

GROTON CONSERVATION COMMISSION

Meeting Minutes

Tuesday, December 8, 2015

Peter Morrison (Vice Chairman) called the meeting to order at 7:00 p.m. with Susan Black (Clerk), Rena Swezey, Eileen McHugh (new member), Marshall Giguere, and Bruce Easom present. John Smigelski (Chairman) was absent. Conservation Administrator Takashi Tada was present. S. Black read the public meeting/hearing notices at the indicated times.

7:00 p.m. – Public Hearing (cont'd): NOI, Proposed Driveway, Groton School, MassDEP #169-1131

Applicant/owner: Groton School

Representatives: Robert Collins, attorney; Andy Truman, engineer (Samiotes Consultants)

Site Walk: 11/7/2015

Andy Truman reviewed the Groton School's responses to comments from MassDEP, as noted in an email correspondence dated 12/8/2015. Mr. Collins said he was confident that all of MassDEP's comments had been addressed, although confirmation has not been received. Mr. Collins also stated the proposed donation of a portion of the Decilio property (approximately 7.4 acres) was ready to proceed.

M. Giguere asked about proposed grading within the Buffer Zone, and the distances to be spanned by each culvert (arch) wetland crossing. Mr. Truman confirmed the grading will not exceed 3:1 slopes. The two shorter crossings over the agricultural drainage ditches will span 28', while the longer span across the BVW will be a 48' arch.

S. Black said it would be nice if they proposed to control some of the invasive plants. Mr. Collins responded that they will perform routine maintenance per the Stormwater O&M Plan. B. Easom asked if the project had been reviewed by NHESP for rare species. Mr. Collins said the project was not located within rare species habitat per NHESP.

Marion Stoddart of the Greenway Committee said she would be glad to see the Decilio property protected. She asked if the driveway surface would be permable. Mr. Truman said no, the surface would be paved because they need to keep it plowed for the school buses. Mr. Collins stated that the water quality swales, sediment forebays, and detention basins that are part of the driveway's stormwater design will provide better runoff mitigation than an unpaved surface.

M. Giguere asked about the land donation process. Mr. Collins said Groton School had a purchase/sale agreement in place with the Decilios. He would record the deed of transfer to the Commission at the same time as the Order of Conditions, after the appeal period has lapsed.

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

VOTED: to close the public hearing for Groton School Driveway, MassDEP #169-1131.
The vote was 5 in favor, with one abstention (E. McHugh).

Mr. Collins reminded the Commission to take up formal acceptance of the land donation at its next meeting.

Moving on to General Business, the Commission discussed the request for Certificate of Compliance for Groton School Landfill Remediation, MassDEP #169-1084. B. Easom recapped the site inspection that occurred on 12/5/2015. The erosion controls remain in place, and an area of minor rutting was observed on either side of the cart path due to vehicles turning around in that spot. Mr. Collins said he would notify Tim Dumont of the Groton School to have the rutted area repaired. Erosion controls will be removed once the ground surface is frozen, to minimize disturbance.

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

VOTED: to issue a Certificate of Compliance for Groton School Landfill Remediation, MassDEP #169-1084, contingent upon the following:

1. Satisfactory removal of erosion controls.
2. Repair of minor rutting from vehicles.

The vote was 5 in favor, with one abstaining (E. McHugh).

Moving on to General Business, the Commission reviewed draft meeting minutes from 11/24/2015. There were no revisions.

Upon a motion by S. Black, seconded by R. Swezey, it was

VOTED: to approve the meeting minutes from 11/24/2015 as written. The vote was 4 in favor, with 2 abstaining (E. McHugh and M. Giguere).

On another General Business topic, the Commission agreed to hold its next regular meeting on Monday, December 21st to accommodate T. Tada's vacation schedule.

7:20 p.m. – Public Meeting: RDA – Pedestrian Access Improvements, Groton School

Applicant/owner: Groton School

Representatives: Robert Collins, attorney; Andy Truman, engineer (Samiotes Consultants)

Site Walk: 12/5/2015

Mr. Collins described the Groton School's long-range plan to install sidewalks along Farmers Row, Peabody Street, and Old Ayer Road to create a pedestrian friendly connection between the school and the town center. The project will improve safety for students and provide an amenity for all town residents. The first phase of the project will occur along Farmers Row and Peabody

Street, on road frontage owned by Groton School. There is a wetland area near the first phase project limit on Peabody Street, and also a wet meadow area on the east side of Farmers Row across from the South Gate of the school. The proposed sidewalk would encroach into the Buffer Zone in these areas, but the work will be confined to existing landscaped areas greater than 50' from the wetlands. The intersection of Peabody Street/Farmers Row will be improved as part of this first phase. The second phase of the project will require a NOI filing for the wetland impacts, and also involves other property owners.

M. Giguere agreed the project had clear public benefits. He said the second phase would be more interesting from a design and permitting perspective due to wetlands and rare species. He asked about erosion controls. Mr. Collins said erosion controls were proposed along the entire length of sidewalk. M. Giguere recommended erosion controls within the Buffer Zone, but thought it was unnecessary to install them elsewhere.

E. McHugh asked if there would be a grass strip between the sidewalk and the road. The applicants said there would be a grass strip ranging in width from 5' to 15'. B. Easom asked if the grass strip could be pitched/graded to function like a pre-treatment swale for the sidewalk runoff. Mr. Truman said the plan specifications call for a 1.5% pitch to both the sidewalk and grass strip.

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

VOTED: to issue a Negative #3 Determination for the Groton School's Pedestrian Access Improvements project, subject to the following special conditions:

1. Erosion controls to be installed within the Buffer Zone.
2. No stockpiling of soils or parking of machinery, within the Buffer Zone.

The vote was unanimous.

7:30 p.m. – Discussion: Land Donation, Assessors Parcel 124-22, Balsam Walk (Gustin)

Robert Collins presented an offer on behalf of Beverly Gustin to donate approximately 6,000 square feet of land (0.14 acre) on Lost Lake, adjacent to the Woodle Conservation Restriction parcel. Mr. Collins said he would handle the recording of the deed, if the Conservation Commission agrees to accept the donation and pay the outstanding property tax bill. Mr. Collins provided a copy of the FY16 real estate tax bill, which amounts to \$284.40.

R. Swezey said the Assessors could not reduce the tax liability through an abatement.

B. Easom asked if there was public access over the adjacent CR land. Mr. Collins said the public is allowed to access the CR land via Arrow Trail or Balsam Walk. B. Easom also asked if the CR allowed for signage and/or trail markers. Mr. Collins said yes, the CR allows for trail markers and signage.

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

VOTED: to accept the donation of Parcel 124-22 from Beverly Gustin. The vote was unanimous.

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

VOTED: to pay the outstanding real estate tax bill for Parcel 124-22, the amount not to exceed \$300.00, to be paid out of the Conservation Fund. The vote was unanimous.

Moving on to other General Business, T. Tada explained the wetlands violation observed at the Groton Country Club, and presented a copy of the Enforcement Order issued to the Town. The 8th Hole tee box is being renovated by a landscape contractor. The work involves replacing the aging wooden retaining wall with a new, concrete block wall. The contractors are installing a crushed stone drip trench with drainage pipe below the wall. They dug the trench/pipe into the adjacent BVW. The area of impacted wetland is relatively small (approximately 50 square feet), but such work would not have been permissible even if they filed a NOI beforehand, because it occurs within the Petapawag Area of Critical Environmental Concern (ACEC). T. Tada said he had already met with Mark Haddad (Town Manager) and Shawn Campbell (Country Club General Manager/Golf Pro) and is in the process of filing a NOI on behalf of the Town. He asked if the Commission would consider not ratifying the Enforcement Order, at the Town Manager's request.

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

VOTED: to ratify the Enforcement Order issued to the Groton Country Club. The vote was 5 in favor, with one abstaining (R. Swezey).

7:45 p.m. – Public Meeting (cont'd): RDA, Eagle Project at Bertozzi Conservation Area (Chris Brown)

Applicant: Christopher Brown, Troop 1, West Groton

Owner: Conservation Commission

Site Walk: 7/11/2015

Chris Brown presented the site plan layout for his proposed Eagle Project to install temporary fencing and netting along a portion of the Squannacook River. The goal of the project is to reduce erosion by keeping people/pets off the sensitive bank area, and to stabilize the area to allow revegetation. Mr. Brown said the total length of fence is 47', and the nearest point to the top of the bank is 2.5'. He will install a sign along the walking trail encouraging users to stay on the trail, and another sign on the fence indicating the restoration project area.

Commission members were very supportive of Mr. Brown's project and liked the site plan layout and revised signage proposal. M. Giguere recommended using aluminum nails with grommets to mount any signs to trees.

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

VOTED: to issue a Negative Determination (Nos. 2 & 3) to Chris Brown for his Eagle Project at Bertozzi, subject to the following conditions:

1. Work to be done as described and shown on the plan.
2. Use aluminum nails with grommets for mounting signs to trees.

The vote was unanimous.

Moving on to General Business – Land Acquisition, M. Giguere reported that he spoke with Clifford Robison about the North Woodlot (Robison) parcel donation. Mr. Robison is fine with the language of the Deed, and will return the signed/notarized document along with a photograph of his mother to use in a press release.

On the topic of Land Management, T. Tada updated the group on the Longley Estates II Conservation Area, following the site walk on 12/5/2015. The Longley II sign is temporarily located behind the shed at Town Hall. The sign had been placed on the wooded lot that was finally cleared for development this year. He said the new resident at 45 Drumlin Hill Road, Jim Salemme, wanted to know if the cleared area behind his property would remain cleared. M. Giguere said he would like to keep it open as an area of edge habitat for birds and other wildlife. He suggested allowing Mr. Salemme to mow it and asking him to become a volunteer Steward for the property.

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

VOTED: to allow the resident at 45 Drumlin Hill Road to mow the open area behind his property on Longley II Conservation Area up to three (3) times per year. The vote was unanimous. T. Tada will ask Mr. Salemme if he is interested in being a Steward.

On the topic of the Resource Management Plan (RMP) for Surrenden Farm, T. Tada reported that he met with Pat Huckery, Jenn Jones, and Liz Newlands of MassWildlife on 12/4/2015 for the second round of discussions on the RMP update. On the recommendation of the state ornithologist, Andrew Vitz, MassWildlife is no longer open to considering a revised mowing schedule for the hay field (Management Zone 2), at least until they gather more data about the breeding status of Bobolinks and other grassland birds that might be using the fields. B. Easom suggested adding a provision to the updated RMP that would allow for changes to be made before the end of the 5-year effective period. The next meeting is scheduled for 1/14/2016 at 10:30 a.m.

8:10 p.m. – Public Hearing (cont'd): NOI, 211 Whiley Road (Scalley), MassDEP #169-1130
Applicants: Tim & Stephanie Scalley
Owner: Robin F. Lawrence
Representatives: Don Black; Jack Visniewski of Cornerstone Land Consultants
Site Walk: 9/12/2015

The applicants sent an email request to continue the hearing to 1/12/2016.

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

VOTED: to continue the public hearing for 211 Whiley Road, MassDEP #169-1130, to 1/12/2016. The vote was 5 in favor with one abstaining (E. McHugh).

8:15 p.m. – Public Hearing (cont'd): NOI, 60 Valley Road (Johnson), MassDEP #169-1125

Applicant/owner: Paul Johnson

Site Walk: 6/6/2015

Mr. Johnson said he had hired an engineer to prepare a revised site plan but it is not done yet. He asked for the public hearing to be continued to the next meeting.

Upon a motion by B. Easom, seconded by S. Black, it was

VOTED: to continue the public hearing for 60 Valley Road, MassDEP #169-1125, to 12/21/2015. The vote was unanimous.

P. Morrison acknowledged the resignation of R. Swezey, effective at the end of this month when she moves to a new home in Lunenburg. He thanked Rena for her many years of volunteer service.

There being no further business in Open Session, upon a motion by B. Easom, seconded by M. Giguere, it was

VOTED: to adjourn the meeting and enter into Executive Session pursuant to MGL Ch. 30A, Sec. 21(6). The roll call vote was unanimous. The Open Session meeting was adjourned at 8:25 p.m.

Notes taken by Takashi Tada, Conservation Administrator

Exhibits on file at Conservation Commission Office:

1. NOI, 211 Whiley Road, MassDEP #169-1130
2. Enforcement Order, Groton Country Club
3. NOI, Groton School Proposed Driveway, MassDEP #169-1131
4. RDA, Eagle Project at Bertozzi, Chris Brown
5. NOI, 60 Valley Road, MassDEP #169-1125
6. RDA, Groton School Pedestrian Access Improvements

Approved 12/21/2015