

GROTON CONSERVATION COMMISSION

Minutes

Tuesday, June 23, 2015

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

Beginning with General Business, the Commission discussed the ADA Self-Evaluation and Transition Plan inventory list. ADA Coordinator Michelle Collette has asked the Commission to identify its top 3 priority sites for evaluation. The priority sites will be evaluated first.

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

VOTED: to prioritize Sargisson Beach, Williams Barn-Sorhaug Woods, and Petapawag Boat Launch for evaluation. The vote was unanimous.

Continuing with General Business, T. Tada reported that the Board of Selectmen has requested a three-year extension of the Order of Conditions (OOC) for Lost Lake/Knops Pond Weed Management, DEP #169-1086. T. Tada requested that they provide a copy of the 2014 Annual Report from the weed management consultant before the Commission considers the extension request. The current OOC expires in October.

Moving on to Meeting Minutes Approval, the Commission reviewed draft minutes from 5/12/2015 and 5/26/2015.

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

VOTED: to approve the minutes from 5/12/2015, as written. The vote was unanimous.

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

VOTED: to approve the minutes from 5/26/2015, as written. The vote was unanimous.

The Commission also approved an invoice from *The Groton Herald* newspaper for legal notices in the amount of \$84.00.

T. Tada asked the Commission to consider adjusting the September meeting schedule to work around his vacation planned from August 31 – September 14. There is an extra week in September which allows the meetings to be scheduled on September 15th and 29th.

7:10 p.m. – Public Meeting: RDA, Gas Main Extension, 129 Culver Road

Applicant: Boston Gas Company d.b.a. National Grid

Representative: Devleena Ghosh-Brower, Tighe & Bond, Inc.

Site Walk: 6/20/2015

Devleena Ghosh-Brower of Tighe & Bond presented National Grid's RDA proposal to extend the gas main on Culver Road from its intersection with Dolan Drive, to provide service to the new house at 129 Culver Rd. The house itself is actually located in the Town of Ayer, but the service connection would be at the southern end of the road right-of-way (ROW) near the Groton-Ayer line. The gas main alignment is entirely within the ROW, which crosses James Brook via a relatively new culvert. Portions of the ROW are within Riverfront Area, Buffer Zone, and Bordering Land Subject to Flooding.

P. Morrison said he had no issues with the proposed gas main, but was concerned about the house in Ayer being served by Groton infrastructure. S. Black asked about the elevation of the proposed gas main in relation to the culvert. Ms. Ghosh-Brower said the gas main will be installed above the top of the culvert; therefore the culvert itself would not be impacted. B. Easom asked about the proposed gas main alignment as shown by the red line on Photo 5 of the RDA. The red line appears to stray off the existing road. Ms. Ghosh-Brower said the actual alignment was marked in the field and is fully within the road. The red line in the photo was not accurate. B. Easom said he would like a revised version of Photo 5 with the corrected alignment. He also asked about the location of storm drains nearby and said he would like to see them protected with silt sacks. Ms. Ghosh-Brower said the nearest catch basins were at the intersection of Culver Road and Dolan Drive, and they would be protected with silt sacks during construction. T. Tada said National Grid would need a road opening permit from the Groton DPW and he recommended erosion controls be added to protect the resource areas and buffer zone, which includes a wetland replication area from the previous project at 127 Culver Rd.

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

VOTED: to issue a Negative Determination of Applicability for the gas main extension to 129 Culver Road, subject to the following three (3) special conditions:

1. Applicant will provide a revised Photo 5 showing the actual alignment.
2. Applicant will install erosion controls within 50 feet of the BVW.
3. Applicant will notify the Commission prior to start of work.

The vote was unanimous.

7:25 p.m. – Public Hearing (cont'd): NOI, Boulder Wall and Filling, 60 Valley Road, DEP #169-1125

Applicant: Paul Johnson

Representative: Josh Degen, Earthscape Inc.

Site Walk: 6/6/2015

Paul Johnson of 60 Valley Road briefly summarized his proposed project to rebuild a retaining wall that existed previously and has been damaged due to flooding. He proposes to build a boulder wall approximately 98 feet along the bank of Whitney Pond, and to backfill behind the wall to level off his property.

S. Black read M. Giguere's comments submitted by email. M. Giguere noted that the proposed filling within the floodplain requires compensatory flood storage under the Wetlands Protection Act and local bylaw. As proposed, the project cannot be approved due to the floodplain issue. M. Giguere recommended the applicant hire a qualified engineering consultant to design a project that can meet the floodplain performance standards. He also posed questions about the regulations as they pertain to placement of the boulder wall only at the top of the bank, and also the regulations for beach nourishment under Chapter 91.

Mr. Johnson said he was not happy with the prospect of hiring an engineer and asked if the Commission could recommend one. The Commission said there are a number of reputable engineering firms located in nearby towns that are familiar with the state and local regulations.

M. Metzger asked if the applicant would consider adjusting his plan to avoid filling in the floodplain. Mr. Johnson said he did not want to adjust the plan and suggested that others residents in town did work in floodplain without going through the same process. Chairman Smigelski assured Mr. Johnson that everyone had to abide by the same rules and, speaking from personal experience, it pays to hire an engineer to do things properly and withstand scrutiny from abutters. Mr. Johnson asserted that his property was being flooded out by manipulation of the water levels at the Lost Lake dam, and he expressed frustration with the bureaucratic red tape.

P. Morrison pointed back to M. Giguere's questions and asked if there were any answers. T. Tada said he had referred the questions to MassDEP.

Upon a motion by B. Easom, seconded by P. Morrison, and with Mr. Johnson's approval, it was

VOTED: to continue the public hearing for 60 Valley Road, MassDEP #169-1125, to 7/14/2015. The vote was unanimous.

Moving on to General Business – Land Management, B. Easom reported that the Board of Selectmen approved the draft charge of the soon-to-be-formed Invasives Control Committee.

Upon a motion by M. Metzger, seconded by P. Morrison, it was

VOTED: to appoint S. Black as the Commission's representative on the Invasives Control Committee. The vote was unanimous.

S. Black said the education/outreach component is the key to long-term invasive species control. M. Metzger agreed and pointed out the impact that can be had by working with homeowners such as the recent RDA applicants on West Main Street and Gratuity Road. She said she is starting to work on an informational pamphlet to inform residents about invasive plants, which

will incorporate some of the photos/info already compiled by S. Black. Helene Cahen-Easom of Martins Pond Road said it would be most helpful to have large color photos of invasive plants that are found in Groton, and to post the photos on the internet. M. Metzger said there were already many websites devoted to invasive species. Ms. Cahen also said she was very concerned about Black Swallow-wort and wondered if there were any organic methods for dealing with this invasive plant. S. Black suggested a flame weeder as one method. Chairman Smigelski mentioned that the Groton School used a product called Burnout, which he thought was an acetic acid-based product. S. Black also said that the seeds of Black Swallow-wort have been shown to be viable for only two years, according to a recent study.

On the topic of Surrenden Farm, T. Tada reported that MassWildlife's bird ecologist, Drew Vitz, conducted a site visit to view the Bobolinks using the fields. MassWildlife has indicated a willingness to consider alternatives to the current haying restriction (no mowing before July 15th) that could include one early (springtime) mowing followed by a mid-summer mowing to protect Bobolinks during their peak breeding period (late May through July).

On the topic of Gibbet Hill Conservation Restriction, B. Easom said he met with Paul Funch and David Pitkin of the Trails Committee to discuss his proposed bridge project. They also met with Meredith Scarlet to discuss potential reroute of the trail off Martins Pond Road, across from Orchard Lane. Ms. Scarlet was eager to improve this portion of the trail and was not happy about having to abide by the provisions of the CR for doing so. Chairman Smigelski said he would talk to her about it.

(S. Black departed at 8:10 p.m.)

Continuing with Land Management Updates, T. Tada mentioned the possibility of having Senior Work Program participants do routine trail maintenance on Commission properties, under the supervision of Trails Committee Chairman Paul Funch. Members of the Commission were supportive of the idea.

Moving on to CPC Update, B. Easom reported there is an open seat on the Community Preservation Committee due to the resignation of Gineane Haberlin. He encouraged Commission members to recruit conservation-minded volunteers to fill this vacancy.

T. Tada reported that former Commission member Nadia Madden is interested in getting involved again as an associate member and possibly as property steward of Academy Hill Conservation Area. T. Tada will provide the stewardship

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

VOTED: to appoint Nadia Madden as an associate member.

M. Metzger provided a draft introduction to the Conservation Property Inventory that she is working on. She has completed her assessment of Commission properties in the northwest part of town. The draft introduction borrows from Bob Pine and other sources.

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

VOTED: to adjourn the open session (not to return) and move into Executive Session pursuant to MGL Ch. 30A, Sec. 21(6). The roll call vote was unanimous (5-0).

The meeting was adjourned at 8:35 p.m.

Notes taken by

Takashi Tada
Conservation Administrator

Exhibits on file at Conservation Commission Office:

1. Meeting Minutes, 5/12/2015
2. Meeting Minutes, 5/26/2015
3. RDA, Gas Main Extension, 129 Culver Road
4. NOI, 60 Valley Road, MassDEP #169-1125.
5. OOC, Lost Lake/Knops Pond Weed Management, DEP #169-1086
6. Draft Conservation Property Inventory

Approved 7/28/2015