

GROTON CONSERVATION COMMISSION

Open Session Minutes

October 13, 2009

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

The minutes for September 22, 2009 will be reviewed at a later meeting as they were not emailed out to members ahead of time.

Upon a motion by M. Giguere, seconded by C. Auman, it was

VOTED: to issue special conditions for DEP#169-1021 for 24 Island Pond Rd. under the Wetlands Protection Act as amended.

Upon a motion by W. Addy, seconded by P. Morrison, it was

VOTED: to issue special conditions for DEP#169-1021 for 24 Island Pond Rd. under the Wetlands Protection Bylaw as amended.

7:15 p.m. – 7 Shenandoah Rd. NOI DEP#169-1027

Applicant Robert Anctil was present and explained he did not realize he was responsible for notifying abutters. He submitted a letter requesting his hearing be continued. Upon a motion by C. Auman, seconded by M. Giguere, it was

VOTED: to continue the hearing for 7 Shenandoah Rd. to October 27, 2009 at 7:15 p.m. pending the appropriate notification of abutters.

Upon a motion by P. Morrison, seconded by R. Lambert, it was

VOTED: to issue special conditions for DEP#169-1025 for 7 Little Hollow Lane under the Wetlands Protection Act as drafted.

Upon a motion by P. Morrison, seconded by R. Lambert, it was

VOTED: to issue special conditions for DEP#169-1025 for 7 Little Hollow Lane under the Wetlands Protection Bylaw as drafted.

The Nashua River Watershed Association has asked the Commission to confirm its in-kind contributions toward their “Protecting Today’s Waters for Tomorrow” grant. The Commission committed to \$1000 or 60 hours in volunteer services in 2004. Upon a motion by W. Addy, seconded by R. Lambert, it was

VOTED: to send the draft letter documenting over 900 hours of in-kind services.

Following up on the Saturday site visit to Whistle Post Lane, Chairman B. Easom noted that Trails Committee member Steve Legge was unable to wait for us due to other time commitments. Mr. Easom commented that the paved path from the road turns to dirt before reaching the Nashua River Rail Trail; the Trails Committee has concerns about making it easier for bicyclists to use this connector. Stan Dillis was in the audience and explained he had worked on the Knowles Siding subdivision plan, and the paved path goes to the end of the property that was deeded to the Town for conservation. B. Easom asked Commissioners if there are any objections or concerns about the Trails Committee's intention to improve the connector. Steve Legge has already talked with the Department of Conservation and Recreation and received their permission.

Member Auman said he did not want to see the work cause erosion down the hill. M. Giguere mentioned there appear to be some good-sized boulders which will have to be removed to reduce the hump before reaching the Rail Trail. The hump actually serves to dam any water running down the paved portion of the path. He noted there is a potential to create a raceway for water to flow onto the Rail Trail. Any letter should highlight this issue. P. Morrison advised leaving it up to Steve Legge. B. Ganem will contact Mr. Legge to see what he wishes to do. As long as the erosion is stabilized there should be no surface flow toward the Rail Trail.

7:30 p.m. – 66 North St. ANRAD

Surveyor Stan Dillis noted an additional wetland flag was added during the Saturday site visit, flag #23 was moved to the top of the bank, and #14 was moved 6 ft. up the swale after Brandon Ducharme re-visited the site. He has prepared a plot observation sheet for this flag. P. Morrison clarified that the flagging on the other side of the fence was not verified. C. Auman noted there is a culvert connecting the wetland which is not shown on the plan. R. Lambert asked if the stump dump shouldn't be labeled on the plan, and S. Dillis said he thought most of the stumps are gone now.

Abutter Betsy Reeves (128 North St.) said the stump landfill extended 55 ft. onto her property and items such as radiators and tires were buried there. She stated the Board of Health made them remove the debris and install a chain link fence to mark the bounds in 1995. They were instructed to clean the area up and fill with indigenous materials. Water was pumped out as they excavated the landfill. S. Dillis said the Board of Health must have records, and P. Morrison recalled that he had visited the site at that time.

B. Easom indicated he did not think this issue was germane to the wetland boundary delineation. Ms. Reeve maintained there had been a wetland under the stump dump, and there is a lot of wildlife in the area. Mr. Easom explained this filing involves the confirmation of a wetland delineation. If a plan is developed, based on the wetland flagging, the Commission will review the design. S. Dillis said the owner will have to address all of these issues, as well as the fact the area is in priority habitat. P. Morrison noted that step 1 in the process is the delineation.

Resident Zoltan Brutler (104 North St.) advised the Commission to take another look at the area with stumps. P. Morrison said the Commission determines the wetland line based on what is on the ground today. B. Reeves asserted that digging the landfill got rid of the wetlands, and P. Morrison acknowledged there was a mountain of stumps when he was down there. Chairman Easom noted several wetland flags have been moved and asked if the Commission wished to re-visit the site before confirming the delineation. P. Morrison pointed out the flagging has been located in the field and on the plan. Mr. Dillis said the Croteaus have owned the site since the 1950's, and it is difficult, if not impossible, to get a soil sample as much of the area is rock as it has been an operating stone yard. He acknowledged some areas may have been filled, but it is likely it occurred before the Wetlands Protection Act was enacted. Abutter William Choate (90 North St.) said some of the land was acquired more recently as Mr. Tully was formerly his abutter. Upon a motion by P. Morrison, seconded by M. Giguere, it was

VOTED: to close the hearing for DEP#169-1028 for 66 North St.

Planning Board member Tim Hess explained his Board is seeking funding to update the Master Plan for the Town and would like to have the support of the Conservation Commission at the upcoming Town Meeting. He indicated members have worked hard to anticipate questions and concerns, and it is his personal conviction that the Master Plan is an opportunity to look at a landscape that has experienced significant socioeconomic shifts while looking at old roadmaps and benefitting from new thinking. The present provisions for agriculture, for instance, are woefully inadequate. There are important discussions about agriculture, transportation, and mixed housing which may be valued differently, and the Master Planning process will include an in-depth look at zoning and planning guidelines. He opined that it would be incredibly shortsighted not to do an updated Plan. It is good practice and planning to update the document every 10 years.

Mr. Hess commented "When we care about a place, we try to take custody of that which is worth conserving." He explained the current Master Plan is a little vague and did not always provide the bigger picture thinking necessary to delve into regulations and fit on- the- ground activities.

P. Morrison pointed out the Commission is also looking to update the Open Space & Recreation Plan (OS&RP), which is required every five years, and it will be important to see how that process will relate to the Master Plan. He asked what Mr. Hess needs from the Commission. T. Hess said the Planning Board has selected Community Opportunities Group who will work with Dodson Associates and Fay, Spofford, & Thorndike, both consultants with whom the Planning Board is very familiar. The lead consultant is proficient at coaxing participation from the public and then weaving a viable Plan together. There will be several sessions open to the public, but Mr. Hess was not aware of a specific session that would address conservation although this has certainly been a theme throughout previous planning processes. C. Auman concurred with this statement. T. Hess suggested contacting Michelle Collette to see what approach the consultants will use. The Planning Board is requesting \$70,000 this year and \$30,000 next year; Mr. Hess was uncertain what was paid for the preparation of the previous Master Plan.

Members expressed support for the project. Chairman Easom noted he had been present at the Finance Committee's meeting on this topic, and this is the group who will ask the tough

questions. Ten years ago the consultant left without completing the job. The Commonwealth Capital program, which forms 30% of the score for state grant applications, takes into account demographics and socioeconomic conditions in the town. A high score keeps the Town competitive, and a Master Plan plays a significant role in the scoring process. The Master Planning process presents an opportunity for the public to express what they want to see in the future. In the past, the protection of open space has been a priority.

Member Giguere said public process is definitely a part of preparing the OS&RP too. Mr. Hess suggested the Commission could take a vote for support of the article and could designate a member to speak to a particular angle at Town Meeting. Upon a motion by P. Morrison, seconded by R. Lambert, it was

VOTED: to formally support the Planning Board's efforts to prepare and update the Master Plan and to support the warrant article at the upcoming Town Meeting.

Michelle Collette said she has copies of the request for proposals, as well as the proposal from the Community Opportunities Group available in her office. She thanked the Commission for pinch hitting with the Finance Committee prior to the Planning Board's scheduled appointment to discuss the Master Plan, as well as for the support of the warrant article.

8:00 p.m. – 27 Whitney Pond Rd. NOI DEP#169-1023 continuation

At the applicant's request and upon a motion by P. Morrison, seconded by M. Giguere, it was

VOTED: to continue the hearing for DEP#169-1023 to October 27, 2009.

Todd Lobo of Beals Associates was present on behalf of Bruce Wheeler of Landwest, the developer of Academy Hill, to request an Extension for DEP#169-970. Mr. Lobo explained that construction on this project commenced in 2006, and approximately two-thirds of the paved roadway has been installed including the cul-de-sac known as Arborway. Ten buildings have also been constructed - several on Lot A as well as several single family houses. Another wetland filing was done for what is known as the 'Bissell spur' which covers the south entrance from Townsend Rd. to Academy Hill. Mr. Lobo said the Extension is necessary as construction of the remaining portion of the roadway, as well as structures, has been delayed due to current economic conditions.

Member Giguere noted there was significant siltation of Townsend Rd., as well as the wetlands, last year as a result of this project. He asked what was being done to prevent a similar occurrence this winter. Mr. Lobo stated much of the site has been stabilized and is grassed, and they are constantly monitoring conditions. Mr. Giguere recalled that silt bags had frozen in the catch basins last year, creating a maintenance issue. He had an issue with having a lot of land open at once. T. Lobo indicated much of the infrastructure has been constructed and the area stabilized with grass. Sediments have been cleaned out.

C. Auman noted there were significant problems last winter, but he has observed the area surrounding the lower road is vegetated. He expressed concern, however, that there is a lot of open ground above that area. He requested a construction sequence for the next 4 months that

addresses the issue of erosion control. The wetland flagging should also be refreshed. P. Morrison agreed that the flagging should be reasonably up-to-date in areas where there is on-going work or where work has already occurred. He did not feel it was necessary in areas where nothing is going on.

The applicant has requested a 3-year Extension. B. Easom thought the whole project should be re-marked at this time. If we wait longer, the flagging will start to disappear and will have to be survey-located. Mr. Easom said "If done now you can find the flagging, and then just replace and re-number them as you walk along." He expressed concern that the house at the north entrance to Academy Hill is an attractive nuisance. The proposed road is to go through a corner of the house which is to be demolished eventually. He thought a reasonable condition of the 3-year Extension should require the demolition of this building. The Commission does not need this hazard. B. Ganem commented the police have reported vandalism at the site several times, and Mr. Wheeler has been responsive to securing the building.

W. Addy said the Commission should look at lessons learned and thought it important the construction sequence address the huge area that is to be opened up. Upon a motion by P. Morrison, seconded by C. Auman, it was

VOTED: to issue a 3-year Extension for DEP#169-970 for Academy Hill with the following conditions: the house (at 718 Townsend Rd.) shall be demolished, a construction sequence for the upcoming four months shall be submitted, and the wetland flagging shall be replaced.

Six members voted in favor, with W. Addy voting in the negative. The Extension effectively extends the delineation another three years. From the audience, Attorney Collins reminded the Commission that the Town has a demolition delay bylaw which could affect the razing of the house.

8:15 p.m. – 55 Wenuchas Tr. NOI DEP#169-1024 continuation

Surveyor Stan Dillis pointed out a wildlife habitat study has been prepared for the project, and the consultant has suggested ways in which the owner could enhance habitat and create more areas with vegetation and mimic natural banks. A planting area is proposed at the top of the retaining wall which will be lowered to match the shore line and planted with willow tubelings. The area will also be planted with New England Conservation Mix. In addition a small, 8-ft. jetty is proposed to serve as a basking area for turtles. In order to get the compensatory flood storage, it is likely to require the removal of 5 or 6 mature trees. The creation of enhanced wildlife habitat and the benefit of getting rid of creosote timbers will result in significant improvements as a result of the project. Mr. Dillis said the removed walls represent 25% more than the new wall.

C. Auman said he did not have the plan changes to review directly, but he questioned whether the jetty represented a dock-like structure that would require a license. Mr. Dillis said the top of the stone retaining wall would be below the high water mark so the area will flood occasionally. Mr. Auman said he liked the idea of plantings and asked if there were more opportunities to use bioretention techniques.

R. Lambert thought this might be a way to prevent waves from undercutting the shoreline. C. Auman noted that fish are not mentioned in the report, and the undercut bank is an area bass sometimes use. S. Dillis said the voids in the wall will provide good habitat. Burrows are mentioned, but the animals that might use them are not identified in the report. Member Pitkin questioned the construction sequence, and Mr. Dillis explained the staging area will be set up where the dumpster is located on Wenuchas Trail. A bobcat will access the shore directly down the hill where the addition is proposed. A mini-excavator with a tooth may also be utilized. He estimated the size of the boulders will be 100 – 500 pounds.

B. Easom said he was not satisfied that the extent of the wildlife study is adequate as it does not address soils, nesting cavities, % and type of vegetative cover, perches, species of trees/shrubs that could provide food or mast for wildlife that might be affected by the project nor identify the wildlife that are using bank burrows and whether they will continue to use the proposed stone wall. R. Lyons argued that the focus should be on the shore line. There is a data sheet checklist for in-depth wildlife habitat studies. M. Giguere pointed out burrowing is likely to be impossible in the stone wall. Upon a motion by P. Morrison, seconded by M. Giguere, it was

VOTED: to continue the hearing for DEP#169-1024 to October 27, 2009.

Commissioners summarized the necessary information as the checklist for the wildlife habitat study, additional information on the burrowing animals, identify entrance/egress for equipment, bioengineering to make it more attractive for wildlife, and an answer on the permitting for the jetty. Mr. Easom noted that putting in something perpendicular to the shore can transfer wave action along the shoreline. B. Ganem will get the list to Mr. Dillis.

8:30 p.m. – Island Pond Rd./Baker NOI DEP#169-1007 continuation

Surveyor Stan Dillis noted the Commission had re-visited the site this past Saturday to review the alternative house location which could result in less disturbance and shorten the driveway about 50 ft. While Commissioners generally preferred the ‘green’ footprint that is closer to the resource area, Chairman Easom urged the applicant to focus on the issue of mitigation. M. Giguere noted the driveway is within the 100 ft. buffer which is prohibited under the Bylaw. C. Auman pointed out the curbing, retaining wall, and house constitute a major disturbance in a Bylaw resource area, and the Commission needs to consider under what conditions of mitigation we would allow this.

Attorney Robert Collins reminded the Commission of his lengthy letter outlining some of the things that could be considered and asked the Commission what they would like to see. W. Addy said offering the land by the pond could serve as mitigation. Mr. Collins also pointed out S. Dillis has made significant improvements to existing conditions in the design for drainage associated with the driveway. One consideration is a gift of land under water, and another is a private deed restriction for the land closest to the pond. R. Collins said there would be no further building other than a barn, boathouse, or dock, a statement on acceptable forestry management techniques, no dumping or burying, and no other structures. The deed for the house could restrict the dwelling to five bedrooms. The ten-room size of the house drives the size of the septic system. Mr. Addy thought that donating land under water was reasonable mitigation, but the numbers of exceptions needs to be stricter and a conservation restriction should be on-going.

There are a lot of things indicating private activities. Mr. Collins pointed out there is public access to the pond from other places. There is concern about the public's perception of how to reach the pond.

P. Morrison said he did not want to see a limit on agricultural use of the property. C. Auman pointed out the lot is heavily treed, and he questioned its suitability. Mr. Morrison said he did not see converting woodland to pasture as a huge problem. A portion of upland next to the pond is landlocked and inaccessible from the Baker parcel. M. Giguere saw the creation of a restriction on private land as a problem for monitoring. Although the land's use may benefit the owner he did not see the parcel as ideally suited for horses from a conservation point of view. His concern would be about machinery going into nesting areas. The public can access the area around the pond the abandoned rail bed known as the Red Path. C. Auman agreed that a conservation restriction can have its own set of problems. This is excellent habitat. The pond and acreage could be a gift while the owner retains the value of a house and two acres. Having more structures is not conducive to protecting conservation values and wildlife habitat.

D. Pitkin echoed C. Auman's comments, stating he felt stronger protection is more mitigation for a driveway and house in violation of the Bylaw. R. Lambert said he liked the idea of restrictions but thought the boathouse a problem. B. Easom commented he was not in favor of a barn, boathouse, or dock, and he felt the requirement for later approval by the Commission was problematic as future Commission may not realize the conditions under which the permit was granted. The intention should be clear in the deed codified for the future. The status of the property and placing a limit on what is acceptable should be very clear. It was his opinion that the property should be left as pristine as possible if we allow building in the green footprint shown on the plan.

P. Morrison asked how many acres this would involve, and Mr. Collins thought it would be around 2 acres near the house, and then 7 acres shaded at the back of the lot. Abutter Nancy Todd (104 Island Pond Rd.) said she continues to have concerns, and she would prefer to see the Baker property purchased and left as is. She commented the 5-bedroom house is far bigger than others in the neighborhood. Mr. Collins indicated the owner has agreed not to have a duplex. She also thought dirt bikes were more likely to use the area than horses as the trails in the area already suffer abuse. Mrs. Todd expressed concern that any removed gravel be used on the site as there is a development in the neighborhood where gravel was removed that continues to be an eyesore. She urged the Commission to apply rigorous conditions to the driveway as it is right next to a slope, and there is the potential for 4 or 5 cars to be using it. Further, she felt the Commission should set a deadline for completion of the project.

N. Todd went on to say that it has been her family's intention to purchase the Baker property and then donate the land, including portions of the 11-acre peninsula they own, to the Town of Groton to preserve. She pointed out there is an area outside the buffer zone which would be outside the Commission's jurisdiction, and building could occur. Attorney Collins said he did not see anything here except for the number of bedrooms, and he pointed out the houses on Wildflower Lane are comparable. He agreed to return with something more in keeping with the positions expressed by Commissioners. S. Dillis commented the footprint of the proposed house

is similar to that of the Todd's house, and he has drawn in a 68' by 32' box to represent the extent of what could be built.

P. Morrison questioned whether the shaded portion of the lot would actually be out of the buffer zone as it appears no one could get there without coming before the Commission. Sean Gaines (16 Island Pond Rd.) took issue with the Commission approving anything within the buffer zone that is protected under the Wetlands Protection Bylaw. He worried that the Commission was lowering its protection strategies, particularly since it is likely that chemicals will be necessary to treat this driveway. Mr. Gaines stated he would prefer to not see the project considered even with the prospect of a donation. He noted this curve in Island Pond Rd. is known as 'dead man's curve'. The driveway is quite close to the stream, and he was hoping the Commission would consider disallowing any consideration of the project. P. Morrison said this is what we are negotiating, and the Commission has to hear what they are offering. He agreed the project was not approvable without some kind of mitigation. Mr. Gaines objected, stating that anything short of complete protection of the abutting waterway was not adequate mitigation. Mr. Morrison maintained it is the Commission's responsibility to balance these considerations.

Chairman Easom pointed out the design of the driveway and the recharge structure would treat whatever sand is washed down the driveway, and the Commission has looked at the siting of the house. Mr. Easom said he would prefer not to see any additional structures on the property, not just in the proposed restricted area. Mr. Collins indicated he understood 4 of the 7 members appear to reject the notion of allowing additional structures. Mr. Auman suggested getting Commissioners' opinions on whether a donation is preferred to a restriction. This is a 9-acre parcel with a serious house, retaining wall, and curbing in the buffer zone, and the Commission needs to take the disturbances seriously.

Mr. Collins said this is an opportunity to deal with runoff, and some of the existing houses would be subject to these new stricter regulations which have changed over time. S. Gaines agreed that it was good that runoff will be addressed, but he is surprised at the Commission contemplating a single family house. He said he expected an ironclad protection of the stream. P. Morrison said "For us to say 'no' before they have had an opportunity to air their mitigation proposals would be immoral." He pointed out the importance of all sides remaining fair and impartial.

M. Giguere added that monitoring of conservation restrictions can be problematic, and it is more difficult on smaller properties that are privately owned. Mrs. Todd thought there are design issues for the house, but it is appropriate that the Commission is going through the process. She questioned whether house values in the neighborhood would diminish, and P. Morrison pointed out the Commission's interest is conservation, not house values. Discussion ensued on the best date to continue the hearing, and upon a motion by P. Morrison, seconded by R. Lambert, it was

VOTED: to continue the hearing to November 10, 2009.

Mr. Collins agreed to get the revised plans to the Commission at least a week in advance of the continuation.

8:45 p.m. – 54 Ridgewood Ave. NOI DEP#169-1026

Upon a motion by R. Lambert, seconded by D. Pitkin, it was

VOTED: to continue the hearing to October 27, 2009.

Attorney Collins requested the Commission's permission to discuss a proposed conservation restriction for Crystal Springs. He explained the 13-acre open space parcel provides valuable habitat between the development and Bridge St. The restriction would also include the perimeter of the developed lots. Mr. Collins wished to ascertain the Commission's willingness to accept this restriction, explaining he needed to present this to the Fisheries & Wildlife program as part of their permitting process. Members expressed significant concerns about having to deal with 9 different owners holding a restriction. C. Auman questioned what purpose would it serve, and Mr. Collins said the Planning Board felt the vegetative buffer was important, and the Natural Heritage & Endangered Species Program agreed this would add a protective measure to a significant wildlife corridor. R. Collins pointed out the owners, the Gamlins, were only proposing 9 lots out of 160 acres which is to be permanently protected. Mr. Morrison questioned what does the Town of Groton get out of this, and Mr. Collins replied "9 lots instead of 45". He indicated he did not yet know who would own the underlying fee in the land at this point. There is a potential for a drinking water source, and if the restriction is conveyed to the Commission, they will reserve a well site.

Commissioners reminded Mr. Collins of the situation at Deerhaven where private landowners were not aware of boundaries because the developer was concerned that boundary markers would be destroyed in the course of lot construction. R. Collins thought this situation is different because the land is not open. He pointed out the Gamlins have been very generous, and this is an important parcel to protect. There is nearby land that is owned by the Groton Conservation Trust with a conservation restriction purchased by Fisheries & Wildlife. Mr. Giguere maintained it is a headache to deal with 9 different landowners. Mr. Collins stated the bounds would be included in the subdivision bond, and the perimeter will be delineated with silt fencing. He thought that disruptions during the construction process were unlikely. C. Auman questioned whether signage and granite bounds could be put in before anyone moves in. The average conservation-restricted area on each lot is approximately 50 ft. deep. Mr. Collins said he needs a letter from the Commission indicating an openness or willingness to accept the restriction as part of the MESA permitting process.

B. Easom noted that the last conference he attended on conservation restrictions advised that landowners who donate a restriction should also provide \$10,000 to go toward future monitoring or maintenance efforts. Mr. Collins maintained this was done because a private entity does not have police powers as a municipality does. Mr. Easom agreed that this would be a difficult restriction to monitor. Upon a motion by C. Auman, seconded by D. Pitkin, it was

VOTED: a willingness to accept the conservation restriction on both the open space parcel and the perimeter of the developed lots, subject to conditions to be negotiated by all parties.

Members instructed B. Ganem to send a letter to the Planning Board advising them of the difficulty in monitoring strips of land surrounding developed lots whose owners often encroach on conservation land.

Selectman Anna Eliot was present to report the Board of Selectmen has voted to unanimously support all three Conservation Commission warrant articles for LAND grants at the upcoming Town Meeting. It is necessary for the Commission to have authorization to buy the land in order to be approved for state funds. Ms. Eliot will be the presenter for these articles. Mr. Easom said the Commission has agreed not to purchase the Mattbob parcel if we are not successful in getting the grant. He will contact the Town Moderator to be on the list of speakers regarding these articles.

In discussion on Mr. Croteau's response to the Commission's inquiry about the function of the pipes outletting to the stream at the back of his lot at 25 W. Main St., P. Morrison expressed dismay at the way this has turned out. Mr. Croteau has removed the pipes rather than explain their function. Mr. Morrison maintained these pipes had nothing to do with the proposed project, the repair of the septic system, and the Commission should have had no other concerns. Now he has ripped them up, and we may have flooding and an unauthorized activity. B. Easom questioned what could be done as a preventative, and Mr. Morrison said he thought the Commission has screwed this up. B. Easom asked "Because the pipes were removed without our permission?" M. Giguere opined the letter sent to Mr. Croteau was relatively innocuous, but the problem was Mr. Croteau was here at our last meeting and did not have an opportunity to speak due to our extensive agenda. He thought this was his problem, not ours.

C. Auman pointed out the pipes emptied into the wetland, and the Commission would be derelict in its duties to not ask what they are for. The Commission requested information, not action. Commissioners agreed to include the site on its next site walk.

A meeting with Pat Huckery, Northeast Wildlife District Manager, on the draft Surrenden Farm West Resource Management Plan is scheduled for Oct. 15th at 8 a.m. She will be advising on the selection of a farmer, as well as the current draft plan which can be accessed at: http://townofgroton.org/xml/town/conservation_commission/Surrenden%20Farm%20West%20-%20Final.pdf. M. Giguere and B. Easom plan to attend.

Attorney Ray Lyons was present and asked if the Commission would consider signing the draft Purchase and Sales Agreement he has prepared for the acquisition of the Red Line Alternative Connection property. B. Ganem indicated Town Counsel has made changes, in which she expressed concern about the access easement, and she understood the revisions were conveyed to Mr. Lyons. Mr. Lyons said his client has signed the P & S agreement he prepared, and he could make changes in the first 3 pages of the agreement without having to change the signature page. B. Easom said he would like to see the document finalized before the Commission signs off, and it would be possible for the Commission to sign off if a meeting is scheduled just before Town Meeting.

In discussion on the request for an Extension for Orchard Realty, DEP#169-960, for property on Reedy Meadow, it was noted the original proposal was for three lots which was subsequently

reduced to two with a shared driveway and drainage infrastructure to address surface runoff coming from Autumn Hill Orchard. Upon a motion by P. Morrison, seconded by R. Lambert, it was

VOTED: to extend the Order for DEP#169-960 for two years

D. Pitkin abstained from the vote. The applicant owes an additional \$200 for the Extension under the Wetlands Protection Bylaw fee schedule as this is a more complex project than a single family house.

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

VOTED: to enter Executive Session for the purpose of discussing land acquisitions, not to return to Open Session at adjournment.

The meeting was adjourned at 10:25 p.m.

Respectfully submitted,

Barbara V. Ganem
Conservation Administrator

Approved as drafted 10/27/09.