

## GROTON CONSERVATION COMMISSION

### Meeting Minutes

Tuesday, August 8, 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

Members Absent: Marshall Giguere

Others Present: Nikolis Gualco (Conservation Administrator)

**7:00 p.m.** – The meeting was called to order by Chairman J. Smigelski.

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

Certificate of Compliance for 1 Radio Road, MassDEP #169-1146.

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

VOTED: to issue a Certificate of Compliance under the MA Wetlands Protection Act and the Groton Wetlands Bylaw for 1 Radio Road, MassDEP #169-1146, under the condition that the silt fence is removed. The vote was unanimous (6-0).

Certificate of Compliance for 146 Ames Road, MassDEP #169-1124.

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

VOTED: to issue a Certificate of Compliance under the MA Wetlands Protection Act and the Groton Wetlands Bylaw for 146 Ames Road, MassDEP #169-1124, under the condition that the straw wattles are removed. The vote was unanimous (6-0).

Certificate of Compliance for 90 North street, MassDEP #169-835.

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

VOTED: to issue a Certificate of Compliance under the MA Wetlands Protection Act and the Groton Wetlands Bylaw for 90 North Street, MassDEP #169-835, under the condition that the silt fence is removed. The vote was unanimous (6-0).

The Commission reviewed a request to spend \$20.00 for an annual subscription to the Massachusetts Society of Municipal Conservation Professionals Inc. (MSMCP) (FY18).

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

VOTED: to purchase membership with MSMCP for one year with the plan to review the value of the membership next year. The vote was unanimous (6-0).

The Commission reviewed and signed an invoice from the Groton Herald for the amount of \$46.00 for the posting of a legal notice.

Moving on the Land Management Topics the Commission reviewed a Request for Proposal (RFP) and Agricultural License Application for accepting bids to hay a 36 acre field located the **Surrenden Farm Conservation Area**.

J. Smigelski asked when the RFP and license should be sent out to bid.

P. Morrison responded that as soon as the Commission reaches agreement on the language of the two documents that they should send them out to bid as soon as possible with the intent of securing a licensing agreement for January 2018 – January 2019.

N. Gualco commented that he has made one minor revision to the RFP: updating the contact information to reflect the change in the Conservation Administrator position.

There were no additional comments from the Commission.

Continuing the conversation of Land Management at **Surrenden Farm**, the Commission continued a discussion on forest cutting recommendations from Mike Berry for Surrenden Farm.

S. Black said she had several comments but was not prepared to discuss them at this time. She then offered to put her comments into writing to share.

J. Smigelski recommended the Commission put off any further discussion until the next meeting on August 22.

The Commission agreed.

On the Land Management topic of **Shattuck Homestead (a.k.a. Baddacook Field)**, O. Lathrop reported on Triclopyr treatment of black swallow-wort (*Cynanchum louiseae*), which has resulted in die-back in some areas but these will need to be retreated. Photos of the treated areas one-week post-treatment were shown.

S. Black reported recently observing an abundant amount of the black swallow-wort when driving by the field.

E. McHugh questioned if O. Lathrop only sprayed part of the field to which O. Lathrop responded that was true and that spot-treating this site will not be sufficient due to the scale of the infestation.

S. Black inquired about the use of annual mowing and reminded the Commission that following the mowing last fall there was an explosion of growth.

J. Smigelski asked whether it was possible to mow the field during late summer and inquired about possible restrictions/permitting requirements (i.e., wildlife). N. Gualco responded that he would look into this matter and report back to the Commission at a later date.

S. Black recommended N. Gualco examine the file on this site, T. Tada's notes, as well as contact Jeff Taylor to inquire about past treatments as well as recommendations the logistics of mowing multiple times per year as Jeff has experience working with Conservation Commissions.

On the Land Management topic of Pacer Way (a.k.a. Eliades) O. Lathrop reported on the progress of the autumn olive (*Elaeagnus umbellate*) treatment which took place July 30. The autumn olive was cut and sprayed with glyphosate on the cut stumps. On the day of treatment a few residents of Pacer Way came out and spoke O. Lathrop et al. regarding questions and concerns they had about the treatment.

J. Smigelski asked where the brush was piled to which O. Lathrop responded that the brush was put along the edge of the cutting area so as not to interfere with the hay field, but also to keep it out of the wet area.

**7:15 p.m. – Public Meeting: RDA, Wattles Pond, Parcels 227-55 & 228-16.**

Owner/applicant: The Groton Conservation Trust

Rep: Mark Gerath

Site walk: 8/5/2017

After reading the legal notice and opening the meeting, which described the GCT proposal to create a new walking trail connection between the Wattles Pond parking lot and the existing trail that starts at Longley Road, O. Lathrop displayed photos he had taken during the August 5 site walk.

M. Gerath reminded the Commission that the trail was proposed in an area that minimized the amount of vegetation removal and would not remove woody vegetation greater than 2" in diameter.

B. Easom said the proposed project makes sense and will keep pedestrians off the road.

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

VOTED: to issue a Negative Determination (#3) with no conditions for the proposed trail. The vote was unanimous (6-0).

Returning to General Business, the Commission heard Committee Updates beginning with an update from O. Lathrop on the **Invasive Species Committee** involving three American chestnut trees (*Castanea dentate*) known in Groton to be 15 inches or more in circumference. O. Lathrop informed the Commission that at the next Invasive Species Committee meeting, the Committee may draft a memo to the Commission inquiring about possible management recommendations for chestnut trees on conservation lands.

B. Easom gave the next Committee Update for the **Community Preservation Committee** and reported that the CPC recently updated its budget and discovered there is more funding available than previously thought. However, he also stated that the budget review is still in progress and he would provide more details to the Commission at a later date once the update is finalized.

E. McHugh gave the final Committee Update for the **Earth Removal Committee**. John Giger is now a committee member. The Committee recently saw the two house lots on Farmers Row as well as the house on Pepperrell Road, which are both looking good. The house on Pepperrell Road has undergone a plan change mainly involving the rip rap, which resulted in a decrease of visual impact.

**7:30 p.m. – Public Hearing: NOI (cont.), 109 Chicopee Row, MassDEP#169-1155**

Owner/Applicant: Brendan Lowry

Rep: Stan Dillis (Ducharme & Dillis Civil Design Group)

S. Dillis presented a revised plan that addressed: (1) removing invasive vegetation around the back and side of the property and (2) moving the location of the proposed barn further forward (away from the wetlands). S. Dillis stated that he believed that this revised proposal met the intent of the bylaw and reminded the commission that the proposed barn will house vehicles under cover and therefore will reduce the potential impact of leaking automobile fluids into the wetlands.

P. Morrison asked how much further forward as the barn located with the most recent revision to which S. Dillis responded ‘approximately 25 feet further back.’

E. McHugh stated that the applicant had done with the Commission had requested regarding the revisions.

Both B. Easom and O. Lathrop, while stating that the applicant did a commendable job responding to the requests of the Commission, stated that they are still not comfortable with allowing a building with the 100 foot wetland buffer in exchange for invasive species removal. This reasoning was based on the logic that, B. Easom clarified, the removal of invasive vegetation will only be temporary while the building will be permanent.

S. Dillis responded to this and stated that the homeowner would be motivated to keep the invasive vegetation under control once they are removed. Furthermore, S. Dillis reminded the Commission that: (1) the plan to remove the invasive vegetation also involved planting native vegetation that will provide wildlife habitat; (2) the property is an old pre-conforming lot, and; (3) it has existed in a disturbed and altered state for a very long time.

J. Smigelski reiterated the 'standard for altered areas' from the Groton Bylaw.

B. Easom then read the 'standard for altered area' from the Groton Bylaw (217-7(A) (3), which reads:

*Standards for altered areas. Within an adjacent vegetative upland resource with existing residential, business, commercial or institutional buildings or customary physical appurtenances, the Commission may issue an order of conditions for a project, provided that it finds that the proposed alterations will not have significant adverse impacts on that specific portion of the adjacent upland area or associated wetlands and that there is no reasonable construction alternative that would reduce impacts to the resource area.*

S. Dillis stated that he does not believe this project will have an impact to the adjacent upland area and that wetland itself is a defunct man-made ditch.

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

VOTED: to close the public hearing for 109 Chickopee Road. The vote was unanimous (6-0).

Returning to General Business, the Commission discussed a request by the Office of the Selectmen to add a Commission member to the **Sargisson Beach Committee.**

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

VOTED: to elect P. Morrison to the Sargisson Beach Committee. The vote was unanimous (6-0).

**7:45 p.m. – Public Meeting: RDA, Lost Lake & Knops Pond.**

Owner/applicant: The Groton Lakes Association/Great Ponds Advisory Committee

Rep: Brad Harper

Site walk: 8/5/2017

B. Harper recalled details from the site walk and gave an overview of the biology and management concerns of bladderwort (BW). He mentioned that BW reacts well to herbicide, but this type of management is costly and requires a myriad of permitting. The current proposal (management activity) involves utilizing a pre-existing mechanical harvester to remove much of the BW. This process involves slowly collecting the vegetation from the water along a partly

submerged conveyor belt and piling by hand the BW into a boat. When the boat gets full the collectors will transport the vegetation to shore to be eventually removed (via truck) to an off-site compost pile. The harvester is currently at Badacock Pond. B. Harper assured the Commission that it would be thoroughly cleaned (pressure washed) before being utilized at Lost Lake and Knops Pond to mitigate possible contamination between the ponds.

S. Black inquired about the color of flowers (shown in photographs taken and displayed by O. Lathrop) as well as whether BW is rooted or not to which B. Harper stated there are multiple species of BW in the lake that flower different colors (white, yellow, purple) all of which are floating vegetation and not rooted.

B. Easom inquired about what the type engine the harvester was equipped with to which B. Harper responded a hot diesel and stated that the paddle wheels are hydrologically operated.

N. Gualco informed the Commission of a concern he had expressed to B. Harper regarding potential impacts to aquatic wildlife (mainly turtles) which will often utilize mats of BW as habitat for surface basking. B. Harper reassured the Commission that the process of collection (harvesting) is very slow and any turtles that are inadvertently collected can be easily returned to the water without being harmed.

B. Easom asked if the applicant has received communication back from NHESP regarding the proposal to which B. Harper said they have not.

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

VOTED: to continue the meeting until August 22 to give NHESP time to respond to the project proposal. The vote was unanimous (6-0).

**8:00 p.m.** – Discussion: OOC (minor change request), 366 W. Main Street, MassDEP#169-1143  
Owner/applicant: Douglas Pulsifer  
Site walk: 8/5/2017

D. Pulsifer presented a request to the Commission to change the surface material of the approved driveway from gravel to asphalt grinds as a minor change to the permitted activities. He also stated that the driveway dimensions may decrease slightly due to the change in materials, but will still comply with town code.

E. McHugh asked if there would be any change to the driveway grading to which D. Pulsifer responded there would not.

J. Smigelski reminded D. Pulsifer that the grading needs to be kept as-is due the flood zone at this particular property to which D. Pulsifer responded he was aware of.

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

VOTED: to accept the change of driveway surface materials from gravel to asphalt grindings as a minor change provided that the elevations do not exceed those previously approved and that the driveway footprint does not increase. The vote was unanimous (6-0).

**8:10 p.m.** – Discussion: Preliminary presentation of a proposal to pave a pre-existing driveway at 314 Hill Road.

The property owner, Diana Abbott, opened by explaining that she was at this meeting with the purpose of (1) briefly explaining the project and (2) giving the Commission permission to conduct a site walk (on August 19) as well as open the public meeting without representation (on August 22) – she and her husband will be out of town during these two dates.

With that said, B. Easom immediately expressed concern about discussing any content of the RDA prior to opening the public meeting at the August 22 Commission meeting.

P. Morrison suggested that they terminate the discussion with the intention to conduct the site walk on August 19 and open the meeting on August 22 to which B. Easom was agreeable to.

**8:10 p.m.** – P. Morrison made a motion (seconded by S. Black) to go into Executive Session. The motion, via roll call vote, passed unanimously: JS (Y); PM (Y); OL (“Sure”); SB (Y); BE (Y); EM (Y).

Notes taken by Nikolis Gualco  
Conservation Administrator

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

1. DOA, Wattles Pond Trail, Groton Conservation Trust
2. NOI, 109 Chicopee Row, MassDEP#169-1155
3. RDA, Lost Lake & Knops Pond, Groton Lakes Assoc. & Great Ponds Advisory Committee
4. RDA, 314 Hill Road, D. & M. Abbott
5. OCC, 366 West Main Street, MassDEP #169-1143
6. COC, 1 Radio Road, MassDEP#169-1135
7. COC, 146 Ames Road, MassDEP#169-1124
8. COC, 90 North Street, MassDEP#169-0835

**Approved** \_\_\_\_\_