

GROTON CONSERVATION COMMISSION

Meeting Minutes

Tuesday, February 23, 2016

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

7:00 p.m. – Public Hearing (cont'd): NOI, Septic System, 51 Kemp Street (Ialeggio), MassDEP #169-1133

Applicant/owner: Tim Ialeggio

Representative: Doug Smith, Soilsmith Designs

Site Walk Date: 1/23/2016

Doug Smith of Soilsmith Designs was on hand for this hearing which had been continued pending issuance of a MassDEP File Number and approval by NHESP for work in rare species habitat. MassDEP issued a File Number with no comments, and NHESP issued a “no take” determination letter.

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

VOTED: to close the public hearing for 51 Kemp Street, MassDEP #169-1133. The vote was unanimous.

Moving on to General Business items, the Commission approved payment of the following:

- \$221.63 – invoice from *The Groton Herald* for various legal notices.
- \$57.28 – invoice from *The Lowell Sun* for legal notice.
- \$84.00 – reimbursement to Mary Metzger for purchase of “Marion Lake Story” DVD.
- \$1,123.00 – payment of back taxes, Parcel 124-22 (Gustin) for land donation.

The Commission reviewed draft meeting minutes from 2/9/2016. There were no comments.

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

VOTED: to approve the meeting minutes from 2/9/2016, as written. The vote was unanimous.

Under Land Management Updates, T. Tada reminded members of the next Surrenden Farm Resource Management Plan meeting with MassWildlife on 3/1/2016. T. Tada reported that he reached out to Mass Audubon about possibly including Surrenden Farm within the geographic scope of The Bobolink Project. The project provides financial incentives to farmers for delaying their mowing of fields during Bobolink breeding season. The project is primarily focused on the Connecticut River valley in Massachusetts.

Under Earth Removal Stormwater Advisory Committee Updates, E. McHugh reported that the committee approved Lawrence Academy's proposal to improve Powderhouse Road. However, they did not approve Groton School's proposed North Access driveway because of issues raised by the Town's stormwater consultant about the drainage design. A special meeting will be held on 02/29/2016 to go over the drainage issues.

7:10 p.m. – Public Hearing: NOI, septic system, 38 Ridgewood Avenue (Mallard), MassDEP #169-1134

Applicant/owner: Russell & Susan Mallard

Representative: Doug Smith, Soilsmith Designs

Site Walk Date: 2/20/2016

Doug Smith presented a construction sequence, revised plans (dated 02/19/2016, per Board of Health comments), and proof of abutter notifications for the proposed septic system repair. He also marked the trees to be removed on a separate plan sheet. The existing house and cesspool (drum or tank) are located on a small island in Knops Pond. The proposed septic design will involve an E-1 grinder pump near the house, which will pump waste to the mainland portion of the property on Ridgewood Avenue. A subsurface pipe will be installed between the island and mainland using directional drilling at a depth of 4' below the bottom of the pond.

Revisions to the plan include a note that the design is for a 2 bedroom dwelling; a ballasted ring around the base of the E-1 Grinder Pump; specification of schedule 40 pipe; a note that baseline water testing will be done for the two abutting wells; and a note about a BOH permit required to decommission the old, shallow point well.

E. McHugh asked if erosion controls would be installed around the location where the proposed grinder pump will be installed. Erosion controls are not shown on the plan in this location. Mr. Smith said he did not put them on the plan because he was unsure where to put them, if needed. The proposed grinder pump will go in the same spot as the existing drum/tank to be decommissioned. This location is below the middle of the existing wooden deck, and there is no way to install erosion controls beneath the deck. E. McHugh also asked Mr. Smith to clarify which trees will be removed, and which ones will remain. She recalled at least one large, mature tree observed during the site walk that was in the likely equipment staging area off Ridgewood Avenue. She said maintaining the tree canopy would help to protect the steep slopes, and suggested marking the trees to be saved. Mr. Smith agreed.

S. Black asked if tree stumps would be removed, and if the house was occupied year-round or seasonally. Mr. Smith said the smaller stumps would be removed. He also said the house had been occupied year-round, but the owners want to sell the property. They have an order from BOH to fix the septic system. S. Black also asked if the old leach beds would be removed. Mr. Smith said they should be removed, but he is unsure what, if anything, they will find once they start uncovering the deck and doing the work.

M. Giguere asked about handling of excess material, and he also echoed the concerns about protecting the pond during the work and decommissioning the old system. He said erosion controls need to be provided, and any digging on the island would have to be done by hand because you can't get any machinery there. Mr. Smith agreed that the work on the island near the house would involve hand digging, although a boat could be used to assist with site access and transport of materials.

B. Easom wanted to know if the drilling process is dry, or if it involves a slurry. Mr. Smith said he was unsure. B. Easom said he preferred to see a dry drilling process. If it is a wet process, then a dewatering plan needs to be in place. He was especially concerned about how to handle slurry when the drill reaches the end at the proposed grinder pump location. He also asked about the elevation datum used on the plans. Mr. Smith said he used an assumed datum of 100' based on control points at the edge of the road.

P. Morrison said he could agree to marking all the trees to be saved, as long as the contractor has some flexibility to make adjustments in the field. He asked Mr. Smith if they would be meeting with the BOH again. Mr. Smith said they will meet with the BOH on March 7th. P. Morrison suggested that they might be able to reduce some of the uncertainty about the project after further discussion with BOH. The Commission's next meeting is on March 8th.

Chairman Smigelski wanted to know more about the directional drilling process and asked if Mr. Smith could get additional information from the driller. Mr. Smith said he contact Henniker Directional Drilling to see if they had someone available to meet with the Commission.

T. Tada recommended that Mr. Smith look into any additional permitting requirements from MassDEP or the Army Corps of Engineers, for drilling under the pond. T. Tada contacted the Corps of Engineers, New England District, but did not receive a response.

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

VOTED: to continue the public hearing for 38 Ridgewood Ave., MassDEP #169-1134, to 3/8/2016. The vote was unanimous.

7:45 p.m. – Public Hearing: NOI, Tight Tank, 1 Radio Road (Radio Road Realty Trust of 2014), MassDEP #169-1135

Applicant/owner: Radio Road Realty Trust of 2014

Representative: Jack Maloney, Ducharme & Dillis Civil Design Group

Site Walk Date: 2/20/2016

Jack Maloney of Ducharme & Dillis Civil Design Group presented the proposed plan to install a 3,000 gallon tight tank to replace the existing system at 1 Radio Road (on Knops Pond). The tight tank will be located on the north side of the existing seasonal house, in approximately the same spot as the cesspool to be removed. The area is currently covered by a patio. A block retaining wall is proposed on the pond side (east) of the work area, with grading and revegetation proposed upgradient (west) of the tank location. A new patio will be constructed once the tight tank is in place. Access to the work area will require expansion of a gravel path off Radio Road. Ten mature trees will need to be removed to facilitate the work, as indicated on the plan. Mr. Maloney said they will go before the BOH next week.

T. Tada will provide the native plants list for buffer zones.

S. Black asked what type of system exists now. Mr. Maloney said there is an existing, failed cesspool that will be decommissioned prior to installation of the tight tank in the same location.

E. McHugh expressed concern about creating the gravel access driveway with enough room to park 2 cars, within the 50' no-disturbance zone. Mr. Maloney said the driveway would need to be maintained enough to allow a pump truck to gain access to the tight tank.

M. Giguere suggested the driveway could be loamed/seeded to discourage its use as a parking area. He also asked what the finished patio would look like. Mr. Maloney said the applicant is open to the use of porous pavers, although this is not shown on the plan. He offered to revise the plans to specify porous pavers in the patio. M. Giguere asked for a construction sequence as well. Mr. Maloney said he would prepare one for the Commission.

B. Easom noted that the erosion control line on the plan appears to cross an existing timber wall, and suggested reconfiguring the erosion controls. Mr. Maloney said the timber wall is flush with the ground, but he agreed to adjust the erosion control layout.

P. Morrison said he was uncomfortable with loaming/seeded the access driveway. The grass would get torn up by large pump trucks, and the trucks could more easily sink in or slide down the slope toward the pond. Chairman Smigelski agreed. P. Morrison also asked about handling of excavated material. Mr. Maloney said all excess material would be trucked offsite because there is no room for stockpiling.

Mr. Maloney said he would revise the plan with a construction sequence, specifications for the finished patio, and an adjusted erosion control line. He agreed to continue the hearing to March 8th.

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

VOTED: to continue the public hearing for 1 Radio Road, MassDEP #169-1135, to 3/8/2016. The vote was unanimous.

8:00 p.m. – Public Meeting: RDA, Septic System, 34 West Main Street (Southern New England Conference)

Applicant/owner: Southern New England Conference
Representative: Chuck Budnick, CABCO Consult
Site Walk: 2/20/2016

Chuck Budnick presented the plan to repair the septic system at 34 West Main Street. The old septic system is located in front of the existing house. The new system will also be located in front of the house, but it will need to be bigger because of the perc rates. The location of the system is constrained by the road, a waterline, and the 100' buffer zone of the BVW which is to the rear of the house. Existing components within the buffer zone to be removed include the septic tank, D-Box, and a portion of the leaching lines. The edge of the new system will be approximately 90' from the BVW.

E. McHugh asked about removal of the existing system and the height of the new system. Mr. Budnick said they would completely remove the old system, and would need to raise the existing grades 15" to 18".

M. Giguere asked about handling of excavated material. Mr. Budnick said they would haul material offsite.

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

VOTED: to issue a Negative #3 Determination for the septic system, 34 West Main Street, subject to the following special condition:

1. Work to be done as shown on the approved plan.

The vote was unanimous.

8:05 p.m. – Public Hearing (cont'd): NOI, Single Family House, 211 Whiley Road (Scalley), MassDEP #169-1130

Applicants: Tim & Stephanie Scalley
Owner: Robin F. Lawrence
Representatives: Don Black; Jack Visniewski (Cornerstone Land Consultants)
Site Walk: 9/12/2015

This hearing had been continued so that the applicants could submit the revised plans to NHESP for review. Mr. Black reported that he received approval of the revised plans from NHESP. A copy of the approval was sent to T. Tada.

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

VOTED: to close the public hearing for 211 Whiley Road, MassDEP #169-1130. The vote was unanimous.

8:10 p.m. – Public Hearing (cont'd): NOI, Sewer Connection, 116 Boston Road, MassDEP # not issued

Applicant/owner: Dorothy Janes & Shane Grant
Representative: David Erickson, attorney

MassDEP has not issued a file number for this project yet. T. Tada reached out to the applicants and encouraged them to make sure MassDEP received a copy of their NOI.

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

VOTED: to continue the hearing for 116 Boston Road to 3/8/2016. The vote was unanimous.

8:11 p.m. – Public Hearing (cont'd), NOI, Boulder Wall, 60 Valley Road (Johnson), MassDEP #169-1125

Applicant/owner: Paul Johnson
Site Walk: 6/6/2015

T. Tada reported that the applicant, Mr. Johnson, sent an email stating he was sick and unable to attend this hearing. T. Tada provided copies of the ultimatum letter he sent to Mr. Johnson after the previous meeting, as directed by the Commission. The letter required Mr. Johnson to submit revised plans or other new information, or else the Commission would close his hearing and consider denying the project.

M. Giguere said this is the same pattern of behavior from the applicant, and it is a waste of the Commission's time.

P. Morrison said the Commission should give Mr. Johnson the benefit of the doubt and keep the hearing open one last time.

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

VOTED: to continue the hearing for 60 Valley Road, MassDEP #169-1125, to 3/8/2016, with a second (final) ultimatum letter. The vote was unanimous.

Moving on to other General Business, B. Easom provided a Community Preservation Committee (CPC) update. He said the CPC held its public hearing for new applicants last night. If all the applications are approved for funding at Town Meeting, it would leave approximately \$100,000 dollars in the unallocated bin for the next funding cycle, so we should plan accordingly.

Regarding new member recruitment, T. Tada reported that the advertised deadline for submitting a Committee Interest Form to fill the vacant seat had passed (2/12/2016). No applications have been received. The Commission agreed to re-post the vacancy announcements on the Town webpage and in *The Groton Herald*.

On the topic of the Conservation Restriction for Baddacook Field/Shattuck Homestead, T. Tada presented what he hopes to be the final revision to the CR, as requested by the Division of Conservation Services. The revised language has been reviewed/approved by the Groton Conservation Trust, who will hold the restriction.

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

VOTED: to approve the final revision to the Conservation Restriction for Baddacook Field/Shattuck Homestead. The vote was unanimous.

T. Tada will make the final revision to the CR and forward to the Board of Selectmen (Grantor) and Groton Conservation Trust (Grantee) for signatures.

M. Giguere asked about the status of the appraisal for the Bennett Black Trust Parcel. T. Tada said he would contact the appraiser, Ellen Anderson, for an update.

M. Giguere also asked about the press release for the Robison land donation. T. Tada said so far it had only appeared on the website of *The Nashoba Valley Voice*.

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

VOTED: to adjourn the meeting. The vote was unanimous. The meeting was adjourned at 8:30 p.m.

Notes taken by Takashi Tada
Conservation Administrator

Exhibits on file at Conservation Commission Office:

1. NOI, 51 Kemp Street, MassDEP #169-1133
2. NOI, 38 Ridgewood Avenue, MassDEP #169-1134
3. NOI, 1 Radio Road, MassDEP #169-1135
4. RDA, 34 West Main Street
5. NOI, 116 Boston Road, MassDEP # not issued
6. NOI, 211 Whiley Road, MassDEP # 169-1130
7. NOI, 60 Valley Road, MassDEP #169-1125
8. Meeting Minutes, 2/9/2016

Approved 3/8/2016