

GROTON CONSERVATION COMMISSION

Minutes

Thursday, October 8, 2013

Chairman Peter Morrison 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 C. Auman, seconded by R. Swezey, it was

VOTED: to approve the minutes of September 24, 2013 as drafted.

The motion passed with an abstention from J. Smigelski.

M. Giguere explained the Wetlands Bylaw Review Committee has asked the Commission to consider the creation of an official stream map for the Town. N. Madden expressed reservations as streams are constantly changing, and it could be difficult to keep it updated. B. Easom noted we are currently using the 1988 USGS topographic map. P. Morrison observed the Commission has allowed some latitude in what input it permits. It is an effort to get rid of ambiguity, but the exact language remains under discussion. B. Easom gave the example of Martins Pond Brook near Brownloaf where the stream has been displaced by rutting from ATV traffic. Any changes would have to be made in an updateable way, and P. Morrison pointed out there should be no ambiguity about James Brook. Members suggested including a disclaimer or a way to use the map in a non-binding manner. The map would be a place for residents to look to find out if they are affected by the presence of a stream. The appropriate place for a list of streams would be in the Bylaw Regulations so the Commission can make changes as necessary.

Regarding the tree cutting on Lakin St., B. Ganem reported the Pepperell Water Superintendent Laurie Stevens called today to state she would be making an after-the-fact filing.

Under land management items, Larry Hurley has obtained a demo permit for the removal of the camps at Baddacook Field. Mr. Collins promises he will do an affidavit for the marginal reference for the Fuccillo deed and plan. Members met with Adam Burnett on the Farmers & Mechanics parcel on Saturday to review the status of invasives after the forestry operation in 2012. Mr. Burnett has volunteered to be a steward for the property and has offered to pull buckthorn to help control its spread. To assist with this effort, upon a motion by J. Smigelski, seconded by M. Giguere, it was

VOTED: to spend an amount, not to exceed \$200, to purchase a weed wrench.

The vote was unanimous.

7:10 p.m. – Groton School Notice of Intent continuation, DEP#169-1084

At the applicant's request and upon a motion by B. Easom, seconded by J. Smigelski, it was

VOTED: to continue the hearing for DEP#169-1084 to Nov. 26, 2013.

The vote was unanimous.

Members reviewed the draft public information brochure relating to the camp demolition and forestry activities to take place at Baddacook Field. C. Auman suggested including language that explains that the Commission is required to keep a 'viewshed' open between Martins Pond Rd. and Baddacook Pond. There have been two educational walks held at the site. Members recommended notice appear in the newspaper in addition to notification of abutters about the timetable for activities.

7:15 p.m. – Request for Determination of Applicability – Kovacs/132 Whitman Rd.

Homeowner Chris Kovacs explained he wished to install a second addition, measuring 24 ft. x 16 ft., to his workshop. Member Auman noted this is the third time Mr. Kovacs has applied for work in the wetland buffer zone and asked if there are plans for further expansions. Mr. Kovacs replied that the next step would be to go to a commercial site. He has made an effort to fully insulate the building to control the noise from his carpentry work. M. Giguere observed that, although he is bumping closer to the wetland, it is work within an existing lawn area. He advised adding gutters to direct roof runoff into a spot with crushed stone. B. Easom said he was alright with the project providing work is outside of the 50 ft. buffer zone. Upon a motion by C. Auman, seconded by R. Swezey, it was

VOTED: to issue a negative #3 Determination providing gutters are installed along with stone recharge along the building.

The vote was unanimous.

A Commission meeting is scheduled for October 15th during which interviews will be conducted with 2 or 3 finalists for the position of Conservation Administrator. This will be done in an open public meeting. Members requested that copies of the candidates' resumes be emailed. C. Auman suggested Commissioners send specific questions to be posed to the candidates to Chairman Morrison. M. Collette mentioned these will be individually scheduled appointments, and usually candidates wait outside while the interview is conducted.

7:30 p.m. – Request for Determination of Applicability – Cole/382 Chicopee Row

Resident Everett Cole explained there is an existing culvert with three 8-ft. segments under their shared driveway. The gasket material joining the segments has degraded over time, and the driveway was sinking. He had a contractor add material to repair the gaskets and concrete aprons at both the inlet and outlet to control erosion. M. Giguere said this appears to have been a 1993 installation in which the box culvert was raised above the streambed whereas now the preferred method is to have an open bottom arch or culvert to allow for stream continuity. He noted that scouring protection was placed at the outlet, and the repairs appear to have been done competently. B. Easom observed that water had previously flowed underneath the structure, and there is an area of fill at the mouth of the inlet. The cavity under the box culvert will eventually

require the replacement of the culvert, and he would like to see the crossing re-designed according to the stream crossing guidelines. Upon a motion by C. Auman, seconded by B. Easom, it was

VOTED: to issue a negative #3 Determination in which the owner files for any future work within 100 ft. of wetlands or 200 ft. of stream.

The vote was unanimous.

The Commission briefly discussed the Ferguson property at 7 Baby Beach Rd. M. Giguere suggested taking measurements on the ground to determine whether he has filled in the lake. The Commission has previously had applicants remove fill from the lake. Using a plan, this can be verified in the field. N. Madden recalled there had been measurements from the house on the submitted plan, and C. Auman said we have to verify that. R. Swezey hesitated about this course of action, suggesting at some point the Commission needs to move on. J. Smigelski suggested collecting documentation and going out to the site with a measuring tape.

B. Easom reported the Commission will shortly need to submit a two page summary of any proposed Community Preservation request for this year. They will not have the final numbers for the unallocated reserve portion until the end of November. Chairman Morrison stressed the Commission has traditionally asked for \$200,000, a sum on which we have planned. Associate Member David Pitkin observed that the Finance Committee has targeted \$1,000,000 in the Conservation Fund in their formal financial plan for the Town. Upon a motion by M. Giguere, seconded by N. Madden, it was

VOTED: to submit a summary application to the Community Preservation Committee for \$200,000 in the upcoming fiscal year.

The vote was unanimous.

7:45 p.m. – Appointment/Schofield property B. Easom and M. Giguere

Members Easom and Giguere prepared a PowerPoint presentation for the Commission to consider the acquisition of the Schofield (Groton Assessors' Parcel 251-71) property off Graniteville Rd. Members of the Village View Trust in Westford were present although the Westford Sportsmen's Club was not invited. Member Easom explained the 80-acre property is located in east Groton on the town line with Westford. There are good connections with Groton Woods to the west and Flavell Crossing to the north. The extensive forested area is a significant wildlife corridor, and the state encourages inter-municipal projects. At this time, there is approximately \$2,296.59 in outstanding taxes due on the property. M. Giguere pointed out this is literally a significant piece of the puzzle fitting into an existing structure of protected land.

David Pitkin of the Trails Committee also made a presentation showing significant trails linkages with adjoining open space. He noted that over 33% of Groton's residents use trails 15 times/ per year. Westford residents pointed out there is adjoining protected land in Westford with connecting trails on land owned by the town, the Westford Conservation Trust or with public access such as that belonging to the schools. The Trail Visions Committee, headed up by Paul

Funch, is urging more connections with other communities' trails, and this is a funding priority for state grants. Bill Harmon of the Westford Land Trust confirmed there are a lot of trails in Westford near this property, and he felt it was a great opportunity for the towns to work together.

P. Morrison asked about the potential to connect to the abandoned railroad line, the 'Red Path', and those present said a lot of this is now in private hands so it is probably not an option. Trails Committee member Wendy Good pointed out that our taxes pay mostly for schools and fire protection and, with development, our taxes go up in the long term. Olin Lathrop stressed that the value of having this type of recreational opportunity cannot be measured. M. Giguere said there is a recent study by the Trust for Public Land which compares the costs of development vs. the costs of preserving open space. He felt the Town should definitely take advantage of this opportunity to see where we can go; he recommended an appraisal as the first step. J. Smigelski said he would have liked to hear from the gun club, but he was in favor of finding out what the parcel is worth. R. Swezey mentioned the assessed value of the property is low due to the fact it is landlocked. C. Auman said it is important to have support from the community which he felt was demonstrated by the presence of Trail Committee members and residents from Westford and Groton tonight. P. Morrison observed that sustainable forestry activities could be a source of revenue in the future. M. Giguere thought this would make a very successful LAND grant application.

Foreclosure is a possibility due to the tax title status of the parcel. This would be a tedious process with no certainty as to the outcome. Land Use Director Michelle Collette said she has had many conversations with the executrix of the Schofield estate, Carol Van Patten, and the property abuts property off both Acorn Path and Autumn Leaf. She mentioned she has seen many subdivisions occur on land which is thought to be landlocked, but through the assemblage of properties or tearing down of houses, a developer acquires a viable access. Academy Hill and Monarch Path are examples of these types of development scenarios. Ms. Van Patten was present and said she thought the presentation was very gracious, and she was willing to work with the Town. Her father, Dr. Schofield, was a renowned naturalist, and he would applaud what has been done here tonight. She stated she would welcome a serious offer.

An appraiser would evaluate the fair market value of the property. Elizabeth and Robert Shaw of 45 Acorn Path said they would be very pleased to see this property as a conservation area. They have concerns about it becoming a buffer zone to the shooting range. Bob Pine of 100 Hollis St. encouraged the Commission to take the next step in getting the land appraised. Westford resident Tom Leete expressed concerns about the forestry work the Sportsmen's Club had undertaken on their land, and P. Morrison replied that forests can be managed as a sustainable crop. Upon a motion by N. Madden, seconded by J. Smigelski, it was

VOTED: to authorize the expenditure from the Conservation Fund of not more than \$6000 to conduct a real estate appraisal of the Schofield Property, to the standards required for a LAND Grant application, and that a copy of the completed appraisal be given to the landowner. The expenditure shall be contingent upon receiving prior written permission from the landowner to enter the property for the purpose of conducting the appraisal.

The motion passed unanimously.

Commissioners thanked members Easom and Giguere for their compelling presentation.

There being no further business, the meeting was adjourned at 8:35 p.m.

Notes taken by

Barbara V. Ganem
Conservation Administrator

Approved as drafted 10/22/13.