

GROTON CONSERVATION COMMISSION

Minutes

June 13, 2006

Clerk Marshall Giguere 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, and Evan Owen were present. Members Peter Morrison and Bruce Easom were absent. Conservation Assistant Barbara Ganem was present.

7:00 p.m. - Acorn Path trail neighbors

Trails Committee Chairman Joachim Preiss asked whether this project has previously been discussed by the Commission, and B. Ganem noted the Commission had decided at the last meeting to invite the neighbors. Mr. Preiss indicated he was not aware of any issues, but it was determined he was thinking of the Orion Way trail. Member Owen commented the strip is 10 ft. wide, and there are two granite bounds in, but not at the cul-de-sac. He said they had figured out where the bounds should be. Resident Mr. Colton (39 Acorn Path) has indicated via an email to the Commission that he wishes to be present when the trail is discussed. Patrick Marion (11 Autumn Leaf Dr.) stated it was convenient for him to use the trail, and he thought it would be a great benefit to the whole neighborhood.

Member Auman pointed out that connecting trails are an important component of both the 2020 Master Plan and the Open Space & Recreation Plan. Mr. Marion concurred, stating that perhaps 50 houses could take advantage of the trail link. The development has been there a while, and B. Clements commented the land is owned by the Town of Groton, and it is quite likely that a trail will be put there. He noted neighbors are invited in for discussions with the Commission so that members can address any concerns they may have. Mr. Clements also indicated that the Commission does not customarily give up its right to put in trails. M. Giguere noted sometimes there are temporary objections, but typically the Commission hears no complaints once the trail is in place. For this particular trail, it will be necessary to cut some trees, but there will still be adequate vegetation to screen the trail from abutting neighbors. Mr. Preiss added that walkers and hikers are likely to quickly pass through the area.

Member Owen said two of the three bounds are there, and he would be willing to stake out the trail, but he is not a licensed surveyor. Commissioners speculated that trail construction could be halted by an action in Land Court or perhaps an injunction. K. Corwin commented the land is public land, and the public is free to use it. Mr. Preiss indicated the project has the full support of the Trails Committee, and he planned to attend the next meeting scheduled for June 27th when the discussion will continue.

Upon a motion by C. Auman, seconded by K. Corwin, it was

VOTED: to approve the minutes of May 23, 2006, as amended.

Members agreed that the planting of four River birches at the Northwoods Conservation Area by the Friends of Trees was appropriate. Joachim Preiss reported there is discussion of re-routing a trail at the Sorhaug Woods Williams Barn parcel to avoid going through wetlands. K. Corwin requested that the proposed route be flagged in the field.

7:15 p.m. - Lost Lake Drawdown NOI continuation

Dr. William Eger has requested a further continuation, and upon a motion by K. Corwin, seconded by C. Auman, it was

VOTED: to continue the hearing to July 11, 2006.

K. Corwin mentioned that her chief concern was the training of volunteers who will do the monitoring of rare plants. Commissioners also noted the well protocol should probably be updated. These issues will be raised with the

proponents before the continued hearing.

Upon a motion by K. Corwin, seconded by C. Auman, it was

VOTED: to sign off on the final MassAudubon/MSPCA Conservation Restriction which will be submitted to the Secretary of the Executive Office of Environmental Affairs for final approval.

Upon a motion by K. Corwin, seconded by E. Owen, it was

VOTED: to approve and issue the draft Order of Conditions for 90 Ridgewood Avenue, DEP #169-954, as amended.

Upon a motion by K. Corwin, seconded by E. Owen, it was

VOTED: to approve and issue the draft Order of Conditions for Groton School, DEP #169-955.

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

VOTED: to approve and issue the draft Order of Conditions for 47 Shenandoah Road, DEP #169-953.

Preceded by discussion on whether this was the appropriate step, upon a motion by K. Corwin, seconded by E. Owen, it was

VOTED: At the applicant's request, to re-open the hearing for DEP #169-950 for the Highway Department Best Management Practices. The hearing is continued to July 11, 2006.

7:30 p.m. - Crossroads Plaza NOI - 788 Boston Road

Bruce Ringwald of GPR, Inc. introduced wetland scientist Scott Smyers who assisted in the development of the replication plan for this project. Mr. Ringwald explained that the Commission had agreed in January 2006 to an inland freshwater wetland delineation of 382 SF at the site. Noting that the whole parcel was currently disturbed, he asserted that the project would create a better wetland than what is presently there. The project involves four commercial buildings with parking for 133 vehicles, as well as a review and analysis of drainage that has been evaluated by Judith Nitsch Engineering, Inc. and the Natural Resources Conservation Service (NRCS). The NRCS letter states "This is one of the best-thought-out plans we have seen." Mr. Ringwald said stormwater will be treated by deep sump catch basins, bioretention ponds, and a detention basin. The replication area is proposed on a 2 to 1 basis at 804 SF. It will be located at the lowest point with a bottom elevation of 230 ft. Roof runoff from the two western buildings will directly discharge to the Replication Area. The Area will be excavated 16" below finished grade and backfilled with a clay/silt soil, planted with 24 shrubs interspersed with a New England wetland seed mix. Mr. Ringwald anticipates that more water than currently goes into the wetland will go to the Replication Area.

Mr. Ringwald explained the embankment above the infiltration basin and the Replication Area will be stabilized with a cellular confinement system for which he submitted descriptive literature. This system has openings in a diagonal grid system which is firmly attached to the subsoil with sticks. He noted his firm has recently been involved in a similar installation for the Harvard Public Safety Building in which a 1.7 to 1 slope was stabilized. The slope proposed here is 2 to 1. He said a gutter is proposed along the edge of the paved area which will receive runoff from rain or from snowmelt. There is a level area before the runoff reaches the detention basin.

B. Ringwald acknowledged the Commission has modified its Bylaw Regulations since the proponent last came before the Commission. The Regulations call for a 3 to 1 replication. He pointed out the Replication Area will have more than adequate supply of water to help it survive.

Scott Smyers indicated it may be possible to recycle some of the wetland plant material into the new Replication Area by directly translocating soils and plants. It is likely the soils will need to be supplemented, particularly the impermeable clay base. Member C. Auman commented that the current wetland will have more than 6 ft. of fill for grading for the detention basin, and he is struggling with ascertaining what rule allows this to be done. He said the Bylaw allows filling of wetland in the case of limited projects. Mr. Smyers felt that the Conservation Commission has discretion if the applicant can demonstrate that the functions and values of the wetland can be replicated. He noted the groundwater would be cleansed before recharging, and this will be done better than with the existing wetland. The existing wetland has been run through with machinery, and wetland vegetation has taken hold. The wetland is proposed to be moved to a location that is protected and has a ready source of water.

C. Auman questioned what would happen to the project if the Commission requires that everything stay outside of the 100 ft. buffer zone. B. Ringwald conceded this would be devastating to the project as everything is disturbed within 2 ft. of the wetland. But, he pointed out, everything has been disturbed for many years, even prior to logging, as there were ATV trails there. He felt the proposed project was a better approach and it would be more useful to relocate the wetland to a better area.

C. Auman pointed out the literature on replication areas documents many failures, and he asked what experience the proponents' consultants have with replications. Scott Smyers maintained the replication areas in which he has been involved do depend on consistent monitoring, both during initial construction and following up during subsequent growing seasons. He felt this project has a good chance of success which would be confirmed by developing a viable wetland plant community. He acknowledged that hydrology is very important, and an intersection with groundwater could be created. The monitoring reports, handling invasives such as loosestrife early in the process, and the fact that the Commission would have the final acceptance of the Replication Area will help ensure its success. The addition of supplemental water, the clay/silt barrier beneath the wetland, and the location low on the site also improve the chances of success. Mr. Ringwald added that moving the wetland is not done lightly, and the project has required careful design and planning.

K. Corwin pointed out the hillside is currently disturbed. Before the logging took place, there were large trees at the back of the site, and there were anecdotal reports of water there. Soil probes show standing water not far below the surface of the ground. As far as the 3 to 1 requirement, the Commission may not require it due to the timing of the filing. The requirement for a 100 ft. buffer with no structures also applies to drainage structures and a portion of the parking lot. Mr. Ringwald reminded the Commission that the Wetlands Protection Act allows stormwater management within the Riverfront Area. Ms. Corwin cautioned that only minor grading is allowed within the 100 ft. buffer zone under the Groton Bylaw. She stressed that even if the Commission allows the wetland to be moved, there are other issues to be addressed. Mr. Ringwald argued that there will be a massive area of vegetation around the Replication Area, and they are moving water there through a series of Best Management Practices. He submitted copies of NRCS letter for the record.

When K. Corwin urged the applicant to consider Low Impact Development methods, Mr. Ringwald emphasized the project uses water quality swales, bioretention ponds, deep sump catch basins, and there will be no use of salt because of the site's location in a water resource protection overlay district. He anticipates the use of calcium carbonate. The catch basins will remove sediments. Ms. Corwin commented that more of the parcel will be utilized under the proposed development plan, and the Commission never acted on the much more intense development plan originally proposed by the applicant. She questioned where snow storage will take place, and Mr. Ringwald pointed out 8 separate areas on the plan. He also explained that machinery for maintenance of the detention basin will enter from the south side of the lot. The filing contains an Operations and Maintenance Plan for the stormwater management system. Commissioners advised that the Replication Checklist from the Bylaw Regulations be completed and submitted with the filing.

E. Owen said the filing provides a model for the installation of the Replication Area, but he has concerns about what is happening at the back of the project. Mr. Ringwald noted that the 5 - 6 ft. shoulder will be planted with dogwood and will be bordered by a Cape Cod berm. Mr. Owen recommended strong oversight of the project during construction and advised there be some discussion of the "greater good" section of the Bylaw.

Member B. Clements commented he has reviewed the project from the Planning Board perspective, and it is one of the nicest of its type he has seen in Groton. He thought a lot of effort has gone into the planning and design of the project. Nevertheless, he noted there has to be something within the Wetland Bylaw or Regulations that can justify the project. Scott Smyers maintained the Bylaw does include the phrase “except as permitted by the Groton Conservation Commission”. He said the Regulations even include a Replication Area checklist; members advised this is necessary for the limited projects allowed under the Bylaw. Member C. Auman questioned whether it was possible to develop the lot and still work around the areas under the Commission’s jurisdiction. Mr. Ringwall reiterated it would have a devastating effect on the project and would require a massive retaining wall.

B. Clements questioned whether a case could be made for public benefit. This is usually determined in the case of a school, but may not be applicable in a commercial development. M. Giguere said he, too, is struggling with the idea of picking up an entire wetland and moving it to a new location while filling the former site. He pointed out it is likely the water was there even when the site was forested, and the applicant has created his own hardship through logging the site. B. Ringwall argued the wetland was unlikely to meet the Army Corps of Engineers definition of an isolated wetland. The whole wetland is being replicated in an adjacent area.

E. Owen observed that public benefit, in past decisions, has been the result of the donation of conservation land. Mr. Ringwall focused on the open space that is being preserved on the lot, stating that 45% is impervious with the remainder being open space under Planning Board definitions. C. Auman said he continues to struggle with where one draws the line. He asked where does this project qualify under state regulations even though the project is not under the jurisdiction of the Wetlands Protection Act. He stated “It is precedent-setting, in my opinion.” K. Corwin read from the Bylaw (Ch. 215-5(C) in which it states there must be a significant public or environmental benefit. She advised this is the only clause under which this project could possibly move forward.

E. Owen added the proponent could consider a donation of consulting services, construction of turtle nesting sites, **testing out**, or a donation of funds. M. Giguere noted a donation of land is usually part of the parcel under consideration. B. Ringwall asked the Commission to consider a continuation while he compiles additional evidence. M. Giguere questioned whether the Commission wishes to have the project reviewed by an independent consultant, particularly the viability of moving the wetland. Members indicated they felt this was more of a policy decision under the Bylaw than a scientific determination. K. Corwin explained the decision will reflect how the Commission applies the Bylaw. Upon a motion by E. Owen, seconded by K. Corwin, it was

VOTED: to continue the hearing to June 27, 2006.

B. Ganem reported a letter from Natural Heritage was faxed to the Commission today about 788 Boston Rd. in which they found that the project, as currently proposed, will not result in a “take” of state-listed rare species.

7:45 p.m. - 292 Main St. RDA

B. Clements pointed out that if both he and M. Giguere recuse themselves, there will be no quorum if there is a perceived benefit to being patients of the applicant, Dr. Peter Breen.

Dr. Breen indicated he had no objection to them participating in the meeting. Board members were also asked if they had objections, and none were raised. M. Giguere, acting as Chairman, asked Dr. Breen to describe what is proposed. P. Breen explained he was unaware a wetlands permit was necessary, and he has already done some of the work. A dumpster and a 20 ft. by 20 ft. gravel pad have been installed adjacent to a wetland. He assured members that the dumpster contains no hazardous waste, just paper products that are doubly bagged. Timbers were used to border the areas, but they contain no creosote. He noted that water levels in the wetland were the highest he has observed in the 15 years he has owned the parcel. Dr. Breen explained the catch basin and paving appeared to collapse right around the time he was notified of the need to file with the Commission. Because of safety concerns, he engaged Brian LaGasse to inspect and replace the catch basin, but he will not do the actual work until the water level subsides.

Dr. Breen maintained he is just as concerned about silt ending up in the drain system as is the Commission. He stated he was aware of the stone culvert which was broken as a result of the excavation on the adjacent Credit Union property. He also indicated he understands the need to regularly maintain the drainage system that carries the stream

under the parking area. Improvements to the office building were completed around Christmas 2004. Part of the work included the construction of an ADA acceptable ramp and this necessitated the re-location of the dumpster. K. Corwin said she had no problem with the dumpster, but working near the intermittent stream carried by the culvert requires a permit. She commented there have been on-going problems with drainage at this site. Dr. Breen reported that MassHighway even came in to clean the catch basin at the center of the parking lot at the request of the neighbor across the street who was experiencing ponding in their front yard.

It is proposed that the catch basin will be replaced when conditions are dry. Currently, it is unknown whether the pipes leading into the catch basin must be replaced. E. Owen cautioned that the size of the pipe and the type could have an impact on its function. B. Clements thanked Dr. Breen for his efforts in trying to correct the problem of flooding at the site. He noted, however, that the project is sufficiently complex as to warrant the filing of a Notice of Intent. C. Auman added he would like to see the project signed off by an engineer, and he would like more information. Upon a motion by C. Auman, seconded by B. Clements, it was

VOTED: to issue a negative #2 Determination for the dumpster and the gravel pad and a positive #4 Determination requiring a signed and stamped engineered plan for the replacement of the catch basin and potentially the drainage pipes or culvert.

8:00 p.m. - National Grid NOI

Paul Knapik, consultant from Vanasse, Hangen Brustlin, Inc., explained that the application was to lower water elevations in a beaver impoundment for the purpose of replacing utility structures. Four transmission lines run through the electrical power right-of-way in Groton. It is necessary to do routine maintenance such as refurbishing or re-conductoring of the equipment and poles. This work has been completed with the exception of six structures within the impoundment. It is the responsibility of National Grid to avoid, minimize, or mitigate for work in sensitive areas. The impoundment has grown in depth from 3 ft. to an average of 5 ft. With the lines energized, it is difficult to safely work on them, particularly with water there. Typically, the electric company uses swamp mats composed of connected 4 in. by 4 in. timbers which help disperse the weight of the heavy machinery necessary for maintenance. The work area is indistinguishable from adjoining natural areas within a half year of the work. In this case the beaver impoundment is priority habitat for Blandings turtles, and is too deep to safely work from layered swamp mats.

The goal is to lower the water elevation sufficiently to be able to access the structures for removal. Beaver Solutions has agreed to install a "Beaver Deceiver", a device which will gradually lower the water. When the water reaches a 2 ft. depth, six structures will be removed and taller structures will be installed to span a longer distance at either end of the work area. In order to minimize future impacts short spurs accessing two work pads will provide future access for maintenance.

The June 12, 2006 letter from Natural Heritage outlines several conditions under which the work could be permitted: work shall take place between July and September, water levels shall be restored by November, the work footprint shall be minimized, and National Grid. is to monitor for invasive species.

Member B. Clements asked if the Blandings turtle hatchlings would be emerging during the work period. Dawn Travalini of National Grid said the crew was receiving training in sweeping the area for wildlife prior to the deployment of the swamp mats. Any turtles they find will be re-located. The ATVs or dirt bikes that utilize the area are not authorized, and National Grid has been actively discouraging their use by placing barriers on land owned by National Grid, posting signs, notifying local police departments, and placing boulders to block trails.

C. Auman said he felt this was a well thought out plan and questioned whether National Grid proposed any mitigation for the wetlands filling necessary for the access ways. Mr. Knapik explained that creating nesting habitat for Blandings turtles would involve messing with something that is naturally occurring on the site as observed by students in the UMASS turtle study. Another idea had been to allow the poles to remain and provide nesting platforms, but there are concerns about the overhead lines. In the view of National Grid's engineering and operations department, this would not be appropriate. P. Knapik noted there are a number of natural snags on the site which could be utilized. Also, a beaver pond is a very dynamic ecosystem so what would work today may not be appropriate in future years.

K. Corwin thanked National Grid for working with Natural Heritage on the issue of rare species and providing a well thought out plan. She mentioned the installation of wood duck boxes as a possible option for mitigation, suggesting that they could be installed more easily under frozen conditions. The representatives from National Grid agreed to the installation of four wood duck nesting boxes on existing snags.

Acting Chairman M. Giguere questioned how Beaver Solutions will gain access to the beaver dam to install the apparatus. Mr. Knapik responded they typically use a pick up truck for access and hand equipment to dig a V-notch in the dam for the leveling device. Protective fencing is manually installed on the downstream side of the pipe. It is anticipated the drawdown will start in mid-July with the power outage scheduled for the third week in August. The access roads will be built in August as well. Haybales will be run across the access to discourage ATV users.

Resident Suzanne Goehringer (24 Star House Lane) explained she was familiar with the UMASS turtle telemetry study. She pointed out the turtles are laying their eggs right now, and it is not necessarily near water. From August 16 - August 23, the babies hatch and travel a great distance. Ms. Goehringer commented wood duck and heron frequent the area already, but she has concerns about the hatchlings. K. Corwin said the Commission typically defers to Natural Heritage because they are more familiar with wildlife life cycles. National Grid representative Dawn Travalini explained that the August date was locked in several months ago at Natural Heritage's recommendation.

Marcia Beal Brazer (Ogunquit, ME and 75 Floyd Hill Rd.) questioned whether National Grid would clean up the area when their work was completed. Ms. Travalini replied it is standard operating procedure to remove equipment and stockpiled poles. The access road will be cleaned up, and top soil that is set aside will be spread afterwards for restoration. Ms. Brazer commented that, in the past, gravel has been dumped on the road, trash left, and trees cut and left there, and she would like to see it look better. She also suggested National Grid take a more pro-active approach in discouraging ATVs from coming in from Rt. 40 in order to protect this sensitive area. P. Knapik acknowledged ATVs are an on-going issue because there are lots of ways for them to get into the power right-of-way. More signs can be posted, but not on private property. Also, the police are not likely to patrol hard-to-reach areas. Commissioners advised the discussion was going beyond their jurisdiction. Upon a motion by E. Owen, seconded by C. Auman, it was

VOTED: to close the hearing for National Grid, DEP #169-958.

B. Ganem confirmed the Commission would issue the Order of Conditions on June 28th.

8:15 p.m. - 124 Nod Road RDA

Homeowner Robert Crowley explained a tree fell over and blocked the brook (Nod Brook). Members noted that it appeared vegetation had been cleared from the site to the left of the driveway. Mr. Crowley said he dragged the tree out and questioned whether any Commissioners had seen the site before Saturday. C. Auman commented the site was heavily wooded with the exception of the area near the brook where it appeared vegetation was maintained. R. Crowley responded everything was growing fine. Members asked if any materials were dumped there, and R. Crowley replied "Perhaps the snowplow connected with something there." Member Corwin noted she regularly travels this road and recently observed it was freshly cleared of vegetation. She said she has no problem with a filing before the Commission for the removal of Japanese knotweed, an invasive plant. E. Owen said the Commission is just asserting its authority. M. Giguere said he observed bricks, a cinder block, and some paving materials that appeared to be dumped there. Mr. Crowley stated the old dump is located across the street. Upon a motion by E. Owen, seconded by K. Corwin, it was

VOTED: to issue a negative #3 Determination in which the applicant is allowed to continue to remove invasive plants and required to stabilize any bare soils with a native seed mix.

8:30 p.m. - 687 Townsend Road Abbreviated NOI

Homeowner Thomas Knatt explained he wished to construct a 24' by 24' two car gambrel-style garage. He noted there is a 10 ft. rise above Flat Pond Brook, and perhaps 2/3's of the garage is within the outer 200' Riverfront Area. Dennis McGee assisted with the flagging of the wetland. He is limited in the location because of the 50 ft. setback requirement from Townsend Rd. C. Auman noted the Commission visited the site on Saturday, and it appears to be previously disturbed lawn which satisfies the Bylaw Regulations. K. Corwin said she would like to hear from Natural Heritage before the hearing is closed, and they have 30 days in which to respond.

Mr. Knatt stated it is a modular garage, and it will be necessary to remove a few trees. Upon a motion by C. Auman, seconded by K. Corwin, it was

VOTED: to continue the hearing to June 27, 2006 for 687 Townsend Rd., DEP #169-956.

8:45 p.m. - 227 Boston Road NOI

(As an abutter, B. Clement recused himself.) Kevin Hardiman, consultant from Ross Associates, Inc., described the work proposed is the paving and widening of an existing driveway and replacement of a culvert. He said the land is currently in agricultural use, and his clients need to improve the driveway so that larger vehicles can utilize it. The size will be widened from 10 or 12 ft. to 16 ft. wide. The slope leading from Boston Rd. will be minimized so that it will not be so difficult to pull out onto the street. A stone retaining wall is proposed at the wetland crossing where a 12" pipe will be replaced. There is grading associated with the widening that is within the purview of the Commission.

Member Corwin indicated she had requested research of earlier filings for this property. A 1987 filing had proposed a culvert of 24", and the owner now has a 12" culvert. She questioned the adequacy of the culvert size and noted since the applicant is going to the expense of replacing the culvert, it might be helpful to size it appropriately. K. Hardiman acknowledged the new guidelines for stream crossings, but said there are two important considerations - you don't want to flood downstream and you don't want to drain the wetland upstream by conveying water faster and perhaps overwhelming downstream culverts. He did not feel additional engineering was warranted in the case of a culvert replacement.

E. Owen questioned whether the plan is to armor the slopes, and Mr. Hardiman indicated they are 3 to 1 slopes and the footprint of the fill will be grassed. The pavement will have a 1 ft. wide shoulder. The driveway will be raised to create a softer slope approaching Boston Rd. C. Auman asked whether this was filed as an agricultural exemption, and K. Hardiman replied "no". M. Giguere read from the new stream crossing guidelines which indicate that, with careful planning, some upstream benefits could be provided. K. Hardiman said this is an intermittent stream and the guidelines, which are not regulations, apply to streams with fish. He recommended that the culvert be replaced with one of the same size in order to maintain the ecosystem that is established on site and not cause flooding downstream. He admitted the size of the culvert probably created the wetland behind it. Upon a motion by C. Auman, seconded by E. Owen, it was

VOTED: to close the hearing for DEP #169-957 for 227 Boston Road.

B. Clements explained that the yield plan for the McGovern parcel near the intersection of Sand Hill and Longley Roads was done to demonstrate that it is possible to build a certain number of houses under present zoning. The yield number determines the possible lots for a flexible development plan. The yield plan is not what they actually wish to build, but to determine what is possible to build. Members noted there are difficulties with the plan in that grading for septic systems or driveways is not shown. Part of the determination of nine lots rests on two wetland crossings so the applicant would be required to explore alternatives. Beyond the crossings, the applicant would have to demonstrate that all structures and all but minor grading are outside the 100 ft. buffer zone in order to comply with the Wetlands Bylaw.

Member Corwin pointed out this is really a policy decision for the Commission. If it is possible to create four ANR lots, the applicant is not deprived of all use of the parcel. E. Owen questioned whether a conservation restriction could be placed on the back portions of the lots. Members felt it very likely the McGovern yield plan of nine lots was incorrect given the steep terrain and grading that would be necessary. The Commission considered the merit of having applicants file a plan that takes into account the local Wetlands Bylaw under a Request for Determination of Applicability may be an option. K. Corwin volunteered to attend a Planning Board meeting on the subject, but she

emphasized she felt the policy issue should be kept separate from the specific McGovern plan. Upon a motion by C. Auman, seconded by B. Clements, it was

VOTED: to authorize K. Corwin to represent the Conservation Commission before the Planning Board on the policy to be applied in the case of yield plans.

K. Corwin abstained from the vote.

Upon a motion by K. Corwin, seconded by E. Owen, it was

VOTED: to issue a Certificate of Compliance for DEP #169-900 for 23 Radio Rd.

Upon a motion by K. Corwin, seconded by C. Auman, it was

VOTED: to issue a Certificate of Compliance for DEP #169-834 for 23 Radio Rd.

Upon a motion by C. Auman, seconded by B. Clements, it was

VOTED: to issue a Certificate of Compliance for DEP #169-813 for 175 Gratuity Rd.

Regarding the request for a Certificate of Compliance for DEP #169-843 for 179 Mill St., Commissioners noted the work does not appear to be completed as the roof runoff is not being addressed, and the site is not stable. B. Ganem reported the minutes from the NOI hearing show the applicant planned to use piers for the foundation of the addition, but now there is a full basement which has required additional fill on the wetland side. Upon a motion by C. Auman, seconded by K. Corwin, it was

VOTED: to require the landowner to file a new Notice of Intent for the change in plans and remaining work.

The Cemetery Commission and the Williams Barn Committee have reached an agreement about adding an adjoining strip of land to the Sorhaug Woods parcel. This is the original site of the machine shed which was located next to the re-built silo. It is likely a survey will need to be done to complete the transaction, but members had reservations about funding such an expense although it will be an addition to conservation land.

At 10:35 p.m. upon a motion by K. Corwin, seconded by E. Owen and a roll call vote of C. Auman, K. Corwin, E. Owen, B. Clements, and M. Giguere, it was

VOTED: to enter Executive Session for the purpose of discussing a land acquisition, to return to Open Session at adjournment.

Members returned to Open Session at 10:50 p.m. to sign bills and other documents. There being no further business, the meeting was adjourned at 10:55 p.m.

Respectfully submitted,

Barbara V. Ganem
Conservation Assistant

Approved as drafted June 22, 2006.