

GROTON CONSERVATION COMMISSION

Meeting Minutes

Tuesday, November 14, 2017

Location: Town Hall, 2nd Floor

Members Present: John Smigelski (Chair), Peter Morrison (Vice Chair), Olin Lathrop (Clerk), Bruce Eason, Eileen McHugh, Larry Hurley, *Marshall Giguere (*via video connection)*

Others Present: Nikolis Gualco (Conservation Administrator)

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

Order of Conditions for 17-19 West Main Street (MassDEP#169-1166):

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

VOTED: to issue an Order of Conditions under the MA Wetlands Protection for 17-19 West Main Street, MassDEP #169-1166 with the following amendments:

1. The language of Condition #4 in the boilerplate special conditions under the Groton Wetlands Bylaw be copied into the special conditions under the Wetlands Protection Act

YES – OL, BE, EM, LH, MG, PM, JS

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

VOTED: to issue an Order of Conditions under the Groton Wetlands Bylaw for 17-19 West Main Street, MassDEP #169-1166.

YES – OL, BE, EM, LH, MG, PM, JS

7:15 p.m. – Public Meeting: RDA, Removal of vegetation associated with the management of the golf course within the buffer at the Groton Country Club (94 Lovers Lane).

Applicant: Shawn Campbell

S. Campbell began the meeting by describing the proposed activities, which involve the demarcation of a wetland-golf course line, the removal of woody vegetation within the buffer zone, and the maintenance of a drainage ditch. S. Campbell recommended bird houses as markers (demarcation of the wetlands) and expressed flexibility as to where the markers are to be located. The trench, which drains the upper pond into Caddy Pond requires just needs to be cleared out. The woody vegetation below the 4th hole t-box needs to be cleared. S. Campbell

mentioned that he was aware that in the past the removal of the vegetation associated with hole four was done so without a permit from Conservation and that this resulted in an Enforcement Order. This was something he wanted to avoid, hence the filing of an RDA. The 7th hole green, S. Campbell explained, is being overtaken by wetland plants (cattails) due to beaver activity at the Route 119 culvert that drains Caddy Pond. He proposed the cutting of up to 12 feet of vegetation from this area to “reclaim” what was previously grass. Finally, S. Campbell provided a list to the Commission of the fertilizers used at the Country Club for lawn maintenance.

L. Hurley asked S. Campbell to provide further details on the wetland expansion as result of beaver activity. S. Campbell replied that the culvert is the drainage for the whole pond. Further complicating the issue is the fact that the road is under the jurisdiction of the MassDOT, which S. Campbell stated he has tried unsuccessfully to work with in the past work on this problem in the past.

P. Morrison stated that he would prefer the Country Club to utilize the Conservation Commission “No Disturbance” markers. He was fine with the proposed work on the drainage trench. He stated that he would like to see shrubs planted in front of the 4th hole t-box to replace the woody vegetation (red oaks) and added that he would like to see the stumps remain and the sprouts hand lopped as necessary. Finally, P. Morrison asked what would be the plan for the 7th hole green if wetland vegetation was approved for cutback. S. Campbell replied it would be grass.

L. Hurley reiterated the importance of working with the state on the culvert issue. S. Campbell agreed and stated he has worked with Tom Delaney (Groton DPW) on this issue, but agreed that the involving the state was crucial.

M. Giguere requested clarification on (1) the location of the proposed activities and (2) the types of plants proposed for removal. He also stated that the only way to be sure to where the wetland line is was to hire a wetland scientist delineate the resource and then file an Abbreviated Notice of Resource Area Delineation (ANRAD).

E. McHugh stated she was fine with the markers, woody vegetation, and ditch cleanup but did not support the proposed vegetation clearing around the 7th hole. She recommended that S. Campbell fix the culvert and see what happens to the wetland line (by soil analysis).

B. Easom stated he was also fine with the markers, woody vegetation removal, and ditch maintenance. He reminded the room that a wetland boundary can be delineated three ways under the Groton Wetlands Protection Regulation (Ch. 344, Article III): the presence of hydric soils; hydrology; and the presence of vegetation consisting of 50% or more wetland species. He continued by informing S. Campbell that wetland lines change over time and therefore so too does Conservation’s jurisdiction - ANRADs have a shelf life of three years for this reason. B. Easom echoed the recommendations of the other Commissioners by encouraging S. Campbell to work with MassDOT as much as possible.

O. Lathrop liked the idea of bird boxes but prefers the use of Conservation Commission markers. Regarding the trench, he stated a preference for the work occurring during a dry time of year

with erosion controls to be implemented at the bottom of the trench (between the work and Caddy Pond). He specified that he was not in favor of the proposed work around the 7th hole green. Finally, he said that he is not in favor of the fungicide use in the fertilizer mix and suggested the best approach for dealing with the issue of the 7th hole is to address the culvert problem.

Darcy Donald (from the audience) pointed out that S. Campbell was referring to cattails as invasive species, but they are in fact not an invasive. D. Donald stated that vegetated buffers are important for water quality and even though the golf course is not within Priority Habitat for threatened and endangered species she showed the Commission on the locus map that the area around it was.

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

VOTED: to issue a Negative Determination (#3) for the removal of woody vegetation, clearing of a drainage trench, and demarcating of wetlands at the Groton Country Club (94 Lovers Lane) under the following conditions:

1. Conservation markers, consisting of 4” x 4” cedar (or similar wood approved by the Conservation Commission) or granite posts, shall be permanently anchored with at least one foot exposed above ground level no more than 100 feet apart along the current edge of mowed grass.
2. Maintenance of the drainage trench shall occur during the dry time of year with suitable erosion controls installed at the bottom of the trench.
3. Trees shall be removed between September and March to avoid the nesting seasons of most common bird species.

Yes – O. Lathrop, B. Easom, L. Hurley, E. McHugh, M. Giguere, P. Morrison, J. Smigelski;

The Commission then heard a Discussion about the Conservation Restriction on the Squannacook Sportsmen’s Club

In attendance: Michelle Colette, Peter Cunningham

P. Cunningham began by explaining the Senior Center Building Committee is interested in the possibility of using a portion of the Sportsmen’s property as unpaved parking (using pavers or grass surface) or as an auxiliary recreation area (i.e., community garden). He continued by explaining that the possibility of swapping parts of the senior center parcel (and extending the Conservation Restriction [CR]) for the portion of the Sportsmen’s property as a means of increasing the amount of conserved land within this environmentally sensitive area.

M. Giguere commented that he liked the idea of pavers and that the proposal seems to be keeping with the intention of the CR.

E. McHugh asked about previous plans and the utilization of the area around the current Senior Center.

P. Cunningham the Senior Building Committee is really interested in a possible swap through it will require (1) a vote at Town Meeting and (2) legislative approval. P. Cunningham also stated that there is an interest in knocking down the old structure and conducting a general site cleanup.

E. McHugh expressed that she likes the idea but wants to make sure the necessary cleanup happens. She continued and stated that grass pavers work only if installed correctly and properly irrigated – if done wrong this building material can be a major issue.

B. Easom expressed an interest in the process of modifying the CR.

O. Lathrop stated that the intent of the CR was to keep the area in a natural state and pointed out that in his opinion a parking lot for an off-site building is not within the intent.

Anna Eliot (from the audience) stated that the Sportsmen's site was a great deal less forested when the CR was being written.

E. McHugh mentioned that parking lots can be designed to leave some of the trees by integrating selective cutting with unpaved parking areas.

B. Easom concluded by saying that he was not in favor of an informal swap. If a swap was to occur he recommends it follow the proper procedures (Article 97).

The Commission then heard a Discussion about proposed cutting activities within the Riverfront area at 129 Longley Road.

In attendance: Anna Eliot

A. Eliot discussed the vegetation removal she is planning on undertaking along the edge of her hay field: she is planning on defining/maintaining the edge of the existing field; she plans to stump the cherry and Norway maples on-site. The entire area of proposed activities is within Chapter 61A designation. At this time the Commission discussed the agricultural exemption as defined in the Wetlands Protection Act. After the discussion, the Commission agreed that the proposed activities qualified as exempt and therefore did not require further action by the Commission.

At this time, the Commission signed an Extension Permit for one (1) year for 219 Townsend Road (MassDEP#169-641). N. Gualco explained that due to an administrative error, this extension permit, which was approved at the October 24th Commission meeting, was never signed.

Moving to General Business, the Commission reviewed meeting minutes from October 10th, 2017.

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

VOTED: to approve and release the minutes for October 10th, 2017 as amended.

Yes: O. Lathrop, B. Easom, E. McHugh, P. Morrison, J. Smigelski

Abstain: M. Giguere, L. Hurley

Continuing with General Business, the Commission reviewed meeting minutes from October 13th, 2017.

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

VOTED: to approve and release the minutes for October 13th, 2017 as amended.

Yes: O. Lathrop, B. Easom, P. Morrison, J. Smigelski

Abstain: E. McHugh, M. Giguere, L. Hurley

Continuing with General Business, N. Gualco announced that there will be an upcoming meeting with Natural Heritage regarding the Groton Senior Building project. The meeting will be a preliminary discussion and will include representatives from the Senior Building Committee, Board of Selectmen (Town Manager), the architecture firm, the civil engineering firm, and the Land Use Department. N. Gualco invited interested members from the Commission to attend this meeting to which B. Easom and O. Lathrop expressed interest.

Continuing with General Business, the Commission received an update from N. Gualco on an application he submitted on behalf of the Commission to the Community Preservation Committee. The Commission discussed whether or not the application should be pulled from consideration.

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

VOTED: to submit the two-page summary for CPC review.

YES: O. Lathrop, B. Easom, M. Giguere, E. McHugh, L. Hurley, P. Morrison, J. Smigelski.

After some discussion about the amount of funding that should be requested in the full CPC application, Chairman Smigelski suggested the conversation be tabled until the next regular meeting (November 28th).

Continuing with General Business, Land Management, the Commission discussed **Surrenden Farm West** regarding possible changes to the License Agreement.

J. Smigelski began by sharing that he, Mark Haddad, Town Manager, and N. Gualco had had a conversation recently about the duration of a license agreement, which is currently a maximum of three years. J. Smigelski explained that due to the nature of what it takes to get a field profitable a longer term agreement is necessary. He suspects that by keeping the agreement at its current duration qualified applicants will be unable to sustain themselves economically and therefore will not apply. At this, M. Haddad suggested that a proposal be made at Town Meeting to extend the duration of the license agreement.

The Commission also reviewed the one application it received to hay the 36 acre field.

M. Giguere commented that the Commission needs to receive more bids and that due to the small number of submissions; he suggested that the Commission re-run the RFP to solicit more specific bids.

Continuing with General Business, Land Management, the Commission agreed to table a discussion on Farmers and Mechanics Conservation Area until the next meeting (November 28th).

9:25 p.m. – P. Morrison made a motion (seconded by M. Giguere) to go into Executive Session. The motion, via roll call vote, passed unanimously:

Yes: O. Lathrop, B. Easom, E. McHugh, M. Giguere, L. Hurley, P. Morrison, J. Smigelski.

Exhibits on file at Conservation Commission Office:

1. OOC, 17-19 West Main Street (169-1166)
2. DOA, Groton Country Club (94 Lovers Land)
3. CR, Squannacook Sportsmen's Club

Approved: December 26, 2017