

## GROTON CONSERVATION COMMISSION

### Minutes

Tuesday, November 12, 2013

Chairman Peter Morrison called the meeting to order at 7:00 p.m. with John Smigelski, Craig Auman, Marshall Giguere, and Bruce Easom present. Rena Swezey arrived at 7:40 p.m. due to a conflicting meeting of the Earth Removal & Stormwater Advisory Committee. Nadia Madden was absent. Conservation Administrator Barbara Ganem was present.

#### 7:00 p.m. – Appointment/Peter Cunningham – Rocky Hill Wildlife Sanctuary

Selectman Cunningham said he was present to discuss the recent fire that occurred at the Rocky Hill Wildlife Sanctuary. He suggested pursuing a management plan with the owners as required in the Conservation Restriction in order to protect the resources there. He mentioned this is the second major fire that has occurred there. Fires involve the expenditure of resources including manpower and funds from Groton and surrounding towns. In 2011 there was a similar wildfire. Mr. Cunningham explained his key concern is the protection of the natural resources and Mass Audubon's (the owner) future stewardship of the land. He expressed concern about the potential significant impact on the resources as there were still hot spots last week. His recommendation is to meet with Mass Audubon with representatives from the Conservation Commission and the Natural Heritage & Endangered Species Program also in attendance.

If a meeting can be scheduled within the next month, perhaps the fire warden for District 6 and the Fire Chief could be asked to offer advice for prevention. Mr. Cunningham suggested more eyes on the ground would help in such a remote area. He added that both fires were likely the result of camp fires. Members Easom and Giguere indicated they would be willing to participate in a meeting. M. Giguere agreed that producing a management plan consistent with the CR is important. He suggested that fire is not necessarily harmful as much of our local landscape is fire-adapted. NHESP and Mass Audubon have lots of expertise in this area. Commissioner Auman noted that Mass Audubon manages over 35,000 acres of conservation land, and this is probably not a problem unique to Groton. Mr. Cunningham pointed out one person manages the central and western sanctuaries and questioned whether this is sufficient stewardship or the correct level of vigilance.

Selectman Cunningham estimated about 13 acres burned, and the area that burned is probably 500 – 1000 years off a trail. Members Giguere, Auman, and Easom indicated they would be interested in attending a meeting with Mass Audubon. Greenway Committee member Marion Stoddart said Groton is very fortunate to have Rocky Hill Wildlife Sanctuary as it is one of the most significant habitats in the region precisely because there has generally been so little human activity. It's important to maintain the rare species there. At the recent opening of the Sanctuary, Mass Audubon invited volunteers to sign up to steward the property but she did not think they wished to encourage a lot of physical recreational activities on the site. Mr. Cunningham acknowledged ATV traffic has been an issue at Rocky Hill, but he thought Mass Audubon could engage with other groups that could use the property in a low impact manner. Members thanked P. Cunningham for sharing his concerns.

Mr. Tuttle explained he has questions and concerns about setting up some type of study group to work with the Trails Committee to do wildlife studies. He has been a resident of Groton for 35 years and is particularly concerned about the recent addition of a recreational trail leading to the top of Chestnut Hill from the Williams Barn Sorhaug Woods property. The trail goes through a sensitive wildlife corridor. He also noted that adjacent neighbors tend to cut in their own trails to join with the Town trail network. Mr. Tuttle recommended the Commission pay special attention to the layout of any additional trails on the recently acquired Walker property. For instance, both sides of Mahoney Lane contain deer bedding areas. He maintained that larger mammals in Groton are losing ground with the disappearance of safe travel corridors.

Member Giguere acknowledged the Commission works in consultation with the Trails Committee, and they are active land stewards. Minor foot traffic and equestrians are not usually a problem for most wildlife. Mr. Tuttle pointed out that this can stress the animal and put them on alternate corridors that may not be as safe. C. Auman suggested Mr. Tuttle join the Trails Committee to share his knowledge about the movement of animals. Mr. Tuttle said he no longer resides in Groton, but members encouraged him to share his expertise about wildlife in the Town. The Trails Committee and Conservation Commission can try to balance the needs of people and wildlife if we know ahead of time. David Pitkin, a member of the Trails Committee, said there is a challenge in having a comprehensive plan.

Mr. Tuttle also objected to the practice of blowing leaves off the trails as it's preferable to leave the forest in as natural a state as possible. B. Easom thanked W. Tuttle for coming in to talk with the Commission. Mr. Tuttle said he was just disappointed that wildlife have not been considered, and his point of view is shared by others in the community. He added that forest fires can be helpful as they do grow back and can create better habitat for some wildlife. Mr. Easom said there is a process by which a trail is proposed, laid out, and constructed, and Mr. Tuttle's expertise could be helpful.

M. Stoddart noted that Groton used to have the Sportsmen's Club and one of its members, Peter Bertozzi, was a member of the Conservation Commission. His extensive knowledge of wildlife was an asset to the community. She added that it was very valuable to have Mr. Tuttle here to share his understanding of wildlife.

7:30 p.m. – 120 Boston Rd./PCM Realty Trust -Myette DEP#169-1100

The hearing was opened but with no applicant present, the Commission agreed to a delay.

Going on to other business, upon a motion by C. Auman, seconded by M. Giguere, it was

VOTED: to approve the minutes of October 15, 2013 as drafted.

The vote was unanimous.

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

VOTED: to approve the minutes of October 22, 2013 as amended.

The vote was unanimous.

Upon a motion by M. Giguere, seconded by B. Easom, it was

VOTED: to issue a Certificate of Compliance for DEP#169-1009 for 60 Valley Rd.

The vote was unanimous.

Upon a motion by B. Easom, seconded by M. Giguere, it was

VOTED: to issue a Certificate of Compliance for DEP#169-1083 for 6 Weymissset Rd.

The vote was unanimous.

DEP has just recently issued an extension for the Mattbob Superceding Order of Conditions, DEP#169-880. This is the site where the new Hindu temple is proposed. The Order is extended to December 8, 2016.

As a participant in the Wildlife Habitat Incentive Program (WHIP) the Commission has a vote in the annual election for members to the local council of the Farm Service Agency. Member Smigelski is one of the nominees. Upon a motion by B. Easom, seconded by M. Giguere, it was

VOTED: to cast the Commission's single vote for John Smigelski.

The motion passed by majority with J. Smigelski abstaining.

To follow up on the Commission's visit to 7 Baby Beach Rd. this past Saturday, members noted some type of filter has been inserted in the gutter draining to the lake. The condition in the Order for DEP#169-1016 called for roof runoff to go into a recharge structure.

(R. Swezey arrived at 7:40 p.m.)

Members agreed to delay issuing a Certificate of Compliance until this matter is resolved with the installation of some type of recharge structure. B. Ganem reported that the measurements taken on site showed the existing second wall was about 42 ft. Mr. Ferguson proposes installing a 98 ft. wall at this location. Chairman Morrison asked if members visually had a problem with the replacement of the existing wall. He suggested Mr. Ferguson may have inadvertently added the length of the two walls together as there is no space for a 98 ft. long middle wall. B. Easom asked what Commissioners would like to see. Upon a motion by R. Swezey, seconded by C. Auman, it was

VOTED: to allow the construction of the middle and top (nearest the road) walls under DEP#169-1077.

The vote was unanimous.

Resuming under the open hearing for DEP#169-1100, Surveyor Stan Dillis explained the project at 120 Boston Road involves the removal of two existing buildings and replacement with one structure and adjoining parking. As a site improvement they will replace a catch basin that currently runs directly to Cady Pond Brook with a Stormceptor unit to filter the runoff from the site. Some of the runoff will be directed to a grassed swale with a forebay to achieve the appropriate Total Suspended Solids (TSS) treatment for the site. The entrance driveway will be reconfigured to allow for one access/egress from Rt. 119 and will be moved further from the wetland. The original plan for some wetland filling has been eliminated. Mr. Dillis said the amount of total impervious surfacing was slightly reduced from a current figure of 56,272 square feet to the proposed figure of 56,263 square feet. The roof area for the new structure is slightly smaller. There are no buildings in the inner Riverfront Area (0 – 100 feet), but there are slight increases in the 100 ft. Buffer Zone and outer Riverfront Area (100 – 200 feet). The net total disturbance is less than what is there now.

Mr. Dillis submitted the abutter notification cards. He said this is an almost 3-acre site, and any increase in disturbance is well below the 10% of Riverfront Area. He explained the applicant has requested two waivers from the Stormwater Committee, but they need more information. He expressed a preference for making all the board-required revisions at one time so each committee is dealing with the same plan set. B. Easom thanked Mr. Dillis for providing the impervious vs. pervious analysis sheet (attached). The materials storage yard was counted as paved because compacted gravel has the same runoff coefficient as pavement. M. Giguere questioned the calculations for what is currently in the Riverfront Area vs. what is there now. He asked that consideration be given to plantings in the existing grassed area and providing a long term management plan that will control invasives but maintain the area in a natural state. Mr. Dillis said Mr. Myette plans to maintain the site himself in the future.

Chairman Morrison provided a summary of the Commission's information needs: revised plans addressing all boards' concerns, the proposed 10% Riverfront Area calculation vs. current, a management/restoration plan for currently mowed wetland, and the dimensions and planting plan for the restoration area. At the applicant's request and upon a motion by B. Easom, seconded by M. Giguere, it was

VOTED: to continue the hearing for DEP#169-1100 for PCM Realty Trust to December 10, 2014.

The vote was unanimous.

8:00 p.m. – Sargisson Beach Notice of Intent

R. Swezey said she has the abutter notification information downstairs, and B. Ganem indicated that would be needed for the record. She also explained there is no DEP number because the Notice of Intent was not mailed to them. It was emailed this morning but they have not issued a number yet. M. Giguere noted it is the applicant's responsibility to deliver this to DEP as they need to know what project is proposed.

Sargisson Beach Committee Chair Andrew Davis pointed out the Commission is the owner of the property. Natural Heritage also did not receive a copy of the NOI. P. Morrison commented the Commission had intended to issue the Order this evening, and B. Easom suggested we could continue the hearing and hold another meeting. Four members indicated they were available to meet at 4:45 p.m. on November 15th.

Natural Heritage has 30 days in which to respond to a NOI filing. Members reviewed the draft Order of Conditions and suggested several changes. Upon a motion by B. Easom, seconded by C. Auman, it was

VOTED: to continue the hearing for the Sargisson Beach restoration to November 15 at 4:45 p.m.

8:15 p.m. – 99 (Lot 1) Indian Hill Rd./Spigarelli DEP#169-1099

Fisheries & Wildlife has submitted a letter with a finding of ‘no take’ for this project. Because there will be a delay in the start-up of the project, S. Dillis requested the Commission consider requiring the re-hanging of the wetland flagging as a condition of the Order. Upon a motion by C. Auman, seconded by R. Swezey, it was

VOTED: to close the hearing for DEP#169-1099 for Lot 1 (subdivided from 99) Indian Hill Rd.

The vote was unanimous.

Members agreed to send a letter to Academy Hill requiring the erosion control blanket be changed out with the coir mat at the location of the north wetland crossing in the spring. The construction/completion of the replication area and detention basin 1 can be bundled with this removal/replacement of the erosion control materials at that time.

Mr. Hurley anticipates starting the demolition of the Baddacook Field camps shortly. His demolition permit is good for 6 months. In terms of land management issues, it is anticipated the Eliades Conservation Restriction will go on record shortly, and the \$11,000 paid to the Conservation Fund simultaneously. We still await word from Mr. Collins on the marginal reference for the Fuccillo plan.

Upon a motion by B. Easom, seconded by M. Giguere, it was

VOTED: to have Stan Dillis replace the pin at the lot corner of the Williams Barn Sorhaug Woods property for a fee of \$100.

An inquiry has come in about posting the conservation-restricted area of the high school property for no hunting. B. Ganem reported there is no language in the Conservation Restriction which addresses this. Members agreed this is property owned and managed by the Groton Regional School District, and this matter is outside of Commission jurisdiction as long as the conservation values of the property are preserved.

Member Easom said he would be sending out a list of the 2-page project summaries received by the Community Preservation Committee. These are essentially the Commission's competitors for CPA funds this year.

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 11/26/2013**

**Exhibits**

**RESOURCE AREA CALCULATIONS:**

| <u>IMPERVIOUS AREA</u>                 | <u>PRE-DEVELOPED (S.F.)</u> | <u>POST-DEVELOPED (S.F.)</u> |
|--|-----------------------------|------------------------------|
| <u>LIMIT OF 50 FT WETLAND BUFFER:</u>  |                             |                              |
| BUILDING                               | 250 S.F.                    | - S.F.                       |
| IMPERVIOUS                             | 18,000 S.F.                 | 11,265 S.F.                  |
| TOTAL 50-FOOT                          | 18,250 S.F.                 | 11,265 S.F.                  |
| <u>LIMIT OF 100 FT WETLAND BUFFER:</u> |                             |                              |
| BUILDING                               | 1,800 S.F.                  | 1,870 S.F.                   |
| IMPERVIOUS                             | 22,340 S.F.                 | 27,990 S.F.                  |
| TOTAL 100-FOOT                         | 24,140 S.F.                 | 29,860 S.F.                  |
| TOTAL BUFFER DISTURBANCE               | 42,390 S.F.                 | 41,125 S.F.                  |

**IMPERVIOUS AREA SUMMARY:**

| <u>IMPERVIOUS AREA</u>               | <u>PRE-DEVELOPED (S.F.)</u> | <u>POST-DEVELOPED (S.F.)</u> |
|--------------------------------------|-----------------------------|------------------------------|
| <u>SITE TOTAL:</u>                   |                             |                              |
| ROOF                                 | 9,131 S.F.                  | 8,447 S.F.                   |
| DRIVEWAY/PARKING                     | 47,141 S.F.                 | 47,816 S.F.                  |
| TOTAL SITE                           | 56,272 S.F.                 | 56,263 S.F.                  |
| <u>INNER 100-FOOT RIPARIAN ZONE:</u> |                             |                              |
| ROOF                                 | 42 S.F.                     | - S.F.                       |
| DRIVEWAY/PARKING                     | 5,850 S.F.                  | 4,075 S.F.                   |
| TOTAL INNER 100-FOOT                 | 5,892 S.F.                  | 4,075 S.F.                   |
| <u>OUTER 100-FOOT RIPARIAN ZONE:</u> |                             |                              |
| ROOF                                 | 6,926 S.F.                  | 7,331 S.F.                   |
| DRIVEWAY/PARKING                     | 14,214 S.F.                 | 17,043 S.F.                  |
| TOTAL OUTER 100-FOOT                 | 21,140 S.F.                 | 24,374 S.F.                  |
| TOTAL RIVERFRONT IMPERV.             | 27,032 S.F.                 | 28,449 S.F.                  |

*11/22/13  
GCC mtg*