



TOWN OF GROTON
Conservation Commission
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Groton Conservation Commission
Special MEETING MINUTES
February 19th, 2019

Present: John Smigelski, Chair; Olin Lathrop, Vice Chair; Marshall Giguere; Eileen McHugh; Peter Morrison; Laurence J. Hurley

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

Not present: Bruce Easom, Clerk

6:15 pm – Chairman Smigelski called the meeting to order

6:19 pm – Commission members signed and approved invoices

6:23 pm – The commission moved to Certificate of Compliance for 591 Main Street, MassDEP #169-1032. The commission discussed the conditions of the property and the need for drainage. Upon a motion by O. Lathrop, seconded by M. Giguere, it was

VOTED to approve the Certificate of Compliance for MassDEP#169-1032, under the condition that drainage is installed once the ground is thawed. All commission members voted in favor.

The commission briefly discussed an invoice for E. McHugh to attend the MACC Conference. As this item was not prepared for this evening's meeting, it was requested that the Conservation Administrator be granted authority to approve payment of the invoice for E. McHugh to attend the conference. Upon a motion by P. Morrison, seconded by L. Hurley it was

VOTED that N. Gualco Conservation Administrator be granted authority to pay the invoice.

6:25 pm The commission discussed the purchase and sale of a property at Martin's Pond Road. It has been approved by Town Counsel. It was requested by N. Gualco, Conservation Administrator, to grant him authority to fill in the closing dates on the P&S. The commission members signed the P&S. Upon a motion by P. Morrison, seconded by M. Giguere it was

VOTED in favor to grant N. Gualco authority to fill in closing dates on the Purchase and Sale.

6:30 pm The commission moved to agenda item Reedy Meadow Estates, Olivia Way flooding discussion. Some residents of the road were in attendance at this evening's meeting. Chairman Smigelski opened the discussion and asked for comments from commission members. P. Morrison discussed his concern with those responsible for engineering of the road. L. Hurley is interested in learning if there are new calculations. E. McHugh commented that this is an emergency situation. She is concerned with the construction and the contractors and also commented that she wished for more

review by the town. M. Giguere expressed his concern with using conservation land with no discussion of how the town would be compensated. He also questioned how Pepperell is involved, knowing that this is an issue also affecting them. M. Giguere suggested that a more detailed engineering study take place to set a precedence for future developments. O. Lathrop also expressed his concern with using the conservation land as a solution and commented that, in the past few meetings in the town, it was unclear what might happen with the water and if a pond would make a difference. He would also like to see more solid engineering numbers. Chairman Smigelski suggested putting dye in the water to determine what direction it is heading. Ultimately, he would like to see creative solutions. E. McHugh expressed that the Stormwater Commission should be responsible for the engineering discussion and the Conservation Commission can direct concerns to them. The commission members discussed the issue of jurisdiction as the problem is affecting town conservation land and who is ultimately responsible. E. McHugh also was unsure of how the problem is affecting the nearby wetland. She also was concerned with overflows being pumped onto conservation land, to which O. Lathrop agreed as he is concerned with the quality of the water. In summary, the commission would like to see these three points addressed:

- Ensure there is updated engineering,
- To communicate the Conservation Commission's uneasiness with clearing one acre of land and the question of water quality
- To address the issue of precedence and what a solution involving use of conservation land is potentially creating.

Commission members also discussed that a pond may not work and drainage may have to go all the way to the brook, which could be another larger issue. It was discussed that there are engineering standards if there is runoff into a brook.

E. McHugh expressed that she did not want the conservation commission to be viewed as an obstruction to a solution by others involved.

Channing Lambert of #10 Olivia Way was in attendance at this evenings meeting and commented on the precedence question and suggested if there could be specific wording that would make this solution an exception and make it difficult for a similar solution to be used in the future. Channing Lambert's father was also in attendance and commented that there is a structure that belongs to the town of Pepperell near the #10 property line. In reference to a regulation that was made prior to construction, it was stated that Pepperell and Groton water was to stay in the separate towns. Because there is water in #10 presumably partly from the structure in Pepperell, the water is likely not staying separated, so is in violation of the regulation.

7:00 pm The meeting adjourned to be restarted as a joint meeting with the Stormwater Commission beginning immediately following.

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

Minutes Approved on: March 12, 2019