



TOWN OF GROTON
Conservation Commission
173 Main St
Groton, MA 01450
(978)448-1106
Fax: 978-448-1113
ngualco@townofgroton.org



**Groton Conservation Commission
Meeting Minutes**

Tuesday, February 23, 2021 @ 6:30 p.m.
Virtual Meeting

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

Absent: None

Others Present: Nikolis Gualco, Conservation Administrator

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

1. APPOINTMENTS AND HEARINGS

6:30 PM – COC, 171 Lowell Road, MassDEP#169-1118.
Robert (Bob) Collins, Attorney

B. Collins notified the Commission that Dr. Susan Horowitz, the previous homeowner; filed for a NOI five years ago for maintenance on small manmade drainage ditch. The ditch was cleaned and maintained by the homeowners who failed to apply for a Certificate of Compliance. With the recent purchase of the property documents revealed the requirement for a Certificate of Compliance for the functioning ditch that connects to a resource area.

B. Easom and O. Lathrop concurred in order to approve the request they would require to view the site without any ground covering (snow) to ensure the land was stabilized. B. Collins stated the work was completed by a hand rake and lined with stones, confirming there were no disturbances.

L. Hurley requested clarification on the original Order. B. Collins explained the original Order proposed cleaning out the trench of any accumulated debris without excavation.

Upon a motion by P. Morrison, seconded by McHugh, it was Voted to issue a Certificate of Compliance for 171 Lowell Road, MassDEP#169-1118.

The motion passed by a roll call vote: (Yes: EM, JS, PM, LS, AH/ No: OL, BE)

6:45 PM – Discussion with Atty. Collins re: Hayes Woods open space donation.

B. Collins updated the Commission that he and S. Dillis submitted a Definitive Subdivision Plan to the Planning Board. He then notified the Commission that they will soon be filing documents for an acceptance of a donation of 61.6 acres of open space. B. Collins discussed the frontage of the open space which will include 80 feet on Maple Ave, 145 feet on the Subdivision Road, 100 feet on Hill Road, and 460 feet on Pepperell Road. There are two easy access points proposed on the Subdivision Road and Pepperell Road. Two additional conventional plots (ANR lots) will be gifted to the Commission due to tax purposes. A NOI will be filed for the common driveway for the access of three lots along Pepperell Road. A small portion of grading is proposed associated with the retention pond requiring an RDA. B. Collins explained minimal impact is projected within the buffer zone.

P. Morrison questioned the amount of construction visible from Maple Ave. B. Collins stated that the construction occurs 100 feet away from the roadway and a portion of the drainage system will be visible.

A. Hamilton questioned the difference between a gifted (ANR) lot and an open space donation. B. Collins explained there is no impact on the Commission and the Hayes Family will receive a significant tax break.

E. McHugh questioned the gifted (ANR) lots to the Commission and the reason for the peculiar shape of land delineated on the plan. B. Collins stated the land located to the right of lot 17 is the parcel being gifted to the Town and was shaped in response to the location of the buffer zone.

O. Lathrop questioned if the Commission was going to receive a formal easement on the access road off of Pepperell Road and noticed a significant amount of grading on Hayes Ave. B. Collins confirmed an easement will be provided and assured the slope is not as steep as it appears on the plan and contains an existing grade which has a slight slope from 130 feet to 120 feet.

B. Easom commented that the land will be gifted without a CR and questioned if a CR would be permitted in the future. B. Collins confirmed that B. Easom was correct and there would be a deed of trust allowing a future CR.

Deb Collum, an abutter; questioned the approval of the 100 foot (visual) buffer zone on Maple Ave by the Planning Board which now appears to be eliminated and the original projection of trees being removed has increased. B. Collins was uncertain however explained no driveways or building are permitted on Maple Ave, the proposed drainage structure on lot 5 will be visible and a Scenic Road

Application is planned to be submitted. B. Collins noted that March 25, 2021 is the next Planning Board public meeting.

Aubrey Theall, a resident on Maple Ave; was concerned with the visibility from Maple Ave specifically in the bare vegetation months. B. Collins explained the dwellings are being constructed to front the Subdivision Road and there will be a prohibition from Maple Ave. The primary plan is to keep the street scape identical. A SWWP report will be built in to the Deed, preventing driveways, structures and removal of any natural vegetation screening.

Tim Mahan, a resident on Maple Ave; was concerned with the amount of trees planned for removal and the drainage structure since there is no significant catch basins preventing ice buildup. B. Collins reiterated the number of trees removed will be addressed at the March 25, 2021 meeting. The drainage was described as a subsurface infiltration which is intended to prevent runoff and will follow the Stormwater Earth Removal Advisory Committees regulations.

7:00 PM – NOI (cont.), 85 Boathouse Road, for repairs and renovations of existing retaining walls, deck, and parking area, MassDEP#169-1213.

Applicant: Mark & Donna Enright

N. Gualco updated the Commission that the applicant requested a continuation to the next public hearing.

Upon a motion by P. Morrison, seconded by A. Hamilton, it was:

Voted to continue to the next public hearing on March 9, 2021.

The motion passed by a roll call vote: (Yes: AH, EM, JS, BE, OL, PM, LH)

2. GENERAL BUSINESS*

General Discussions

None

Permitting

Extension, Duck Pond Restoration, MassDEP#169-1169.

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

Voted to extend the Order of Conditions for three years at the Duck Pond Restoration, MassDEP#169-1169.

The motion passed by a roll call vote: (Yes: JS, PM, EM, BE, OL, AH, LH)

Extension, 419 Old Ayer Road, MassDEP#169-1168

Upon a motion by B. Easom, seconded by P. Morrison, it was:

Voted to extend the Order of Conditions for one year at 419 Old Ayer Road,

MassDEP#169-1168.

The motion passed by a roll call vote: (Yes: BE, JS, EM, AH, OL, PM, LH)

OOC, "0" Longley Road, MassDEP#169-1214.

Upon a motion by P. Morrison, seconded by E. McHugh, it was:
Voted to issue the Orders of Conditions under the Wetlands Protection Act for "0" Longley Road, MassDEP#169-1214 as amended.

The motion passed by a roll call vote: (Yes: AH, EM, JS, OL, BE, PM, LH)

Upon a motion by P. Morrison, seconded by E. McHugh, it was:
Voted to issue the Orders of Condition under the Groton Wetlands Protection Bylaw for "0" Longley Road, MassDEP#169-1214 as amended.

The motion passed by a roll call vote: (Yes: AH, EM, JS, OL, BE, PM, LH)

Land Management

None

Committee Updates

E. McHugh updated the Commission that Stewardship Committee had a meeting last Wednesday and had the opportunity to meet with Bob Coleman from The Groton Channel. Resources have been funded through the Town which will allow a series of filming of four short videos of existing Stewardship projects. They are as follow: 1. Introduce the purchase and the projects completed by the Boy Scouts on the Upper Trimper Property. 2. Lisa Murray will discuss The Groton Garden Club. 3. E. McHugh will report on the one year anniversary of the micro burst. 4. Alex Woodle will discuss Lost Lake.

L. Hurley updated the Committee that GPAC has a meeting on Thursday, February 25, 2021 regarding the Great Ponds in Groton.

Approve Meeting Minutes

N. Gualco updated the Commission that the meeting minutes from February 09, 2021 would be submitted for the next public meeting.

Invoices

Upon a motion by E. McHugh, seconded by P. Morrison, it was:
Voted to approve and pay the invoice to the Groton Herald for \$115.50.

The motion passed by a roll call vote: (Yes: EM, JS, OL, BE, PM, AH, LH)

3. **Open Session for topics not reasonably anticipated 48 hours in advance of meeting***
4. Executive Session pursuant to MGL Ch. 30A, Sec. 21(6): * “To consider the purchase, exchange, lease, or value of real estate, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.”

The Chair declared that there was business that required the Commission move to Executive Session.

5. Adjournment

8:09 p.m. Upon a motion by A. Hamilton, seconded by J. Smigelski, it was: Voted to move to Executive Session and not to return to the open session for the purpose of considering the purchase, exchange, lease, or value of real estate, as the chair had declared that an open meeting may have a detrimental effect on the negotiating position of the Commission.

The motion passed by a roll call vote: (Yes: JS, PM, EM, BE, OL, AH, LH)

Meeting Minutes Approved: March 9, 2021