

GROTON CONSERVATION COMMISSION

Minutes

Tuesday, November 12, 2014

Chairman John Smigelski called the meeting to order at 7:00 p.m. with Peter Morrison (Vice Chairman), Susan Black (Clerk), B. Easom, Marshall Giguere, Mary Metzger, and Rena Swezey present. Conservation Administrator Takashi Tada was present.

7:00 p.m. – Public Meeting: Request for Determination of Applicability (RDA), Hollingsworth & Vose Power Plant Upgrade, 219 Townsend Road

Attorney Robert Collins, and Robert Pine of Pine & Swallow, presented the RDA for power plant addition/upgrade on behalf of Hollingsworth & Vose Company (HV). The Commission conducted a site walk on 11/8/2014. The existing power plant at HV's facility on Townsend Road is in need of expansion and modernization. The upgraded plant would be much more efficient and generate both steam power and electricity for the manufacturing facility. The existing power plant building will be razed and replaced by a larger building to house the upgraded power machinery. All of the work is within the existing facility footprint (building and paved area). A small portion of the power plant building lies within 200 feet of the Riverfront Area associated with James Brook; therefore some of the demolition work will occur within the resource area. Much of the HV facility, including the power plant, is located within the 100-Year Floodplain as well. Mr. Pine provided additional plans showing the proposed project's context within floodplain, and a written explanation of how the work will not result in the loss of any flood storage capacity. He also mentioned that the gas line is already in place.

Members Morrison, Easom, and Giguere expressed concern about the project's impact on flood storage, as well as protection of the new plant machinery in the event of a flood. Mr. Pine said the buildings shown on the plan were instrument-surveyed by PARE Corporation and they were confident in both their floodplain analysis and the integrity of the plant. He also said they have a contingency plan to use sandbags to protect the power building. B. Easom asked about old storage tanks. Mr. Pine said the old storage tanks would either be removed completely, or relocated and contained, as required by law.

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

VOTED: to issue a Negative #2 Determination of Applicability for Hollingsworth and Vose Power Plant Upgrade. The vote was unanimous.

7:15 – Public Hearing (cont'd): NOI, Reconstruction of Fire-Damaged Home, 99 Boathouse Road – DEP#169-1117

Attorney Robert Collins, and Stan Dillis of Ducharme & Dillis Civil Design Group, presented the revised plan for reconstruction of the fire-damaged home at 99 Boathouse Road. The existing retaining walls and topography are shown on the new plan, while the proposed well has been removed from the plan. The applicants will reuse the existing well, if feasible, or tie-in to Town Water.

B. Easom noted that the building dimensions are not shown on the plan and he requested that they be added. Mr. Dillis added the building dimensions by hand to the Commission's copy of the plan. M. Giguere asked when the work would be done. Mr. Collins said they would rebuild the house as soon as possible in order to meet a May 2015 deadline imposed by the insurance company. The water level of Lost Lake has been drawn down to its winter elevation, and the work would be completed before water levels are restored in the springtime. M. Giguere also asked about the erosion controls depicted on the plan. Mr. Dillis said the plan specifies straw wattles, but they were open to using a combination of wattles and silt fence if requested by the Commission. Commissioners agreed that the nature of the project and proximity to the resource area warranted the addition of silt fencing along with the wattles.

Attorney Jerome Benson, representing abutter Patricia Simmons-Mavilia, mentioned that the existing retaining wall is in need of repair. He previously provided photographs of the wall.

Upon a motion by P. Morrison, seconded by B. Easom, it was

VOTED: to close the public hearing for 99 Boathouse Rd, DEP #169-1117. The vote was unanimous.

7:30 p.m. – Discussion: Resource Management Plan, Surrenden Farm West

Commissioners reviewed M. Giguere's email summarizing the management of Surrenden Farm West. The property is owned by the Town through the Commission, while the Conservation Restriction (CR) is held by MA Division of Fisheries & Wildlife (MassWildlife). The approved Resource Management Plan (RMP) was a result of two years of work by the ad hoc RMP committee consisting of representatives from the Commission, MassWildlife, Board of Selectmen, and members of the public with interests in agriculture, equestrian, birding and natural history. The RMP is effective for a period of five years and expires in February 2016. At the request of Selectman Anna Elliot and hay farmer Roy MacGregor, the Commission is revisiting the seasonal restriction in the RMP that prohibits mowing of the hay fields (Management Zone 2) before July 15th each year. M. Giguere explained that the mowing restriction is intended to protect bobolinks that are known to breed in the upper portions of the fields. He will be walking the property with Patricia Huckery of MassWildlife on December 9th at 10:00 a.m.

B. Easom made a point of clarification that the \$500,000 LAND Grant was for purchase of the CR on the General Field which is privately owned by the Groton Conservation Trust. M. Metzger suggested establishing a habitat buffer in exchange for eliminating/reducing the restriction on haying. She also mentioned that bobolink populations are holding steady throughout much of their North American range; however in New England they remain threatened due to the regrowth of forests in areas once cleared for agriculture. R. Swezey suggesting sending a letter to Ms. Huckery indicating the Commission's desire to make the RMP more conducive to sustainable agriculture within Management Zone 2. M. Giguere said he had already mentioned this to Ms. Huckery in conversation. Chairman Smigelski stated he would prefer to hear what MassWildlife has to say before offering any compromises such as a habitat

buffer zone. Brooks Lyman of Townsend Road asked if the habitat buffer zones would be managed in some way, or left to nature. The Commission replied that there were no specific proposals or recommendations at this time.

7:30 p.m. – Discussion: Conservation Restriction, Groton EMS (former Sportsman’s Club)
Brooks Lyman, resident of 328 Townsend Road, and Attorney Robert Collins requested the Commission’s feedback on a possible reuse of the Groton EMS property (Parcel 106-33; formerly the Squannacook Sportsman’s Club) located off West Main Street. Mr. Lyman said he is considering purchase of the property and rehabilitation of the indoor shooting range for private business use (i.e. firearms safety instruction). The Commission holds the Conservation Restriction (CR) on the property. Mr. Collins explained that one of the purposes of the CR is to prevent exposure to unexploded ordinance that might be left over from the Sportsman’s Club activities. T. Tada mentioned that the current owners, Groton EMS, conduct only limited emergency response training on the property due to language in the CR that seems to prohibit the placement of trailers and other appurtenances. Groton EMS would be interested in expanding the training that they do on the property, if allowed under the CR.

P. Morrison asked about ventilation in the shooting range, which is below ground level. Mr. Lyman said he would restore the ventilation system and add HEPA filters. R. Swezey said the Commission could use more time to review the CR. M. Giguere suggested having Town Counsel review the CR and provide a legal opinion on whether Mr. Lyman’s potential business use of the property is consistent with the CR.

Moving on to General Business, the Commission reviewed and revised the draft OOC for the proposed remediation of a former waste disposal area (i.e., landfill) at Groton School, DEP #169-1084. The public hearing was closed on 10/28/2014.

Upon a motion by P. Morrison, seconded by R. Swezey, it was

VOTED: to issue an OOC under the Wetlands Protection Act for Groton School’s proposed landfill remediation, DEP #169-1084. The vote was unanimous.

Upon a motion by P. Morrison, seconded by S. Black, it was

VOTED: to issue an OOC under the Groton Wetlands Protection Bylaw for Groton School’s proposed landfill remediation, DEP #169-1084. The vote was unanimous.

The Commission also considered the draft OOC for the proposed drainage ditch maintenance NOI, 171 Lowell Road, DEP #169-1118. The public hearing was closed on 10/28/2014.

Upon a motion by P. Morrison, seconded by S. Black, it was

VOTED: to issue the OOC under the Wetlands Protection Act for the proposed drainage ditch maintenance, 171 Lowell Road, DEP #169-1118. The vote was unanimous.

Upon a motion by P. Morrison, seconded by S. Black, it was

VOTED: to issue the OOC under the Groton Wetlands Protection Bylaw for the proposed drainage ditch maintenance, 171 Lowell Road, DEP #169-1118. The vote was unanimous.

Moving on to Invoices, the Commission approved payment to *The Groton Herald* in the amount of \$212.63 for publication of legal notices. The Commission also approved payment to A1 Odd Jobs in the amount of \$500.00 for mowing of the fields at Crosswinds Drive and Smith Street. In addition, the Commission approved a cost estimate from Sierra Tree Service, not to exceed \$240.00, for cleanup/removal of the damaged willow tree at O'Neill Way. T. Tada will notify Sierra Tree Service to proceed with the work.

Moving on to Land Management updates, T. Tada reported that he gave Harris Farms notice to proceed with the field mowing and brush clearing at Baddacook Field (a.k.a. Shattuck Homestead). B. Easom asked if we received a cost estimate for installation of an agricultural well. T. Tada said we only had a verbal "ballpark" estimate of between \$6,000 and \$10,000 from James Morey of Skillings & Sons.

On the topic of Williams Barn, B. Easom said he would try to find out when the next meeting of the Williams Barn Committee will be held. The Commission reviewed a draft Memorandum of Understanding (MOU) prepared by M. Giguere. P. Morrison noted that the inclusion of weddings and other private events under 'Permitted Activities' would enhance the property's status a community asset and also generate revenue that could be used to cover maintenance costs. He clarified that the 'hay loft' is actually a root cellar/silo. He also suggested moving item 5.3 ('work within buffer zone') from the 'Prohibited Activities' section, up into Section 4 'Permitted Activities' with the caveat that such work requires Conservation Commission approval through an RDA or NOI filing. M. Giguere asked T. Tada to add the appropriate reference to the procurement law in Section 8.

Upon a motion by P. Morrison, seconded by B. Easom, it was

VOTED: to approve the Williams Barn MOU, as amended. The vote was unanimous.

On the issue of possible encroachment and tree clearing on Longley Estates II Conservation Area, Chairman Smigelski and P. Morrison said they walked the designated trail and did not observe any clear evidence. S. Black said she reviewed the available aerial photographs dating back to 2008 and there doesn't appear to be any significant change since then.

On the topic of the Conservation Property Inventory, M. Metzger provided the following reports and noted that John Strauss is the volunteer steward for these properties:

- Hemlock Grove: 6.5 acres of hemlock forest off Fox Run and Pepperell Road. Connects with Integrity Estates and Lawrence Park. No issues.
- Integrity Estates: 5.6 acres deeded as part of Integrity Estates special permit. Connects with Hemlock Grove and Lawrence Park. Wooded, with potential vernal pool. Encroachment by abutter Dana McKiel (6 Integrity Way) observed in 2009 included fencing, play equipment, and retaining wall. Fencing and play equipment were removed in 2010; retaining wall remains. M. Metzger observed trash and landscape debris. Motorized vehicles are allowed in the deed.
- Lawrence Park: 13.4 acres deeded as part of Fox Run subdivision special permit. Connects with Hemlock Grove and Integrity Estates. Motorized vehicles allowed per the deed.

T. Tada mentioned two issues pertaining to trails on Walker-Cox Conservation Area, as reported by the Trails Committee. The Groton Conservation Trust (GCT, holder of the Conservation Restriction on these parcels) objected to one portion of the new trails proposed by the Trails Com and approved by the Commission. The GCT's objection was based on proximity to a vernal pool and disruption of vernal pool habitat. The Trails Com will no longer build the portion of trail that the GCT objected to. The second issue reported by Trails Com is the difficulty of installing posts and signs at the trailhead because of the rocky substrate. Paul Funch of the Trails Committee wanted to know if the DPW could assist with the installation of trail posts and Pedestrian/Equestrian Crossing signs.

On other Land Management topics, P. Morrison reported that the Commission's mower is back in his possession for the winter and in need of repairs. It may need to be serviced professionally. Regarding the unauthorized mowing of the field at the corner of Hidden Valley Road and New Pond Road, T. Tada said he spoke with the attorney for the subdivision developers, Robert and Dennis Lacombe. The attorney, Robert Collins, said he would advise his clients to consult with the Commission about future maintenance of the parcel. M. Metzger said she is working on a list of native plants recommended for use in wetland buffer zones, as well as a list of local nurseries that sell native plants.

Updating the status of projects at Sargisson Beach, R. Swezey reported that the bank restoration work is underway. Leone's Landscaping & Construction of Shrewsbury (Kevin Leone) was awarded the contract. R. Swezey also mentioned that the Eagle Scout Project at the North Point (Ian Henriques, Troop 3) will have an estimated project cost of \$250. This was not included in the RDA application submitted by Mr. Henriques. T. Tada will ask him to provide a letter with cost estimate for the Commission to review.

Moving on to Tennessee Gas Pipeline Working Group Committee updates, P. Morrison mentioned that Kinder Morgan has submitted its alternative routes assessment to FERC, and has also canceled the Open Houses that were scheduled to be held in November and December.

On the topic of Community Preservation Committee (CPC) updates, B. Easom reported that Groton would receive \$244,907 in FY16 from the statewide Community Preservation Act Trust Fund. He said applications for the next cycle are over-subscribed, based on the project

summaries that were submitted last month. Full applications will be due in February. B. Easom encouraged the Commission to think about land acquisition priorities for the coming year. M. Metzger suggested the 28-acre Mary Allen parcel on West Main Street/Route 225 (Assessors Parcel 211-52).

Moving on to Open Session, the Commission considered a plan change request for 35 Cannery Row, Squannacook River Bank Restoration, DEP #169-1107 (C. Canner). The applicant wishes to relocate the proposed access and staging area from the lawn on the south side of the existing house, to the existing gravel driveway area to the north of the house. The relocated access and staging area will improve access to the riverbank; result in less overall disturbance to the existing site conditions; and eliminate the need to restore the lawn.

Upon a motion by B. Easom, seconded by R. Swezey, it was

VOTED: to approve the minor plan revision, dated 11/11/2014, for 35 Cannery Row, DEP #169-1107. The vote was unanimous.

On another Open Session topic, T. Tada mentioned a request by David Burnham of the Trails Com to organize a charity mountain bike ride on the trails at Williams Barn/Sorhaug Woods. The event would collect toy donations for Toys For Tots. Mr. Burnham hopes to hold the ride later this month or in early December. T. Tada forwarded his request to the Chairman of the Williams Barn Committee, Leo Wyatt, to coordinate the date of the ride.

Upon a motion by P. Morrison, seconded by B. Easom, it was

VOTED: to approve the request of David Burnham to hold a charity mountain bike ride at Williams Barn/Sorhaug Woods, the date TBD.

There being no further business, upon a motion by B. Easom, seconded by P. Morrison, it was

VOTED: to adjourn the meeting at 9:30 p.m. The vote was unanimous.

Notes taken by

Takashi Tada
Conservation Administrator

Exhibits on file at Conservation Commission Office:

1. RDA, Hollingsworth & Vose Power Plant Upgrade, 219 Townsend Road
2. NOI, House Reconstruction, 99 Boathouse Road (Holly), DEP #169-1117
3. Resource Management Plan, Surrenden Farm West

4. Conservation Restriction, Former Squannacook Sportsman's Club
5. OOC, Groton School Landfill Remediation, DEP #169-1084
6. OOC, Drainage Maintenance, 171 Lowell Road, DEP #169-1118
7. Conservation Property Inventory
8. Revised Plan, River Bank Restoration, 35 Cannery Row, DEP #169-1107

Approved 2/24/2015