

TOWN OF GROTON

Conservation Commission

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###

**Groton Conservation Commission**

Tuesday, December 27, 2022 @ 6:30 p.m.

Virtually held on Zoom

##

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

**Absent:** Peter Morrison**,** Nikolis Gualco, Conservation Administrator

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

**1. GENERAL BUSINESS\***

Permitting

OOC, MassDEP#169-1244, 31 Kemp Street

Upon a motion by B. Easom, seconded by J. Smigelski, it was: Voted to issue the Order of Conditions for 31 Kemp Street, MassDEP#169-1244. **The motion passed by a roll call vote. (Yes: LH, BE, OL, JS, AH, EM) 6-0**

Upon a motion by B. Easom, seconded by J. Smigelski, it was: Voted to issue the Orders of Conditions under the Groton Wetlands Protection Bylaw for 31 Kemp Street, MassDEP#169-1244. **The motion passed by a roll call vote. (Yes: LH, BE, OL, JS, AH, EM) 6-0**

OOC, MassDEP#169-1241, 23 Flavell Road

Upon a motion by B. Easom, seconded by J. Smigelski, it was: Voted to issue the Order of Conditions for 23 Flavell Street, MassDEP#169-1241. **The motion passed by a roll call vote. (Yes: BE, AH, LH JS, OL, EM) 6-0**

Upon a motion by B. Easom, seconded by J. Smigelski, it was: Voted to issue the Orders of Conditions under the Groton Wetlands Protection Bylaw for 23 Flavell Road, MassDEP#169-1241. **The motion passed by a roll call vote. (Yes: BE, OL, JS, AH, LH, EM) 6-0**

General Discussions/Announcements

Conservation Restrictions Updates

E. McHugh explained that the outstanding CRs would affect the Conservation Commissions ability to receive the Land Grant.

Westford Sportsmen's Club

J. Smigelski updated that the CR is almost complete and has been submitted to the State for review. A price has been settled on for the CR and the ConCom will become the holders. There has been no transfer of funds as of today.

473 Nashua Road (Olivia Way Land Swap)

E. McHugh said that the CR draft has been submitted to the State and once the comments are received they would be reviewed by homeowner and the ConCom.

Casella Land Grant Requirements

O. Lathrop said that the Trust has agreed to become the CR holders and have drafted a CR. He said that the language provided by the Trust has created a limitation on the parking area and suggested changing the language to allow for a parking area to be constructed 50 feet off of Nashua Road. E. McHugh questioned the States restrictions. O. Lathrop explained that the State requires there to be public access which can be addressed with proper signage.

Outstanding CRs on lands purchased with CPA funds

E. McHugh listed the outstanding CRs on the following properties, Priest Hill, Patricia Hallet, Baddacook, Fuccillo, Nashua Road, Unkety Well Site, and the Westford Sportsman Club. She said that the CR’s for Priest Hill and Patricia Hallet have been drafted and submitted to the State and once it is reviewed the comments would be addressed by the GCT and the ConCom. E. McHugh said that Baddacook, Fuccillo, and the Unkety Well Site are in need of CR holders. O. Lathrop said he would be willing to approach the North County Land Trust to become the holder of all three properties.

The Commissioners were then assigned a property to review and make any comments on the following outstanding CR’s.

Priest Hill- O. Lathrop

Baddacook Property- A. Hamilton

Fuccillo- L. Hurley

Westford Sportsmen Club- completed

Patricia Hallet- B. Easom

Nashua Rd- E. McHugh

Unkety Well Site- J. Smigelski

Update from Groton Conservation Trust on Casella CR draft

The Commission displayed the draft CR and reviewed the language. O. Lathrop reiterated changing the language for #10. Potential Development and Maintenance of an Unpaved Parking Lot to authorize the construction of a parking area 50 feet off of Nashua Road and not be restricted to a specific dimension. E. McHugh said that the language provided by the Trust is acceptable and supports four vehicle parking spaces. B. Easom commented that the Casella parcel potentially could be one of the most utilized conservation areas. E. McHugh said that any comment on the drafted CR needs to be submitted to Olin Lathrop by Friday, December 30, 2022.

Update on land conservation efforts along Old Dunstable Road

B. Easom said that he conversed with the landowner and was told to reconnect in 18 months. N. Gualco has noted the date on the calendar to ensure that the landowner is contacted. J. Smigelski suggested contacting the homeowner in one year to allow for adequate time to process the acquisition of the land.

Land Management

 N/A

Committee Updates

L. Hurley said that the Sargisson Beach remains open for fishing, however will be closing soon.

B. Easom said that Hannah Moller, Town Accountant, was invited to the last CPC meeting to address the amount of funds needed for the second bonding of the middle school track project and it was decided that the CPC would pay down $900,000. The remaining balance is adequate to fund all the applications that have been submitted and the ConCom would be awarded the $400,000 as requested.

O. Lathrop questioned the idea of filing an RDA that would permit the Invasive Species Committee to conduct treatment immediately on newly discovered invasive species within 100 feet of a resource area. He explained that in some circumstances immediate action is required to prevent spreading. J. Smigelski recommended that the Conservation Administrator should be notified prior to any treatment. The Commission was supportive of the idea. O. Lathrop said he would address the topic with the Town Forest Committee before proceeding with the ConCom.

Approve Meeting Minutes

Upon a motion by L. Hurley, seconded by B. Easom, it was: Voted to approve the meeting minutes for November 22, 2022 as amended. **The motion passed by a roll call vote. (Yes: OL, JS, AH, LH, BE, EM) 6-0**

Invoices

 N/A

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

**3. 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.”**

Eileen McHugh, Chair; declared that there was business that required the Commission to move to executive session.

**4. Adjournmen**t

 **7:36 PM**

Upon a motion by O. Lathrop, 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, AH, LH, BE, OL, EM) 6-0**

**Minutes Approved: January 10, 2023**