



**Conservation Commission Meeting**  
Tuesday, April 8, 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 (via zoom 6:38pm), Clerk; Olin Lathrop, John Smigelski, Peter Morrison

**Absent:** Alison Hamilton

**Others Present:** Charlotte Steeves, Conservation Administrator

**B. Easom opened the meeting at 6:30 PM.**

**1. APPOINTMENTS AND HEARINGS\***

**6:30 PM- Continued Public Hearing- Notice of Intent- Off Worthen Drive- DEP#169-1278**

Applicant: Jodi Gilson, Representative: Frank Mcpartland, Dillis & Roy Civil Design Group

The applicant requested a continuance.

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

Voted to continue the public hearing to the next scheduled meeting on April 22, 2025.

**The motion passed unanimously. 5-0**

**6:32 PM- Continued Public Hearing- 6 Island Road- DEP# PENDING**

Applicant: Megan and Jessie Cotter, Representative: Dan Memont, Design Dynamics

D. Memont was present on behalf of his clients with a revised plan that showed both the existing and post-construction layout. The plan highlighted the drainage system and the pavers that are to be installed between the wall and the house.

L. Hurley raised a question in regards to the second drainage area shown on the plan. D. Memont clarified that area is incorrect and would be removed from the plan.

O. Lathrop inquired whether the proposed construction extended beyond the footprint of the existing dwelling. D. Memont confirmed that it did not.

The Commission expressed satisfaction with the revised plan.

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

Voted to continue the public hearing to the next scheduled meeting on April 22, 2025.

**The motion passed by a roll call vote. (Yes: OL, PM, JS, LH, KK, BE) 6-0**

**6:40 PM- Continued Public Hearing- Notice of Intent- 63 Gratuity Road- DEP# PENDING**

Applicant: Routhier & Roper Gratuity Road LLC; Representative Matthew Waterman, Landtech Consultants

C. Steeves reported that she has reached out to Nitsch Engineering regarding the peer review but has not yet received a response.

The applicant requested a continuance.

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

Voted to continue the public hearing to the next scheduled meeting on April 22, 2025.

**The motion passed by a roll call vote. (Yes: KK, LH, JS, PM, OL, BE) 6-0**

**7:00 PM- Approve Order of Conditions- Brookfield Commons Condominiums: DEP#169-1277**

Applicant: Brookfield Commons Condominium Trust Representative; Representative: Matthew Waterman, Landtech

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

Voted to issue the Order of Conditions for Brookfield Commons Condominiums, MADEP#169-1277.

O. Lathrop suggested implementing a language change moving forward to require that any hay bales or straw wattles be bound with natural, biodegradable materials, noting that applicants often fail to fully remove them. K. Kuliesis added that several suppliers at the MACC conference showcased examples of biodegradable wattles. The Commission agreed to table the discussion for a future meeting.

**The motion passed by a roll call vote. (Yes: OL, JS, PM, KK, LH, BE) 6-0**

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 Brookfield Commons Condominiums, MADEP#169-1277.

**The motion passed by a roll call vote. (Yes: KK, LH, PM, OL, JS, BE) 6-0**

**7:10 PM- Order of Conditions Extension Request- Baddacook Pond Vegetation Management- DEP# 169-1138**

Applicant: Great Pond Advisory Committee

A representative from the Great Pond Advisory Committee was present to request an extension of the existing Order of Conditions. He explained that the Committee was unable to conduct any harvesting last year as planned. He noted that the harvesting process is carried out using mechanical equipment.

The Commission was satisfied with the plan.

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

Voted to extend the Order of Conditions for Baddacook Pond Vegetation Management, MADEP#169-1138, for an additional 3 years.

**The motion passed by a roll call vote. (OL, PM, JS, LH, KK, BE) 6-0**

**7:20 PM- Request for Certificate of Compliance- New England Power Company- DEP# 169-1237**

Applicant: New England Power Company, Representative: Alison Milliman

Alison Milliman was present representing the New England Power Company.

K. Kuliesis observed very minimal disturbances at the site and recommended that the hay bales wrapped in twine, along with the straw wattles, be sliced open and the plastic removed.

O. Lathrop noted that the access point near Raddin Road is currently blocked by a log, which should be removed to allow proper access. He also expressed concern about a telephone pole being used to block the gravel path, suggesting it may be leaching chemicals into the ground; he recommended either its removal or the provision of evidence demonstrating that it is not causing environmental harm. Additionally, he pointed out that yellow plastic ribbons and blue twine that hold haybales together seen on the site need to be removed.

A. Milliman confirmed that the fabric used on the straw wattles is a cotton blend and is biodegradable.

Overall, the Commission was satisfied with the work that has been conducted.

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

Voted to issue a Certificate of Compliance for the New England Power Company MADEP#169-1237, pending review from the Conservation Administrator, the blue twine must be removed from the hay bales and an explanation of the nontoxicity of the poles or removal off site.

**The motion passed by a roll call vote. (Yes: OL, PM, JS, LH, KK, BE) 6-0**

## **2. GENERAL BUSINESS\***

### **2.1. General Discussions/Announcements**

#### Change to Conservation Fund Policy

The existing Conservation Fund policy and the Finance Committee's proposal were presented for review. O. Lathrop proposed a revision stating, "The Conservation Commission shall present an annual report to the Select Board and Finance Committee, detailing the fund's balance and a list of expenditures from the previous year."

J. Smigelski noted the difficulty in projecting future land acquisitions, as it is impossible to predict what properties may become available. The Commission agreed that, due to the unpredictable nature of conservation opportunities, it is not feasible to prioritize expenditures or forecast specific funding needs as requested by the Finance Committee.

#### 63 Gratuity Rd- Fence along Hazel Grove & disposition of parcel A

C. Steeves informed the Commission that the Planning Board had requested input regarding the proposed fence installation. The Commission agreed that the fence should be set back from the track and partially placed within the wooded area to minimize disruption to the horses and to maintain a corridor for wildlife movement. J. Smigelski recommended the use of a 4-foot steel fence for this purpose.

O. Lathrop made a motion to recommend to the Planning Board that a fence be installed 6 inches off the ground and not higher than 4 feet. Furthermore, the Conservation has no opinion on the placement of the fence.

No members seconded the motion.

Upon a motion by P. Morrison, seconded by L. Hurley, it was:  
Voted to recommend to the Planning Board that a 4 foot wire fence be installed 6 inches off the ground to maintain a corridor for wildlife movement and that the fence not be placed directly against the track and set into the woods.

**The motion passed by a roll call vote. (Yes: KK, LH, PM, JS, OL, BE) 6-0**

C. Steeves noted that the Planning Board is also seeking a recommendation regarding the potential acquisition of Parcel A. The Parks Commission has requested that the land be transferred to their jurisdiction. However, the Conservation Commission expressed concerns about this proposal, specifically the risk that the land could be developed into athletic fields. The Commission referenced the adjacent property leased by the Hazel Grove Association, which is carefully maintained to preserve its use for equestrian activities. As a compromise, it was suggested that a small portion of Parcel A, along the property line be allocated to the Parks Commission.

Upon a motion by P. Morrison, seconded by L. Hurley, it was:  
Voted to recommend to the Planning Board that Parcel A be subdivided as follows: A strip of land 30 feet from the property line north of the track shall be deeded to the Parks Commission or the Hazel Grove Association. The remaining portion of Parcel A shall be deeded to the Conservation Commission.

**The motion passed by a roll call vote. (Yes: KK, LH, JS, OL, PM, BE) 6-0**

#### ***Enforcement Order- 54 Hill Road***

C. Steeves reviewed the history of violations that have occurred over the past couple of years. She has been coordinating with the Department of Environmental Protection (DEP) and the Town Council to draft an enforcement order. The Enforcement Order Form was displayed for review, the Commission made minor revisions during the meeting. The Commission agreed that a restoration plan must be submitted by May 23, 2025. The Conservation Administrator is in the process of drafting a letter to the homeowner. This letter will: encourage attendance at the next meeting, warn the homeowner of the existing violations, describe the potential fines that may be imposed, and request submission of a restoration plan.

C. Steeves provided an update on her conversation with Natural Heritage. She clarified that future proposed work includes cutting back branches and tending to the field, but not full vegetation clearing. This activity does not qualify as routine agricultural work and is not related to an agricultural commodity. It is considered to go well beyond what is typically allowed under routine maintenance. Without conducting a site walk the Commission has been unaware of what has fully transpired.

Upon a motion P. Morrison, seconded by J. Smigelski, it was:  
Voted to issue an Enforcement Order for 54 Hill Road as drafted.  
**The motion passed unanimously. 5-0**

### ***Possible Violation at 297 Main Street***

C. Steeves mentioned that she viewed the area from the road and questioned whether it is a drainage swale for runoff water, and whether it falls within a jurisdictional area. She explained that she spoke with Tom Delaney, Director of the Department of Public Works, who stated that there are horizontal culverts in that area, and that the water does not cross underneath the road, he did not view the photographs that were displayed at the meeting.

B. Easom responded that it is not jurisdictional under DEP regulations, but it may be subject to local bylaw considerations. He emphasized the need to clarify the purpose of the blue hose. B. Easom further stated that there is no erosion, dredging, or filling occurring, and recommended conducting additional research to understand the situation better.

### ***309 Boston Road***

C. Steeves provided an update, noting that one citation had been issued and a copy was submitted to the court. The applicant has 21 days to respond.

### ***16 West Main Street***

O. Lathrop noted that the homeowner had reached out for guidance regarding a pool installation. Upon reviewing aerial photographs, it was observed that a portion of an existing stream appeared to have disappeared, and a pipe had been installed. He explained that the work was carried out by the previous owner. O. Lathrop recommended that the Conservation Administrator contact the homeowner to request permission for a site walk to further assess the situation.

## **2.2. Committee Updates**

O. Lathrop informed the Commission that the Invasive Species Committee has scheduled an instructional and educational event on removing garlic mustard at the Williams Barn on May 10, 2025 at 1 p.m. Additionally, bittersweet removal at Fitch's Best Woods is planned for May. The Committee is also working on organizing a talk on Lingering Ash Trees, featuring a speaker from the DCR.

L. Hurley updated the Commission that C. Steeves had spoken with the administrator from Groton School about involving students as volunteers for the Sargisson Beach cleanup being held on April 18th.

B. Easom reminded the Commission that the Spring Town Meeting is scheduled for April 26, 2025. He also noted that O. Lathrop would be in attendance if questions arise in regards to the request of \$200,000 in CPA funding.

K. Kuliesis shared that a list has been compiled of properties requiring land maintenance. There is concern about habitat creation, particularly for foxes and bobcats, which are more likely to raise their young in fields that are not mowed. The suggestion was made that mowing be conducted in the late spring or fall. B. Easom requested that the list include recommendations for mowing frequency and specific height restrictions.

### **2.3. Land Management & Acquisition**

#### ***Software to Monitor Encroachments***

B. Easom presented two software packages to the Commission, one of which was the LENS program by Upstream Technologies. LENS utilizes both aerial and satellite imagery uploads, allowing the comparison of images taken at different times of the year. This helps identify changes in vegetation and land use and will flag those areas. However, it currently has a false positive rate of around 50%—for example, if a field is mowed at a different time one year, it may be flagged as a change. The second option is a simple database system that organizes and stores Conservation Restrictions (CRs), baseline reports, and photographs, and provides reminders for when each CR is due for monitoring. B. Easom raised important considerations such as how frequently properties would need to be monitored, the cost of the LENS program, and who would be responsible for managing the process. He emphasized the need to avoid making the implementation overly burdensome.

K. Kuliesis noted that cost is an important factor. She suggested bringing this up at the next Stewardship Committee, as they might be able to assist with ongoing maintenance.

O. Lathrop expressed interest in the encroachment detection capabilities of the technology but voiced concern that the Commission is still not addressing known issues on its properties. He questioned whether adopting new technology would be helpful at this time.

B. Easom agreed to reach out to the Stewardship Committee and conduct additional research on the second imaging analysis software.

### **2.4. Approve Meeting Minutes**

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

Voted to approve the meeting minutes for March 25, 2025 as amended.

**The motion passed by a roll call vote. (Yes: KK, JS, PM, LH, OL, BE) 6-0**

### **2.5. Approve Invoice**

None

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

**Discussion 55 Flavell Road**

C. Steeves informed the Commission that Anthony Longo was present to discuss his previous RDA filing from November, which pertained to the reconstruction of a garage. A. Longo explained that the original filing did not include any excavation. However, upon demolition of the existing garage, it was discovered that the foundation had sustained more extensive damage than anticipated and now requires full replacement within the original footprint.

The Commission briefly discussed the issue and noted that, since the original filing was for an RDA, there is no provision for authorizing minor changes. The Commission determined that a new RDA filing would be necessary. However, they agreed to expedite the process by publishing the hearing notice in the *Lowell Sun* and scheduling a special meeting for Wednesday, April 16, 2025, at 6:00 PM.

**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**

**9:00PM**

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

**The motion passed unanimously. 5-0**

**APPROVED: April 22<sup>nd</sup>, 2025**