



**TOWN OF GROTON
Conservation Commission**

173 Main Street
Groton, MA 01450
(978) 448-1106
Fax: 978-448-1113

ngualco@townofgroton.org



**Groton Conservation Commission
MEETING MINUTES
January 8th, 2019**

Present: John Smigelski, Chair; Eileen McHugh; Olin Lathrop, Vice Chair; Peter Morrison; Marshall Giguere (remote, video chat), Bruce Easom (remote, phone)

Others present: Nikolis Gualco, Conservation Administrator, Town of Groton.

Attendee list available

6:40 pm – Chairman Smigelski called the meeting to order

1. APPOINTMENTS AND HEARINGS

Order of the meeting was shifted due to not all interested parties present for opening agenda item 1.1.

The Commission moved to item 1.2. RDA, 11 Town Line Road, for tree cutting within wetlands buffer zone (C. Falardeau). This item was tabled to later in the meeting as Chad was not in attendance.

The Commission moved to the **GENERAL BUSINESS** section of the meeting and began with item 2.2. P. Morrison led the Commission through the details of the emergency certificate to repair a broken water main at 471 Chicopee Row.

P. Morrison motioned a vote, seconded by E. McHugh to ratify the request for repair the water main break.

The Commission then moved to item 2.9 and reviewed and signed off on invoices submitted to the Commission.

2.7 The Commission reviewed the certificate of compliance for MassDEP #169-1122 for 69 Boathouse Road.

P. Morrison noted that an OMP is referenced in the letter but not in the document. Some conditions have not yet been met including the wall was not filled and erosion controls need to be removed.

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

VOTED: to approve the certificate of compliance once with the understanding the conditions discussed would be addressed.

6:48 pm The Commission then moved to item 2.6.1, Groton Country Club and reviewed drafted Order of Conditions for MassDEP #169-1122.

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

VOTED to issue the Order of Conditions under the Wetlands Protection Act and the motion passed by unanimous vote.

VOTED to issue Order of Conditions under the Wetlands Protection Act Bylaw and the motion passed by unanimous vote.

6:55 pm The Commission then moved to item 1.3 to accept the Donation of Land: Parcel 251-29 from Robert Lacombe.

N. Gualco noted that this donation is from Robert Lacombe, not Dennis. The deed was provided for this evening's meeting and a notary was available to sign.

Michelle Collette, meeting attendee, inquired if there were any plans for a park or playground in the neighborhood of this parcel. As she recalls, since the subdivision was constructed in the 1980's there were talks of building a park or playground. E. McHugh and J. Smigelski noted that this was not brought to their attention and the matter would need to be brought to the Park Commission. It was also noted by N. Gualco that this parcel of land would not be suitable for a park due to the grade.

All Commission members in-person signed the deed and it was notarized by the Town Clerk, Michael Bouchard.

He noted any names of members not present were crossed out.

The Commission resumed the **APPOINTMENTS AND HEARINGS** section of the agenda.

7:01 pm The commission then moved to item 1.4 to Accept the donation of land: Parcel 225-31 from Calvin Moor on behalf of the late Hilda O'Hara.

Clear title on the parcel has gone through and the deed is now available. Valerie Best was in attendance of the meeting, along with her brother Curtis Best and his wife Valerie. Their mother Jean, who lives out of state, is happy to see this parcel protected on behalf of her sister Hilda. In the spring she hopes to lead a tour of the property. They would like to designate it as the "Best Fitch" parcel in honor of the Fitch family.

J. Smigelski thanked the family on behalf of the Commission for this donation.

The deed was signed by present Commission members and notarized by the Town Clerk, Michael Bouchard.

7:06 pm The Commission moved to item 1.5 Discussion with Peter C. Oliva Way, Reedy Meadow Estates on a stormwater mitigation proposal.

Doug Lees, project engineer from Land Engineering and Environmental Associates of Tyngsboro, MA was in attendance on behalf of Peter Cricones. He gave a brief history of the issue. In summary, the original plan of the development of Olivia Way / Reedy Meadow Estates was approved in 2001 and was based on a water table of 12.1'. With the wet fall of 2018, the water table is at 2 feet and is flooding home basements and the roadway of Olivia Way. It has been concluded that the stormwater infiltration structure originally constructed is not functioning and is continuously filling up with groundwater. D. Lees proposed some options for stormwater management. The area borders known turtle habitat and D. Lees has initiated contact with Natural Heritage. The item is brought to the Commission as one of the proposals is to install a pipe that will discharge water on to Groton conservation land. Commissioner P. Morrison raised the concern of stormwater being dumped on a Groton property and it was discussed that direction of the flow has been the same pre- and post-development and was flowing on the Groton property originally. P. Morrison continued with his concern as the potential for a 100-year storm and what effects it would have on the Groton conservation property. M. Giguere asked if discussions have occurred with the property owners and what other forms of mitigation have been pursued of which he was answered that the property owners understand there is the need for installment of structures to mitigate the flood and there is no prevention of water flowing on the Groton conservation property. B. Easom asked for clarification that the ground water flowing underwater is now surface water due to digging for stormwater management. It is believed that this issue is only occurring at the Olivia Way section of this development. Predevelopment inspections would have looked for evidence of former surface water, of which they did not see. E. McHugh asked if the plan were to divert water to flow across the Groton conservation property, what is the water quality treatment plan? O. Lathrop also expressed the concern of the potential presence of algae in the surface water resulting from fertilizers used by the property owners. E. McHugh requested a proposal of how water quality would be managed.

As the committee continued the discussion an idea was proposed that a pond be created on the conservation property. Many of the Commission members were in-favor of this idea as it would help address the flow of water, would act as a filtering mechanism and would be a home for various water fowl.

In attendance of this evenings meeting was the Stormwater Committee. Michelle Collette spoke on behalf of the committee and thanked the property owners for their patience during this situation. At times Olivia Way road has been impassable. Many of the property owners are pumping water from their basements 24 hours a day. The Stormwater Committee is looking forward to seeing a stormwater treatment option that will allow the homeowners to continue enjoying their homes while also addressing the conservation and water quality issues. George Barringer, Chair of the Planning Board, stressed the difficulty of the situation.

Several property owners spoke about their experiences due to the flooding. Channing Lambert of 10 Olivia Way commented that he understands the original plans were based on a water table of 12' and his concerns is with what the current water table is, and how any mitigation plans will address this.

M. Giguere questioned if the pond came to be on Conservation land, who would be responsible for its management, would this be an Article 97 issue. We should run this by Town council. It was requested from E. McHugh that D. Lees come back with a proposal for the development of a pond area. G. Barringer added that the matter would be discussed at the Planning Board meeting on Thursday January 10th and invited participation from members of the Commission.

After attendees excused themselves from the meeting, upon a motion by P. Morrison, seconded by J. Smigelski it was

VOTED to move to **EXECUTIVE SESSION** to consider the purchase, exchange, lease, or value of real estate since the chair declared that an open meeting may have a detrimental effect on the negotiating position of the public body.

Upon a motion from J. Smigelski, seconded by P. Morrison it was

VOTED to move to back to open session.

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

VOTED to approve minutes from December 11, 2018.

N. Gualco updated the Commission on item 2.3.1 that the cease and desist is still active with 419 Old Ayer Road, MassDEP #169-1168.

O. Lathrop updated the Commission on the planning for the 2019 Groton Conservation Summit

The Commission agreed to move item 1.2, RDA for 11 Town Line to the next meeting on January 22, 2019.

8:43 pm Upon a motion by P. Morrison, seconded by E. McHugh it was voted to adjourn the meeting.

Minutes respectfully submitted by Naomi Campbell Siok, per diem recording secretary.

Approved: January 22, 2019