corwin voting in favor, and B. Easom and E. Owen voting in opposition. S. Dillis maintained that the soil testing for this site preceded the implementation of the Bylaw, and it should not be considered precedent-setting.

7:30 p.m. – 178 Townsend Road Notice of Intent

Attorney Ray Lyons reported that the Commission had previously issued an Order of Conditions for work at this site. The proponent, Ken Hooper, plans to re-grade the driveway and put in a water line and drainage. No work is proposed in the resource area. He noted he was not filing under the Bylaw as this was an existing residential use in place before the Bylaw was in effect. No work is proposed on the existing house, only on the driveway.

Mr. Lyons presented the green cards for abutter notification. B. Easom asked if there were plans to pave the driveway, and Stan Dillis indicated that the driveway surface will remain gravel. Mr. Dillis noted that the driveway acts as somewhat of a dam between the wetlands on either side, and they are planning to put in cross culverts at the end of the driveway, as well as an equalizer pipe about halfway up. No grade or width changes are proposed, but there will be a re-charge trench where the driveway heads uphill. The equalizer pipe will be a 12" plastic pipe.

Although the wetlands were flagged for the earlier filing, that permit has lapsed. Members noted that the flagging needs to be re-done in the field, particularly in areas in which there is work in the buffer zone. Mr. Lyons stated that there are no plans to tear the existing house down as Mr. Hooper is a tenant in common with another owner. The lot line may change so that the existing house belongs to the other party. Commissioners also requested flagging in the field at the proposed locations of the culvert pipes. Mr. Dillis said he would send the Commission the specifications for the Duraslot pipes. Commissioners questioned how gravel or Starpac will be prevented from entering the pipe. Noting that some of the pipes were in the Town right-of-way, members recommended that the proponent discuss this with the Highway Surveyor. Members requested pipe elevations, and Mr. Dillis stated they would be at existing grade. The existing 4" black plastic pipe will not be replaced. Mr. Lyons explained that the site has been logged, and there is an existing wood road. He thought that there was an abandoned water line that currently goes through wetlands that would be re-located to the driveway. The water line will be installed five feet below the ground surface to avoid frost, and this will be below the proposed culverts. In summarizing Commission requests, it was noted that wetlands should be staked, the culverts flagged in the field, additional information on the pipes provided, and the Commission will re-visit the site after the new flags are in place. Processed gravel will be brought in to grade the driveway. It was noted that the plans show that the driveway is to be paved. Upon a motion by C. Auman, seconded by B. Easom, it was

VOTED: to continue the hearing for 178 Townsend Road to September 14, 2004.

7:45 p.m. – 24 Hayden Road Request for Determination of Applicability

Homeowner Petr Hadamovsky explained that he plans to replace a deteriorating 8' by 7' shed with a new 10' by 12' shed in the same location. He does not believe poured footings are necessary and plans to use concrete blocks. He noted that it will

be necessary to remove blackberry bushes to the right of the shed, but he does not plan to remove any additional vegetation. The shed will not be moved any closer to the wetland than the existing shed. Mr. Hadamovsky said the old shed will be demolished and discarded in a roll up dumpster. Upon a motion by P. Morrison, seconded by K. Corwin, it was

VOTED: to issue a negative #3 Determination providing a stake is installed 3' back from the corner of the existing shed; and 2) if sona tubes are required, the applicant is required to come back before the Conservation Commission or decrease the size of the shed.

8:00 p.m. – Groton School Boat house addition Notice of Intent continuation

Engineer Stephen Garvin explained that the water line will be installed within the driveway. The sewer line was not shown on the plan but will be a straight shot to the sewer plant, skirting trees.

B. Easom asked if the buoyancy calculations had been prepared for the area where fuel is to be stored, and Mr. Garvin stated the gasoline containment area had been moved further from the River. B. Easom pointed out that it is still within the 100-year floodplain, and there needs to be some assurance that, given its weight and displacement, the containment area will stay put.

S. Garvin noted that the gasoline containers will be moved off-site during a flood event, and he agreed to provide the buoyancy calculations. K. Corwin asked that the approximate location of the sewer line be shown on the plan, with the understanding that the true location will be decided in the field to avoid trees. Upon a motion by P. Morrison, seconded by C. Auman, it was

VOTED: to close the hearing for DEP #169-894 for the Groton School Boathouse addition.

Commissioners discussed and revised the draft Order of Conditions for DEP #169-895 for 213 Whiley Road, and upon a motion by P. Morrison, seconded by C. Auman, it was

VOTED: to issue an Order of Conditions for DEP #169-895 for 213 Whiley Road.

8:15 p.m. – Lost Lake/Knops Pond hand pulling of aquatic weeds - Request for Determination of Applicability

Dr. William Eger explained that the purpose of the project is to establish a hotline and a rapid response to eradicate identified invasive aquatic weeds. B. Clements questioned whether he and/or the President of the Groton Lakes Association would be the responsible party. Dr. Eger indicated that if he or Mr. Diezemann is unable to identify the species, the state rapid response team will be notified to avoid delay. At this time, the Association has one diver and will not be able to specify the names of individuals who will be responsible for the hand pulling. Commissioners asked if any kind of briefing or training is to be provided, and Dr. Eger stated the training will consist of showing volunteers the two targeted invasives species. Cabomba or fanwort is the most likely occurrence. Text, as well as dried and live specimens, will be provided to the divers to help them learn to identify the aquatic weeds. Commissioners expressed concern about the level of training and suggested that detailed records be maintained. Upon a motion by P. Morrison, seconded by B. Easom, it was

VOTED: to issue a negative #2 Determination with the following conditions: 1) detailed records must be provided on a quarterly basis; and 2) the Commission approves the following individuals for hand pulling activities: Dr. William Eger, John Diezemann, and Cynthia Kollarics. If any additional volunteers assist with the project, the names and qualifications must be submitted to the Commission.

B. Ganem reported that Cynthia Kollarics has questioned whether it is necessary to continue monitoring mussel populations at the Lake as part of the on-going species monitoring process. Ms. Kollarics explained that this was initially requested by the Commission because of concerns that mussels could be affected by lake drawdowns, but it now appears that mussels are able to move with the water as it is lowered. Upon a motion by P. Morrison, seconded by C. Auman, it was

VOTED: to not require the continued monitoring of mussels as part of the Lost Lake/Knops Pond species monitoring project.

8:30 p.m. – Appointment/James Roberts

Boy Scout James Roberts explained he had finished installing the six safety stations on Groton water bodies on July 11th. He requested Commission approve this Eagle Scout project, and Chairman Bruce Clements signed off on behalf of the Commission. Members thanked Mr. Roberts for a job well done on behalf of the Town. K. Corwin asked if she could include his name on the web information for these sites, and J. Roberts responded in the affirmative.

In discussion on the recent visit by Commission members to the Groton Center Farms, members questioned whether the owner will need to file under the Wetlands Protection Act for new work in the wetlands. P. Morrison said the only work that he feels needs a filing is in the outer third of Half Moon Swamp. Commissioners wondered about the need for access to that area of the Farm, and P. Morrison suggested he may need to repair fences. C. Auman commented that there needs to be some clarification between which farm roads are existing and which ones are proposed. B. Easom questioned whether a lot of impermeable surfacing is being added. P. Morrison pointed out that Mr. McElroy said the Farm had produced 700 bales of hay. B. Clements questioned exactly how the road improvements will be carried out, and B. Ganem commented that existing roadways could not be widened or the culvert size changed. He felt that a Notice of Intent would be helpful. K. Corwin noted that it is a difficult question since not all members were able to attend the site visit. B. Ganem said she received no response when she asked how recently the Half Moon Swamp area had been in agricultural use. A motion by P. Morrison, seconded by C. Auman, to accept the Farm Plan for Groton Center Farms for Parcel 7 (land just purchased by Daniel McElroy that is subject to a Conservation Restriction) failed with five voting in the negative, and P. Morrison voting in favor.

Upon a motion by K. Corwin, seconded by B. Easom, it was

VOTED: to approve the Farm Plan with the exception of those portions of the Plan that include new roads within the jurisdiction of the Conservation Commission.

All voted in favor. Resident Ray Lyons asked what the Commission was deciding on, and members explained that Groton Center Farms is essentially proposing a loop road around the property, and some of the work is within wetland resource areas. P. Morrison questioned whether this vote clarifies what is new and what is existing. The map included with the Farm Plan will be marked up to show the area of concern, but the map needs to be corrected to show what is old and what is new. P. Morrison asked B. Ganem to look into what filings have been done for Kirk Farm.

8:45 p.m. – Reedy Meadow Estates NOI continuation

B. Ganem explained that a letter has come in from Ross Associates requesting a 60 day continuation. Upon a motion by P. Morrison, seconded by C. Auman, it was

VOTED: to continue the hearing to October 26, 2004 for Reedy Meadow Estates.

Chairman Bruce Clements reported that the Planning Board has approved the site plan for Williams Barn with several contingencies for the Farmers Market. Both the Police Chief and Highway Surveyor have provided feedback and comments that there do not currently appear to be traffic, access, or sight distance issues at the site. The situation will continue to be monitored for future events at Williams Barn. Mr. Clements indicated that he had checked with the neighbors, the Gallipeaus, who said they have no problem with the Farmers Market or if music is played at an event. He noted that the Williams Barn Committee is awaiting a response from the Groton Cemetery Commission, the owners of land where a slight intrusion is proposed for handicapped parking. Mr. Clements assured the Commission that the area in front of the Barn where 21 parking spaces are proposed will continue to be grassed. Members thought that the provided drawing did not accurately reflect what was on the site as the driveway does not appear to curve. Commissioners thought that some work on boundary demarcation has been done on site. K. Corwin did not feel that the plan had to be professionally done but it should be accurate.

In discussion on the Wetlands Change Project, Commissioners reviewed the areas which have been identified by the state as having been disturbed. B. Ganem has looked at the Brooks Orchard site, and there is clearly a wetland in the location identified in the aerial photography. The Sawtell Drive wetland crossing is also identified, but was the result of a valid wetlands permit. Regarding the sites on Rt. 119 and Kemp Street, members requested that these be included in the next Saturday site walk.

The Secretary of the Executive Office of Environmental Affairs has granted a Phase I Waiver for the development of the affordable housing component of the Shaw project. This project is severable from the main project and can stand alone. No wetlands are proposed to be altered on this parcel. The remainder of the project is subject to a mandatory EIR.

In reference to the boat house project, K. Corwin pointed out that technically the Commission cannot accept additional information on a project once a hearing is closed.

There being no further business, the meeting was adjourned at 9:45 p.m.

Respectfully submitted

Barbara V. Ganem
Conservation Assistant

Approved with amendments 9/10/04