

TOWN OF GROTON

Conservation Commission

173 Main St

Groton, MA 01450

(978)448-1106

Fax: 978-448-1113

ngualco@grotonma.gov

###

### **Conservation Commission Meeting**

#### **Tuesday, December 14 2021 at 6:30 PM**

**Victual Meeting – Zoom**

## **Present:** Larry Hurley, Chair; Olin Lathrop; John Smigelski; Peter Morrison; Eileen McHugh

## **Absent:** Bruce Easom, Vice-Chair; Alison Hamilton, Clerk

**Others Present:** Nikolis Gualco, Conservation Administrator

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

**1. APPOINTMENTS AND HEARINGS**

6:30 PM – RDA (2021-44), 45 West Street, for the conversion of a garage to a detached in-law apartment.

Applicant: Mark Gerath, Sheila

M. Gerath discussed that the work being requested would be constructed on an existing nonconforming structure that is 80% outside of the 100 buffer zone. He proposed six total permanent footings for the stairway and the elevated deck, both would allow for adequate drainage between the boards. There would be a temporary disturbance for the installation of a new sewer line which then connects to the existing sewer line located in the middle of the yard. No full grown trees would be removed, only a couple smaller trees and a Burning Bush along the garage.

E. McHugh questioned where the property line is located. M. Gerath displayed a 1996 site plan from David E. Ross Associates and explained that the closest they would come within the property line would be 6 feet. E. McHugh then requested more information on the permeable deck and if there were any plans on what was going underneath the deck and stairs. M. Gerath explained that there would be gaps between the planks to allow for water to drain and to prevent any pooling. The plan for underneath the stairs or deck has not been determined.

O. Lathrop expressed there is no concern for the Wetlands Protection Act with the wetland being on the opposite side of the paved rail trail. He did have an issue with the proposed permanent structures within the 100 foot buffer zone and would like the applicant to provide something in return to the environment. M. Gerath explained that there are two goals that could be accomplished. 1. Improving the hydrology, or 2. Improving the habitat by removing the Burning Bush. O. Lathrop stated if there was a guarantee that all the invasive species were going to be removed that would provide enough satisfaction for approving the request. M. Gerath agreed to remove the Burning Bush and Honeysuckle and informed the Commission he had previously treated some invasive species on the property with the use of a tractor.

P. Morrison suggested the use of river stones to prevent any splashing of soil underneath the stairs and deck. He also was in favor of the applicant removing all the Honeysuckle and Burning Bush.

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

Voted to issue a Negative 3 Determination under the conditions 1. Invasive species including Burning Bush and Honeysuckle is permanently removed from the area.

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

6:40 PM – NOI (MassDEP#169-12xx), 51 Kemp Street, for an after-the-fact permit for the construction of a parking area *(cont.)*.

Applicant: Louis Castro

L. Castro confirmed that the driveway is pitched to the left side by providing a photograph of a level placed on the driveway. He then proposed laying down 6 inches of loam to the left side of the driveway along with a Conservation Grass Seed Mix. He then suggested installing a 3 foot wide swale that contains a 6 inch rip rap along the edge of the driveway, furthest from the street. Three bushes and Conservation Grass Seed Mix would also be planted in that area to provide soil stabilization.

E. McHugh commented that the Conservation Mix can be laid down now until mid-May. L. Castro stated that he would seed as soon as the finished coat is completed, possibly early spring. An erosion blanket has been placed down to help with any runoff water and will remain there until the Conservation Mix is spread.

O. Lathrop commented that the fabric on the left side should remain in place until the grass can create stabilization.

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

Voted to continue the public hearing to the next scheduled meeting on January 11, 2022.

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

**2. GENERAL BUSINESS\***

Permitting

*OOC, MassDEP#169-1225, 267 Whiley Road*

Upon a motion by P. Morrison, seconded by E. McHugh, it was:

Voted to issue the Order of Conditions for 267 Whiley Road, MassDEP#169-1225

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

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

Voted to issue the Orders of Conditions under the Groton Wetlands Protection Bylaw for 267 Whiley Road, MassDEP#169-1225.

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

General Discussions/Announcements

*Review Forest Cutting Plan, NEFF (Long Hill Road, Route 225)*

O. Lathrop stated that the plan is well thought out and noted that there are 50 foot filter strips around all the wetlands. The Commission agreed that there was nothing out of the ordinary added regarding any special requirements made by the Fisheries and Wildlife.

A second Forest Cutting Plan from MIT was provided and reviewed by the Commission. The plan showed that all work would be performed at the street edge (35 feet wide) and remains outside of the wetlands. 50 foot filter strips were noted along the stream. There would be minimal cutting at the culvert to gain access; however there is no proposed cutting or machinery in any other 50 foot buffer zone. All cutting would be chipped. The Commission stated that the project is for road maintenance and made no additional comments.

Land Management

O. Lathrop asked if there was an update on the Priest Hill Restoration Project. N. Gualco replied that there are no new updates on when the project will commence. He is currently reviewing a logging contract along with the Town Manager and there may be minimal changes.

Committee Updates

None

Approve Meeting Minutes

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

Voted to approve the meeting minutes for December 14, 2021 as amended.

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

Invoices

Upon a motion by P. Morrison, seconded by E. McHugh, it was:

Voted to approve and pay the invoice from the Town Council for the amount of $945.00

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

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

None

**4. Executive Session (if necessary) 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.”**

Not Necessary

**5. Adjournment**

At 7:16 PM, upon a motion by P. Morrison, seconded by J. Smigelski, it was:

Voted to adjourn the public hearing at 7:16 P.M.

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

**Minutes Approved: December 14, 2021**