



TOWN OF GROTON
Conservation Commission
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Groton Conservation Commission
MEETING MINUTES
September 11, 2018

Present: John Smigelski, Eileen McHugh, Peter Morrison, Olin Lathrop, Laurence Hurley, Marshall Giguere (6:32 p.m.)

Absent: Bruce Easom

Others present: Nikolis Gualco, Conservation Agent, Town of Groton
Beth Faxon, per diem minute taker, Town of Groton

Where: Legion Hall 75 Hollis Street Groton, MA 01450

1. APPOINTMENTS AND HEARINGS*

1.1. 6:30 p.m. – RDA, 40 Redskin Trail, for the installation of a new gallery type leaching facility (Richard & Deborah June).

Present: Jack Mahoney, Ducharme & Dillis Civil Design

Project is described as the upgrade and installation of a failing septic tank system to a new d-box, and includes temporary disturbance 88-100' from the edge of Lost Lake. The existing septic system is at the end of serviceability and an improved system is proposed. Erosion control measures include siltation fencing and wattles. Mr. Mahoney reported that the area will be restored to pre-disturbance condition. O. Lathrop asked if any soils will be removed and heard that some of the soils surrounding the septic tank and will be taken off site.

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

VOTED: to issue a Negative #3 Determination with the condition that there will be no stockpiling of materials outside of the 100' buffer and materials will be taken offsite. All in favor.

1.2. 6:45 p.m. – RDA, 16 Ridgewood Ave, for the removal of trees that pose a hazard to the existing house (Patricia Duke and Jane Danielson)

Present: Ms. Duke

Ms. Duke explained that the proposal to remove and trim trees on the property is 90% motivated by safety and 10% motivated by visual improvement. She described two large trees; a rotted maple and an oak that could damage the back deck if left unattended. She added a tree near the corner of the house for similar reasons. She described a tree branch overhanging the boat house that she would like trimmed so as to avoid damage to this structure. additionally, two trees are proposed to be trimmed to open up the view from the house to the lake. L. Hurley asked about the depression created with the removal of the maple and oak near the deck. He would like no stumping to occur in the cavity of these trees. O. Lathrop is not

in favor of removal of trees to better the view of the lake. The Applicant explained that they will not be removed, but trimmed and the Maples will regrow.

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

VOTED: to issue a Negative #2 Determination conditioned to allow the removal of the Maple, Oak, and Norway Maple, branch over the boat house and the branch over the garage. All in favor.

1.3. 6:55 p.m. – NOI, Squannacook Rail Trail, for the construction of a recreational trail along the MBTA rail corridor between the Townsend – Groton line and the Bertozzi Conservation Area, MassDEP# (not yet received).

Present: Peter Cunningham, Squannacook Greenways, Inc.
Patricia Huckery, Division of Fisheries and Wildlife
Jennifer Jones, Division of Fisheries and Wildlife

The proposed project will occur only in the buffer zone and includes construction of a stone dust rail trail along a portion of the Boston & Maine railroad. The RFD application references ENF Certificate dated 8/10/18. The area of work is near Crosswinds Drive and the border of the Town of Townsend. Mr. Cunningham noted concerns were raised over elevation discrepancies over the culvert that have been addressed. Erosion control measures are noted in Attachment E and he noted a designated staging area near Crosswinds Drive. The Commission participated in a site walk on Saturday 9-8-18.

M. Giguere noted an area where the rail bed is above the current trail. Mr. Cunningham stated that the rails and ties will be removed and the base will lie directly under, covered with stone dust. M. Giguere expressed concern over potential erosion of an area near the pond where the culvert is deep. Mr. Cunningham responded that the proposed rip rap erosion control measure will include 1 ½ “stone which will adequately mitigate pedestrian traffic and stormwater runoff. He noted a natural stability to the referenced slope. M. Giguere asked for assurance that the rip rap erosion control will remain in place.

Mr. Cunningham continued that the rails will be removed from the work site and sold for scrap and the ties will be disposed of according to DEP guidelines. P. Morrison noted a berm in that area would help stop material from migrating down the slope. The Commission was generally in agreement that the final design was agreeable. Discussion moved to protecting the wetlands during work. Mr. Cunningham stated that best management practices promulgated by DEP are in the proposal and will be followed. He continued to explain that the organization is very experienced and has qualified knowledgeable people implementing the work on site. Commissioners discussed the feasibility of on-site monitoring and were assured that the organization is duly qualified having worked on this project for over 15 years, the work will be done in a limited window of time, best practices will be followed during all phases of construction. Chair Smigelski asked for a schedule of site visits and contractor oversight. N. Gualco noted the project overview documentation is a very good start and asked the applicant for an update with the timelines and schedule. Patricia Huckery and Jennifer Jones expressed interest in construction oversight plans and requested notification when the Order of Conditions is issued as well as the start of work date. Patricia Huckery raised the point about the correct removal of the railroad ties citing regulatory criteria for soil analysis may be necessary to identify hazardous materials. The applicant stated the track was very lightly used and, the date of last use for 1983. He continued to explain the soils will be encapsulated with crushed stone and referred again, to attachment I which obligates them to follow Best management practices.

Mr. Paul Funch stated that the Trails committee had submitted a letter of support for the project. Response if favorable to the accessible parking plan where more access points will be created for citizens.

Comments from the audience were favorable with interest in oversight plans and adherence to Best management practices.

An abutter raised the question of trail closure time frame during construction just before P. Morrison moved to close the hearing, E. McHugh seconded. All in favor.

1.4. 7:15 p.m. – Discussion, Land Management – use of conservation areas for large groups.

Present: Paul Funch

Mr. Funch wrote a letter outlining some of the concerns about town property and trail use by groups in town. He noted potential conflict of group activities, occasional disappointment due to trail closure during events, and lack of cohesive information about how to proceed with seeking permission for various large group activities. He is proposing to help orchestrate a goal of understanding permitting, scheduling, and allowed uses from each organization and to communicate this to the public in an organized, easy to follow format. The discussion of track practice ensued and the potential for conflict was raised with land under Conservation Restriction as related to protected species impact. Chair Smigelski suggests a contact with Natural Heritage for further discussion. Discussion as to whether this activity could be incorporated in to the work of the OSRP pertaining to the use of trails by large groups, sensitivity to land under Conservation restriction and other points made in Mr. Funch's letter. E. McHugh asked for N. Gualco to write a paragraph on the matter for the next Commission meeting.

The Commission then continued to Land Management agenda items beginning with the Shattuck Homestead – Black swallow-wort infestation. O. Lathrop reported that fortunately treated pea pods did not develop. Next year the Commission will need to mow prior to the start date of the turtle restriction so as to avoid interference. Commissioners experienced using the turtle monitors in the past proved an effort in futility. Natural Heritage must be consulted on the matter prior to the first mowing. The discussion continued about the conundrum of balancing turtle habitat and preservation and management of invasive species. J. Jones recommends a conversation with the new scientist Dan Bove at Natural Heritage. Chair Smigelski asked for a meeting to be set up with such to discuss multiple issues, the infestation management being a priority. Chair Smigelski asked if O. Lathrop could supervise volunteer applicators and if so perhaps get a few pack sprayers as an economical way of treating the invasive species management.

Eliades Conservation Area - application filed with Fish and Wildlife for the removal of invasive autumn olive was found to be in an area of rare wildlife habitat and was approved conditioned that no work will occur between May 1st and September 15th.

Reedy Meadow Estates - GPS Survey (B. Easom) - no update was available.

Surrenden Farm West – red pine removal update. A second application for bittersweet was reported and a bid is out for the winter. Three bids have been received for the red pine harvest with a preference towards King's proposal.

The Commission moved on to Forestry Management - N. Gualco presented category 1 forest management parcels to the Commission on a map. Parcels of town owned land with forest harvesting potential were identified in a report and assessed for content and potential yield in terms of forestry resources. Some parcels shown on the map were contiguous and the intent is to consider these as “blocks” and create forest stewardship and forest management plans. N. Gualco shared the importance of working with other conservation and forestry partners considering overlapping jurisdictions and multiple interested land stewards of a specific areas. N Gualco continued to comment that the contract with Baystate expires next

year and as such a reevaluation will be done in 2018. N. Gualco noted that Surrenden farm management plan was the most valuable asset produced from the contract and would like the Commission to consider best use of the contracted services for the “blocks” for forestry management goals. O. Lathrop proposed that a sub group be formed to work on the matter and present plans and findings to the Commission. He added that organizing site walks open to the community often will foster stewardship and start discussions of forest management. E. McHugh concurred with regards to the sub group and commented favorably on the map presented. She added a proposal that it might be feasible to focus on one section and gather comments from the various interested parties to garner the wide breadth of expertise and knowledge available. N. Gualco stated this is a good time to attend to this matter. Chair Smigelski stated his preference to keep the sub group or working group simple with the intent to achieve maximum results for the effort. E. McHugh asked this be added to every agenda to update the Commission.

The Commission then continued to consider Land Acquisition agenda item; a Vote to accept agreement to purchase parcels 106-31 & 32 from the Squannacook Realty Trust. N. Gualco stated the Deed for the Longley parcel donation is being reviewed by town counsel. He added that the Squannacook Harvey parcel is nearly ready for the Commissions endorsement but is delayed by lack of receipt of the title. He stated the closing date draws near; 9/27/18 and discussed ways to handle the situation. The Commission agrees that when the title is done, they can authorize specific representatives of the Commission to accept the title, and complete the property closing on behalf of the Town.

Upon a motion made by O. Lathrop, seconded by E. McHugh it was;
VOTED: to authorize Chairman Smigelski, Nik Gualco, the Town Manager, or another member of the Commission to sign any closing documents on the Towns behalf. All in favor.

Mr. Paul Funch expressed his appreciation for the acquisition of this parcel as well as all the work that went into the process.

Under Correspondences, the Commission considered a request for use of access road for cross-country track running at GDRHS (Parcel 230-46). Discussion ensued as to whether use of the area for track practice is an allowed use under the Conservation restriction. Such use might devalue the parcel by potential impact to sensitive species. N. Gualco recommended consulting with Natural Heritage on the matter prior to decision.

Committee Updates/Announcements O. Lathrop reported that a grant for treating ash trees has opened and he is interested in writing a proposal to try to obtain equipment to drill holes and apply a treatment the afflicted ash tree. The Commission is in favor of such grant. E. McHugh reports that the Open Space and Recreation Plan has three meetings in the next few weeks. The OSRP working group will be attending Grotonfest and distributing free stickers with Open Space logo to increase public awareness of the project. Massachusetts Annual Conservation Conference is Saturday October 20th, 2018 in Leominster, MA.

Upon a motion made by M. Giguere, seconded by L. Hurley it was;

VOTED: to accept the minutes of 8/28/18 E. McHugh abstained, O. Lathrop abstained

Beth leaves meeting at 8:28 pm.

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

VOTED: to close the open meeting and move to executive session to pursuant to M.G.L. CH. 30A, Sec. 21 (6) To consider the purchase, exchange, lease, or value of real estate, if the chair declares that an open

meeting may have a detrimental effect on the negotiating position of the public body.” The motion passed (**Yes:** E. McHugh, M. Giguere, L. Hurley, P. Morrison, O. Lathrop, J. Smigelski).

Respectfully submitted,
Beth Faxon
per diem minute taker, Town of Groton

Items on file:

1. Letter from Paul Funch
2. Shattuck Homestead - photos 1
3. Shattuck Homestead - photos 2
4. Eliades 2018 mowing autumn olive
5. Eliades 2018 mowing autumn olive
6. GDRSD High School Conservation Restriction 07-14-14
7. Minutes 08-28-18 GCC DRAFT MINUTES

Approved: September 25th, 2018