



TOWN OF GROTON
Conservation Commission
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Groton Conservation Commission Meeting Minutes

Tuesday, August 10, 2021 @ 6:30 p.m.

Town Hall: Second Floor Meeting Room, 173 Main Street, Groton, MA

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

Absent: Allison Hamilton, Clerk

Others Present: Nikolis Gualco, Conservation Administrator

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

APPOINTMENTS AND HEARINGS

6:30 PM – RDA#2021-31, 186 Main Street, for the installation of an irrigation system.

Applicant: Ward Holdings LLC; Attorney: Robert Collins

R. Collins presented for the applicant who proposed the installation of a drilled well for an irrigation system. There would be no disturbances and erosion controls would be installed around both the well and the connecting pipe that runs to the carriage house.

R. Collins stated it was a Real Well being drilled by Skillings and Sons.

E. McHugh questioned why there was no permit for the patio work that was completed. R. Collins stated that he would review the updated plan. The one displayed was from 2018 and did not show the work that had been performed. E. McHugh requested that an additional RDA needed to be submitted.

B. Easom questioned if the well would be out of the 50-foot buffer zone and was concerned about the management of water during the drilling. R. Collins explained tarps would be placed down to remove the soil and that the detention basin adjacent to the work area would allow for water infiltration.

O. Lathrop wanted to ensure that the runoff water would be managed by the detention basin.

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

Voted to issue a Negative 3 Determination under the conditions: 1. The soil from the well is contained on the site.

The motion passed by a unanimous vote.

The Commission agreed that the applicant had until September to file the additional RDA for the unpermitted patio.

6:40 PM – NOI, 3 Highland Road, for the upgrade to an existing septic system, MassDEP#169(not yet assigned)

Applicant: Amy Abbott; Representative: Kevin Conover, David E. Ross Associates.

K. Conover presented for the applicant for the replacement of a septic system abutting Lost Lake. A. Abbott owns a second parcel located across the street. A pump chamber septic system is proposed and the connecting pipe would run through the property across the street to the new leaching system which is out of 100-foot buffer zone. A few trees on the dwelling side would need to be removed. Siltation fences would be installed for erosion controls.

E. McHugh questioned if there are any trees on the adjacent property that would require tree removal. K. Conover stated yes and reiterated they are outside of the buffer zone.

B. Easom questioned if a new well would be installed and expressed concern with the excavation being performed on the slope next to the lake. It was explained that a pit would be dug to contain any slurry, and straw wattles would be installed. B. Easom recommended the use of hay bales and a curtain for erosion controls and any water volume would need to be controlled.

O. Lathrop agreed with B. Easom and would like to see other erosion controls used. K. Conover stated that a temporary sediment basin would be excavated in a way to create a berm to prevent the water from overflowing.

J. Smigelski also recommended the use of hay bales.

L. Hurley recapitulated that the pump chamber was replacing the existing septic system and that the connecting pipe runs across the street using a combination of a two-tank chamber system. Siltation fences and hay bales would be installed along the trench.

Lynwood Prest an abutter was present. He was concerned of the impact of the project, the quality of the work performed on the road, the number of trees being removed and if the appropriate septic system was selected. K. Conover replied that the Highway Department had been contacted by David E. Ross Associates and the proposed trenching of the road had received approval. Traffic would temporarily be impacted to one lane for a few hours. The contractor would be responsible for compacting and bonding the road back together. Only 2-3 trees would be removed. Regarding the

tight tank suggested by the abutter it is only allowed as a last resort tank and not acceptable for this property.

Ron Hersh questioned the location of the proposed septic system. Both the representative and the ConCom explained that if the pipe were to be installed anywhere else on the road there would be more excavation required due to the topography.

Upon a motion by B. Easom, seconded by P. Morrison, it was:
Voted to close the public hearing.

The motion passed by a unanimous vote.

6:50 PM – RDA#2021-32, 244 Old Ayer Road, for the upgrade to an existing septic system

Applicant: Ryan O'Neill; Representative: Kevin Conover, David E. Ross Associates

K. Conover presented for the applicant and proposed the installation of a septic tank and pump chamber located halfway down the hill between the house and the roadside, all within a 200-foot riverfront zone. The location would facilitate a necessary gravity flow. Grading downhill would cause the hill to bump out slightly more than it does currently. A double siltation fence would be installed for an erosion control.

E. McHugh questioned if retaining walls were considered to reach the existing grade sooner. The representative explained that the area is currently grass and it would be more cost effective to replant grass.

B. Easom questioned if the disturbance was calculated. K. Conover explained that there is a 6.2% (1500sq ft) proposed riverfront alteration and according to 310 CMR 10.58 work can be approved up to 10%.

O. Lathrop was concerned with the steepness of the slope. K. Conover confirmed that stabilization would be guaranteed and a suggestion of jute netting was made.

P. Morrison questioned if hydroseed or staked sod would be used for stabilization. K. Conover stated sod.

L. Hurley commented that there would be a fair amount of excavating and recommended the use of hay bales and silt fencing.

Upon a motion by B. Easom, seconded by J. Smigelski, it was:
Voted to issue a Negative 2 Determination under the conditions: 1. Erosion controls consist of hay bales and silt fencing; 2. Stake sod installed instead of seed for restoring the grass.

The motion passed by a unanimous vote.

7:00 PM – RDA#2021-33, 42 Ridgewood Road, for the removal of hazardous trees

Applicant: Donna German

The applicant proposed removing nine hazardous trees in close proximity to their house and replanting vegetation to prevent erosion.

B. Easom questioned which trees were dead and what species of plants the applicant plans on planting. The applicant pointed out trees numbered 4 and 5 which are dead in the photograph displayed. D. German stated that she would like to plant Arborvitaes, Hydrangeas and Goldthread.

O. Lathrop recommended leaving a couple 10-15 feet snags to create a natural habitat.

P. Morrison wanted to ensure that debris would not enter the lake.

E. McHugh requested that 40% of ground coverage be replaced within 5 years of the completed project. The applicant confirmed that she would meet the requirements and stated that her son owns RD Landscape and Design out of Acton and that she is an avid gardener herself.

L. Hurley questioned if the stumps would remain. D. German explained that three stumps in the front of the dwelling would be ground up and the rest would be left behind.

Upon a motion by B. Easom, seconded by E. McHugh, it was:

Voted to issue a Negative 3 Determination under the conditions: 1. Work is done as submitted on the plan August 10, 2021.

The motion passed by a unanimous vote.

7:10 PM – RDA#2021-34, 17 Town Line Road, for the removal of vegetation within the buffer zone

Applicant: Wayne Legacy

W. Legacy explained that he purchased the property two years ago and there was an extensive number of wrecked cars stored on the land. Vegetation had grown up and around the cars. When the prior owner disposed of the cars the vegetation was disturbed and the applicant took it upon himself to clean up the remaining debris.

O. Lathrop questioned what the site looked like prior to the site walk and if any fill had been brought in. W. Legacy explained that there was scrubby vegetation however, the cars were tangled in it. The fill existed on the site and the applicant leveled the surface. O. Lathrop recommended restoration within the 50-foot buffer zone to bring back the natural vegetation.

P. Morrison questioned if there was any oil seen on the site. W. Legacy stated no and explained that the cars were taken to the previous owner's auto body shop before being stored on the property.

E. McHugh agreed with O. Lathrop and restoring the 50-foot buffer zone.

B. Easom requested that a plan be submitted to the ConCom with the survey to show the boundary plan with flags on it and the offset of the 50 feet buffer zone. All materials stored within the 50-foot buffer zone were to be removed and suggested that the stoppers be set in place as discussed.

Upon a motion by B. Easom, seconded by P. Morrison, it was:
Voted to continue the public hearing to the next scheduled meeting on August 24, 2021
The motion passed by a unanimous vote.

7:20 PM – RDA#2021-28, Sorhaug Woods, for the construction of a new trail (Groton Trails Committee).

Applicant: Paul Funch

Paul Funch presented for the Trails Committee. A previous trail was approved back in June. The Committee is now requesting that the trail loop around to create a more interesting path.

The ConCom agreed that the trail would be used more frequently if it connected with another trail.

Upon a motion by P. Morrison, seconded by B. Easom, it was:
Voted to issue a Negative 3 Determination.
The motion passed by a unanimous vote.

7:30 PM – NOI (cont.), 330 Old Dunstable Road, for the upgrade to an existing sewage disposal system, MassDEP#169-1219.

Applicant: Richard Lewis; Attorney: Robert Collins; Stan Dillis, Dillis & Roy Civil Design

R. Collins presented for the applicant and proposed upgrading the septic system in the existing location within the 100-foot buffer zone. National Heritage has requested an assessment of the property.

N. Gualco summarized the letter that was received from National Heritage and they are requesting the impact calculations, turtle habitat assessment, and a legend added to the plan. National Heritage will also have the final approval of the person that performs the assessments.

B. Easom questioned the slope within the 100-foot buffer zone. R. Collins stated that the slope is 3:1 and that there would be no trenching within the buffer zone, only grading.

The Commission agreed that they needed to wait to hear from National Heritage after the assessment was completed.

Upon a motion by P. Morrison, seconded by J. Smigelski, it was:
Voted to continue the public hearing to the next scheduled meeting on August 24, 2021.
The motion passed by a unanimous vote.

7:40 PM – NOI (cont.), Lot 2 Old Dunstable Road, for the construction of a shared driveway as part of a proposed residential subdivision, MassDEP#169-1220.

Applicant: Richard Lewis; Attorney: Robert Collins; Stan Dillis, Dillis & Roy Civil Design

R. Collins presented for R. Lewis and informed the ConCom that the three lots were under the same ownership and proposed installing a shared driveway. A small portion of the driveway is within the 100-foot buffer zone.

B. Easom questioned the drainage structure and its benefits. The drainage system was explained to manage the runoff of water from the road and prevent it from entering the wetland. By constructing a shared driveway versus three individual driveways there would be less generation of surface water and a reduction in impervious areas. B. Easom stated that salt and sand would still enter the drainage system.

O. Lathrop commented that when wetlands are removed that there needs to be a replication somewhere else and, in this case, there is no replication being proposed. He then suggested curving the road to move it out of the 100-foot buffer zone. R. Collins stated they have restricted the frontage from Bridge Street keeping an approximate 30-foot easement.

E. McHugh questioned if there would be a storm water management permit requested. R. Collins confirmed that a permit would be acquired.

J. Smigelski suggested moving the driveway approximately 10 feet and then it would be out of the ConCom's jurisdiction. S. Dillis agreed that the driveway could be moved. The drainage structure would still remain in the wetlands.

P. Morrison agreed with J. Smigelski and commented that the topography of the field is not radical and the proposed driveway could be shortened and relocated which would be beneficial for maintenance and the reduction of water flow.

E. McHugh discussed the conversation that occurred at the site walk and the entrance of the driveway could not be relocated due a pole being located to one side. R. Collins confirmed that the entrance would remain as drawn on the plan.

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

Voted to continue the public hearing to September 14, 2021.

The motion passed by a unanimous vote.

GENERAL BUSINESS

General Discussions/Announcements

B. Easom will be introducing himself and speaking on behalf of the ConCom to the Town of Shirley's Conservation Commission in support of the proposed Squannacook River Wildlife Management Area on September 14. B. Easom mentioned a video that was performed at the watershed and he would like to review what the State had to say. P. Morrison questioned if the ConCom would consider donating the Shirley parcel owned by Groton back to Shirley. A brief discussion ensued and the ConCom agreed that a mechanism was necessary to be checked before offering the land. The land would also be required to remain in the Conservation restriction.

Land Management

Update on Priest Family Conservation Area – habitat grant proposal

N. Gualco, O. Lathrop, the new owner of the Trimper property, and a forester, met and discussed cutting the access point. The new owner was very supportive of the project. It would be both beneficial and feasible for the ConCom. The grant will be submitted at the end of the month.

Discuss fall mowing schedule

The mowing for Shattuck Homestead mowing has been completed.

J. Smigelski agreed to mow Knowles Siding Conservation Area, O'Neil Way and Eliades. B. Easom agreed to mow Ames Meadow. N. Gualco updated that Crosswinds was mowed last year and only requires to be mowed every other year. J. Smigelski and B. Easom agreed to walk the Priest Hill Conservation area before making any commitments.

Updates on ongoing land management activities

O. Lathrop stated that the Shattuck Homestead property is in the best shape that he has seen. There are some swallow-wort scattered throughout the field and suggested that Mike Perry return.

Permitting

Ratify Enforcement Order, 17 Town Line Road (see above).

Upon a motion by B. Easom, seconded by E. McHugh, it was:
Voted to ratify the Enforcement Order for 17 Town Line Road.
The motion passed by a unanimous vote.

Committee Updates

L. Hurley updated that GPAC had Solitude conduct a survey on Whitney Ponds invasive species and the water quality. The results are expected in a month.

B. Easom stated that the CPC has released their schedule for the deadline on receiving the two-page application. The ConCom should take in to consideration what they would like to receive for Conservation Funds. The deadline would be forwarded to the ConCom. N. Gualco stated that a CPC member recommended the possibility of submitting a CPC application for the Priest Restoration Habitat if the grant does not receive approval.

Approve Meeting Minutes

Upon a motion by E. McHugh, seconded by J. Smigelski, it was:
Voted to approve the meeting minutes for July 27, 2021 as amended.
The motion passed by a unanimous vote.

Invoices

Upon a motion by E. McHugh, seconded by J. Smigelski, it was:
Voted to approve and pay the invoice from the Groton Herald for the amount of \$320.00.
The motion passed by a unanimous vote.

Upon a motion by E. McHugh, seconded by B. Easom, it was:
Voted to approve and pay the invoice from the Lowell Sun for the amount of \$316.80.
The motion passed by a unanimous vote.

Upon a motion by E. McHugh, seconded by J. Smigelski, it was:
Voted to approve and pay the invoice from the Town Council for the amount of \$67.50.
The motion passed by a unanimous vote.

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

None.

8:39 P.M. Adjournment/Executive Session

L. Hurley, Chair; declared that there was business that required the Commission to move to executive.

Upon a motion by P. Morrison, 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: PM, EM, JS, BE, OL, LH)

Minutes Approved: August 24, 2021