

GROTON CONSERVATION COMMISSION

Minutes

Tuesday, November 25, 2014

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

7:00 – Public Hearing: NOI, Dry Hydrant, Lost Lake Fire Protection Project (Town of Groton) – DEP#169-1120

Water Superintendent Tom Orcutt and environmental consultant Charles Caron presented the Notice of Intent (NOI) application on behalf of the Town of Groton. The proposed dry hydrant on Island Road is one component of the Lost Lake Fire Protection Project. Other components of the project are being reviewed under a separate RDA filing. Installation of the dry hydrant will temporarily disturb Land Under Water and Bank resource areas associated with Knops Pond. The dry hydrant on the Town's Island Road parcel (just east of the bridge) will draw water from Knops Pond via a 6-inch pipe trenched below the winter water elevation. Proposed erosion controls consist of silt fencing on land, and turbidity curtain for work in the water. The Commission conducted a site walk on 11/22/14.

P. Morrison asked what they propose to do with excavated material. Mr. Caron said they plan to reuse excavated material in place (*i.e.* backfill). M. Metzger asked for an explanation of how the dry hydrant works. Mr. Orcutt said the Fire Department would hook up to the dry hydrant on Island Road and pump water directly out of the pond via the pipe. B. Easom asked what kind of equipment would be used to install the pipe. Mr. Orcutt anticipated a long-reach excavator would be used. B. Easom followed with a question about whether the excavator would be positioned up on the road, or down on the beach/bank area. Mr. Orcutt said it would be at the contractor's discretion. The project would not go out to bid until after Town Meeting in the spring. Chairman Smigelski asked if they had considered using a mole-type excavator to install the pipe. Mr. Caron said they anticipated the substrate being too stony for a mole to work.

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

VOTED: to close the public hearing for Dry Hydrant, Lost Lake Fire Protection Project DEP#169-1120. The vote was unanimous (4-0).

Moving on to General Business, the Commission reviewed the draft OOB for the house reconstruction at 99 Boathouse Road, DEP #169-1117. The public hearing was closed on 11/12/2014.

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

VOTED: to issue an OOC under the Wetlands Protection Act for house reconstruction at 99 Boathouse Road, DEP #169-1117. The vote was unanimous (4-0).

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

VOTED: to issue an OOC under the Groton Wetlands Protection Bylaw for house reconstruction at 99 Boathouse Road, DEP #169-1117. The vote was unanimous (4-0).

7:20 p.m. – Public Meeting: RDA, Water Mains and Cisterns, Lost Lake Fire Protection Project (Town of Groton)

Tom Orcutt and Charles Caron presented the proposed cisterns and water main extensions that are part of the Town's Lost Lake Fire Protection project. Two cisterns, each with capacity of 50,000 gallons, are proposed. One cistern will be located on property of Grotonwood Camp between the parking lot and Off Prescott Street; the other on property of the Groton Conservation Trust on the east side of Weymisset Road. The cisterns will be water tight and will provide approximately two hours of supply for firefighting. Both property owners have granted easements to the Town. The water main extensions will be installed within the existing rights-of-way along Boston Road (Route 119) between Lakeside Drive and the A-L Prime gas station; on Summit Avenue between Lakeside Drive and Birchwood Avenue; on Lakeside Drive from Boston Road to Ridgewood Avenue; along the entire length of Pine Trail; and on Lost Lake Drive between Pine Trail and Lone Lane. A portion of the water main along Lost Lake Drive, near Lone Lane, is within 100 feet of the pond. Otherwise, all of the proposed work appears to be outside of the Commission's jurisdiction. The Commission conducted site walks on 11/22/14.

M. Metzger asked how the cisterns will be filled. Mr. Caron said they would be filled from a tanker by the Fire Department. M. Metzger also asked if there were any concerns about mosquito breeding in the cisterns. Mr. Caron responded that the cisterns would be underground and sealed, and he did not think mosquitos could breed inside them. B. Easom suggested that the work along Boston Road could be done without the need for erosion controls. The work will occur on the north side of Boston Road, while the nearest resource area is over 200 feet to the south of the road. B. Easom also noted that they observed no wetland vegetation and found no evidence of hydric soils in the proposed cistern areas during the site walk. P. Morrison asked if the water mains would create a system loop off Lowell Road (Route 40). Mr. Orcutt said no, although it would bring them closer to establishing a loop. P. Morrison also asked if residents would be able to connect to the water mains for potable water. Mr. Orcutt said they would include a provision in the RFP for contractors to bid on residential stubs. He added that it is likely to add significant cost to the project. B. Easom asked for confirmation that the water main along Lost Lake Drive would be installed on the pond-side of the road. Mr. Caron confirmed.

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

VOTED: to issue a Negative #3 Determination for the water mains and cisterns of Lost Lake Fire Protection project. The vote was unanimous (4-0).

7:35 p.m. – Discussion: Blackman Conservation Restriction, Indian Hill Road, Parcel 236-33 (Groton Conservation Trust)

Ed McNierney of the Groton Conservation Trust (GCT) informed the Commission that Arthur & Camilla Blackman have granted a Conservation Restriction (CR) to the GCT on 15.8 acres of land off Indian Hill Road (Assessors Parcel 236-33). The parcel includes approximately 9 acres of vegetated wetland and 3.5 acres of field. A surveyed building envelope is prescribed in the eastern part of the parcel to allow for one single-family dwelling to be built. The parcel abuts properties of the GCT, which in turn abut properties of the Commission (Half Moon Swamp) and MassAudubon (Rocky Hill). It also provides habitat for rare turtles and other wildlife. The CR has been approved by the Secretary of Energy and Environmental Affairs. Mr. McNierney further explained that the property was previously held by the Blackman Family Trust. In order to be able to donate the CR, the Blackmans had to first buy back the land (*i.e.* take it out of the Trust). Mr. McNierney said the GCT requests a letter of recommendation to the Board of Selectmen to accept the CR.

B. Easom asked if this donation was driven by tax benefits. Mr. McNierney reiterated that the Blackmans had to buy the land out of their family trust before they could donate the CR. He also emphasized the property's conservation value due to rare species habitat and connectivity to other protected parcels. M. Metzger asked if the wetland vegetation consisted primarily of invasive *Phragmites*. Mr. McNierney responded that the wetland now is almost entirely *Phragmites*, and before that it was mostly another invasive, Purple Loosestrife.

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

VOTED: to recommend acceptance of the Blackman CR by the Board of Selectmen. T. Tada will write the letter to the Selectmen. The vote was unanimous (4-0).

7:45 p.m. – Discussion: Eagle Project, Sargisson Beach North Point (Ian Henriques, Troop 3)

Ian Henriques presented the estimated cost for his Eagle project at Sargisson Beach. He needs to purchase 2 boxes of timber locks for the box steps, and 3 tons of ¾-inch stone for filling the box steps. Timbers and rebar are already available at the site, and the landscaping mulch is being supplied free of charge by GELD. The total cost estimate, including contingency, is \$250. P. Morrison suggested the Commission offer to cover the relatively low cost, given the public benefit of the project.

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

VOTED: to authorize reimbursement of Ian Henriques' project costs out of the Land Management Fund. The vote was unanimous (4-0).

Moving on to General Business, the Commission considered a plan change request for the river bank stabilization project at 35 Cannery Row, DEP #169-1107 (Carl Canner). The applicants would like to extend the northern limit of bank stabilization work approximately 12 feet, in order

to achieve a better transition to the existing bank topography and to protect a large white pine tree above the bank from being undercut.

P. Morrison asked if the work would change the contour of the bank. T. Tada said the revised plan is to simply extend the northern end of bank stabilization work to the point where the existing top of bank is at the same elevation. M. Metzger said the proposed change seems to make sense.

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

VOTED: to approve the revised plan as a minor change to the OOC for 35 Cannery Row, DEP #169-1107. The vote was unanimous (4-0).

Moving on to Invoices, the Commissioners signed an invoice from the Lowell Sun in the amount of \$303.00 for two public hearing legal notices.

Moving on to Land Management issues, T. Tada reported that the crew from Harris Farms has not started the vegetation clearing work at Baddacook Field. They are finishing up a job elsewhere and will begin at Baddacook Field as soon as time and weather allow. B. Easom requested that T. Tada inquire about the approval process for an agricultural well at Baddacook Field. T. Tada will consult with the Board of Health and ask for time on the next BOH agenda, if necessary.

On the topic of Williams Barn/Sorhaug Woods, the Commission asked T. Tada to check with Town Manager Mark Haddad about any potential liability or other legal issues that may relate to the Commission's approval of a Toys For Tots charity bike ride on its property. At its meeting on 11/12/2014, the Commission approved the request by David Burnham of the Trails Committee to hold the event at Williams Barn/Sorhaug Woods.

On the topic of Conservation Property Inventory, M. Metzger provided a comprehensive map reference list of Town-owned conservation lands (not including Conservation Restrictions held by the Town). The lands are grouped by geography and include the acreage of each parcel, as well as Assessor Parcel ID # and Groton Conservation Trust Map #. Commissioners thanked M. Metzger for her continued excellent work on the property inventory.

Moving on to Pipeline Working Group update, P. Morrison mentioned that Kinder Morgan Energy Partners have given official notice to the Federal Energy Regulatory Commission (FERC) that the route through southern New Hampshire is now the preferred route of their proposed natural gas pipeline. The Massachusetts route (including Groton) remains a possible alternate route.

On the topic of proposed revisions to Regulations under Groton's Wetland Protection Bylaw, T. Tada said he would send around the latest draft revisions from M. Giguere for review.

Moving on to Open Session items, T. Tada brought up a recently received letter from resident Peter Macy, 716 Martins Pond Road. Mr. Macy's property abuts Baddacook Pond and his family has helped to maintain the beach on Baddacook Pond for 40 years. He mentioned recent attempts by a neighbor to assert control over the beach and drive away fishermen. He did not mention the neighbor's name in his letter. Commissioners suggested arranging a site visit and notifying Mr. Macy.

T. Tada also mentioned that the Great Pond Advisory Committee (GPAC) appears to be pushing forward on its plans to submit a NOI for use of herbicides in Baddacook Pond to control invasive aquatic weeds. A member of the Board of Water Commissioners (BOWC) asked T. Tada if anything had been submitted to the Conservation Commission. Nothing has been received to date. The BOWC objects to the use of herbicides in the pond due to the presence of Baddacook Well and its associated Zone 1 protection area that includes a portion of the pond. The BOWC also claims to have ownership rights to the waters in the pond. Commissioners expressed hope that GPAC and BOWC could sort things out.

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

VOTED: to adjourn the meeting at 8:30 p.m. The vote was unanimous (4-0).

Notes taken by

Takashi Tada
Conservation Administrator

Exhibits on file at Conservation Commission Office:

1. NOI, Dry Hydrant on Island Road, Lost Lake Fire Protection, DEP #169-1120
2. RDA, Water Main Extensions & Cisterns, Lost Lake Fire Protection
3. OOC, House Reconstruction, 99 Boathouse Road, DEP #169-1117
4. Plan of Land, Blackman CR, Indian Hill Road (GCT)
5. Revised Plan, Squannacook River Bank Restoration, 35 Cannery Row, DEP #169-1107
6. Conservation Property Inventory, Map References
7. Draft Revisions, Regulations under Groton Wetlands Protection Bylaw

Approved 3/10/2015