

GROTON CONSERVATION COMMISSION

Minutes

February 26, 2013

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

Upon a motion by N. Madden, seconded by J. Smigelski, it was

VOTED: to approve the minutes of February 12, 2013 as drafted.

M. Giguere reported on current discussions underway on the Wetlands Bylaw Revision Committee. It is proposed to identify a perennial river as a critical river. "Critical" and "seasonal" would be substituted for perennial and intermittent. Another area of discussion is the question of leaving in security and bond language. This existed in the old Wetlands Protection Bylaw, and many other towns use it. B. Ganem thought there were two instances (Sjoberg on Chicopee Row and Liebold on Lowell Rd.) where the Commission required a surety, and P. Morrison added the Commission also had one on the Meadowbrook subdivision across from Kirk Farm on Wyman Rd.

Member Easom provided an update on the three applications before the Community Preservation Committee. Groton Housing is requesting about \$16,000 for a generator for Petapawag Place. The Commission has requested \$150,000, and the Park Commission has requested \$350,000. There is currently \$360,000 in the unallocated bin. B. Easom said that he met with Jon Strauss of the Park Commission (who was in the audience), M. Giguere, and C. Auman to talk about options to put together an agreement or understanding on the applications which exceed the total amount of CPC funding available. The normal course is that the CPC would review all of the applications and decide which to recommend in a full or reduced amount to Town Meeting. The Commission has the option of retracting this application for this funding cycle.

The Park application is part of a \$900,000 project to build three athletic fields north of the transfer station on Cow Pond Brook Rd. The Park Commission would apply for a PARC (similar to a LAND grant but for more active recreation) and also for \$500,000 in a Town Meeting article. B. Easom said he would prefer to see the CPC add a condition that the \$350,000 is contingent on getting the PARC grant.

Chairman Auman asked Jon Strauss if he would like to comment. Mr. Strauss stressed that there is a need for new fields. They have received an estimate of the cut and fill necessary for field construction and pointed out it is a compromised site because the Town has been dumping materials there for years. The PARC grant, if successful, would provide 60% or up to \$400,000 of the \$900,000 needed for the project. When the Fitch's Bridge project was funded at the most recent Town Meeting, adequate CPC funding was no longer available. The CPC funds are not

being replenished at the same rate as previously. The local surcharge yields about \$530,000 per year, while the state match is around \$200,000. Housing, historic, and conservation each get 10% per year, and the Surrenden Farm debt service, principal, and interest payment of \$480,000 will continue for 8 more years. A 5% administrative charge covers the pay of the Housing Coordinator. This will leave about \$67,500 in the unallocated bin. We knew this day was coming, but it has come earlier due to the Fitch's Bridge project.

Mr. Easom stressed the Commission needs to think in the long term and to strategically plan what we want to do. If we need more than \$67,500, we are going to need to find another source of funding. J. Smigelski asked what we have for an operating budget, and B. Ganem said this typically runs around \$6000. The revolving fund is for land management and its source of funding is agricultural licenses and forestry projects. Mr. Smigelski mentioned he had attended last night's CPC meeting and observed the Commission could build some good political will by taking a pass on asking for money this year.

In response to Mr. Giguere's question about tying the funding into a successful PARC grant, J. Strauss said it would be his preference not to do so. The PARC grant is an urban initiative and not built around a town like Groton. He recommends separate articles – one for the CPC and one a separate article for \$500,000. He acknowledged the Park request changes the political landscape. The sports groups would contribute another \$50,000 for the project. M. Giguere conceded it may not be strategically or tactically appropriate for the Commission to insist on the CPC application this year. Our goal has been to maintain between \$775,000 and \$1,000,000 in the Conservation Fund. It will take a number of \$60,000 - \$70,000 applications to reach that amount.

J. Strauss noted the Commission has done a tremendous job preserving land in Groton. The land sits there and doesn't do anything for the town. This might be a good time to build a base of support. M. Giguere said he is leaning toward withdrawing the Commission application to move things along. Member Morrison asked where the access would be, and Mr. Strauss stated it would be from Cow Pond Rd. It is likely the project will not get underway until 2016 – 2017. P. Morrison liked the project and said he was inclined to support it.

N. Madden commented that Mr. Strauss seemed to be of the opinion the Commission should withdraw its application. She asked if the Commission could expect support from the Park Commission if we have to go to Town Meeting with an article. J. Strauss said the presentation would rest on its merits. P. Morrison speculated there would be a reason for the Park Commission to weigh in. The Park Commission has had one significant project, the Field of Dreams. J. Strauss temporized that it would need to be a compelling recreation case. Commissioners stressed that it is important for the Park Commission to support the Conservation Commission in the future. R. Swezey cautioned that she serves on the town financial advisory committee and between Fitch's Bridge, the fire station, and the Park Commission project, we could be looking at a couple of financially challenging years. She informed the Commission she would be in favor of withdrawing the application. She noted that the Lost Lake sewer project is not totally dead, and the schools are looking for more money. Going beyond the levy limit is a very real possibility.

C. Auman clarified that the Park Commission will be looking for \$500,000 from the Town, in addition to the \$350,000 through their CPC application and \$50,000 from user groups. He expressed surprise that the CPC reserves will be gone this quickly, while acknowledging the Commission has perhaps received more than its fair share. He noted the Commission has received LAND grants for the last three land purchases which has made the CPC money go much further.

The property is about 35 acres in size, and Mr. Strauss estimated 11 acres would be necessary for the project. M. Giguere commented this could be an opportunity to assure that the old gravel pit continues to be good turtle habitat. J. Smigelski noted the Park Commission may need room to expand in the future. Members suggested walking the site. It is a great trail head area, and NEFF may be willing to contribute since they own adjoining land. The Natural Heritage & Endangered Species Program is involved because this is priority and endangered species habitat.

J. Strauss said there may be a lack of understanding of what the Conservation Commission is trying to do and perhaps a lot of good will that has not been harvested. The Commission has done a lot to be proud of. Upon a motion by P. Morrison, seconded by B. Easom, it was

VOTED: to withdraw the Conservation Commission Community Preservation application for FY'14 in support of the Park Commission CPC application.

The vote was unanimous. Members said a thank you during the Parks Commission presentation would be important.

B. Ganem will let CPC Chairman Bob DeGroot know of the Commission's decision.

Joe Ferguson has placed the required erosion control measures at 7 Baby Beach Rd. DEP#169-1077. The Order of Conditions was also placed on record. No further work will be done on the other two retaining walls until the Commission has an opportunity to review the work that has already been done.

The deeds for the Cox and Walker parcels, as well as the plan for the excluded house lot, went on record today. B. Ganem reported the Commission has received proposals for land management recommendations from Mass Audubon and Landstewardship, Inc. Chris Pryor was also asked for a proposal, but he indicated New England Forestry Foundation no longer prepares these for outside organizations. Links to samples of land management reports were emailed to members. Members advised they would like to postpone a decision until they've had a chance to review the reports in greater detail and B. Ganem has checked on the references for Landstewardship.

P. Morrison reported there has been some progress on the Ames Meadow agreement. One of the parties who would be involved has moved, but the new residents are aware of the trail encroachment. Mr. Morrison suggested the Commission consider just having the area mowed every 2 years. It's a 17 acre parcel with about 6 acres as open field. J. Smigelski recommended giving up on haying because getting equipment in would be difficult. More than likely the Commission will have to pay to have the field managed. P. Morrison questioned what the costs

would be to have a survey to identify the trail easement. B. Ganem mentioned the most recent survey for the Cox house lot is about \$4000. Members did not think it reasonable to ask for a gift unless the Commission is willing to cover the costs involved. The Town Forest Committee has been reluctant to work with us to cut a trail adjacent to the existing one. The choice is to move the trail onto Town Forest land or to get an easement.

Members C. Auman, M. Giguere, and P. Morrison will not be available for the March 12th meeting. The attendance of the remaining four members will be necessary in order to have a quorum.

The Annual Meeting of the Massachusetts Association of Conservation Commissioners (MACC) is scheduled for March 2nd; M. Giguere, J. Smigelski, C. Auman, and B. Easom are scheduled to attend.

B. Ganem reported a complaint about the use of snowmobiles on McLain's Woods and Mahoney Lane was received recently. P. Morrison said he does not think it does anything to the land. J. Smigelski felt the snowmobiles create trails for cross country skiers. Upon a motion by M. Giguere, seconded by B. Easom, it was

VOTED: to send letters to abutters notifying them that snowmobile use on this Town-owned conservation land is prohibited.

The motion passed by majority vote, with P. Morrison and J. Smigelski voting in the negative.

B. Easom noted that the legal and recording costs associated with Ames Meadow remain a problem on our side of the line.

There being no further business, the meeting was adjourned at 8:15 p.m.

Notes by B. Ganem
Conservation Administrator

Approved as drafted 4/9/13.

EXHIBITS

Document	Source	Date
Minutes	Conservation Commission	2/12/13
DEP#169-1077	Ferguson/7 Baby Beach Rd.	12/13/11