



TOWN OF GROTON
Conservation Commission
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Groton Conservation Commission
MEETING MINUTES
October 23rd, 2018

Present: Olin Lathrop, Bruce Easom, Marshall Giguere, Larry Hurley, John Smigelski, Peter Morrison (entered meeting at 6:43 p.m.).

Absent: Eileen McHugh

Others present: Nikolis Gualco, Conservation Agent, Town of Groton

Where: Groton Electric Light Department Meeting Room, 23 Station Avenue.

1.1 6:30 p.m. – RDA, 154 Lowell Road, for the removal of trees within the buffer zone (S. Wilson).

Scott Wilson, homeowner, was absent and the Commission opted to post-pone the meeting until later in the meeting.

Upon a motion by M. Giguere, seconded L. Hurley, it was:
VOTED: to postpone the public meeting until later in the meeting to allow time for S. Wilson time to arrive. The motion passed by a unanimous vote.

The Commission then moved to General Business, Item # 2.8 Meeting Minutes, and reviewed two sets of minutes.

Upon a motion by P. Morrison, seconded by L. Hurley, it was:
VOTED: to approve the meeting minutes as drafted for September 25, 2018. The motion passed by a unanimous vote.

Upon a motion by M. Giguere, seconded by O. Lathrop, it was:
VOTED: to approve the meeting minutes as amended for October 9, 2018. The motion passed by a unanimous vote.

The Commission then moved to General Business, Item # 2.9 Invoices, and proceeded to sign four invoices.

The Commission then returned to Appointments and Hearings:

1.2 6:45 p.m. – RDA, Still Meadow Conservation Area off Northwoods Road, for the reclamation of an old farm crossing (B. Pine).

Applicant: Bob Pine (Groton Conservation Trust), present.

B. Pine began the meeting by making a presentation, which involved the reclamation of an old farm crossing (a wetland crossing) at Still Meadow Conservation Area off Northwoods Road. The crossing also functions as a crucial trail connector for this region. B. Pine commented that the parcel had been managed as open meadow and maintained through annual mowing. However, due to recent activity by beavers up and downstream from the crossing, it has become impossible to access the back meadow. B. Pine proposed raising the farm crossing by 16 inches using approximately 25 cubic yards of crushed rock.

P. Morrison asked if the plans for the crossing considered the possibility of future beaver activity and where they would follow stream crossing guidelines. B. Pine confirmed that was true and commented that the majority of the flooding observed during the recent site walk would be greatly eliminated once DPW flushed out the wetland crossing on Meadowview Road.

B. Pine commented that even though it is mentioned in the RDA, he envisions the project not as a limited project but rather a maintenance of an existing wetland crossing.

M. Giguere commented that if the project were to be filed as a limited project it would require the filing of a Notice of Intent. He also expressed concern about the amount of materials proposed (25 cubic yards).

B. Easom commented that filling on a BVW is strictly prohibited within the ACEC and would require the applicant to overcome the presumption detailed in 310 CMR 10.55(3). B. Pine argued the ecological significance of open meadow in mostly forested Groton.

O. Lathrop stated that overall, he was OK with the project, however he did echo some concerns.

P. Morrison asked B. Pine to clarify the pipe diameter on the crossing to which B. Pine replied 12 inches.

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

VOTED: to issue a Negative 2 Determination to the Groton Conservation Trust for the proposed work at Still Meadow under the following special conditions:

1. The crossing's culvert will be upgraded to at least a 12-inch pipe.
2. Work shall not begin until the culvert along Meadowview Road is cleared out and the impoundment waters recede.
3. Work shall occur during dry conditions.

The motion passed by majority vote (**No:** B. Easom, M. Giguere; **Yes:** O. Lathrop, L. Hurley, P. Morrison, J. Smigelski).

1.3 7:00 p.m. – RDA (cont.), 191 Pepperell Road, for the replacement of an existing failed sewage disposal system (G. Miller).

Upon a motion by P. Morrison, seconded by L. Hurley, it was:
VOTED: to continue the public meeting for 191 Pepperell Road to allow the Board of Health time to issue a permit for the propose project. The motion passed by a unanimous vote.

The Commission then returned to General Business, Item # 2.1.3 Paquawket Path Easement.

B. Ordemann (Groton Trails Committee) lead the discussion and gave a presentation, which summarized the issues with the Paquawket Path Easement. A case history was given dating back to the 1970's when the subdivision had been permitted. The root issue involves what activities are permitted on the easement (who can use it and for what purposes). Two separate opinions on this matter from Town Counsel (one from 1994 and the other from 2003) were referenced. It was made clear that a root cause for the confusion was a lack of clearly worded documentation recorded at the Registry of Deeds. A discussion ensued about these matters for several minutes.

Upon a motion by O. Lathrop, seconded by P. Morrison, it was:
VOTED: to authorize N. Gualco to speak with the Town Manager and Town Counsel and spend up to \$5,000 to explore the process for bringing the issue to a close. The motion passed by a unanimous vote

The Commission continued and requested that B. Ordemann join any discussion between the Town and Town Counsel.

The Commission then moved to Item # 2.6.1, Order of Conditions, 102 Weymissset Road, MassDEP# 169-1181.

Upon a motion by P. Morrison, seconded M. Giguere, it was:
VOTED: to issue an Order of Conditions for 102 Weymissset Road (MassDEP#169-1181) under the Wetlands Protection Act using the special conditions as drafted. The motion passed by a majority vote (**No:** O. Lathrop, B. Easom; **Yes:** J. Smigelski, P. Morrison, L. Hurley, M. Giguere).

Upon a motion by P. Morrison, seconded by B. Easom, it was:
VOTED: to issue an Order of Conditions for 102 Weymissset Road (MassDEP#169-1181) under the Groton Wetlands Protection Bylaw using the special conditions as drafted. The motion passed by a majority vote (**No:** O. Lathrop, B. Easom; **Yes:** J. Smigelski, P. Morrison, L. Hurley, M. Giguere).

The Commission then moved to Item # 2.6.2, Order of Conditions (Extension Permit), 219 Townsend Road, MassDEP# 169-0641.

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

VOTED: to issue a three-year extension to the Order of Conditions held by Hollingsworth and Vose for the annual removal of boards at their Squannacook River Reservoir (MassDEP#169-0641). The motion passed by a unanimous vote.

The Commission then resumed the public meeting for Item #1.1 RDA for 154 Lowell Road. Homeowner Scott Wilson did not show up, but the Commission commented that they had enough information to make its decision.

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

VOTED: to issue a Negative 3 Determination for 154 Lowell Road under the following special conditions:

1. All work shall follow the plan for 154 Lowell Road prepared by Amy and Scott Wilson dated October 20, 2018.
2. Wherever practicable, the applicant shall leave 12-foot snags as a means of providing wildlife habitat.

The motion passed by a unanimous vote.

Finally, the Commission reviewed a request by the Town Clerk to revise language in the Town's Wetlands Regulations (Chapter 344) to reflect the Town voting to change the name of the 'Board of Selectmen' to the 'Select Board.'

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

VOTED: to revise language in the Town's Wetlands Regulations (Chapter 344) to reflect the Town voting to change the name of the 'Board of Selectmen' to the 'Select Board.' The motion passes by a unanimous vote.

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

VOTED: to adjourn the meeting at 8:40 p.m. The motion passed by a unanimous vote.

Respectively submitted,
Nikolis Gualco

Approved: November 27, 2018