

GROTON CONSERVATION COMMISSION

Meeting Minutes

Tuesday, September 27, 2016

Chairman John Smigelski called the meeting to order at 7:00 p.m. with Susan Black, Eileen McHugh, Bruce Easom, and Olin Lathrop (Clerk) present in the GELD meeting room. Peter Morrison (Vice Chairman) and Marshall Giguere were absent. Conservation Administrator Takashi Tada was present. O. Lathrop read the public hearing/meeting notices.

7:00 p.m. – Public Meeting: RDA, Tree Removal, 450 Old Dunstable Road (D. Lex)

Owner/Applicant: Dennis & Jeanne Lex

Site Walk: 9/24/2016

Dennis Lex described his proposal to remove up to 32 white pine trees that pose a hazard to his house. Several trees came down during the recent microburst storm, including one that fell across the swimming pool fence. Most of the trees are within 100 feet of the stream channel in the northwestern part of the property, and also within striking distance of his house. Only the hazard trees will be removed, all other existing vegetation will remain. Mr. Lex said there did not appear to be much of a market for the mature pine trees; most of it will likely be chipped.

E. McHugh asked if he planned to spread any of the wood chips in the 100-foot buffer zone. Mr. Lex said he would keep the wood chips, and the chipping equipment, out of the buffer zone.

B. Easom asked about the stumps. Mr. Lex said he plans to leave the stumps in place.

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

VOTED: to issue a Negative #3 Determination of Applicability for proposed tree removal at 450 Old Dunstable Road, subject to the following four (4) conditions:

1. No removal of trees within the 50' no disturbance zone.
2. No chips or mulch in the 100' buffer zone.
3. No heavy equipment in the 100' buffer zone.
4. All stumps to be left in place.

The vote was unanimous (5-0).

Taking up General Business – Minutes, the Commission reviewed draft meeting minutes from 7/12/2016.

Upon a motion by E. McHugh, seconded by S. Black, it was

VOTED: to approve the meeting minutes from 7/12/2016 as drafted. The vote was unanimous (5-0).

Under General Business, the Commissioners signed the Certificate of Compliance for Groton School Landfill Remediation, MassDEP #169-1084. The Commission voted to issue the Certificate in December 2015, contingent upon removal of the silt fence and repair of minor tire ruts on the access road. T. Tada reported that the ruts have been repaired and the silt fence has been removed.

Under General Business – Invoices, T. Tada presented an invoice from Tim’s Hydroseeding in the amount of \$450 for brush chipping/removal at Sargisson Beach. The work was done back in May (previous fiscal year) but they did not submit an invoice until now. In order to avoid having to seek an appropriation from Fall Town Meeting, the Commission can consider paying the invoice out of the Sargisson Beach/Petapawag Canoe Launch Gift Fund account. The balance in this account is approximately \$6,962.

Upon a motion by E. McHugh, seconded by O. Lathrop, it was

VOTED: to pay the \$450 invoice from Tim’s Hydroseeding out of the Sargisson Beach/Canoe Launch Gift Fund. The vote was unanimous (5-0).

Moving on to General Business – Land Management, the Commission reviewed a cost proposal submitted by A1 Odd Jobs (Quintin Shea) for fall mowing at Ames Meadow, Crosswinds, Smith Street (Eliades), Hidden Valley/New Pond (Groton Woods), and Whistle Post Lane (Knowles Siding Cons. Area). The total estimated cost is \$1,450 based on a rate of \$50/hour. T. Tada said the developer of Groton Woods subdivision has agreed to continue mowing the Hidden Valley/New Pond field according to the seasonal restriction for turtles (mow after November 1st).

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

VOTED: to authorize up to \$1,600 for completion of routine fall mowing per the quote provided by A1 Odd Jobs. The vote was unanimous (5-0).

7:20 p.m. – Discussion: Reedy Meadow Estates, Open Space Parcels

Peter Cricones (Reedy Meadow Estates LLC) and his attorney, Carla Page, discussed the disposition of the three open space parcels associated with the Reedy Meadow Estates subdivision. The Planning Board’s Special Permit requires the permanent protection of Parcels H (10.6 acres), G (2.0 ac.), and K (1.4 ac.). Protection of these parcels was also a condition of approval by NHESP for work in rare species (turtle) habitat. Mr. Cricones would like to deed the parcels outright to the Conservation Commission, rather than go through the process of putting a Conservation Restriction in place. Parcel H abuts the Meadowbrook Conservation Area, and Parcel K would provide access from a future Town road. Is the Commission interested in acquiring the three parcels?

S. Black, E. McHugh, and B. Easom cautioned that the parcels would come with management obligations such as maintaining turtle nesting habitat and controlling invasive species in and

around the former sand pit on Parcel H. T. Tada read the conditions of NHESP's approval, which include installation of a turtle barrier and maintenance of the sand pit in an open/early successional state to provide turtle nesting habitat. The turtle barrier around the construction site has already been installed by Mr. Cricones.

E. McHugh said the Commission should develop a management plan if it intends to take on the parcel ownership. S. Black suggested consulting with NHESP for specific guidance. B. Easom said invasive plants will likely be an issue regardless of ownership status or management practices. O. Lathrop agreed that a management plan would be nothing more than an invasive species control plan in the sand pit, given the past site disturbance.

Upon a motion by E. McHugh, seconded by S. Black, it was

VOTED: to accept Parcels G, H & K from Reedy Meadow Estates LLC (as shown on plans of 2014) with a commitment to create a management plan that includes best practices and periodic monitoring. The vote was 3-2 (Easom & Lathrop opposed).

Explaining his vote, B. Easom said he would be willing to accept the land with whatever conditions NHESP recommends to maintain the integrity of the turtle habitat, rather than developing our own plan.

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

VOTED: to accept Parcels G, H & K from Reedy Meadow Estates LLC (as shown on plans of 2014) with a commitment to adhere to management conditions put forth by NHESP. The vote was unanimous (5-0).

Mr. Cricones said he would provide copies of his latest plan set. Ms. Page will prepare a draft deed for review.

7:50 p.m. – Discussion: Declaration of Restriction, Land off Half Moon Road (Juskalian)

T. Tada reported that the Declaration of Restriction covering 14 acres of land owned by Edward Juskalian has been recorded by Mr. Juskalian's attorney, Bob Collins.

B. Easom commented on the editorial written by Jack Petropoulos, Chairman of the Board of Selectmen. The left out some pertinent facts about the Juskalian land protection, such as the lack of public access. An outright purchase of the land by the Town would have ensured the right of public access.

7:55 p.m. – Public Hearing (cont'd): NOI, Sewer Connection, 116 Boston Road, MassDEP # not issued

Owner/Applicant: Dorothy Janes & Shane Grant

Representative: David Erickson, attorney

T. Tada said he provided a copy of the NOI application materials to the applicants, for them to mail to MassDEP as required. He was unsure if the NOI had been received yet by MassDEP. Per the terms of the Commission's ultimatum letter, the applicants have until this Friday, September 30th, to prove they submitted the NOI to MassDEP.

Upon a motion by O. Lathrop, seconded by E. McHugh, it was

VOTED: to begin issuing non-criminal fines on Monday, 10/3/2016, to the owners of 116 Boston Road, if the NOI is not delivered to MassDEP by 9/30/2016. The vote was (3-2) with S. Black and B. Easom opposed.

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

VOTED: to clarify the aforementioned fines to be in the amount of \$50 per day until the Commission's next meeting on 10/11/2016, at which point the fines will be reconsidered. The vote was unanimous (5-0).

8:15 p.m. – Public Meeting (cont'd): RDA, Addition & Parking Lot, 11 Station Avenue

Applicants: Luke & Katie Kenney

Owner: Beaudane Properties LLC

Site Walk: 6/11/2016

The applicants have withdrawn their RDA.

Upon a motion by O. Lathrop, seconded by S. Black, it was

VOTED: to close the public meeting for 11 Station Avenue. The vote was unanimous (5-0).

Moving on to other General Business, the Commission considered a draft Order of Conditions for the septic system upgrade at 67 Island Pond Road, MassDEP #169-1140.

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

VOTED: to issue an Order of Conditions under the Wetlands Protection Act for 67 Island Pond Road, MassDEP #169-1140. The vote was unanimous (5-0).

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

VOTED: to issue an Order of Conditions under the Wetlands Bylaw for 67 Island Pond Road, MassDEP #169-1140. The vote was unanimous (5-0).

Under General Business – Land Management, T. Tada said he was planning to schedule a public informational meeting on 1/25/2016 to discuss revisions to the Resource Management Plan for Surrenden Farm.

On the topic of invasive plant control at Baddacook Field/Shattuck Homestead, the Commission considered a proposal from Jeff Taylor of Vegetation Control Service (VCS) to perform spot treatment of invasive plants (primarily Black Swallow-wort) using Rodeo (glyphosate) herbicide. The proposed cost will not exceed \$2,500.

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

VOTED: to approve the proposal from VCS to treat invasive plants at Baddacook Field.
The vote was unanimous (5-0).

On the topic of Committee Updates, B. Easom said the Williams Barn structural repair proposal has been recommended by the Community Preservation Committee (CPC) for consideration at Fall Town Meeting. The amount requested is \$45,000. He also cautioned that the future of the Community Preservation Act in Groton is uncertain now that the Budget Sustainability Committee is scrutinizing all aspects of the Town's finances.

E. McHugh reported that the Earth Removal Stormwater Advisory Committee will meet on October 4th to review the proposal for synthetic turf fields at GDRHS, and on October 18th to review Indian Hill Music Center, Phase 2.

O. Lathrop said the Invasive Species Committee is working with the Town Manager and DPW to have a couple of volunteers become licensed pesticide applicators to assist the Town on invasive species control projects.

8:45 p.m. – Upon a motion by E. McHugh, seconded by S. Black, it was

VOTED: to adjourn the meeting. The vote was unanimous (5-0). The meeting was adjourned at 8:45 p.m.

Notes taken by Takashi Tada
Conservation Administrator

Exhibits on file at Conservation Commission Office:

1. OOC, 67 Island Pond Road, MassDEP #169-1140
2. RDA, 450 Old Dunstable Road
3. Meeting Minutes from 7/12/2016
4. Declaration of Restriction, Land off Half Moon Road (E. Juskalian)

5. Certificate of Compliance, Groton School Landfill Remediation, MassDEP #169-1084
6. RDA, 11 Station Avenue
7. NOI, 116 Boston Road, MassDEP # not issued

Approved 2/28/2016