

GROTON CONSERVATION COMMISSION

Minutes

September 14, 2010

Chairman Bruce Easom called the meeting to order at 7:00 p.m. in the 2nd floor conference room in Town Hall. Members Craig Auman, Marshall Giguere, Nadia Madden, Peter Morrison, and William Neacy (newly-appointed) were present. Member David Pitkin was absent. Conservation Administrator Barbara Ganem was present.

B. Easom noted that the resignation of Ryan Lambert leaves the position of clerk open. Upon a motion by P. Morrison, seconded by M. Giguere, it was

VOTED: to elect Nadia Madden to serve as Clerk of the Conservation Commission.

Members C. Auman, B. Easom, and W. Neacy plan to attend the meeting with Community Opportunities Group consultant Patti Kelliher to discuss the open space and recreation chapter of the Master Plan on Thursday, September 16th at 10 a.m.

Commissioners reviewed the three alternatives for a driveway modification under DEP#169-1003 for Lot 1 Kemp St. to determine whether an amendment or a new Notice of Intent should be filed. P. Morrison thought #1 and #3 were acceptable, and probably #2. He said this was not to say he favors #1 and #3 over #2. M. Giguere felt #1 would have less impact on the buffer zone. P. Morrison maintained that the resource we are protecting is not that significant.

(N. Madden arrived at 7:12 p.m.)

C. Auman read the policy on amendments “the Department recognizes that it would not be reasonable to require a complete re-filing of the Notice of Intent when the changes sought in the Final Order of Conditions are relatively minor and will have unchanged or less impact on the interests protected by the Act.” W. Neacy observed that the change does not appear to meet this criteria as work is now in the buffer that was not previously. B. Easom suggested we ask that they make it gravel, and P. Morrison pointed out gravel tends to migrate. Another alternative would be permeable pavement or pavers. Members discussed whether a formal vote should be taken, but agreed in the end to provide to Stan Dillis a sense of the board that #1 and #3 are acceptable, but #2 is ‘iffy’.

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

VOTED: to approve the minutes of August 24, 2010 as drafted.

Chairman Easom said the Commission also needs to consider appointing a replacement for R. Lambert as its representative on the Earth Removal and Stormwater Advisory Committee. Upon a motion by P. Morrison, seconded by M. Giguere, it was

VOTED: to recommend the appointment of Nadia Madden to serve as the Commission's representative on the Earth Removal and Stormwater Advisory Committee.

Members reviewed a letter to be sent to the NEFF Baddacook Pond abutters. One of the concerns is that the LAND grant is not a suitable mechanism by which to purchase land for wellhead protection. It becomes a Ch. 97 property, and this could complicate matters with the LAND grant. P. Morrison suggested having the owner place an easement prior to purchase. Upon a motion by C. Auman, seconded by M. Giguere, it was

VOTED: to authorize B. Ganem to re-write or eliminate #4 in the letter.

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

VOTED: to make it clear, in #5, that the purchase of this land is contingent upon receipt of the LAND grant.

7:30 p.m. – Currie/179 Mill St. Abbreviated Notice of Intent DEP#169-1046

Homeowner Michael Currie explained he was trying to finish up DEP#169-843 which has expired. The Notice of Intent has been filed for the installation of two roof infiltration trenches, one is 40 ft. long under his deck, and the other is about 25 ft. long on the north side of the addition to his house. The depth of the trenches is 12 in. P. Morrison asked the purpose of the drainage pipe on the north side of the house, and Mr. Currie responded it was there when he moved in, and he has plugged it to prevent mice from entering. Nevertheless it appears to help de-humidify the dirt foundation. W. Neacy mentioned the creek bed is currently dry. Mr. Currie clarified the location of the pipe with a notation on the submitted plans. There being no further questions, upon a motion by P. Morrison, seconded by M. Giguere, it was

VOTED: to close the hearing for DEP#169-1046 for 179 Mill St.

B. Ganem reported that an abutter to Pacer Way, Kristen Ferrara, had called to express concern about the removal of milkweed, a larval plant for Monarch butterflies, at the Eliades Conservation Area. Members noted that the field is currently licensed to a farmer for haying. P. Morrison questioned whether this was significant habitat for Monarchs as they are fairly mobile. B. Easom said it could be a timing issue in which mowing later would be more advantageous. It is considered agricultural land, and we are required to keep it open. Mr. Neacy commented that a properly maintained agricultural field would not have milkweed. C. Auman pointed out that part of the field, including the detention basins where all the autumn olive is, is not being mowed, and there may be habitat there. The deed should be consulted to determine the previous owner's intentions. Upon a motion by W. Neacy, seconded by P. Morrison, it was

VOTED: to outline the intent of the deed, include the section of the Master Plan encouraging agricultural activities and point out the field is mowed in accordance with these goals.

The motion passed by majority vote with N. Madden and B. Easom voting in opposition.

7:45 p.m. – Aubuchon/213 Whiley Rd. Request for Determination of Applicability continuation
At the applicant's request, and upon a motion by C. Auman, seconded by P. Morrison, it was

VOTED: to continue the Determination meeting for 213 Whiley Rd. to September 28, 2010.

Member Madden reported several Commissioners had visited the two turtle nesting sites at Academy Hill during the Saturday site walk. They are currently maintained by the developer who has removed trees and stumps from the areas. There was a question about whether one of the areas had enough sand to provide nesting opportunities. It is apparent that there is ATV traffic on one of the areas. B. Easom commented that broken or opened shells are usually apparent, but no shell fragments were observed during the visit. There is money in escrow for both future maintenance of the turtle fencing and a turtle monitoring study. There was discussion about whether Natural Heritage should be consulted on the condition of the nesting area. The access to these parcels now opens up the turtle nesting areas to walkers and ATVs.

Member Pitkin has sent a photograph of heavy equipment parked along the haybale line at the north entrance to Academy Hill (Phase II). This is one of the conditions of the Order, and upon a motion by P. Morrison, seconded by M. Giguere, it was

VOTED: to send a letter to the developer reminding him of the prohibition against parking equipment within 100 ft. of wetlands.

8:00 p.m. – Caruso/3 Champney St. Notice of Intent DEP#169-1047

Calvin Goldsmith of GPR, Inc. explained the project includes an 18 ft. x 26 ft. addition and 24 ft. x 28 ft. garage outside of the tree line and ravine. A 24 in. galvanized pipe empties into a drainage gully that eventually drains into a wetland on the south side of Rt. 119. The large trees in the yard will remain. The work will occur 57 ft. from flagged Bordering Vegetated Wetland. The backyard is level and roof runoff will be directed to a dry well to provide recharge. Mr. Goldsmith anticipates runoff from the driveway extension will become sheet flow into the grass. He estimated the project will result in 1,000 - 1,200 SF of additional impervious surfacing in the buffer zone. Abutters have been notified of the proposed project.

When asked about the parameters used for the wetlands delineation, Mr. Goldsmith replied B & C Associates did the delineation using soils and plants. The lawn area is well defined, and there are no plans to disturb the tree line. The garage will have a 4 ft. deep frost wall while the addition will have a full foundation. There will be no need to get machinery behind the structure, and excess materials will be removed from the site. Commissions advised parking of equipment outside of the 100 ft. buffer zone. Chairman Easom asked if there are any concerns about requiring conservation markers at the edge of the lawn to alert future owners to the presence of wetlands. It is likely the play area will remain in the same location.

Mr. Caruso explained they wished to maintain as much of their existing lawn as possible, as well as maintain tree cover. Mr. Giguere said his concern is to minimize the extent of disturbance in 100-ft. buffer zone. Mr. Goldsmith confirmed that the amount of additional impermeable surfacing is 1,200 SF. Upon a motion by P. Morrison, seconded by M. Giguere, it was

VOTED: to close the hearing for DEP#169-1047 for 3 Champney St.

C. Auman reported there will be a talk on private wells at the Nashua River Watershed Association this coming Thursday, September 16th, from 7 – 9:30 p.m. This is part of the consortium of regional Conservation Commission members which meets quarterly.

B. Ganem stated the proposed mock fox hunt at Surrenden Farm was tentatively scheduled for October 19th, but there are concerns about that being the 2nd day of the archery season for deer hunting. Between the hounds and horses, the deer are likely to be scarce. The Resource Management Plan is nearing completion, but several edits remain, as well as the landscape context map.

On land management issues Chairman Easom mentioned he has replaced two missing “No ATV” signs at the Farmers & Mechanics property, as well as installing the regulations for the use of the property. Under the new state law pertaining to Off Highway Vehicles, the police may confiscate a vehicle traveling on posted lands. Now that the property is posted, this could be a test case of the no ATV rule.

The lawn, swing set, and stone wall are to be removed from the Integrity Way Conservation Area. B. Ganem has left a reminder message with the owner of 6 Integrity Way. B. Ganem will meeting with Bob Black to finalize the placement of the boulders on the Redskin Trail Conservation Area. A letter is to be sent to neighbors of the Northwoods Conservation Area about dumping of grass clippings.

A project that was initiated by Adam Burnett, to provide a trail link to the Nashua River Rail Trail via Arlington St., is still awaiting authorization from Honeywell. B. Easom said he would like to see this completed before Mr. Burnett returns from his assignment in Afghanistan.

There may be an interest in grazing goats at both the Shattuck field on Martins Pond Rd. and the Eliades field at the corner of Smith St. and Old Ayer Rd. The agricultural proposals are due September 17th.

Regarding the necessary width for access to Ames Meadow, John Greenhalgh says 12 ft., and George Moore (liaison w/Agricultural Commission) says 14 ft. Members suggested getting in touch with Bennett Black, Chris Shattuck, and Roy MacGregor to get additional measurements.

Members Giguere and Easom plan to visit the Allens Trail property this week to confirm whether the drainage structures have been removed from the conservation-restricted land.

In discussion on the Blood Conservation Restriction, B. Ganem clarified that this is actually on the former Blood property which the W. Groton Water District has purchased for their water treatment plant and a future public water well. The CR would be held by the Conservation Commission as it is likely it would require a Town Meeting vote for the Selectmen to accept the CR. W. Groton Water District Superintendent Gordon Newell will meet with the Commission at the next meeting to go over the CR. This land was clearly purchased for the purpose of locating a

new water well, but as part of the mitigation for work in the Town Forest (well and piping), they have proposed a Conservation Restriction on the land.

Member Pitkin is working on a draft Stewardship Plan for Gibbet and Angus Hills. It will cover maintenance of the trails on this conservation-restricted property. He is also working on a turtle habitat management for the Fuccillo property. Natural Heritage has prepared guidelines which he recently emailed to members.

B. Easom reported he has given Meredith Scarlet a copy of the draft baseline monitoring report for Angus Hill. It consists of a lot of photographs, but also does expose some issues. He requested Ms. Scarlet respond in 2 weeks. An area near the barn is used as a parking lot, just east of the house. Automobiles and horse trailers (which the Commission considered farm equipment) are parked there. Mr. Easom did not think there were problems with the water jumps on site, but the language of the CR does require prior notification of the Commission. The final document requires Ms. Scarlet's signature. A Farm Management Plan is also required for the farm.

Mr. Easom suggested setting up a team to meet with Fisheries & Wildlife/Natural Heritage to discuss the trails, turtle habitat management, and signage for Academy Hill. This would not be a sub-committee but just 1 or 2 members who could initiate such a discussion.

M. Giguere, the Commission's representative to the Great Ponds Advisory Committee, reported that group has submitted draft resource management plans on Whitney, Martins, and Baddacook Ponds to the ACEC program. Ginny Harper has accepted the job of working on the management plan for Lost Lake/Knops Pond. The Groton Lakes Association is considering another herbicide application which is likely to cost \$130,000 for the first year's treatment. The current weed harvesting is basically like mowing grass. Several members have joined the Congress of Lakes and Ponds (COLAP) which encourages a number of strategies to deal with the weed problem such as an extended drawdown both in depth and duration. When this was attempted in the past, there were three well failures.

There being no further business, the meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Barbara V. Ganem
Conservation Administrator

Approved as drafted 9/28/10.

