

## GROTON CONSERVATION COMMISSION

### Meeting Minutes

Tuesday, March 28, 2017

Location: Town Hall, 2<sup>nd</sup> Floor

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

Others Present: Takashi Tada (Conservation Administrator)

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

#### General Business:

The Chairman recognized Valerie Best regarding the Executive Session for Longley Parcel 225-31.

T. Tada said Town Counsel had reviewed the issue. S. Black asked whether the hayfield was contiguous with V. Best's property. V. Best said yes, noting that it was hayed by R. Tolles.

#### Certificate of Compliance, 402 Lowell Road, MassDEP#169-468

The applicants said the PVC pipe was to a sink drain in the pool house and outlet hose controlled water to the sink drain.

M. Giguere said this is not kosher and suggested remanding the issue to the Board of Health.

O. Lathrop said it is not acceptable to have a sink.

P. Morrison questioned whether this is within the Commission's jurisdiction.

S. Black said the closing Purchase and Sale is on April 1<sup>st</sup>.

T. Tada will consult with the BOH first.

#### 7:15 p.m. – Public Hearing (con't): NOI, Aquatic Weed Management, 2 Farmers Row (MacDonald), MassDEP#169-1150.

J. Smigelski recused himself because of a business relationship with the landowner.

DEP comments: There are two options for approval. 1) Approve as normal maintenance of land in agricultural use (exemption, no permit required). 2) Approve as an Ecological Restoration Limited Project for treatment area greater than 5,000 sq. ft. (issue an Order of Conditions). This would require the applicant to file Appendix A and provide notification in the Environmental Monitor. Additionally, a better map showing the location of the pond is required and it is recommended to create a vegetated buffer around the pond and/or limiting animal access to the pond in order to reduce nutrient concentrations in the pond water.

J. Smigelski said the parcel has greater than \$500 value in agricultural production (hay, winter rye) and qualifies under Ch. 61A.

S. Black said that if herbicides are applied at low water than there is no downstream threat. She said she is worried that a vegetated buffer could become an invasive hotspot.

E. McHugh said agrees with the ag. use, as well as adding a vegetation buffer. She also said they should add riprap to the forebay to reduce erosion.

M. Giguere said he agrees with ag. use as well and asked whether an Order of Conditions has been issued and was told there was not.

B. Easom asked whether there was a farm plan. J. Smigelski said he was not sure but would look. He said that geese are the biggest water quality threat.

O. Lathrop said he agrees with the ag. use and wants to recommend low water treatment.

P. Morrison suggested the following conditions:

- 1) Herbicide shall be applied at low water;
- 2) A vegetation buffer shall be created;
- 3) A copy of the Farm Plan shall be submitted;
- 4) Riprap shall be placed at the culvert discharge.

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

VOTED: to approve the NOI under the exemption for normal maintenance of land in agricultural use, with the above conditions.

The vote was unanimous (6-0).

Return to General Business:

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

Voted: to pay half of the Trails Committee invoice for trail crossing signs. The vote was unanimous.

The Commission also approved payment of the following invoices: The Groton Herald Legal Notices, \$38.25 and \$51.75; Adrian Name Plates-wetland buffer signs, \$459.75; and Bay State Forestry Service-Surrenden Farm forest management plan, \$2,538.00.

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

Voted: to approve minutes from 10/25/16. The vote was five in favor and one abstention (Lathrop).

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

Voted: to approve minutes from 11/7/16. The vote was four in favor and two abstentions (Black & Lathrop).

CR Monitoring: Bissell (Parcel 202-83, Townsend Rd.) and Norris (Parcel 213-60, Pepperell Rd.) – CRs are held jointly by ConsCom and DCR. Felicia Bakaj of DCR is planning to visit the two parcels sometime in April.

7:35 p.m. – Public Hearing: NOI, Swimming Pool, 26 Indian Hill Rd. (Van Geffen), MassDEP#169-1151.

Applicant: Bruce Ringwall, Alex Cedrone  
Owner: Christie Van Geffen and Matt Koski

B. Ringwall said that he previously filed an ANRAD and received an ORAD for delineation of the BVW and RFA. They are now proposing a swimming pool that will result in alteration of 3,916 sq. ft. within the 62,342 sq. ft. total RFA. He said the pool (16' x 45'), deck/patio and landscaping are constrained by wetlands, RFA, the 20' septic setback requirement, the septic reserve area, the 25' well setback and lot line and road setbacks. He said the topography is a gentle slope down to the wetlands. He said that there would be a small retaining wall to minimize grading, noting that they would only be disturbing 50 sq. ft. of the existing tree line and otherwise there would be 3:1 grading. He said there would be a 1'x1' stone apron to infiltrate/recharge the runoff from the pool patio and a Stormtech chamber for the roof gutters. Discussion ensued regarding the perimeter fence and alternatives. He said that the Stormtech overflow would have a pop up emitter. He said that NHESP/MESA is still pending and the project is in the Petapawag ACEC, which is not indicated on the NOI form. He said that under the Bylaw, this is a permanent structure.

P. Morrison asked about the pool system. B. Ringwall said it will be a salt water, non-backwash filter and his clients would like to construct it ASAP.

E. McHugh asked whether there would be permeable paving stones used for the patio, and any trees removed for the fence. B. Ringwall said no to both questions. E. McHugh asked what the cut/fill balance would be. Br. Ringwall said he is unsure of the exact depth of the pool and excavation but said it would probably be close to balanced, noting that they will need clean sand/stone.

M. Giguere said the pool is definitely a permanent structure and asked whether they would consider an above ground pool. B. Ringwall said that would still require grading, noting that the storm water calculations are on the plan.

B. Easom noted that this is a structure in the buffer zone and asked what improvements have been proposed and what the "net gain" options are. B. Ringwall said the existing gutter discharges to the surface while the new gutter will have a recharge trench and Stormtech for the roof. He said there would be minimal disturbance of the natural vegetation and a fence will be installed to preclude encroachment. B. Easom asked about buffer markers.

O. Lathrop asked what the work limits would be and whether the pool would be drained. B. Ringwall said the work would be outside of the 50' buffer and the water will be kept in the pool (will float in high groundwater table). He said he wanted to clarify increases in recharge/infiltration. He said that one tree would be removed over the garage because it is a hazard, noting that the stump will be left in place.

J. Smigelski asked what material will be used and what the gate width is. B. Ringwall said the material is fiberglass and the gate will be wider than 8' for pickup truck access.

E. McHugh asked whether there were enough wattles along the CNST access and whether the water truck could access the pool. B. Ringwall said it would be filled by hose from the road.

B. Easom said they should allow the existing grass to go back to wild for both habitat and runoff. B. Ringwall proposed to allow the 100' RFA (inner riparian zone) to naturalize? S. Black said invasives should be kept at bay along the fence line. She also said two signs at the 100' RFA should be added on the side lines.

E. McHugh said they had a plan for the "naturalized" area. B. Ringwall said there would be native shrubs.

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

VOTED: to continue the hearing to 4/11/17.

The vote was unanimous.

B. Ringwall asked if a draft Order of Conditions could be ready for the next meeting.

Return to General Business:

Land Acquisition: Reedy Meadow- The acceptance of the deed for Parcels H and K was signed and B. Easom will have it notarized in the morning.

Land Management: Surrenden Farm- The stewardship plan was signed.

Eliades (Pacer Way): S. Black presented a report stating that Autumn Olive cannot be "maintained" and needs to be killed either by mowing (two to three times per year) or with herbicide. O. Lathrop suggested cutting and painting it with glyphosate. M. Giguere asked whether Roy is under license to maintain it. J. Smigelski said they need a machine with a brontosaurus head to fracture the stems. T. Tada said Baystate is under contract already. O. Lathrop said the Invasive Species Committee will use the Phragmite patch as a test case, noting that there is an RDA this fall but not for Autumn Olive. M. Giguere said they have to prioritize parcels. E. McHugh said this is a high profile, open parcel that they are losing. J. Smigelski said they have to mow. T. Tada said he would get a price/proposal from Baystate.

Return to: Alfred Von Campe 402 Lowell Rd., MassDEP#169-468- A recap of proceedings thus far, input from the Board of Health is needed and there is concern about future use. J. Smigelski suggested an option would be to rip out the sink.

P. Morrison made a motion to issue a Certificate of Compliance, conditioned upon:

- 1) removal of the sink in the pool house, and
- 2) feedback from the Board of Health.

P. Morrison withdrew the motion, noting that there should be an option of acceptable resolution added.

Kailey's Way: Okay for Patricia Carey, 51 Kailey's Way, to fill in a minor sinkhole/depression in her yard, adjacent to the Groton Hills trail.

Committee Updates:

CPC: The Commission's \$25,000 request for the Conservation Fund received the highest score and will be recommended for approval at Town Meeting. GPAC's proposal for two years of funding for Baddacook Pond weed treatment will also be recommended for approval.

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

VOTED: to move into executive session at 9:00 PM and not return to the open meeting.  
The vote was unanimous via roll call vote.

Notes taken by Takashi Tada  
Conservation Administrator

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

1. NOI, 2 Farmers Row, MassDEP #169-1150
2. NOI, 26 Indian Hill Road, MasDEP #169-1151
3. COC, 402 Lowell Road, MassDEP #169-468
4. Meeting Minutes, 10/25/2016
5. Meeting Minutes, 11/7/2016
6. Acceptance of Deed, Parcels H & K, Reedy Meadow Estates
7. Forest Stewardship Plan, Surrenden Farm

**Approved: 12/12/2017**