

## GROTON CONSERVATION COMMISSION

### Meeting Minutes

Tuesday, June 27, 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 7:03 p.m. by Chairman Smigelski.

Starting with General Business, the Commission discussed the three candidates for the Conservation Administrator position (Kristan Farr, Nikolis Gualco, Beth Willson).

O. Lathrop said he liked Mr. Gualco. He also liked Ms. Willson but was concerned about her commute from Shutesbury. He was not impressed with Ms. Farr.

B. Easom also liked Mr. Gualco and Ms. Willson. He would choose Ms. Willson if she didn't live so far away, but gave Nik the edge as a more local candidate.

M. Giguere said he preferred Mr. Gualco, Ms. Willson, and then Ms. Farr, in that order. He said Ms. Willson's commute and unavailability on weekends were negatives.

E. McHugh ranked Ms. Farr and Ms. Willson as her top choices, followed by Mr. Gualco. She noted Mr. Gualco's relative lack of experience compared to the others. She liked Ms. Farr's varied planning experience and thought it would help with inter-departmental collaboration. She also said it would be wrong to judge the candidates based on the distance of their commute.

S. Black liked Ms. Willson, but shared the concern about her commute. She wondered if Ms. Willson could do her own site walks during the week while still scheduling weekend walks for the Commission. She liked Mr. Gualco for his enthusiasm and his familiarity with some of the Commission's local, regional, and state collaborators such as MassWildlife and MassDEP.

P. Morrison ranked Ms. Willson as the strongest candidate based on her experience, knowledge of the regulations, and skillset for writing OOCs and grants. He liked Mr. Gualco as the second choice.

Chairman Smigelski said Ms. Willson was cool, calm, and collected, and he liked the fact that she had private sector experience. He also noted the time and said they would resume this discussion after the scheduled appointments portion of the agenda.

7:19 p.m. – Public Hearing: NOI, Septic Repair, 25 Ross Road, MassDEP #169-1156

Owner/Applicant: John & Taisonara Diezemann

Rep: Steve Sears (David E. Ross Associates)

Site Walk: 6/24/2017

Steve Sears, wetland scientist with David E. Ross Associates, presented the septic repair project on behalf of the homeowners. The existing house at 25 Ross Road abuts the Lost Lake Dam and has a failing cesspool located approx. 30 feet from the lake. The cesspool is likely below the groundwater. The proposed new septic system will be located under the existing gravel driveway, approx. 54 feet from the lake. It will be a conventional system with tank and leach field. There will be no clearing of vegetation or changes to the existing grades on the site. Straw wattles are proposed to provide erosion control during construction.

Mr. Sears said the applicants received an approval letter from NHESP as an exempted septic repair within previously disturbed lawn. It is not in the 100 year floodplain. Their hearing with the Board of Health is in two weeks, but the Health Agent, Ira Grossman, has already seen the plans and is comfortable with the design. Mr. Sears added that the proposed septic system is designed for the existing 2 BR house (no expansion).

B. Easom asked how the cesspool will be abandoned, and how the excavated material will be handled. Mr. Sears said the cesspool will be pumped and filled in by hand or a truck-chute to avoid disturbing the existing lawn. There is no room to stockpile material. The excavation contractor will haul material offsite as it is excavated, and fill material will be brought in as needed.

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

VOTED: to close the NOI public hearing for 25 Ross Road, MassDEP #169-1156. The vote was unanimous.

Moving on to General Business – Invoices, the Commission approved payment of invoices:

- Paul Funch, Trails Committee: \$13.96 – gas for the brush mower
- *The Groton Herald*: \$86.25 – legal notices

The Commission also reviewed Meeting Minutes.

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

VOTED: to approve the meeting minutes from 12/20/2016, as written. The vote was 6 in favor, with O. Lathrop abstaining.

7:30 p.m. – Public Meeting: RDA, Proposed Dock, Nashoba Paddler, West Main Street

Owner/Applicant: Diane & Peter Carson (Nashoba Paddler, LLC)

Rep: Stan Dillis (Ducharme & Dillis Civil Design Group)  
Site Walk: 6/24/2017

Stan Dillis presented the Nashoba Paddler's proposal to install a new floating plastic dock adjacent to its existing dock on the Nashua River. The new dock will measure 6' by 10' and will snap into place next to the existing, identical dock. Metal pipes (2" diam.) are used to anchor the docks. There will be no changes to the existing ramp or stairs. The docks, ramp, and stairs will be removed every year before the winter.

M. Giguere asked if the pipes are removed every year. Diane Carson said yes.

B. Easom noted that some minor erosion down the bank was visible during the site walk and he asked how the docks will be removed. Ms. Carson said the docks are winched out and up the bank on PVC pipe "rollers". The metal anchor pipes are also placed on the bank to assist. The pipes help to protect the bank from damage during the operation. B. Easom recommended using pipes the entire way up the bank.

T. Tada asked if the Commissioners wanted to attach their boilerplate Special Conditions for docks, which were developed primarily for Lost Lake/Knops Pond dock permits. He read the list of conditions. Commissioners asked that it be attached to the determination.

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

VOTED: to issue a Negative Determination of Applicability (# 2 & 3) for the proposed dock at Nashoba Paddler, West Main Street, subject to the special conditions for docks.  
The vote was unanimous.

Taking up General Business – Land Management, T. Tada asked for guidance on the Surrenden Farm agricultural license annual payment. The farmer, Roy MacGregor, wanted to know if he should submit his annual license payment as usual, or if he should wait for the forthcoming license renewal process to play out. Chairman Smigelski thought the Commission should update the license agreement first.

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

VOTED: to suspend the Surrenden Farm agricultural license payment until an updated agreement is in effect. The vote was unanimous.

7:45 p.m. – Public Hearing (cont'd): NOI, Proposed Barn, 109 Chicopee Row, MassDEP #169-1155

Owner/Applicant: Brendan Lowry  
Rep: Stan Dillis (Ducharme & Dillis Civil Design Group)  
Site Walk: 6/24/2017

S. Black recused herself for this hearing. Her husband, Bennett Black, will be doing the site work for the applicant.

Stan Dillis presented the site plan for a proposed barn/garage behind the existing house at 109 Chicopee Row. The house was built in the 1920's. The location of the proposed barn is partially infested by nuisance vegetation such as black locust and bittersweet. Some of this undesirable vegetation will be removed to make room for the barn. The proposed barn is approx. 60 feet from the BVW, and its location is constrained by the existing house, septic system, and lot line setbacks. The location could be shifted laterally within the buffer zone to some degree. A drip-line recharge trench to mitigate roof runoff was added to the design (not on original plan). Mr. Dillis mentioned they received a "no-take" determination letter from NHESP.

E. McHugh wanted to know the intended use of the barn. Mr. Dillis said it would be used to store old cars and other items; it will not be for livestock.

M. Giguere noted that almost the entire structure would be within 100 feet of the BVW and asked what the applicant proposes for mitigation. Mr. Dillis said the proposed barn is in a previously disturbed (lawn) area that is infested with invasive plants. Invasive plants will be removed to construct the barn, and they could possibly plant some native vegetation within the buffer zone. M. Giguere also asked how large the barn will be. Mr. Dillis said they proposed a 36' by 48' structure as a maximum size for permitting, but the actual barn could be smaller.

B. Easom said he did not see any benefit to the resource area as a result of the project.

O. Lathrop agreed with the M. Giguere and B. Easom about providing clear mitigation for a permanent structure within the buffer zone.

P. Morrison thought the removal of invasive plants would provide some benefit.

E. McHugh asked what type of floor the barn will have. Bennett Black said it would be a pole barn structure with a cement slab floor. Mr. Black said the applicant, Mr. Lowry, wants to be able to work on his cars in a suitable spot. He currently works on them under the maple tree in his yard. S. Dillis said it would be an improvement to have the cars under a roof and on a slab.

O. Lathrop asked if a dirt floor within the buffer zone would be better. Chairman Smigelski said a dirt floor in the barn would be no better than the maple tree. A cement floor would help to contain spills and leaks.

S. Dillis suggested continuing the public hearing to allow a mitigation plan to be developed, perhaps including some invasive vegetation management and replanting of native species.

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

VOTED: to continue the NOI public hearing for 109 Chicopee Row, MassDEP #169-1155, to 7/11/2017. The vote was 6 in favor, 1 abstaining (S. Black).

8:00 p.m. – Discussion: Plan Modifications, 2-8 Hollis Street, MassDEP #169-1153

Greg Sutcliffe of Icebrook Building Systems presented the proposed minor modifications to the OOC for building renovations and parking lot improvements at 2-8 Hollis Street. Mr. Sutcliffe said they have been asked to install an above-ground heating oil tank and also connect a plumbing drain line to the existing Town sewer line, for the tenant (veterinary clinic). The oil tank will be 275 gallons and placed on a concrete slab near the existing air conditioning units behind the building. The sewer connection will involve minor excavation, approximately 20 feet in length, to install a plumbing pipe to a depth of 24 inches. Material from the excavation will be reused to fill in the trench. All of the modifications will occur within the previously approved limit of work.

P. Morrison asked if the slab underneath the tank would be bermed to contain any leaks. Mr. Sutcliffe said no, the slab would be flat, but the oil tank is double-walled to prevent leaks.

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

VOTED: to accept the proposed modifications as minor changes under the existing OOC for 2-8 Hollis Street, MassDEP #169-1153. The vote was unanimous.

8:10 p.m. – Discussion: Plan Modifications, 284 Whiley Road, MassDEP #169-1144

John Valentine, owner of 284 Whiley Road, discussed his proposed modifications and clarifications by speakerphone. He would like to be able to repair the existing stairs leading down to Duck Pond, and to fix the existing wooden dock in the pond. Eventually he would also like to plant native shrubs such as mountain laurel in the 50-foot “no disturb” zone. As for the modified house renovation plans, he added a second drip-line trench to infiltrate runoff from the revised roof line. He will need to widen the driveway a bit to make it more practicable. And the exact location of the garage will depend of the property line setbacks which need to be confirmed by survey.

B. Easom wanted to know if Mr. Valentine was asking for acceptance of changes or simply clarifying certain aspects of his project. Mr. Valentine said he mainly wanted to clarify his permission to restore and maintain the existing landscaping within the “no disturb” zone. The original NOI submittal for the house, garage, and septic repair did not address the existing landscaping. This was an oversight. But the plans for the house and driveway have been slightly modified since the OOC was issued, as explained in his letter.

O. Lathrop said the new garage was the biggest concern of the original OOC, which did not even show the dock. He said the intent of the OOC was not to prevent Mr. Valentine from using or repairing the existing stairs and dock.

Commissioners agreed that the stairs, path, and dock on Duck Pond can and should be repaired.

S. Black asked about the status of the septic system. Mr. Valentine said the septic work has yet to begin.

Mr. Valentine said the new well is to be installed by Skillings & Sons in the near future. The drillers cautioned that they might need to remove some smaller trees next to the driveway in order to get the drilling rig down to the site. Mr. Valentine said he wanted to preserve trees as much as possible, especially mature trees, but the access for rig was uncertain at this point.

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

VOTED: to accept the proposed modifications as minor changes under the existing OOC for 284 Whiley Road, MassDEP #169-1153. The vote was unanimous.

Returning to discussion on the Conservation Administrator candidates, HR Director Melisa Doig joined the Commissioners for feedback. She thought Ms. Willson and Mr. Gualco both represented themselves well, while Ms. Farr seemed a bit more reserved. However, she is concerned about Ms. Willson's commute and ability to accommodate the work schedule. Ms. Willson already asked her if comp time is available. It is a salaried position, no comp time. Melisa Doig reminded the Commissioners that she had arranged for the three finalists to meet with the Department Heads tomorrow morning.

Chairman Smigelski said Ms. Farr never seemed to get comfortable during the interview.

P. Morrison said Ms. Willson and Mr. Gualco were his top two choices.

O. Lathrop said Mr. Gualco and Ms. Willson.

E. McHugh thought Ms. Willson and Ms. Farr would be more likely to stick around given their family obligations, while the younger Mr. Gualco might be more apt to move on to other opportunities.

S. Black preferred either Mr. Gualco or Ms. Willson. She liked the fact that Mr. Gualco was familiar with Judy Schmitz at MassDEP and also with MassWildlife staff (Pat Huckery *etal*).

M. Giguere also preferred either Mr. Gualco or Ms. Willson. He liked Ms. Willson's overall experience but was concerned about her lack of weekend availability.

B. Easom moved to recommend Nik Gualco to the BOS as the preferred candidate. The motion was seconded by O. Lathrop. The vote was 2 in favor (Easom, Lathrop) with 5 opposed.

M. Giguere moved to recommend Beth Willson to the BOS as the preferred candidate, seconded by E. McHugh. The vote was 5 in favor with 2 opposed (Easom, Lathrop).

P. Morrison moved to bring in all three finalists on 6/2/2017 to meet with Department Heads, seconded by S. Black. The vote was 5 in favor with 2 opposed (Easom, Lathrop).

Melisa Doig noted that she would sit down with Town Manager Mark Haddad and T. Tada after the Department Heads Meeting to finalize the appointment of a candidate to the Selectmen. Mr. Haddad will make the appointment at the 7/10/2017 BOS meeting, subject to ratification.

M. Giguere asked if the contract would include a probationary period? Ms. Doig said there is a 6-month probationary period per the union contract.

Moving on to General Business – Land Management, T. Tada asked Commissioners to review the assessment of the red pine stands at Surrenden Farm, as provided by forester Mike Barry. The assessment includes some specific questions about management goals that will determine the type of harvest prescribed in the forthcoming cutting plan.

M. Giguere said creating a turtle nesting area in the red pine stand closer to the Nashua River is a priority that MassWildlife is in support of.

Returning again to discussion on the Conservation Administrator candidates, Ms. Doig informed the Commissioners that Ms. Willson had decided to withdraw from consideration due to conflicts in her weekend schedule.

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

VOTED: to recommend Nik Gualco to the BOS as the preferred candidate. The vote was unanimous.

On the topic of updating the Surrenden Farm agricultural license, M. Giguere prepared a draft license agreement and request for proposals for the Commissioners to review. This will be discussed at the next meeting on 7/11/17.

On another Land Management topic, the Commissioners agreed that O. Lathrop could begin planning an herbicide application (foliar spot treatment) at Baddacook Field/Shattuck Homestead to control invasive Black Swallow-wort. O. Lathrop now has an applicator's license sponsored by the Town through the Invasive Species Committee. He will need to set the date of the treatment and notify abutters accordingly. He intends to use triclopyr herbicide with a surfactant, similar to last year's whole-field spraying by VCS. Triclopyr is a selective herbicide that works on woody plants but does not affect grasses.

S. Black said the best time to spray is after the plants begin to flower, typically in June or July. But the cool, wet spring could delay the plants' development. She will take a look at the field tomorrow over the weekend to assess the plant growth.

O. Lathrop said he would tentatively target July 15<sup>th</sup> as the treatment date at Baddacook Field.

O. Lathrop also reported on the informational walk at Eliades Conservation Area off Pacer Way. The purpose was to educate the public about invasive species on the property, and the Town's plans to manage the vegetation. There was only one attendee from the general public at the walk held this past Sunday afternoon. Abutters were not directly notified by mail. He would like to know how soon the Autumn Olive shrubs can be cut. T. Tada will ask Mike Barry for a cost estimate to do the initial cutting. The Invasive Species Committee would conduct the follow-up herbicide treatment.

There being no further business, upon a motion by S. Black, seconded by P. Morrison, it was

VOTED: to adjourn the meeting. The vote was unanimous. 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, 25 Ross Road, MassDEP #169-1156
2. RDA, Nashoba Paddler, West Main Street
3. NOI, 109 Chicopee Row, MassDEP #169-1155
4. Plan Modification, 2-8 Hollis Street, MassDEP #169-1153
5. Plan Modification, 284 Whiley Road, MassDEP #169-1144
6. Meeting Minutes, 12/20/16

**Approved 7/11/2017**