



## Conservation Commission Meeting

Tuesday, June 11, 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, Alison Hamilton

**Absent:** Kim Kuliesis

**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 5/28/24) Notice of Intent- 4 Birchwood Ave**

Applicant: Bradley Harper, Representative: Chris MacKenzie, Dillis & Roy Civil Design Group

Chris Mackenzie presented a revised plan on behalf of his client, which included the installation of a 10-year storm infiltration system and a trench along the left side of the driveway, positioned away from the house. The proposed wall at the top of the site would be moved one foot to accommodate an additional trench which would be piped into a dry well. Additionally, the steps would be constructed using stone and the plan identifies the flood line at elevation 215 on the map as requested by MassDEP.

The Conservation Commissioners expressed their satisfaction with the revised plan.

A. Hamilton inquired about the volume of water being captured. C. Mackenzie responded that the infiltration rate was calculated as .05 cubic feet per second.

O. Lathrop commented that he was hoping for a system designed to handle a greater storm. C. Mackenzie explained that the trench along the driveway was not included in the infiltration rate.

B. Easom asked if there were any additional comments from MassDEP. C. Mackenzie noted that it was only requested that the flood line be delineated.

C. Steeves inquired about the composition of the driveway. B. Harper stated following the recommendations from the last meeting, it was decided to pave the driveway.

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

Voted to continue the public hearing to the next scheduled meeting on June 25, 2024.

**The motion passed unanimously. 6-0**

#### **6:45 PM- Continued Public Hearing (From 5/28/24) Notice of Intent- 54 Hill Rd**

Applicant: Allen Hahn; Representative: Colin Gosselin

The applicant requested a continuance.

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

Voted to continue the public hearing to the next scheduled meeting on June 25, 2024.

**The**

**motion passed unanimously. 6-0**

**7:00 PM- Continued Public Hearing (From 4/9/24) Notice of Intent- 293 Reedy Meadow Rd**

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

Ryan Proctor presented on behalf of his clients, proposing a revised plan with several key components: 1. Relocating the garage closer to the road, 2. Removing the existing driveway off of Conservation land, 3. Restoring the previously disturbed area within the 50 foot buffer zone with a native wildflower seed mix, 4. Reducing impervious area both in the 50 and 100 foot buffer zones, and 5. Removing three trees to accommodate the new driveway and two trees that pose a threat to the dwelling. R. Proctor said that the revised plan has been submitted to Natural Heritage.

P. Morrison highlighted the importance of removing the driveway from Conservation land.

A. Hamilton inquired about the existing driveway and the status from Natural Heritage. R. Proctor reiterated that all existing pavement within the 50 foot buffer zone would be removed and noted that a representative has indicated that the project would be exempt, only requiring a copy of the final plan.

O. Lathrop pointed out that 1,941 square feet of impervious area currently exists within the 50-foot buffer zone and would be restored; he then questioned the amount of proposed impervious for the addition. R. Proctor answered that there would be 1,300 square feet of roof area being added. O. Lathrop also asked about the management of runoff water and the possibility of extinguishing the access easement. R. Proctor explained that the water would be sloped to the east, away from the wetland and that he would need to verify with the homeowners in regards to eliminating the easement.

B. Easom recommended including a condition to extinguish the access easement.

The Commission agreed to wait for a response from Natural Heritage before closing the public hearing.

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

Voted to continue the public hearing to the next scheduled meeting on June 25, 2024.

**The motion passed unanimously. 6-0**

**7:20 PM- Notice of Intent- J. Harry Rich State Forest Trail Upgrades**

Applicant: Groton Trails Committee, representative: Paul Funch

Paul Funch, representing the Groton Trails Committee, requested to extend the John Tinker Trail in a Westerly direction to create a 6-foot-wide, 1,000-foot accessible river walk. The proposal includes constructing an observation area with five educational signs, a bench, and using helical coils for support. For safety, a barrier of granite curbstones would be installed. The trail would be shared with equestrians,

with their side remaining undisturbed and furthest from the river. The portion of the trail closest to the river would be surfaced with stone dust.

The Conservation Commission was satisfied with the plan.

P. Funch provided a brief history of the process involved in receiving the grant money and adhering to the specific requests for the parking area not be extended and that a loop trail not be included.

George Marsh noted that such processes often take a long time when working with the Massachusetts Department of Conservation & Recreation.

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

Voted to close the public hearing.

**The motion passed unanimously. 6-0**

### **7:35 PM- Request for Certificate of Compliance- 16 Maple Ave**

O. Lathrop noted that he observed significant deviations in the as-built plan from the original drawing that was submitted. He recalled that there was a potential discussion regarding the project being outside the Conservation Commission's jurisdiction.

The Commission requested that GPR be contacted to clarify the observed changes before issuing the Certificate of Compliance.

### **7:45 PM- Approve Order of Conditions- PFAs Waterline along Chicopee Row**

Applicant: Town of Groton, Tom Orcutt, Water Department Representative: Tyler Schmidt, Environmental Partners

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

Voted to issue the Order of Conditions for MassDEP#169-1266.

B. Easom requested that the language include the installation of an open-bottom pipe for the culvert located at the stream crossing. P. Morrison motioned to include a provision stating that the waterline needs to be buried deep enough to accommodate the future installation of a natural bottom culvert.

**The motion passed unanimously. 6-0**

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

Voted to issue the Orders of Conditions under the Groton Wetlands Protection Bylaw for, MassDEP#169-1266.

**The motion passed unanimously. 6-0**

## **2. GENERAL BUSINESS**

### **General Discussions/Announcements**

**Discussion on Gilson Conservation Area Survey/ Title Search with Dillis & Roy**

Grey Roy from Dillis & Roy Civil Design Group informed the Commission that the requested fieldwork was complete, with eight granite bounds installed. Several corners remained without bounds due to being underwater. Attorney Bob Collins provided a title report that was heavily relied upon, though the survey did not agree with the assessor's map.

O. Lathrop commented on an iron pipe installed on a small portion of land providing access to Boston Road, requesting it be replaced with granite. The Commission agreed that any iron posts should be replaced with granite.

P. Morrison questioned the survey's accuracy and wanted assurance that it could be replicated by another surveyor. G. Roy stated that while he couldn't guarantee it, he believed their work exceeded expectations.

B. Easom noted a telephone pole marked as a boundary in the deed, which had been moved a couple of feet when relocated. G. Roy emphasized the importance of prioritizing property monuments, stone walls, and frontage. B. Easom pointed out a parcel in question with no documentation of land transfer and requested further information from Attorney B. Collins on how this particular parcel indicated on line 375 of the map was determined.

Nenad Jeusavoc, an abutter, insisted there were discrepancies between the presented survey and his deed, as well as a survey conducted earlier this year by Todd Chapman. He noted that the land provided to conservation was 28 acres, not the 15 acres identified by Dillis & Roy. B. Easom requested that N. Jeusavoc draft a letter detailing the discrepancies and forward it to the Commission.

The Commission reminded the three abutters that the disputes among themselves are outside of the Commission's jurisdiction.

L. Hurley mentioned existing survey markers on the roadway, noting both the north and south sides.

Keith Allard and Brian Rossiter verified that the survey conducted by Dillis & Roy Civil Design Group coincided with their surveys and were satisfied with the findings.

N. Jeusavoc accused his neighbors of moving the marker labeled SBF, which K. Allard and B. Rossiter denied. B. Easom requested that the boundary marker labeled SBF be reviewed by the surveyors to provide evidence confirming its correct location.

### **Turtle Crossing Signs Inquiry**

C. Steeves informed the Commission that a resident contacted her about hanging turtle crossing signs. A. Hamilton mentioned that there had been a study conducted in Groton regarding the effectiveness of these signs, but she was unsure of the final results and agreed to reach out to the state for more information. B. Easom emphasized the importance of removing the signs after the migration period to ensure compliance. A. Hamilton also noted the high mortality rate of turtles seen on the esker of Martins Pond Road. B. Easom suggested that a culvert or some type of

fencing be installed and mentioned the possibility of obtaining grant money for this purpose. A. Hamilton confirmed that she reports sightings of rare species and would start taking pictures of all turtles seen on the roads.

### **General Updates from Administrator**

#### **Nod Road 225-17/ Vernal Pool Certification**

C. Steeves updated that she needs additional information to file the Vernal Pool Certificate application, including the number of egg masses, identification of each species, and photographs. B. Easom and A. Hamilton agreed to accompany C. Steeves on Thursday, June 13, 2024, at 11:00 AM to map the perimeter of the vernal pool using GPS and gather the missing information to complete the application. B. Easom requested that the homeowners be notified that the Commission would be accessing their property.

### **Committee Updates**

#### **Heritage Landing ZBA Updates**

B. Easom updated that the Zoning Board of Appeals closed the public hearing on the 40B development.

#### **CPC Funding Approval**

B. Easom informed the Commission that the \$400,000 request was approved at Town Meeting.

#### **Williams Barn Committee Funding Request**

B. Easom reported that he and C. Steeves met with Mark Haddad to discuss adding a line item in the Fiscal Year 2026 budget to allocate sufficient funds. The Williams Barn Committee currently lacks the funds needed to cover the annual fire inspection, including testing the fire alarm, smoke detectors, and flame detectors, which costs approximately \$2,000. P. Morrison emphasized that the Conservation Commission owns the property, making it their responsibility to ensure that these inspections and safety measures are properly funded.

### **Land Management & Acquisition**

#### **Marsh-Lewis Memorial Grove Baseline Report Draft**

C. Steeves said that she received the Baseline Report but has not yet had time to review it. O. Lathrop mentioned that while the report contained an adequate amount of photographic documentation, it had very little narrative content. He also noted that there were no indications of encroachment. O. Lathrop requested that the Administrator forward a copy of the report to Mark Gerath, of the Groton Conservation Trust.

#### **Robin Hill Road**

O. Lathrop reported that he walked the conservation property on Robin Hill Road and successfully located the granite bounds. While most of the bounds were in wooded areas, a few showed potential signs of encroachment. He requested that a Commissioner accompany him to

assist in flagging these areas and taking photographs. If encroachment is confirmed, a letter should be sent to the homeowners.

### **116 Boston Road**

O. Lathrop asked the Conservation Administrator to investigate the situation located at 116 Boston Road.

### **Meeting Minutes**

Upon a motion by J. Smigelski, seconded by A. Hamilton, it was:  
Voted to approve the meeting minutes for May 28, 2024 as amended.  
**The motion passed unanimously. 6-0**

### **Approve Invoice**

Upon a motion by L. Hurley, seconded by J. Smigelski, it was:  
Voted to approve and pay the invoice from Great Road Farm and Garden for the brush mower in the amount of \$175.32.  
**The motion passed unanimously. 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.”**

B. Easom, Chair; declared that there was business that required the Commission to move to executive session.

### **5. Adjournment**

**9:08PM**

Upon a motion by P. Morrison, 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, AH, JS, PM, LH, BE) 6-0**

**APPROVED: JUNE 25, 2024**