

**TOWN OF GROTON**

**Conservation Commission**

173 Main St

Groton, MA 01450

(978)448-1106

Fax: 978-448-1113

conservation@grotonma.gov

**Conservation Commission Meeting Minutes**

#### Tuesday, June 13, 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; Olin Lathrop, John Smigelski

## **Absent:** Peter Morrison, Alison Hamilton

##

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

**Eileen McHugh called the meeting to order at 6:30 pm.**

**1. APPOINTMENTS AND HEARINGS**

**6:30 PM – NOI (MassDEP#169-not yet rc’vd), Sand Hill Road & Common Street, for the construction of a single-family house, septic system, well, and driveway.** Applicant: David Wheatley, Representative: Stan Dillis, Dillis & Roy Civil Design Group

Stan Dillis presented on behalf of his client and said that the flag numbers were added to the wetland area which is described as a manmade wetland that was dug out approximately 50 years ago. An existing cart road would be utilized for a portion of the driveway. There is minimal grading required within the 100 foot buffer zone and proper erosion controls are to be installed. S. Dillis said that there is a reserve area required for the Title V Septic System; however, that location is outside the Conservation Commission's jurisdiction.

B. Easom said that he observed salamander egg masses around the wetland and requested that the applicant certify the wetland as a vernal pool to compensate for mitigation.

O. Lathrop said he would encourage the applicant rather than require them to certify the area. S. Dillis said he would address the topic with D. Wheatley.

B. Easom questioned the composition of the proposed driveway. S. Dillis said that the driveway would be made of asphalt however; he said he would suggest alternative options to the applicant.

Upon a motion by B. Easom, seconded by J. Smigelski, it was: Voted to continue the public hearing to the next scheduled meeting on June 27, 2023. **The motion passed unanimously. 5-0**

**6:45 PM – RDA, Fieldstone Drive (Groton Assessor’s Parcels 209-9.01 & 204-13.1), for exploratory soil testing.**

Applicant: Groton Affordable Housing Trust, Representative: Stan Dillis, Dillis & Roy Civil Design Group

Stan Dillis presented on behalf of the Groton Affordable Housing Trust. He said that the Town owns two properties off of Fieldstone Drive and has been asked to explore if there is any opportunity to utilize these sites for housing. The properties were surveyed and the wetlands were flagged. The access point to the upland portion would require crossing of a stream and there are two methods proposed. 1. Laying a plate across the stream, or 2. Utilizing the bucket on the mini excavator to hop over the stream. S. Dillis confirmed that the two parcels are not included in the conservation restriction.

B. Easom questioned how the stream would be protected while the machinery is crossing over. S. Dillis reiterated the two options that were provided to cross the stream.

O. Lathrop questioned if the amount of land is adequate for housing. S. Dillis confirmed that the acreage meets the criteria.

L. Hurley questioned if the access point was the narrowest point of the stream. S. Dillis said that the stream is 4-6 feet wide and when the work is to commence the area should be dry.

N. Gualco noted that there is an access easement. S. Dillis said that he would request permission from the appropriate owners.

Upon a motion by L. Hurley, seconded by J. Smigelski, it was: Voted to issue a Negative 2 Determination under the conditions: 1. Timbers are to be utilized for the wetland crossing. **The motion passed. B. Easom-NO. 4-1**

**6:55 PM – RDA, 10 Mountain Lakes Trail, for the replenishment of beach sand.** Applicant: Roderick Lowe

The applicant was not present for the hearing. N. Gualco said the proposal is to replenish a private beach with sand. He questioned the type of sand that was being brought in and how far the area of work extends into the lake.

O. Lathrop said that the area delineated by cobble stones would be allowable, however, the applicant would be required to work above the high water mark and would be required to apply 3/8 inch minus sand to ensure that it remains outside of the resource area.

L. Hurley questioned if there are any issues on applying sand within the resource area. The Commission agreed that there is no filling permitted within the water.

J. Smigelski asked if the applicant is allowed to remove muck if the land is restored to grade. N. Gualco said that the Sargisson Beach Committee had conducted a project that consisted of beach sand reclamation and permitting requirements were imposed by the Army Corps of Engineers. He was unsure if a smaller scale project would require similar permitting.

B. Easom commented if the applicant is requesting to work below the high water mark that it is recommended that they wait until the water level is lower or the installation of a siltation curtain would be required.

E. McHugh recommended that the applicant remain above the high-water mark. If they want to install the flares as shown on the plan they would need to return to the Conservation Commission.

L. Hurley suggested stirring the water up with a hose to remove the silt. Then the replenishment of new sand could be applied above the high water mark.

E. McHugh summarized the options provided by the Commission. 1. A permit can be approved to allow for work to be conducted above the high water mark. 2. If the applicant is intending on dredging then the Army Corps of Engineers needs to be contacted or the applicant could try washing off the silt. The Commission was in favor of continuing the hearing until conversing with the applicant to ensure what exactly is being requested.

Attorney Bob Collins commented that keeping the sand clear underneath the water limits the growth of invasive species.

Upon a motion by B. Easom, seconded by J. Smigelski, it was: Voted to continue the public hearing to the next scheduled meeting on June 27, 2023. **The motion passed unanimously. 5-0**

**7:05 PM – Preliminary Discussion with the Town Manager of a proposal to convert the Squannacook Sportsmen’s Club building into an outdoor fitness court.**

Larry Hurley recused himself from the discussion.

Michelle Collette was present on behalf of the Town Manager. She said that the Town received a Brownfield Grant provided by the EPA to assist with lead remediation at the Sportsmen’s Club Site. The Town was approved to acquire the 7 acre property and demolish the existing structure. In March of 2023 the Town was awarded $50,000 from Blue Cross Blue Shield to install a fitness court. The Town is proposing to utilize the Sportsmen's Club Site to install an outdoor 38’x37’ fitness facility staying within the existing footprint. There is a matching grant requirement by Blue Cross Blue Shield and the Town intends on exploring CPC funding and local donations. Construction is expected to commence next year if approved. M. Collette said that land holds a conservation restriction and the Town wants to ensure that is adhered to. She noted that the late Lois Underwood was supportive of the proposal.

E. McHugh asked if there was any additional parking planned. M. Collette said that there is a sufficient amount of parking located at the Groton Center. She also commented that the EPA cleanup is expected to be completed by July or August.

N. Gualco said that the language written in the conservation restriction is unclear and recommended that the Town Council be advised.

M. Collette agreed and mentioned that Lorraine Black had drafted a landscape plan that ensures a well maintained property.

J. Smigelski asked if the proposed fitness facility would remain in the existing footprint. If so he suggested that the impervious surface is moved outside of the Conservation Commission’s jurisdiction.

B. Easom recommended that the court be relocated closer to the Groton Center to maximize its usage and be further away from the resource area. He also requested that after the removal of the existing structure that the land be restored.

O. Lathrop agreed with relocating the court and restoring the land to a natural condition.

E. McHugh said that it is advisable to ask the Town Council if the proposal meets the conservation restrictions approval and if the court can be relocated closer in proximity to the Groton Center.

O. Lathrop suggested a land swap for the land that abuts the Conservation land. M. Collette said a land swap has been considered however, an Article 97 would be required.

N. Gualco commented that all alternatives should be considered prior to addressing the Town Council.

M. Collette informed the Commission that she and Becky Pine had the PFAS levels tested at the Council on Aging and there was none identified.

**7:20 PM – NOI (MassDEP#169-not yet rc’vd), 357 Farmers Row (Groton School), for the construction of a ground mounted solar array.**

Applicant: Groton School, Attorney Robert Collins; Representative: Stan Dillis, Dillis & Roy Civil Design Group

J. Smigelski recused himself from the hearing.

B. Collins presented on behalf of Groton School. He said that the installation of a small solar array is being proposed between the Nash and Sturgis House (two facility residences). S. Dillis has been able to keep the work outside of the 50 foot buffer zone. The electrical feeds would be directionally drilled and not require excavation. B. Collins said that there is an ongoing program in the Town of Groton to reduce the carbon footprint and with the installation of the solar array all energy needs would be eliminated for the Sturgis House. Once the Nash House is renovated with a new heating system it too would be sufficient.

S. Dillis said that alternative locations were explored but were determined to be compromised and lacked the amount of sunlight. He said that the solar array would be installed on helical piers.

L. Hurley questioned if there were additional details on the footings. B. Collins said that a specification sheet had been provided.

B. Easom commented that the solar panels at the transfer station are mounted to concrete slabs, and in order to meet the no permanent structure within the 100 foot buffer zone he suggested that the solar panels be mounted on concrete ballasts. S. Dillis said that concrete ballasts are utilized in landfills to prevent penetration to the caps and would create an impervious area.

O. Lathrop was satisfied with the installation of helical piers and said that there would be less of an impact to the environment. He requested that there be additional mitigation proposed.

E. McHugh asked what would occur underneath the panels once they were installed. B. Collins said that the meadow would continue to be maintained.

N. Gualco questioned how the electrical connections would be installed and if the existing lines would remain. S. Dillis said that directional drilling would be utilized and there would be no dredging. The existing electric line located at the Sturgis house would remain in place.

B. Easom asked if there would be any fencing installed around the solar array. B. Collins said no and he would further research if solar arrays are deemed as permanent structures.

 N. Gualco asked if the priority habitat continues onto this parcel. B. Collins said no.

Upon a motion by B. Easom, seconded by L. Hurley, it was: Voted to continue the public hearing to the next scheduled meeting on June 27, 2023. **The motion passed unanimously. 4-1-0**

**7:30 PM – NOI (MassDEP#169-\_\_\_), Nate Nutting Road, for the construction of a wildlife nesting site**.

Attorney Robert Collins

B. Collins requested for a continuance to the first meeting in July.

Upon a motion by L. Hurley, seconded by B. Easom, it was: Voted to continue the public hearing to the next scheduled meeting on July 11, 2023. **The motion passed unanimously. 5-0**

**7:30 PM - Discussion on a proposed minor site plan change, Groton School multi-use field, MassDEP#169-1248.**

Applicant Groton School, Attorney Robert Collins; Representative: Stan Dillis, Dillis & Roy Civil Design Group

J. Smigelski recused himself from the hearing.

B. Collins presented on behalf of Groton School. He said once the contractors were on site they identified several trees that would be jeopardized in the construction. The trees are storm damaged and unhealthy. A planting plan has been submitted and proposes Winter Berry, Mountain Laurel, and four Maple Trees.

S. Dillis said that there are five no disturbance markers being installed as requested by the Conservation Commissioners.

B. Easom said that he was displeased with the request for the removal of the one leaning Oak Tree and its proposed replacement. He commented on incremental creep and how the installation of conservation markers would be satisfactory as additional mitigation.

O. Lathrop recommended that the conservation markers be extended further down the field.

L. Hurley questioned the spacing between the markers. S. Dillis replied that they are approximately 20-30 feet apart and agreed on adding 3-4 markers.

N. Gualco advised the Conservation Commission to include a condition pertaining to the installation of the conservation markers and remaining in perpetuity. B. Easom recommended that the markers be added to the as-built plan. S. Dillis said that the information can be recorded to the registry of deeds.

B. Collins said if the Oak Tree were to die after the installation of the multi-use field, the tree removal service would need a crane to remove the tree and would be forced to enter the resource area while completing the removal.

Upon a motion by B. Easom, seconded by L. Hurley, it was: Voted that the request to remove additional trees, the installation of no disturbance markers, and the plantings have met the definition to a minor site plan change under the condition that the as built plan identifies the conservation markers and is recorded at the registry of deeds. **The motion passed by a majority vote. 4-1 with J. Smigelski abstaining.**

**7:45 PM – RDA, 267 Whiley Road, for the renovation and expansion of an existing driveway.** Applicant: Mark Walker, Representative: Stan Dillis, Dillis & Roy Civil Design Group

S. Dillis presented on behalf of his client and said that there is an existing order of conditions for work being conducted around the house. His client has filed a new RDA proposing to repave an existing asphalt driveway and adding a small portion within the buffer zone and the removal of one tree.

O. Lathrop asked where the runoff water would be directed to after adding an additional impervious area. S. Dillis said that the driveway grades off and there is a recharge basin that would provide adequate infiltration.

B. Easom questioned how the runoff water is captured on the existing driveway and noted that the contour lines seem to slope toward the resource area. S. Dillis agreed however, said that the water flows down the driveway into a grassy area at the bottom. B. Easom suggested installing a swale to ensure that the water does not enter the resource area. S. Dillis assured that the area is vegetated and provides sufficient infiltration.

B. Collins confirmed that the water proceeds down the driveway and heads towards the grassy area and not into the lake. His brother had resided at the property for 20 plus years.

Upon a motion by B. Easom, seconded by J. Smigelski, it was: Voted to issue a Negative 3 Determination under the conditions: 1. Water is infiltrated as shown on the plan dated May 9, 2023. **The motion passed unanimously. 5-0**

**8:00 PM – NOI (MassDEP#169-1256), 28 Ridgewood Road, for the upgrade of an existing sewage disposal system.**

Applicant: Barbara Ruskin, Attorney Robert Collins, Representative: Stan Dillis, Dillis & Roy Civil Design Group

Stan Dillis presented on behalf of his client and proposed installing an upgraded septic system on a restricted lot. In order to replace the septic system an existing retaining wall would be required to be rebuilt. A prepackaged E1 pump station would be installed in the existing cesspool that is located within the 50 foot buffer zone.

L. Hurley asked if the existing pipe for the cesspool would be reused. S. Dillis said yes.

B. Easom asked if the existing cesspool contains a gravel base and if the proposed tank is sealed and would require electricity. S. Dillis confirmed that the prepackaged pump station is a solid unit and would utilize electricity connecting from the dwelling in a sleeved pipe underneath the ground.

B. Collins said that approval from the Board of Health has not yet been received

E. McHugh requested that the electrical line be included on a revised plan.

B. Collins said that the applicant is considering requesting a small addition to accommodate her husband who is undergoing medical issues and climbing the stairs to the second level is becoming problematic. B. Collins assured the Commission that the structure would remain out of the 50 foot buffer zone and that his clients have been very compliant to ensure that the wetland rules and regulations have been adhered to. B. Collins asked the Commission if this would be a viable request.

E. McHugh recommended that the Commissioners revisit the site.

O. Lathrop reminded the Commission at the previous meeting they had advised a neighbor of the applicant who had also requested adding an addition to their dwelling to build up and that expanding outside of the existing footprint would be unpermitted.

Upon a motion by B. Easom, seconded by J. Smigelski, it was: Voted to continue the public hearing to the next scheduled meeting on June 27, 2023. **The motion passed unanimously. 5-0**

**8:10 PM – NOI (MassDEP#169-1255) (cont.), for the demolition of an existing residence and two outbuildings at 599 Lowell Road and the construction of a home addition and conversion of an outbuilding to residence at 601 Lowell Road.**

Applicant: Robert Kylie, Attorney: Robert Collins; Engineer Stan Dillis, Dillis & Roy Civil Design Group.

B. Collins presented on behalf of his client Robert Kylie and said that the unanswered questions from the prior meeting have been addressed. It was determined that the site is in zone 1 and Natural Heritage had no objections to the request.

Upon a motion by B. Easom, seconded by J. Smigelski, it was: Voted to close the public hearing. **The motion passed unanimously. 5-0**

**8:15 PM – RDA, 156 Shelters Road, after-the-fact filing for site work in the buffer zone.** Applicant: Shelters Road LLC.

Mathew Thorn and Tina Nutting were present for the hearing.

N. Gualco summarized the previous hearing that proposed the removal of a couple trees and how the Commission approved the request under certain conditions. During the site walk it was observed that unpermitted activity was occurring and an enforcement order had been issued. The applicants have been compliant and proper erosion controls have been installed. After conversing with the homeowners they explained that they had inquired with the Town about acquiring a driveway permit and they were told that permitting was unnecessary.

E. McHugh questioned the massive hole in the backyard. M. Thorn said that the hole was created by the previous owner and there was a deck that was laid on top of it.

M. Thorn proposed replacing a preexisting 30’x10’ deck and installing posts in the sub frost level. The hole would be filled in and seeded. The existing driveway is composed of concrete and would be replaced utilizing the identical material.

B. Easom asked if the applicant's intention was to fill the hole and make it level. M. Thorn said yes. B. Easom questioned the wall perpendicular to the lake and its stability. M. Thorn said that the wall is stable and would remain in place. B. Easom recommended that a pervious fabric be placed behind the wall to prevent erosion and a roll of straw wattles be placed at the base.

O. Lathrop was concerned with the drawing provided by the applicant and said that context is unclear. He requested that the applicant provide information on what was existing prior to commencing work, what's being proposed, and clearly mark the 50 and 100 foot buffer zones.

E. McHugh asked about the previous footings. M. Thorn said that the existing posts sat on top of a concrete slab and the deck would remain in the existing footprint. He identified the existing driveway that continued past the house and tapered off. E. McHugh said that she believes there is an adequate amount of information provided to make a proper determination.

L. Hurley recommended that the hole be cleaned out prior to filling and suggested utilizing 6” particles.

Upon a motion by L. Hurley, seconded by J. Smigelski, it was: Voted to issue a Negative 3 Determination under the conditions: 1. Straw Wattles are to be installed at the base of the stone wall. 2. Existing structures are to be replaced within the identical footprint. **The motion passed by a roll call vote. (Yes: LH, JS, EM/ No: BE, OL) 3-2**

**8:25 PM – RDA (cont.), 572 Longley Road, for the construction of retaining walls and restoration of an unpermitted trench.**

Applicant: Tai Kein

Tai Kein submitted a revised plan proposing to back-fill the ditch to its original condition by September of 2023. He was unaware that the Commission requested spreading grass seed onto the disturbed area.

E. McHugh questioned if the applicant still has intentions on leveling the lawn. T. Kein said yes, he would like to add fill.

B. Easom explained that the Commission has one set of rules and regulations and the Commission attempts to apply them fairly. He commended the applicant for complying with all the requests made by the Commissioners.

O. Lathrop recommended that after the ditch is filled that the area be seeded with a wetland grass mix to establish stabilization. T. Kein asked if a plastic mesh should be laid down. O. Lathrop advised against utilizing a plastic mesh.

L. Hurley suggested placing straw on top of the seed to hold it in place and asked that the applicant return to the Commission for any work that is going to be conducted closer to the dwelling.

Upon a motion by B. Easom, seconded by L. Hurley, it was: Voted to issue a Negative 3 Determination under the conditions: 1. Vegetation is established 2. Excavated material is backfilled into the ditch. 3. A layer of straw is placed over the seed. **The motion passed unanimously. 5-0**

**2. GENERAL BUSINESS\***

Permitting

EXT Permit, MassDEP#169-917, Academy Hill

The overflow basin, wetland application, and trash management would be completed with the approval of a three year extension. A request for the completion of the detention areas would be requested at a later date. B. Easom requested that any debris be removed out of the resource area.

 Upon a motion by B. Easom, seconded by J. Smigelski, it was: Voted to issue a three year extension permit for MassDEP#169-917, Academy Hill. **The motion passed unanimously. 5-0**

OOC, MassDEP#169-1255, 599 & 601 Lowell Road

Upon a motion by B. Easom, seconded by J. Smigelski, it was: Voted to issue the Order of Conditions for MassDEP#169-1255, 599 & 601 Lowell Road. **The motion passed unanimously. 5-0**

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, MassDEP#169-1255, 599 & 601 Lowell Road.

E. McHugh requested that the language be changed from applicant to surveyor/ civil engineer in both conditions a. and b. listed under Post Construction.

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

Land Management & Acquisition

Discuss FY23 LAND Grant

N. Gualco displayed two motions for the Conservation Commission to vote on that were compiled by the Town Council.

Upon a motion by O. Lathrop, seconded by B. Easom, it was: Voted to move that the Conservation Commission approve the grant of Conservation Restrictions to the Groton Conservation Trust over the Casella Preserve, the Priest Family Conservation Area, Martins Pond Conservation Area and the Patricia Hallet Conservation Area properties, and approve the grant of Conservation Restrictions to the Department of Fish and Game over the Baddacook Pond East Shore, Fuccillo Land, Torrey Woods Conservation Area, Hawtree Conservation Area, Floyd Conservation Area, Harrison Ripley Forest, Sawtell Conservation Area, Groton Hills Conservation Area, and Heron Ridge Conservation Area, as described in the April 29, 2023 Town Meeting Warrant Articles 20 and 21, and authorize the Conservation Administrator to execute certificates of approval for this vote.

O. Lathrop requested to strike the Unkety Well Site and add Martins Pond Conservation Area.

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

Upon a motion O. Lathrop by seconded by B. Easom it was: Voted to move that the Conservation Commission accept the Baseline Documentation Reports for the Patricia Hallett Conservation Area, Priest Family Conservation Area, and Martins Pond Conservation, and authorize the Conservation Administrator to execute certificate approval for this vote. **The motion passed unanimously. 5-0**

B. Easom questioned when these conservation restrictions would become effective. He said that he is responsible within the Community Preservation Community to report any conservation restriction utilizing the CP-3 application to the State. N. Gualco said that he would forward the memo that he compiled to the DCS today which includes a timeline. He commented that the final approval from the State has not been received.

N. Gualco displayed the Casella Preserve billing form for the Conservation Commission to review prior to submitting the reimbursement. He said that the sign still needs to be installed and unfortunately the land grant acknowledgement sign is not going to be completed by the deadline. The State has approved the installation of a temporary sign.

 General Discussions/Announcements

Gratuity Road Flexible Development

N. Gualco displayed the comments that were provided to the Planning Board from the applicant in response to the written letter of concerns and comments made by the Commissioners. There was a mutual disagreement with the inadequate responses provided by the applicant. There was no actual evidence proving that the bordering land is not subject to flooding. O. Lathrop said that he has photographs showing channels that were made by water rushing back into the stream along with decaying leaves. He suggested that there be elevation data provided. B. Easom said that the most compelling evidence is the natural berm along the channel of the stream and explained how berms are formed. E. McHugh asked if the Conservation Commission had provided any evidence to the applicant. B. Easom said that the information was provided approximately three years ago. N. Gualco suggested that the Commission make a recommendation to the Planning Board to encourage an additional ANRAD or conduct a peer review. The Conservation Commission agreed to encourage the Planning Board to require an additional ANRAD to resolve the issue.

Upon a motion by B. Easom, seconded by J. Smigelski, it was: Voted to communicate to the Planning Board that the applicant needs to file an Abbreviated Notice of Resource Area Delineation in order to resolve existence or nonexistence of the bordering land subject to flooding under both the Wetland Protections Act and the Groton Wetland Bylaws. **The motion passed unanimously. 5-0**

N. Gualco said the Stewardship Committee discussed the flexible development and the open space offset. He said that the Conservation Commission generally is in favor of a fee in holding rather than a conservation restriction. The open space would contain a community septic system. N. Gualco asked the Commission if they would be satisfied with owning a property that contains an easement to access the septic system in the open space. He said that there are two alternatives to consider, 1. An arrangement with the homeowners association to retain ownership of the open space parcel and the conservation restriction is then granted to the Commission or 2. Remove one house lot and install the septic system in that area. There were three Commissioners who were unopposed to the septic system being installed on the common area. J. Smigelski was unsupportive of the proposal. E. McHugh suggested moving the septic system outside of the fee in holding land and eliminating a house. N. Gualco suggested that the Commission make a recommendation to the Planning Board to see if it is viable to move the septic system outside of the fee in holding land. B. Easom requested that granite bounds be installed at the corner of each house lot.

40B Developments – provide comments to the Conservation Admin.

Committee Updates

L. Hurley and J. Smigelski displayed a photograph of the constructed parking lot located on the Casella Preserve. L. Hurley said that the parking area had been shortened slightly to preserve a tree. Grass seed has been spread and hay has been laid on top to hold the seeds in place.

L. Hurley said that the docks need a small amount of work and that the Sargisson Beach would be closed tomorrow to commence the replenishment of sand.

B. Easom said that there would be an announcement made by the Lieutenant Governor in regards to the Rail Trail Grants.

O. Lathrop said that the Invasive Species Committee would be treating the Swallow-Wort located on the Shattuck Homestead, potentially by early July.

E. McHugh said that Becky Pine is continuing the discussion with the Nipmuc Tribe and is trying to establish a cultural easement. There is a meeting scheduled for June 22, 2023 with the Diversity, Equity, and Inclusion Committee. A video has been produced explaining the intentions of the Nipmuc Tribe and the definition of a cultural easement. L. Hurley asked if the cultural easement is allowed does that impact the conservation restriction. He stated that the donors of the land had required that the visibility to the pond be maintained. N. Gualco said that the representative from Mount Grace would also be present at the meeting and has experience with lands containing restrictions.

E. McHugh said that she would be attending the MACC training.

Approve Meeting Minutes

Upon a motion by B. Easom, seconded by J. Smigleski, it was: Voted to approve the meeting minutes for May 25, 2023 as amended. **The motion passed unanimously. 5-0**

Invoices

Upon a motion by B. Easom, seconded by J. Smigelski, it was: Voted to approve and pay the invoice from Mark Kresge in the amount of $3,000. **The motion passed unanimously. 5-0**

Upon a motion by L. Hurley, seconded by J. Smigelski, it was: Voted to approve and pay the invoice from EWH Anderson Real Estate in the amount of $2,500. **The motion passed unanimously. 5-0**

Upon a motion by L. Hurley, seconded by B. Easom, it was: Voted to approve and pay the invoice from the Groton Herald in the amount of $62.10. **The motion passed unanimously. 5-0**

Upon a motion by L. Hurley, seconded by J. Smigelski, it was: Voted to approve and pay the invoice from the Town of Groton in the amount of $731.42 for back taxes on the property off of Ridgewood Ave. **The motion passed unanimously. 5-0**

**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.”**

Unnecessary

**5. Adjournment**

 **9:54PM**

Upon a motion by L. Hurley, seconded by J. Smigelski, it was: Voted to adjourn the public meeting. **The motion passed unanimously. 5-0**

**Minutes Approved: June 27, 2023**