

GROTON CONSERVATION COMMISSION

Meeting Minutes

Tuesday, December 20, 2016

Location: Town Hall, 2nd Floor

Members Present: John Smigelski (Chair), Peter Morrison (Vice Chair), Olin Lathrop (Clerk), Susan Black, Bruce Easom, Eileen McHugh

Members Absent: Marshall Giguere

Others Present: Takashi Tada (Conservation Administrator)

The meeting was called to order at 7:00 p.m. by Chairman Smigelski.

Starting with General Business, the Commission took the following actions:

Order of Conditions for 30 Britt Lane, MassDEP #169-1146. The public hearing was closed on 12/6/2016.

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

VOTED: to issue an Order of Conditions under the MA Wetlands Protection Act for 30 Britt Lane, MassDEP #169-1146. The vote was unanimous (6-0).

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

VOTED: to issue an Order of Conditions under the Groton Wetlands Bylaw for 30 Britt Lane, MassDEP #169-1146. The vote was unanimous (6-0).

Certificate of Compliance for the Country Club Driving Range, MassDEP #169-1115. The Commission conducted a final inspection on 12/17/2016.

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

VOTED: to issue a Certificate of Compliance for the Country Club Driving Range, MassDEP #169-1115. The vote was unanimous (6-0).

Certificate of Compliance for 61 Ridgewood Avenue, MassDEP #169-1111. The Commission conducted a final inspection on 12/17/2016.

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

VOTED: to issue a Certificate of Compliance for 61 Ridgewood Avenue, MassDEP #169-1111. The vote was unanimous (6-0).

Certificate of Compliance for 72 Dale Lane, MassDEP #169-1081. The Commission conducted a final inspection on 12/17/2016. The conservation (buffer zone) markers were not installed as required by the Order of Conditions.

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

VOTED: to issue a Certificate of Compliance for 72 Dale Lane, MassDEP #169-1081, contingent upon satisfactory installation of the conservation markers. The vote was unanimous (6-0).

Certificate of Compliance for 12 Winding Way (Lot B-34), MassDEP #169-752. The Commission conducted a final inspection on 12/17/2016.

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

VOTED: to issue a Certificate of Compliance for 12 Winding Way (Lot B-34), MassDEP #169-752. The vote was unanimous (6-0).

Certificate of Compliance for 38 Ridgewood Avenue, MassDEP #169-1134. The Commission conducted a final inspection on 12/17/2016. The silt fence below the septic leaching area was still in place.

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

VOTED: to issue a Certificate of Compliance for 38 Ridgewood Avenue, MassDEP #169-1134, contingent upon satisfactory removal of the silt fence. The vote was unanimous (6-0).

Certificate of Compliance for 51 Kemp Street, MassDEP #169-1133. The Commission conducted a final inspection on 12/17/2016. The conservation (buffer zone) markers were not installed as required by the Order of Conditions.

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

VOTED: to issue a Certificate of Compliance for 51 Kemp Street, MassDEP #169-1133, contingent upon satisfactory installation of the conservation markers. The vote was unanimous (6-0).

7:15 p.m. – Public Hearing: NOI, Longley Road, Parcel 225-31 (C. Moore), MassDEP # not issued

Owner/applicant: Calvin Moore (Maple Sugar, LLC)

Rep: Bruce Ringwall (GPR, Inc.)

Site walk: 12/17/2016

Bruce Ringwall of GPR presented the NOI proposal on behalf of the applicant, Calvin Moore. Mr. Ringwall described the existing conditions on the property, which includes significant BVW associated with intermittent streams that collect water from the higher ground to the east and drain to the west through a culvert under Longley Road. The proposed project is a single family home with a long driveway (1,400 linear feet) that will cross the BVW at two locations. The crossings will result in approx. 1,146 square feet of wetlands alteration, with a total of 3,437 s.f. of replication proposed (ratio of 3:1). The house and septic system will be located outside of the buffer zones. A septic permit has been issued by the Board of Health.

The driveway configuration takes advantage of the best sight lines along the Longley Road frontage, then crosses the two wetlands at the narrowest possible points within the existing topography. The driveway will be 10 feet wide, not including the level shoulders (2 feet on each side). Some sections will be gravel and others will be paved. Stormwater treatment will be provided along the entire driveway length using wet swales, tree box filters, bioretention areas (rain gardens), stone diaphragms, and grassed swales. These features will provide 80% TSS removal per the MassDEP Stormwater regulations.

The first crossing will be an aluminum box/arch culvert that completely spans the intermittent stream channel. This span will require 1,041 s.f. of BVW disturbance. The proposed replication area (3,138 s.f.) for this crossing will be constructed immediately adjacent to the BVW on the north side.

The second crossing will utilize Cultec chambers in the wetland to allow free flow of water and maintain equilibrium of the existing hydrology. This crossing will alter 104 s.f. of the wetland, with proposed replication of 394 s.f. nearby. Cultec chambers will also be used to recharge the roof runoff from the proposed house (outside of the buffer zone).

Mr. Ringwall noted that a Wetland Replication Report was included with the NOI materials. Erosion controls (straw wattles) are proposed along portions of the driveway where there is a potential impact to wetlands, and straw bales are proposed around the stockpile areas.

A Stormwater Report was also submitted with the NOI. Post-development conditions will be improved for all storm events, compared to pre-development.

P. Morrison asked for clarification on the length of the box/arch culvert. Mr. Ringwall said 15 ft.

S. Black thanked Mr. Ringwall for the detailed presentation and asked about maintenance of the stormwater facilities. Mr. Ringwall said they provided copies of the Long Term Pollution Prevention Plan and the Operations & Maintenance Plan. They have also filed for a Stormwater Permit. The total area of impervious surfaces and drainage systems is approx. 20,000 s.f.

E. McHugh asked why the proposed erosion controls did not encompass the entire length of driveway, and also voiced concern about runoff along the driveway surface. Mr. Ringwall said they aren't proposing to place erosion controls on the upgradient side of the work area because they don't want to impede the existing, natural flow of runoff from the topographic high points (knolls, ridges, etc.) He also said the driveway surface runoff would be mitigated by swales with check dams.

B. Easom observed that the new stream crossing standards did not apply to the two proposed intermittent stream crossings. He was not sure if the project qualified as a "limited project" because of the multiple crossings. He also said the wetland replication areas should maintain the character of the existing wetlands. The replication plan calls for a Red Maple tree canopy. Regarding the Stormwater Report, he asked if the drainage calculations considered the possibility that the whole length of driveway could be paved in the future. Mr. Ringwall replied that they calculated the gravel in the same manner as pavement, per the Town's driveway regulations.

O. Lathrop asked if the house and septic system are included in this filing. Mr. Ringwall said they are included in the project, but are located outside of the Commission's jurisdiction.

Valerie Best, owner of the abutting property at 128 Longley Road and cousin to Mr. Moore, asked why the applicant couldn't put a driveway through the northern portion of the property, which is shown on the site plans as being subdivided into a separate house lot. Mr. Ringwall said they prepared an ANR Plan creating two house lots, but he perc testing identified only one suitable location for a septic system. He also said a northern driveway route would require much more grading and therefore impact significantly more of the buffer zone than the proposed route. It would also have poor sightlines in both directions on Longley Road.

Ms. Best and her brother, Curtis Best, took turns reading a lengthy letter expressing concerns about impacts to wetlands and existing drainage patterns, disturbance of cultural resources, and the loss of productive agricultural land. They were worried about the proposed driveway having a damming effect. They also asserted that the construction would desecrate the resting place (burial site) of the Longley/Fitch family ancestors who were killed by Native Americans in 1694. Harlan Fitch planted 2 trees, one which still stands, to mark the burial site. Mr. Ringwall explained that there would be no damming or impediment to the existing flows of water, and therefore no impact on Ms. Best's upgradient property. The first crossing will be an oversized box/arch culvert that spans the intermittent channel, and the second crossing will allow the free flow of water in a location where the existing flow is minimal. He also pointed out that the stormwater regulations prohibit any negative impact on abutting properties.

B. Easom said he missed the site walk and asked if the wetland boundaries in the northern part of the site were confirmed. Mr. Ringwall said the wetland flagging was not confirmed during the site walk, but the wetlands follow the valleys in the undulating topography of the site, and the valleys extend up into the northern part. He emphasized that the cumulative impacts within buffer zone would be much greater due to the grading required for a northern driveway route.

George Wheatley, member of the Historical Commission, reiterated the historical significance of the property. The Longley house was located here and the burial site needs to be identified and protected. He showed a copy of an old plan showing the approximate burial location that appears to place it in the southwest corner of the property. Commissioners emphasized that they have no regulatory jurisdiction over historical/archaeological resources.

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

VOTED: to continue the NOI public hearing for Longley Road (Parcel 225-31) to 1/10/2017. The vote was unanimous (6-0).

B. Easom asked the applicants for permission to conduct another site walk. They said yes, and suggested he join them on the Stormwater Committee's upcoming site walk.

T. Tada asked Ms. Best for a copy of her letter, for the file record.

8:20 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

Chris Mackenzie, engineer with Whitman & Bingham Associates, presented the revised septic system plan for 366 West Main Street. The revised design is for a Micro-Fast tank and pump chamber and a conventional leach field with an impervious barrier on the wetland side. The total volume of fill proposed is 430 cubic yards, of which 380 c.y. will be below floodplain elevation. Opportunities for compensatory flood storage are severely limited by high groundwater and topography, and are also very expensive. Only a small area behind the house is above the floodplain elevation.

S. Black asked if there were any grandfathering clauses that would make it easier to permit. The floodplain requirements apply to any new proposal.

P. Morrison asked if the septic design is approvable by the Board of Health. Mr. Mackenzie said he believed so.

B. Easom asked for volumetric calculations, per foot of elevation, for flood storage compensation. He also suggested meeting with the BOH. Mr. Mackenzie said the only area of the site that is above the base flood elevation of 210 feet is the proposed deck area behind the house (approx. 143 c.y. of potential storage).

Chairman Smigelski asked if it was more important to clean up the groundwater by removing a failed system, or to preserve the floodplain.

Mr. Mackenzie said he would be meeting with the BOH on Monday, 1/9/2017. Commissioners agreed to attend the BOH meeting and asked TT to post a joint meeting.

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

VOTED: to continue the NOI public hearing for 366 West Main Street, MassDEP #169-1143 to 1/9/2017. The vote was unanimous (6-0).

8:40 p.m. – Discussion: Baddacook Pond Weed Management, MassDEP #169-1138

Jim Luening, Chairman of the Great Pond Advisory Committee (GPAC) presented an update on proposed weed management at Baddacook Pond. The Board of Water Commissioners (Tom Orcutt, Jim Gmeiner, Jack McCaffrey, April Iannicone) were in attendance as part of their regular meeting, along with DPW Director Tom Delaney.

Mr. Luening said the GPAC has been discussing the logistics of handling the harvested biomass from the proposed hydro-raking. The hydro-raking will pull out a combination of muck and weeds, which will need to be offloaded at the designated sites (State boat ramp, Water Dept, and Baddacook Field/Shattuck Homestead). Mr. Delaney said they need to let the material dewater before trucking it away. Mr. Luening suggested the Baddacook/Shattuck site is the most suitable. He asked for the Commission's thoughts on this.

B. Easom reminded that the Groton Conservation Trust (GCT, holders of the conservation restriction on Baddacook/Shattuck) were opposed to spreading the material on the property, they might be open to temporary stockpiling and staging activities. He said GPAC should contact the GCT.

S. Black worried that the proposed operation would interfere with the Commission's ongoing effort to control invasive Black Swallow-wort in the field.

Chairman Smigelski asked how much material they expect to harvest. Mr. Luening said the proposed hydro-raking area is about 5 acres, but it will not be done all at once.

O. Lathrop said he would like to see the staging area closer to Martins Pond Road.

Mr. Delaney said he would need to put stone down along the existing cart path to stabilize it for heavy trucks. It would improve the overall condition of the path.

Mr. Orcutt said the Board of Water Commissioners is looking for a motion of support from the Conservation Commission on the handling of hydro-raked biomass.

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

VOTED: to approve the dewatering of hydro-raked material at the landing area of Baddacook Field/Shattuck Homestead, subject to approval by the GCT. The vote was unanimous (6-0).

Mr. Luening said the GPAC would also like a letter of support for their application to the Community Preservation Committee (CPC).

O. Lathrop asked how much they were requesting. Mr. Luening said \$300,000.

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

VOTED: to provide a letter of support for the GPAC's funding request to the CPC. The vote was unanimous (6-0).

Moving on to other General Business, the Commission discussed whether to restrict camping at Bertozzi Conservation Area during deer hunting season. The Environmental Police were out in force during the opening weekend of shotgun season, and they warned a Boy Scout group that camping in Bertozzi was not advisable. The Scout group left Bertozzi after the warning.

On the topic of Committee Updates, B. Easom reported the Friends of Prescott proposal to the CPC received only limited support from the Board of Selectmen. He also suggested the Commission consider withdrawing, or reducing, its CPC funding request so as not to conflict with the Baddacook Pond Weed Management proposal. The balance in the Conservation Fund is approximately \$725,000. Perhaps a request for \$25,000, to bring it up to \$750,000, would be more reasonable at this time.

O. Lathrop said the Trails Committee has set the date of the 3rd Annual Conservation Summit. It will be held on Thursday, February 16, at 6:00 PM in the Lawrence Academy Media Center. The agenda will be more focused than the first two summits.

As a final order of business, T. Tada asked the Commission to approve clerical changes to the Order of Conditions for 284 Whiley Road, MassDEP #169-1144. The changes will correct minor errors in the square footage calculations of the proposed house renovation and new garage, as noted by the owner/applicant, John Valentine.

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

VOTED: to approve clerical changes to the Order of Conditions for 284 Whiley Road, MassDEP #169-1144. The vote was unanimous (6-0).

There being no further business, upon a motion, seconded, it was

VOTED: to adjourn the meeting. The vote was unanimous (6-0). The meeting was adjourned at 9:15 p.m.

Notes taken by Takashi Tada
Conservation Administrator

Exhibits on file at Conservation Commission Office:

1. NOI, 366 West Main Street, MassDEP #169-1143
2. NOI, Longley Road, Parcel 225-31, MassDEP # not issued
3. OOC, Baddacook Pond Weed Management, MassDEP #169-1138
4. OOC, 30 Britt Lane, MassDEP #169-1146
5. OOC, 284 Whiley Road, MassDEP #169-1144
6. COC, 94 Lovers Lane, Country Club Driving Range, MassDEP #169-1115
7. COC, 61 Ridgewood Avenue, MassDEP #169-1111
8. COC, 72 Dale Lane, MassDEP #169-1081
9. COC, 12 Winding Way (Lot B-34), MassDEP #169-752
10. COC, 38 Ridgewood Avenue, MassDEP #169-1134
11. COC, 51 Kemp Street, MassDEP #169-1133

Approved 6/27/2017