

GROTON CONSERVATION COMMISSION

Minutes

April 22, 2008

Vice-Chairman Peter Morrison called the meeting to order at 7:00 p.m. in the 2nd floor conference room in Town Hall. Members Wayne Addy, Craig Auman, and Ryan Lambert were present. Bruce Easom arrived at 7:05 p.m. Holly Estes and Marshall Giguere were absent. Conservation Assistant Barbara Ganem was also present.

7:00 p.m. – Appointment Highway Surveyor Tom Delaney

Mr. Delaney explained he has three culverts nearing failure on Longley Rd. and would like the Commission's guidance on what form to file for the replacement culverts. C. Auman agreed that this is definitely work that needs to be done. He noted that Natural Heritage requires a MESA filing for culvert replacement in those areas where there is priority rare species habitat. He thought the filing should be kept as straightforward and simple as possible. Mr. Delaney said the worst of the three equalizer culverts is probably the one located closest to Pepperell where the priority habitat is present. He estimated that each culvert replacement would take about a day to complete. The culverts would be replaced at grade. He plans to place a sump filled with stones in the upstream area to allow sediments to settle. All of the culverts are approximately 18 ft. wide. He expressed concern about delaying the work until the fall because it is difficult, and more expensive, to get asphalt at that time. P. Morrison commented Natural Heritage has 30 days to comment once a Notice of Intent is received. Commissioners agreed that a Request for Determination of Applicability could be filed for the first two crossings, but recommended doing a NOI for the one at the Pepperell line.

T. Delaney said he is continuing to work on the filing for the repair of the Squannacook River dam and has finally contacted the owner on the Shirley side of the dam. Mr. Addy noted the correspondence from Town Counsel appears to indicate that the Commission can issue an Order without the owner's permission. Mr. Delaney mentioned this property is within MESA habitat as well.

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

VOTED: to approve the minutes of the Open Session of the April 8, 2008 meeting as drafted.

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

VOTED: to approve the minutes of the Executive Session of the April 8, 2008 meeting as drafted.

In discussion on the draft 37 Boathouse Rd. Order of Conditions, members agreed to eliminate the requirement to have an engineer present during construction, and upon a motion by C. Auman, seconded by R. Lambert, it was

VOTED: to issue the Order of Conditions for DEP #169-991 for 37 Boathouse Rd. as amended, under the Wetlands Protection Act.

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

VOTED: to issue the Order of Conditions for DEP #169-991 for 37 Boathouse Rd. as drafted, under the Wetlands Protection Bylaw.

7:15 p.m. – Appointment David Hooper and Bill Colby/Groton Country Club

Mr. Hooper explained there has been a change in management and the board structure at the Country Club. He noted that some of the routine management necessary for the golf course is in sensitive areas, and he is aware of environmental concerns associated with work near wetlands. There are routine maintenance items which the Club would like to do every year to improve the course. Trimming some of the saplings and brush growing near the 4th freeway is one example. Another would be the water level near the 7th green. Mr. Hooper is Vice Chairman of the Golf Course Oversight Committee, and Mr. Colby is the greens keeper who is responsible for upkeep such as fertilizing the course.

Mr. Hooper produced an aerial map which shows the wetlands with the 100-ft. buffer demarcated. He pointed out several trees which the Club would like to remove to improve the visibility of their sign on Rt. 119. B. Easom said he was amenable to trimming back trees at the roadside, but would not like to see de-stumping. P. Morrison expressed reservations about a mechanism that would allow work to occur every year, but a Request for Determination of Applicability is good for several years.

D. Hooper said he understood the Commission did not want to have any surprises, such as the time trees were cut on the slope directly above wetlands. He also pointed out that if drainage structures are not maintained regularly, then the Club is faced with major repair work in the wetlands buffer. C. Auman said he appreciated the Country Club representatives coming in to discuss how maintenance matters are to be handled. He noted that cutting trees can remove the tree canopy that is protecting the wetlands, and he urged that tree-cutting at Rt. 119 be minimized as much as possible.

B. Ganem mentioned there is an open Order of Conditions for the property which could be amended to include the maintenance measures anticipated by the Country Club board. If these are on-going procedures, the Commission can opt to grant extensions. To follow-up on the Commission's visit to the Country Club sign site, B. Ganem will check the trees marked for removal and get back to Mr. Colby.

7:30 p.m. – 54 Ridgewood Ave. NOI continuation, DEP #169-992

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

VOTED: to continue the hearing for DEP #169-992 to May 13, 2008.

Upon a motion by R. Lambert, seconded by B. Easom, it was

VOTED: to issue a letter confirmation for the Murray/Collins dock on Baddacook Pond.

The Zoning Board of Appeals is reviewing the most recent plans for Squannacook Hills, a Ch. 40B project proposed for Townsend Rd. under an Order of Conditions, DEP #169-908. One of the conditions in the Order required the placement of monitoring wells prior to construction, and Ira Grossman, Agent for the Board of Health, has recommended re-locating one of the wells closer to the planned community septic system. Upon a motion by B. Easom, seconded by R. Lambert, it was

VOTED: to convey Mr. Grossman's recommendations for the location of a monitoring well to the ZBA as part of the Conservation Commission's comments on the most recently submitted plans.

Visitor Cynthia Theriault, R.P.E. of Beals Associates was present to discuss the status of stormwater management at Academy Hill on Townsend Rd. in W. Groton. Ms. Theriault explained that runoff from Fieldstone Dr. during the construction process has proved more than the catch basins at the base can handle. She asked the Commission to consider a minor modification to the Order of Conditions to allow the placement of a double catch basin which would be left in place, but was only necessary during construction. Eventually the road will have curbing and will be crowned to direct water to both sides of the roadway into the existing catch basins on either side of Fieldstone Dr. Currently the flow is overwhelming the catch basin on the north side of the roadway and does not reach the catch basins on the south side.

Vice Chairman Morrison questioned when they planned to do the work, and Ms. Theriault indicated it would be done as soon as possible. He commented the Commission could order that the work be done and then require the paperwork for the modification as follow-up. C. Auman mentioned the Commission visited the site this past Saturday, and a significant portion of the site has been opened up with extensive areas of bare soils. He urged the owner to get grass growing as quickly as possible and to sweep the roadways. C. Theriault thought sweeping had been scheduled for Monday, April 21st, but she could not confirm it was done.

W. Addy said it sounds as though the volume of water is more than expected, and work near the wetlands is necessary. He agreed with the concept, but urged that it be procedurally correct. B. Easom questioned whether the grate would go across Fieldstone Dr., and C. Theriault stated it will be a 4 ft. grate which will capture water before it flows onto Townsend Rd. Mr. Addy suggested placing a 2 in. water bar across the entrance to divert the water into the existing catch basins. This would amount to a temporary speed bump which could be removed when the finish layer of asphalt is placed. Ms. Theriault agreed to check with Nitsch engineer Bill Maher to see if this was an acceptable alternative. Upon a motion by B. Easom, seconded by R. Lambert, it was

VOTED: if the concept of the water bar is not recommended by Nitsch Engineering, the Commission authorizes B. Ganem to issue an Emergency Certification allowing the originally proposed modification to go forward, followed up with the paperwork for a

modification to the Order of Conditions.

7:45 p.m. – 176 Shelters Rd. NOI continuation DEP #169-990

Glenn Webber of RJM Renovations explained the plans have been revised to show the proper scale and the re-located house. The hatch marks on the plan show the existing house that is to be razed. Natural Heritage has required a MESA filing, and Mr. Glenn indicated this was mailed out on Saturday. B. Easom questioned the larger area that is to be disturbed, and the owner, Nancy Robinson, indicated there is an area to be filled, but she does not wish to turn it into lawn as she prefers to keep it in a natural state. Mr. Easom said the Order will have conditions requiring that vehicles be kept away from the wetlands and prohibiting stockpiling. The driveway, which will remain in the present condition, will not be paved. Commissioners agreed that conservation markers would not be appropriate for the site. C. Auman asked that the contractor and owner sign and date the appropriate revision, as well as the one for the record the Commission maintains. Upon a motion by C. Auman, seconded by R. Lambert, it was

VOTED: to close the hearing for DEP #169-990 for 176 Shelters Rd.

8:00 p.m. – Appointment Rich Davis/45 Redskin Trail

Mr. Davis acknowledged his dock is on Town-owned conservation land on Redskin Trail, and he has to move it. There are 6 piers, and his plan is to flip the dock over to his land. Ch. 91 licensing requires a 25 ft. setback from neighbor's lot lines, and he asked whether the Commission would be willing to approve the dock's location within 1 ft. of its property line. The canopy on the other side would also be moved. Mr. Davis submitted a possible draft letter the Commission could sign.

Member Easom said he had no problem having the dock within 1 ft. as he does not think there is any more impact to the resource area than its present location. He added he would like to be a good neighbor. C. Auman asked if the log grappler is his equipment, and Mr. Davis said it is not his property. P. Morrison suggested the filing of a Request for Determination of Applicability to move the 3 piers and the canopy to the other side. Members asked how the pilings are put in, and Mr. Davis replied they will be manually driven. Two of the pilings remain in the water at winter drawdown. It was decided that the cover letter that accompanies the Determination issued by the Commission will state the Commission's position on the location of the dock near the property line. Mr. Davis assured the Commission he is in the process of completing the paperwork for the RDA, and members agreed to allow him, on a temporary basis, to continue using his dock at the conservation area waterfront pending his receipt of a permit to do the work of moving it.

To follow up on the site visit to 246 Lowell Rd., Commissioners noted what may have been an existing cart path has now been re-graded, and the owner indicates he wishes to change the location of his driveway. Much of the driveway is within the buffer zone, as is a new wood shed and some landscaping. P. Morrison commented the limit of disturbance for this house is the lawn. Mr. Addy said it will probably be necessary for the owner to remove the existing driveway in order to make the improvements he is proposing. The line of sight onto Rt. 40 could be an issue with the proposed location. It appears to be a growing project that needs a well

thought-out plan. Commissioners agreed to have him file a Request for Determination of Applicability which may come out negative or positive, requiring the filing of a Notice of Intent, if the proposed work in the buffer is extensive.

Members remarked that the alleged erosion into the beaver pond off Orchard Lane (Brooks Orchard) appears to be minimal. It almost appears as though someone has dumped a huge quantity of water into the pond at the intersection with an old cart path coming from the northwest direction. To clean out any silt from the beaver pond would result in additional damage to the resource area. To rectify the erosion problem caused by wheel ruts at the sharp bend in the road leading to the water storage tank, members agreed to ask for a filing from the Water Department because the work area is within the 100-ft. buffer.

Members commented that, in the preparation of the FY'09 budget, the Conservation Commission was asked to reduce what is one of the smallest budgets in Town Hall. One of the largest 'opportunities' came from the Water Safety line item in the form of Sargisson Beach. The Commission was concerned about the amount a beach sticker would have to be increased in order to make ends meet. Resident Gale Sun (250 Burntmeadow Rd.) said she has heard anecdotally from a number of people who care very much about the Beach. She questioned whether there was any way to keep the Beach open with reduced hours of operation. Ms. Sun thought this also might be a way of keeping it affordable. The Lowell YMCA, with whom the Town has contracted for the past two years for waterfront management, has indicated they need a decision by May 12th. Ms. Sun mentioned she talked with staff at the YMCA, and they state the typical lifeguard salary would be \$11/hr., and it would be necessary to have two lifeguards on duty when the Beach is open. The current YMCA contract (including funding) runs through June 30th. Resident Roger Cruz questioned whether the program could be operated on a five day/week, seven hours/day basis for around \$10,000 with stickers costing \$50.

Mr. Auman pointed out the only way this could work is to set a time limit, widely advertized, during which funds are collected up front. Any funds collected would be returned if we do not get a sufficient amount. He expressed concern about not having a parking attendant to check for parking stickers and be sure people do not block the emergency access. Mr. Cruz suggested having this person on duty for fewer hours. P. Morrison said he is a Beach advocate, but we have to face the reality of funding. C. Auman felt that having no one there invites vandalism, and keeping the Beach itself clean is important. In the past, the parking attendant has been paid about \$3,500, working approximately 330 hours, selling stickers, cleaning up the parking area, and directing people to appropriate parking spaces. Mr. Cruz questioned whether the police could help out with enforcement on beach parking stickers.

Selectman Josh Degen said the Water Safety budget will be voted on at Town Meeting. He questioned whether the Conservation Commission would consider rescinding its vote to close the Beach due to the budget reduction. He suggested contacting Groton School as it is late in the game to come up with funding for the Beach. Chairman of Board Fran Dillon suggested approaching both private schools for funding. He offered to talk with Town Accountant Val Jenkins tomorrow to explore how funds might be collected and accounted for. There is an existing Sargisson Beach gift fund, but it is possible the revolving fund might be the appropriate mechanism.

B. Easom said he thought it was a good idea to set up a funding mechanism as a way to determine interest in keeping the Beach open. It was suggested this fundraising concept should be presented at the Town Meeting when the Water Safety line item is discussed. Town Moderator Bob Gosselin should be contacted to make arrangements. The wages and cost of having the YMCA operate the Beach would then come out of the 'Sargisson Beach Gift Fund', not the Town budget. If we take in money, it is necessary to have a Town Meeting vote to use the funds unless there is another account set up.

Selectman Dillon agreed to look into whether the Sargisson Beach gift fund or a revolving fund would be the appropriate vehicle for funding the Beach's operation. The minimum hours which the YMCA is willing to work should also be explored. Selectman Degen asked if the Commission would rescind its vote to close the parking lot pending the collection of funds. Option 2 would then be to close the gate. The Police Chief has agreed to check the Beach parking area when and if he has a patrol car available. P. Morrison asked if this could be part of the normal patrol. The Commission needs to arrive at a number and, depending on the outcome of the negotiations, develop a contingency plan to keep the Beach open.

Questions arose as to whether the Beach should be promoted to out- of-town residents and should they be charged more. Commissioners suggested putting information on the Groton listserv and having a handout for Town Meeting. Upon a motion by C. Auman, seconded by B. Easom, it was

VOTED: to rescind the Commission's previous vote to close Sargisson Beach provided we are able to collect enough funds to open the Beach on a reduced operating schedule and provide staffing through donations.

A reduced schedule of five days a week, Wednesday through Sunday, for 7 hours a day is envisioned. B. Ganem will look into staffing costs for two lifeguards working the above schedule and put together a flyer for Town Meeting.

Upon a motion by B. Easom, seconded by C. Auman and a roll call vote of P. Morrison, C. Auman, B. Easom, R. Lambert, W. Addy, and P. Morrison, it was

VOTED: to enter Executive Session at 9:01 p.m., not to return to Open Session at adjournment.

Respectfully submitted,

Barbara V. Ganem
Conservation Assistant

Approved as drafted May 13, 2008.