

GROTON CONSERVATION COMMISSION

Minutes

Tuesday, February 11, 2014

Chairman Peter Morrison called the meeting to order at 7:00 p.m. with John Smigelski, Craig Auman, and Bruce Easom present. Rena Swezey arrived at 8:10 p.m. Marshall Giguere was absent. Conservation Administrator Takashi Tada was present.

7:00 p.m. – Sargisson Beach Committee – Beach Restoration Proposal

Andrew Davis of the Sargisson Beach Committee (SBC) provided a brief update on the status of the SBC's current (FY14) and proposed (FY15) budgets. Due to the regional school district's budget mismanagement, the municipal budget is being scrutinized by the Finance Committee for any possible reductions as a way of helping to bail out the schools. Town Manager Mark Haddad has proposed to eliminate all new spending in the FY15 proposed budget, including funding for the lifeguards needed to reopen Sargisson Beach. SBC has requested to keep its current FY14 budget intact, along with an additional \$2,000 in FY15, to allow continued use of the beach on a "swim at your own risk" basis. The reduced budget would allow SBC meet basic requirements such as the portable toilets, improved signage and marking of the beach/swim areas, and safety issues such as hazardous tree removal.

Mr. Davis also mentioned that illegal snowmobile/ATV use has been a problem this winter. SBC identified four points of access on surrounding (private) property. Mr. Davis notified police on Sunday of the illegal vehicle use. The vehicles have caused damage to the new erosion control structures installed by Eagle Scout candidate Matt Lambright. Mr. Davis requested action from the Commission to help enforce the policy of no snowmobile/ATV use on the beach property.

At the request of the Commission, Mr. Davis gave a PowerPoint presentation of the scope of the proposed beach restoration. The scope was developed by volunteer Bob Pine, of Pine and Swallow Environmental Services, with a conservative cost estimate of \$170,000 to address the issues of erosion and undercutting of the bank. The linear extent of undercut bank is 750 feet, which is greater than initially thought. The undercut bank has caused some trees along the shoreline to fall, while others are being undermined. The existing stone wall at the point is also undercut and deteriorating. Mr. Pine explained that the two main factors contributing to erosion at the site are overland flow and underground seepage. The proposed restoration includes a series of infiltration zones along with water bars and buried PVC pipes. Restoration of the undercut wall and bank will involve the use of a backhoe to fill in the voids with existing substrate and then placing boulders to stabilize and reduce wave action. Mr. Davis explained that the main cost driver is materials/transport. If approved and funded, the work would be done in the fall of 2014 (mid-October to mid-December, weather permitting). Mssrs. Davis and Pine indicated that the proposed scope of work could be easily divided into phases, to make it more feasible from a funding perspective. The first phase would prioritize restoration of the wall at the point.

Member B. Easom said he was sorry to hear about the snowmobile/ATV use. He also said breaking up the project into phases was the only realistic option. C. Auman appreciated the detailed explanation of the project scope and budget, and asked about the relative costs of the erosion control measures. Mssrs. Davis and Pine stated the erosion control measures were relatively inexpensive compared to the bank/wall restoration. J. Smigelski asked about the outfall locations of the PVC pipes and water quality. Mr. Pine clarified that the PVC pipes will be perforated, with no outfalls, and that the water would be filtered clean by the sandy soils. Chairman Morrison said he like the idea of phasing the project, and was pleased to see the Sargisson Beach property being addressed with a well-conceived restoration plan.

7:25 p.m. – Public Meeting: RDA, 40 Townsend Road, Septic Replacement

Kevin Ritchie, P.E., of Civil Solutions Inc., presented a Request for Determination Applicability (RDA) for a proposed septic system at 40 Townsend Road to replace the failed cesspool. The existing house lot will be combined with the abutting parcel at 30 Townsend Road which contains the existing garage. Board of Health has issued the septic permit. There is a small Bordering Vegetated Wetland (BVW) associated with a drainage swale located southeast of the garage. The BVW was delineated by Norse Environmental in December 2013. The Commission conducted a site walk on 2/8/2014. The proposed septic leaching field is to be located in an area of existing lawn between the house and garage, partially within the 100-foot wetland buffer zone. The nearest distance from the BVW to the limit of work is approximately 65 feet.

Commissioners asked Mr. Ritchie where he planned to stockpile soil needed for the leaching field. Mr. Ritchie outlined a proposed stockpile area on the plan, located between the existing house and the proposed leaching field. This area is existing lawn and is outside the buffer zone. In response to a question about restoring the disturbed areas, Mr. Ritchie said he would reseed with a native grass mix.

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

VOTED: to issue a Negative #3 Determination for 40 Townsend Road, with special conditions regarding installation and inspection of erosion controls, soil stockpile area, and reseeded.

The vote was unanimous.

7:35 p.m. – Matt Lambright, Update on Eagle Project at Sargisson Beach

Matt Lambright was a late cancellation, for the third time. He will be rescheduled.

Moving on to General Business, the Commission reviewed meeting minutes from January 28, 2014.

Upon a motion by C. Auman, seconded by J. Smigelski, it was

VOTED: to approve the meeting minutes of 1/28/2014, as written.

The vote was unanimous.

On the issue of the proposed revisions to the Wetlands Protection Bylaw, T. Tada relayed a request of the Bylaw Review Committee that the Commission endorse the revised Bylaw and agree to co-sponsor the warrant article that will be brought before Spring Town Meeting. The Commissioners expressed full support of the proposed revisions. However, there was some concern that co-sponsoring the warrant article could reduce the chances of it being passed by the voters.

Upon a motion by B. Easom, seconded by J. Smigelski, it was

VOTED: to issue a strongly worded letter in support of the revised wetlands bylaw.

The vote was unanimous.

Moving on to Land Acquisition, T. Tada updated the Commission on the request for cost estimates to conduct an appraisal of the two parcels in West Groton owned by David and Martha Harvey. The Commission received quotes from two qualified appraisers, Ellen Anderson and Jonathan Avery, in the amounts of \$2,200 and \$3,950, respectively. The Commissioners said they were satisfied with Ms. Anderson's appraisal of the Walker-Cox parcels in 2012, and preferred to go with her lower cost proposal for the West Groton parcels. T. Tada will notify Ms. Anderson.

Regarding the Schofield parcel, T. Tada and B. Easom are scheduled to accompany Ms. Anderson and Carol Van Patten on the appraisal site inspection on Thursday, 2/13/14, at 1:00 p.m., weather permitting.

Moving on to Other Issues, T. Tada presented photos of three trees at 247 Whiley Road that are leaning precariously near Knops Pond. The homeowner, Kathy Ruston, wants to know if she can have the leaning trees removed while the pond has been lowered and the ground is frozen. The Commissioners said they had no issues with removing the trees, as long as the stumps are left in place.

7:45 p.m. – Public Hearing (cont'd): Notice of Intent, 373 Lowell Road, DEP #169-1103
Robert Collins and Stan Dillis provided additional information as requested by the Commission. Based on his own research of old property deeds and maps, Mr. Collins said he believes any remnants of the former schoolhouse structure are likely located offsite or under the current road intersection. Stan Dillis presented an analysis of project impacts under alternative design scenarios. The currently proposed subdivision road, with access off Schoolhouse Road, results in 1,900 square feet of alteration to Riverfront Area (RFA) associated with Martins Pond Brook, or less than four percent (4%) of the total RFA on the site. Alternatively, constructing the subdivision road off Lowell Road would result in 5,000 square feet (or more than 9%) of alteration to RFA. The greater alteration is due to tree clearing and grading needed to establish the sight lines along Lowell Road. Mr. Dillis also explained that the Natural Heritage and Endangered Species Program (NHESP) prefers the Schoolhouse Road access alternative because it results in less impact to rare species habitat. NHESP's review of the project is ongoing. Mr. Collins expected NHESP to complete its review by March 6th.

Chairman Morrison invited comments from Commissioners. B. Easom asked if the Historical Commission could weigh in on the former schoolhouse issue. Robert DeGroot, Chairman of the Historical Commission, was allowed to comment. Mr. DeGroot said the Historical Commission disagrees with the conclusion that the location of the intersection has changed over time. He believes the schoolhouse was situated in the southwest corner of the property. Mr. DeGroot requested permission from the applicant for the Historical Commission to conduct a cursory site investigation in the vicinity of the intersection. Mr. Collins said he would confer with the landowner, Robert Kiley. He also reiterated that no work is being proposed in the corner near the intersection; therefore no harm would be done to any structural remnants in that area.

B. Easom asked if the applicant had considered more than one configuration to the alternative subdivision access off Lowell Road. Mr. Dillis responded that the design of the Lowell Road alternative was constrained by topography of the site, distance-to-intersection requirements, and presence of rare species habitat. Chairman Morrison said he remained concerned about the steepness of the proposed access off Schoolhouse Road.

Chairman Morrison opened the floor to public comments. Matt Novak, 46 Schoolhouse Road, asked about installing a guardrail along Schoolhouse Road. Mr. Dillis replied that if the Planning Board requests it, the applicant is obligated to do it. Bob Woodward, 52 Schoolhouse Road, asked why the alternative access off Lowell Road cannot be moved further away from the intersection. Mr. Dillis addressed this issue previously.

Upon a motion by J. Smigelski, seconded by C. Auman, it was

VOTED: to continue the public hearing for 373 Lowell Road (DEP #169-1103) to March 11, 2014.

The vote was unanimous.

8:10 p.m. – Forestry Update, Bay State Forestry Service
(Rena Swezey arrived at 8:10).

Dan Cyr and Eric Radlof of Bay State Forestry Service provided an update on logging at Baddacook Field and discussed future forestry projects. Mr. Radlof said the logging at Baddacook was completed to his satisfaction on February 4th. The trails have been cleared of logging debris and the berm at the back edge of the landing area has been created. The material in the berm should settle and incorporate over time. One piece of equipment (excavator) remains onsite; the access road will be blocked off after the excavator is removed. Bay State and the Commission will conduct a springtime assessment of Baddacook Field, along with the Farmers and Mechanics parcel that was logged last year, to monitor for invasives and determine what maintenance, if any, needs to be done. Mr. Radlof recommended a conservation seed mix be planted in the landing area as part of springtime touchup work at Baddacook. B. Easom mentioned that one outcome of the logging is that Baddacook Pond is now visible from Martins Pond Road, which satisfies one requirement of the Conservation Restriction.

Mr. Cyr suggested hearing comments from the public before moving on to discuss other projects. Chairman Morrison invited those in attendance to weigh in. Darcy Donald, 32 Floyd Hill Road, expressed concerns about the conditions of the old cart road, the existing trails, and the landing area, now that the logging has been done. She also mentioned a crack in Martins Pond road that she thought might have been caused by the logging vehicle traffic. She was encouraged to report the crack to Tom Delaney, DPW Director. Chairman Morrison assured Ms. Donald that the Commission fully intends to keep up with maintenance of the property. Karla Garibotto, 643 Martins Pond Road, stated she was not happy with the work that was done and expressed displeasure at the sight of logging debris being left in place throughout the woods, along with the junk pile in the upper field. Ms. Garibotto also agreed with Ms. Donald that follow-up maintenance should be a priority. Chairman Morrison offered that the Commission would conduct a public site walk in the spring to allow residents a chance to provide input. David Webb, 34 Floyd Hill Road, said he didn't recall the berm being part of the plan. Sanford Johnson, 653 Martins Pond Road, was primarily concerned with the long-term health of the field now that the logging has been done and urged the Commission to be proactive this spring in order to get it right the first time around.

Following the public comments, Mr. Cyr gave an impassioned plea to the Commission to give him a chance to do real forestry work, rather than the high-profile woodlot cleanups that the first two jobs (Farmers and Mechanics parcel and Baddacook Field) represented. He said it was not worth the money to work on these projects, and it was a nightmare trying to appease abutters whose expectations for a manicured landscape do not meet the realities of sustainable forestry. Mr. Cyr also said his staff time should be devoted primarily to logging contractor oversight, rather than public relations. The Commissioners agreed that Bay State was hired for their forestry expertise, not for public relations. T. Tada should be the main point of contact for dealing with the public, with guidance/direction from Chairman Morrison as needed.

8:45 p.m. – Discussion: River Bank Stabilization, 35 Cannery Row

Mickey Marcus, of New England Environmental Inc., presented the three preliminary options under consideration for bank stabilization at 35 Cannery Way, as shown on the plan and photos provided to the Commission. The Squannacook River flows along the western edge of the property, and portions of the bank require stabilization due to undercutting. Mr. Marcus explained the severity of the undercutting along the bank, and outlined each of the three restoration options in terms of methodology, amount of alteration required, long-term stability, and rare species considerations. The worst section is approximately 200 linear feet of soft, undercut bank. The rare species known to occur on the site include the Blanding's turtle and two dragonfly species. Mr. Marcus said they leaning toward the third option involving the use of boulders, tree rootwads, and geo-lifts. He asked for comments from the Commission to help them evaluate which method to propose in the forthcoming NOI plan. They will also need to file with NHESP and the Army Corps of Engineers.

The Commissioners thanked Mr. Marcus for providing the preliminary plans and photos, and for the detailed explanation of methodology and relative efficacy of each option, based on his experience at other sites in the region. The Commission felt that the discussion was very informative and potentially useful in considering the restoration plan proposed at Sargisson Beach.

There being no further business, and upon a motion by J. Smigelski, seconded by P. Morrison, it was

VOTED: to adjourn the meeting. The vote was unanimous.

The meeting was adjourned at 9:40 p.m.

Notes taken by

Takashi Tada
Conservation Administrator

Exhibits on file at Conservation Commission Office:
Request for Determination of Applicability, 40 Townsend Road
Notice of Intent, 373 Lowell Road, High Oaks Realty Trust

Approved 2/25/2014