

Groton Conservation Commission

Meeting Minutes

Tuesday January 23, 2018

Location: Town Hall, 2nd Floor
Members Present: John Smigelski (Chair), Peter Morrison (Vice Chair), Larry Hurley (Clerk), Bruce Easom, Eileen McHugh, Marshall Giguere, Olin Lathrop
Others Present: Nikolis Gualco (Conservation Administrator), Beth Faxon (Per Diem Minute-taker, Town of Groton)

7:00 p.m. - The meeting was called to order by John Smigelski

The Commission began with General Business, Meeting Minutes:

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

VOTED: to approve and release the minutes as drafted for January 9, 2018. The motion passed by unanimous vote.

The Commission then continued with General Business, Correspondences and noted a Memo from the Town Manager announcing that the Warrant is open for Spring Town Meeting. N. Gualco advised the closing date for all articles on the 2018 Town Meeting Warrant is February 23, 2018.

General Business, CPA Application (Letters of Support)

N. Gualco updated the Commission about a letter received from the Groton Conservation Trust in support of the CPA application. Additionally, he has received verbal assurances that support letters are forthcoming from the following: Groton Invasive Species Committee, Groton Trails Committee, and the New England Forestry foundation.

General Business, Annual Town Report

N. Gualco presented an updated draft of the annual report incorporating changes requested by Commission members. The final draft of the GCG Annual Report will be presented to the Board

of Selectmen on February 5, 2018. Conservation Commission members expressed interest in attending and N. Gualco will send advance notification.

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

VOTED: to accept the 1/19/18 Draft 2017 Annual Report - Conservation Commission. The motion passed by unanimous vote.

The Commission continued with General Business, Land Management, Surrenden Farm West.

N. Gualco reported on the status of Surrenden Farm West following the January 16th site walk with MassWildlife and Mike Barry of Bay State Forestry to review the Forest Cutting Plan and red pine stands. N. Gualco released detailed site walk notes to the Commission for their review. Overall, he reports that the site management plan is in good standing and the meeting was productive. The remaining action items are to solidify the vision for the two red pine stands. Discussion ensued as to the type of habitat to be created and managed considering these two red pine stands are identified in the Management Plan as locations to emphasize wildlife habitat. Trees will be on the ground and left in place. The Commission discussed the idea of creating turtle habitat as well as the logistics of maintaining areas of early successional vegetation post-cutting. These areas can either be managed as shrub land, or allowed to naturally re-seed and revert back into forest – likely a pine-mixed hardwood forest. Commissioners felt the turtle habitat could be made as part of either process. N. Gualco is familiar with the process of creating turtle habitat and the Commission can consult published guidelines available from Natural Heritage and MassWildlife for this process. Turtle habitat will require annual maintenance, which may be an opportunity to include interested members of the community (i.e., Groton Turtle Conservation). The Commission also discussed the potential of off-road vehicle access to the site post-cutting and logistics surrounding the removal of fencing along Shirley Rd. N. Gualco shared that M. Barry expressed an interest in receiving permission from DPW to cut straight to the road (into the Right of Way) to improve the aesthetic of the stand nearest the road post-cutting. This would also allow for the removal of undesirable trees along the edge (e.g., black locust, *Robinia pseudoacacia*) that may seed in post-cutting. To remedy the potential for increased access to the site post-cutting, the Commission discussed the construction of a gate or some means of obstruction along the skid road to restrict vehicular access to the site. N. Gualco recommended another site walk to explain so the Commissioners who were not able to attend the meeting with MassWildlife and Bay State an opportunity to better understand the proposed management ideas.

7:15 – Discussion: George Moore (Agricultural Commission) regarding new rule that allows Agricultural Commissions to hold land.

Present: George Moore, Agricultural Commission
Sally Smith, Agricultural Commission

G. Moore began the discussion by sharing with the Commission a 2016 amendment to the Municipal Agricultural Commission Act (ALM GL ch. 40, sec. 8L), which allows municipal agricultural commission to hold and manage land for agricultural purposes. The Agricultural Commission (henceforth GAC) plans to bring an article before Town Meeting to amend their bylaw to include purchase, holding, managing, licensing or leasing of land for agricultural purposes. Knowing the long and commendable land ownership and management history of the GCC, G. Moore, on behalf of the Agricultural Commission, is appealing to the Commission for their guidance and recommendations for these new responsibilities.

G. Moore also discussed ways to learn from and work collaboratively with the GCC in best land use practices for the Town of Groton. G. Moore would like the Agricultural Committee to work jointly with the GCC on any new parcels that have an agricultural use to them given to the Town. Discussion ensued as to what are the opportunities of new parcels for the GAC to own and manage without a budget to which GCC responded that it may be possible for GAC to assist in managing Town-owned conservation areas it managed as agriculture. It was generally agreed that the two municipal organizations would best serve the Town by working collaboratively using their strengths. GCC was interested in understanding the legality of having GAC manage land owned by GCC and will pursue discussion with town counsel. O. Lathrop suggested the Shattuck homestead parcel as a potentially first collaborative project with GAC. This parcel might benefit from a water supply management plan and a consult with the Farm Bureau. P. Morrison suggests confirmation on granting permission to the GAC to manage GCC property and then offering this as a starter project. E. McHugh proposed a joint meeting of GGG and Agricultural Commission to further discuss all parcels, conduct site walks and consider collaborative land management projects.

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

VOTED: to endorse the agricultural committee request to move forward with the new bylaw to own and manage lands. The motion passed by unanimous vote.

GCC will show support of this bylaw at Town Meeting.

O. Lathrop asked for an action item on Shattuck property that GCC moves forward working with GAC. E. McHugh suggested a joint meeting and site walk with GAC and GCC. A site walk was set for February 10, 2018 at 8:00 a.m. for the purposes of walking some parcels of interest to both parties, with focus on the Shattuck homestead property. All members of the Agricultural Committee and the GCC are welcome and it is advised that no deliberations shall occur on these

site walks. GAC was invited to attend the GCC meeting on February 27, 2018 to review and discuss the 2/10/18 site walks.

7:30 p.m.- Public Hearing (cont.), NOI, for the installation of a septic system and well as part of the renovation of an existing single-family home located at 419 Old Ayer Road, MassDEP#169-1168.

Upon a motion by L. Hurley, seconded by O. Lathrop it was:

VOTED: to continue the public hearing as requested by the applicant until February 13, 2018.
The motion passed by unanimous vote.

The Commission then moved to Other discussions: Open Space Recreational Plan

N. Gualco submitted a revised draft Request for Proposals Open Space & Recreation Plan January 23, 2018 to the Commission. N. Gualco asked the Commission for their approval so he could post the RFP by February 2, 2018 to allow for a posting period of 3 weeks. The consensus of the Commissioners was very positive and the quality of the document is excellent. E. McHugh suggested an applicant briefing session to answer any questions and clarify the process.

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

VOTED: to accept the Request For Proposals Open Space & Recreational Plan January 23, 2018 as drafted. The motion passed by unanimous vote.

7:50 p.m. The Commission moved to General Business, Surrenden Farm West, License Agreement.

The Commission discussed the search for applicants to hay the field at Surrenden Farm West. N. Gualco provided a history and update on the proposal process, reporting that two Requests for Proposal have been released with limited response. James Hwang of Concord and J. Smigelski submitted proposals. N. Gualco explained that he consulted with the Town Clerk about potential ethical concerns around J. Smigelski participating in the drafting and approval of the request for proposals while also submitting a proposal. The Town Clerk indicated that there may be an appearance of a conflict of interest and recommended N. Gualco consult with Town Counsel. Additionally, N. Gualco reported that J. Hwang's proposal is not technically valid due to it being received during a time between the two RFPs. The Commission discussed drafting a new RFP that would incorporate the change to a 10 year lease. A draft Warrant article was present for the Commission to review. It was stated that N. Gualco should prepare and submit a placeholder on the Warrant and in the case that no farmer is found in time for Town Meeting the Commission

would postpone the Article indefinitely. The discussion concluded by the Commission accepting that N. Gualco will bring the two existing RFPs to the next GCC meeting. N. Gualco will send these in advance to M. Giguere, who was the lead in drafting the RFP, so that he may prepare comments or suggest revisions.

The Commission moved on to hear discussion under General Business, Land Management, Forest Cutting Plan.

N. Gualco presented reports on three GCC funds, including the Conservation Fund, the Revolving (Land Management) Fund, and the annual Conservation Expense Line under the General Fund. Discussion ensued as to what specific uses are allowable for the Conservation Funds. M. Giguere commented that based on Article 14 on the Town Warrant of Annual Town Meeting Monday, March 11, 1963 as well as MACC interpretation of the Conservation Commission Act (2013 MACC Environmental Handbook), the Commission is allowed to spend monies in this Fund on anything under “the Conservation Commission Act.” B. Easom raised the possibility of the Town of Groton acquiring the parcel of land on which Duck Pond is located, by a tax taking process. This process to clarify the land title may take about 6 months and, will require a representative of GCC to work with the Town Counsel to strategize. Successful outcome could include Town of Groton ownership, and GCC control over the Duck Pond restoration project while still working collaboratively with CPA proponents.

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

VOTED: to authorize Bruce Easom to speak to Town counsel to look at options to clear up the title of Duck Pond. The motion passed with B. Easom abstaining.

The Commission moved on to consider General Business, Land Management, Outreach & Education Opportunities

N. Gualco offered to write an article for The Groton Herald spotlighting the intricate history and opportunities under consideration in land management of the Surrenden Farm Conservation area. The Commission agreed this would be a great community outreach idea, and Bruce Easom offered to assist with providing financial data to assist with the drafting of the article.

General Business, Land Management, Farmers and Mechanics Conservation Area:

O. Lathrop presented a document to the Commission entitled Landowner Goals and Objectives to further protect and enhance the American chestnut tree(s) identified on the Farmers and Mechanics CA. The American chestnut trees on the site may be genetically predisposed and resistant to the Blight. O. Lathrop would like to start an artificial breeding program. E. McHugh recognizes the importance of these specimens and would like to continue to consider the

breeding program with information from experts. O. Lathrop requested that the GCC not log the property and to protect it, and that this be added as a bullet to the Land Owner Goals and Objectives section of the Management Plan. Discussion ensued on the language of the proposed changes to the aforementioned section.

The Commission moved on to address General Business, Committee Updates.

- Earth Removal and Stormwater is meeting in February.
- B. Anderson attended the GPAC meeting last evening and it was voted that GPAC will spend half its budget to support the Duck Pond Project.
- CPC met last night to work on the first draft due of the FY19 budget. \$650K was calculated for required funds, with \$400K of available funds. The CPC will deal with the shortfall by implementing the scoring system it has used in the past. A meeting will occur on February 12, 2018 that will provide an opportunity for the public to learn and ask questions about this year's applications.

P. Morrison updated the Commission on Land Acquisition progress with the property located at "0 West Main St." In discussion with the property realtor, he suggested the owner donate the property to Town of Groton for the assessed value of the property (\$61,300). He added that the Town of Groton proposes to incur the cost of demolishing and removal of the existing building. The realtor is very receptive to this offer, and, negotiations with the landowner are in progress. M. Giguere noted in past land acquisition cases, we offered to pay transfer costs in the sale transaction which may entice the property owner to make the donation. The property owner will benefit by taking a Tax write-off for the value of the property. E. McHugh is in favor of P. Morrison accepting a verbal offer on the behalf of the GCC, should the opportunity become available.

General Business, Announcements: O. Lathrop announced that the UMASS Amherst Keystone training program is coming up. He highly recommends this training which focuses on forest ecology and management, wildlife management and land conservation. N. Gualco has been recommended, he is interested, and plans to apply. E. McHugh is also interested and plans to apply.

Upon a motion made by P. Morrison, seconded by E. McHugh it was
VOTED: to adjourn at 8:51 p.m. The vote passed unanimously

Exhibits on file at the Groton Conservation Commission office:

1. 1/19/18 Draft 2017 Annual Report - Conservation Commission
2. Landowners Goals and Objectives - Farmers and Mechanics Parcel
3. Notes from Surrenden Farm Site Walk
4. Draft Article for Town Meeting
5. Draft Request for Proposals Open Space & Recreation Plan January 23, 2018
6. Town of Groton financial ledger, GCC General Fund, Revolving fund, and Stabil/Conservation fund.
7. Page : 1.1.2 The Conservation Commission Act
8. Groton MA, Town Warrant; Annual Town Meeting, March 11, 1963, pp. 239, 243

Respectfully submitted, Beth Faxon (Per Diem Minute-taker, Town of Groton)

Approved: February 13, 2018