



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 Agenda**

Tuesday, March 10, 2020 @ 6:30 p.m.
Town Hall, Second Floor Meeting Room

Present: Bruce Easom, Eileen McHugh, Laurence J. Hurley, John Smigelski, Olin Lathrop

Members absent: Peter Morrison, Marshall Giguere

Others present: Nikolis Gualco, Conservation Administrator; Maggie Surette, per diem minute taker

6:30 PM Chairman Smigelski called the meeting to order.

1) Appointments and Hearings

- 1.1 - 6:30 PM – NOI, 244 Nashua Road, for reconstruction of a single-family home that was damaged by fire, MassDEP# 169-1202

In the first hearing the applicant shared that the resident of the home which caught on fire was an older gentleman who lived alone, and escaped during the fire. (see notice) The applicant wished to rebuild the house and put in a new septic system. The plot of land is just over 4 acres. Due to much of the land being wetlands and the placement of the current well, it limits the area in which to place the septic. The Intention is to use the current foundation to rebuild the home, therefore no excavation work is needed, except for minor sonotubes for the building of a new deck. The area will be boarded with a siltation barrier. Any storm water runoff is currently, and will remain, running to the front of property and away from the buffer zone. Because the site is located within Priority Habitat, NHESP has required a turtle protection plan be submitted. The applicant then shared a letter from NHESP stating conditions required for approval. The Commission decided that a stipulation needed to be put in place stating that the protection plan needs to come through from natural heritage. Peter and Colleen Jeffrey (neighbors to the house under construction) asked a few questions regarding the deck structure, which were all answered by the applicant.

Upon a motion by B. Easom, seconded by O. Lathrop, it was:
VOTED to close the public hearing for MassDEP# 169-1202.

The motion passed by a unanimous vote.

- 1.2 - 6:45 PM – NOI, 4 Alder Road, for the replacement of a sewage disposal system, MassDEP#169-1200

The applicant Steven Jambard provided a new notice of intent to explain that what he is doing is legal. The applicant was in compliance. Nikolis Gualco asked for the status on the project. The applicant shared that the BOH inspection was scheduled for this week of March 9th, 2020. and was on plan to be completed within a few weeks. Nikolis Gualco stated to the applicant that the board also wants to hear the applicant's point of view, and that the board does not need to be solely providing all the direction, but rather that this was an opportunity for the individual to share his preference on certain aspects of the project, such as placing bark mulch or planting grass in the yard.

Upon a motion O. Lathrop, seconded by L. Hurley, it was:
VOTED to continue the public hearing MassDEP#169-1200 for two weeks, until the board received all necessary documentation of proof of mailing.

The motion passed by a unanimous vote.

- 1.3 - 7:00 PM – NOI (cont.), 128 Martins Pond Road, for grading associated with the construction of a single-family house, MassDEP#169 - 1201

This meeting was a continuance, because the board wanted to see the house in reference written out on the plan. This was not previously available to the applicant due to the applicant not having the deed and not having a house number. Now the applicant has merged the once two separate plans and has included the septic plan. The applicant clarifies that she sent in pictures to the commission for context, in order to show why general mowing should be continued for visual appearance. Bruce Easom shared concerns about the total number of mows that the field should be allotted per year. After discussion amongst the board, they decided that three times per year was what they would offer. The typical number of mows allotted per year is two, so this provided the applicant with one additional mow. The board and the applicant both found this to be reasonable. The applicant needs to stabilize the area as soon as possible. In the Order of Conditions, it states that receiving a certificate of compliance is necessary. This will prevent runoff from going into the buffer zone.

Upon a motion by E. McHugh, seconded by B. Easom, it was:
VOTED to close the public hearing for MassDEP#169 - 1201.

The motion passed by a unanimous vote.

- 1.4 - 7:10 PM – NOI (cont.), 227 Boston Road, for the construction of a single-family home and driveway. MassDEP# 169-1199

Applicant stated that of the 9 acre lot, only slightly more than a half of an acre would be developed. The vast majority of property would remain in its current state. A benefit to the conservation commission was noted by the applicant stating that, despite cattle historically grazing in the wetlands, there no longer would be any cattle and the allowance of grazing cattle in the wetlands will most likely not be grandfathered in.

Upon a motion by B. Easom, seconded by O. Lathrop, it was:
VOTED to close the public hearing for MassDEP# 169-1199.

The motion passed by a unanimous vote.

- 1.5 - 7:20 PM – RDA (cont.), 55 Sunset Road, for the re-grading and paving of an existing driveway (O. Lathrop)

Olin Lathrop (applicant) presented in his continuance that an old plot was found by Nikolis Gualco, and Olin located two metal markers on the property, which he strung orange tape from for visibility. The plan has changed and is now to fix a dip which would cause water to collect on the side of the driveway. Now it will take a much larger amount of rain to overflow and run into the wetlands. Rip rap will be placed along the edge of the driveway. Eileen wanted an update on drawings to show detail as to where the new puddle will go in comparison to the property line. The applicant and the board agreed upon a printed copy of the plan having a line drawn on the plan.

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

VOTED to issue a negative 3 determination under the condition that the applicant provide and updated plan showing the locating of the overflow area.

The motion passed by a majority vote with O. Lathrop recusing himself.

- 1.6 - 7:30 PM – Request for Minor Change to Site Plan, MassDEP#169-1195, 255 Old Ayer Road

The Applicant requested a change in the current site plan. There was a concern about an oversized load due to the need for room in order to avoid getting stuck while driving into the driveway. The applicant mentioned his plan, which documents details regarding the request. Laurence J. Hurley asked if the contractor planned to reinforce the existing wall. The applicant used straw bales and 2x12's as reinforcement. Laurence J. Hurley expressed concern regarding the taking down of the tree. The applicant reassured the board that the contractor did not mention the need for this during his plan overview. It was noted that this is a temporary application for a truck to be able to access the property. Eileen McHugh expressed her concern about the temporary status. She thinks that if the board is not paying close enough attention, the temporary construction may not come out as quickly as anticipated or desired. Eileen McHugh requested the temporary construction be removed as soon as everything is completed. The applicant expected everything to be done within two weeks, and Eileen wants it to be included in the reporting schedule. Bruce asked if the wall would be put back up. Applicant said there was no intent to rebuild the wall. Once again the applicant shared with the board that the contractor stated there was no intent to take any trees down, when questioned by Bruce Easom. Olin expressed a concern regarding the large stones along the driveway falling into the brook. The applicant responded by stating that the 2x12's he mentioned previously would be the provided support. The board and the applicant agreed that the monthly reports need to be submitted with the status of when the temporary construction is being taken out.

Upon a motion by B. Easom, seconded by O. Lathrop, it was:

VOTED to approve the proposed work as a minor change to the site plan.

The motion passed by a unanimous vote.

2. GENERAL BUSINESS*

- 2.1 On-going Business/Other Discussions
 - 2.1.4 *Sign Stormwater Easement, Reedy Meadow Estates (Olivia Way) – added 3/6/2020*

Olin Lathrop wants to guarantee that the remainder of the deal will be submitted. Nikolis said a deed form Peter Cricones is ready but that Town Counsel needs to approve it and this easement

needs to get done first. Eileen McHugh suggests setting a timetable to have the Counsel review the deed and move forward on a decision following the review. After discussion amongst the board three Commissioners signed the Easement with Bruce Easom and Olin Lathrop not signing.

- *2.1.1 Community Preservation Act, letter of support draft*

The letter of support draft is currently one and a quarter pages long. Board discussed the way the letter was written, as well as, who it would be sent to. A motion was made to send the letter as written to Select Board, Financial Committee, and the Groton Herald as a letter to the editor.

- *2.1.2 Monitoring of Conservation Lands, equipment needs*

On a recent site walk, Nikolis Gualco was impressed by the GIS tablet Marshall Giguere was using. He suggested the Commission consider getting itself a similar set up. He reported that the IT Department has funds to purchase a tablet, however a cellular data plan would be required. This would cost approx. \$25/month. A discussion ensued on this matter. No vote was needed, because this purchase is not within the conservation commission's budget.

- *2.1.3 Forest Legacy Program, collaborative effort with communities of Nashua/Squannacook/Nissitissit Wild and Scenic area*

Nikolis Gualco stated that Al Futterman is trying to put together a regional effort to receive an acquisition grant. 1000 acres is needed (not continuous), and the types of areas they are looking into are Nashua/Squannacook/Wild Scenic Area. The acreage should be contained within the scenic area, but Al Futterman is willing to have it go outside that area slightly. The work on this grant will need to be aggressive now, and then it will be drawn out. The board needs to decide whether to submit for the grant in September. The board needs to know by April if they can accomplish the necessary actions to submit for the grant. Nikolis Gualco suggested that the board be separated, having two to three members work efficiently toward completing this project. Peter Morrison, Olin Lathrop, Nikolis Gualco and possibly John Smigelski will attempt to make progress on talking to land owners, and on reporting their findings back to the board. (is this off the record?)

- 2.2 Committee Updates/Announcements

Bruce mentioned that after attending a meeting in Boston earlier in the day, he wanted to ask the board if the fees of \$20,000 should be sent to the trust for holding CR's. Nikolis Gualco was told that leadership is needed for the process of starting and completing CR's. Bruce wants a copy of the Walker Cox CR in order to see what is prohibited and allowed. The board decided this will be put on the next meeting agenda to review. Olin mentioned that the boy scout and trails committee should bring the plan to the board next Tuesday at trails meeting to be approved.

- 2.3 Approve Meeting Minutes

No Minutes to approve

- 2.4 Invoices

None

3) Open Session for topics not reasonably anticipated 48 hours in advance of meeting*

- 3.1 Shattuck Homestead, revised management plan - Added 3/9/2020

The Commission discussed revising the management plan for the Shattuck Homestead property, including the addition of prescribed fire and specifically addressing the management of the viewshed.

4) Adjournment

Upon a motion by O. Lathrop, seconded by B. Easom, it was:

VOTED to adjourn at 8:35 p.m.

The motion passed by a unanimous vote.

Minutes submitted by Maggie Suerte, per diem minute taker

Minutes Approved: April 28, 2020