

## GROTON CONSERVATION COMMISSION

### Meeting Minutes

Tuesday, May 10, 2016

John Smigelski (Chairman) called the meeting to order at 7:00 p.m. with Peter Morrison (Vice Chairman), Susan Black (Clerk), Bruce Easom, and Olin Lathrop present. Marshall Giguere participated remotely by video conference. Eileen McHugh and was absent. 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, Baddacook Pond Weed Management, MassDEP # not issued

Applicant: Board of Selectmen

Representatives: Great Pond Advisory Committee (GPAC); Ted Fiust, Aquatic Vision LLC (by phone)

Site Walk: 4/23/2016

Jim Luening, GPAC Chairman, informed the Commission that the DPW Director, Tom Delaney, has agreed to assist the weed harvesting effort by assigning a driver and dump truck to receive the harvested biomass at the offloading sites and haul it to the DPW composting facility. The Commission and DPW need to agree on the best location for offloading on the Baddacook Field/Shattuck Homestead property.

S. Black asked if NHESP's only concern is the turtles, or if there are other species of concern. T. Tada said the preliminary discussion with Misty-Anne Marold of NHESP was focused on Blanding's turtles.

O. Lathrop asked what needs to be done to get a dump truck close enough to the offloading conveyor. Mr. Luening said there would be minor disturbance to vegetation between the cart path and the shoreline.

T. Tada relayed verbal comments received from David Pitkin of the Groton Conservation Trust, which holds the CR for Baddacook Field/Shattuck Homestead. The Trust is opposed to leaving the harvested biomass on the property to decompose; is concerned about stabilizing the landing area to minimize impacts from the dump truck traffic; and is skeptical of the long-term viability of using diver assisted suction harvesting (DASH) based on the scientific literature. Mr. Pitkin will provide a formal comment letter on behalf of the Trust.

M. Giguere agreed with the Trust's concern about minimizing disturbance during the offloading process, and advised that some restoration might be required. He asked about NHESP's deadline to review the project relative to rare species impacts. T. Tada said NHESP has 30 days from the date they receive a copy of the NOI, but he did not know the date offhand. He will check the Certified Mail/Return Receipt green card.

Bennett Black, of 65 Burntmeadow Road, asked if the harvested material is of value as compost. Mr. Luening said the weeds can be composted and the plan is to do so at the DPW facility.

Mr. Luening added that he discussed the project with the MA Department of Fish & Game's Office of Boating Access, and they were amenable to granting permission to use the Baddacook Boat Ramp for this project.

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

VOTED: to continue the public hearing for Baddacook Pond NOI to 5/24/2016. The roll call vote was unanimous (6-0).

7:20 p.m. – Public Meeting: RDA, Riparian Buffer Restoration, Hollingsworth & Vose Plant, 219 Townsend Road

Applicant: Alex Krofta, Merrimack River Watershed Council (MWRC) & Nashua River Watershed Association (NRWA)

Owner: Hollingsworth & Vose Company, Inc. (H&V)

Site Walk: 5/7/2016

Alex Krofta presented a revised plantings plan based on the Commission's site walk and further discussion with Kathy Puff at H&V. Mr. Krofta introduced his preliminary plan at the last meeting on 4/26/2016. The revised plan has three defined areas around the unpaved truck parking lot where native grass and shrubs will be planted above the bank of the Squannacook River.

S. Black commented that she likes the selection of native plants.

M. Giguere also liked the plan, and asked about erosion controls. Mr. Krofta said he did not propose erosion controls because the site is protected by an existing berm around the perimeter, at the top of the bank. He does not propose any plantings on top of the berm.

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

VOTED: to issue a Negative (#2 & #3) Determination to Alex Krofta for riparian buffer restoration at the H&V plant, subject to the following conditions:

1. Plantings to be done as shown on the revised plan.
2. Erosion controls shall be kept onsite in case they are needed to prevent migration of silt/sediment into the river.

The roll call vote was unanimous (6-0).

7:25 p.m. – Public Meeting: RDA, Riparian Buffer Restoration, Bertozzi Conservation Area

Applicant: Alex Krofta, Merrimack River Watershed Council (MWRC) & Nashua River Watershed Association (NRWA)

Owner: Town of Groton, Conservation Commission

Site Walk: 5/7/2016

Mr. Krofta presented a revised restoration plan based on the Commission's site walk. Mr. Krofta introduced his preliminary plan at the last meeting on 4/26/2016. The revised plan includes planting of native shrubs and groundcover in the vicinity of the previously approved fence to be installed by Chris Brown for his Eagle Project to reduce erosion and stabilize a portion of the Squannacook River bank. The plan also includes plantings and a second, shorter section of fence (approximately 15') to be installed by Mr. Krofta and Al Futterman of NRWA, upstream from Chris Brown's fence. Two points of access to the river will remain open in this popular recreational location.

S. Black wished good luck to Mr. Krofta. She noted the site is a popular party spot and hopes the restoration work is respected by visitors.

B. Easom mentioned the large hazard tree that is leaning over the site and asked if it would cause damage to the restoration work if it came down. A. Krofta said he thought the tree was situated between the two restoration areas.

O. Lathrop said it looked like a great project.

M. Giguere asked about monitoring after the fence installation and plantings have been done. Mr. Krofta said the site would be monitored by Al Futterman of NRWA, and by Chris Brown of Scout Troop 1, who lives nearby in the Crosswinds subdivision and will water the plants if needed.

P. Morrison asked how long the coir logs last. Mr. Krofta said he expected them to last about one year while they degrade and incorporate into the existing soil.

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

VOTED: to issue a Negative (#2 & #3) Determination to Alex Krofta for riparian buffer restoration at the Bertozzi Conservation Area, subject to the following condition:

1. Plantings shall be monitored for one full growing season.

The roll call vote was unanimous (6-0).

7:35 p.m. – Public Hearing (cont'd): NOI, Boulder Wall, 60 Valley Road, MassDEP #169-1125

Applicant/owner: Paul Johnson

Representatives: Brett Ramsden, Kevin Pitre

Site Walk: 6/6/2015

Brett Ramsden, contractor, presented a revised NOI plan on behalf of Paul Johnson. The revised plan, dated 4/7/2016, was prepared and stamped by Brian Nereson, R.P.E., GeoInsight. The new plan has been scaled back to focus on replacement of the existing, damaged cinder block retaining wall around the house with a new, Allan Block retaining wall in exactly the same

configuration. Mr. Ramsden and Mr. Johnson said they preferred to have a more natural boulder wall, but the engineer was under the impression that a boulder wall was not permissible.

T. Tada explained that the originally proposed boulder wall was not permissible because it was located on the Bank of the pond and a portion of it extended into the pond (Whitney Pond); it also included filling in the 100 year floodplain. The original plan did not meet the performance standards for work in those resource areas.

P. Morrison further explained that natural materials such as boulders are generally acceptable, and in some cases preferable for work around ponds. But the main issue is the location of the retaining wall, rather than the construction material.

Mr. Pitre pointed out 9 trees in the vicinity of the retaining wall that need to be removed. He annotated the revised plan to reflect this aspect of the work. Twelve new bearberry plantings are proposed behind the wall to make up for the tree removal.

B. Easom asked about the height of the proposed wall, and the size of the boulders that would be used. Mr. Ramsden said the height of the wall is four feet, as shown on the retaining wall section and details portion of the revised plan. He said the size of the natural stone can vary, but the maximum diameter is approximately 4 feet. The wall will be slightly sloped for stability, similar to the Allan Block wall shown on the plan, and will be lined with industrial grade filter fabric.

M. Giguere expressed concern that the relatively larger boulders will expand the volume of material in the floodplain compared to the existing cinder blocks, which would result in an impermissible net loss of flood storage. He asked about the elevations shown on the plan and said the proposed wall can't be at a higher elevation than the existing one. Mr. Ramsden questioned why the owners can't have a level yard. M. Giguere also asked if MassDEP had issued any comments on the revised plan. T. Tada said MassDEP has not issued any comments on the new plan, but they might not have received the plan yet. He advised Mr. Johnson to be sure to submit a copy of the revised plan to the MassDEP Central Region. M. Giguere suggested further revising the plan to indicate the use of natural boulders. Mr. Ramsden annotated the plan with a new wall section and detail sketch showing stacked boulders.

Commissioners were in agreement that the base of proposed boulder wall should be at the same extent as the existing. P. Morrison said it might be okay to have a higher wall as long as it is not backfilled above the existing elevations. T. Tada noted that a Building Permit would be required for any wall taller than 4 feet.

S. Black remarked that she liked the choice of bearberry plantings behind the wall to mitigate the removal of the nine trees, to stabilize the soil, and to provide natural screening for the house.

The Commission asked Mr. Johnson if he agreed to continue the public hearing to 5/24/2016, in order to give MassDEP the opportunity to review the revised plans. Mr. Johnson was displeased, but agreed to submit the newly revised and annotated to MassDEP.

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

VOTED: to continue the hearing for 60 Valley Road, MassDEP #169-1125, to 5/24/2016.  
The roll call vote was unanimous (6-0).

8:10 p.m. – Public Hearing (cont'd): NOI, Septic System Repair, 2 Bishop Way, MassDEP #169-1137

Applicant: Lagasse Trucking

Owner: Jonathan McSweeney

Representative: Stan Dillis and Jack Maloney, Ducharme & Dillis Civil Design Group

Site Walk: 4/9/2016

MassDEP issued a file number for this NOI with no comments.

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

VOTED: to close the hearing for 2 Bishop Way, MassDEP #169-1137. The roll call vote was unanimous (6-0).

8:11 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 NOI.

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

VOTED: to continue the public hearing for 116 Boston Road, MassDEP # not issued, to 5/24/2016. The roll call vote was unanimous (6-0).

8:00 p.m. – Discussion: Eagle Project, Painting Conservation Signs, Brandon Sickles

Brandon Sickles of Troop 3 discussed his Eagle Project proposal to repaint 11 Conservation Commission signs at various conservation areas, based on a recent inventory of signs conducted by Paul Funch of the Trails Committee. One of the signs needs a board replaced. Mr. Sickles turns 18 years old on May 20<sup>th</sup>; thus he only has 10 days to complete his project.

O. Lathrop asked how he planned to rout the board that needs replacing. Mr. Sickles said his grandfather knows a professional woodworker who will provide assistance.

S. Black recommended that Mr. Sickles pay a visit to Lynch Paint Center in Westford to get the best advice on the type of paint to use. She asked how he planned to paint 11 signs in 10 days. Mr. Sickles said he planned to work in teams and shifts, painting the green boards/posts first, and

then painting the white letters. He asked for clarification on the location of the sign at Bertozzi Conservation Area. P. Morrison explained where the sign is located.

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

VOTED: to approve Brandon Sickles' proposal to repaint/repair 11 Conservation Commission signs for his Eagle Project. The roll call vote was unanimous (6-0).

Moving on to General Business, the Commission reviewed a draft Order of Conditions for 2 Bishop Way, MassDEP #169-1137. This is a septic repair project for an existing single family home.

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

VOTED: to issue an Order of Conditions under the MA Wetlands Protection Act for 2 Bishop Way, MassDEP #169-1137. The roll call vote was unanimous (6-0).

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 2 Bishop Way, MassDEP #169-1137. The roll call vote was unanimous (6-0).

The Commission also reviewed revised meeting minutes from 4/12/2016. The revisions were discussed at the previous meeting on 4/26/2016.

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

VOTED: to approve the revised meeting minutes from 4/12/2016. The roll call vote was unanimous (6-0).

On the topic of Land Management updates, T. Tada provided an update on Surrenden Farm. Farmer Roy MacGregor's bid to The Bobolink Project (Mass Audubon) to set aside roughly 11 acres of the upper hay field for the duration of the Bobolink breeding season (May 1 – August 1) was accepted. Mass Audubon will pay Mr. MacGregor \$75 per acre as compensation for the delayed mowing on the 11-acre patch.

For the Earth Removal Stormwater Advisory Committee update, T. Tada read an email from Eileen McHugh. Ms. McHugh's email stated the ERSWAC met on May 3<sup>rd</sup> to review the proposed field change at 120 Boston Road. There were no concerns. The ERSWAC also discussed the annual stormwater report submitted by DPW Director Tom Delaney to MassDEP. Mr. Delaney suggested, and Michelle Collette agreed, that the new MassDEP stormwater regulations are more appropriate in urban settings.

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

VOTED: to adjourn the meeting at 8:55 p.m. The vote was unanimous.

Notes taken by Takashi Tada  
Conservation Administrator

**Exhibits on file at Conservation Commission Office:**

1. NOI, Baddacook Pond Weed Management, MassDEP # not issued
2. RDA, Riparian Buffer Restoration, H&V
3. RDA, Riparian Buffer Restoration, Bertozzi
4. NOI & OOC, 2 Bishop Way, MassDEP #169-1137
5. NOI, 60 Valley Road, MassDEP #169-1125
6. NOI, 116 Boston Road, MassDEP # not issued
7. Meeting Minutes, 4/12/2016

**Approved 6/14/2016**