

## Groton Conservation Commission

### Meeting Minutes

Thursday, March 15, 2018

Location: Groton Town Hall, 2nd Floor  
Members present: John Smigelski (Chair), Peter Morrison (Vice Chair), Larry Hurley (Clerk), Eileen McHugh, Olin Lathrop, Bruce Easom, Marshall Giguere  
Others present: Nikolis Gualco (Conservation Administrator)

**7:00 p.m.** Chairman Smigelski called the meeting to order.

**7:00 p.m.** – Public Hearing (cont.): NOI, 163 West Main Street for the redevelopment of the Senior Center, MassDEP# 169-1170.

Owner/Applicant: Town of Groton

Rep: Greg Roy (Ducharme & Dillis Civil Design Group), Greg Yanchenko (Helene – Karl Architects, Inc.), Kathy Shelp (Council on Aging), Michelle Collette (Senior Center Building Committee).

The hearing began by G. Roy presenting the changes in the project plan that had changed since the February 27, 2018 Conservation Commission meeting. These changes included: (1) the building has been moved away from the resource area nineteen feet, which has resulted in the entire building sans a few feet of sidewalk no longer being proposed within the buffer zone; (2) the vertical curbing no longer extends completely around the parking lot as there are now three areas of flush curbing – this will allow for movement of small wildlife (e.g., turtles).

P. Morrison commented that the applicant had done an admirable job addressing the raised issues.

L. Hurley asked about the proposed slope along the back of the building and G. Roy reported that the plan still calls for 3:1 slopping and that the plan was to loam and seed the area and allow it to revert to a natural state.

E. McHugh asked about four to six large white pines that were discussed for removal due to safety concerns they pose on the new building during the site walk on February 24, 2018. G. Yanchenko commented that he would like to see these trees removed and requested that this be conditioned in the Order.

M. Giguere asked about the proposed diesel generator located within the Riverfront and specifically what type of containment was proposed. G. Roy replied that the generator was a self-contained unit. He continued by saying that the generator was moved since the previous plan (further from the resource area), but due to setback regulations he was not able to move it further. J. Smigelski asked about the access to service/fill the diesel generator and questioned that the location was correct. G. Yanchenko expressed confidence that the location was sufficient per the design.

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

VOTED: to close the public hearing for 163 West Main Street, MassDEP#169-1170.  
The vote was unanimous with all in favor.

**7:23 p.m.** – Public Meeting: RDA, 207 Gratuity Road for the for the proposed construction of an addition on a single-family home.

Owner/Applicant: John Petros

J. Petros began the meeting by discussing the proposed 18' x 26' single-story addition with an attached 5' x 10' porch and handicap ramp. The structure is proposed to be constructed on piers to reduce the impact in Riverfront and to allow for flooding. J. Petros provided a picture showing the location of the structure and the four trees that would need to be removed. Finally, J. Petros explained that he understands that drainage will likely be a requirement of the project, but would prefer to defer to the Commission's judgement as to what type is most appropriate.

E. McHugh asked if the applicant was agreeable to the incorporation of infiltration into the plan, to which J. Petros replied that he was. E. McHugh continued and asked about any plans to pave an access way connecting the driveway to the proposed porch door. J. Petros said there was currently no plan as he was trying to keep his ask as minimal as possible. E. McHugh stated that she would like to see this reflected in the conditions for the Determination and stated that if J. Petros wanted to install a path that he would need to contact Conservation in the future. J. Petros expressed his understanding to this point.

O. Lathrop commented that the existing structure did not have gutters and that the drip line appears to be functioning well and P. Morrison agreed with this.

J. Smigelski expressed a preference is seeing a vapor barrier (3/4" crushed rock and plastic lining) be installed below the structure, which J. Petros stated was also his preference.

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

VOTED: to issue a Negative Two Determination of Applicability to John Petros of 207 Gratuity Road for the construction of 18' x 26' single-story addition with an attached 5' x 10' porch and handicap ramp under the following five conditions:

1. All work shall be done according to the building plans provided at the March 15, 2018 meeting (Plan prepared by D. A. Kinsella Company, stamped by David A. Kinsella, dated 2/23/2018, sheet A-2.0, entitled "Elevations").
2. The removal of four trees shall per permitted as marked on site plan: "Conservation Plan – 207 Gratuity Road, stamped and prepared by James D. Aho, dated 2/22/2018, revised 3/15/2018.
3. The Applicant shall not pave a path leading to the new addition and or deck. If in the future the Applicant wishes to propose a paved walkway, the Applicant shall obtain Conservation Commission approval.
4. Crushed stone and a vapor barrier shall be permitted to be installed under the new addition.
5. A drainage strip shall be constructed along the perimeter of the new addition to capture roof runoff.

**7:40 p.m.** – Public Hearing (cont.): NOI, Duck Pond Ecological Restoration Project, MassDEP# 169-1169.

Owner/Applicant: Town of Groton

Rep: Bob Anderson, resident of Duck Pond/project proponent

B. Anderson began the hearing by introducing the changes to the plan since the last meeting on February 27, 2018. These included the submission of several photos and sketches showing exactly where the proposed compressor and utility trenches would be located. Furthermore, B. Anderson recalled the details of the March 10<sup>th</sup> follow-up site walk where he showed the Commission the flagged locations of the aforementioned project components. He continued by responding to MassDEP's comments about the project possibly needing Chapter 91 licensing by showing email communications with Ben Lynch, Senior Chief of the Waterways Program, MassDEP who stated that since Duck Pond does not show up on the list of Great Ponds it is not considered jurisdictional by the Waterways Regulations program and therefore does not require Chapter 91 authorization. Finally, B. Anderson proposed the use of straw wattles as erosion controls and provided a write-up of proposed monitoring to occur during the duration of the restoration.

E. McHugh asked about the contract logistics, specifically who would be doing the work to install the compressor and utility lines. B. Anderson responded that he will sub-contract the labor, but would personally continue to function as the general contractor for the project. E. McHugh was satisfied with this response and in B. Anderson's ability to overlook the installation

according to the Order but stated that in general she gets concerned about projects that have little in the way of prepared site plans.

Finally, B. Anderson produced a signed letter by Remi Kaleta of 228 Whiley Road for the use of his land in perpetuity (the compressor will be located on his land) for the purpose of restoring Duck Pond.

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

VOTED: to close the public hearing for Duck Pond, MassDEP#169-1169. The vote was unanimous with all in favor.

The Commission then continued onto General Business, item 2.1 Compliance Issues and heard an update on the Enforcement Order for 60 Boston Road. N. Gualco reported that he had been in communication with the land owner (Workers Credit Union “the Bank”) since the last meeting when the EO was issued. The Bank met all deadlines specified in the EO and as of this week the solid waste had been successfully cleaned up.

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

VOTED: to rescind the Enforcement Order on 60 Boston Road and to have the Conservation Administrator write a thank you note to the Bank for their cooperation and compliance. The vote was unanimous with all in favor.

The Commission then continued with General Business, item 2.2 Approve Meeting Minutes and reviewed drafted minutes for the February 27<sup>th</sup>, 2018 meeting. O. Lathrop had provided revisions prior to the meeting, which N. Gualco had incorporated into the draft.

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

VOTED: to approve and release the minutes for February 27<sup>th</sup>, 2018 as revised. The vote was unanimous with all in favor.

The Commission then continued with General Business, item 2.3 Correspondences and reviewed an email by the office of the Board of Selectmen requesting anyone with business on the Warrant to attend a joint meeting of the Selectmen and Financial Commission on March 19<sup>th</sup>, 2018. Several members of the Commission agreed to attend the meeting with N. Gualco.

The Commission then continued with General Business, item 2.4.1 Approve payment to Town Treasurer (\$157.40) for Balsam Walk FY17 back taxes. N. Gualco began by explaining that the Town Assessor has mistakenly stated that he could abate this portion of the outstanding taxes associated with the acquisition of Balsam Walk (a.k.a. Gustin Property) because the window to abate these taxes was closed.

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

VOTED: to pay the Office of the Treasurer in the amount of \$157.40 for the FY17 back taxes.  
The vote was unanimous with all in favor.

The Commission then continued with General Business, item 2.5 Land Management and briefly discussed a call George Moore made to N. Gualco regarding two individuals interested in farming the Shattuck Homestead. N. Gualco said he didn't have much to report on. E. McHugh stated that she and N. Gualco will be working on a request for solicitation to seek interest from the community on farming at the Homestead.

The Commission then continued with General Business, item 2.6 Other Discussions and heard a brief update from E. McHugh, O. Lathrop, and N. Gualco, who met on March 8<sup>th</sup>, 2018 and reviewed the two proposals the Commission received in response to the RFP for the update of the Open Space and Recreation Plan. N. Gualco reported that he had called the references for Community Opportunities Group and all came back favorably.

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

VOTED: to recommend to the Town Manager to accept the bid made by Community Opportunities Group, Inc for the updating of the 2012 Open Space and Recreation Plan. The vote was unanimous with all in favor.

After the vote, the Commission discussed the first Open Space update meeting and agreed that the Parks Commission, Agricultural Commission, and the Groton and West Groton Water Departments should be approached for input on the update.

The Commission then continued with General Business, item 2.7 Committee Updates and heard from E. McHugh that the **Earth Removal and Stormwater Committee** recently issued a permit to the Senior Center Redevelopment project.

N. Gualco shared that he recently attended the first **Sargisson Beach Committee** meeting on 2018. He also shared that P. Morrison had expressed in no longer being the representative to the SBC as he was too busy but instead suggested L. Hurley take his spot since he lives in the lakes area.

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

VOTED: to nominate Larry Hurley to the Sargisson Beach Committee and to relieve P. Morrison of his duty. The vote was unanimous with all in favor.

O. Lathrop reported on the **Invasive Species Committee** activity and announced that a presentation by Javier Marin, Forest Pest Outreach Coordinator, Massachusetts Department of Agricultural Resources will take place at Legion hall on April 11<sup>th</sup>, 2018 at 7:00 p.m. on the Emerald Ash Borer.

B. Easom shared that all Community Preservation Committee proposals have been turned in and that the fund is still oversubscribed.

**8:22 p.m.** Upon a motion by P. Morrison, Seconded by L. Hurley it was;

VOTED: to adjourn open meeting and enter into Executive Session without reconvening open session. The motion passed unanimously with a roll call vote; (YES: JS, BE, PM, OL, EM, LH, MG)

**Exhibits on File:**

- 1. NOI, 163 West Main Street (Senior Center redevelopment)**
- 2. DOA, 207 Gratuity Road**
- 3. NOI, Duck Pond Restoration**
- 4. EO, 60 Boston Road**
- 5. Meeting Minutes, 2/27/2018**
- 6. Email from Dawn Dunbar of the Office of the Board of Selectmen**
- 7. Invoice, back taxes owed to the Town Treasurer**
- 8. OSRP update proposal, Community Opportunities Group, Inc.**
- 9. OSRP update proposal, Horsley Whitten Group**

**Approved on: March 27, 2018**