

GROTON CONSERVATION COMMISSION

Meeting Minutes

Tuesday, March 8, 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.

Beginning with General Business, the Commission approved payment of invoices from the Groton Herald (\$219.38 for legal notices) and J & S Business Products (\$6.00 for a plan copy). The Commission also approved M. Giguere's reimbursement for MACC Conference attendance (\$115.00).

Moving on to Meeting Minutes approval, the Commission reviewed draft minutes from the last meeting on 2/23/2016.

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

VOTED: to approve the meeting minutes from 2/23/2016, as drafted. The vote was unanimous.

On the topic of Land Acquisition updates, T. Tada confirmed that Ellen Anderson was working on the appraisal for the Bennett Black Trust property (Parcel 249-49).

7:05 p.m. – Public Hearing: NOI, Gibbet Hill Trail Bridge (Easom), MassDEP #169-1136

Applicant: Bruce Easom, Groton Conservation Commission

Owner: Gibbet Hill Farm LLC

Site Walk: 3/5/2016

B. Easom presented his plans to build a multi-use wooden trail bridge across the seasonally wet area along "Trail E" on Gibbet Hill. The trail connects Shattuck Street to the old castle atop Gibbet Hill and the scenic views over the Town Center. The land is owned by Gibbet Hill Farm LLC and protected by a Conservation Restriction that is held jointly by the Commission and the MA Department of Conservation & Recreation (DCR). The bridge concept and design have been approved by DCR, and Steve Webber of Gibbet Hill Farm LLC (landowner) supports the project. B. Easom estimated the cost of materials at approximately \$20,000. He intends to apply for a DCR Recreational Trails Grant in early 2017 for reimbursement of the project cost. The grant requires a 20% local match, which can be achieved through volunteer labor. B. Easom said the Trails Committee Chairman, Paul Funch, was happy to see progress on the bridge plans.

The proposed bridge will consist of three spans measuring 8' wide by 20' long (60' total length). It is designed to safely accommodate equestrian use, but will also be friendly to bicycles and pedestrians. The area will be cleared of the rocks that have been placed haphazardly across the wet area. The bridge will require four granite support pillars measuring 6" x 6" x 6' that will be installed to a depth of 4' (below the frost line). The total area of proposed alteration within the wet area is 1 square foot. A gas-powered, 2-person auger will be used to dig the holes. Approximately 4" of sand will be placed at the bottom of each hole for the granite pillars to rest on. The bridge will have a 2" toe rail along the side edges, and the ends of the bridge will rest on granite abutments located upgradient of the wet area. B. Easom plans to use visually graded, select structural pine lumber pressure-treated with alkaline copper quaternary (ACQ). ACQ is a newer, less toxic alternative to chromated copper arsenate.

B. Easom said the project would occur in the Petapawag Area of Critical Environmental Concern (ACEC). ACEC regulations prohibit the alteration or impairment of Bordering Vegetated Wetland, except for certain 'Limited Projects'. It is up to the Commission to determine if the project will impair the resource area. B. Easom said straw wattles would be placed around the four holes, and excavated material would be used to form the earthen ramps at either end of the bridge (in uplands).

P. Morrison asked how the bridge would be attached to the granite pillars. B. Easom said the bridge spans will be secured to the granite pillars by stainless steel sleeves that mount over the top of the pillar.

S. Black asked about vegetation maintenance around the bridge. B. Easom replied that there is no vegetation plan. The trail is currently mowed by Steve Webber.

T. Tada reported that MassDEP issued a file number and submitted three comments on the bridge:

1. The bridge should be sited at a location that minimizes the clearing of wetland trees and shrubs.
2. The bridge should be of sufficient height to reduce shading of vegetation beneath it.
3. Any soil removed during installation must be disposed in an upland location.

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

VOTED: to close the public hearing for Gibbet Hill Trail Bridge, MassDEP #169-1136.
The vote was unanimous.

7:30 p.m. – Public Meeting: RDA, Single Family Home, 104 Schoolhouse Road (Tavern Hill Group LLC)

Applicant: Tavern Hill Group LLC

Owners: Bernard & Marlana DeBonville

Representative: Neil Gorman, David E. Ross Associates Inc.

Site Walk: 3/5/2016

Neil Gorman of David E. Ross Associates presented the RDA plan to demolish the existing single family house at 104 Schoolhouse Road, and to build a new house with a smaller footprint in approximately the same location. A small portion of the existing house is within 100' of a wetland located across Schoolhouse Road to the west. The new house will be located entirely outside the Buffer Zone, and will require only minor grading within the Buffer Zone for the front lawn. In addition, the existing driveway will be converted to lawn and the new driveway will be located further away from the wetland. A filter sock siltation barrier is proposed along the western limit of the construction area, near the road. A new septic system will also be built to the rear (east) of the proposed house.

Commissioners were happy to see the proposed house located outside the Buffer Zone, and agreed that the proposed project would be an improvement over the existing conditions.

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

VOTED: to issue a Negative #3 Determination for 104 Schoolhouse Road, subject to the special condition that the project be built as shown on the plan. The vote was unanimous.

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

Applicant/owner: Russell & Susan Mallard

Representative: Doug Smith, Soilsmith Designs; Jeff Martin, Henniker Directional Drilling
Site Walk Date: 2/20/2016

Doug Smith of Soilsmith Designs presented a revised plan and additional details on the septic repair project at 38 Ridgewood Avenue. He provided a sketch of the existing system on the island to be decommissioned, which includes a 275 gallon metal tank and a leach field. He said the owners pumped the tank to the mainland via an electric pump and hose. He also provided a detail sheet of the trees that will be removed in the new septic leaching area off Ridgewood Ave. A total of seven small trees (4" diameter or less) will need to be removed.

J. Smigelski introduced a letter from abutter Barbara Ruskin, 28 Ridgewood Ave. The letter expresses Ms. Ruskin's concerns about her private well and the trees on her property near the work area. The distance to her well is not shown on the site plan. Mr. Smith said he has been in contact with Ms. Ruskin and has addressed her concerns. Her well is approximately 150' away from the work area. Mr. Smith will forward the latest email correspondence from Ms. Ruskin.

E. McHugh said she shared the concern about damage to mature trees along the property line near the work area. She said the leach field excavation would cause damage to tree roots within the dripline. She asked if the leach field could be stepped down along the slope, and if any roots and branches of the remaining trees within the excavation area could be cut/pruned by hand and then fertilized. Mr. Smith said the leach field design is already stepped (two tiers).

J. Smigelski asked about the setback of the leach field from the property line. Mr. Smith said the wall will be about one foot from the property line.

Jeff Martin, of Henniker Directional Drilling, said they would use directional drilling from the new leaching area to reach a point just before the house on the island. Then they would dig manually beneath the existing deck to connect to the house. The drilling process uses a bentonite clay slurry to help remove the native material. A vacuum truck will be onsite during drilling.

P. Morrison asked how they steer the drill. Mr. Martin explained the use of a walkover tracking system kept on the surface directly above the drill bit.

B. Easom asked how they would handle the slurry that comes out when they reach the end. Mr. Martin said they could have a hand-dug pit with a pump ready to receive any slurry that comes out. He estimated the volume to be no more than 200 gallons of dense material due to the accumulation of solids. He said they've never had material gush out like a geyser, but they would be responsible for cleaning it up if it did.

M. Giguere said he was worried about decommissioning the existing system on the narrow island, and the time of year for doing the work. He understands the tank will come out, but what about the leaching bed? Mr. Smith said they still needed to resolve the decommissioning details with the Board of Health. As for the work schedule, he was unsure of the owners' plans. M. Giguere also reiterated his concern that no erosion controls were proposed on the island to prevent direct contamination of the pond.

P. Morrison asked if all the work on the island was confined to the area below the existing deck. Mr. Smith said yes; some of the deck boards will need to be removed for access.

Commission members were of the opinion that the work on the island should be done during drawdown when surface water level is lowest.

Mr. Smith said the next Board of Health meeting is on 3/21/2016. He agreed to continue this hearing to 3/22/2016.

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

VOTED: to continue the public hearing for 38 Ridgewood Ave. (MassDEP #169-1134) to 3/22/2016. The vote was unanimous.

8:20 p.m. – Public Hearing (cont'd): NOI, Septic Repair, 1 Radio Road, MassDEP #169-1135

Applicant/owner: Radio Road Realty Trust of 2014

Representative: Jack Maloney, Ducharme & Dillis Civil Design Group

Site Walk: 2/20/2016

Jack Maloney presented the revised septic repair plan, dated 3/1/2016. Revisions include clear indications of the proposed lawn and patio areas, the addition of a stone recharge trench along the proposed block retaining wall, a modified siltation barrier configuration, and a construction

sequence. The revised plan was approved by the Board of Health last night. Mr. Maloney also provided sample literature from a permeable paver manufacture (Pavers by Ideal).

E. McHugh asked if the permeable pavers required an engineered substrate. Mr. Maloney said there is no need to add a sub-base because the native soil is pure sand/gravel.

Mr. Maloney agreed to hold open the public hearing until they receive a determination letter from NHESP.

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

VOTED: to continue the public hearing for 1 Radio Road (MassDEP #169-1135) to 3/22/2016. The vote was unanimous.

8:30 p.m. – NOI (cont'd): Boulder Wall, 60 Valley Road, MassDEP #169-1125

Applicant/owner: Paul Johnson

Site Walk: 6/6/2015

In response to the Commission's ultimatum, Paul Johnson submitted an email request to continue his hearing to 5/10/2016, at which time he should have a revised NOI plan ready to present. He is hiring an engineer to prepare the revised plan.

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

VOTED: to continue the public hearing for 60 Valley Rd., MassDEP #169-1125, to 5/10/2016. The vote was 4-2, with M. Giguere and B. Easom opposed.

8:35 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. The applicants may have mailed MassDEP's copy of the NOI to the wrong address. They are working to track it down.

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

VOTED: to continue the hearing for 116 Boston Road to 3/22/2016. The vote was unanimous.

Moving on to General Business, the Commission reviewed/amended a draft Order of Conditions for 211 Whiley Road, MassDEP #169-1130.

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

VOTED: to issue an Order of Conditions under the Wetlands Protection Act for 211 Whiley Road, MassDEP #169-1130, as amended. The vote was 5-0-1, with E. McHugh abstaining.

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

VOTED: to issue an Order of Conditions under the Groton Wetlands Bylaw for 211 Whiley Road, MassDEP #169-1130, as amended. The vote was 5-0-1, with E. McHugh abstaining.

The Commission also reviewed/amended a draft Order of Conditions for 51 Kemp Street, MassDEP #169-1133.

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

VOTED: to issue an Order of Conditions under the Wetlands Protection Act for 51 Kemp Street, MassDEP #169-1133, as amended. The vote was unanimous.

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

VOTED: to issue an Order of Conditions under the Groton Wetlands Bylaw for 51 Kemp Street, MassDEP #169-1133, as amended. The vote was unanimous.

On the topic of General Business – Land Management, the Commission discussed the latest progress on the Surrenden Farm Resource Management Plan (RMP) revision. Chairman Smigelski mentioned the General Field Trails map needs to be updated to show the new trail off Shirley Road and modifications to the existing trail layout. He also said he talked to farmer Roy MacGregor about the agricultural license on Surrenden Farm West. Mr. MacGregor would like a 5-year license agreement, rather than the annual license as it exists now. He understands the Town is required to put the license out to bid via an RFP. He also is unsure of his long-term prospects due to a change in his wife's employment.

The Surrenden Farm Conservation Restriction (CR) contains a provision under the "Permitted Acts and Uses", Section III.16, that states the "Owner's management priorities for the existing fields shall take priority" over those of the MA Division of Fisheries & Wildlife (MassWildlife, the CR holder). Chairman Smigelski noted the historic agricultural use of the property includes silage corn, pumpkins, and other crops.

M. Giguere raised the issue of cultural resources at Surrenden Farm. The Commission should consider if an archaeological survey is a priority. If it is a priority, the pursuit of Community Preservation Act funding might be in order.

The Commission also talked about preparing a 10-Year Forest Stewardship Plan for Surrenden Farm in consultation with Bay State Forestry. Removal of the red pine stand, and creation of turtle nesting habitat, would be part of the plan. MassWildlife has expressed support for this concept.

(9:30 p.m. – E. McHugh had to leave at this time.)

Also under General Business – Land Management, T. Tada provided a quick update on Baddacook Field/Shattuck Homestead. Looking ahead to springtime, the Commission will need to monitor the status of Black Swallow-wort in the field, and stay in contact with the herbicide contractor, Jeff Taylor of Vegetation Control Service.

Moving on to General Business – Community Preservation Committee (CPC) update, B. Easom said the CPC process is in full swing. He mentioned the Prescott School could be in line for a major renovation after the Town pays off its Surrenden Farm debt service in 2021.

On the topic of possible violations, T. Tada said he would follow up on various issues around town that have been brought up recently. Members of the Commission visited one of the locations, a substandard culvert at 155 Gratuity Road, over the weekend. The other locations are 505 Martins Pond Road and 120 Boston Road.

As a final order of business, M. Giguere recapped his attendance of the MACC Annual Environmental Conference. He learned about a new program developed by MassAudubon to help prioritize parcels for conservation, based on a variety of GIS data layers. The program is called MAPPR. He also mentioned that the state's updated stream crossing standards are now incorporated into the revised wetlands regulations.

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

VOTED: to adjourn the meeting at 10:00. The vote was unanimous (5-0).

Notes taken by Takashi Tada
Conservation Administrator

Exhibits on file at Conservation Commission Office:

1. NOI, Gibbet Hill Trail Bridge, MassDEP #169-1136
2. OOC, 51 Kemp Street, MassDEP #169-1133
3. NOI, 38 Ridgewood Avenue, MassDEP #169-1134
4. NOI, 1 Radio Road, MassDEP #169-1135
5. RDA, 104 Schoolhouse Road

6. NOI, 116 Boston Road, MassDEP # not issued
7. OOC, 211 Whiley Road, MassDEP # 169-1130
8. NOI, 60 Valley Road, MassDEP #169-1125
9. Meeting Minutes, 2/23/2016

Approved 4/12/2016