

## GROTON CONSERVATION COMMISSION

### Minutes

December 8, 2009

Chairman Bruce Easom 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, Marshall Giguere, Ryan Lambert, Peter Morrison, and David Pitkin were present. Conservation Administrator Barbara Ganem was also present.

Upon a motion by P. Morrison, seconded by M. Giguere, it was

VOTED: to approve the draft Special Conditions for DEP#169-1030 for 14 Hayden Rd. under the Wetlands Protection Act.

Upon a motion by P. Morrison, seconded by M. Giguere, it was

VOTED: to approve the Special Conditions, as amended, for DEP#169-1030 for 14 Hayden Rd. under the Wetlands Protection Bylaw.

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

VOTED: to approve the Special Conditions for DEP#169-1029 for 613 Townsend Rd. under the Wetlands Protection Act.

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

VOTED: to approve the Special Conditions , as amended, for DEP#169-1029 for 613 Townsend Rd. under the Wetlands Protection Bylaw.

#### 7:15 p.m. – 8 Redskin Trail RDA

Resident Tim Cunningham explained he was renewing a pre-approved plan for the installation of a 3000-gallon tight tank. He acknowledged this was an old plan, and the shed (5 ft. x 5 ft.) is no longer there. He recently uncovered a concrete cap that covers his well which will be 50 ft. from the tight tank. D. Pitkin noted no haybales are shown on the plan, but silt fencing is identified with 'SF'. Members asked Mr. Cunningham if it would be necessary to take any trees out. He responded there are some that may interfere in the near future. He anticipates the work will take place in the spring or summer. He currently occupies the house, but has had financial problems which he hopes to turn around.

T. Cunningham commented that the pile of debris on the property is an accumulation of brush cleared from the yard as well as the remnants of a railroad tie retaining wall. B. Easom asked what will be done with the materials excavated for the tight tank, and Mr. Cunningham replied he would like to level off some of the land. M. Giguere requested specifics on where the soil would be put. T. Cunningham said there is steep drop-off into the lake which is about 85 ft.

away. One option would be to move the erosion control measures further out. They must stay in place until the site is stabilized. Mr. Cunningham thought leveling off would stop a lot of the runoff. P. Morrison suggested putting the haybales and silt fence at the 86 ft. contour elevation, and D. Pitkin noted that would require changing the plan of record. M. Giguere commented this type of grading so close to the lake is likely to require a lot of conditions because it complicates the project. He thought a Notice of Intent might be necessary whereas a Request for Determination of Applicability is okay if it is clearly defined what is being done. Mr. Cunningham signed and dated a revised plan showing the shed has been removed, one tree to be cut down, and the actual well location. Upon a motion by W. Addy, seconded by M. Giguere, it was

VOTED: to issue a negative #3 Determination in which all excavated materials shall be removed from the site, plans have been revised (corrected location of well, shed has been demolished, and identification of one tree to be cut), and erosion control measures shall include haybales and silt fencing at the location shown on the revised plan.

7:30 p.m. - 23 West Main St. RDA

Homeowner Susan Daly explained they wished to install a 6 ft. x 8 ft. extension to their existing deck. She indicated they did not plan to do any further tree cutting beyond the existing brush. She reported the Building Department had informed them the hot tub and concrete pad were considered movable items and did not require a permit. They did prepare a Form of Intent for the deck extension. Ms. Daly noted they had not decided whether to do a laid stone patio or a deck until recently. Member Pitkin questioned whether they can amend their Request for Determination of Applicability to include the pad and hot tub. C. Auman recommended removing the materials excavated for the sonatubes out of the buffer zone. He also suggested using riprap or a stone trench at the roof downspout to prevent sedimentation into the stream.

Commissioners suggested using crushed stone under the deck. W. Addy asked about the pile of rocks, and Tony Hawgood said they could use the rocks under the deck or for the downspout trench. The cement slab for the hot tub will remain, and the deck, to be constructed of pressure-treated wood, will match the existing deck. M. Giguere said he was disappointed to see work in the buffer zone without a filing as well as the lack of communication between departments. The location and size of the hot tub and removed tree should be depicted on a plan. Members advised against removing the tree stump. C. Auman questioned whether the meeting should be left open until we have heard from the Building Department to help us understand the whole situation. Ms. Daly drew in revisions and signed and dated the plan. Upon a motion by W. Addy, seconded by P. Morrison, it was

VOTED: to issue a negative #3 Determination requiring the placement of riprap under the roof downspout, crushed rock under the deck, the seeding and stabilization of any open ground, the removal of excavated materials from the site, and no de-stumping of the recently removed tree.

The motion passed with C. Auman and M. Giguere voting in the negative.

7:45 p.m. – 980 Boston Road RDA

Resident Michael Gramolini explained he submitted an earlier filing in which the paving was approved, but he was not able to finish the project within the 3-year window. The reason he wishes to pave the driveway is to build it up so that runoff from Rt. 119 does not drain onto his property. The gravel path will remain the same. Some tree clearing near the vernal pool was allowed under an earlier filing, but he plans no additional tree cutting. Commissioners asked if he would be amenable to the installation of conservation markers to delineate a no-disturbance zone around the vernal pool.

Members advised Mr. Gramolini that he should bury the bottom 3” to 4” of the silt fence in order for it to be effective. Conservation markers will be necessary for a distance of about 140 ft. along the grassed buffer to the wooded area next to the vernal pool. B. Easom asked how surface runoff from the new impervious surfacing will be handled. M. Gramolini said the garage is encircled with crushed stone, and he expected runoff to follow the existing trail. He does not plow the gravel road in winter. Upon a motion by D. Pitkin, seconded by M. Giguere, it was

VOTED: to issue a negative #3 Determination prohibiting tree clearing, requiring the installation of conservation markers every 25 ft. on the resource area side, no surface runoff shall be directed into the resource area, no snow storage on the side next to the resource area, and silt fencing shall be properly installed.

Mr. Gramolini indicated he will probably not do the paving until this spring.

8:00 p.m. - 54 Ridgewood Ave NOI continuation DEP#169-1026

The applicant has requested a continuation, and upon a motion by M. Giguere, seconded by R. Lambert, it was

VOTED: to continue the hearing to December 22, 2009 for DEP#169-1026.

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

VOTED: to require stabilization of disturbed soils as a condition to be included in the negative #3 Determination for 8 Redskin Trail.

Chairman Easom reported he had submitted a preliminary request for \$30,000 to the Community Preservation Committee and expects to get their feedback by December 15<sup>th</sup> on whether it meets the requirements under Ch. 44B. Four applications have come in, including a Water Department request for \$65,000 to purchase land adjacent to the proposed Unkety Brook well. The Town Clerk submitted an application for record restoration, and the Historic Commission’s application is for documentation of historic agricultural land in Town. Both of those will involve funding from the CPC historic bucket. The Water Department application will compete with us for preservation of open space.

8:15 p.m. - 27 Whitney Road NOI DEP#169-1023 continuation

The applicant has requested a continuation, and upon a motion by R. Lambert, seconded by D. Pitkin, it was

VOTED: to continue the hearing for DEP#169-1023 to January 12, 2010.

B. Easom reported he had received an email thanking us for draining a swamp within the Groton Hills Conservation Area. He contacted the writer, who does horseback riding in the area, to get a more accurate picture of where the draining has occurred. B. Easom and M. Giguere volunteered to go out there but observed no area that had been drained. They did, however locate an area of severe erosion caused by ATV traffic going upslope near a wetland. They thought this activity was occurring on adjacent Groton Conservation Trust land, and we should notify them of the problem. The site should be re-visited during mud season, but meanwhile B. Easom will try to pinpoint a more exact location from the horseback rider.

Members reviewed a proposed re-location of the public trail on Angus Hill during the December 5<sup>th</sup> site visits. It would travel through a portion of the conservation-restricted land that is not open to the public. Cutting this trail would be less damaging to the resource area. The public access trail is clearly wet. Adding the fencing is a \$5000 expense to the landowner which she may be interested in avoiding. There is a small pull-off area which could accommodate 1 or 2 cars. It appears to be better than having horses chewing up the wetlands.

W. Addy questioned whether the existing trail would be abandoned or only used when the cattle are present in the northeast pasture. Part of the landowner's concern was that the cattle escaped when the gate was left unchained. Her approval is needed whether it is used for a short or long period. P. Morrison observed that the stile may not be placed in the most appropriate place, and it is difficult to construct a trail in such a poor location on the south side of the fence line. Members discussed whether some type of written agreement is required to formalize an access for the public to use and to allow maintenance. It could be terminated with 30 days written notice by either party. Existing trail A would continue to remain open during those periods when cattle are in the pasture. Upon a motion by P. Morrison, seconded by C. Auman, it was

VOTED: to authorize Bruce Easom to work with Barbara Ganem to compose a letter to address to landowner Meredith Scarlet.

During the Saturday site visits, members observed that damage from wheel rutting has increased at the Redskin Trail Conservation Area. Commissioners suggested inviting the Town Manager and Tom Delaney to the next site walk so they will have an understanding of the problem. P. Morrison said he has plenty of rocks that could be used to block off access.

Members Easom and Giguere expressed dismay with the FY'11 budgeting process. The \$9000 for the *Open Space & Recreation Plan* would essentially resolve some of the budgeting issues with the Master Plan consultants with whom they expect to sign a contract at the end of December. The expectation from the Town Manager and Finance Committee is to fund the full \$9000 obligation from the Conservation Fund, not the operating budget. C. Auman had some questions, including whether we have to set up a separate escrow account and who decides when to make a payment. He stressed the need for the Commission to have a set of deliverables that relate to the requirements in the Plan and to have sign-off authority or a voice in when to sign a bill. After discarding the notion of seeking additional CPC funding and upon a motion by M. Giguere, seconded by P. Morrison, it was

VOTED: to authorize the withdrawal of the \$4,500 request from the FY'11 Conservation operating budget, provided the Conservation Commission has control of the expenditure of funds related the development of the *Open Space & Recreation Plan* dependent on the progress of deliverables.

The Commission's other request was for a camera/GPS combination unit. M. Giguere commented he had looked into a Ricoh SC5 unit and a Getac unit, both of which are durable, rugged, and suitable for use in the field. They both rely on satellites to triangulate points to pinpoint a location. Mr. Giguere said he plans to attend the next meeting of the GIS Committee to determine whether we could share costs for the purchase of such a unit. A positive intermediate step might be to just purchase a new camera that is waterproof and shows directions and elevation. Members noted that a payback could be calculated based on volunteer hours and time saved from improved accuracy. D. Pitkin commented there are conservation restriction monitoring groups which could be hired, and he was willing to get a quote. The state has hired monitors for Surrenden Farm, Academy Hill, and the Bissell property. The value of volunteer labor is huge, and it would pay to send them out with the right equipment.

C. Auman commented he would like to understand where the communication gap is with the building inspector relative to the concrete pad for the hot tub. There being no further business, the meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Barbara V. Ganem  
Conservation Administrator

**Approved as drafted 1/12/10.**