

GROTON CONSERVATION COMMISSION

Minutes

May 9, 2006

Chairman Peter Morrison called the meeting to order at 7:00 p.m. in the 2nd floor conference room in Town Hall. Members Craig Auman, Bruce Clements, Kris Corwin, Bruce Easom, and Marshall Giguere were present. Evan Owen arrived at 7:03 p.m. Conservation Assistant Barbara Ganem was also present.

Upon a motion by C. Auman, seconded by M. Giguere, it was

VOTED: to approve the minutes of April 25, 2006 as amended.

Members agreed it would be acceptable to have the B & M file a Request for Determination of Applicability for the delineation of wetland resource areas adjacent to the railroad right-of-way.

Encroachment on conservation areas continues to be an issue, and Commissioners recommended checking on some of the sites this spring.

Upon a motion by M. Giguere, seconded by B. Easom, it was

VOTED: to authorize B. Ganem to contact Bruce Dubey to do the brush cutting and York raking of the Crosswinds Conservation Area for \$700.

Enviro signs, the makers of recycled plastic routed signs, will be contacted for two signs to identify appropriate and visible conservation areas. B. Ganem will contact other sign makers for price comparisons.

B. Ganem reported vegetation has been cleared from property adjacent to Nod Brook. A letter was sent to the owner requesting a filing within 30 days. The siltation that resulted from the pipe break at 308 Main St. appears to have been flushed through the Rt. 119 culvert below the Middle School during the recent rains. Commissioners agreed to hold off on the previous request for a filing. Landscaping work and a gravel parking area have been done at 292 Main St. In addition, B. Ganem agreed to issue the owner, Peter Breen, an Emergency Certification allowing work to go forward on a collapsed catch basin that posed a safety hazard within his parking lot. With members Bruce Clements and Marshall Giguere abstaining, upon a motion by E. Owen, seconded by B. Easom, it was

VOTED: to ratify the issuance of an Emergency Certification for 292 Main St.

With an informal straw poll of members, B. Easom, P. Morrison, and E. Owen recommended that Dr. Breen file an RDA while members C. Auman and K. Corwin felt the owner should file an NOI.

7:15 p.m. - 47 Shenandoah Rd. NOI - DEP #169-953

Sean Hale of Ross Associates explained a retaining wall is proposed in the front, and homeowner David Jewett indicated a retaining wall is also proposed for the back. It will be 4 ft. high in the front. The stone wall at the rear of the existing house will be replaced, and the addition will be constructed. Member Easom noted material will be removed from the hillside and there will be some grading on the road where there is a low spot. He asked who owns the road. Mr. Jewett said the road was owned by the Groton Conservation Trust but he had built it in the 1950's. He estimated that a truckload of soil would be removed from the site. Mr. Easom suggested a more definitive plan be prepared.

Members noted that an increase in impermeable surfacing requires the applicant to handle additional roof runoff through recharging into the groundwater. B. Easom requested that the location and details be shown on the plan. S. Hale suggested it would be possible to do 2 ft. wide stone recharge trenches around the structure. Currently there are no gutters around the perimeter of the house. M. Giguere suggested that a cross section with elevations be shown for the addition. Mr. Jewett indicated he had architectural drawings which he would submit. Commissioners asked Mr. Jewett and Mr. Hale to address the following issues: the revised plan should show the new well location, details for the retaining wall, method for controlling roof runoff, cross section of addition showing roof gable line, existing stone drain, features at the shoreline, final driveway

location, and septic system. Upon a motion by M. Giguere, seconded by B. Easom, it was

VOTED: to continue the hearing to May 23, 2006.

7:30 p.m. - 98 Indian Hill Rd. NOI - DEP #169-952

Engineer Jack Visniewski of Cornerstone Land Consulting said the planned renovations include an addition, deck, and screen porch. All of the work will be within existing lawn area. The existing deck will be razed and the air conditioning unit re-located. The foundation for the screened porch and deck will be sonatubes, while the addition will have a poured concrete foundation. It is 46 ft. from the edge of the porch to the wetland resource area and 52 ft. from the garage extension. Michael Turgeon flagged the wetlands. Haybales will protect the resource from the proposed work. M. Giguere questioned how roof runoff will be controlled, and Mr. Visniewski responded the plan could be revised to include crushed stone at the drip line and underneath the porch. Member Auman indicated this work is exempt from the Wetlands Bylaw because of the age of the house and the fact the area is currently lawn. The concrete truck will access the site via the driveway. Any stockpiling of materials will occur within the haybale line. Mr. Visniewski drew in and dated the changes on the plan. The drip trenches will be 2 ft. wide by 1 ft. in depth. There being no further discussion, upon a motion by B. Easom, seconded by M. Giguere, it was

VOTED: to close the hearing for DEP #169-952.

Upon a motion by K. Corwin, seconded by M. Giguere, it was

VOTED: to approve the Order of Conditions for DEP #169-951 for the Groton Sewer Commission.

B. Ganem reminded the Commission about the meeting with the Board of Selectmen to go over the MassAudubon/MSPCA Conservation Restriction on June 5, 2006 at 7 p.m.

Regarding the New England Forestry Foundation land off Allens Trail, B. Ganem said the Conservation Restriction spells out an access between 51 and 55 Allens Trail. NEFF has concerns that opening up a trail on the land would encourage the use of ATVs. B. Easom indicated the neighbors prefer the location which he showed the Commission during the Saturday site visit which is also less steep. Upon a motion by B. Easom, seconded by K. Corwin, it was

VOTED: With the approval of NEFF, the Commission authorizes the clearing and maintenance of a trail from Allens Trail to Beecher Rd.

In response to the Planning Board's request for comments on the revised Crossroads Plaza plans, Commissioners expressed concerns with the location of the wetland at the bottom of a hill with a parking lot on top. The development has been scaled down, but this is a huge embankment and the replication wetland area is unlikely to survive. Upon a motion by B. Clements, seconded by K. Corwin, it was

VOTED: to include in the comments to the Planning Board the Commission's concerns about the location and viability of the wetlands replication area, the elevations at test hole locations, and the need to file with Natural Heritage under the WPA and MESA.

7:45 p.m. - 19 Court St. RDA

Homeowner Frances Stanley stated the main purpose of the filing is the removal of the two willow trees which pose a safety hazard to the house. A crane will be stationed in the middle of the backyard and utilized to remove the tree in pieces. Ms. Stanley also intends to finish grading the middle section of the backyard. C. Auman said it was important to ensure there is no disturbance to the stream, and Ms. Stanley indicated the stump would remain in place with perhaps 1" to 2" left above ground. The crane will also be parked about 25 - 30 ft. away from the stream. K. Corwin questioned the time of year in which the work will be done, and F. Stanley said they anticipate doing the work within the next couple of months. K. Corwin said she would prefer to see the work done when it is dry. She also noted there is Japanese knotweed growing on this lot as well as the neighbor's property. The project should not contribute to the incremental proliferation of invasive plants. E. Owen pointed out the willow stumps are likely to re-grow. Ms. Stanley stated there would be no work beyond the existing stone retaining wall with the exception of the tree removals. B. Easom suggested the homeowner consider replanting some trees to

provide shade to the stream. Species such as dogwood or tupelo might be appropriate. The proposed use of the Biofence is acceptable to the Commission for erosion control. Upon a motion by C. Auman, seconded by K. Corwin, it was

VOTED: to issue a negative #2 and #3 with the conditions that erosion be controlled, no work beyond the retaining wall, the tree stumps remain in place, and no invasive plants are planted.

8:00 p.m. - Appointment - Vic Burton

Paul Funch explained V. Burton was unavailable for the meeting, but the purpose of the discussion is to develop a trail connection from Acorn Path to Groton Woods, Duck Pond, Skinner Forest, and Flavell Crossing. The trail is only 10 ft. wide, and the Trails Committee feels a survey might be necessary to determine exactly where to place the trail. The abutter on the west side of the trail is not in favor of the trail, but this would provide a vital link to over 322 acres of conservation land. E. Owen explained the builder who donated the land was available at the Saturday site visit and provided some pointers on the location of boundary markers. He stated it may be necessary to take down some trees with a diameter exceeding 6 in. Mr. Owen will work on defining the trail area, and B. Easom offered to help.

8: 15 p.m. - Lost Lake Drawdown NOI continuation - DEP #169-861

John Diezemann, President of the Groton Lakes Association, noted a recent letter from Natural Heritage limits the first drawdown to 4. 5 ft. The letter also requires a monitoring protocol for the Small bur-reed. K. Corwin noted the protocol must be approved by Natural Heritage. Mr. Diezemann said one of Natural Heritage's concerns is that Lost Lake/Knops Pond will not re-fill quickly in the spring. He pointed out that he keeps records of the Lake level, and it is currently 9 in. below normal due to the dry weather from February to April. Nevertheless, there has been a steady increase in the water elevation despite the exceptionally dry conditions. Grotonwood Camp has installed new boards in the dam this year. Commissioners noted they would like to see a sign off from Natural Heritage of the monitoring protocol prior to closing the hearing. Upon a motion by B. Easom, seconded by M. Giguere, it was

VOTED: to continue the hearing for DEP #169-861 to June 13, 2006.

B. Ganem noted the Commission is responsible for assuring that conservation-restricted land is appropriately monitored. She suggested the Commission may wish to establish a sub-committee to review and monitor the restrictions it holds on almost 1000 acres of land, some of which is owned by the Groton Conservation Trust. The recently published Massachusetts Conservation Restriction Stewardship Manual describes many techniques to prepare baseline monitoring reports. Members B. Easom, M. Giguere, and E. Owen volunteered to serve on this sub-committee.

Members requested copies of the Environmental Notification Form submitted for Reedy Meadow Estates in order to review the document prior to the MEPA scoping session.

B. Ganem reported there is a volunteer clean up day at Sargisson Beach scheduled for Saturday afternoon on May 20th. B. Easom volunteered to participate on behalf of the Commission.

Forester Gary Gouldrup has prepared a Forestry Management Plan for the Taisey Conservation Restriction land along the Nashua River. This area was protected as part of the Partridgeberry subdivision process. Members will review the Plan and comment at the next Commission meeting.

8:30 p.m. - 14 Island Rd. NOI continuation - DEP #169-946

Chris DeLoge of Whitman & Bingham explained the retaining wall design had been submitted previously. In addition, he has revised the site plan to show incremental floodplain storage and filling at the same elevations. To achieve 22 square feet of filling between the 216 and 217 ft. elevations, a 2 ft. by 10 ft. section will be excavated under the deck. The roof will drain down gutter lines to riprap pads. B. Easom said he was satisfied this change has corrected the compensatory floodplain storage discrepancy. Compensation will occur within the building for the 217 ft. to 218 ft. elevations. Mr. DeLoge maintained more compensatory flood storage will be provided than is filled. The lower level of the garage will have four walls and a concrete floor. The owner, Joe Bue, confirmed there will be no doors on the lower level. Mr. Bue explained the construction sequence would require the placement of haybales and silt fencing as a first step. An excavator, working from the street level, will demolish the existing building. Concrete will be poured from a truck parked on the street and steel floor joists installed.

There will be a louver at the ground level. The roof drains will be installed per the plan. Upon a motion by M. Giguere, seconded by B. Easom, it was

VOTED: to close the hearing for DEP #169-946.

Members read a letter from Julie McNeill concerning Groton Residential Gardens and agreed a letter of rebuttal should include mention of the wood frog eggs observed at the April 14th site visit. They noted the vernal pool is state-certified and B. Clement pointed out the well withdrawal could change the hydrology in the wetlands. Commission comments will be conveyed to Marty Jalonski at DEP.

8:45 p.m. Gilson Rd. ANRAD continuation - DEP #169-941

Terry Ramborger of Moran Co. explained that the spot elevation taken on the Broz property was 250.55 ft. and on the Spencer property was 250.12 ft, both figures below the 250.89 ft. calculated by the engineer. Members agreed this information appears to cover the historic area of observed flooding confirmed by the photographs. Abutter Valerie Spencer (21 Old Carriage Path) asked why the Commission had put in just one stake because the water goes well beyond that point. Commissioners said the water may spread further out laterally, but the water elevation itself was not any higher than the stake. The Commission did not require a full survey of adjoining properties showing where the contour line extended.

Mr. Ramborger stated the DEP regulations specify 2.7 in. of rain over a 24 hour period as the threshold for determining whether the Isolated Land Subject to Flooding is jurisdictional. He noted that the time when the photographs were taken (spring 2001) was the highest recorded precipitation at the Blue Hills observatory in 116 years. Mr. Broz (27 Old Carriage Path) pointed out the figures from September 2000 to spring 2001 are actually very average. Ellen Weber (27 Old Carriage Path) asked how the applicant will guarantee they will not experience the same degree of flooding as abutters to the Groton Residential Gardens development. Member Owen commented that if the Commission had heard from neighbors at the original filing, the Broz house probably would not have been built.

Chairman Morrison said the Wetlands Protection Bylaw would be applicable and one of the conditions is that the volume of water created by development is properly retained on the site. He suggested the drainage calculations also provide additional information. If work is within 100 ft. of wetlands, the applicant is required to come before the Conservation Commission. The engineer for the Planning Board will also review the drainage calculations. Mr. Morrison explained the 250.89 ft. elevation is not actually plotted on the Broz and Spencer properties, and the Commission is not certifying a wetland line on the abutting properties, just on the Monarch Path parcels. Mr. Ramborger pointed out the Commission will have concerns if the proposed development results in the de-watering of the vernal pool. Upon a motion by E. Owen, seconded by B. Easom, it was

VOTED: to accept the delineation for only the Monarch Path property as shown on the revised plan dated 5/3/06.

Member E. Owen mentioned he had looked at some of the six properties recently dedicated to conservation at the spring town meeting. He reported the Reedy Meadow property may have an encroachment issue but one of the boundary markers is missing. There is definitely lawn on the property.

K. Corwin commented Ms. McNeill's assertion that the wetlands are 90 ft. away at Groton Residential Gardens misses the point that the vernal pool and wetlands are hydrologically connected. She also noted that the Lawrence Academy filing indicated there would be no increase in peak flows, but the Regulations do not address changes in volumes, and they will have an increase in volumes flowing offsite..

E. Owen questioned whether there would be costs involved in revising the Wetlands Protection Act Regulations. He said he had heard the Board of Health had incurred substantial expenses when updating their regulations.

C. Auman reported there continue to be ATVs using the Gilson Estates property. B. Ganem will contact T. Delaney about placing a large rock at the entrance. Mr. Delaney's crew will re-install the turtle signs on May 15th.

B. Clements cautioned the Commission and the Planning Board will need to do a careful review of the Monarch Path plan to assure there is no flooding and no draining of the vernal pool.

There being no further business, the meeting was adjourned at 9: 30 p.m.

Respectfully submitted,

Barbara V. Ganem
Conservation Assistant

Approved as drafted on May 23, 2006