



TOWN OF GROTON
Conservation Commission
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**Groton Conservation Commission
Meeting Minutes**

Tuesday, September 14, 2021 @ 6:30 p.m.
Town Hall: Second Floor Meeting Room, 173 Main Street, Groton, MA

Present: Larry Hurley, Chairmen; Olin Lathrop, John Smigelski, Peter Morrison, Alison Hamilton, Clerk

Absent: B. Easom, Vice Chair; Eileen McHugh

Others Present: Nikolis Gualco, Conservation Administrator

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

1. APPOINTMENTS AND HEARINGS*

6:30 PM – RDA, 186 Main Street, after-the-fact installation of a patio
Applicant: Ward Holdings LLC Attorney: Robert Collins

B. Collins apologized for neglecting to file for a determination for the installation of a patio adjacent to the carriage house and being within the 100-foot buffer zone. The patio is constructed of blue stone and a rain guard has been installed to infiltrate any runoff. There is more pervious space than originally planned.

Upon a motion by P. Morrison, seconded by J. Smigelski, it was:
Voted to issue a Negative 3 Determination.

The motion passed by a unanimous vote. AH- Abstain

6:40 PM – NOI, 8-10 Hollis Street, for alterations to an existing drainage system, MassDEP#169-12XX (not yet assigned).

Applicant: Stoney Brook Attorney: Robert Collins

B. Collins discussed that the property was purchased a couple of months ago and there has been a conflict with an older order of conditions that was never recorded. 25 years ago, a stone retaining wall was installed. The level of the grade directs the water into the cellar. Stan Dillis is proposing shortening the wall and lowering the elevation to prevent the water from flowing into the cellar. The portion of the wall being removed would be replaced with grass. The rain guard that was installed in 2017 was designed incorrectly and does not contain an outflow, resulting in flooding of the parking

area. There is a sizable berm and S. Dillis recommends installing an overflow in the berm which would allow the water to runoff towards the resource area.

O. Lathrop questioned the original order of conditions. B. Collins stated that it was intended for the installation of pavement and a rain guard. O. Lathrop was in favor of the proposal of riff-raff on the side of the driveway and recommended a 25-year event for the rain garden. B. Collins stated that the rain garden is intended for a 100-year event and would further discuss with S. Dillis.

J. Smigelski suggested that the overflow was not an issue until the abnormal rainfall. B. Collins stated that the tenant had complained before all the significant rainfall.

L. Hurley questioned where the water is going that is flooding the driveway. B. Collins explained that it is flowing into James Brook.

N. Gualco questioned if the 12-inch culvert pipe in James Brook would be able to manage the volume of water being proposed. B. Collins ensured he would verify with S. Dillis.

Upon a motion by P. Morrison, seconded by O. Lathrop, it was:
Voted to continue the hearing to the next scheduled meeting on September 24, 2021.
The motion passed by a unanimous vote.

6:50 PM – NOI (cont.), 330 Old Dunstable Road, for the upgrade to an existing sewage disposal system, MassDEP#169-1219.

Applicant: Richard Lewis; Rep: Attorney: Robert Collins

B. Collins updated the Commission that the opinion from a Wildlife Biologist that was requested by the National Heritage was provided yesterday and would be available next week.

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

7:00 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; Rep: Attorney: Robert Collins

The applicant requested for a continuance to the next scheduled hearing.

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

7:10 PM – RDA (cont.), 17 Townline Road, for the removal of vegetation within the buffer zone
Applicant: Wayne Legacy

The applicant requested for a continuance to the next scheduled hearing.

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

Voted to continue the hearing to the next scheduled meeting on September 24, 2021.

The motion passed by a unanimous vote.

2. GENERAL BUSINESS*

General Discussions/Announcements

Annual Mock Fox Hunt, Surrenden Farm

N. Gualco stated that the Annual Mock Fox Hunt is scheduled for October 5, 2021 with a rain date of October 6, 2021. Massachusetts Wildlife has given their permission as requested in the CR for Surrenden Farm.

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

Voted to approve the Annual Mock Fox Hunt at Surrenden Farm on October 5, 2021 with a rain date of October 6, 2021.

The motion passed by a unanimous vote.

FY2023 CPA Application (Conservation Fund & Priest Hill habitat restoration project)

N. Gualco discussed using the CPA funds for certain projects recommended by a CPC member. The idea was proposed to the Stewardship Committee and they agreed to pursue the CPA for the Priest Hill Habitat Restoration Project. If the grant is declined then the CPA application would be a second possibility. The ConCom was in favor of N. Gualco filling out the two page applications for their review.

P. Morrison and B. Easom met with M. Haddad regarding the ConCom's CPA Funding and the appropriate amount they should be receiving. M. Haddad recommended that the Conservation Administrator contact the surrounding Towns and find out their total amounts for any Conservation Funds and then report back to him. If he is in support of the findings then it can be brought to the Select Board.

Memo sent to Town Planning re: Hayes Woods Concept Plan #3 – updated Sept. 9, 2021

N. Gualco stated that the meeting on Thursday was continued and requested feedback from the ConCom. L. Hurley agreed that the changes needed to be addressed. The ConCom had a

brief discussion on the restrictions that were set in place on the updated plan and the concern for the loss of forestry.

Village Meadows – Vote to execute the assignment and assumption agreement – updated Sept. 9, 2021

Upon a motion by P. Morrison, seconded by J. Smigelski, it was:
Voted to accept and execute the assignment and assumption agreement of the Village Meadows.

The motion passed by a unanimous vote.

Permitting

COC, 4 Alder Road, MassDEP#169-1108 & 1200.

Upon a motion by P. Morrison, seconded by J. Smigelski, it was:
Voted to issue the Certificate of Compliance for 4 Alder Road, MassDEP#169-1108.

The motion passed by a unanimous vote.

Upon a motion by P. Morrison, seconded by J. Smigelski, it was:
Voted to issue the Certificate of Compliance for 4 Alder Road, MassDEP#169-1200.

The motion passed by a unanimous vote.

OOO for 62 Raddin Road (re-sign, original lost in the mail)

The ConCom resigned the Order of Conditions for 62 Raddin Road.

COC, Gibbet Hill Trail Bridge, MassDEP#169-1194 – updated Sept. 9, 2021

Upon a motion by P. Morrison, seconded by A. Hamilton, it was:
Voted to issue the Certificate of Compliance for the Gibbet Hill Trail Bridge, MassDEP#169-1194.

The motion passed by a unanimous vote.

Emergency Certificate, Route 119/225, Cady Brook culvert – updated Sept. 9, 2021

N. Gualco requested that the applicant provide a final report.

Upon a motion by P. Morrison, seconded by A. Hamilton, it was:
Voted to ratify the Emergency Certificate of Compliance for Route 119/225, Cady Brook culvert.

The motion passed by a unanimous vote.

Land Management

None

Committee Updates

O. Lathrop updated that the Invasive Species Committee treated the Farmers and Mechanics Parcel and it was not overwhelming. The larger invasive species were cut and sprayed, while the smaller ones were pulled up. The Knotweed areas that were treated both on Hayden Road and the Shattuck Homestead are showing improvements.

O. Lathrop notified the ConCom that the Trails Committee went ahead and built “trail two” as planned in the Whispering Brook subdivision. The Stewardship Committee submitted the grant for the Priest Hill Restoration Project, which totaled approx. \$29,000.

Approve Meeting Minutes (August 24, 2021 – 2 sets)

Upon a motion by O. Lathrop, seconded by P. Morrison, it was:

Voted to approve the meeting minutes for August 24, 2021, as edited.

The motion passed by a unanimous vote. LH-Abstain, AH-Abstain

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

Voted to approve and release the Executive Session meeting minutes for August 24, 2021.

The motion passed by a unanimous vote. LH-Abstain, AH-Abstain

Invoices

Upon a motion by O. Lathrop, seconded by P. Morrison, it was:

Voted to approve and pay the invoice from the Groton Herald for the amount of \$ 104.50.

The motion passed by a unanimous vote.

Upon a motion by O. Lathrop, seconded by P. Morrison, it was:

Voted to approve and pay the invoice from the Attorneys for the amount of \$1,510.00.

The motion passed by a unanimous vote.

Upon a motion by O. Lathrop, seconded by A. Hamilton, it was:

Voted to approve and pay the invoice from Bay State Forestry for the amount of \$3,400 for the treatment of black swallow-wort.

The motion passed by a unanimous vote.

Upon a motion by O. Lathrop, seconded by P. Morrison, it was:

Voted to approve and pay the invoice from the Lowell Sun for the amount of \$166.26.

The motion passed by a unanimous vote.

Upon a motion by O. Lathrop seconded by P. Morrison, it was:

Voted to approve and pay the invoice from David E. Ross Associates for the amount of \$1,368.52 for surveying and installing markers on Priest Hill.

The motion passed by a unanimous vote.

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

N. Gualco stated that Michelle Colette informed him that the Stormwater Committee has agreed to change Indian Hill's monthly reporting to quarterly reporting and would still require reports after any significant rainfall. M. Colette is requesting approval to change the frequency of the reports.

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

Voted to approve the request to change Indian Hill's reporting's to quarterly and to continue to receive reports after any significant rainfall.

The motion passed by a unanimous vote.

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."

Larry Hurley, Chairmen; declared that there was business that required the Commission to move to executive session.

5. Adjournment (7:21 PM)

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: OL, AH, PM, LH)

Minutes Approved: September 28, 2021