

## GROTON CONSERVATION COMMISSION

### Minutes

July 11, 2006

Chairman Evan Owen called the meeting to order at 7:00 p.m. in the 2<sup>nd</sup> floor conference room in Town Hall. Members Craig Auman, Bruce Clements, Kris Corwin, and Marshall Giguere were present. Peter Morrison arrived at 7:05 p.m. Bruce Easom was absent. Conservation Assistant Barbara Ganem was also present.

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

VOTED: to approve the minutes of June 27, 2006 as amended.

(P. Morrison arrived at 7:05 p.m.)

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

VOTED: to issue an Order of Conditions for DEP #169-959 for 95 Birchwood Avenue as amended by re-wording Condition #24, and deleting Conditions #37, 38, and 43.

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

VOTED: to issue an Order of Conditions for Groton #06-1 for Crossroads Plaza as amended by adding a condition requiring educational signage and acknowledging the intended donation to the Conservation Fund prior to sign-off on Building Permit applications.

P. Morrison abstained from the vote.

#### 7:15 p.m. - DEP #169-950 - Groton Highway Department NOI continuation

Tom Delaney, Highway Surveyor, has requested a continuation while he works things out with Natural Heritage. Upon a motion by B. Clements, seconded by K. Corwin, it was

VOTED: to continue the hearing to August 8, 2006.

Regarding the site visit to the Grolex site on Saturday, Commissioners agreed to send a letter to the owner inquiring as to the status of the lot. Recent grading was observed at the site.

Commissioners also visited a former beaver impoundment adjacent to the Cutler property at 271 Hill Road on July 8, 2006. They recommended a letter go out to the neighborhood advising them of the need to file with the Board of Health and the Conservation Commission before undertaking such work in the future.

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

VOTED: to empower the Trails Committee to cut a trail on town-owned land identified as Assessors Parcel 251-57 off Acorn Path.

B. Ganem reported she is working with Chris LaPointe to pull together the Self-Help application for Surrenden Farm by August 1. In addition, the Community Preservation Committee has an August 1 deadline for Community Preservation funding for the demolition of the buildings at the Norris property. B. Clements commented he would still like to see the Boy Scouts use the concrete building rather than demolish it. Bruce Dubey has indicated he would like

the wood from the barn. Commissioners suggested he approach the contractor directly on this matter. B. Ganem noted the Building Commissioner has solicited bids for the demolition. Bidders may count on funds from salvage to recoup some of the costs involved with demolition. B. Clements pointed out it would be better to have someone who could re-use these materials rather than just throw them out. Members questioned the appearance of favoritism however, and B. Ganem was asked to look into whether bids are necessary.

7:30 p.m. - DEP #169-861 Lost Lake Drawdown NOI continuation

Dr. Eger has requested a continuation pending completion of the bur-reed monitoring protocol, and upon a motion by M. Giguere, seconded by K. Corwin, it was

VOTED: to continue the hearing to July 25, 2006.

7:30 p.m. - Appointment - Antioch College intern Holly Estes

Ms. Estes has spent March through June, 2006 studying the natural resources on the Sawtell, Torrey Woods, Groton Hills, Ripley Forest, and Floyd Conservation Areas. Her focus has been on the vegetation in these areas in the northeast quadrant of Groton. Noting that there are wetlands at the access to the Ripley Forest from Martins Pond Road, she pointed out much of Groton is within the Petapawag Area of Critical Environmental Concern. These five conservation areas contain Biomap Core Habitat and natural supporting landscape. In reviewing the natural communities on site, Ms. Estes looked at past land uses and the flora and fauna. Much of the area consists of a hardwood-white pine-hemlock transition community. Her methodology included the use of a Biltmore stick to determine the height of trees, a prism to determine the density of vegetation, and identification of species. Stone walls, evidence of logging (stumps), and old cart paths speak to past land uses. After fields were abandoned, much of the area succeeded to white pine and mixed oak forest. H. Estes prepared tables showing the relative density of species and number of trees/acre. Trees greater than 8" diameter indicate mature forest. In general the white pine forest is more prone to invasives.

Photographs of a beaver impoundment, spread of barberry, and the spring ephemeral round-leaved hepatica rounded out her presentation. She noted the control of invasives within the Sawtell Conservation Area is probably the most pressing management issue. It is spreading within a wetland area apparently out-competing the native spicebush that is currently growing there. She noticed only one large rock outcrop or perhaps an erratic east of the power line in the northern part of Torrey Woods. Other than this, the area showed relatively few rocks. She was accompanied by a birding friend who helped identify 35 different bird calls including the cuckoo, black and white warbler, and an osprey near the beaver impoundment under the power lines. There was a good variety of species. H. Estes suggested the Commission may want to consider applying to the Wildlife Habitat Incentives Program (WHIP) for funding to help manage invasive plants. The USDA funds this, and K. Corwin noted the Commission has received a grant to help with management on another conservation area.

Ms. Estes estimated that the cost of equipment to do the survey included \$25 for the prism and perhaps \$300 for the GPS unit. She found that mapping was time intensive for her, but she was able to utilize mapcard.com to help with some of the mapping. She acknowledged it was difficult for one person to carry out a lot of the measurements single-handedly. C. Auman said her study will serve as a model for future work on conservation areas, and thanked her for her work. He questioned whether she had any interest in serving on the Commission or as an Associate Commissioner. Although the Commission would provide training to Associates, they cannot vote on Commission business. M. Giguere said he was working with another volunteer to gather information on the "Site Survey Form" and photographs of specific conservation area, and Ms. Estes was welcome to join them. He thought the knowledge of plants would be very helpful.

Regarding the June 23, 2006 letter from Michael Currie/179 Mill St. Commissioners thought his green building techniques were admirable, but suggested the work still needs to be in compliance with the NOI plans that were filed. Upon a motion by K. Corwin, seconded by C. Auman, it was

VOTED: to send a letter to Mr. Currie advising him of the need to file to complete

the proposed work.

Requests for extensions of NOIs and Determinations for individual building lots at Groton Wood were recently submitted to the Commission. K. Corwin pointed out there is a vernal pool behind one of these house lots. Upon a motion by P. Morrison, seconded by C. Auman, it was

VOTED: to extend DEP #169-754, #169-750, #169-752, and #169-751 for three years.

E. Owen abstained from the vote.

Regarding the Determinations, it was noted the Commission could either re-issue them or request the applicant to re-file. K. Corwin thought the vernal pool was likely to be near B47 Forest Drive, and there was a possibility the wetland boundary has changed in the intervening years. A motion by P. Morrison, seconded by C. Auman, to approve Lots B47, B28, and B30 failed. Upon a motion by P. Morrison, seconded by C. Auman, a motion to approve Lot B47 failed. Upon a motion by P. Morrison, seconded by C. Auman, it was

VOTED: to re-issue the Determination for Lot B28.

The motion passed, and E. Owen abstained from the vote.

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

VOTED: to re-issue the Determination for Lot B30.

The motion passed with E. Owen abstaining from the vote. K. Corwin suggested including the lot on the next site walk.

M. Giguere urged the Commission to consider the purchase of a GPS unit as he felt it could be a useful tool in working on the conservation-restricted land. He has looked at two models which may serve the Commission's needs well. Members recommended talking with Ed McNierney and B. Easom before making a decision. There is currently money in the budget as it is the start of a new fiscal year. M. Giguere thought it was needed equipment, and the Commission should make the purchase now rather than waiting, and he volunteered to talk with E. McNierney and B. Easom and make a recommendation to the Commission at the next meeting.

Concerning the Sawtell Conservation Area, K. Corwin noted they are mowing part of the trailhead, and there are sprinkler heads located on the Conservation Area. The path is currently delineated with woodchips, but the mowing is not differentiated between private and public land. P. Morrison pointed out even though someone uses the public land, there is no such thing as adverse possession for publicly-owned land. B. Ganem will research the latest correspondence with the neighbors.

C. Auman indicated he planned to attend the Wildlife Habitat presentation by the DEP Circuit Rider on July 13<sup>th</sup> at the NRWA.

P. Morrison suggested the Commission consider the purchase of a weed wrench. Cindy Kollarics has one which she is willing to loan. The time of year in which they are used is important. Members thought the Trails Committee might be interested in using one. A place in which to store equipment is an issue. B. Clements noted the Williams Barn Committee had concerns about storing gasoline in the barn. Tom Delaney may allow the Commission to use storage space in the W. Groton garage.

8:45 p.m. - 65 Boathouse Rd RDA

Robert Buonopane explained that the work on upgrading his septic system is already completed. He noted three different engineers worked on the project, and no one advised him of the need to file with the Conservation

Commission. P. Morrison expressed concern about the condition of the steep corner beyond the flat area where there is stone riprap. Mr. Buonopane said the work was completed in January, and he was not aware he needed to file with the Commission since he had filed with the state DEP. He indicated he felt the area was stable, and there was no erosion. Members commented there is potential for erosion where the slope is steep. The haybales and silt fencing appear to be holding back materials that could wash down into the Lake once the haybales disintegrate. There is a lot of unvegetated surface there.

K. Corwin pointed out the silt fence is currently acting as a retaining wall, and she also has concerns that the area needs to be stabilized with riprap or growing vegetation. The ground needs to be stable without the silt fence in place. B. Clements questioned whether it could be graded back into the existing surface and then grassed. Matting is another possibility. M. Giguere asked why the Board of Health did not mention the need to file with the Commission. He noted it is better to take care of erosion problems ahead of time rather than addressing them after-the-fact. He suggested it be worked out with an engineer. E. Owen commented there is a weak link around the retaining wall and on the steep slope. Commissioners advised Mr. Buonopane to consider using geotextile fabric with embedded seeds to help with stabilization. Any bare surface will have to be protected with haybales. Upon a motion by P. Morrison, seconded by K. Corwin, it was

VOTED: to issue a negative #3 Determination requiring that the area near the haybales and silt fence be permanently stabilized.

#### 9:00 p.m. - 211 Whiley Road RDA

Owner Robbin Lawrence explained he has put in a 1500 gallon septic tank and 500 gallon pump chamber. Most everything is outside of the buffer zone with the exception of a small corner of the septic tank. The Commissioners pointed out the work has already be done, and there is no erosion control in place. Mr. Lawrence said he was ordered by the Board of Health to replace the tank as soon as possible. Members noted the plan shows erosion control measures, and Mr. Lawrence replied he had not observed any erosion occurring. M. Giguere mentioned the Board of Health has not notified us of this plan. Mr. Lawrence said he applied for the permit in mid-June. He added he met with Ben Cutone, the health agent, who did the “sniff” test, but there was no evidence of anything backing out of the ground. Members pointed out that any work done in the vicinity of the Lake is likely to require a filing with the Commission. E. Owen indicated Mr. Lawrence was familiar with the process because he recently applied for a permit for his other camp. He did not view this as an emergency situation. Commissioners asked that he stabilize the site immediately, and upon a motion by C. Auman, seconded by M. Giguere, it was

VOTED: to issue a negative #3 Determination with the immediate installation of the required erosion control measures.

E. Owen reported the work at 1 Lost Lake Dr. does not appear to be in compliance with the Commission’s Determination. The site is supposed to be enclosed when work is completed for the day, and members questioned whether the silt fence had been extended around the back following the 230 ft. contour line.

E. Owen noted he had looked for monuments at the Lawrence Homestead site. Mr. Smigelski is haying both that and the adjacent parcels owned by Stone and at Partridgeberry. There is a post and rail fence that delineates the Hars parcel. He said there is a Norway maple on the conservation-restricted land.

B. Ganem informed the Commission that Anne Hard has offered to purchase a bench for the Flat Pond Conservation Area. Upon a motion by K. Corwin, seconded by B. Clements, it was

VOTED: to authorize Anne Hard to install a bench at the Flat Pond Conservation Area and to thank her for her generosity.

#### 9:15 p.m. - 60 Boston Road RDA

(Member B. Clements stepped down since he has a business relationship with the applicant.)

Consultant Kevin Hardiman of Ross Associates said he was looking for input from the Commission concerning what they would allow on the property. There is an undefined parking area, garage, and a two-story structure there currently. The current owner would like to redevelop the property to make it more useful for their purposes. He estimated 14 additional parking spaces are necessary under zoning regulations. The wetland actually extends beyond the current fencing. The area near the wetland is maintained lawn used for storage of ladders and roofing equipment.

K. Corwin said the Commission did not observe wetland flags at the site. It is anticipated the building will be used for both retail and office space. The owner would like to update the parking and better define the parking area. For the proposed uses, there will be site plan review by the Planning Board which can grant waivers. Members questioned how far the garage is from the wetlands, and Mr. Hardiman indicated between 40 - 45 ft. They advised appropriate erosion control and recharge trenches to handle roof runoff.

K. Hardiman explained that his client's business is usually conducted off-site, and customers do not come to their building as it is not a retail space. He thought 6 parking spaces at most would be required. Commissioners recommended that snow management be addressed. P. Morrison asked if the garage was staying, and Mr. Hardiman replied it will be rehabilitated but the same footprint would be moved 5 ft. closer to the wetland. C. Auman asked if there has been a change in use, and Mr. Hardiman responded the lot is zoned business and was used as an office previously. He offered to re-flag the wetland. The flagging was based on soils, and the site is problematic. It was suggested that maintaining a 25 ft. buffer with nothing stored there could be feasible. The final plans should include information on snow management and fleet maintenance.

Abutter Jim Cullen (66 Boston Rd.) said he owns property just to the east of this lot, and he is zoned commercial. Both of the properties are lower than Boston Rd. He thought parking should be maximized because there are safety concerns when vehicles are parking on the side of the highway rather than on site. Upon a motion by P. Morrison, seconded by K. Corwin, it was

VOTED: to issue a positive #4 and #5 Determination.

9:30 p.m. - 777 Martins Pond Rd. RDA

Consultant Stan Dillis explained the wetland is across the street from this lot. He estimated about 1,000 sq. ft. of the buffer zone will be altered to construct the driveway. He recommended that a Silt Sack be placed at the catch basin during the construction phase. Member Clements noted the driveway slopes down to Martins Pond Rd. and asked if the catch basin is likely to capture all the runoff from the driveway. The catch basin is installed at a low spot, and Mr. Dillis thought it likely the water would go into a gutter at the edge of the driveway and flow toward the catch basin.

K. Corwin commented the new Bylaw specifies minor grading in the 100-ft. buffer with 2 ft changes at the most. Mr. Dillis assured her the grading was minimal and would qualify under the Bylaw. She expressed concern about the runoff to the road and asked if a grate would be appropriate. S. Dillis said a slotted drain emptying to a hole that acted as a forebay would work.

M. Giguere suggested a common drive, and Mr. Dillis said his client had concerns about this. In general, the toe of the slope was flagged as wetland. C. Auman advised that the Commission prefers applicant to get their permit before doing any tree clearing. E. Owen added the construction entrance does not coincide with the proposed driveway. He recommended trap rock be installed at the construction entrance.

Abutter Peter Macy (716 Martins Pond Rd.) asked if there were plans to cut down any more trees, and the owner, Larry Larsen, replied there were some smaller trees to the right that would be removed from the driveway area, but he intended to leave the screen of tall white pines at the front of the lot. E. Owen questioned whether the erosion control line represented the limit of clearing in the field, and Mr. Dillis said everything that is going to be cleared has been cleared.

Rick Muehlke (member of Groton Conservation Trust) pointed out that any water leaving the catch basin flows

directly toward the wetland across the street. The area is overgrown with vegetation, but presumably it's still performing its function. E. Owen said the catch basin appears to have a deep sump, but he could not size the pipe which is typically a 12 in. corrugated metal pipe. It was too densely vegetated to determine whether there is anything, such as riprap, that would slow the flow of water. Mr. Macy thought the town had installed the catch basin about 5 years ago. Upon a motion by P. Morrison, seconded by M. Giguere, it was

VOTED: to issue a negative #3 Determination requiring a slotted drain accompanied by a forebay be installed on the driveway, riprap be installed at the construction entrance, a Silt Sack is installed at the catch basin during construction, and the drain be examined post-construction to assure it is functioning properly.

There being no further business, the meeting was adjourned at 9:50 p.m.

Respectfully submitted,

Barbara V. Ganem  
Conservation Assistant

**Approved as drafted July 25, 2006**