

GROTON CONSERVATION COMMISSION

Open Session Minutes

May 8, 2012

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

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

VOTED: to approve the Open Session minutes of April 24, 2012 as drafted.

Mr. Neacy suggested tabling the executive session minutes of April 24, 2012 until the Commission is in Executive Session.

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

VOTED: to approve the Executive Session minutes of February 14, 2012 as drafted.

M. Giguere reported that he, B. Easom, and B. Ganem attended a meeting of the Williams Barn Committee on May 3, 2012. He observed that the committee membership has changed over the years, and the corporate memory has evaporated. While the land is a conservation area, the Williams Barn Committee has been managing the operations of Williams Barn itself. One way in which to address the future management of the property is to agree upon a 'Memorandum of Understanding'. In addition, B. Easom prepared a plan in 2004 which outlines the area for which the Williams Barn Committee is responsible. B. Easom noted that fill has been brought onto the site, and he preferred to see this practice stopped. In addition, there has been some tree cutting on the other side of the cart path that parallels the back of the field behind Williams Barn. The goal seems to be to expand facility activities and venues.

Attorney Bob Collins commented these are well-intentioned volunteers. Members of the Wyatt family, which formerly owned the property, are active on the Williams Barn Committee. Chairman Madden suggested a yearly meeting with the Committee to review upcoming projects. M. Giguere agreed, stating this could be spelled out in a letter. B. Easom said he reviewed the charter of the Committee, and there are supposed to be representatives from the Historic Commission, the Planning Board, and the Conservation Commission. Either their charter needs to be changed or the membership needs to be brought in line with the charter. It is the responsibility of the Board of Selectmen to appoint the members.

M. Giguere indicated the letter should allow them to prune and mow the area, but he felt no fill should be brought in or trees cut. B. Easom volunteered to serve on the Committee. The Commission is responsible for actively managing the Sorhaug Woods Williams Barn property so

we need to be clear about what is permitted there. Hélène Easom reported she frequently rides her horse on this property and expressed concern that the condition of the trail is a pressing issue.

(P. Morrison arrived at 7:15 p.m.)

She noted the fill presents a hazard for horses and dogs as it contains sharp, rusty metal fragments. She volunteered to clean up these materials using a magnet. She pointed out it is a safety liability to have this type of debris on trails. Attorney Collins concurred that it could present a serious problem to have metal buried on conservation land. Upon a motion by M. Giguere, seconded by B. Neacy, it was

VOTED: to authorize Hélène Easom to clean up the metal fragments in the trail area and to notify both the Trails Committee and the Williams Barn Committee.

Upon a motion by B. Easom, seconded by B. Neacy, it was

VOTED: no further work should take place on the Williams Barn property until the area is cleaned up and no additional fill should be brought onto the property until we have developed the Memorandum of Understanding.

7:15 p.m. – Appointment/Robert Collins – Groton School

Mr. Collins explained he was present to update the Commission on Groton School's plans to remediate an area of fill on the campus. There has been an on-going series of testing in order to prepare a plan to submit to the state. It is likely the School will come back to the Commission with a Notice of Intent for restoration of the site. At this time there is no final version, but several ideas are under consideration. The filled area is between two wetland resource areas, and water flows through the area. One option would be to leave the area undisturbed and allow it to continue to re-vegetate. It is probable, however, that the fill will be moved in order to avoid the water flow. There may be an old channel that was blocked, and this is the reason the water continues to flow through the site.

B. Neacy asked how long ago the site was used, and Mr. Collins responded that it had been at least 40 years ago. A lot of the material is metal. The Chief Financial Officer of Groton School, Hale Champion, said the School had undertaken an environmental audit four years ago to make sure they were in compliance with state and Federal laws and that there were no environmental issues of which they were not aware or had not addressed. This had been a 'burning' dump, and was identified as an area which needed remediation.

N. Madden worried that stirring up the materials could cause additional water quality impacts. The Groton School Pond and some private wells are downstream. B. Collins assured the Commission detailed information on how the materials would be moved would be provided and that potential downstream impacts would also be addressed. The alternatives which will be considered include moving or sealing and capping in place. P. Morrison asked about the potential for recycling materials, and Mr. Collins said this is unlikely as the materials are in an extreme state of decay.

7:30 p.m. – Request for Determination of Applicability/Murphy continuation - 144 Shelters Rd. private water well

Proponent Karen Murphy was present to explain the proposed well replacement and enclosure. She submitted a revised sketch. Pressure-treated landscape timbers will be used for the enclosure. Any bare soils will be loamed and seeded. She stated staked erosion control measures were in place. Upon a motion by P. Morrison, seconded by C. Auman, it was

VOTED: 1) haybales shall remain in place until work is completely finished; 2) disturbed areas shall be seeded to prevent erosion; and 3) stockpiled fill shall be used within the landscape timber wall.

P. Morrison recommended working on the Memorandum of Agreement with the Williams Barn Committee at the next meeting.

In discussion on the draft Order of Conditions for Juskalian/Dale Lane, M. Giguere commented the choice seemed to be that a deed restriction was an easier document to impose. B. Ganem reported Natural Heritage would be in favor of a conservation restriction if the Commission is willing to hold it. B. Easom pointed out the idea came from Natural Heritage under the Massachusetts Endangered Species Act. Although Commissioners indicated they were willing to hold a restriction, they questioned whether there was a disconnect between the issues. B. Neacy felt this was not mitigation for the work near the wetland but for nearby rare species. Surveyor Stan Dillis was present and explained his client had volunteered the deed restriction. Natural Heritage had indicated they wished to have a contiguous block of land so his client had worked with them to determine which land to set aside. N. Madden expressed concern about hearing information from the consultant after the hearing has been closed.

B. Easom thought it was appropriate to compare this to other cases such as the Sjobergs on Chicopee Row. They have two wetland crossings with no mitigation proposed other than the required replication. Natural Heritage did not weigh in in that case because there are no rare species at the project location. N. Madden questioned whether the appropriate place is in the findings for the Order of Conditions. C. Auman pointed out the 100-ft. buffer is jurisdictional under the Act as well as the Bylaw. Upon a motion by P. Morrison, seconded by B. Easom, it was

VOTED: to issue an Order of Conditions, as amended, for Juskalian/Dale Lane, DEP#169-1081, under the Wetlands Protection Act.

The motion passed by majority vote, with C. Auman voting in the negative.

P. Morrison worried that the Commission was considering new information. B. Easom countered that the discussion helps put the issue in perspective, and it's not new information from the applicant but from other sources. C. Auman said the Commission was informed by Mr. Collins during the hearing that Natural Heritage would prefer a deed restriction because it was difficult to find people to hold a conservation restriction. Upon a motion by P. Morrison, seconded by B. Easom, it was

VOTED: to issue an Order of Conditions, as amended, for Juskalian/Dale Lane, DEP#169-1081, under the Wetlands Protection Bylaw.

The vote was unanimous.

7:45 p.m. – Request for Determination of Applicability/Keefe – 338 Lost Lake Dr.

Surveyor Stan Dillis noted he had previously been before the Commission for a septic system upgrade for this lot. This filing is for the installation of a water line on the opposite side of the road from the buffer zone. It would be installed at the edge of the pavement and then cross Lost Lake Dr. to connect with the house. It is a 1” water line, and he anticipated this and the septic system work could be completed in about a week. The trench would be backfilled every day as the work proceeds. An existing well will be abandoned according to regulations. Upon a motion by C. Auman, seconded by P. Morrison, it was

VOTED: to issue a negative #3 Determination in which erosion control measures shall be installed as necessary and the current well shall be abandoned in accordance with Board of Health and DEP regulations.

8:00 p.m. – Notice of Intent/Townsend – 20 O’Neill Way DEP#169-1082

Homeowner Bill Townsend submitted proof of abutter notification and acknowledged the Commission had had questions about some of the site work he had done. B. Easom asked how much confidence he had in the wooden stakes placed in the field to mark the lot line, and Mr. Townsend felt they were accurate. An area of about 2 ft. by 10 ft. includes lawn and landscaping on conservation land. He indicated he would not have a problem limiting the lawn area to his own property. Chairman Madden commented there were wetland indicators in the field, but the edge of the wetlands is not shown on the plan. M. Giguere said we have the subdivision plan for the lot on record, but noted the gleyed soils were not consistent with that plan.

Members indicated the Order is likely to require the placement of 2 or 3 conservation markers (supplied by the Commission) to mark the wetland edge. Upon a motion by P. Morrison, seconded by B. Neacy, it was

VOTED: to close the hearing for DEP#169-1082.

The vote was unanimous.

8:15 p.m. – Request for Determination of Applicability/Ericksen - 771 Martins Pond Dr. - driveway access for new house.

Contractor Walter Ericksen noted the Commission had issued a negative #3 Determination for this driveway in 2006. At that time a well, septic system, and foundation was installed. It will be necessary to remove the foundation as it was never capped and was subjected to frost heaving. C. Auman commented sediments were running down the roadway, and there was no silt sack in the catch basin. N. Madden underscored the need for the new owner to know the location of the 100 ft. buffer zone. Mr. Ericksen indicated he was willing to put in markers. Members advised including wording in the deed. Upon a motion by C. Auman, seconded by B. Neacy, it was

VOTED: to issue a negative #3 Determination requiring that four conservation markers shall be installed along the 100 ft. wetland buffer zone line; a slotted drain with accompanying forebay shall be installed at the base of the driveway; riprap shall be installed at the entrance during construction; a silt sack shall be placed at the catch basin in Martins Pond Rd. prior to the commencement of construction; and at the conclusion of construction, applicant shall request an inspection of the trench drain to assure it is functioning. All work areas within the buffer zone shall be appropriately stabilized.

8:30 p.m. – Request for Determination of Applicability/Eklof – 39 Ames Rd.

The applicant has requested a continuation, and upon a motion by B. Easom, seconded by P. Morrison, it was

VOTED: to continue the meeting to June 12, 2012.

B. Easom made a power point presentation at the May 7th continuation of Town Meeting. M. Giguere and D. Pitkin worked with him to pull together pictures and detailed information on the status of Community Preservation funding. The main motion for \$150,000 was reduced to \$75,000 which passed.

Upon a motion by P. Morrison, seconded by B. Neacy and a roll call vote of B. Neacy, P. Morrison, C. Auman, M. Giguere, B. Easom, and N. Madden, it was

VOTED: to enter Executive Session at 8:45 p.m. to return to Open Session at adjournment.

The Open Session portion of the meeting resumed at 9:10 p.m.

The consultant for the Open Space & Recreation Plan (OSRP), Caroline Edwards, has prepared a draft list of priority parcels for protection. M. Giguere observed that Parcel 242-12 was already protected through a Conservation Restriction, and he suggested that the Cox, Walker, Cutler, and Harris properties be added. He noted the Croteau property is under discussion for subdivision and partial development with land set aside for protection. Mr. Giguere also pointed out Wharton Plantation is not protected. Other members will review the list and map for further revisions to relay to B. Ganem.

Under land management items, the forestry operation has not yet commenced on the Farmers & Mechanics property. Baystate Forestry would like to get started on marking the trees on the Shattuck Baddacook Fields property. Logging would not start until Natural Heritage gives the go-ahead. B. Neacy promised to have something ready for the next meeting for the Ames Meadow access. Bob Collins has agreed to send in the revised TABCOM Conservation Restriction. D. Pitkin continues to work on the Stewardship Plan.

M. Giguere has looked into the possibility of having an intern through the Student Conservation Association (SCA) work on conservation restriction monitoring. The cost would be \$4,400 for a

12-week period, plus housing, transportation, and training. An allowance for housing is another option. No interns are available through NEFF.

(B. Neacy left at 9:30 p.m.)

Mr. Giguere indicated someone like Gary Gouldrup would cost about \$1000 per property.

(P. Morrison left at 9:31 p.m.)

He thought the Commission could provide training, putting parcels and information on maps, etc. It would not be a turnkey operation however. CSA needs about 4 weeks to come up with a list of potential candidates. They screen for better applicants. Sometimes they do teams of high school students with a supervisor.

Upon a motion by B. Easom, seconded by C. Auman, it was

VOTED: to authorize Baystate Forestry to mark trees to be cleared at Baddacook Field.

B. Ganem reminded those present of the upcoming Open Space Forum which will be facilitated by Caroline Edwards on Tuesday, May 15th at 7:00 p.m. in the 1st floor conference room at Town Hall.

There being no further business, the meeting was adjourned at 9:38 p.m.

Respectfully submitted,

Barbara V. Ganem
Conservation Administrator

Approved as drafted 5/22/12.

EXHIBITS

Document	Source	Date
Request for Determination of Applicability	Murphy/144 Shelters Rd.	3/26/12
DEP#169-1081 Order of Conditions	Juskalian/Dale Lane	Filed Notice of Intent 3/23/12
Request for Determination of Applicability	Keefe/338 Lost Lake Dr.	Filed 4/17/12
DEP#169-1081	Townsend/20 O'Neill Way	Filed 4/13/12
Request for Determination of Applicability	Ericksen/771 Martins Pond Rd.	Filed 4/16/12