

GROTON CONSERVATION COMMISSION

Minutes

June 26, 2007

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

7:15 p.m. – Lot 7 Autumn Leaf RDA

Don Desrosiers, owner of the property, explained this 7-lot subdivision was proposed in 2000, and he has been selling about one lot each year. The septic plan has been extended, but the original Order of Conditions expired for this lot. The original plan called for fill associated with the grading for the septic system to extend into the 100-ft. buffer zone. Landtech has prepared a new plan, based on new topography and wetlands delineation. The new driveway design will go straight up the hill rather than curving around the septic system. Mr. Desrosiers circulated photographs of the site, pointing out it will be necessary to remove several small trees.

Chairman Giguere noted it was a positive change to move most of the work out of the buffer. He questioned whether the delineation would have to be approved with a separate filing. P. Morrison said this was unnecessary since no work is proposed in that area. In response to Mr. Morrison's question about the slope of the driveway at the bottom, Mr. Desrosiers replied it is 12%. There is less of a slope than with the previous filing.

Member Auman expressed concern about the steep slope in winter when sand and salt are used. Mr. Desrosiers said there is a storm drain at the base of the driveway which directs treated water to a retention basin across the street. Mr. Auman pointed out there is erosion occurring on the adjacent roadway. Surface runoff is likely to accelerate going down such a steep slope.

M. Giguere commented the grading at the bottom of the driveway appears to exceed the requirements of the Wetlands Bylaw. P. Morrison felt the area was previously disturbed and did not fall under the Bylaw. He noted the new plan has many benefits over the old plan. Upon a motion by P. Morrison, seconded by C. Auman, it was

VOTED: to issue a negative #3 Determination with conditions in which the applicant is required to have sufficient haybales and silt fencing on site to insure there is no erosion or sedimentation, to look into environmentally friendly products to treat the driveway under winter conditions, to place riprap in the last 12 ft. of the swale at the driveway entrance, and to pitch the driveway toward the rotary.

Mr. Desrosiers asked about the Massachusetts Endangered Species Act (MESA) process and was advised to check the internet for more information.

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7:30 p.m. – 81 Kemp St. RDA

Homeowner John MacLeod explained his asphalt driveway has disintegrated over time, and, after repeated patching, he wishes to add gravel. Member Lambert said he observed gullies in the driveway during the Saturday site visit, and questioned whether it would be necessary to re-grade the driveway before adding the gravel. Mr. MacLeod indicated he would be happy to do whatever the Commission required of him. Member Morrison thanked Mr. MacLeod for coming before the Commission and explained members would defer to the engineer on the project as it is the Commission's responsibility to see that the wetlands are protected from whatever work is proposed.

C. Auman said there is a concern that the gravel will tend to dissipate over time when the driveway is used or plowed. He questioned whether the gravel needs to be compacted and suggested haybales to protect against erosion. Upon a motion by C. Auman, seconded by P. Morrison, it was

VOTED: to issue a negative #3 Determination requiring the applicant to place haybales at the culvert headwalls to prevent erosion into the Bordering Vegetated Wetlands and to adequately compact the gravel to assure it does not erode into the resource area over time.

7:45 p.m. – 52 Off Prescott St. RDA

Homeowner Chris Morin explained he is concerned about dangerous, falling trees. Several have recently fallen, and he has consulted with “Arboreast” who has identified 15 dead or dying trees which should be removed. At this point he explained he was willing to grind them down, and members said they prefer to have the root masses stay in place. The arborist will use a crane to reach over the house to remove the trees. Mr. Morin said the 3-trunked maple was identified as the most critical, as its core is rotten. He plans to cut up the logs for firewood. Upon a motion by R. Lambert, seconded by C. Auman, it was

VOTED: to issue a negative #3 Determination allowing the applicant to grind the stumps and requiring that chips or any other tree debris be kept out of Lost Lake/Knops Pond.

8:00 p.m. – 15 Allens Trail RDA

Lee Ann Torigian explained she was related to the homeowner James Maloy. She pointed out the septic system to the left of the house prevents the location of the pool there. They plan to remove the deck and relocate the shed to make room for the pool behind the house. P. Morrison asked if the underground propane tank was in the wetlands buffer, and B. Ganem explained the plans do not show the correct grading in the backyard. The distance to the wetland from the edge of the deck is shown on the Town GIS maps as 107’, so most of the backyard appears to be within the wetlands buffer. C. Auman asked if the pool measurements include the decking, and Ms. Torigian said she thought so. The shed will be moved, but Ms. Torigian was not sure where it would be re-located. Members agreed that stumps should remain in place. Ms. Torigian thought there was concern tree roots would grow into the pool wall, but Commissioners said the tree root would not continue to grow if the tree is cut. Upon a motion by C. Auman, seconded by P. Morrison, it was

VOTED: to issue a negative #3 Determination requiring the size of the pool, including decking, be limited to 16’ by 39’, stumps shall remain in place but grinding is acceptable, excavated materials shall not be stockpiled in the 100-ft. buffer zone, staked haybales and silt fencing shall be placed at the top of the slope, the shed shall be moved outside of the buffer zone, the pool shall be located more than 20’ from the edge of the septic trenches, and water from the pool shall not be drained toward the wetland, including when back flushing the filter.

Chairman Giguere stressed that any changes in the proposed plan will require the owner to return to the Commission.

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

Applicant Chris Tofte explained that revised plans signed and stamped by land surveyor Kurt Meisner were submitted to the Commission. P. Morrison asked who prepared the delineation, and Mr. Tofte indicated it was originally done by Basbanes Associates. Mr. Morrison questioned exactly where the no-disturb zone is located. M. Giguere pointed out the landscaping plan is on another plan, and the grading shown on this plan is minimal. The original driveway location has changed, and the plan does not indicate the underground propane tank is to be moved out of the buffer zone. The plan does not show a negative grade to Lost Lake Dr.

P. Morrison noted the Commission is likely to require the posting of 12 no-disturb signs along the proposed landscaping buffer zone. Commissioner Auman said the Commission will require the removal of the underground propane tank. Although there are still several pieces of missing information, upon a motion by P. Morrison, seconded by R. Lambert, it was

VOTED: to close the hearing for DEP #169-978 for 1 Lost Lake Dr.

M. Giguere underscored the need for the applicant to file for an amendment to the Order of Conditions from the Conservation Commission if any changes are proposed that differ from the submitted plan.

8:30 p.m. – 28 Redskin Trail NOI

Sean Hale of Ross Associates submitted the green receipt cards for the filing and noted this is a reconstruction project. The lot is in a densely developed area on Lost Lake, and there is an existing block retaining wall at the shore line. The owner plans to build a new house, make modifications in the driveway, and upgrade the septic system. A row of haybales will be installed all around the project. Mr. Hale noted the deck is 21 ft. from the Lake vs. the 23 ft. in the existing building. The lawn at the back (lakeside) of the house will have no change.

Member Auman said the Commission usually awaits comments from Natural Heritage. The new house is approximately 1,300 SF with a second story vs. the single story existing house of 850 SF. The shed is to be removed from the site. Mr. Auman questioned what the finished grade would look like, and Mr. Hale responded, "It will not be a mounded septic system." Trees will be removed in order to allow the grading and construction to be done. A new well is also proposed. Mr. Auman advised that a construction sequence is necessary.

P. Morrison observed there is a good slope where the septic system is proposed. The elevations go from 99' to 94'. Mr. Hale said the septic system has been approved by the Board of Health. Commissioners noted that most of the lot is to be disturbed during and after construction and requested a detailed construction sequence. Upon a motion by C. Auman, seconded by P. Morrison, it was

VOTED: to continue the hearing to July 10, 2007.

8:30 p.m. – Conductorlab DEP #169-927 Amendment continuation

At the applicant's request and upon a motion by R. Lambert, seconded by C. Auman, it was

VOTED: to continue the hearing to July 10, 2007.

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

Upon a motion by R. Lambert, seconded by C. Auman, it was

VOTED: to continue the hearing to July 10, 2007.

8:45 p.m. – Appointment/Paul Funch

In addition to Paul Funch, members of the Trails Committee Steve Legge and Wendy Good were also present. Mr. Funch said it is the intention of the Trails Committee to spruce up and widen existing trails on the western portion of Surrenden Farm. Out of respect to the farmer who will be haying, the trail will be kept at the perimeter of the field. The goal is to create some loops and remove obstacles. Three wetland crossings will be necessary, one of which will have to be similar in size to the Tuity Brook bridge. The Trails Committee will focus on the northern portion of the property in the first phase. P. Morrison questioned when the connection to the field would be made.

Member Auman commented the point is to get people to the Nashua River. An opening in the fence to make a temporary connection to the field may be feasible. Mr. Auman pointed out this is a magnificent piece of property. He said it is not his preference to see the first bridge used by pedestrians only, with horseback riders going through the streambed. The construction and design of trail bridges is likely to be extensive. Commissioners agreed to let the Trails Committee get started but stressed the need to investigate a better bridge or trail route to accommodate horseback riders. Upon a motion by P. Morrison, seconded by R. Lambert, it was

VOTED: to approve the proposed trail plan as developed by the Trails Committee.

For the Commission's records, Paul Funch signed the plan which was reviewed and approved.

Steve Legge questioned whether this approval includes the bridges, and the Commission indicated they would anticipate the Trails Committee returning with a Request for Determination for the trail bridges. Upon a motion by P. Morrison, seconded by R. Lambert, it was

VOTED: to approve the development of parking along Shirley Road.

Paul Funch asked if the Commission could reconsider the Sampas Conservation Woods trail layout. He noted the goal is to have any trail go through a parcel and to make connections. He said there is access to Longley II across from the property, and it abuts the Groton Housing Authority property on Nashua Rd. The Authority has indicated they are amenable to a trail, and this would mean a connection between Nashua Rd. and the Nashua River Rail Trail.

Chairman Giguere indicated he was not prepared to discuss the Sampas property, but it was his feeling this was good wildlife habitat and three wetland crossings could disturb the wildlife. Also several Commission members were not present to discuss the matter. Mr. Funch reiterated the need to make connections and noted that none of the trails are really heavily used. He agreed to bring this up before the Commission at another time.

P. Morrison asked if it would be possible to get assistance from the Trails Committee on the construction of the trail bridges for Wharton Plantation. Member Easom has prepared the stress design calculations. It is anticipated the bridges can be built offsite and then carried to the stream locations.

John Maynard, who has purchased the former Marian Campbell home, has asked the Commission if it would be willing to allow him to maintain a small triangle of land on the Surrenden Farm West property that is currently fenced off from the remaining property. Commissioners agreed to include the site on the next site visits.

Upon a motion by P. Morrison, seconded by C. Auman, and a roll call vote of P. Morrison, C. Auman, R. Lambert, and M. Giguere, it was

VOTED: to enter Executive Session for the purpose of discussing land acquisition and litigation, returning to Open Session at adjournment.

The Commission entered Executive Session at 9:30 p.m., returning to Open Session at 9:45 p.m.

Members reviewed the draft Order of Conditions for 1 Lost Lake Dr. but agreed to postpone the discussion until the July 10th meeting. P. Morrison advised adding a condition requiring the payment of the outstanding fines before a Certificate of Compliance can be issued.

After the signing of bills and signature pages for DEP decisions and there being no further business, the meeting was adjourned at 10 p.m.

Respectfully submitted,

Barbara V. Ganem
Conservation Assistant

Approved as drafted 7/24/07.