

GROTON CONSERVATION COMMISSION

Minutes

April 13, 2007

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

In discussion on the minutes of March 27, 2007, B. Clements suggested omitting a sentence on the matter of haying late to protect wildlife as it was not his statement. Upon a motion by P. Morrison, seconded by B. Easom, it was

VOTED: to strike that sentence.

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

VOTED: to approve the minutes of March 27, 2007 as amended.

B. Clements reported he has been accepted into the Coverts forestry program; he requested the Commission consider paying the \$50 program fee for registration. Upon a motion by C. Auman, seconded by P. Morrison, it was

VOTED: to approve the \$50 program registration fee for B. Clements for the Coverts Program.

B. Clements abstained from the vote.

Commissioners reviewed the draft comments and the wetlands plan submitted as part of the Abbreviated Notice of Resource Area Delineation for the Gilson Rd. project known as Monarch Path. Upon a motion by B. Clements, seconded by C. Auman, it was

VOTED: to approve the draft memo on Monarch Path and forward the comments to the Planning Board.

The Self Help Surrenden Farm Management Plan has been revised after review by the Surrenden Farm Land Use Committee and the Groton Conservation Trust. Members agreed to postpone Commission discussion on the Plan until such time as the Trails Committee has had an opportunity to review and comment on the Plan. B. Easom said he would bring his hard copy of the Plan for the Trails Committee to review at the next meeting.

7:15 p.m. - 6 Hazelwood Dr. NOI - DEP #1690979

Surveyor Stan Dillis submitted the green cards for the filing. He explained the applicant submitted a Notice of Intent in 2003 for the upgrade of his septic system, installation of a tight tank, and a new well. The work was done, including the abandoning of an old well and septic system, and the Order expired in 2006. The applicant decided a retaining wall was necessary to stabilize the backyard where the septic system was abandoned. Because he was asked to stop, the retaining wall is unfinished at this time. There was an existing stone wall and then the new retaining wall was installed about 5 ft. - 6 ft. back. Haybales were placed to prevent any erosion to the Pond.

M. Giguere pointed out the latitude information was incorrect and noted the 100 year floodplain was not shown on the plan. Mr. Dillis indicated the top of the dam is 215 ft., and he felt this is the extent of the floodplain. B. Easom noted there is a sluiceway in the dam and questioned whether there could be some conditions in which water would go over the top. S. Dillis maintained there are at least 2 ft. between the bottom and top of the dam when all of the boards are in. P. Morrison requested the plans be stamped and signed. C. Auman asked if Mr. Dillis had prepared the original plan; S. Dillis replied his firm was involved in the survey for the site. Mr. Auman said he was disappointed to see work done without a filing. Mr. Dillis stated he prepared an as-built plan for the tight tank, and the retaining wall went in afterwards. He noted the area looked stable with gravity blocks installed in a wall about 4.5 ft. tall.

Members commented some of the erosion control measures look inadequate, and Mr. Dillis said they could be beefed up. Chairman E. Owen read the April 10, 2007 letter to the Commission from Kathryn Comeau of 8 Hazelwood Dr. Her main concern is that access to her lot will be difficult for emergency or service delivery vehicles. Mr. Dillis stated the access is 16 ft. from the corner of the wall to Lost Lake/Knops Pond. P. Morrison pointed out this issue is not within the Commission's jurisdiction and recommended sending a copy to the Building Inspector. H. Estes questioned how the area between the original stone wall and retaining wall will be stabilized, and Mr. Dillis indicated it would be cleaned and seeded. The retaining wall was installed because the owner felt it was a steep slope after the old septic tank was removed, and Mr. Dillis conceded the work may not have been necessary. Agreeing to provide a revised plan and upon a motion by P. Morrison, seconded by C. Auman, it was

VOTED: to continue the hearing for DEP #169-979 for 6 Hazelwood Dr. to April 24, 2007.

B. Easom recommended the letter from Ms. Comeau also be relayed to the Fire Chief.

7:30 p.m. - 4 Birchwood Dr. DEP #169-912 amendment

Homeowner Brad Harper explained the addition has been constructed and is almost finished. There is a steep slope between the road and the front of the addition. Approximately 10 ft. has been cut back between the house and the slope, and this is where he proposes installing a gravity wall with two planters. In the initial Notice of Intent, the plan included a retaining wall just beyond the screen porch which they now plan to eliminate. The grade left by the excavator will be maintained in this area rather than constructing a retaining wall. A 6 ft. by 6 ft. concrete pad has been constructed to support the propane gas tanks just outside of the 100 ft. buffer line. Mr. Harper noted the revised plan shows the elevation of the top and bottom of the new retaining wall. The wall will be stepped back to insure stability. This type of block does not require tie-backs which would necessitate a larger excavation. A small bobcat can be used to excavate at the base of the slope for the wall. The blocks will then be lifted into place with a crane swinging out from the roadway.

B. Easom asked what will be done with excavated materials, and Mr. Harper responded "The material will be used to flatten an area on the Lake side of the addition." Another retaining wall between the dry well and the Lake was approved by the original Order and will be constructed. B. Harper said roof runoff from about half of the addition has been connected to the dry well. Member Auman thanked Mr. Harper for returning to the Commission to make changes in his original plan and complimented him on the nice job he did in presenting his proposal. Mr. Auman pointed out the amendment and the original Order will expire in 2008, and Mr. Harper should apply for an extension several months before the expiration if the work will go beyond that time. Mr. Harper indicated he plans to finish up and return to the Commission for a Certificate of Compliance in short order. He submitted the green cards for the amendment filing and upon a motion by B. Easom, seconded by C. Auman, it was

VOTED: to continue the hearing to April 24, 2007, pending receipt of comments from the Natural Heritage & Endangered Species Program.

B. Ganem indicated, if this is a negative finding, it is likely Mr. Harper will not have to attend the continued hearing.

7:45 p.m. - 72 Maplewood Dr. RDA

No applicant was present, and Commissioners agreed to keep the hearing open.

Member Giguere reported the *Groton Herald* published the first segment of the Wetland FAQs last week without the artwork. The document is also on the Conservation Commission web page.

A thank you will go to the *Herald* for helping to get the word out about filing.

Concerning the sign for Surrenden Farm, Mr. Giguere mentioned he had talked with Ed McNierney, President of the Groton Conservation Trust, who agreed that a simple sign reflecting the different parties who participated in the endeavor was needed. B. Easom said the sign will have to meet the guidelines of the Sign Committee which limits the size to 6 square feet. B. Ganem reminded the Commission of the need to get the Self-Help sign in place prior to June 1 if the Town wishes to recoup the \$500,000 approved for the Self-Help grant.

Mr. Eliades has contacted the Commission about paying the \$11,000 determined as part of the Settlement Agreement at the

time of the closing rather than when an Occupancy Permit is granted. Upon a motion by B. Easom, seconded by M. Giguere, it was

VOTED: to stick with the original agreement plan in which the \$11,000 is payable when the Occupancy Permit is granted for each housing unit.

Laurie Smigelski has expressed concerns about the suitability for horseback riders of the trail bridge built for the Groton School connection between Surrenden Farm and Sabine Woods. Commissioners agreed to re-visit the bridge during the next site walk.

B. Ganem reported an abutter has raised concerns about tree branches interfering with sight distance at Northwoods. In addition she complained there was no guard rail to prevent people from falling into the wildlife pond. B. Ganem will look at the site, but members thought these are likely to be issues which should be raised with the Highway Surveyor since they are in the roadway right-of-way.

It was noted that the Black gravel removal operation has a permit but some tree removal and de-stumping is occurring quite close to Burntmeadow Swamp, apparently with the plan to eventually remove gravel in that area. Upon a motion by B. Clements, seconded by B. Easom, it was

VOTED: to send a letter to Bob Black explaining that work within 100 ft. will need a filing with the Conservation Commission prior to the activity.

P. Morrison abstained from the vote.

In discussion on the dam constructed by Peter Olson at 147 Lowell Rd. and the most recent correspondence, a letter received March 27th, Commissioners questioned whether he intends to restore the area to its original state. P. Morrison thought it likely he would just bulldoze the area flat, filling in with loose gravel on the site. B. Clements said he believes Mr. Olson intends to determine whether the engineering costs are within his means. The site may very well be dry in August. The Office of Dam Safety has indicated they consider this a small project but still recommended engineering be done. Members agreed to request Mr. Olson schedule a site visit with Sean Hale, the wetland scientist from Ross Associates who wrote the letter, to check the soils and vegetation in the field before any work is done.

8:15 p.m. - Appointment/Robert Collins, Esq. - Rocky Hill Deed in Trust and Audubon and Town Conservation Restrictions

Mr. Collins said the land that is to be deeded to the Town will be owned by a homeowners' association. Another 10+ acres is to be subject to a Conservation Restriction, and 404.78 acres owned by MassAudubon will also be subject to a Conservation Restriction. Attorney Collins indicated that all of the documents have been approved by Town Counsel, and Irene Del Bono of the Division of Conservation Services has reviewed and approved the draft CRs. He noted the Commission could elect to sign the documents this evening, and they would then go to the Selectmen for their signature next week. Mr. Collins added he has been working on this project since 1986 or 1987. The design has been set up to provide a buffer of open space between residences and the commercial portion of the project. This is an important wildlife corridor for listed rare species, and the curbs and culvert have been designed to accommodate them according to Mr. Collins.

Based on the Commission's experience at Deerhaven, Mr. Auman noted it is important to have land to be owned by the Town well-marked so that abutters do not encroach. Mr. Collins said granite bounds are required at each lot corner before occupancy. There is a wooded buffer between residences and the power line which is unlikely to be removed. B. Clements asked if it is possible to have the bounds in before the building season. Mr. Collins said developer Dave Moulton is aware of the needs for bounds, but perhaps a letter could be drafted to let new homeowners know. Mr. Collins indicated he will be doing the conveyances on the lots. Members agreed this could save a lot of aggravation in the future.

B. Easom said he was uncomfortable signing off on the documents until he has had an opportunity to read them as this is a written commitment for the board. He agreed he would like to see something in writing for abutters.

8:15 p.m. - 1 Lost Lake Dr. DEP #169-978 continuation

No applicant was present. P. Morrison commented Natural Heritage's March 28th letter points to the importance of

maintaining haybales at the site. He suggested contacting Town Counsel and MACC concerning re-instituting the fines until a silt fence and haybales are in place. There has been no attempt to work this out and apparently no incentive for the applicant to do anything. Mr. Auman reminded the board that Natural Heritage wants to discourage turtles from nesting at the site. Upon a motion by P. Morrison, seconded by B. Easom, it was

VOTED: to continue the hearing to April 24, 2007.

8:30 p.m. - 60 Boston Rd. DEP #169-974 continuation

(Member B. Clements stepped down, acknowledging he had a former business relationship with the applicant.)

Sean Hale of Ross Associates explained the project is currently before the Planning Board and has been reviewed by the town engineer who is okay with the design but wanted to see the results of the soil log. Mr. Hale reported the recharge bed design has been changed (5 ft. wider and 1 ft. higher) as a result of the soils test. Snow storage has been designated on the plan. The revised plan does not incorporate roof runoff as it is considered clean. A brief construction sequence is also included. The issue of Natural Heritage review has been resolved. P. Morrison asked if they were able to shift parking, and Mr. Hale responded they did not. It is anticipated that drainage from the roof will fall to the driveway on one side and on the ground on the other side. P. Morrison said some type of roof recharge measure is required for all project before the Conservation Commission within 100 ft. of wetlands.

Based on the soils, Mr. Auman asked if the stormwater treatment method will clear the water table. Mr. Hale stated they have raised the recharge area, and there is 2 ft. of clearance above the water table. Chairman E. Owen read the March 8, 2007 letter from abutter James Cullen into the record. Members pointed out that the number of parking spaces is not under this board's jurisdiction, nor is the height of the building.

M. Giguere said he too would like to see a recharge system for roof runoff. Questions arose as to whether the soil logs revealed whether the materials are native to the site or whether this is fill. Mr. Cullen (66 Boston Rd.) commented having two activities at the site, both a roofing company and a craft shop, is far too intense for the area. He pointed out the Commission is responsible for the relocation of the garage and the increase of parking adjacent to the wetlands. The proposed 91.25 ft. post development elevation is higher than his property and is likely to exacerbate drainage on his property. He felt this was becoming an industrial site that would change the character of the area. Mr. Hale assured him that runoff would not increase from the site.

P. Morrison commented that curbs will direct runoff into a trench drain, but specifications for the curb are not included in the plan. Mr. Hale said it will be a Cape Cod curb. In summary, the Commission would like information on whether the recharge bed will be located in native soils, a detail for recharge of roof runoff, and a detail showing the test pit soils in relation to the recharge bed. Upon a motion by P. Morrison, seconded by B. Easom, it was

VOTED: to continue the hearing to April 24, 2007.

Upon a motion by P. Morrison, seconded by B. Easom, it was

VOTED: to continue the meeting discussion on 72 Maplewood Dr. to April 24, 2007.

B. Ganem said she expects to see the haying bid in this week's newspaper, and copies have been sent out to area farmers. There have been several inquiries to date.

M. Giguere reported he has had an query from Ben Black, Jr. about haying the conservation-restricted land at Deerfield. Members noted this will eventually be owned by a homeowners' association, and it will be their decision how to manage the land as long as it is within the parameters established in the Conservation Restriction. P. Morrison said Mr. Black typically limes hay fields, but does not fertilize or replant. If occasional mowing is allowed in the CR, haying may be acceptable. Mr. Black has indicated he previously was able to produce 2000 haybales from this 26 acre parcel. This is supposed to be wildlife habitat, specifically grassland for migratory birds. Mr. Giguere pointed out some birds use the area for nesting as well. The timing of haying would be crucial to wildlife, and his preference would be to mow late or every other year. P. Morrison said it will be necessary to approach the homeowners' association, which will be responsible for the management of the land, first.

B. Easom reported he has been researching the Acorn Path site with a GPS (Global Positioning System) unit and expects to

reach some conclusions shortly about the location of the trail connection.

Following discussion on the nature of the brush hog to be purchased for Commission use for maintenance of conservation land, the meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Barbara V. Ganem
Conservation Assistant

Approved as drafted April 24, 2007.