

TOWN OF GROTON

Conservation Commission

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###

**Groton Conservation Commission**

Tuesday, October 11, 2022 @ 6:30 p.m.

Groton Town Hall, 2nd Floor Meeting Room

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

**Absent:** Peter Morrison

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

Eileen McHugh, Chair called the meeting to order at 6:30 p.m.

**1. APPOINTMENTS AND HEARINGS\***

6:30 PM – RDA#2022-23, 91B Culver Road, removal of hazardous trees.

Applicant: Jay Lincoln

The homeowner proposed removing four hazardous trees in the vicinity of the dwelling. There is potentially a fifth tree to be removed that is unhealthy.

A. Hamilton questioned the septic smell found during the site walk. J. Lincoln said that he improperly stored a bag of Milorganite and recently disposed of the fertilizer into the woods. A. Hamilton reiterated that the fertilizer was disposed of in the Conservation Area.

B. Easom requested that the proposed trees be clearly marked by the Conservation Administrator. J. Lincoln identified the trees on a photograph displayed.

O. Lathrop said he would provide the photograph that the applicant identified the trees on. He then asked how the trees would be removed and recommended leaving snags. J. Lincoln said that the trees would be felled into the woods and was supportive of the recommendation.

E. McHugh requested that the five proposed trees be marked by the Conservation Administrator prior to any work performed.

Upon a motion by B. Easom, seconded by L. Hurley, it was:

Voted to issue a Negative 3 Determination under the conditions:

1. All trees to be removed are marked with tape and verified by the Conservation Administrator prior to the commencement of work.

2. The fifth tree is verified to be dead.

**The motion passed unanimously. 6-0**

Upon a motion by B. Easom, seconded by A. Hamilton, it was:

Voted that the Conservation Commission determines that the tree work proposed is within the allowed activity outlined in the Conservation Restriction.

**The motion passed unanimously. 6-0**

6:45 PM – RDA#2022-22, Carol Wheeler Park/”0” West Main Street, removal of hazardous trees. Applicant: Michael Sarcia

M. Sarcia proposed removing six hazardous trees and trimming one tree that is overhanging the structure. There are two native trees and four invasive trees. M. Sarcia said that the trees have caused significant water damage to the structure.

N. Gualco noted that the applicant is required to acquire permission from both the ConCom and the Park Commission for the proposed tree work.

**Donald Black called the Park Commissions meeting to order.**

A. Hamilton commented that she observed the native trees to be the most hazardous to the structure.

B. Easom requested that the trees being removed are marked with tape and the trimming be completed with the assistance of a crane to prevent any disturbances.

O. Lathrop said it would be beneficial to leave snags instead of removing the entire tree.

L. Hurley asked what the plans are for the stumps and if there are any thoughts on preventing erosion. M. Sarcia said that the trees would be cut flush to the ground. He explained that he has worked with MassDOT and would like to collaborate with the Parks Commission to maintain the area. He also said he would consult with an architect.

E. McHugh commented that Norway Maple Trees require additional treatment to the stump or new growth would occur. She said she observed materials of a silt fence and requested that it be installed to create stabilization and a commitment to replant. M. Sarcia assured that the silt fence would be installed and agreed to a one year commitment of replanting the area.

George Barringer, a resident, commended the applicant for restoring the structure. He was concerned with the removal of the trees and disagreed that a leaning tree is declared hazardous. G. Barringer briefly discussed the history of the property as it has been flooded in the past and potentially could flood again. He said that the canopy provides protection to the river's edge and suggested trimming the trees back and not entirely removing them.

Donald Black, a member of the Parks Commission, said that the Commission is not acquiring an official position at this time and would be addressing the request at their next meeting in November.

O. Lathrop asked M. Sarcia to respond to G. Barringer’s comments. M. Sarcia said he disagreed with Mr. Barringer and said he would provide a written letter from the Tree Removal Service that had deemed the trees hazardous.

E. McHugh agreed that the trees create stabilization in a potential flood event; however, the Sugar Maple Tree is unhealthy and should be removed. She also was unsupportive of replanting shrubbery as it is insufficient to stabilize the land.

Gale Chalmers, a member of the Parks Commission, requested that the Commission consider that the trees canopy provide a significant amount of shade to the public who frequently utilize the park.

Anna Elliot, a member of the Parks Commission agreed that the invasive trees would not last in perpetuity and requested a professional recommendation be provided to the Parks Commission in depth on the trees that can be forfeited and which trees should remain.

B. Easom commented that it would be challenging to contain a course of a river especially with the effects of climate change; however land management would be beneficial. He then stated that the ConCom is supportive of accommodating homeowners to best keep their structures intact. B. Easom was in favor of trimming the leaning tree by utilizing a crane to prevent any disturbances and removing the invasive trees as proposed.

A. Hamilton commented that the canopy provided from the trees is minimal and suggested that the runoff water be managed in an alternative way for example planting vegetation that would trap the water and encourage infiltration.

Upon a motion by B. Easom, seconded by J. Smigelski, it was:

Voted to issue a Negative 3 Determination under the conditions:

1. Replanting within the year.

2. A crane is utilized to remove branches on the west side of the structure.

3. Silt fencing is installed

**The motion passed. L. Hurley-Nay (5-1)**

O. Lathrop commented that the tree roots would not be decomposed within a year of cutting the tree down and would still provide stabilization.

6:45 PM – Joint Discussion with the Park Commission on vegetation management at Carol Wheeler Park – **updated October 11, 2022**

The Park Commission requested that the discussion be added to another agenda.

**Donald Black adjourned the Park Commission meeting at 7:23pm.**

7:00 PM – RDA#2022-15 **(cont.)**, Gamlin Crystal Spring Conservation Area, installation of trail bridges (GCT).

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

Upon a motion by B. Easom, seconded by A. Hamilton, it was

Voted to continue the public hearing to the next scheduled meeting on October 25, 2022.

**The motion passed unanimously. 6-0**

7:05 PM – RDA#2022-22 **(cont.)**, 9 Georgia Road, for the removal of trees and demolition of a condemned structure.

Applicant: John Scira

N. Gualco updated that the applicant has met with a surveyor and the original request requires alteration as some trees are not within the boundary lines.

Upon a motion by B. Easom, seconded by J. Smigelski, it was:

Voted to continue the public hearing to the next scheduled meeting on October 25, 2022.

**The motion passed unanimously. 6-0**

**2. GENERAL BUSINESS\***

Permitting

*Town of Groton Pickle Ball Court order of conditions Request for tree removal*

N. Gualco briefly summarized the request of removing two leaning trees over the pickle ball court that proposes potential damage to the chain link fence. All machinery would be parked on top of the courts causing no impact to the soil. N. Gualco explained that the subsection of land management written in the open order of conditions does not pertain to the removal of trees. A. Hamilton requested that snags are to remain. B. Easom agreed that the trees could potentially damage the fencing. O. Lathrop recommended the snags be cut to the height of the fence. The Commission agreed that there should be a minor site change requested.

Upon a motion by B. Easom, seconded by A. Hamilton, it was:

Voted that the proposed tree and branch work meets the definition of a minor site change.

Upon a motion by A. Hamilton, seconded by L. Hurley, it was:

Voted that the proposed tree and branch work meets the definition of a minor site change under the condition that snags are to remain.

**The motion passed unanimously. 6-0**

General Discussions/Announcements

*Discuss upcoming meeting dates (November thru January)*

N. Gualco said there is an issue with the November 8, 2022 meeting as it is Election Day and against the States Rules and Regulations to proceed with the meeting. The Commission agreed that the first meeting in November would be omitted unless there are immediate issues to be addressed. N. Gualco said there is also a conflict with the Town Meeting which overlaps the scheduled site walk on October 22. The Commission agreed to meet later that day at 1:00pm to conduct the site walk.

*Discuss virtual vs. in-person meetings; update on hybrid meetings.*

N. Gualco updated that there is no specific date proposed for the improvement of technology to allow for hybrid meetings. E. McHugh said that she would reach out to the Town Manager to reestablish the need for allowing for remote and in-person meetings. She stated that the next ConCom meeting would be held in-person on October 25, 2022.

*Update on FY23 LAND Grant (NOTES: discuss CR requirements on CPA funded acquisitions, etc.)*

N. Gualco said that there is a requirement for the completion of any outstanding CRs and currently there are five parcels. Two CRs have been submitted to the State.

O. Lathrop said that he had conversed with Mark McGrath who is collaborating with Holly and Brian. The CRs are almost drafted for the Patricia Hallet and Priest Family Conservation Areas. He said that he explained that the CRs need to be completed promptly.

Land Management

J. Smigelski confirmed that he would mow Crosswinds and O’Neill Way.

B. Easom said that he is ready to commence the mowing of the Pumpkin Patch, Knowles Siding, and the Smith Street side of Eliades. Priest Hill would be mowed after the first of November. N. Gualco reminded B. Easom to notify him when the Priest Hill mowing would occur so he could correspond with the abutter.

Committee Updates

*Discuss the FY24 CPC Plan and whether the Commission will apply for CPA funds.*

B. Easom said that the ConCom has the opportunity to submit an application for CPA funding and suggested requesting $400,000. He explained that there are less funds available than previous years. O. Lathrop asked what the ConCom's current balance is. N. Gualco responded with $1.6 Million.

Upon a motion by A. Hamilton, seconded by B. Easom, it was:

Voted to authorize the Conservation Administrator to draft a two page project summary to apply for the amount of $400,000 in CPA funds.

**The motion passed unanimously. 6-0**

*Other Committee Updates*

O. Lathrop said that the final treatment of Triclopyr was applied on the Knotweed found at the Campbell Well Site and Surrenden Farm last weekend. He had utilized the leftover herbicide and treated Hayden Road and Shattuck Homestead where there were minimal invasive species. O. Lathrop said there was no new growth of Swallow-Wort observed at the Shattuck Homestead. He noted that the Carol Wheeler Park plan has been submitted.

O. Lathrop reminded the ConCom that the MACC Conference is this Saturday, October 15, 2022 and he would be representing the Invasive Species Committee.

L. Hurley said that the Sargisson Beach fall cleanup is scheduled for this Saturday, October 15, 2022.

B. Easom said that the first Sustainability program was a success and 65 automobile tires were disposed of. The next scheduled drop off day for residents is November 5, 2022. B. Easom said he received a call from a concerned resident on Hill Road and was informed that there are approximately 200 tires in the vicinity of Wrangling Brook and on privately owned land. B. Easom said that he conversed with Mark Haddad and Tom Delaney and they have no issues with volunteers removing the tires. He said that the owner would be responsible for paying 50% of the expenses to dispose of the tires. A dumpster would be placed 50 feet outside of the wetland. E. McHugh commented that there would be disturbances to the soil from any lodged tires. The Commission had a brief discussion ensuing that a RDA be filed.

Approve Meeting Minutes (August 23, 2022; September 27, 2022)

Upon a motion by A. Hamilton, seconded by L. Hurley, it was:

Voted to approve the meeting minutes for August 23, 2022 as amended.

**The motion passed unanimously. 6-0**

Upon a motion by L. Hurley, seconded by A. Hamilton, it was:

Voted to approve the meeting minutes for September 27, 2022 as amended.

**The motion passed unanimously. J. Smigelski- Abstain 5-0**

Invoices

Upon a motion by B. Easom, seconded by A. Hamilton, it was:

Voted to approve and pay the invoice from the Groton Herald in the amount of $110.00.

**The motion passed unanimously. 6-0**

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

**4. (IF NECESSARY)** 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.”

Not Necessary

**5. Adjournment**

 **8:15 PM**

Upon a motion by B. Easom, seconded by J. Smigelski, it was:

Voted to adjourn the public meeting.

**The motion passed unanimously. 6-0**

**Minutes Approved: October 25, 2022**