

GROTON CONSERVATION COMMISSION

Meeting Minutes

Tuesday, March 22, 2016

John Smigelski (Chairman) called the meeting to order at 7:00 p.m. with Peter Morrison (Vice Chairman), Susan Black (Clerk), Eileen McHugh, and Bruce Easom present. Marshall Giguere participated remotely by speakerphone. Conservation Administrator Takashi Tada was present. Chairman Smigelski announced that all votes taken during remote participation would be by roll call. S. Black read the public hearing/meeting notices at the indicated times.

7:00 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

T. Tada reported he received a copy of the “no take” determination letter from NHESP. This was the only unresolved issue.

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

VOTED: to close the public hearing for 1 Radio Road, MassDEP #169-1135. The roll call vote was unanimous.

7:01 p.m. – Public Hearing (cont'd): NOI, septic system, 38 Ridgewood Avenue, MassDEP #169-1134
Applicant/owner: Russell & Susan Mallard
Representatives: Doug Smith, Soilsmith Designs; Jeff Martin, Henniker Directional Drilling
Site Walk Date: 2/20/2016

T. Tada provided copies of additional correspondence from Doug Smith, and additional information on the drilling process from Henniker Directional Drilling. The additional items are in response to the outstanding issues from the previous hearing, which include decommissioning of the old leach bed, erosion controls on the island, time of year considerations, and removal of trees on the mainland for the new leach field.

According to Mr. Smith's letter, the old leach field can be disconnected and left in place, rather than removed, per the Board of Health Agent, Ira Grossman. For erosion controls, Mr. Smith provided a sketch showing a row of straw bales around the location of the old tank to be removed and the new E-One grinder pump to be installed. The straw bales will be lined with Mirafi filter fabric. The erosion controls will serve the dual purpose of protecting the lake while the old tank is pumped and removed, and also providing an emergency dewatering/containment basin at the directional drilling exit pit, if needed. If the time of work is limited to lake drawdown (November – April) it will be more difficult for the drillers to operate. As for the loss of some

trees in the new leach field area, Mr. Smith noted that the tradeoff is elimination of a failed septic system in the lake water table.

The drilling information includes a “Frac-out” plan to monitor for, and deal with, any leaks of the bentonite slurry that might occur; further explanation of the drilling process; and clarification of where the slurry collects. The slurry collects in the entry pit, and has a slight chance of leaking out along the bore path, but there is no collection of fluid at the exit pit.

M. Giguere asked for a description of the erosion controls proposed on the island. He did not have a copy of the sketch plan. He also recommended making note in the Order of Conditions that the existing leach bed is to be left in place.

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

VOTED: to close the public hearing for 38 Ridgewood Avenue, MassDEP #169-1134.
The roll call vote was unanimous.

Moving on to General Business, the Commission reviewed a draft Order of Conditions for the Gibbet Hill Trail Bridge project, MassDEP #169-1136. B. Easom requested modification of the ‘Findings’ to include a statement that the wetland is not significant to the interests of the Wetlands Protection Act, in order to meet the requirements for work in the Petapawag ACEC.

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

VOTED: to issue an Order of Conditions under the Wetlands Protection Act for the Gibbet Hill Trail Bridge, MassDEP #169-1136, as amended. The roll call vote was unanimous.

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

VOTED: to issue an Order of Conditions under the Groton Wetlands Bylaw for the Gibbet Hill Trail Bridge, MassDEP #169-1136, as amended. The roll call vote was unanimous.

7:16 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 mailed MassDEP’s copy of the NOI to the wrong address. They are working to track it down.

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

VOTED: to continue the hearing for 116 Boston Road to 4/12/2016. The roll call vote was unanimous.

On a related topic, T. Tada provided copies of a proposed minor field change at 120 Boston Road, MassDEP #169-1100. This will be on the Commission's next meeting agenda. The change is necessitated by continued disharmony with the abutters at 116 Boston Road.

7:20 p.m. – Interview with Olin Lathrop, Candidate for Conservation Commission

Olin Lathrop of 55 Sunset Road explained why he wants to join the Conservation Commission. He believes it is a good fit based on his interests. He is active on the Trails Committee and is also a founding member of the Invasive Species Committee. His only concern is about potential conflicts of interest, given his multiple roles. The Commission noted that the conflict of interest rules generally apply only when you have a personal financial stake in a decision.

S. Black and B. Easom said Mr. Lathrop was a good match for the Commission. B. Easom pointed out that Mr. Lathrop had previously attended the Keystone Training offered by UMass-Amherst, and the Commission would benefit from his knowledge of forest management. B. Easom said he recruited Mr. Lathrop for the Commission, while Mr. Lathrop convinced him to apply to the Keystone Training this year. He also said the Trails Committee members are among the best advocates for conservation in town.

M. Giguere recommended reviewing the Groton Wetlands Bylaw and regulations, the Wetlands Protection Act, and also taking the Fundamentals Training for Conservation Commissioners offered by the MACC. Mr. Lathrop said he was prepared to do his homework to get up to speed.

Chairman Smigelski asked if Mr. Lathrop was okay with using herbicides in a responsible manner to control invasive plants. Mr. Lathrop said yes, and noted his involvement in forming the Invasive Species Committee and advocating for Town employees/volunteers to obtain applicator's licenses.

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

VOTED: to recommend Olin Lathrop be appointed by the Board of Selectmen to serve as a member of the Conservation Commission. The roll call vote was unanimous.

Takin up other General Business items, T. Tada provided an update on the Gustin parcel acquisition. The Commission's payment of back taxes out of the Conservation Fund account was received by the Tax Collector, Mike Hartnett. Mr. Hartnett issued an "Instrument of Redemption" to release the parcel from its tax taking status. The Instrument will be recorded by Attorney Bob Collins.

On the topic of General Business – Land Management, the Commission discussed the latest progress on the Surrenden Farm Resource Management Plan (RMP) revision. T. Tada mentioned the letter from the MA Division of Fisheries & Wildlife (MassWildlife), requesting

that the main trail across the hay field be closed (i.e., posted with a sign and not mowed) during grassland bird nesting season between May 1 and July 15. The letter also requests permission for MassWildlife personnel and equipment to remove the hedgerow (vines, shrubs, and fencing) in the upper field along the main trail.

Chairman Smigelski said referred to the agricultural clause in Section III.16 of the Surrenden Farm Conservation Restriction that states the Town's management priorities for the existing hay field shall take precedence over the State's priorities. He would like the Commission to push for a less restrictive mowing date (July 1st, instead of July 15th) to make it more viable for agriculture in the long-term.

M. Giguere said the main trail needs to be maintained to provide access to the Water Department's parcel of land on the Nashua River, west of the lower field. He said he would revise the mowing date in the draft RMP to July 1st; however, he was leery of using the clause in Section III.16 of the CR as a bargaining chip. He suggested it was a blunt instrument to be used cautiously.

S. Black said it would be helpful to have copies of the CR available for reference. T. Tada will make copies for the Commission members.

On another Land Management topic, T. Tada reported on a possible encroachment into the Crystal Springs Conservation Restriction (CR) area by the residents at 27 Crystal Springs Lane. They installed an in-ground swimming pool in their backyard in an appropriate location, but it appears they cleared a few small-caliber trees from within the restricted area. One of the CR boundary markers (4"x4" wooden post) also seems to have disappeared, and the perimeter fence for the pool is possibly over the CR boundary line. T. Tada took tape measurement and photos of the site, but a survey is required to determine the extent of encroachment. T. Tada contacted the surveyor of record, Stan Dillis of Ducharme & Dillis, for a ballpark cost estimate to re-establish the CR line. Mr. Dillis thought it could be done for around \$500.

Upon a motion by B. Easom, seconded by E. McHugh, it was

VOTED: to authorize spending up to \$750.00 to survey the CR boundary at 27 Crystal Springs Lane. The roll call vote was unanimous.

Also under Land Management Updates, T. Tada provided a quick update on the Conservation Restriction for Baddacook Field/Shattuck Homestead. The Board of Selectmen and the Groton Conservation Trust have now signed the CR. T. Tada will mail the signed document to the Executive Office of Energy & Environmental Affairs for final approval and signature by Secretary Matthew Beaton.

T. Tada then mentioned two items related to maintenance of the Williams Barn. According to the Fire Department, the fire alarm inside the barn had been sending repeated signals. The Fire Department checked things out initially and determined the alarm was malfunctioning. The

Williams Barn Committed notified their alarm contractor, who resolved the issue by replacing the batteries. However, a more serious structural issue was brought to T. Tada's attention by DPW Director, Tom Delaney. A portion of the long side of the barn, facing Chicopee Row, has been temporarily stabilized by Tobies Restoration (at Mr. Delaney's request) after the foundation was observed to be subsiding in this area. T. Tada will follow up with Mr. Delaney for more details.

On the topic of Bertozzi Conservation Area, T. Tada presented a proposal by Al Futterman of the Nashua River Watershed Association (NRWA) to plant native shrubs in conjunction with Chris Brown's Eagle Project to restore portions of the Squannacook River bank. Mr. Futterman proposes to plant approximately nine Highbush Blueberry shrubs along Chris Brown's fence line. The shrubs would be planted and monitored as part of NRWA's "Expanding Riparian Buffers" project. Commissioners expressed support for the planting plan.

Regarding a report of vandalism at Sargisson Beach, T. Tada presented copies of the Police Incident Report along with photos by Andrew Davis of the Sargisson Beach Committee. The incident involved an Iraq War veteran from Chelmsford named Christopher W. Towns, who cut down a tree with a hatchet. In the Police Report, Mr. Towns claims he did so because his new fishing gear became entangled in the tree. Commissioners took no action at this time.

Moving on to General Business – Community Preservation Committee (CPC) update, B. Easom said the CPC voted to recommend all four funding requests to Town Meeting for approval.

B. Easom also noted that the Squannacook Greenways, Inc. has submitted an RDA in Townsend to being clearing saplings along the proposed Squannacook River Rail Trail.

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

VOTED: to adjourn the meeting at 8:35 p.m. The roll call vote was unanimous.

Notes taken by Takashi Tada
Conservation Administrator

Exhibits on file at Conservation Commission Office:

1. OOC, Gibbet Hill Trail Bridge, MassDEP #169-1136
2. NOI, 38 Ridgewood Avenue, MassDEP #169-1134
3. NOI, 1 Radio Road, MassDEP #169-1135
4. NOI, 116 Boston Road, MassDEP # not issued
5. Surrenden Farm Resource Management Plan
6. Baddacook Field Conservation Restriction

Approved 4/12/2016