

TOWN OF GROTON

Conservation Commission

173 Main Street

Groton, MA 01450

(978) 448-1106

Fax: 978-448-1113

conservation@grotonma.gov



### Conservation Commission Meeting

#### **Tuesday, October 24, 2023 at 6:30 PM**

#### **Victual Meeting – Zoom**

Webinar ID: **891 5532 2294**

## Present: **Eileen McHugh, Chair; Larry Hurley, Vice Chair; Olin Lathrop, Peter Morrison,** **Bruce Easom, Alison Hamilton (6:35)**

**Others Present:** John Smigelski, Clerk

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

**1. APPOINTMENTS AND HEARINGS**

**6:30 PM – 57 Lower Dam, Order of Conditions Extension**

Applicant: Barbara Blanco

Barbara Blanco summarized the request to extend the original Order of Conditions an additional three years to allow for opening the dam up on Lower Massapoag and performing occasional maintenance when necessary.

O. Lathrop questioned the ecological value of the dam and stated when the extension expires the Commission would require a more comprehensive explanation of why the dam is necessary.

B. Easom asked what the procedural steps are for lowering the water. B. Blanco explained that there is a floodgate near the bottom of the dam that slides open, allowing for the water to flow through.

Upon a motion by B. Easom, seconded by L. Hurley, it was:     Voted to extend the Order of Conditions for Lower Massapoag Lake for an additional three years.

 **The motion passed by a roll call vote. (Yes: OL, PM, LH, BE, AH, EM) 6-0**

**6:40 PM – Lot 1 & 2 Nashua Rd, RDA continued, Lot 1 planting plan and barrier placement.**

Applicant: Nashoba Homes Development LLC, Representative: Stan Dillis, Dillis and Roy Civil Design Group

Stan Dillis was present on behalf of his client proposing to revegetate the graded areas on lots 1 & 2 with a New England Wildflower Mix.

L. Hurley asked if the boundary line and the conservation trail had been determined. S. Dillis said that he believes that the trail is separate from the abutting property.

B. Easom commented that the sedimentation curtain is placed upstream from the hay bales and generally it is the opposite order. S. Dillis stated that the silt fence would be installed in the ground and the hay bales would act as reinforcement to the fence, assuring either way is efficient. He said if it is necessary he would request that the order be reversed. S. Dillis mentioned that the hay bales are also acting as the barrier for the limit of work.

O. Lathrop stated that the erosion controls are installed accurately to the drawing and was satisfied with the plan.

Upon a motion by P. Morrison, seconded by L. Hurley, it was:                                                                             Voted to issue a Negative 3 Determination under the conditions: 1.The work is to be conducted as shown on the plan dated October 12, 2023.               **The motion passed by a roll call vote. (Yes: PM, LH, AH, BE, OL, EM) 6-0**

**6:50 PM- RDA, 148 Martins Pond Road for Invasive and restoration land management.**

Applicant: Sarah Grambs & Ken Horton, Representative: Miles Connors, Parterre Ecological

Miles Connors was present on behalf of his clients proposing invasive plant restoration and land management. He said that his clients are looking to manage the invasive species from the edge of the forested area and working diligently on planting native species. The wetland boundary was designated by Ducharme and Dillis in 2018.  He described the forested area to be dominated by Red Maple along with other native species. The edge of the field is very diverse and problematic with the amount of invasive species including Japanese Barberry, Buckthorn, Bittersweet, and Canary Grasses. The applicants would also like to manage the sprouting Crab Apple Trees and the vast amount of Poison Ivy which is creating accessibility issues. Manuel methods are intended for removal for anything under 1” caliper. Anything larger would utilize mechanical management including chainsaws or extension trimmers. A dab and cut treatment is proposed utilizing Triclopyr Herbicide. M. Connors said that a planting schedule for revegetation has been submitted including the description of adding diversity and seeding of any disturbed areas.

L. Hurley questioned if there was incremental creep on the wetland delineation that was conducted in 2018. S. Grambs said that the field has not been mowed since they acquired the property.

B. Easom asked if the canopy would be altered in the first phase of removing the invasive species. M. Connors assured the Commission that the canopy would remain intact. The invasive species are predominantly located at the edge of the field and only intermittent work would be conducted within the interior of the forest.

O. Lathrop commented that Poison Ivy is a native plant and should only be removed from pathways. He also mentioned that Triclopyr Herbicides are inefficient for all grass species.

The Commission asked the homeowners if they would voluntarily update the Commission annually on their progress and provide consent for the Invasive Species Committee to contact them. The homeowners agreed to provide the Commission with reports of their progress and conversing with the Invasive Species Committee.

Upon a motion by P. Morrison, seconded by L. Hurley, it was:                                                                             Voted to issue a Negative 5 Determination under the conditions: 1.The removal of all invasive species is to be replaced with native species. 2. A path is allowed to be maintained to the area being worked on.                   **The motion passed by a roll call vote. (Yes: BE, AH, LH, PM, OL, EM) 6-0**

**7:00 PM - Orion Way Mulch Trail Discussion**

E. McHugh summarized that the homeowner is requesting that a Certificate of Compliance is issued, however, it has been determined that there are unresolved issues and a letter has been forwarded to the homeowners. In regards to the agreed upon public trail it has been unmaintained and overtaken. The Trail Committee is supportive of maintaining the trail to keep the accessibility between the two neighborhoods.

B. Easom said he would provide wood chips to reconstruct the trail.

O. Lathrop said that the Commission's rights should be asserted to reconstruct the trail and ensure that it is maintainable by restricting the homeowners from encroaching upon the path. He does not believe that someone actively removed the mulch. He suggested mowing a path and leaving high grass along the trail's edges. Paul Funch suggested asking the homeowners to maintain the mulch path.

P. Morrison said that the homeowners were originally opposed to the appearance of high grass and is the reason why wood chips or mulch was laid down. He said that the neighbor to the right has planted Arborvitaes which are encroaching or on the Conservation property.

L. Hurley questioned how the trail can be accurately identified. O. Lathrop said there are existing stone markers. The surveyed plan was displayed and identified multiple granite bounds.

E. McHugh commented that the trail lacked maintenance and agreed that the neighbors wanted to enhance the area. She said that she is unopposed to mowing a path between the high grasses, as long as the area is well marked.

The Commission agreed that the trail needs to be clearly marked with proper signage and be inviting to the public. The first step would be reassessing the area to determine the lines of the trail and to observe the amount of vegetation that needs to be removed. O. Lathrop, B. Easom, and P. Morrison agreed to initiate the first steps.

**2. GENERAL BUSINESS**

Permitting

None

Land Management & Acquisition

O. Lathrop said that the documents for acquiring the property on Reedy Meadow Road was finalized this past Thursday. He said that the frontage boundaries are unclear and recommended that the land be properly surveyed utilizing granite bounds. B. Easom reminded the Commission that a Conservation Restriction Holder is necessary to meet the guidelines of CPC funding.  The Commission concurred that the land needs to be surveyed and was supportive of receiving two quotes. One quote would include the frontage along Reedy Meadow Road and the second one would include the delineation of the boundaries abutting private properties.

B. Easom was informed that the Priest Family Conservation Area can be mowed after October 15th.

P. Funch questioned if the Conservation Commission reached out to the Select Board with interest in transferring part of the Brown Loaf property into Conservation Land. MassWildLife had been unfavorable of the land being utilized for horseback riding and biking. The Commission agreed to request that the Stewardship Committee conduct further research and invite user groups to determine their intentions for the land area prior to initiating any steps with the Select Board. The next Stewardship Committee meeting is scheduled for November 29th.

General Discussions/Announcements

E. McHugh said that an email was received from Darcy Donald expressing her opposition for the proposed 40B Development on Cow Pond Brook Road.

Harrison Ripley Land

A. Hamilton said that a letter was drafted to the homeowner on Martins Pond Road after determining that the stockpiled materials were partially on the Conservation land. The materials have since been removed.

Committee Updates

B. Easom informed the Commission that the deadline for the 2 page application for CPC funding is this Thursday, October 26, 2023.

P. Morrison said that New England Forestry at the Wharton Plantation has commenced their logging campaign and would be continuing over the next three weeks.  A cutting plan was submitted at the beginning of the year.  P. Morrison then asked the Commission their opinions on authorizing or designating a conservation parcel to allow for motorized bike riding.  He said potentially by providing an opportunity it may deter people from utilizing restricted lands.  The Commission briefly discussed the idea and believed that it should be further explored and something that the Parks Commission may be interested in. E. McHugh said she could reach out to the two high school students who had presented at the Stewardship Committee and ask for an approximate number of acreage that would be adequate.

E. McHugh said that the land in the vicinity of Rockwood Lane that was being utilized by unauthorized dirt bike riders is owned by the Groton Conservation Trust and Mark Gerath has posted no motorized vehicle signage. The Stewardship Committee held a meeting on October 18th and discussed dirt bikes and the warrant article on Cow Pond Brook Road. She reminded the Commission that there is still discussion on the potential of transferring parcel 39 under an article 97. It had been decided that the matter would need to be reviewed by the lawyers prior to any further decisions made by the Conservation Commission.

Approve Meeting Minutes

Upon a motion by B. Easom, seconded by A. Hamilton, it was:                                                                         Voted to approve the meeting minutes for October 10, 2023 as amended.                      **The motion passed by a roll call vote. (Yes: BE, AH, OL, LH, EM)PM- Abstain 5-1-0**

Invoices

Upon a motion by P. Morrison, seconded by L. Hurley, it was:      Voted to approve and pay the invoice from Mirick O'Connell in the amount of $4,516.70.                                                                                                                                                             **The motion passed by a roll call vote. (Yes: OL, PM, LH, BE, AH, EM) 6-0**

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

**4. 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.

**5. Adjournment**

 **8:01PM**

Upon a motion by O. Lathrop, seconded by A.Hamilton, 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: PM, BE, OL, LH, AH, EM) 6-0

**Approved: \_ November 14th, 2023\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**