



Conservation Commission Meeting
Tuesday, November 12, 2024 at 6:30 PM
Remote Meeting via Zoom
Meeting ID 86330074477

Present: Bruce Easom, Chair; Larry Hurley, Vice Chair (7:00pm); Kim Kuliesis, Clerk; Olin Lathrop; Peter Morrison

Absent: John Smigelski; Alison Hamilton

Others Present: Charlotte Steeves, Conservation Administrator

Bruce Easom, Chair opened the meeting at 6:30PM.

1. APPOINTMENTS AND HEARINGS

6:30 PM- Public Hearing- Request for Determination of Applicability- Cow Pond Playing Fields

Applicant: Jeffrey Ohringer, Parks Commission

J. Ohringer, representing the Park Commission, proposed removing 12-15 feet of vegetation along the edge of the playing fields at Cow Pond. He explained that the vegetation is thorny, and contributes to an increased tick presence and the loss of sports equipment.

O. Lathrop acknowledged that much of the vegetation consists of bittersweet but emphasized the need to delineate the wetland boundaries to ensure no work occurs within the buffer zones.

K. Kuliesis supported the idea of cutting and mowing the vegetation. She suggested considering the installation of a netting system in areas where the field encroaches on the buffer zone to help contain soccer balls. However, J. Ohringer noted that while netting is typically installed behind goals, extending it around the entire perimeter would be cost-prohibitive.

C. Steeves reported that a preliminary meeting was held earlier that day, during which a map showed the buffer zones and the 100-foot buffer zone extending into the field. She agreed that the initial focus should be on removing the invasive species while preserving native plants. Additionally, she noted that any installed netting would need to be designed to ensure visibility for birds.

L. Hurley remarked that the Conservation Commission cannot personally delineate the wetland edges and that an external expert would need to handle this task. He expressed satisfaction with the plan to focus solely on removing invasive vegetation.

J. Ohringer stated that he would discuss the proposal with Activitas Inc at the next Parks Commission meeting and would update B. Easom accordingly so he could be in attendance.

6:50 PM- Approve Order of Conditions – 71-75 Shenandoah Road DEP#169-1273

Applicant: P. Ackermann

Upon a motion by P. Morrison, seconded by L. Hurley, it was:
Voted to issue the Order of Conditions for 71-75 Shenandoah Road, MassDEP#169-1273.
The motion passed by a roll call vote. (Yes: LH, OL, KK, PM, BE) 5-0

Upon a motion by P. Morrison, seconded by L. Hurley, it was:
Voted to issue the Orders of Conditions under the Groton Wetlands Protection Bylaw for 71-75 Shenandoah Road, MassDEP#169-1273.

O. Lathrop requested to strike condition #7.

The motion passed by a roll call vote. (Yes: KK, OL, LH, PM, BE) 5-0

7:00 PM- Continued Public Hearing- Retroactive Request for Determination of Applicability- 54 Hill Road

Applicant: Allen Hahn

O. Lathrop noted that while the Commissioners waited for the homeowner to join them during the site walk, they observed a pool area with aerators that appeared to be within the 50-foot buffer zone. When the homeowner refused to allow one of the Commissioners to access the property it prompted the Commission to decide not to proceed with the visit.

K. Kuliesis reported that since the last meeting, she had consulted the attorney of the day, completed a disclosure form, and filed it with the Select Board, which was approved. She stated that she would forward all related documentation, including communications dating back to 2021, to the Conservation Administrator.

The Commission agreed that they were unable to perform their due diligence due to the homeowner's refusal of access. It was noted that the homeowner expressed anger about photographs being taken. The site has an open Order of Conditions that grants the Commission the right to inspect for ongoing work related to the phragmites management.

C. Steeves clarified that A. Ahan had previously agreed to a site walk but explicitly requested that K. Kuliesis not be present on his property. Unfortunately, this message was not conveyed to the Commission before the visit.

O. Lathrop expressed concern about potential unpermitted work being conducted within the buffer zones. He suggested issuing a positive determination due to the lack of information and recommended an enforcement order to halt all ongoing activities.

B. Easom noted that fines could also be imposed and requested permission to consult with Mark Haddad and seek advice from the Town Council.

P. Morrison recommended scheduling another site walk and addressing the matter with M. Haddad. He also inquired whether the Order of Conditions had been recorded. C. Steeves confirmed that it had been filed on the property deed. B. Easom further suggested that K. Kuliesis discuss the matter with M. Haddad as well.

The Commission unanimously agreed that they have the right to inspect for compliance with the phragmites management project. Additionally, the unpermitted work observed on the property, while not related to the open Order of Conditions, showed evidence of potential wetland violations that require further investigation.

Upon a motion by O. Lathrop, seconded by P. Morrison, it was:

Voted to authorize the Conservation Administrator and Bruce Easom permission to converse with the Town Manager and the Town Council in regards to 54 Hill Road.

The motion passed by a roll call vote. (Yes: KK, OL, PM, LH, BE) 5-0

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

Voted to continue the public hearing to the next scheduled meeting on November 26, 2024.

The motion passed by a roll call vote. (Yes: KK, OL, PM, LH, BE) 5-0

2. GENERAL BUSINESS

General Discussions/Announcements

Site Walk at Gilson Conservation Area for November 9th

After visiting the site, the Commissioners unanimously agreed that any previously noted encroachments had been addressed, and all boundary markers were properly identified. The marker previously in dispute was confirmed to have remained in its original position and has been in place for many years. The Commission concluded that all issues at this site have been resolved. An abutter was present and accompanied the Commissioners during the site walk.

West Groton Water Supply District Grading Work Parcel 206-8

C. Steeves reported receiving a call from a concerned abutter. While she confirmed that a building permit had been issued to renovate the existing structure, she observed vegetation clearing and the creation of a gravel parking area extending to the stream's edge, without notification to the Conservation Commission.

P. Morrison inquired about who was conducting the work, but C. Steeves was uncertain. She also noted that the stream is currently dry.

O. Lathrop suggested issuing an enforcement order to halt all ongoing work, scheduling a site walk to assess the situation, and requiring the responsible party to file the necessary documentation.

Lynn Holdsworth, an abutter, voiced concerns about the gravel parking area potentially increasing runoff and placing additional strain on the stream. She requested permission to join the Commissioners during the site walk. B. Easom informed L. Holdsworth that the site walk is scheduled for November 23rd.

Jackie Thibeau added that the site's grading might exacerbate flooding issues in the area, further highlighting the need for the Commission's review.

Upon a motion by O. Lathrop, seconded by P. Morrison, it was:

Voted to authorize the Conservation Administrator to issue an enforcement order for any work within 100 feet of the perennial stream on Parcel 206-8.

The motion passed by a roll call vote. (Yes: PM, KK, OL, LH, BE) 5-0

General Updates from Administrator

Vegetation Clearing at Squannacook Dam, Parcel 101-14

C. Steeves reported that the area had been cleared and mowed, noting this was not the first occurrence. O. Lathrop confirmed that the area had been clear-cut. B. Easom mentioned that an article in the *Groton Herald* provides evidence implicating who is responsible for the clearing. P. Morrison suggested issuing an enforcement order and requiring a restoration plan to be submitted with a proper filing. K. Kuliesis recommended educating the individual.

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

Voted to issue an enforcement order to Carl Canner in regards to any work conducted on the Carol Wheeler Park, and any associated properties.

The motion passed by a roll call vote. (Yes: KK, PM, LH, OL, BE) 5-0

Wetland Violation on Maplewood Ave, Parcel 122-22

C. Steeves reported that a letter was sent via constable requesting the homeowner's attendance at tonight's meeting, but no response was received. The Commissioners advised her to consult the Assessors' records for additional contact information. B. Easom suggested that a certified letter should be sent indicating that fines may be imposed. The Commission discussed the option of viewing the site by kayak and would schedule a date and time. Peter Cunningham mentioned that the police have a boat that potentially could be utilized.

Committee Updates

O. Lathrop announced that the Stewardship Committee would be conducting a site walk of the Palmer parcel this Saturday, November 16th; at 9:30 a.m.

B. Easom informed the Commission that the Department of Revenue would be announcing the state's Community Preservation Act (CPA) match on November 15th. He noted that, with the current applications, the available funds are oversubscribed. The Town Manager has submitted a proposal requesting \$1.6 million to renovate the park behind the library.

B. Easom informed the Commission that he has signed up to become a culvert evaluator. He explained that the Watershed has received a grant to train individuals in assessing culverts for water flow and wildlife passage. The training includes a 1.5-hour online class followed by two field sessions during which participants will evaluate 20 culverts. The first training session is scheduled for November 15th.

Land Management & Acquisition

Potential Site Walk on Lyman Parcel

Abutter Josh Atkisson expressed interest in attending the site walk, noting his familiarity with the property. He mentioned that he would share his contact information with C. Steeves. O. Lathrop recommended that the Stewardship Committee conduct a site walk of the entire property, potentially in December.

Approve Meeting Minutes

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

Voted to approve the meeting minutes for October 22, 2024 as amended.

The motion passed by a roll call vote. (Yes: PM, KK, OL, LH, BE) 5-0

Approve Invoices

None

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

Paula and Fred Tardy, homeowners at 247 Whiley Road, shared their concerns about the lakefront area on their property. They explained that their section of the lake, a cul-de-sac of water, accumulates debris such as pine needles, logs, and leaves, which has worsened with the recent water drawdown. The area is mucky, like quicksand. They asked for guidance on potential restoration solutions. L. Hurley commented that he faces a similar issue on his property, noting that the problem tends to worsen over time. He suggested raking the area and covering any underwater vegetation with a black tarp to manage growth. The Commission advised that any dredging of the lake would require a formal filing with a detailed plan. K. Kuliesis remarked that the described work would involve altering the wetland, which naturally accumulates such debris, and cautioned that this process aligns with the wetland's ecosystem. O. Lathrop referenced the Wetland Bylaws and expressed opposition to the request, as these conditions result from natural processes. P. Tardy inquired about installing a retaining wall, extending the shoreline, or adding a dock. B. Easom clarified that dock permits are typically straightforward. O. Lathrop noted that any retaining walls observed on the lake were built before the Wetland Bylaws were established.

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

8:38 PM

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

Voted to adjourn the meeting.

The motion passed by a roll call vote. (Yes: LH, OL, KK, PM, BE) 5-0

APPROVED: November 26th, 2024