

GROTON CONSERVATION COMMISSION

Minutes

January 14, 2013

Chairman Craig Auman called the meeting to order at 6:04 p.m. in the lunch room in Town Hall. Members Bruce Easom, Marshall Giguere, Peter Morrison, John Smigelski, and Rena Swezey were present. Nadia Madden was absent. Guest Marjorie Cox and Conservation Administrator Barbara Ganem were also present.

Town Counsel Shirin Everett and Attorney Barbieri, representing Marjorie Cox and Susan Walker, have been putting together a Purchase and Sale Agreement for the Town to purchase the Walker-Cox property on Chicopee Row. Several questions have arisen as a result:

1) Naming rights – Ms. Cox said she and her sister would like to name the property the “Helen M. and Fritz Walker Conservation Area” in honor of their parents. Members acknowledged this would have historical significance as the Walker family has owned the property since the 1960’s. Upon a motion by P. Morrison, seconded by M. Giguere, it was

VOTED: to name the property to be acquired the Helen M. and Fritz Walker Conservation Area.

The vote was unanimous.

2) Leaving the well intact – Ms. Cox did not know the origin of this request. It may have historical significance but she felt that the structure had largely caved in. She did not see it as an issue. The Commission will ask the Historical Commission to make a recommendation on the best way to handle it with attention paid to historical importance and as a potential safety hazard. Upon a motion by M. Giguere, seconded by P. Morrison, it was

VOTED: that the treatment of the well was a non-issue in developing the Purchase and Sale Agreement.

The vote was unanimous.

3) Removal of debris from the property – Ms. Cox explained her family had never dumped on the land, but they did not want the responsibility of cleaning up any debris before the sale. There are several buried bottle dumps, but they are not visible. To her knowledge there are no hazardous materials. She noted the School District did some testing when the new high school was proposed, and no arsenic was present. Asparagus was grown on the property at one time. Upon a motion by P. Morrison, seconded by M. Giguere, it was

VOTED: that it is not necessary to require the removal of debris from the property as part of the Purchase and Sale Agreement.

One other question that has arisen is the method of payment. Ms. Cox said they have asked that the \$716,000 purchase price be split evenly (\$358,000 each) between them. Due to Community Preservation funding requirements, the purchase price cannot exceed the appraised price which is \$275,000 for the Cox parcel. B. Easom suggested paying the CPC \$25,000 in full and the remaining amount in a separate check to Ms. Walker so there would be a total of 3 checks issued for the acquisition. B. Ganem said she would check with Town Counsel to determine if this is an acceptable method.

Because CPC funds are to be used, there will have to be a Conservation Restriction placed on the land. This provides a double layer of protection to assure the property is never developed. It is likely the Groton Conservation Trust will hold the Restriction. Ms. Cox said they talked with them earlier about the potential to do a limited development on the site. Members explained that no building will be allowed on the land in the future. Parking may be possible on Ms. Walker's parcel which has a clearing adjacent to a former home. B. Easom said it would be his preference to use the parking available at Williams Barn if that is permissible to the Division of Conservation Services. Members thanked Ms. Cox for coming in to discuss these issues, and she left at 6:25 p.m.

P. Morrison reported he talked with Rick Sargent (235 Old Dunstable Rd.) about removing some trees on his property. New England Forestry Foundation is doing an extensive logging operation on Wharton Plantation off Old Dunstable Rd. and Rocky Hill Rd. P. Morrison and B. Ganem will be visiting the area tomorrow. After viewing an aerial photograph of the site, members thought it would be okay to remove some trees from the northeast corner of the Sargent property. P. Morrison commented there is also a question of a wetland crossing on the NEFF property. The Commission reviewed the stated-approved NEFF Forestry Cutting Plan which did not show a crossing in this area. B. Easom asked about the limitations imposed by Natural Heritage. These focused on the time of year for harvest and a wide buffer along a marsh at the south end of the property. The tree work would be done this winter.

In other business, B. Easom reported he and Community Preservation Committee Chairman Bob DeGroote met with Mark Haddad this morning. The issue is the financing of the demolition and replacement bridge for the current Fitch's Bridge. The funding would come out of the open space reserve and could potentially dry up the reserves if the recreational field improvement project on Cow Pond Brook Rd. also goes forward. Bond payments on the Surrenden Farm project will continue for 7 more years. This would leave an excess of about \$100,000 for open space and recreation projects. Mr. Easom said the CPC will be meeting at 7 p.m. if any Commissioners wish to attend. Apparently this has come about because the Finance Committee prefers not to see bonding on the estimated costs of \$400,000 associated with the Fitch's Bridge project. Since the Commission relies upon CPC funding to build up the Conservation Fund, this could seriously impact our funding.

J. Smigelski said he was not comfortable eliminating Conditions 19 and 20 from the Purchase and Sale Agreement for the Walker-Cox land. He pointed out it could mean the Town is taking on a substantial financial burden. M. Giguere questioned whether a municipality has the same responsibility as a private homeowner. Town Counsel will be consulted for an opinion, as well as her position on other comments on the draft Purchase and Sale.

There being no further business, the meeting was adjourned at 6:45 p.m.

Notes by Barbara V. Ganem
Conservation Administrator

Approved as drafted 1/22/13.

EXHIBITS

Document	Source	Date
Draft Purchase and Sale Agreement	Town Counsel	1/10/13