

GROTON CONSERVATION COMMISSION

Meeting Minutes

Tuesday, November 22, 2016

Location: Town Hall, 2nd Floor

Members Present: Peter Morrison (Vice Chair), Olin Lathrop (Clerk), Bruce Easom, Marshall Giguere, Eileen McHugh

Members Absent: John Smigelski (Chair), Susan Black

Others Present: Takashi Tada (Conservation Administrator)

7:00 p.m. – Public Meeting: RDA, Retaining Wall, 33 Ridgewood Avenue

Applicant/Owner: Gerrett Durling

Site Walk: 11/19/2016

Gerrett Durling, 33 Ridgewood Avenue, presented his proposal to replace an existing fieldstone retaining wall with a concrete modular block wall. The wall holds up the roadway in front of his house, and it is deteriorating. A section of the wall has been temporarily filled in using sandbags. The existing wall is 28' long by 4' high. No changes to the dimensions are proposed. The wall is approximately 75' from the edge of Lost Lake. Contractor Frank Massarelli (Frank-Co) has been hired to do the work.

E. McHugh asked about erosion controls. Mr. Durling explained that the work area is naturally confined by the existing house and landscaping. He proposed to place a line of erosion controls along the lower wall, the side steps, and the dog fence.

P. Morrison asked what would be done with the old stones. Mr. Durling said he wasn't sure yet.

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

VOTED: to issue a Negative Determination (#3) for the retaining wall repair at 33 Ridgewood Avenue, subject to the special condition to install erosion controls. The vote was unanimous (5-0).

Taking up General Business, the Commission review a draft Order of Conditions for 116 Boston Road, MassDEP #169-1142.

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

VOTED: to issue an Order of Conditions under the Wetlands Protection Act to 116 Boston Road, MassDEP #169-1142. The vote was unanimous (5-0).

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

VOTED: to issue an Order of Conditions under the Wetlands Bylaw to 116 Boston Road, MassDEP #169-1142. The vote was unanimous (5-0).

Moving on to General Business - Invoices, the Commission reviewed an invoice for fall mowing from A1 Odd Jobs (Quintin Shea) in the amount of \$1,250. Mr. Shea mowed the fields at Ames Meadow, Crosswinds, Knowles Siding, and Smith Street (Eliades).

The Commission also considered a request by DPW Director Tom Delaney to share the cost of a revised structural assessment of Williams Barn, to be prepared by Val Prest. New information about some previous work on the barn has come to light, and a revised assessment is needed. The cost of the revised report is to be determined.

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

VOTED: to pay half of the cost for the revised structural report on Williams Barn. The DPW will cover the other half. The vote was unanimous (5-0).

7:10 p.m. – Public Hearing (cont'd): NOI, Mitigation Plantings & Building Addition, 30 Britt Lane, MassDEP # not issued

Owner/Applicant: Donald Partridge

Representative: Stan Dillis (Ducharme & Dillis Civil Design Group)

Stan Dillis provided updates on the NOI. They received a “no take” determination from NHESP, but are still awaiting a file number/comments from MassDEP. He said the plan has been revised based on comments from the previous hearing. He added a drip line recharge trench around the proposed porch. The configuration of the proposed plantings in the buffer restoration area has also been adjusted slightly.

M. Giguere said he likes the planting plan and the forebay at the end of the drainage pipe. He asked if it is possible to reduce the size of the addition, or provide mitigation for the impervious surface.

B. Easom said he is not favor of the building addition in the buffer zone.

O. Lathrop asked for calculations of existing vs. proposed impervious surfaces, and proposed recharge from the trench. Mr. Dillis said he would provide those figures at the next hearing.

E. McHugh said she would like to see larger tree stock specified in the planting plan, to get a head start in replacing the tall trees that were cleared. She also suggested installing signs to indicate buffer zone restoration area. The plan specifies White Pine and Red Maple trees (3-4' height), Highbush Blueberry shrubs (3-4'), and Silky Dogwood shrubs (2-3'). She said it is possible to get taller tree stock (eg., 5-8'). Mr. Dillis said they would consider larger trees, but

cautioned that larger tree plantings have a higher mortality rate. He will add buffer zone signs to the plan.

P. Morrison asked what the house addition is for. Mr. Dillis said it is for expansion of the kitchen located in the back of the house.

Po Tse, an abutter at 34 Britt Lane, expressed concerns about drainage and flooding the could impact the neighbors. Mr. Dillis responded that they are not proposing any grading changes, and any changes in runoff from the site will be minor.

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

VOTED: to continue the NOI public hearing for 30 Britt Lane to 12/6/2017. The vote was unanimous (5-0). The punch list for the next hearing includes:

1. Calculations of impervious surfaces (pre & post) and proposed mitigation.
2. Alternatives to the proposed addition?
3. Larger tree stock?
4. Wetland buffer signs.

7:28 p.m. – Public Meeting: RDA, Removal of Hazard Trees, 65-67 Island Pond Road

Owner/Applicant: John & Laurie Masiello

Site Walk: 11/5/2016

John Masiello presented his request to remove approximately 60 trees from his two properties on Massapoag Pond (65 & 67 Island Pond Road). His insurance company sent a letter requiring him to remove the trees because of proximity to the houses on each property. Most of the trees are White Pines. The trees have been marked with orange tape. He would like to replant the slope between the two houses on 65 Island Pond Road with birch trees.

B. Easom asked if the insurance company provided any specific requirements or guidance, such as maximum height for stumps left in place. Mr. Masiello said they did not.

O. Lathrop said some of the marked trees observed on the site walk are far from the houses. He also said it was odd that no one else with trees on their properties seems to have a problem with their insurance coverage. He was not comfortable with the proposal to essentially clear-cut within the no disturbance zone.

E. McHugh noted the big discrepancy between the number of trees indicated on the RDA plans (25 total) versus the much higher number of trees marked in the field. She said the existing trees help prevent erosion and asked to see a restoration plan prepared for the removal areas.

M. Giguere echoed O. Lathrop's comment about a clear-cut in a sensitive area. This is much more than the typical RDA for hazard tree removal. He also agreed with E. McHugh that a restoration plan is needed. Trees stabilize the soil, provide habitat, and also modulate water temperatures near the shoreline.

P. Morrison said he could live with removal of the 25 trees indicated on the plans, in combination with alternative plantings to restore vegetation. However, he agreed that the 60 trees marked in the field were beyond the scope of an RDA. He compared this proposal to the NOI/restoration plan filed for 30 Britt Lane, as required by an Enforcement Order.

B. Easom suggested re-marking the trees in the field that the Commission agrees are legitimate hazard trees. P. Morrison said it was reasonable to revisit the site on the next regular site walk date (12/3/2016).

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

VOTED: to continue the RDA meeting for 65-67 Island Pond Road to 12/6/2016. The vote was unanimous (5-0).

7:40 p.m. – Public Hearing (cont'd): NOI, Replace Single Family Home, Septic & Well, 284 Whiley Road, MassDEP #169-1144

Owner/Applicant: John & Linda Valentine

Representative: Jack Visniewski (Cornerstone Land Consultants)

Site Walk: 11/5/2016

Jack Visniewski, engineer with Cornerstone Land Consultants, presented the revised NOI plan. The driveway now includes a proposed lateral drain to capture runoff from the road, with riprap protection at the outlet. The driveway will also be graded to direct surface runoff to a swale lined with crushed stone. The septic leaching trenches are proposed at greater depth, which reduces the overall footprint of the system. Roof runoff from the house and garage will be captured by drip trenches below the eaves, consisting of perforated pipes surrounded by crushed stone. In addition, a drain pipe will be added at the southwest driveway corner, where water could collect in an existing low point on the site. This pipe will be directed under the driveway to a riprap outlet.

O. Lathrop expressed concern about possible erosion from the drainage pipe outlets. Mr. Visniewski said the pipes are angled along the slopes, not directly downhill, to minimize erosion from the discharge. The outlets will be protected by riprap and are greater than 50 feet away from the edge of Duck Pond.

E. McHugh said she liked the changes to the plan, but the trench drains will need to be kept clean of leaves/debris. The proposed garage will provide stormwater infiltration and prevent contamination from potential vehicle leaks, so it could be considered an improvement.

M. Giguere said the revised plan is a vast improvement over the 2006 proposal. However, he still had an issue with the proposed new structure (garage) and impervious surface within the buffer zone. Mr. Visniewski responded that they have proposed multiple drainage features to provide sufficient mitigation on a site that has good native soils (sand/gravel).

B. Easom noted the existing driveway experiences some erosion, which could be mitigated by the proposed design. He is not a big fan of the project overall, but it is probably the best we can do.

P. Morrison said the revised plan is an improvement over the original NOI plan, and a big improvement over the 2006 plan.

Bob Anderson, 270 Whiley Road, concurred that this proposal is better than the previously approved plan.

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

VOTED: to close the NOI public hearing for 284 Whiley Road, MassDEP #169-1144.
The vote was unanimous (5-0).

8:00 p.m. – Public Hearing (cont'd): NOI, Septic Repair, 366 West Main Street, MassDEP #169-1143

Owner/Applicant: Douglas & Karyn Pulsifer

Representative: Chris Mackenzie (Whitman & Bingham Associates)

Site Walk: 10/22/2016

The applicants requested a continuation to 12/6/2016.

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

VOTED: to continue the NOI public hearing for 366 West Main Street, MassDEP #169-1143, to 12/6/2016. The vote was unanimous (5-0).

7:35 p.m. – Public Hearing: NOI, Music Center at Indian Hill – Phase 2, MassDEP #169-1145

Owner/Applicant: Indian Hill Music

Representatives: Gary Shepherd (Shepco Inc.); Todd Morey & Devin Howe (Beals Associates)

Site Walk: 10/22/2016

Todd Morey presented design revisions that have been made since the last hearing. He consulted with NHESP and made changes in the southwest portion of the site that will allow them to avoid a “take” of rare species. The revisions in this area include a reduction in tree clearing and a new catch basin. Mr. Morey also discussed the “Wetlands Replication Narrative” that provides responses to MassDEP’s comments/questions about the proposed replication in the northeast site corner.

On the issue of stormwater management, Mr. Morey said they took another look at the site-wide drainage design, per E. McHugh’s previous comment about an imbalance in the stormwater volumes going to the west side (approx. two-thirds) versus the east side (one-third). Mr. Morey said they managed to achieve roughly a 50/50 split by redesigning the catch basins network. The

new design will direct more stormwater volume to the “farm pond” basin in the northeast corner, while the underground basin beneath the parking lot will receive less. The revised stormwater design is under review by Nitsch Engineering for the Stormwater Committee.

Mr. Morey also summarized the proposed impacts within buffer zone and discussed potential alternatives to reduce buffer zone impacts. Each area of buffer zone impact is shown on supplemental sheets in the NOI, Appendix B: Figures (B1 – B10).

E. McHugh said she preferred to see 3:1 slopes within the buffer zone and recommended a retaining wall to stay out of the 50’ no-disturbance zone as much as possible. Mr. Morey said there is only one area with 2:1 slopes proposed (at the eastern curtain drain outfall); all other slopes will be 3:1.

M. Giguere asked for clarification about the amount of disturbance proposed within 50’ of the wetlands, and if this amount could be minimized. Mr. Morey said Phase 2 would impact approximately 2,300 s.f. within the no-disturbance zone in the vicinity eastern curtain drain outfall. However, this area could be reduced to approximately 200 s.f. if the Commission would allow construction of a retaining wall.

B. Easom asked if they revised the Stormwater Report, and if they achieved the same 50/50 stormwater volume balance for the 25-year and 100-year storm events. Mr. Morey said they submitted a revised report to the ERSWAC for peer review by Nitsch Engineering, and the site-wide stormwater balance was achieved for each the calculated storm events. B. Easom thanked the applicants for their efforts to address stormwater concerns. Mr. Morey thanked the Commission for providing good comments.

O. Lathrop asked about the status of the curtain drain outlets, and the locations of the created wetlands. Mr. Morey said the eastern and western curtain drain outlets remain in place from Phase 1, and the created wetlands will be constructed on either side of the ring road entrance.

Mr. Morey said they anticipated resolution of the stormwater peer review at the ERSWAC meeting on 12/6/2016. Mr. Shepherd said the applicants had done what was asked of them, and he wanted to close the public hearing. E. McHugh reminded Mr. Shepherd that they are waiting for the peer review letter. P. Morrison said the Commission cannot accept the findings of the peer review letter if we close the public hearing tonight. The applicants agreed to a continuation.

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

VOTED: to continue the NOI public hearing for Indian Hill Music, Phase 2, MassDEP #169-1145. The vote was unanimous (5-0).

[P. Morrison left at 8:30 p.m. O. Lathrop served as Chairman for remainder of meeting.]

8:30 p.m. – Discussion: Plan Modification, Baddacook Pond Weed Management, MassDEP #169-1138

Jim Luening, Chairman of the Great Pond Advisory Committee (GPAC), provided a brief history of weed management efforts undertaken in Baddacook Pond to date, including: mechanical weed harvesting, public education, and Weed Watcher boat monitoring program. The methodology approved under the current OOC approved in June 2016 was to use diver assisted suction harvesting (DASH). However, this proposal fell through when the consultant failed to secure the necessary harvesting equipment.

Mr. Luening explained that the GPAC has continued to work with the Water Department to find other viable weed management strategies. To this end, they propose to add the use of Hydro-Raking to clear aquatic weeds from areas where the mechanical harvester cannot go due to the thickness of the biomass. The modified plan is to Hydro-Rake aggressively in three targeted areas of Baddacook Pond (totaling approx. 5 acres), with monitoring and follow-up treatments in subsequent years as needed. Hydro-Raking involves removing plants with their root structures and built-up organic matter. The logistics of handling and disposing of the harvested biomass will be similar to the original DASH methodology, involving the utilization of three staging areas: the state boat ramp, the Baddacook Well site (Water Dept.), and the point at Baddacook Field/Shattuck Homestead.

M. Giguere asked if the current OOC permitted weed management in the whole pond, or just a portion of it. T. Tada explained that the OOC allows for management of the weed-infested area of the pond, which was estimated at 35 acres in the most recent survey.

O. Lathrop asked if they were proposing any changes to the offloading and handling of material at the staging areas. Mr. Luening said no.

E. McHugh asked if the Hydro-Raking involved digging out soil/sediment from the pond. As he understood it, Mr. Luening described the harvested material as a mix of roots and biomass in various states of decomposition.

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

VOTED: to approve the plan modification as a minor change to the Order of Conditions for Baddacook Pond weed management, MassDEP #169-1138. The vote was unanimous (4-0).

8:45 p.m. – Discussion: Reedy Meadow Estates, Open Space Parcels

Don Black spoke on behalf of John Lorden, the owner of Open Space Parcel G. Mr. Lorden wants to retain ownership of Parcel G and right to cut trees on the property, but he is willing to place a restriction on it that meets the requirements of the Subdivision Special Permit issued by the Planning Board. Mr. Black provided a draft Deed Restriction from Mr. Lorden, which would be replaced by a permanent Conservation Restriction (CR) within 5 years. The other two Open Space Parcels (H & K) are being transferred to the Commission by the developer, Peter Cricones.

B. Easom said the proposed Deed Restriction/CR scenario seems to meet the requirement of the Special Permit, and is an acceptable work-around.

M. Giguere agreed that owning two parcels and holding a CR on the third parcel is a good end result.

E. McHugh was in support of the open space protection, but suggested it would be helpful to meet with Mr. Lorden to discuss land management goals on Parcel G that are consistent with maintaining turtle habitat. Mr. Cricones said the slopes on Parcel G are too steep to harvest intensively, but selective cutting could be done.

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

VOTED: to accept the Deed Restriction on Parcel G and the transfer of Parcels H & K, Reedy Meadow Estates, subject to legal review of the draft documents by Town Counsel.
The vote was unanimous (4-0).

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

VOTED: to authorize Town Counsel legal review at a cost not to exceed \$5,000. The vote was unanimous (4-0).

Moving on to Land Management issues, T. Tada said Mike Barry of Bay State Forestry could be available to meet with the Commission on either 12/6 or 12/20 to discuss the draft forest management plan at Surrenden Farm. E. McHugh suggested moving Land Management to a more prominent position (i.e., earlier) on the agenda. Other members suggested leaving the first fifteen minutes of each meeting open for Land Management and other General Business topics, as had been the standard practice. T. Tada will go back to scheduling the first hearing at 7:15 PM, rather than 7:00 PM.

On the Land Management topic of Rocky Hill Wildlife Sanctuary, T. Tada said requested updated comments on the Fire Control Plan from Chief Steele McCurdy in anticipation of a future meeting with the landowner, Mass Audubon, to discuss revising the plan. The Selectmen have directed to the Commission to report back to them in six weeks with a progress report.

Moving on to Committee Updates, E. McHugh said the Earth Removal Stormwater Advisory Committee will meet on 12/6/2016.

B. Easom reported the Community Preservation Committee is putting together its FY18 budget. They received nearly ten Project Summaries for the FY18 cycle, and it may be difficult to fund all of them. He also mentioned that the Town received only one bid for the old GELD building on Station Avenue, from neighboring Buckingham Bus Co. The Electric Light Commission chose to sit on the property, rather than accept the bid. They are looking into creating a park and housing a gas generator in the building.

Taking up General Business items under Open Session, the Commission considered a request for Certificate of Compliance for the septic repair at 2 Bishop Way, MassDEP #169-1137. The Commission conducted a site inspection on 11/19/2016.

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

VOTED: to issue a Certificate of Compliance for 2 Bishop Way, MassDEP #169-1137.
The vote was unanimous (4-0).

The Commission also discussed the process for closing out the boulder wall project at 60 Valley Road, MassDEP # 169-1125. The applicant, Paul Johnson, requested a waiver from the requirement to have an engineer's certification and stamped as-built plan. The Commission conducted a site inspection on 11/19/2016. The wall appeared to be well-constructed and stable.

M. Giguere said he would be okay with waiving the requirement for an engineer's certification.

E. McHugh said the Commission should still require some sort of as-built plan for the record, such as a surveyed site plan of existing conditions. The Commission agreed with this approach. T. Tada will inform the applicant that a surveyed site plan will suffice.

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

VOTED: to adjourn the meeting. The vote was unanimous (4-0). The meeting was adjourned at 9:40 p.m.

Notes taken by Takashi Tada
Conservation Administrator

Exhibits on file at Conservation Commission Office:

1. NOI, 30 Britt Lane, MassDEP # not issued
2. RDA, 65-67 Island Pond Road
3. RDA, 33 Ridgewood Avenue
4. NOI, 284 Whiley Road, MassDEP #169-1144
5. NOI, 366 West Main Street, MassDEP #169-1143
6. NOI, Music Center at Indian Hill "Phase 2", MassDEP #169-1145
7. Plan Modification, Baddacook Pond Weed Management, MassDEP #169-1138
8. OOC, 116 Boston Road, MassDEP #169-1142
9. Certificate of Compliance, 2 Bishop Way, MassDEP #169-1137
10. Meeting Minutes, 10/11/2016

Approved 4/11/2017