

## GROTON CONSERVATION COMMISSION

### Minutes

January 8, 2008

Chairman Marshall Giguere called the meeting to order at 7:00 p.m. in the 2<sup>nd</sup> floor conference room in Town Hall. Members Wayne Addy, Craig Auman, Bruce Easom, Ryan Lambert, and Peter Morrison were present. Holly Estes 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 December 11, 2007 as drafted.

B. Easom abstained from the vote.

Regarding the Order of Conditions for 267 West Main St., upon a motion by P. Morrison, seconded by C. Auman, it was

VOTED: to issue the draft Order of Conditions for DEP #169-987 under the Wetlands Protection Act.

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

VOTED: to issue an amended Order of Conditions for DEP #169-987 under the Wetlands Protection Bylaw, requiring the placement of ten conservation markers.

Residents Henry and Dorothy Woodle/74 Weymisset Rd. have requested a letter from the Commission acknowledging their dock. Upon a motion by P. Morrison, seconded by B. Easom, it was

VOTED: to issue a letter for submittal with the Ch. 91 license application for 74 Weymisset Rd.

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

VOTED: to approve the draft 2007 Annual Report for submittal to the Selectmen's office.

M. Giguere reported that the Taisey forestry project, off Riverbend Dr., commenced this week.

Regarding the request from the Nashua River Watershed Association to increase our membership level from \$50 to \$100, members felt that this was not feasible in such fiscally constrained times but agreed to continue the \$50 membership level because the Association provides a lot of services that the Commission takes advantage of.

7:15 p.m. – Dock Requests for Determination of Applicability

- Leavenworth/20 Point Rd. – Two docks (dock #1 is 264 SF in fair condition and dock #2 is 120 SF in poor condition) supported by 4” x 6” piles, both out to a depth of 5 ft. and fastened to an existing timber retaining wall. Upon a motion by P. Morrison, seconded by R. Lambert, it was

VOTED: to issue a negative #3 Determination for 20 Point Rd. with the eight special dock conditions.

P. Morrison read the conditions so that members of the audience would be familiar with them.

- Collins/65 Boathouse Rd. – Stan Dillis explained his client wished to maintain an existing dock and renovate an existing shed. The shed would be re-sided, a new roof added, but there are no plans to increase the footprint or to move any earth. Chairman Giguere mentioned the intention was to restrict the Request for Determination of Applicability process to consideration of existing docks, but Mr. Dillis suggested the form also seemed appropriate for a minor project without earth moving. It was noted that the facing of the existing dock (462 SF) is in poor condition. Mr. Dillis said there are additional 4” by 4” supports under the dock. B. Easom asked if the dimensions of the dock were shown, and Mr. Dillis indicated the shed is drawn to scale on the plan. There are planks on the top of the dock. Upon a motion by P. Morrison, seconded by R. Lambert, it was

VOTED: to issue a negative #3 Determination for 65 Boathouse Rd. with the eight special dock conditions. In addition, no debris from the renovation of the shed is to enter the Lake and shall be removed from the site.

- Wilson/18 Juniper Point – This 93 SF wooden dock is supported by metal posts and 4 x 4’s. It is anchored above an existing stone retaining wall. Upon a motion by R. Lambert, seconded by P. Morrison, it was

VOTED: to issue a negative #3 Determination for 18 Juniper Point with the eight special dock conditions.

- Cahill/267 Whiley Rd. – Mr. Cahill has an existing floating raft which he anchors to the brick patio/staircase/retaining wall. It appears to be about 8’ x 8’, and he proposes a 10’ by 4’ floating pier as a replacement which he tends to re-build every 5 years. The size is being reduced, but the configuration will change to that shown on the plan. Upon a motion by W. Addy, seconded by P. Morrison, it was

VOTED: to issue a negative #3 Determination for 267 Whiley Rd. with the eight special dock conditions.

A Conservation Restriction Monitoring Committee meeting was scheduled for Monday, January 14, 2008 at 7 p.m.

With Bruce Clements’ resignation, it is necessary for the Commission to appoint a new representative to the Great Ponds Advisory Committee. Wayne Addy agreed to take on this

assignment. He will report to the Conservation Commission on the business conducted by the Great Ponds Advisory Committee.

The Commission reviewed legal bills associated with Town Meeting and two land acquisitions. Upon a motion by P. Morrison, seconded by C. Auman, it was

VOTED: to approve the payment of the legal bills as submitted, totaling \$495, from the Conservation Fund.

7:30 p.m. – Appointment/Community Preservation Committee

Members Bob DeGroot (Chairman), Dan Emerson, Carolyn Perkins, Mike Roberts, and Rick Hughson were present to discuss billing received from Mr. Robert Black for the demolition of buildings on the Norris property on Pepperell Rd. Chairman DeGroot explained his Committee reviewed the report and photographs submitted by B. Ganem on the demolition. Commission members explained their recommendation was to withhold \$2000 of the \$23,670 bill pending finish work in the spring clearing debris from the ground and re-seeding any bare areas. Some of the remaining debris includes metal posts, fencing, and a bug zapper. Mr. Black has done the work in good faith and the Commission recommended paying the majority of the bill. CPC members agreed to sign off on the invoice.

The Commission has been approached by a landowner about the possible purchase of a 6098 SF parcel on Boathouse Rd. The land slopes quite steeply to the edge of Lost Lake/Knops Pond. Members agreed to send a letter to determine how much the asking price would be. B. Easom advised that residents could take advantage of a tax break if they choose to donate parcels before the assessment changes.

7:45 p.m. Blood/94 West Main St. NOI

Attorney Christopher Lilly, representing Elliot (Barney) Blood, explained there is a slope adjacent to the Squannacook River which must be stabilized after the closing of a gravel operation. He introduced Sean Hale of Ross Associates who acknowledged the Commission did not visit the site due to snow cover. This hearing originated in hearings before the Gravel Removal Committee, and it was noted there are no intentions to do any further gravel removal but to do reclamation. The majority of the site is outside of the 200 ft. Riverfront Area but there is a small area (1,700 SF) of exposed soils within the Riverfront Area as a result of recent gravel activities. Some erosion has occurred, but not into the River. Mr. Hale explained they plan to stabilize the site with erosion control matting and a restoration seed mix for dry, upland areas produced by New England Wetland Plants, Inc. He assured the Commission no wetlands were in danger of receiving any materials.

Natural Heritage has reviewed the project and advised that the work take place outside of the turtle breeding season (before May 1). P. Morrison stated this appears to be a simple project and he thought it could be carried out by following the time line recommended in the letter from Natural Heritage. C. Auman concurred that the project was straightforward, and the only issue would be the timing. S. Hale indicated it may be necessary to add some top soil to assure seed

germination. The matting would help in stabilizing the slopes after snow melt. Mr. Hale submitted several photographs showing the site in November, 2007. The DEP sign is to be posted in a place visible from the roadway. There being no further questions from the Commission, upon a motion by P. Morrison, seconded by C. Auman, it was

VOTED: to close the hearing for DEP #169-988 for 94 West Main St.

Mr. Blood requested copies of decisions be sent to Don Black and Chris Lilly.

8:00 p.m. – Appointment/Alan Chaney

Mr. Chaney, a member of the Dunstable Conservation Commission, was present to discuss his Commission's experiences in conducting forestry projects on conservation lands. Members thanked him for coming and sharing his expertise. A. Chaney observed that the initiating event in conducting the forestry projects was the need to find money to buy conservation land. He acknowledged the passing of the Community Preservation Act was a double-edged sword in that funds are not always forthcoming for new purchases. Recently, Dunstable did approve the purchase of the Ferrari farm to which the Dunstable Conservation Commission contributed \$90,000 in timber monies. He added this was a real 'sweetener' at Town Meeting.

It is necessary, Mr. Chaney stressed, to check the deeds to conservation lands to determine whether forestry activities can be conducted on the parcel. The first parcel which the Dunstable Conservation Commission logged was a 100-acre gift on which timbering was allowed to maintain the property or to acquire additional land along Salmon Brook. This occurred more than 30 years ago. The funds generated in this endeavor do not go to the town's general fund unlike Town Forest monies which must be allocated by a vote at town meeting. Mr. Chaney also recommended the Commission be on good terms with the Town Accountant and assure that the language in the deed permits forestry activities.

Other considerations include the nature of the natural area and where access would be gained. It is best not to have the landing visible from a road. He noted most of their projects are of a very conservative, selective nature. As an example, they might take 40% of the marketable timber on a site. Mr. Chaney suggested getting in touch with Joe Scanlon, a forester who works with Fisheries & Wildlife, who is very aware of steps to use to protect or enhance wildlife habitat. He said Dunstable typically uses a forester who works with the NEFF commercial component. Mr. Chaney pointed out the state is currently doing a lot of cutting itself. While red pine is not great wildlife habitat, people have become very accustomed to walking in these forested areas and have raised objections to the tree cutting. He urged the Commission to work with the public to educate them about what is planned in advance of any active forestry.

Mr. Chaney affirmed that some Conservation Commissions are reluctant to connect timbering with conservation. Mr. Chaney advised knowing your town, as well as the piece of land, and to involve the public from the beginning. The process of doing whole tree chipping does not leave anything for wildlife, but it looks good, and sometimes this is the best approach if the property is visible from road frontage. Developing age and species diversity takes time. A. Chaney commented Monadnock Tree Clearing does do the whole tree chipping well. It is important to

assure that the conservation area does not become honeycombed with ATV trails. Regular forestry practices allow slash piles up to 2 ft. high, but this is not as tidy as some people like to see, although it enhances wildlife habitat.

Chairman Giguere questioned what the minimum sized parcel is likely to be for a forestry project, and Mr. Chaney indicated this depends on the proximity of abutters, access, aesthetics, and whether it is overstocked. It is possible to get \$10,000 to \$15,000 from logging a 10-acre parcel. P. Morrison requested a copy of the deed language which allows forestry to occur on a parcel. Mr. Chaney explained that the donor, Helen Mason, cared about the history and beauty of Dunstable and came from a timber family. She agreed with the concept of “putting land to work”. He explained that by removing 400,000 board feet of timber on a 35-acre parcel, they were able to purchase 50 acres in 1979.

C. Auman asked how wetland buffer zones are handled during forestry projects, and Mr. Chaney replied they leave a generous buffer and do no cutting within the wetland itself. The typical harvest is white pine and red oak although occasionally white oak is harvested as well. He was unsure about the potential for invasive species to become established within skid roads and urged the Commission to contact Gary Gouldrup or MACC about this issue. He acknowledged that opening trails can lead to fragmentation and bring in everything from invasives to ATVs. He advised using existing cart paths and leaving them in a clean condition to avoid these issues.

Cheryl Mann in the Dunstable Conservation Commission office can provide a copy of the deed language. Mr. Chaney said he would be glad to show the Groton ConsCom areas that have been logged, including one that was heavily logged before purchase (Ferrari) and a recently completed planned logging project on conservation land. He advised looking at the canopy and the age and species diversity. Commissioners can observe the use of patch clear cuts, landings, and water bars. B. Easom asked if any areas were managed as early successional habitat, noting that typically an early successional patch is one in which everything bigger than 5 ft. tall is cut. Mr. Chaney advised having all ducks in order, clearly defining what you are doing (generating income, enhancing wildlife habitat, timber improvement, how you are going to spend the money) before undertaking a project. It is a political necessity to address differences of opinion ahead of time because some people will regard forestry as actively ‘murdering’ trees. B. Easom added another reason to conduct a forestry project might be that wood is a CO<sup>2</sup> neutral fuel. A. Chaney promised the Commission there will be criticism despite advance preparations. He indicated he would be willing to set up a site visit in the spring to look at some of the projects in which Dunstable has been involved.

#### 8:15 p.m – Appointment/Erich Garger

Mr. Garger explained he has some concerns about the way in which the recently acquired conservation land on Redskin Trail is being managed. He acknowledged the Commission recently had a survey prepared and granite posts installed at the corners of the property. Nevertheless, he pointed out there is a significant amount of junk (including a log grappler, boat trailers, and apparently docks) that are sitting partially or wholly on conservation land. P. Morrison said there are questions about whether the Town owns the property at the shore line which are being resolved by Town Counsel.

E. Garger said he lives two houses down from the conservation property and is upset to see the land utilized by one person rather than the public. The storage of vehicles means that the conservation land is used for motorized access, and some of the junk extends onto conservation land. Mr. Garger suggested the area be fenced off to prevent motorized access or storage. B. Easom wondered if boulders might be appropriate, but Mr. Garger objected that these would be an eyesore.

Members suggested a letter could go to the abutter prohibiting motorized access and requesting removal of vehicles and the docks. If the response is unsatisfactory, the Commission could consider pursuing stronger tactics. Mr. Garger indicated his neighbor appears to be conducting a wood splitting business and uses the land for access and to store his personal property. According to E. Garger, "A turnaround is located at the end of the street which didn't used to be there."

Chairman Giguere said it is unlikely the Commission will consider putting a fence there due to the costs. Mr. Garger questioned the Commission's intentions regarding the property. Mr. Giguere explained this was a tax-taking parcel, and could be used as a canoe access site. C. Auman advised it is not the Commission's intention to allow one person to use the land. M. Giguere mentioned the Commission is interested in having abutters who live near conservation parcels volunteer to act as stewards. This would involve keeping an eye on boundaries and reporting once a year on conditions or problems. Mr. Garger said he was interested in serving in this capacity and noted several other neighbors were likely to also be interested. He indicated the docks were installed around 2003.

B. Easom asked the status of the plan for Surrenden Farm West, and Chairman Giguere explained there was a meeting the previous Friday. Marion Stoddart of the Greenway Committee was present, and she advocated for no trails along the Nashua River in the south portion of the property although public access would not be denied. The principles for the management of three different zones were laid out in the plan and were broadly defined as wildlife, agriculture, and forestry. Pat Huckery of Fisheries & Wildlife will provide further input for Zone 1 where there is important wildlife habitat. Archaeologist Mike Roberts was present and offered to provide an assessment of the potential cultural resources at the site. He indicated there are old house foundations along Shirley Rd., and the Millerite community may also have had a presence in the area. He will lay out areas where he sees value. Permission from both the Groton Conservation Commission and Fisheries and Wildlife will be necessary in order to re-apply to the Community Preservation Committee to fund an archaeological study.

Members advised assembling information on the general revenues expected to be taken in by the Commission in the upcoming year as part of the FY'09 budgeting process.

B. Easom noted that surrounding communities, Townsend as an example, have been successful in applying for grant money to help with recreational trail design. It would be ideal if CPC funds could be leveraged or matched with outside grant money.

Chairman Giguere distributed an article outlining the use of both beetles and weevils to control and reduce an infestation of loosestrife from 90% to 10% in an upstate New York wetland management area.

There being no further business, the meeting was adjourned at 9:05 p.m.

Respectfully submitted,

Barbara V. Ganem  
Conservation Assistant

**Approved as drafted 1/22/08.**