



Conservation Commission Meeting

Tuesday, April 23, 2024 at 6:30 PM

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

OPTION TO JOIN REMOTELY

Present: Bruce Easom, Chair; Larry Hurley, Vice Chair, John Smigelski, Clerk; Olin Lathrop, Peter Morrison

Absent: Alison Hamilton

Others Present: Charlotte Steeves, Conservation Administrator

B. Easom called the meeting to order at 6:30 P.M.

1. APPOINTMENTS AND HEARINGS

6:30 PM- Continued Public Hearing (From 4/9/24) Notice of Intent- 18 Kemp Street

Applicant: Applicant: Jack Petropoulos; Representative: Seth Donohoe, Dillis & Roy Civil Design Group.

S. Donohoe provided a revised plan, reducing the proposed three-car garage to a two-car garage. The proposed mitigation includes a stone drip recharge trench designed to capture all roof and driveway runoff. S. Donohoe expressed hope that this would be deemed sufficient for the additional 240 square feet of impervious area.

L. Hurley suggested repositioning the garage doors to the right side of the structure and aligning the driveway accordingly while minimizing the proposed pavement.

J. Smigelski raised the question of whether the structure could be rotated counterclockwise. S. Donohoe noted that the turning radius needs to be factored into any potential rotation.

O. Lathrop requested further mitigation measures and suggested creating a buffer of natural vegetation along the brook or on the right side of the property.

B. Easom inquired whether the homeowners would be open to a stipulation that the land south of the contour of the dam, extending to the 275 line as shown in the site plan, only be mowed once annually in perpetuity. B. Easom stated that the homeowners are permitted to manage any invasive species.

Upon a motion by P. Morrison, seconded by L. Hurley, it was:
Voted to close the public hearing.

The motion passed unanimously. 5-0

6:40 PM- Continued Public Hearing (From 4/9/24) Notice of Intent- 293 Reedy Meadow Road

Applicant: Heather & Keith Wilson; Representative: Ryan Proctor, Dillis & Roy Civil Design Group.

The applicant requested a continuance to the next meeting.

Upon a motion by P. Morrison, seconded by J. Smigelski, it was:

Voted to continue the hearing to the next scheduled meeting on May 14, 2024.

The motion passed unanimously. 5-0

6:50 PM- Request for Determination of Applicability- Stoddart Trail

Applicant: Trails Committee; Representative: Brittain McKinley

Brittain McKinley represented the Trails Committee proposing the installation of two bridges—a 8-foot and a 10-foot bridge—along with geotech fabric for soil stabilization. He described the trail as very muddy and primarily used by horseback riders, while emphasizing the need for the bridges to be accessible to horses.

O. Lathrop suggested using 2x8 boards on the sides of the bridge as this approach has been successful on other sites.

P. Morrison expressed satisfaction with the plan and also recommended adding a header to the two ends of the bridge.

B. Easom inquired about the foundation material. B. McKinley responded that solid concrete blocks would be used. He said that P. Funch recommended installing steel rods for stabilization.

C. Steeves inquired about how the materials would be transported. B. McKinley informed the Commission that an abutter is willing to assist in moving gravel from the east side with his tractor, and the bridges would be carried in manually.

Upon a motion by P. Morrison, seconded by J. Smigelski, it was:

Voted to issue a Negative 3 Determination under the conditions: 1. Work is to be done as shown on the plan.

The motion passed unanimously. 5-0

7:00 PM- Request for Determination of Applicability- 119 Lovers Lane

Applicant: Groton Country Club; Representative: Sean Campbell

S. Campbell, representing the Groton Country Club, proposed cleaning up deadwoods and debris, as well as removing any invasive species around the entrance sign.

P. Morrison asked what the intentions are for the area after the cleanup is complete. S. Campbell replied that the area has always been maintained as grass.

L. Hurley suggested continuing to monitor the area for invasive species.

O. Lathrop asked about the project's overall purpose. S. Campbell mentioned being unhappy with the aesthetics. O. Lathrop referred to the Wetland Bylaws and the 50-foot no touch zone

and sought assurance that the work would remain outside of this area. He also highlighted the value of downed trees in creating habitats, despite their less appealing appearance.

B. Easom noted that the area is an excellent opportunity for wetland restoration. He recommended a more detailed plan with input from a wetland environmentalist.

The Commission recommended that the applicant contact Bob Pine to further discuss wetland restoration.

A resident suggested that once the invasive species are removed, there may be other desirable plants that emerge. It was recommended to conduct the project in phases.

George Marsh, a landowner in Groton, expressed concerns that removing deadwoods and snags is not always a good thing for the resource area, unless it is needed for safety precautions. He stated that this area should be left alone.

B. Easom noted that the wetland line is very definitive and requested that the applicant provide a sketch of the area, including the identification of the 50 and 100 foot buffer zones.

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

Voted to continue the public hearing to the next scheduled meeting on May 14, 2024.

The motion passed unanimously. 5-0

7:10 PM- Request for Determination of Applicability- 52 Dolan Drive

Applicant: Andrea & Colin Oftring

The applicant proposed replacing an existing wooden fence, which has become eroded and damaged due to fallen trees. Additionally, C. Oftring requested permission to clear and prune vegetation 6-10 feet away from the fence, including invasive species.

P. Morrison asked about the disposal plan for the debris. C. Oftring clarified that it would be removed off-site. P. Morrison also pointed out that invasive species removal could be carried out anywhere on the property.

L. Hurley recommended installing the replacement fence in the exact same location as the existing one.

O. Lathrop clarified that the applicant is authorized to prune and clear vegetation up to 10 feet from the fence. Additionally, he mentioned that invasive species can be removed anywhere on the property.

C. Steeves asked about the timing for removing the invasive species to prevent reseeding. O. Lathrop suggested cutting them this month prior to blooming and said that the cut Honeysuckle could be left on the ground to decay.

Kimberly Kuliesis questioned if the stumps would be removed and stated if not the Honeysuckle would continue to grow.

Upon a motion by P. Morrison, seconded by J. Smigelski, it was:

Voted to issue a Negative 3 Determination under the conditions: 1. The fence is to be

installed in approximately the same location as the existing fence. 2. All vegetation within 10 feet of the fence can be cut or pruned and invasive species can be removed anywhere on site.

The motion passed unanimously. 5-0

2. GENERAL BUSINESS

General Discussion/ Announcements

Vacancy on Commission- Interview with Kimberly Kuliesis

Kimberly Kuliesis, a resident of 20 years, shared her long standing passion for conservation and her eagerness for a new opportunity. She mentioned her experience running an organic gardening company and working alongside conservation commissions. The Commission explained the responsibilities of the position and commitment that is need, including land acquisition, conservation restrictions, and trail maintenance. The Commission also highlighted great resources like the MACC Conference that is held annually.

P. Morrison asked if the position had been advertised, to which it was confirmed that the open seat had been advertised on the Town Website.

Upon a motion by O. Lathrop, seconded by P. Morrison, it was: Voted to recommend to the Select Board to appoint Kimberly Kuliesis to the Conservation Commission.

The motion passed unanimously. 5-0

Discussion on Parcel 248-39

Anna Eliot, serving as Park Commissioner, attended the meeting to formally request the support of the Conservation Commission regarding the pursuit of Article 97 land swap for the parcel located on Cow Pond Brook Road. Highlighting the importance of the endeavor, she indicated a potential plan to engage a consultant project manager tasked with redesigning the field and parking area.

During the discussion, L. Hurley inquired about the presence of vernal pools within the area. A. Eliot confirmed that there are three pools in existence.

J. Smigelski sought clarification on the parcel's size. A. Eliot specified that it encompasses just under an acre, expressing a desire to optimize the entire hillside and adjust the road's elevation. The current access road faces removal as per Natural Heritages request. A. Eliot said that there was interest in the fill by both the Heritage Landing 40B Project and the Department of Public Works.

O. Lathrop commented on the diminished environmental value of the parcel and proposed a swap with parcel 51-104, which boasts greater ecological significance. This suggestion prompted discussion on the feasibility of such a swap and would need a $\frac{2}{3}$ vote at Town Meeting. B. Easom emphasized the importance of additional input needed from Natural Heritage.

C. Steeves relayed information from Tom Delaney, noting that Natural Heritage is advocating for the permanent closure of the access road.

Discussion on Vernal Pool Certification off Sand Hill Rd 225-17

C. Steeves reported that over 60 egg masses had been identified, and A. Hamilton would provide photographs at the next meeting. B. Easom informed the Commission that as part of the Notice of Intent for the installation of the driveway, the applicant agreed that the Commission had three years to certify the area as a vernal pool. He confirmed that salamander eggs had been identified and requested authorization from the Commission to file the necessary paperwork.

Upon a motion by P. Morrison, seconded by J. Smigelski, it was:
Voted to authorize the Conservation Administrator to proceed with the filing to certify the Vernal Pool off of Sand Hill Road, parcel 225-17.

The motion passed unanimously. 5-0

Wetland Violation, 186 West Main St.

C. Steeves alerted the Commission to reports of dumping at 186 West Main Street, which is extending into Rangeley Brook. She recommended issuing an enforcement order to address the situation.

The Commission unanimously agreed that a letter should be sent to the homeowner to rectify the issue.

Upon a motion by O. Lathrop, seconded by P. Morrison: it was:
Voted to send a letter to the homeowner of 186 West Main Street, informing them that the rubbish within the buffer zone is prohibited and that a plan needs to be provided within 14 days and remediation is to be taken within 60 days.

The motion passed unanimously. 5-0

General Updates from Administrator

Update on Gilson CA Survey Proposals

C. Steeves reported that she contacted GPR, who stated that they would not include a title search. GPR suggested that the Commission converse with the Town Council regarding this matter and provided a final quote of \$25,300. Dillis & Roy Civil Design Group provided a \$24,205 quote with the installation of 15 granite bounds, to avoid flooding and a title search. If all 22 bounds were included, the final price would be \$28,160. B. Easom emphasized the importance of conducting both the survey and title search to rectify any discrepancies.

Upon a motion by P. Morrison, seconded by J. Smigelski, it was:
Voted to authorize the Conservation Administrator to expend up to \$28,000 for the surveying, installation of granite bounds, and a title search on parcel 117-4.

The motion passed unanimously. 5-0

Letters to 39 Ames Road and Bradley Drive

C. Steeves reported sending a letter to Dave Moulton, who clarified that the work being conducted including maintenance in the meadow area and minor tree removal, was covered under a Request for Determination of Applicability (RDA) permitted in 2004. However, the Commission noted that the RDA has since expired.

Additionally, C. Steeves mentioned sending a letter to the Homeowners Association regarding the deteriorating boundary markers on Bradley Drive and is waiting for a response.

Moulton Turtle Nesting Site off Nate Nutting Rd

Attorney Bob Collins updated the Commission that the turtle nesting area is complete, with protective wattles remaining until the land stabilizes. He also mentioned the replacement of the temporary gate on the access road with a permanent one. B. Collins said that he discussed signage with Mass Audubon to ensure the area's ecological sensitivity is respected, planning to restrict access and prohibit certain activities like dog walking, horseback riding, and the use of motorized vehicles. He will confirm the signage details with Mass Audubon before presenting them to the Conservation. C. Steeves recommended additional signs leading up to the area and updating the existing ones.

C. Steeves shared a letter from John F. Norris, a resident of Ayer, expressing his concerns about the disturbance of a pristine area, increased traffic, and reconsidering future projects. B. Collins clarified that nobody wanted to build in this particular area; Natural Heritage had requested that the turtle nesting area be established there. The mentioned open space was utilized as a worker staging area, which has been restored. B. Collins said that he would respond to J. Norris, cc'ing the Commission. He noted this was the first time that he was unsupportive to the decision that was made.

George Marsh questioned the establishment of a turtle nesting area in a pristine area and requested more information on the topic. B. Collins confirmed that the area had been documented as having turtle activity and explained the requirements for such areas, including the right amount of light and proximity to a resource area. B. Collins noted that the turtle nesting area was mandated 15 years ago.

Emergency Certification Groton School Pond Beaver Deceiver Installation

Bob Collins updated the Commission on the completion of the emergency certificate for the installation of a beaver deceiver (a pipe and cage system through the center of a beaver dam) and would be monitored by Beaver Solutions. During the discussion, L. Hurley questioned the urgency of the request, given the ongoing nature of the issue. In response, B. Collins explained that Beaver Solutions had been conducting weekly monitoring and observed the beginnings of a dam and the rising water levels, prompting the immediate action.

O. Lathrop asked for a long-term plan for the site. B. Collins elaborated on the considerations involved in restoring the area affected by the beaver dam, emphasizing its importance for educational purposes at the school. He also explained the presence of a pond leveling device, assuring that if properly installed, it would sustain a viable habitat. The pipe is strategically positioned lower to facilitate water level control. Additionally, B. Collins reaffirmed Beaver Solutions' guarantee of the success of their solutions.

Responding to C. Steeves' request, B. Collins confirmed that the maintenance of the beaver deceiver would be ensured. He stated that Beaver Solutions, along with the building and grounds crew, would continue to monitor the area. B. Collins further committed to submitting a detailed maintenance management plan in writing.

P. Cunningham expressed appreciation for the efforts to maintain the pond's water level. He emphasized the importance of maintaining and monitoring structures like the beaver deceiver and screen structure. Additionally, P. Cunningham mentioned DCR's concern about a structure on the other side of the rail trail, where a cage intake is still functional; however, the beavers are attempting to block it.

Upon a motion by P. Morrison, seconded by L. Hurley, it was:
Voted to ratify the Emergency Certificate issued by B. Easom for the beaver deceiver at Groton School Pond.

The motion passed unanimously. 5-0

B. Collins informed the Commission that he would submit a filing for an RDA.

50 Court Street

C. Steeves informed the Commission that Bob Garside noted that the stockpiled materials observed on the site consist of the existing deck. He recommended sending a letter to the homeowners notifying them that the stockpiled materials is within the buffer zone and needs to be removed within 15 days.

Upon a motion by P. Morrison, seconded by L. Hurley, it was
Voted to authorize the Conservation Administrator to send the drafted letter to the homeowners of 50 Court Street in regards to removing the debris out of the buffer zone within 15 days.

The motion passed unanimously. 5-0

25 Whitney Pond Road

C. Steeves brought to the Commission's attention ongoing concerns raised by Julie Aucoin regarding the instability of the hillside and the placement of hay bales along the driveway which could hinder emergency vehicle access. She urged for the hay bales to be removed.

Kevin Capone provided insight, noting the homeowner's lack of maintenance at the top of the driveway and contested that runoff water would not naturally flow towards the area of erosion which happens to be within his property boundary lines.

L. Hurley noted that erosion was observed across the driveway and the landowner was recommended to install straw wattles.

B. Easom stated that the hay bales should not be diverting water but rather capturing silt.

The Commission emphasized the importance of reviewing the existing Order of Conditions before proposing further recommendations and conducting a site walk with Tom Delaney and a Fire Department representative.

B. Kroll expressed his commitment to preserving the integrity of the resource area. He presented photographs illustrating the excessive soil deposition resulting from snow plowing. Despite his efforts to maintain the drainage, he expressed difficulty in managing the volume of runoff from the street. He mentioned planting juniper for ground stabilization based on an arborist's recommendation.

B. Easom requested that the Conservation Administrator coordinate a site walk with the discussed personnel during business hours.

Committee Updates

L. Hurley reported that Sargisson Beach is clean, and the deck renovations are now complete.

O. Lathrop reminded the Commission that the Invasive Species Committee would be transferring the potted plants that were placed on the Campbell Well Site and the Surrendon Farm this weekend. He mentioned that there are plans to drive the equipment as far as possible and then walk the rest of the way.

C. Steeves provided an update that the Stewardship Committee visited the Brown Loaf property and would be presenting their recommendations to the Commission at the next meeting.

Land Management & Acquisition

Survey for Jack and Mary Allen CA (Palmer Land)

The Commission requested that C. Steeves request three land survey proposals.

Meeting Minutes

The approval of the meeting minutes from April 9th were tabled until the next scheduled meeting.

Invoices

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
\$198.75.

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.”*

Unnecessary

5. Adjournment

9:23 PM

Upon a motion by L. Hurley, seconded by J. Smigelski, it was:
Voted to adjourn the public meeting.

The motion passed unanimously. 5-0