



**TOWN OF GROTON**  
**Conservation Commission**  
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**Groton Conservation Commission**  
**Meeting Minutes**  
Tuesday, April 10, 2018 @ 7:00 p.m.  
Town Hall, 2<sup>nd</sup> Floor

Present: Olin Lathrop, Eileen McHugh, Bruce Easom, Lawrence Hurley (clerk), Peter Morrison (Vice Chair), John Smigelski (Chair)  
Absent: Marshall Giguere  
Others Present: Nikolas Gualco, Conservation Administrator,  
Beth Faxon, Per Diem Minute Taker, Town of Groton

Chairman Smigelski called the meeting to order at 7:01 p.m.

**1.0 APPOINTMENTS AND HEARINGS\***

**1.1** 7:00 p.m. – Public Hearing, NOI, for the replacement of a failing cesspool with a holding tank at 2 Alder Road, MassDEP#169-1173. L. Hurley read the notice to open the public hearing.

Present: Steve Sears, David Ross Associates.

Mr. Sears explains that the 100-buffer zone engulfs the property and the project designer tried to maintain a 25 ft. no touch zone. The area is 50 ft from the well. The lot is very steep and placement of the cesspool is up on the plateau, this is the best location on the lot. The erosion control will be via siltation fence to protect the resource. A full septic system will not fit on the lot. The area will be loamed and seeded post placement to stabilize the area of work. P. Morrison asks what the distance is from the tank to the road. He hears 36ft. Mr. Sears explains that he has confirmed septic companies will be able to pump out the system over the grade using a lift system. L. Hurley asks for specs on the tank and hears 2000 gal and 11'X7'X7 1/2'. Mr. Sears notes the soils are adequate and will be stockpiled onsite and re-emplaced, excess soil will be removed off site. E. McHugh asks about plans to restore the area and she would like to see the trees located on the plan as previously requested. Mr. Sears explains that not much restoration will occur other than loam and seed and removal of excess soils, they will dig the hole, place the tank, then loam and seed. E. McHugh reiterates she would like to see the trees located so there will be assurance that there has been no disturbance during the installation. Mr. Sears agrees to locate the trees accurately on the plan. The BOH is in favor of the project moving forward.

Upon a motion by P. Morrison, seconded by L. Hurley it was:

VOTED: to continue the hearing until April 24th, 2018 All in favor

**1.2** 7:15 p.m. – Public Meeting, RDA, for construction of a sidewalk and crosswalk along Long Hill Road connecting Riverbend Drive to the bird sanctuary (a.k.a. Groton Place) (Town of Groton). L. Hurley read the notice to open the public hearing.

Present: Michelle Collette and Peter Cunningham, Members of the Complete Streets Committee.

This project is one of four projects funded by the Complete Streets Program and the DOT. The project involved the installation of 900 ft. of sidewalk on the shoulder of the road from Riverbend Dr. to the bird sanctuary on Long Hill Road. Approx. 400 ft of the work will be in the buffer Zone. Work will involve removal of top soil and placement of a bituminous pavement. Erosion control measures are shown on the plan. Crossing beacons will be placed by the town for safety. This project will enable pedestrians to travel up Long Hill Road. L. Hurley supports the project and notes it will connect to Main street walkways. B. Easom mentions the utility pole that is located right in the middle of the planned sidewalk, which was noted during the site walk.

Upon a motion by P. Morrison, seconded by L. Hurley it was;

VOTED: to issue a negative #3 RDA citing that the work in the Buffer zone will not adversely affect the resource and work be conducted as shown on the plan. All in Favor.

- 1.3** 7:30 p.m. – Public Meeting, RDA, for the installation of temporary monitoring wells and ten soil borings to the water table at 430 Main Street (Amec Foster Wheeler). LH read the legal notice to open the public hearing.

Present: Kerry Tull, Project manager, Amec Foster Wheeler

Mr. Tull described the goals of the program to monitor the presence of hexavalent chromium products and the potential movement and discharge to surface water. The project satisfies a request by DEP to address Chromium and hexavalent chromium exhibited in the surface water of the Unnamed brook. The study includes the placement of wells using a geoprobe which is very unobtrusive and soils removed will be moved offsite. Concern was expressed by the Commission regarding erosion during the site walk. Mr. Tull will be on site and is confident erosion will not be significant. E. McHugh requests erosion control be marked on the Administrator’s plan with signature and date. Mr. Tull offers to notify the Commission when placement of the wells will commence to allow an option for Commission members observation. B. Eason notes that the toxin is also dangerous to people and asks for the standard for human contact in drinking water. Mr. Tull replies that the purpose of the study is to find the source, isolate and remove it. O. Lathrop comments that the RDA is about finding and testing but notes it does not include removing. He would like to see a clear limit of work and erosion control on the plan. L. Hurley inquires about monitoring of the wells? He hears some are monitored quarterly and other every six months. B. Eason heard that no injection will occur in the monitoring wells. Michelle Collette, member of the oversight committee reports an outstanding working relationship with Amec Foster Wheeler, including semiannual meetings and very thorough quarterly reports. They are looking forward to closure on this project.

Upon a motion by P. Morrison, seconded by L. Hurley it was;

VOTED: to issue a Negative #3 RDA on the project with conditions: siltation placed on the plan and work occurs as explained on the plan. All In Favor

- 1.4** 7:45 p.m. – Public Hearing, NOI (cont.), for the construction of residential appurtenances including the redevelopment of an existing dock, 54 Ridgewood Ave, MassDEP#169-1172.

L. Hurley read the notice to open the public hearing.

Present: Kay **Deck**.

Ms. Deck explains that the wall structure is made of “ready-rock” and will be 7ft high. The use of porous geopavement is proposed for the parking space. There will be no tree removal, stormwater runoff mitigation will be addressed by use of gutter and downspout discharging to gravel. Straw wattles will be extended out as requested to protect the area of concern. Planting plan has been submitted.

Upon a motion by P. Morrison, seconded by L. Hurley it was;  
VOTED: to close the public hearing All in Favor.

1.5 8:00 p.m. – Public Hearing, NOI (cont.), for installation of a sewage disposal system, relocation of a driveway, and remodeling of an existing single-family home, 39 Off Prescott Street, MassDEP# 169-1171. L. Hurley read the notice to open the continued public hearing.

Present: Jack Maloney, Ducharme & Dillis,

J. Maloney explains that after consulting the applicants and redesigning the project he finds that it would be prohibitive to remove section of the deck because it's anchored to the concrete foundation of the house. Underneath the deck is the support structure for the foundation.

On the site walk, another dock in disrepair was noticed on site walk comprised of pressure treated wood. J. Maloney discusses the retaining wall, that holds the bank in place. The applicant is willing to restore the bank with blueberry bush plantings and create a screening wall of hemlock. The redesign included recharge trenches in addition to the gutters feeding a dry well at two locations.

Applicant is offering a mix of plantings at the Commissions guidance. O. Lathrop notices that they are proposing capturing runoff with drywells. He asks for the total area of anything new building in the buffer area. He hears 1, 340 sq. ft. With removal of the dock area of 233 sq ft., this is still a significant increase in permanent structures in the buffer zone. He expresses concern over the extent of build out but is less concerned with the buildout off the master bedroom as this area is previously disturbed within the buffer zone, however, he continues, he is not in favor of the garage and laundry room addition.

P. Morrison is in favor of removal of the pressure treated wood dock and restoration of the bank with plantings. He is not opposed to the bedroom and other additions as long as the stormwater runoff is properly mitigated. He states that the gutters need to be cleaned and maintained for the system to work properly.

L. Hurley is in favor or removing the old dock and installation of a stone barrier along the bank. He suggests the applicant look at Sargisson Beach to see how the erosion control problem was creatively and effectively solved.

E. McHugh expresses surprise at the proposed scope of the proposal. She notes that the house and property have restrictions and she is not in favor of the additional build out.

B. Easom asks if the applicant will take out the existing deck, restore the bank using the boulder wall and show a cross section of the rock wall on the plan or in a written narrative.

P. Morrison asked for measurements from the corner of the foundation to the wall to be sure that in the future we will have some understanding as to where it is. Discussion of placing the wall work during the dry season was noted by Mr. Maloney. B. Easom continued to clarify that he would support the bank restoration and removal of the deck. Discussion ensued as to what portion of the deck will be removed and will this effect shade. B. Easom stated he will not be in support of the project if the dock is not removed. L. Hurley suggests a composite material for the deck as a benefit. The old dock on site was raised at this meeting as the applicant's offering of good will.

Mr. Maloney would like to continue the hearing to talk to his client again. He will submit a wall design for consideration. Jill McCaffrey, abutter, notes that the decking was in place approximately 20

years ago. She continues to express concern about protection of the shoreline and the cove, noting the point may be subject to significant erosion. She reports treefall occurring when measured from the high-water mark. She is concerned with the number of trees that will have to be removed for this project. There will be a total of 5 trees removed, 2 in the buffer zone. She is concerned that this home is changing from a one-bedroom home to a 3 bedroom home resulting in an additional 1,340 sq. ft. on a small lot. She would like to see the garage and additions located outside of the buffer zone.

Upon a motion by E. McHugh, seconded by P. Morrison it was;  
VOTED: to continue the public hearing to April 24th, 2018. All in favor

## **2.0 GENERAL BUSINESS\***

### **2.1 Correspondences**

**2.1.1** Town and Community Opportunities Group, Inc. (GOG) signed Open Space & Recreation Plan (OSRP) Owner-Contractor Agreement

N. Gualco updates the Commission that the open space contract has been signed by the Town and COG. A preliminary meeting is in the plan for them to meet members of the Commission. N. Gualco asked if the Commission might want to for a subcommittee from Parks and Water Dept. It was decided to first have the initial facilitated meeting and invite various members of interest to understand the level of interest and progress from there. Perhaps select a subcommittee at the meeting. N. Gualco will set up the meeting, on April 24th, 2018 and begin formulating a focus group.

**2.1.2** Abutter notification: 65 Gay Road, Board of Health review N. Gualco received a notification that we should be receiving an NOI for septic installation within 54 ft of a wetland.

### **2.2 Certificate of Compliance**

**2.2.1** 25 Ross Road, MassDEP#169-1156 Pictures were displayed for the Commission showing grass growing back in the trench - some disappointment that the area was not levelled. This may be rectified once the wattles are removed.

Upon a motion by P. Morrison, seconded by L. Hurley it was:  
VOTED: to issue a Certificate of Compliance for 25 Ross Road All in Favor.  
PM moved to issue a COC for 25 Ross Rd. LH second AIF

### **2.3 Approve Meeting Minutes**

**2.3.1** March 27, 2018 - The Commission took no action

### **2.4 Invoices**

**2.4.1** Pay \$50.00 to UMass for Keystone Project registration fee (N. Gualco) - Commissioners signed the invoices.

### **2.5 Land Management**

**2.5.1** License agreement with J. Smigelski, Surrenden Farm.

P. Morrison noted that J. Smigelski is now seated in the audience. He has submitted a bid on farming the property of Surrenden Farm. J. Smigelski gives the Commission the option for him to withdraw the application and reiterates his intent at this being a fair and open process. J. Smigelski explains his plan to the Commission that he will initially hit with rotary mower, clean out as much as possible, get rid of fence to make maintenance easier, and the other fence he would like to remove, invaluable trees will be removed, and valuable trees will stay. He intends to smooth out the area to work it with a tractor. Grading and planting winter rye, use the combine next year and plant hay back in.

J. Smigelski notes he has recently added a few more parcels to his operating area but is confident he can work this parcel appropriately. E. McHugh is very much in favor of J. Smigelski managing this parcel and stated that he clearly has adequate equipment and experience to work the parcel. J. Smigelski shares a book with the Commission titled - Growing a Revolution. The essential message being that the healthier soil requires less plowing and is building organic matter through addition of biosolids.

Upon a motion by B. Easom, seconded by L. Hurley it was;

VOTED: to accept the bid from Excalibur Farm for agricultural activities on Surrenden Farm All in Favor

Discussion ensued as to the procedural logistics with regards to passage of the Article on the Town meeting warrant related to this license agreement. Commissioners recommended a concise presentation for Town meeting in the event that questions come up. The deadline for this is April 23. P. Morrison will make the motion and answer questions at Town meeting.

**2.5.2** Sargisson Beach - L. Hurley updates the Commission about a cleanup that took place out at the Beach in preparation for the summer. Hiring of Lifeguards, utilization forms to help with use tracking and a schedule of events are progressing. There is an online webpage for those on the Sargisson beach committee (<http://www.townofgroton.org/Town/BoardsCommittees/SargissonBeachCommittee.aspx>) The Beach Committee is considering removing some trees and leaving others for habitat/to remove a hazardous condition. The steep ramp will be reinforced with crushed stone. L. Hurley commends N. Gualco for his meeting organization and efforts to open the beach.

**2.5.3** “Reedy Meadow Estates – Open Space Parcels” (Assessors Parcels: 228-59 & 61) Conservation owns these two parcels. N. Gualco received a call from a resident that ATVs were on site. This is prohibited on conservation land. N. Gualco is looking for direction from the Commission as to how to address and suggests a site walk. This site will be added to the April 21<sup>st</sup>, 2018 site walk.

**2.5.4** Eliades Conservation Area - O. Lathrop has put together the RDA for this property. O. Lathrop has drafted a plan for the vegetation management of the field area to cut woody vegetation, apply herbicide, and then mow annually. N. Gualco reports that he will submit the management plan to NHESP for review. The Invasive Committee is willing to help states O. Lathrop and the Commission still needs to fund mowing. J. Smigelski offers to help with mowing if it is done on the off season. P. Morrison asked about the emergency access being open as part of the conditions of the subdivision adjacent.

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

VOTED: to support the management plan by the Invasive species committee as drafted. All In Favor.

O. Lathrop adds we may not be able to do this Spring 2018.

## **2.6** Other Discussions

**2.6.1** Wild & Scenic River Designation – vote to support Article 24 at Town Meeting. Nadia Madden is present and hopes the commission was able to look at some of the materials published. B. Easom has many compliments and finds the study complete and comprehensive.

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

VOTED: that the Groton Conservation Commission endorse the Wild and Scenic Study. All in Favor  
Nadia mentioned a letter that they wish to have signed by the commission, or the chairman, love to have the support of the commission.

## **2.7** Committee Updates/Announcements - NONE

**3.0 OPEN SESSION (for topics not reasonably anticipated 48 hours in advance of meeting) \***

**3.1** 28 Ridgewood Ave – N. Gualco shows slides to the Commission of a tree cutting emergency designation - a hazard tree fallen down. He notes the tree felled over the water recommending it remain as habitat and the landowner may file an RFD to remove it. Another example shown elicits consensus from the Commission that it is an emergency under imminent threat to the property, other trees shown should require an RDA. B. Easom encourages people to not cut off the tree at the trunk, but leave a “snag” for woodpeckers, and wildlife.

**3.2** 89 Skyfields Drive – Tree cutting (not permitted) - N. Gualco called to follow up on a report of clear cutting, which was cutting in NHESP priority habitat. He stated that the cut area was about an acre and mentioned that areas greater than 5 acres would involve DEP, or if there is cutting occurring near a stream. The area where the clear cutting has occurred will drain down to the kettle pond. N. Gualco would like to come up with a plan, to protect the wet meadow at the bottom of the hill. He intends to write a letter and document his findings.

**3.3 Baddacook Field/Shattuck Homestead RFP - no action was taken**

N. Gualco opined that Executive session was not necessary - no executive session.

Upon a motion by B. Easom, seconded by E. McHugh it was;  
VOTED: to adjourn the open meeting at 9:20 p.m. All in Favor.

Respectfully submitted,  
Beth Faxon  
Per Diem Minute Taker, Town of Groton

Documents on file:

1. NOI 2 Alder Road.
2. RDA Long Hill Road
3. RDA 430 Main Street
4. NOI 54 Ridgewood Road
5. NOI 39 Off Prescott Road
6. COC 25 Ross Road
7. Surrenden Farm - farmer application
8. Agricultural License agreement
9. Reedy Meadow photographs
10. 28 Ridgewood photographs
11. Shattuck RFP

Approved on: May 8, 2018