



TOWN OF GROTON
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Conservation Commission Meeting

Tuesday, January 09, 2024 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; Olin Lathrop, Bruce Easom, John Smigelski, Clerk

Absent: Alison Hamilton, Peter Morrison

Others Present: Charlotte Steeves, Conservation Administrator

E. McHugh called the meeting to order at 6:30PM

1. APPOINTMENTS AND HEARINGS

6:30 PM- RDA- Fitch's Bridge Road

Applicant: Marisa Browning Kamin, Nashua River Watershed Association

M. Browning Kamin of the Nashua River Watershed Association said that she is actively engaged in a USDA grant with the initiative focused on the restoration and repair of forests throughout the Nashua River Watershed. The project aims to identify both private and public sites that would benefit from manual invasive species removal or planting of native trees and shrubs. M. Browning Kamin said that C. Steeves reached out and stated that this particular site would be a suitable candidate. There are areas of Bittersweet and some sections of the site that are not vegetated. The Association is currently waiting for feedback from the State to validate the recommendation.

C. Steeves updated the Commission that there was a concern raised by an abutter regarding the dumping of yard scraps and other debris on the site. C. Steeves suggested posting signage explicitly stating a prohibition of dumping and then properly identifying the land as Conservation Land.

E. McHugh shared information about the ongoing work in the vicinity of the bridge and highlighted the potential need for future coordination with the State.

M. Browning Kamin informed the Commission that she reached out to Tom Delaney via email to establish a contact with the State. She said the proposed work would commence in April.

L. Hurley inquired if the Nashua River Watershed had hired the current company that is working on the bridge and if T. Delaney had been made aware of the stockpiled railroad ties. M. Browning Kamin expressed uncertainty regarding the specifics of the contractor and committed to following up with T. Delaney.

J. Smigelski questioned if chemical treatments would be utilized for the removal of invasive species. M. Browning-Kamin assured that only manual removal methods would be utilized.

O. Lathrop expressed his support for the project, however, emphasized the importance of delaying any planting near the bridge until the State's intentions are identified. He also agreed with C. Steeves in regards to posting appropriate signage and establishing a formal name for the property.

E. McHugh said that there is a need for clarity regarding the responsibilities of each party involved and requested that the naming of the property be included on the next agenda for further discussion.

J. Smigelski recommended preserving access to the bridge.

C. Steeves noted that there is an existing siltation fence that needs to be removed at a later date.

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

Voted to issue a Negative 2 Determination under the conditions: 1. The State is provided access to conduct any necessary work in the vicinity of the bridge.

The motion passed unanimously. 5-0

Robert Kiley of 601 Lowell Road was present seeking approval for the installation of a 1,000 gallon liquid propane tank adjacent to his two-car garage. The Commission reached a consensus that a formal request would be required along with the specifications of the proposed tank and the installation process. The Commission also requested that a site walk be conducted prior to the public hearing.

2. GENERAL BUSINESS

General Updates from Administrator

Marsh-Lewis Survey Proposals

C. Steeves updated the Commission with the following lump sums from potential survey companies.

- Dillis & Roy Civil Design Group- \$17,400
- David E. Ross- \$16,450
- GPR - \$16,600

Upon a motion by J. Smigelski, seconded by L. Hurley, it was:

Voted to authorize the Conservation Administrator to hire David E. Ross Associates to conduct the survey at the Marsh-Lewis Grove in the amount of \$16,450.

The motion passed unanimously. 5-0

Westford Sportsmen's Club Baseline Report

C. Steeves outlined the key findings from the baseline report conducted in July as follows: The club aims to establish a fire road within the conservation restriction area to ensure emergency access to the clay pit hill. Various crops have been planted to attract game animals, complemented by spruce trees on the southern side. The land is identified as a priority habitat for rare species, prohibiting motorized vehicles,

residential, or industrial use. Signage has been posted indicating no trespassing. The trails are well established for public use and there are no invasive species identified.

C. Steeves noted that the observed parcel boundaries aligned with the GIS data except for a minor discrepancy in the northeast boundary. J. Smigelski recommended that the surveyor be contacted to resolve the discrepancy.

B. Easom commented on the general stance against fire roads on conservation property, emphasizing that fire is a natural element of the environment.

J. Smigelski commented that the conservation restriction covers the entire parcel, with varying requirements within. He said that they are currently waiting for a response from the State prior to releasing any funds to the Sportsmen's Club. No updates have been provided due to a representative being on an extended leave.

E. McHugh clarified that the Commission is in the process of acquiring the conservation restriction; the property would remain in possession of the Westford Sportsmen's Club.

The Commission collectively agreed on the need for a thorough review of the conservation restriction and that J. Smigelski would inquire about the fire road and request specific details from the Sportsmen's Club.

54 Hill Road- Stockpiling issue

E. McHugh updated the Commission on the installation of a new septic system on the property and that the permitting process had been successfully completed. N. Gualco had requested that the previous homeowner remove all trash from the site. Subsequently, the property was sold and the new homeowner hired a surveyor to establish boundary lines, resulting in trash and debris persisting on both the homeowners and abutters (Nutile Family Trust) properties. The homeowners of 54 Hill Road are seeking the Commission's assistance in urging the abutter to remove the trash located within the wetland. A formal RDA would be submitted. E. McHugh said that a letter was sent to the Nutile property in 2003, and there was no response received. B. Easom proposed sending a new letter requesting the removal of trash within 100 feet of the wetland, outlining the necessary steps for compliance. O. Lathrop suggested first visiting the site, accompanied by the neighbor who had the land surveyed. Then send a letter including photographs and proceed with an Enforcement Order if necessary. E. McHugh was opposed to those approaches and more supportive of organizing a work day and emphasizing the importance of the resources areas. The Commission agreed to conduct a site walk prior to making any further decisions.

Committee Updates

Shepley Hill Site Visit (12-19-23)

C. Steeves was accompanied by O. Lathrop, B. Easom, P. Morrison, and members of the Earth Removal Stormwater Advisory Committee for the site visit. C. Steeves observed that the erosion controls and silt fences remained intact even after the

significant rainstorm. A sandy area near the base of the intermittent stream closest to Longley Road was noted, however, not seen upstream. The Commission questioned whether the sandy area is natural or indicative of runoff water. During the site walk, members requested a resurvey of wetland flag #28, as the original delineation plan from February 2021 showed a proposed bump in the wall that was not present in the constructed wall. The developer explained in an email that wetland flag #28 was reestablished near the middle crossing, supported by an expert submission showing the erosion control barrier and plans for the constructed wall.

E. McHugh inquired about the evidence of siltation in the wetland, to which O. Lathrop confirmed that there was none and that the Earth Removal Stormwater Advisory Committee would continue to monitor the slope.

B. Easom noted that he and O. Lathrop walked the flag series on the collapsed 1-1 slope and the last flag was missing. The developer agreed to resurvey the flag. They discussed on site why the Conservation Commission was not notified of the plan change, noting that a cantilever sidewalk presented in the plan was not constructed. B. Easom was uncertain whether the base of the wall was pushed out or if the roadway was narrowed. The argument provided was that the wall was tapered, making it vertical and eliminating the need for cantilever sidewalk.

O. Lathrop noted that there were minor breaches within the siltation fence however, expressed concern about the changes to the cantilever sidewalk and its approval process.

C. Steeves presented the PDF provided by the developer, displaying the original footprint of the wall. The plan showed the indentation, however, the current wall is a vertical flat structure. Following a discussion the Commission requested that an as-built plan be submitted and that they would wait for the resurveying of the last flag. O. Lathrop assured that he would revisit the site and take additional photographs.

L. Hurley said that Mark Haddad had approved the request to purchase the materials to redeck the docks at Sargisson Beach. He is hoping to seek volunteers to perform the work.

B. Easom said that the final applications for CPC funding are due on Thursday, January 11, 2024. C. Steeves said that the Conservation Commission has received three letters of support thus far.

General Discussions/Announcements

Letter of Support Requests CPC

C. Steeves presented the Commission with three drafted letters of support for the following Committees: the Historic Commission (restore the Bancroft Castle), the Squannacook Greenways (Rail Trail), and the Parks Commission (funds to design the Cow Pond Brook Area).

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

Voted that the Conservation Commission approve the drafted letters of support for the

CPA applications for the following projects: Restoration of the Bancroft Castle, Squannacook Rail Trail, and design funding for the Cow Pond Brook Area.

The motion passed unanimously. 5-0

Moving Feb 13th meeting date due to conflict with Conservation Forum

E. McHugh said that the issue has been resolved and that the Conservation Forum has been rescheduled for Thursday, February 15, 2024.

Reedy Meadow Baseline Report (Marsh- Lewis)

C. Steeves presented two previous invoices for baseline reports, encompassing the Patricia Hallet Conservation Area survey conducted in June 2023 with a total cost of \$3,000 and the Westford Sportsmen's Club with a total cost of \$1,750. O. Lathrop said that the Groton Trust is requesting that the Conservation Commission cover the expenses associated with the baseline report.

Upon a motion by O. Lathrop, seconded by B. Easom, it was:
Voted to authorize the Conservation Administrator to contact for a baseline report on the Marsh-Lewis Grove not to exceed \$3,000.

The motion passed unanimously. 5-0

C. Steeves said that she would inform the Trust that the Conservation Commission has approved to cover the expenses associated with the baseline report.

Land Management & Acquisition

B. Easom said that he is still working on Half Moon Road.

O. Lathrop updated the Commission on his efforts to secure sign materials. Piedmont Plastics, based in Marlboro, furnished a quote amounting to \$650, covering 16 strips along with the delivery fee. Meanwhile, Industrial Plastics, located in Woburn, presented a quote of \$600, with an additional \$300-\$400 for possible delivery fee.

Upon a motion by O. Lathrop, seconded by B. Easom, it was:
Voted to purchase the sign material from Piedmont Plastics in Marlboro, not to exceed \$700.

The motion passed unanimously. 5-0

O. Lathrop said that he surveyed all the trails located on the Palmer land in West Groton and has updated the Open Street Map.

Meeting Minutes

Upon a motion by O. Lathrop, seconded by J. Smigleski, it was:
Voted to approve the meeting minutes for December 12, 2023 as amended.

The motion passed unanimously. 5-0

Invoices

Upon a motion by L. Hurley, seconded by J. Smigelski, it was:
Voted to approve and pay the invoice from Woodsman Inc. for the Westford Sportsmen's Club
Baseline Report in the amount of \$1,750.00.

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 Groton Herald in the amount of
\$68.75.

The motion passed unanimously. 5-0

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

7:58PM

Upon a motion by B. Easom, 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: OL, BE, JS, LH, EM) 5-0

APPROVED ON: January 23rd, 2024