

## GROTON CONSERVATION COMMISSION

### Meeting Minutes

Tuesday, February 14, 2017

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

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

Members Absent: Susan Black

Others Present: Takashi Tada (Conservation Administrator)

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

#### General Business:

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

Voted: to approve minutes from 9/6/16. The vote was five in favor and one abstention.

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

Voted: to approve minutes from 9/13/16. The vote was four in favor and two abstentions.

#### Order of Conditions: 366 Main St., MassDep#169-1143

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

Voted: to issue an Order of Conditions under the Wetland Protections Act. The vote was unanimous.

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

Voted: to issue an Order of Conditions under the Wetlands Bylaw, as amended to strike conditions 8 & 13. The vote was unanimous.

#### Order of Conditions: 267 Whiley Rd., MassDep#169-1149

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

Voted: to issue and Order of Conditions under the Wetland Protections Act. The vote was unanimous.

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

Voted: to issue an Order of Conditions under the Wetlands Bylaw, as amended to strike condition 8. The vote was unanimous.

Certificate of Compliance: 26A Bradley Drive (Squannacook Hills), MassDEP#169-908.

Discussion ensued regarding whether this should be a partial certificate.

J. Smigelski said he does not want to do multiple partials and this needs to be made clear to the Homeowners Association.

M. Collette said there is a very fragile, wet meadow that floods in the spring and should be monitored.

B. Easom said this seems unfair to the other unit owners. J. Smigelski said the costs would be shared by all owners.

P. Morrison said he has driven by.

M. Collette said they should consult with Fran Stanley, Housing Coordinator, regarding the 40B responsibilities.

This issue has been put on hold for the time being.

B. Easom recused himself from the following discussion regarding Prescott School.

7:15 p.m. – Discussion, Town Meeting Senior Center Review Committee re: Prescott School  
John Amaral, Stan Dillis

J. Amaral and S. Dillis are charged with reporting findings to the BOS and Town Meeting.

S. Dillis said the wetlands behind Prescott School were delineated back in 2012. He said there is mud and honeysuckle in an area that drops down from the filled area.

J. Amaral said Reinhardt Associates did flag the site recently but the site has not been surveyed. He said there is room for limited parking on the filled in area near the playground but they are looking for feedback from the Conservation Commission as to what could or could not be allowed.

M. Giguere said that the regulations prohibit disturbance within 50 feet and structures within 100 feet. He said there are alternatives through mitigation and asked whether the number of parking spaces required is driven by the Planning Board.

J. Amaral said the number of parking spaces is based on programs and usage. The Council On Aging would like 100 spaces but only 60 are shown on the plan.

M. Giguere asked Anna Eliot (BOS) if the Town wished to invoke the public benefit clause. A. Eliot said she would refer this issue to the full board and asked whether the public benefit clause was invoked for the GELD building project. M. Giguere said it was not.

Discussion ensued regarding whether to consider the wetland functions of the area.

O. Lathrop said they would need to mitigate runoff, at a minimum and should attempt to make the situation better.

R. Pine said the public good provision should be in play, noting that this is a highly disturbed area and also a highly important property to the Town.

G. Sheldon, Friends of Prescott Committee), said there is public good here, noting that there is a need for parking improvements in the vicinity, and a Complete Streets Committee is underway. He stressed that this is a big deal for the town, regardless of use.

J. Amaral asked whether a town meeting vote would be required for Public Good. M. Giguere said it was not but it had to be justified to the Board of Selectmen, noting that Public Good doesn't relax the conservation requirements. P. Morrison said it actually increases the diligence required to improve the resource. R. Pine said the wetlands cannot be degraded.

J. Amaral thanked the Commission.

R. Harris asked about the possibility of an access road, per the police and/or fire chief.

O. Lathrop said any wetland disturbance would require replication.

A. Elliot asked whether the replication needed to be on the same property and was told it just had to be in the same watershed. T. Tada said that flood storage had to be at the same elevations in the same floodplain.

M. Giguere said a good engineer is the best ally.

7:15 p.m. – Discussion, Groton Community School, Plan Modification, MassDEP#169-1013  
Stan Dillis et al

S. Dillis said an Order of Conditions was granted in 2009, noting that a new proposal is for a larger building but with less impervious surface to balance it out (see the table on sheet 4).

O. Lathrop asked for clarification regarding runoff. S. Dillis said the high point is along the E-W axis and will go into rain gardens. He said there is no change to the limits of work.

P. Morrison asked what the distance was to the nearest wetlands. S. Dillis said 15 feet.

S. Dillis said they were also before the ERSWAC.

P. Morrison asked what the schedule was. Linda said they want to begin at the end of June.

S. Dillis said it was permitted as a “redevelopment” in the RFA.

E. McHugh asked whether the soils were suitable. S. Dillis said the test pits show good gravelly soil.

M. Giguere said redevelopment only applies in the RFA, noting that building expansion is not in the RFA.

B. Easom said the project keeps getting bigger, noting that this is not an appropriate scope and there is new encroachment within 50 feet of the wetlands.

O. Lathrop asked about runoff improvements. B. Easom said they are required to infiltrate runoff anyway.

P. Morrison asked what the parking space count was. He also noted that they are recharging more than what was previously approved. S. Dillis said they are also removing some pavement.

O. Lathrop asked where the new roof runoff would go. S. Dillis said into the existing lawn.

M. Giguere said he echoes B. Easom’s concerns about the scope and said they also need to consider habitat.

E. McHugh asked where the nearest point of the new building would be. S. Dillis said 15 feet.

O. Lathrop said he likes the improved runoff in the parking lot but the building needs mitigation.

J. Smigelski asked about adding a second floor. Linda said it is a problem for the young kids and thus they need to add an elevator.

Linda said she wants to clarify that this is the first “modification”.

E. McHugh said they need to clarify the 2009 vs. 2017 plans.

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

Voted: that that this is not a minor change and a Notice of Intent is required. The vote was unanimous.

8:20 p.m. – Public Hearing, RDA, Septic System Repair, 49 Long Hill Rd. (Baker).

Applicant: Doug Smith

D. Smith said the septic design is for a two-bedroom dwelling. He said they have flagged the wetlands, per BOH request, and it is 56 feet to the tank and 59 feet to the pump chamber.

Discussion ensued regarding the primary and reserve areas. The BOH required tranches because there is a larger footprint.

B. Easom asked if it was a mounded system. D. Smith said there is about a three foot mound due to high groundwater, which is 36 inches below ground. He said he is okay with the plan, but the Commission has not officially accepted the wetland delineation.

O. Lathrop asked whether there would be any disturbances within 50 feet of the wetlands. D. Smith said no.

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

VOTED: to issue a Negative Determination of Applicability (# 3) for the proposed septic system repairs at 49 Long Hill Rd. (Baker), subject to the following conditions:

- 1) No work will be done within 50 feet of the approximate wetland boundary.
- 2) Erosion controls shall be done as shown on the plan.

The vote was unanimous.

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

Jim Luening of the Great Pond Advisory Committee (GPAC) said they had previously talked about stockpiling material on the land but the Groton Conservation Trust was opposed, as it is not consistent with the CR.

ACT (Solitude) uses 30 c.y. dumpsters. GCT is okay with dumpsters at the staging area.

E. McHugh said this is a nice solution, noting that the truck seems bigger than the original.

B. Easom said he agreed that this was a good solution.

Upon a motion by O. Lathrop, seconded by P. Morrison, it was

VOTED: to accept minor Plan Modification, Baddacook Pond Weed Harvesting, MassDEP#169-1138.

The vote was unanimous.

Return to General Business:

Land Acquisition- B. Easom met with R. LaCombe, who suggested working with the Westford Sportsmans Club (WSC) to protect mutual interests and avoid a bidding war. He said the WSC wants to buffer their shooting range.

B. Easom said a hypothetical scenario would be that WSC buys the land and the GCC buys the CR.

M. Giguere said he is not sure if the risk or hazard is greater, noting that they already own the abutting land.

J. Smigelski said he knows the guys.

P. Morrison suggested that J. Smigelski reach out informally and then maybe the rest could be done in Executive Session.

B. Easom asked whether this could be considered “collusion” and E. McHugh suggested asking Town Counsel for advice. Judy Anderson suggested that it would not be collusion if they only asked hypothetically.

The commission decided to get the Town Manager’s opinion.

Land Management- Surrenden Farm: The RMP is final and there is an invasive management proposal for 2/28.

Committee Updates-

CPC- B. Easom said not all projects have submitted full drafts.

ERSWAC- E. McHugh said the Committee will meet on Tuesday to discuss Groton Community School.

Invasive Species- O. Lathrop said he took the applicator’s test, noting that he could have the license in March.

Wetland Buffer Signs- E. McHugh said everyone likes the green colored sign.

Steward Report- Jodi Valenta submitted a report on the conservation area at Hidden Valley Road/New Pond Road in the Groton Woods subdivision.

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

VOTED: to adjourn at 9:12 PM.

The vote was unanimous.

Notes taken by Takashi Tada  
Conservation Administrator

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

1. Minutes from 9/6/2016
2. Minutes from 9/13/2016
3. OOC, 366 West Main Street, MassDEP #169-1143
4. OOC, 267 Whiley Road, MassDEP #169-1149
5. Request for COC, 26A Bradley Drive, MassDEP #169-908
6. Proposed Modifications, Groton Community School, MassDEP #169-1013
7. RDA, 49 Long Hill Road
8. Proposed Modifications, Baddacook Pond Weed Harvesting, MassDEP #169-1138

**Approved: February 13, 2018**