



Conservation Commission Meeting

Tuesday, January 14, 2025 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; Kim Kuliesis, Clerk; Olin Lathrop

Absent: Peter Morrison, Alison Hamilton

Others Present: Charlotte Steeves, Conservation Administrator

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

1. APPOINTMENTS AND HEARINGS

6:45- Public Hearing- Request for Certificate of Compliance-Bates Land Conservation Area DEP# 169-1217

Applicant: Bob Pine

Bob Pine attended the meeting and reported that the work completed fully complies with the requirements outlined in the Order of Conditions.

The Commission expressed satisfaction with the completed work and requested for the removal of the plastic mesh.

Upon a motion by L. Hurley, seconded by J. Smigelski, it was: Voted
to issue the Certificate of Compliance for MassDEP#169-1217 under the condition that the
Conservation Administrator verifies the removal of the erosion controls.

The motion passed unanimously. 5-0

2. GENERAL BUSINESS*

General Discussions/Announcements

Discussion: Conservation Restriction on Shepley Hill

C. Steeves provided an update, noting that the draft Conservation Restriction (CR) had been submitted to Town Council for review. Anna Eliot had sent a letter expressing concerns and would be attending the meeting.

Mark McGrath, representing the Groton Conservation Trust, had previously met with the Commission to discuss the irregularities in the existing CR, which may not withstand a legal challenge. M. McGrath emphasized the importance of ensuring the new CR meets current standards while retaining language that supports equestrian

events. He also advocated for preserving the existing rights of multiple parties to use and maintain the land.

Anna Eliot shared a brief history of the land, explaining how she had worked to preserve the land and the importance of equestrian activities being part of its future maintenance. After reviewing the draft CR, A. Eliot raised concerns about Section 6, which pertains to trail maintenance and construction. She noted that the proposed trail widths were inadequate for the safety of equestrian riders and their horses.

The Commission agreed that adjustments should be made to ensure that the language protects equestrian events and promotes safety. A. Eliot expressed her willingness to collaborate with the Groton Conservation Trust to refine the CR language.

Discussion: Letter Regarding Easement on Fitchs Bridge Road

C. Steeves received an email inquiring about an existing trail along the Nashua River, asking whether the town had relinquished control of the area and posted "No Trespassing" signs. B. Easom clarified that the trail in question is the old Jenkins Road, which had been in use for many years, including vehicular access until the mid-1960s. At that time, Al Fredericks blocked the pedestrian path. A study was proposed by the town, but A. Fredericks prevented surveyors from conducting it. A motion for a 24-hour eminent domain which would allow access was denied by a two-thirds vote at Town Meeting.

O. Lathrop confirmed that part of the agreement with Joseph Noonan extinguished any public rights associated with the old Jenkins Road and noted that Gary Wilkins expressed a preference for restricting public access on his property to avoid disruptions to any farming activities.

A. Eliot pointed out that Jenkins Road is still technically a town-approved road. L. Hurley inquired whether there is a trail available to access the town owned property. O. Lathrop confirmed the existence of a trail and mentioned an agreement allowing access across the driveway. He recommended that negotiations with the Wilkins continue and suggested avoiding further public discussion of the matter in open session.

J. Smigelski raised concerns about the placement of the "No Trespassing" signs and suggested minimizing public access to the area by relying on the existing road only. B. Easom requested that this topic be added to the next meeting's agenda.

Discussion: Possible Violations on Hill Road

C. Steeves noted that the scheduled site walk on Saturday did not occur due to not consulting with Town Council. She informed the group that Mr. Hahn had sent a letter in response to being notified of the Commission's intention to visit the site to monitor the progress of the phragmites. C. Steeves stressed the importance of verifying with Town Council what specific actions are permissible during the visit, including taking

photos with phones and parking arrangements. She also emphasized that, as a unified board, all members should be allowed on-site. Additionally, she mentioned attempting to gain permission from an abutting neighbor to view the area from their property but was denied access.

J. Smigelski inquired about the size of the field, specifically whether it amounts to five acres.

O. Lathrop referenced the regulations on farm ponds, noting that such ponds must be actively used for agricultural purposes. He questioned whether the pond had been used for farming in the past five years and also asked about the mechanism for the Commission to access the site and observe any potential violations.

B. Easom advised that no action be taken until the Commission consults with Town Council to ensure their approach complies with legal requirements.

Discussion: Effective Mowing Schedule on Pollinator Areas

B. Easom reported attending the December Stewardship meeting, where he raised the possibility of improving conservation parcel management schedules to better support habitats and food sources for pollinators. Darcy Donald suggested consulting Alison Peterson, who oversees the pollinator garden at the Groton Center, for guidance. She noted that pollinator-friendly practices include delaying mowing until after the last frost, raising mower decks to protect turtles, and not clearing leaves from gardens until winter is over. C. Steeves informed the Commission that she had reached out to A. Peterson and is awaiting a response.

Alan Donald, representing the garden club, shared that he left vegetation in the garden that he manages intact and plans minimal cleanup in April. He highlighted planting Yellow rattle, a species that suppresses grass growth and supports pollinators. L. Hurley commended this practice as an excellent way to promote bee populations.

K. Kuliesis, with her experience in meadow management, emphasized the importance of leaving garden vegetation standing through winter, as native bees hibernate in hollow stems. She also advocated for partial cutting or targeted mowing timed to align with bird nesting schedules.

J. Smigelski noted the practical challenges of delaying mowing until spring, such as vehicles getting stuck. B. Easom proposed experimenting with alternative management methods across different parcels and suggested that the Stewardship Committee prioritize this discussion. K. Kuliesis offered to address the topic at the next Stewardship meeting and requested a list of parcels currently being mowed along with their schedules.

P. Funch inquired about the mowing schedule for the trail leading to the top of the Priest Family Conservation Hill Area. O. Lathrop confirmed that the Conservation Commission had previously authorized trail maintenance for that area.

General Updates from Administrator

CPA Application and Letters of Support

C. Steeves informed the Commission that the CPA application deadline is Thursday, January 16th, and the current balance of the conservation fund stands at \$1,092,386. She noted that she had drafted two letters of support, one for the West Groton Rail Trail and another for the Williams Barn. The Commission also reviewed a letter from the Parks Commission requesting a letter of support and revised the preliminary draft written by the Conservation Administrator. A. Eliot clarified that the Parks Commission's original application focused on upgrades to the major baseball diamond, with plans to alter and relocate the smaller field to a location outside the wetlands. O. Lathrop requested the opportunity to review the engineered plans before drafting a detailed letter of support.

Upon a motion by O. Lathrop, seconded by K. Kuliesis, it was:
Voted to authorize the Conservation Administrator to send the letter as shown on the screen to support the Parks Commission.

The motion passed unanimously. 5-0

Upon a motion by L. Hurley, seconded by J. Smigelski, it was:
Voted to authorize Bruce Easom to sign the letter of support for the Parks Commission on behalf of the Conservation Commission.

The motion passed unanimously. 5-0

Upon a motion by J. Smigelski, seconded by L. Hurley, it was:
Voted to authorize the Conservation Administrator to send a letter of support to the Historical Society.

The motion passed unanimously. 5-0

Upon a motion by L. Hurley, seconded by J. Smigelski, it was:
Voted to authorize Bruce Easom to sign the letter of support to the Historical Society on behalf of the Conservation Commission.

The motion passed unanimously. 5-0

Committee Updates

O. Lathrop informed the Commission that the \$100 donation to the Invasive Species Committee for purchasing herbicides was received today.

K. Kuliesis reported that the Stewardship Committee has been collaborating with the Sustainability Commission on the Pollinator Pathway project, noting significant progress has been made.

L. Hurley updated the Commission that the truck previously located on Palmer Land has been successfully removed.

Land Management & Acquisition

Noonan Land

O. Lathrop updated that the transaction is complete and the land has been acquired.

O. Lathrop reported that a law was passed to formalize Article 97, and the EEA is now drafting the related regulations. He noted that the comment period for the draft regulations has been extended until January 22nd. He informed the Commission that he submitted comments highlighting a loophole identified within the regulations.

O. Lathrop also shared that he has been working with Sheila Harrington and Margaret Scarsdale on issues related to landowners who are unaware of the Wetland Protection Acts. He advocated that contractors should bear more responsibility for obtaining the necessary permits when hired. He noted that Margaret Scarsdale has filed the HD592 Bill to address this issue.

Parcel at Cow Pond

A. Eliot commented on the Housing Partnership parcel at Cow Pond, noting that up to \$5,000 in funding was approved for potential legal steps, such as approaching the legislature to change the use of the property. She expressed uncertainty about whether the land needs to be removed from Article 97 protections or if alternative uses are permissible. The current design, which is limited in footprint, will need to be revised to include parking and amenities, and consideration should be given to the entire 64-acre property. O. Lathrop clarified that there is no Conservation Restriction (CR) holder on the land, and the Conservation Commission has full control over it. However, Article 97 imposes limitations on its use. He suggested that a proper Article 97 land swap would be the most suitable solution. O. Lathrop requested that A. Eliot proceed with completing the necessary paperwork as the proponent and offered to forward the relevant link for reference.

Meeting Minutes

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

Voted to approve the meeting minutes for December 12, 2024 as amended.

The motion passed unanimously. 5-0

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

K. Kuliesis inquired if there were any updates from the West Groton Water Department. C. Steeves reported that there were no new updates and that the letter that she had sent was returned. K. Kuliesis said that she had observed additional supplies on the site.

J. Smigelski asked whether the poison ivy on the Priest Family Conservation Area should be treated. O. Lathrop responded that, as a native plant, poison ivy should be left undisturbed.

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

8:32PM

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

The motion passed unanimously. 5-0

APPROVED: February 11th, 2025