



TOWN OF GROTON
Conservation Commission
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Groton Conservation Commission
Meeting Minutes

Tuesday, September 22, 2020 @ 6:30 p.m.
Virtual Meeting

BROADCAST ON ZOOM AND THE GROTON CHANNEL
PURSUANT TO GOVERNOR'S EXECUTIVE ORDER
CONCERNING THE OPEN MEETING LAW
<https://us02web.zoom.us/j/85642400968>
WEBINAR ID: 856 4240 0968

Present: Larry Hurley, Chair; Bruce Easom, Vice-Chair; Alison Hamilton, Clerk; Peter Morrison, Eileen McHugh, John Smigelski, Olin Lathrop

Others present: Nikolis Gualco, Conservation Administrator

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

1. APPOINTMENTS AND HEARINGS*

6:30 PM – RDA (cont.), 136 Hollis Street, for the restoration of a hay field.

Applicants: Mary “Betty” Irelan; Sue & Bennet Black

Irelan provided the Commission with a revised project plan, which identified specific trees along the hedge row and throughout the property that were intended to be saved. Furthermore, the revised plan clarified details about the methods to be implemented when clearing out the invasive plants near the old agricultural ditch.

Upon a motion by O. Lathrop, seconded by E. McHugh, it was:

VOTED to issue a Negative 2 Determination of Applicability under the condition that work is conducted according to the revised plan received on September 22, 2020.

The motion passed by a roll call vote (Yes: E. McHugh, O. Lathrop, A. Hamilton, B. Easom, J. Smigelski, L. Hurley).

At this time, the Commission moved to **GENERAL BUSINESS** and reviewed an invoice by the Lowell Sun.

Upon a motion by E. McHugh, seconded by A. Hamilton, it was:

VOTED to approve the payment of \$405.87 to the Lowell Sun for expenses related to posting legal notices.

The motion passed by a roll call vote (Yes: E. McHugh, O. Lathrop, A. Hamilton, B. Easom, J. Smigelski, L. Hurley).

At this time, the Commission returned to **APPOINTMENTS AND HEARINGS**.

6:40 PM – ANRAD (cont.), “0” Gratuity Road, MassDEP#169-1209.

Applicant: Kevin Lania, Cornerstone Land Consultants

K. Lania provided a recap of the site walk, which occurred on September 19th, 2020 in which members of the Commission reviewed the four flags that indicated the top of bank of Gratuity Brook. For the sake of this ANRAD, Lania explained, the stream was being treated as perennial and the inner and outer Riverfront zones are listed on the plan. Lania explained that the parcel in question has significant Bordering Lands Subject to Flooding, mostly associated with the Nashua River and to a lesser degree Gratuity Brook. The 100-year floodplain for this area is 207 feet above sea level and this is shown on the plan by a dark contour. Lania explained that to determine the elevation in the field a 10 foot by 10 foot grid was used to ensure the surveyed contours were as accurate as possible. Finally, Lania stated that septic testing on the property has been approved by the Nashoba Boards of Health.

A brief discussion ensued in which the Commissioners asked for clarification on the plan as well as the preliminary locations of the eventual houses. Lania explained that the lot was to be divided into three house lots pending the necessary approvals. He believes the project can occur outside the jurisdictional areas of the Conservation Commission.

Upon a motion by E. McHugh, seconded by P. Morrison, it was:
VOTED to close the public hearing for Abbreviated Notice of Resource Area Delineation
MassDEP#169-1209.

The motion passed by a roll call vote (Yes: E. McHugh, O. Lathrop, A. Hamilton, B. Easom, P. Morrison, J. Smigelski, L. Hurley).

Upon a motion by B. Easom, seconded by E. McHugh, it was:
VOTED to issue an Order of Resource Area Delineation. for MassDEP#169-1209 as
shown on the plan entitled: “Existing Conditions Plan, ANRAD Submission, 0 Gratuity
Road, Groton, Massachusetts”, dated: June 1, 2020, prepared by Cornerstone Land
Consultants, LLC., prepared for: Hillside Construction, LLC.

The motion passed by a roll call vote (Yes: E. McHugh, O. Lathrop, A. Hamilton, B. Easom, P. Morrison, J. Smigelski, L. Hurley).

6:55 PM – COC (cont.), 54 Ridgewood Road, MassDEP#169-1172.

Applicant: Kay Deck

K. Deck, in response to questions from the Commission at its November 26, 2019 meeting, provided the following response:

“Our work is complete and we would like to close our order of conditions **2.2.4 COC for 54 Ridgewood Ave, MassDEP#169-1172.**”

1. Drainage pipe - There is a request about the drainage pipe that was seen but not listed on the as built. N. Gualco looked through more details in the paperwork and located that the purpose of the pipe was to drain the wall. The pipe is still in place, and as done on Order of Conditions (992), it now a screen to cover the opening. It had no impact on Order of Conditions 1172.

2. Vegetation plantings - We have made several improvements to the area below and to the side of the work included in 1172. We have planted 4 flowering shrubs (andromeda - shade-loving pollinators) plants that are thriving, as well as over 200 pachysandra plants in and around the area to more quickly establish vegetation in addition to the shrubs. We have also added 5 spruce trees, and we are protecting the native oak and maple small trees in the planting area.

3. Staircase - the staircase listed on the opposite side of the property that was previously installed or erosion control and approved in Order of Conditions 992.

I believe that this concludes everything that you have requested and we are not requesting to close Order of Conditions 1172.

Kind regards,
Kay Deck and Glenn Kinnear”

After a brief discussion, the Commission took the following action:

Upon a motion by E. McHugh, seconded by A. Hamilton, it was:

VOTED: to issued a Certificate of Compliance for MassDEP#169-1172.

The motion passed by a roll call vote (Yes: E. McHugh, O. Lathrop, A. Hamilton, B. Easom, J. Smigelski, L. Hurley).

7:00 PM – Discussion, Squannacook Sportsmen Club Environmental Assessment.

Peter Cunningham and Michelle Collette provided the Commission with an update on the Town’s intent to conduct Phase I & II assessments of the Squannacook Sportsmen Club. The Town is asking for \$18,000 at the Fall Town Meeting to cover the assesments in the event that their MRPC grant application is not funded.

7:15 PM – Discussion, Academy Hill, request for minor change to site plan, MassDEP#169-970.
Representative: Desheng Wang, Creative Land Solutions

D. Wang summarized the changes to the wetland restoration plan he was proposing on behalf of his clients, Academy Hill Realty Trust. These included the following:

1. It was observed that the wetland replication site has already begun to populate with wetland species. The original plan calls for several inches of soil to be dug out of the wet basin and replaced with soils with a higher clay content. Wang agrued that because the number of wetland indicator species in this area are already dominant, including 10+

- year old pussywillows, the need to replace the soil is no longer required. Therefore, he proposed modifying the list of vegetation requirements for the repliocation site.
2. Due to an abundance of invasive purple loostrife, the Wang is requesting approval to remove the invasive plants from the pond during outlet control structure installation.
 3. Due to ponding at the end of the Cherry Tree Lane, Wang is requesting permission to utilize 3” minus roadway gravel or crushed stones topped with a binder coal to eliminate the water puddle, which would prevent ice hazards in the winter. NOTE: the Commission did not spend time evaluating this as this was determined to be under the jurisdiction of the Plannign Board/Earth Removal & Stormwater Advisory Committee.
 4. The elimination of a proposed 12” pipe under Cherry Tree Lane to drain water into the stormwater catchment basin. This was proposed because during the 15 years of this project there has never been any observed flooding in the area proposed for draining. NOTE: the Commission did not spend time evaluating this as this was determined to be under the jurisdiction of the Plannign Board/Earth Removal & Stormwater Advisory Committee.
 5. A clarification in a plan detail for the Woods Road profile. NOTE: the Commission did not spend time evaluating this as this was determined to be under the jurisdiction of the Plannign Board.

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

VOTED that the proposed changes to the site plan meets the definition of a minor change and therefore no ammendment to the Order of Conditons is necessary.

The motion passed by a roll call vote (Yes: E. McHugh, O. Lathrop, A. Hamilton, B. Easom, P. Morrison, J. Smigelski, L. Hurley).

7:30 PM – Discussion, Enforcement Order, 210 Indian Hill Road

N. Gualco updated the Commission that he received a Notice of Intent filed by Tom Bovenzi on behalf of his client for resoration work at 210 Indian Hill Road. He continued by stating that the public hearing for this will take place on October 13, 2020.

Land Management: Discuss Fall mowing schedule

The Commission discussed which fields it would mow this fall as part of annual maintenance activities. J. Smigelski agreed to take a look at Crosswinds and Ames Meadow to determine if he would be able to mow these this year. He also expressed interest in inspecting the field on the newly acquired Priest Family Conservation Area for possible mowing this year. The discussion was tabled until the next meeting.

Land Management: Formation of the Stewardship Committee (updates)

E. McHugh provided a brief update of her efforts to recruit former members of the Open Space Plan Workgroup into the new sub-committee, the Stewardship Committee.

Other Discussions: Provide comments to the Planning Board: Village at Shepley Hill, Preliminary Subdivision Plan

The Commission reviewed a set of preliminary plans, which are currently in front of the Planning Board for review. A discussion ensued about the plan's details and alternative designs that could maximize the protection of open space. Two comments were agreed upon to be shared with the Planning Board ahead of their September 24, 2020 public meeting on this topic. These include:

- Based on review of the plan, the applicant should be prepared to file a Notice of Intent with the Conservation Commission to cover the multiple wetland crossings and proposed lots and structures located within the buffer zone. The applicant should be prepared to propose wetland replication areas for the stream crossings, which are not currently shown on the plan. Finally, the applicant should make all efforts to fully comply with the Massachusetts Wetlands Protection Act as well as the Groton Wetlands Protection Bylaw.
- The Commission encourages the applicant to redesign the project to meet flexible development standards, which will offer the greatest opportunity to protect open space by providing a contiguous permanently preserved conservation parcel.

Committee Updates/Announcements

B. Easom provided an update on the trail bridge at Gibbett Hill and showed photos of the work, which is currently underway.

O. Lathrop provided an update of the Invasive Species Committee's efforts to treat Japanese Knotweed off Hayden Road as well as at Shattuck Homestead. Overall, it appears efforts to control invasives in these areas are going well and the ISC plans to continue to monitor these areas.

Approve Meeting Minutes

No meeting minutes were reviewed.

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

The Commission inspected the recently constructed drainage basin at Olivia Way on September 19, 2020. There were numerous questions pertaining to the basin's stabilization and plans for irrigation that the Commission would like to have answered. Gualco was instructed to invite Peter Cricones to the October 13, 2020 meeting to discuss these concerns.

Adjournment

Upon a motion by J. Smilelski at 8:24 PM, seconded by E. McHugh, it was:
VOTED to adjourn the public meeting.

The motion passed by a roll call vote (Yes: E. McHugh, O. Lathrop, A. Hamilton, B. Easom, P. Morrison, J. Smigelski, L. Hurley).

Minutes Approved: October 13, 2020