

**TOWN OF GROTON**

**Conservation Commission**

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Conservation Commission Meeting

Tuesday, May 9, 2023 at 6:30 PM

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

**OPTION TO JOIN REMOTELY**

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

**Absent:** John Smigelski, Alison Hamilton

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

**Eileen McHugh called the meeting to order at 6:32 pm**

**1. APPOINTMENTS AND HEARINGS\***

**6:30 PM – RDA, Paugus Trail at Groton Woods Conservation Area, for the construction of trail bridges.**

Applicant: Matthew Valenta

Matthew Valenta introduced himself as an Eagle Scout and a sophomore at Groton Dunstable Regional High School. He proposed constructing and installing three wooden bog bridges 8’x3' and one 10’x3’ bridge along the Paugus Trail. He said that there had been concerns of utilizing pressure treated materials within the resource area and had contacted Moore's Lumber and they recommended a Southern Yellow Pine that is environmentally friendly. Mr. Valenta said that six concrete blocks would support each bridge.

L. Hurley questioned the dimensions of the foot ramps and questioned if the width would be precut. Mr. Valenta confirmed the boards would be 5 ½ inches wide.

P. Morrison asked if the bog bridges would be built on site. Mr. Valenta said yes and that other scout members would be providing their services to acquire volunteering hours.

B. Easom commented that overtime concrete blocks deteriorate and suggested installing granite posts.

O. Lathrop said that the Trails Committee has been utilizing concrete blocks and they have been very successful in the past. O. Lathrop questioned the bridge design and suggested revisiting the plan.

E. McHugh asked if there were plans to install bumpers on the bridge. Mr. Valenta said that there are bumpers however, it was too difficult to identify on the original plan. He said that the same pressure treated material would be installed along the edges of the bridge. O. Lathrop displayed an example of an existing bridge that was more structurally sound and included bumpers.

Upon a motion by B. Easom, seconded by O. Lathrop, it was:

Voted to issue a Negative 2 Determination under the conditions:

1. Bumpers would be added to bridge plan.

**The motion passed unanimously. 5-0**

**6:40 PM – RDA, 3 Highland Road, for the removal of trees in the buffer zone.** Applicant: Lori & Jim MeGee

The applicants proposed removing unhealthy, hazardous trees that are in close proximity to the dwelling.

P. Morrison questioned who would be conducting the tree removal and advised that a licensed tree service be hired. J. MeGee said that a contractor had not been hired and they were in the process of receiving estimates.

O. Lathrop questioned the process of removing the trees and encouraged leaving behind 15’ snags to provide a wildlife habitat. J. MeGee said that a crane would be utilized. O. Lathrop said he was concerned with the extensive amount of tree removal and requested that there be a replanting plan to restore stabilization.

L. Hurley questioned what would occur with the stumps. The applicants said during the site walk Conservation members recommended that the stumps remain in place to provide stabilization.

E. McHugh said that the plan proposed states that the dwelling would remain in the existing footprint however, if the applicants plan to install any hardscapes around the property the Conservation Commission needs to be properly notified. L. Hurley stated that the entire property is within the buffer zones and that there are restrictions to where materials can be properly stockpiled.

L. MeGee suggested that any materials would be stored on their adjacent property located across the street.

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

Voted to issue a Negative 3 Determination under the conditions:

1.The removal of the outhouse is included in the original plan.

2. Stabilization is established by utilizing a wildflower grass mix.

O. Lathrop recommended that new trees are to be planted to provide stability for when the existing stumps deteriorate. The Commission agreed that the applicants would be required to stabilize the ground with a wildflower grass mix and when additional permitting is requested a formal planting plan would be required.

**The motion passed unanimously. 5-0**

**6:50 PM – NOI (MassDEP#169-not yet rc’vd), Pepperell Road R.O.W., for the installation/extension of a water main.**

Applicant: High Oaks Realty Trust; Attorney: Robert Collins, Engineer: Stan Dillis

Stan Dillis was present proposing an extension of the existing water main located on Hill Road. All work to be conducted would occur in the middle of the pavement and erosion controls would be installed on both sides of the roadway. He said that there is no proposed stockpiling and backfilling would occur on the same day.

L. Hurley questioned if the water main would be installed underneath the existing drain. S. Dillis confirmed that the water main would be cut underneath the existing drain.

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

Voted to continue the public hearing to the next scheduled meeting on May 23, 2023.

**The motion passed unanimously.** **5-0**

**7:10 PM – NOI (MassDEP#169-not yet rc’vd), Sargisson Beach, for the addition of new beach sand.**

Applicant: Sargisson Beach Committee, Representative: Larry Hurley

Larry Hurley represented the Sargisson Beach Committee and proposed bringing in approximately 100 yards of sand to replenish the beach. Bob Pine recommended coarse sand that is very similar to the existing sand. The sand would be delivered into a smaller truck and brought down to the beach area and spread above the high-water mark.

P. Morrison commented that the request is necessary maintenance that has been performed over the years.

B. Easom asked how the project would be expensed. N. Gualco said that there is a maintenance fund that the Sargisson Beach Committee possesses. B. Easom asked if there would be any underwater work and when the project is expected to be completed. L. Hurley said that the new unwashed sand has been approved by Bob Pine and would remain outside of the lake and spread out 2-3 inches thick. The work is expected to be completed prior to the end of June.

N. Gualco informed the Conservation Commission that the property is within priority habitat and that he has not heard back from Natural Heritage, therefore, a continuance is being requested.

Upon a motion by P. Morrison, seconded by B. Easom, it was: Voted to continue the public hearing to the next scheduled meeting on May 23, 2023. **The motion passed unanimously. 5-0**

**GENERAL BUSINESS\***

**Permitting**

**OOC, 68 Boston Road, MassDEP#169-1251**

Upon a motion by P. Morrison, seconded by L. Hurley, it was: Voted to issue the Order of Conditions for 68 Boston Road, MassDEP#169-1251.

B. Easom questioned if the order of conditions included the request to remove the existing debris offsite. N. Gualco revised the order of conditions to include the additional condition.

**The motion passed unanimously.** **5-0**

Upon a motion by P. Morrison, seconded by B. Easom, it was: Voted to issue the Orders of Conditions under the Groton Wetlands Protection Bylaw for 68 Boston Road, MassDEP#169-1251

**The motion passed unanimously. 5-0**

**OOC, 12-14 Valliria, MassDEP#169-1252**

Upon a motion by P. Morrison, seconded by L. Hurley, it was: Voted to issue the Order of Conditions for 12-14 Valliria, MassDEP#169-1252. **The motion passed unanimously. 5-0**

Upon a motion by P. Morrison, seconded by L. Hurley, it was:

Voted to issue the Orders of Conditions under the Groton Wetlands Protection Bylaw for 12-14 Valliria, MassDEP#169-1252.

O. Lathrop requested that special condition #6. in the bylaws be changed to include that the homeowners need to remain at least 10 feet from the center of the stream. N. Gualco said that he would add a separate condition to ensure that the area is to remain vegetated in perpetuity. O. Lathrop then requested that special condition #9. include that there shall be no replacement shed constructed without requesting proper approval.

**The motion passed unanimously. 5-0**

**COC, 111 Wintergreen Lane, MassDEP#169-1205**

James Basile from GPR was present and verified that the installed 6’x6” wooden post is to provide support for the construction of a treehouse. The homeowners decided that the previously approved play area would not be constructed.

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

Voted to issue a Certificate of Compliance for 111 Wintergreen Lane, MassDEP#169-1205.

**The motion passed unanimously. 5-0**

**Gratuity Road Preliminary Sub development – provide comments to the Planning Board.**

N. Gualco displayed a drafted letter of the concerns for the Gratuity subdivision plan for the Commissioners to review. N. Gualco said that he would like to include that a filing is necessary for the work being conducted within the buffer zones. E. McHugh commented that there are intentions to provide an open space to the Conservation Commission.

**Land Management & Acquisition**

**Shattuck Homestead – Cultural Easements**

E. McHugh summarized the meeting with the Nipmuc Tribe representative and suggested that the Conservation Commission wait for the Select Board to approach them with another plan prior to making any decisions on finding new representation for the Commission. She said that the Commission is willing to assist however; presently it is out of their jurisdiction. N. Gualco said that Becky Pine is utilizing the documents provided to her as a resource and would like to establish further discussions with the Nipmuc representative. N. Gualco said he would be willing to listen to the discussions and report back to the Conservation Commission.

**Discuss FY23 LAND Grant (discuss naming property, acknowledgement sign) – updated 5/4/23**

N. Gualco said that the acknowledgment sign is a requirement of the land grant and the Conservation Commission is responsible for establishing and posting the signage. The Commission briefly discussed dimensions and graphics.

Upon a motion by L. Hurley, seconded by P. Morrison, it was:

Voted to authorize expenditure up to $100 for the acknowledgment sign.

**The motion passed unanimously. 5-0**

N. Gualco said that all permits have been received to construct the parking area and the closing would occur on Tuesday.

N. Gualco said that he had conversed with the Casella’s informally at the Town Meeting and they suggested naming the property the “Casella Preserve”.

Upon a motion by O. Lathrop, seconded by L. Hurley, it was:

Voted to name the Casella property the “Casella Preserve”.

**The motion passed unanimously. 5-0**

**Discuss the turtle nesting area at the “Hayes Development” – updated 5/4/23**

N. Gualco said that there were a few concerns within the Stewardship Committee during the review of the management plan and displayed a drafted letter that could be utilized on any land that obtains a turtle nesting management agreement. The intention of the letter is to request clarification from the developer to ensure that the requirements are being met and that there is a transparent understanding of what the Conservation Commission is responsible for. E. McHugh said there was a significant concern expressed in regards to the amount of the endowment and if it is sufficient. The Stewardship Committee is requesting that the letter be sent out on behalf of the Conservation Commission. The Conservation Commission was satisfied with the drafted letter.

B. Easom questioned the mechanism that is set in place to monitor the turtle nesting area. E. McHugh said that it was noted that the Conservation Commission has no interest in any added responsibility of monitoring turtle nesting areas. N. Gualco said that information would need to be made clear by Natural Heritage. E. McHugh recommended that the drafted letter be sent both to the developer Robert Kylie and Natural Heritage.

**General Discussions/Announcements**

**Stewardship Committee/Sustainability Committee – Wrangling Brook Tire Cleanup**

E. McHugh said that an email had been sent out and that the tire cleanup is scheduled for Memorial Day weekend.

**Committee Updates**

N. Gualco said that the parking lot was cleaned at the Sargisson Beach yesterday with the help of volunteers. A Beach Park Ranger was hired and would be commencing next week.

B. Easom said that a graduate from Groton Dunstable Regional School contacted him in regards to renting out the William’s Barn for a 50th high school reunion. He said he would be proposing the idea to the Williams Barn Committee. E. McHugh was concerned about the number of attendees and said that capacity should be taken into consideration.

**Approve Meeting Minutes**

Upon a motion by L. Hurley, seconded by O. Lathrop, it was:

Voted to approve the meeting minutes for April 25, 2023 as amended

**The motion passed 4-1-0 with B. Easom abstaining.**

**Invoices**

Upon a motion by L. Hurley, seconded by P. Morrison, it was:

Voted to approve and pay the invoice from the Groton Herald in the amount of $232.30.

**The motion passed unanimously. 5-0**

Upon a motion by L. Hurley, seconded by P. Morrison, it was:

Voted to approve and pay the invoice from David E. Ross Associates in the amount of $6,345.50.

**The motion passed unanimously. 5-0**

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

N. Gualco informed the Conservation Commission that RDA’s and issuances of determinations of applicability can be submitted through the MassDEP portal and do not require Commissioners signatures. The processing time is reduced and allows for less paperwork.

**(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.”**

Unnecessary

**Adjournment (8:25 PM)**

Upon a motion by O. Lathrop, seconded by P. Morrison, it was: Voted to adjourn the public meeting. **The motion passed unanimously. 5-0**

**Minutes Approved: May 23, 2023**