

GROTON CONSERVATION COMMISSION

Minutes

December 11, 2007

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

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

VOTED: to approve the minutes of November 27, 2007 as drafted.

Chairman Giguere noted the Commission had previously approved issuing a Certificate of Compliance for 102 Weymisset, but would be signing the paperwork tonight.

Regarding the site visit to Orchard Lane (DEP #169-939) on the water tank installation, members agreed the site was not ready to receive a Certificate of Compliance. It may be necessary for them to get an Extension in order to complete the work.

The Commission has received four requests for letters acknowledging existing docks; all of the requests have been accompanied by evidence (letters, affidavits, photographs) in support of the dock's existence prior to 1984. Upon a motion by P. Morrison, seconded by R. Lambert, it was

VOTED: to issue letters for Eger/174 Shelters Rd., Moore/27 Whitney Pond Rd., Nordberg/Baby Beach Rd., and Thompson/60 Old Lantern Lane.

Members felt a letter should go to the Community Preservation Committee explaining the Commission will keep them informed should any expenditures be utilized from the CPC portion of the Conservation Fund.

In the development of the FY'09 budget, P. Morrison urged the inclusion of \$250 for equipment maintenance (the brush mower) and \$200 for vehicle costs (gas, oil), as well as the \$7400 for land maintenance. A request for funding for a GPS unit will also be included. The Water Safety budget will go in with the additional 3% the YMCA typically adds to its contractual budget. W. Addy asked if the Commission does any water testing, and members said this is a Board of Health issue, i.e., testing is done at Sargisson Beach on a weekly basis during the summer.

7:15 p.m – Dock RDAs

- Rackett/57 Island Rd. – The submitted plan shows a 10' by 10' concrete platform which is in Land Under Water (preceded WPA?) as well as a 120 SF dock which is seasonally anchored with posts. Mr. Rackett clarified that the floating dock is anchored in place with poles during the summer in a slightly different position than what the Commission

observed during the site visit. Upon a motion by H. Estes, seconded by P. Morrison, it was

VOTED: to issue a negative #3 Determination with the 8 special dock conditions.

- Richards/49 Island Rd. – B. Ganem reported the applicant was unavailable for tonight's meeting because of an unexpected medical procedure. The 58 SF dock is supported by two 4" x 6" and two 2" x 8" wooden supports. Upon a motion by H. Estes, seconded by R. Lambert, it was

VOTED: to issue a negative #3 Determination with the 8 special dock conditions.

B. Ganem explained she had been ready to order the stone for the erosion control wall at the fishing point of Sargisson Beach when Frank Mavilia visited the office. He stated he would be unable to do the wall this year due to other commitments and the fact he had no machinery. He also suggested the Commission should pay him for this work. Since the agreement to repair the beach retaining wall was reached in conjunction with the state for mitigation for unauthorized work Mr. Mavilia did on his own wall, Ms. Ganem will contact the state to see what the next steps should be.

After viewing photographs of the Norris property (taken December 8, 2007), Commissioners could see there were half buried metal support posts, a bathtub, fencing, a bug zapper, and rolls of wire that remain at the site after the demolition. Robert C. Black Co., Inc. did the work and submitted a bill for \$23,670. In reading the original proposal, C. Auman noted the wording "The existing grounds around the buildings are to be left in as close to a natural state as possible. Members also questioned whether other things might become visible after the snow melts. There was discussion of not paying the bill until these other items are removed when P. Morrison asked whether the Commission could consider a partial payment of the bill. W. Addy added the hold-back should exceed the actual cost of the additional cleanup work. The Commission then agreed to recommend payment of the \$23,670, with the amount of \$2000 withheld until the additional work is completed.

7:30 p.m. – 276 West Main St. NOI continuation – DEP #169-987

Engineer Judith Graves of Ross Associates acknowledged there is a slight rise in topography at the back of the property. She also informed the Commission there was a previous filing for the property for the construction of a replication area/compensatory flood storage in conjunction with the Ames Meadow subdivision wetland crossing. She explained the cubic yards included in the compensatory area exceeded the filling involved for that crossing. A table with the amounts of fill at each elevation was provided to show that the additional storage more than compensated for the 190 cubic yards of filling associated with the current filing. She maintained the floodplain would not be raised as a result of the repair of this septic system.

Chairman Giguere said he was satisfied to see that there was adequate compensation for the floodplain filling. He added he would anticipate conditions requiring the cleanup of debris (concrete, other inorganic materials) at the site, as well as the placement of permanent markers. It is likely the current fence around the existing lawn would be the appropriate spot for the markers. These markers would alert future owners to where the buffer line is. Robert Breen,

attorney for the estate, agreed to allow the Commission to delay the issuance of the Order of Conditions until after the next regularly scheduled meeting on January 8th. Upon a motion by P. Morrison, seconded by H. Estes, it was

VOTED: to close the hearing for DEP #169-987.

7:45 p.m. – Appointment Cornelius Sullivan/249 Indian Hill Rd. request for Certificate of Compliance

Attorney Sullivan explained his client was requesting a Certificate after the successful restoration of a disturbed wetland area. Wetland scientist David Crossman oversaw the replanting of the site and has suggested that perhaps the planting of blueberry bushes is not necessary since the boundary between the wetland and upland is so clear with ledge only 4” under the upland area. The Order of Conditions required the planting of blueberry bushes to mark the boundary, and Mr. Crossman has pointed out this is not the appropriate season for planting.

Chairman Giguere said the site looks stable and acknowledged the applicant had expressed a willingness to install conservation markers, supplied by the Commission, at the edge of the wetland. Mr. Sullivan explained the house is to be sold on Friday, and they would like to have all issues resolved by that time. Commissioners agreed that 3 markers, attached to either granite or cedar posts, would be adequate. C. Auman said this step would inform anyone moving to the property of the location of the edge of wetlands. He agreed there were currently plenty of wetland species within the wetland itself. Upon a motion by P. Morrison, seconded by H. Estes, it was

VOTED: to issue a Certificate of Compliance for DEP #169-790 for 249 Indian Hill Rd., contingent upon the placement of three conservation markers.

Commissioners noted the next regular meeting would fall on Christmas night, and it has been determined to postpone the meeting to the next regularly scheduled meeting date of January 8, 2008.

Forester Gary Gouldrup indicated the cost of preparing a Forestry Management Plan would be \$1,200 for the 19.5-acre Farmers & Mechanics conservation area. In addition, based on the Forestry Management Plan prepared for the Commission in 2000 for the Williams Barn Sorhaug Woods parcel, Mr. Gouldrup estimates the Commission could consider removing low quality hardwoods to be used as firewood as a strategy to improve forestry health. He estimates this is worth about \$15/cord and could bring in \$1,650. Timber stand improvement through thinning to provide better spacing between trees on stands 5 and 7 could involve the harvesting of sawlogs (yielding approximately 10,000 board feet) and is an additional option to consider. He estimated the yield would be \$3000 gross, and his fees are generally 50% of the gross or \$55/hr. His work would consist of marking the trees, putting out a bid, and setting up a contract with the harvester. He was trying to think of a way to have one job pay for the other, but this is a fairly minimal amount of harvesting, and the Commission could decide to expand the timber harvest as the resources are there. Mr. Gouldrup also suggested contacting the Dunstable Conservation

Commission as member Alan Chaney has been very active in having forestry practices conducted on conservation land.

C. Auman said he was concerned about logging activities creating an opportunity for invasive plant species to take hold, and H. Estes agreed, noting there had been a clearcut on NEFF property and buckthorn was becoming very well-established at the site. Buckthorn is also a problem within Rich State Forest, another site that is actively logged. Members agreed to see if Mr. Chaney would be available to attend the January 8th meeting. P. Morrison suggested weighing the pros and cons of doing a forestry cutting as sometimes it means cutting out diseased trees and those that could present a fire danger in order to have a healthy forest in the future.

In developing the Surrenden Farm West Management Plan, it was noted that forestry is allowed even within sensitive Biomap habitat. B. Ganem pointed out there are likely to be constraints on forestry activities with regard to the time of year and quantity of logging. Patricia Huckery, District Manager for Fish & Wildlife, does have concerns about creating permanent trails within these habitat areas. Chairman Giguere said the Commission needs to speak with a single voice about the need to preserve habitat as a core value in the context of public access. P. Morrison expressed concern that entry would be too limited. C. Auman pointed out there were all kinds of deliverables associated with the protection of Surrenden Farm, including maintaining open space, preserving agricultural opportunities, conducting forestry activities, providing trails, and preserving wildlife habitat. Several trail layout plans for the site were viewed by members.

The question is whether formal trails should be permitted in Zone 1. The Town of Groton signed the Conservation Restriction on this land and the Town Forest. This action leveled the playing field, and the state became an equal partner, and that requires cooperation among all parties. M. Giguere noted it is not like a stockholders' meeting where different parties are angling for votes. He urged the Commission again to speak as a single voice because a difference of opinion on the Commission creates a very awkward situation. P. Morrison said he understood the need to have a consensus here. H. Estes requested more information on the trail layout and wet areas, and draft maps were shown which indicated where significant habitat is present and which areas should be avoided in planning for trails.

M. Giguere noted it is great to have David Black on the working committee as he is familiar with the land and is an expert on wildlife and invasives. P. Huckery felt that bushwhacking through Zone 1 was acceptable. A kiosk to explain the different zones is also important. Equestrian crossings at wetland areas should be discouraged. P. Morrison said it is his understanding that the trails in Zone 1 will be made less inviting, but public access will not be denied. Fish & Wildlife does plan to do studies to more definitively identify wildlife areas. C. Auman said there will definitely be access for the public in Zone 1 but just not on designated trails. People tend to want to collect wildlife if they see it along trails. Chairman Giguere pointed out that protection of wildlife is one of the eight interests called out in the Wetlands Protection Act. R. Lambert agreed that wildlife is one of the interests which have to be balanced with other uses of Surrenden Farm.

It is anticipated that Fish & Wildlife will provide guidelines for shaping the Management Plan. H. Estes observed that the proposed trail layout which avoids Zone 1 still allows access to well

over 50% of the land. The CR places several restrictions on the use of the land which must be incorporated into the Management Plan. P. Morrison questioned where the water department treatment plant will be located. Members suggested taking a straw poll for individual members' opinions about the trail layout. M. Giguere said he leans toward protecting wildlife habitat, and C. Auman concurred. P. Morrison felt reassured by the trails shown on the draft plan and agreed that public trails should not go in priority habitat. H. Estes said she felt there were enough trails connecting through Groton Place. Where parking will be provided has not been determined, but a possible area is shown on the plan. W. Addy said the plan appears to be sensitive to wetlands, allowing marked trails where vegetation can be cut without harming habitat. It was acknowledged member Easom is likely to have additional comments.

With no further business before the Commission, the meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Barbara V. Ganem
Conservation Assistant

Approved as drafted 1/8/08.