

Conservation Commission Meeting
Tuesday, June 10, 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, John Smigelski, Peter Morrison

Absent: Alison Hamilton

Others Present: Charlotte Steeves, Conservation Administrator

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 June 24, 2025. **The**
motion passed by a roll call vote. (Yes: OL, JS, PM, LH, KK, BE) 6-0

6:32 PM- Continued Public Hearing- Notice of Intent- 63 Gratuity Road- DEP# 169-1281

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

Matthew Waterman was present on behalf of his clients reporting that two site walks had been conducted, and despite significant rainfall in May, no flooding was observed. The Planning Board has closed its public hearing, and Nitsch Engineering has indicated that there are no outstanding issues at this time. He noted that the purpose of this hearing is to receive approval for directional drilling.

O. Lathrop noted that the project borders land subject to flooding and emphasized that this issue remains unresolved.

The Commission agreed that additional time is necessary to review and analyze the new documentation provided and would be discussed at the next meeting. It was also stated that it is within the Commission's authority to request a peer review.

Upon a motion by P. Morrison, seconded by J. Smigelski, it was:
Voted to authorize the Conservation Administrator to set up a 53G account for the purpose of a peer review for 63 Gratuity Road, MassDEP#169-1281.
The motion passed by a roll call vote. (Yes: OL, JS, PM, LH, KK, BE) 6-0

Upon a motion by P. Morrison, seconded by J. Smigelski, it was: Voted
to continue the public hearing to the next scheduled meeting on June 24, 2025. The
motion passed by a roll call vote. (Yes: OL, JS, PM, LH, KK, BE) 6-0

6:40 PM- Continued Public Hearing- Request for Determination of Applicability- 14 Rustic Trail

Applicant: Anthony Hauck, Representative: Charles Hogan

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 June 24, 2025. The
motion passed by a roll call vote. (Yes: OL, JS, PM, LH, KK, BE) 6-0

6:45 PM- Continued Public Hearing- Notice of Intent- New England Power Company Transmission Line

Applicant: New England Power Company, Representative: Paul Mancuso, BSC

Paul Mancuso from BSC was present representing New England Power Company and confirmed that there were no comments made by the DEP.

Upon a motion by P. Morrison, seconded by L. Hurley, it was: Voted
to close the public hearing. The
motion passed by a roll call vote. (Yes: KK, PM, JS, OL, LH, BE) 6-0

O. Lathrop requested that the conditions made by Natural Heritage be included in the Order of Conditions.

6:50 PM- Request for Certificate of Compliance- 110 Boston Road- DEP# 169-1013

Applicant: Groton Community School, Representative: Tom Delaney, Trustee

C. Steeves noted that there was an outstanding item with a discrepancy between the as-built plan and the location of the fence line. Tom Delaney has contacted the engineer, but a revised plan has not yet been provided. As a result, the Commission tabled the issuance until a revised plan is submitted.

6:55 PM- Continued Public Hearing- Notice of Intent- 71-75 Shenandoah Road- DEP# 169-1280

Applicant: Allen Ackman Representative: Jack Maloney, Dillis & Roy Civil Design Group

Jack Maloney attended the meeting on behalf of his clients presenting a revised planting plan including six highbush blueberry shrubs, a spruce tree in the vicinity of the gazebo, and four staggered red maple trees.

The homeowner clarified that the plan actually calls for four red oak trees, not red maples.

K. Kuliesis expressed appreciation for the inclusion of red oaks, noting that they are beneficial to pollinators.

O. Lathrop acknowledged the improvements in the plan but expressed dissatisfaction with the level of shoreline mitigation planting. He emphasized the need for more extensive plantings in that area. A. Ackman noted that the updated plan also includes a large weeping willow along the water's edge, as well as iris and reeds.

There was a brief discussion regarding the beach area, where the homeowner expressed a preference to leave it as-is, noting that children frequently drag their canoes in and out of the lake. L. Hurley agreed, stating that maintaining the area in its current condition made sense to ensure easy access to the water.

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

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

7:05 PM- Notice of Intent-16 West Main Street- DEP# 169-1282

Applicant: Donovan Billings, Representative: Matt Marro, Environmental Consulting

Matt Marro was present with the revised site plan proposing the installation of an in-ground swimming pool and a surrounding patio within the limits of the existing impervious area. The current structure on the property is slated for renovation and would be repurposed as a pool house. The pool is to be filled with salt water and is designed with a closed system that does not require backwashing or seasonal draining. The dimensions of the pool are 16 feet by 40 feet. Erosion control measures include the installation of wattles every 5 feet. No stockpiling of soils is proposed.

L. Hurley inquired about the stream being covered. M. Marro responded that he is currently reviewing historical data and records from previous property owners, and would continue to investigate further.

O. Lathrop requested a comprehensive site plan as discussed during the site visit. He expressed concern regarding the stream that appears to have been filled in, noting that satellite imagery provides the Commission with a general timeframe of when this occurred. He stated that a pipe has diverted the natural flow of the stream, which constitutes an unauthorized alteration and that a Notice of Intent (NOI) must be filed including details on how the issue will be corrected in a timely manner. He further stated he would support issuing enforcement orders should compliance not be achieved.

P. Morrison agreed that the applicant should move forward with a complete and accurate site plan for the proposed pool, ensuring all buffer zones are clearly identified. Additionally, he recommended conducting historical research to establish a timeline regarding the stream alteration.

The other Commissioners concurred that historical documentation must be provided and the stream issue must be resolved before any approval for the pool installation.

B. Easom added that, according to existing stream crossing standards, the outlet of the existing pipe would likely be classified as an obstruction and would need to be addressed and corrected.

Donovan Billings, the property owner, stated that he purchased the property "as-is" and believes the previous owners are responsible for any alterations to the stream. He expressed confusion as to how the stream issue is related to the proposed pool project. D. Billings also informed the Commission that access to the property would not be granted until legal counsel has been consulted. B. Easom responded that it is standard practice of the Commission to address and remediate any existing violations on a property before allowing new work to proceed. He emphasized that this practice provides both an incentive for the landowner to correct issues and a sense of urgency for timely remediation.

Tom Delaney recalled that there had previously been a request made to the Department of Public Works (DPW) to remove the existing pipe from the stream area.

M. Marro asked the Commission to consider separating the two issues: the pool installation and the stream violation. He noted that the proposed pool and patio are clearly located on the plan and that remedial work related to the stream cannot realistically be completed in the immediate future. He stressed his client's willingness to cooperate within a reasonable timeline. M. Marro acknowledged that there is indeed a violation, although it was unknown to his client at the time of purchase.

O. Lathrop mentioned that portions of the stream may not fall under the Commission's jurisdiction and suggested conducting a site-wide assessment, including tracing the stream, drafting a narrative restoration plan, and preparing a restoration blueprint.

D. Billings reiterated that they were unaware of the stream alteration when purchasing the property and expressed a strong desire to work cooperatively with the Town, despite what he described as a "nightmare" scenario while trying to install a pool.

George Marsh emphasized the concept of "buyer beware" and noted that the urgency of installing a pool has no bearing on jurisdictional matters. He pointed out that the proposed pool is located 39 feet from the resource area, which places it within the 50-foot buffer zone.

The Commission requested that historical documentation regarding the culvert and stream be submitted for review at the next meeting.

B. Easom acknowledged that the proposed pool location is within an already impervious area, and that water from the pool is unlikely to overflow or cause significant environmental harm. He asked how the applicant plans to prevent amphibians, such as frogs, from entering the saltwater pool.

C. Steeves offered to assist in conducting historical research related to the stream and culvert.

M. Marro asked the Commission to consider that the homeowner was unaware of the site's wetland constraints at the time of purchase. He emphasized that there was no intent to conceal information and that the applicant is willing to work in good faith to resolve the issues.

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 24, 2025 .

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

7:20 PM- Notice of Intent- 150 Kemp Street- DEP# 169-1283

Applicant: Joshua Smith, Representative: Lou Tiv, GPR

Lou Tiv was present on behalf of his clients proposing the installation of a replacement septic system for a single-family dwelling. The plan includes removing the existing tank and abandoning the current septic field. The new septic field is proposed to be located in front of the dwelling, entirely outside of the 50-foot buffer zone. Due to required setback compliance, placement options for the system are limited. A MESA review letter has been received, confirming that the proposed work has been approved and would not impact wildlife.

K. Kuliesis expressed support for the proposal, noting that relocating the system outside the 50-foot buffer zone would be an improvement over the existing setup. She asked whether a raised mound would be necessary in the front yard to accommodate the new system and if the existing tree in the front yard would be removed. L. Tiv responded that a mound would be required, but the septic field would be located in front of the tree, which would not be removed.

L. Hurley asked if the existing driveway would be relocated. L. Tiv clarified that there are two existing driveway entrances, and the one on the left side where a car is visible in the submitted photograph would be abandoned.

O. Lathrop expressed support for removing the structure within the 100-foot buffer zone and inquired about what would be installed in its place. L. Tiv responded that the area would be loamed and seeded.

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

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

7:30 PM- Notice of Intent- Squannacook River Dam- DEP# PENDING

Applicant: Haley & Aldrich, Inc, Representative: Tom Delaney, Director of the DPW, Dennis Bell

D. Bell, representing his clients, presented a proposal for repairs to the Squannacook River Dam. He explained that he inspects the dam every two years and noted that the Groton side was repaired in 2013. The current proposal addresses necessary repairs on the Shirley side.

The proposed scope of work includes:

- Repairing the retaining wall
- Removing overgrown vegetation
- Repairing the splash pad
- Addressing damage on the dam crest
- Chipping and patching deteriorated concrete using hand-operated jackhammers
- Installing a temporary coffer dam as part of a water control plan
- Installing a downstream check dam to prevent backflow into the construction area
- Installing hay bales for erosion control
- Removing an existing tree on the upper left area that is impacting the stone wall

T. Delaney added that there had been a recent issue with the gate mechanism.

D. Bell noted this would be a smaller-scale repair compared to the 2013 work. The Notice of Intent (NOI) has been submitted to both towns.

O. Lathrop confirmed that the proposed repairs fall within the scope of a permitted limited project under current regulations.

P. Morrison asked if any debris accumulated upstream would be removed. D. Bell responded that this responsibility falls under the DPW. T. Delaney added that the tree could not be fully removed due to its weight exceeding the crane's capacity.

L. Hurley requested clarification on the wall repair involving exposed rebar and chipped concrete. Carl Canner asked whether the costs of the proposed repairs had been determined and whether the gate mechanism would be fixed. D. Bell stated that the matter is currently being assessed. T. Delaney confirmed that there are plans to replace the lower-level gate. D. Bell also noted that the proposal is on the agenda for the June 24th meeting in Shirley. Carl Canner further inquired about the timeline for repairing the training wall. D. Bell identified the specific area on the map where work would take place.

B. Easom asked how the landowner feels about the proposed work. T. Delaney responded that the landowners are in favor of the repairs but are unwilling to contribute financially. If the Town of Groton is able to fund the repairs, the landowners are open to relinquishing ownership. He emphasized the need to involve an engineer and determine project costs in order to move forward with a public bid process.

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

Voted to continue the public hearing to the next scheduled meeting on June 24, 2025.

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

2. GENERAL BUSINESS

2.1. General Discussions/Announcements

Parcel 248-4.11 Crystal Springs Conservation Restriction

C. Steeves stated that she had spoken with Takashi Tada regarding the parcel, and he indicated that in 2009, the property was required to be either deeded to the Conservation Commission or protected through a Conservation Restriction (CR). The recorded deed includes a CR, which now needs to be reviewed. The site has been subject to previous site walks, during which encroachments were observed. The Commission agreed to review the CR thoroughly, identify what is documented, and prepare a baseline report. O. Lathrop questioned whether CRs had been placed on the rear portions of all the surrounding lots and whether those restrictions are still in effect.

2.2. Committee Updates

Re-Appoint CPC Rep

Upon a motion by P. Morrison, seconded by L. Hurley, it was: Voted
to reappoint Bruce Easom to the Community Preservation Committee for a term
ending June 30, 2026. The

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

Re-Appoint Stewardship Members

Upon a motion by P. Morrison, seconded by L. Hurley, it was: Voted
to reappoint Olin Lathrop, Anna Elliot, Kimberly Kuliesis, Lisa Murray, and Ronald
Hersch to the Stewardship Committee for a term ending June 26, 2026.

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

Conservation Commission Reorganization

C. Steeves reported that she had contacted Alison Hamilton, who explained that she has limited access to the internet and email, and would prefer to schedule something for the first week of July. The Commission unanimously agreed that the Select Board should be notified of the member's extended absence and her current inability to fulfill the responsibilities required of a commissioner.

Upon a motion by O. Lathrop, seconded by P. Morrison, it was: Voted
to notify the Select Board regarding a member's continued absence and to
seek guidance on how to proceed. **The**
motion passed by a roll call vote. (Yes: KK, LH, OL, PM, JS, BE) 6-0

O. Lathrop informed the Commission that the Invasive Species Committee would be holding an informational talk on Lingering Ash Trees on Tuesday, June 16th at 7:00 PM. He also noted that a site walk is scheduled for Saturday, June 21st at 10:00 AM at Surrenden Farm to review mitigation efforts conducted by the Invasive Species Committee with funding from a grant from the Wild and Scenic Rivers program. Additionally, a site walk at Nipmuc Meadows is scheduled for June 14th, organized by the Stewardship Committee. O. Lathrop also reported that Fish and Wildlife has acquired 100 acres south of Raddin Road, which is now preserved land in Groton.

B. Easom mentioned an additional site walk was conducted on Saturday on a parcel that the Commission may be interested in acquiring. Mr. Pitkin from the Groton Greenways Committee was present and was asked to attend the executive session if the Commission would like him to participate in the conversation. The Commission agreed to the invitation.

2.3. Land Management & Acquisition

Conservation Restriction Monitoring Walks

C. Steeves reported that the Stewardship Committee conducted site visits to Groton Center Farms, Scarlet Hill, and Gibbet Hill. These properties are protected by Conservation Restrictions (CRs) jointly held by the Conservation Commission and the Department of Conservation and Recreation (DCR). During the visits, C. Steeves noted that minor encroachments were observed and that she would be reviewing the reports.

2.4. Approve Meeting Minutes

Upon a motion by L. Hurley, seconded by P. Morrison, it was:
Voted to approve the meeting minutes for May 13, 2025 as amended.
The motion passed by a roll call vote. (Yes: KK, OL, JS, PM, LH, BE) 5-0

Upon a motion by P. Morrison, seconded by L. Hurley, it was:
Voted to approve the meeting minutes for May 27, 2025 as amended.
The motion passed by a roll call vote. (Yes: KK, LH, PM, JS, OL, BE) 6-0

2.5. Approve Invoice

None

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.”

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

3. Adjournment

8:40 PM

Upon a motion by L. Hurley, 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: KK, PM, JS, OL, LH, BE) 6-0

APPROVED: 7/8/2025