

Conservation Commission Meeting
Tuesday, July 22, 2025 at 6:30 PM
Town Hall: Second Floor Meeting Room, 173 Main Street Groton, MA
OPTION TO JOIN REMOTELY

Present: Chair: Bruce Easom, Vice Chair: Larry Hurley, Clerk: Kim Kuliesis (via Zoom), Olin Lathrop, John Smigelski, Peter Morrison

Others Present: Charlotte Steeves, Conservation Administrator

Easom opened the meeting at 6:30 PM. The meeting was recorded and will be available for viewing on the Groton Channel.

1. APPOINTMENTS AND HEARINGS

6:30 PM: Discussion – Work at Four Corners, 788 Boston Road

- **Applicant/Representative:** Bruce Roland, GPR
- **Proposal:** Construction of the final pad site building within the Four Corners development (originally permitted in 2017). The building will match the original footprint and dimensions. Utilities, grading, and retaining walls are largely in place; remaining work includes foundation excavation, limited parking area installation, and roof drainage tie-ins.
- **Presentation:**
 - Mr. Roland reviewed the project's history, noting that the site was originally permitted in 2017 under Groton's Wetlands Bylaw (Order of Conditions 2017-02).
 - He provided a recent May 2025 report documenting the success of the replicated wetlands, stating vegetation remains healthy and self-sustaining despite not receiving the anticipated roof drainage.
 - The current proposal involves building on the previously permitted footprint, with excavation at the edge of an existing retaining wall and minimal grading. Utilities are already stubbed to the site, and drainage will tie into the existing stormwater system.
 - Erosion controls (wattles and silt fence) will be installed. Construction will occur from the upper side, with excavation and backfilling completed quickly to minimize disturbance.
- **Discussion:**
 - A site visit was suggested to evaluate wetland conditions firsthand before deciding.

- It was noted that an NOI might be more appropriate given grading within the buffer zone, though an RDA could be acceptable if the Commission preferred.
- The applicant clarified that grading would be minimal and limited to foundation placement adjacent to the retaining wall, with no significant new work in the buffer zone. The filing would fall under the local bylaw only.
- Some members recalled that the work was part of the original plan and questioned whether all permitting steps needed to be repeated.
- Questions were raised about connections to utilities and roof runoff. The applicant explained that drainage would tie into existing stormwater systems, with structural fill already in place from earlier site work.
- Additional questions addressed distance from the retaining wall to the 100-ft buffer, stability of fill, and adequacy of drainage infrastructure. The applicant confirmed the foundation would be placed immediately adjacent to the retaining wall (approx. 20 ft length) with no anticipated issues.
- Clarification was sought on whether the building was part of the originally approved NOI; the applicant confirmed it was included but deferred at the time, and acknowledged permits have since expired.
- It was expressed that an RDA could be sufficient, as the work aligns with prior engineering and does not alter drainage patterns. It was also noted that newer members may evaluate the expired permits differently.
- **Straw Poll: Filing Requirement:**
 - Majority favored RDA (5-1).
- **Outcome:** Consensus to proceed with an RDA filing rather than an NOI. Applicant thanked the Commission for input and indicated willingness to follow this approach.

6:40 PM: Continued Public Hearing, Notice of Intent – Off Worthen Drive

- **Applicant:** Jody Gilson
- The matter has been outstanding for several months. Administrator Steeves reported no update.
- **Discussion:**
 - The applicant did not provide any new updates and there has been no recent contact.
 - Members noted the hearing has been continued several times with little progress since February or March.
 - Concerns were raised about whether the project remains under Chapter 61A, which would trigger the Town's right of first refusal for purchase.
 - Questions remained about the wetland replication area, specifically whether it is too far away and adequately hydrologically connected.

- The Commission acknowledged that a DEP file number had been issued for the project.
- It was agreed to continue the matter to allow more time for the applicant to respond.
- **Motion:** To continue the hearing to August 12, 2025.
- Vote: OL, JS, PM, LH, KK, BE: Yes (6-0)

6:42 PM: Continued Public Hearing, Notice of Intent – 63 Gratuity Road

- **Applicant:** Routhier and Roper Gratuity Road LLC
- **Proposal:** Installation of a water line at Gratuity Road.
- **Applicant Update:** The applicant requested a continuance earlier in the day, after the agenda had already been published.
- **Public Testimony:**
 - Adam Reddick, a resident of Gratuity Road and a hydrologist, provided testimony and a written report challenging the applicant's flood analysis, citing documented flooding in December 2023 and January 2024 with water levels higher than the model predicted.
 - He argued that the model underestimated roughness coefficients, noting that debris, vegetation, and channel conditions increase. He calculated that doubling the coefficient could raise flood depths by 50%, and referenced USGS methodology to support his findings.
 - He also stated that the watershed area was underestimated, with his field survey showing 0.8 square miles compared to the 0.57 square miles used by the applicant, a 50% difference in projected flood flows. He stated the report should be redone with corrected data and clearer mapping of the floodplain footprint.
- **Commission Discussion:**
 - Members discussed whether the peer review by Nitsch Engineering should incorporate Adam's report.
 - Some members supported forwarding his report to Nitsch, reasoning that the applicant funds peer review as an independent assessment for the Commission. Others felt the peer review should remain "blind," with Nitsch conducting its own analysis and discussing findings with the Commission in open session.
 - Members agreed that ultimately the Commission, not the consultants, is the deciding body and must weigh the evidence presented.
 - It was emphasized that any model must align with observed field conditions, and a permit should not be granted if modeling fails to reflect actual flooding events.
 - Adam was thanked for his work, and it was requested that he attend the future hearing when Nitsch presents its peer review, so that his technical questions can be addressed in public discussion.
- **Motion:** To continue the hearing to August 12, 2025.
- Vote: OL, JS, PM, LH, KK, BE: Yes (6-0)

- **Outcome:** Continued to August 12, 2025. Nitsch Engineering will provide peer review of the applicant's report, with Commission discussion to follow.

6:55 PM: Continued Public Hearing – Notice of Intent, Squannacook River Dam

- **Applicant/Representative:** Haley & Aldrich, Inc.
- **Proposal:** Repairs to the Squannacook River Dam.
- **Discussion:**
 - The Commission noted that DEP comments had not yet been received and additional review would be needed.
- **Motion:** To continue the hearing to August 12, 2025.
- **Vote:** OL, JS, PM, LH, KK, BE: Yes (6-0)
- **Outcome:** Continued to August 12, 2025.

6:56 PM: Public Hearing – Notice of Intent, UMass Memorial Hospital (490 Main Street, Parcel 216-96)

- **Applicant/Representative:** UMass Memorial Health Care, Inc.
- **Proposal:** Construction of an emergency care facility.
- **Presentation:**
 - The applicant presented a revised plan in response to the Commission's earlier request for improved native areas adjacent to the wetland.
 - The revisions include grading at the same elevation as the wetland bottom, wetland soils, and native plantings to create a wet meadow area.
 - The applicant explained the intent was to improve the existing degraded wetland area while avoiding creation of new jurisdictional wetland.
- **Commission Discussion:**
 - Members generally supported the revisions and agreed the proposed wet meadow would be an improvement over existing conditions, which are choked with invasives.
 - It was noted that while the design pushes close to the buffer and wetland, the resulting condition would be more functional and beneficial than the current state.
 - The applicant confirmed that DEP comments had been addressed and peer reviews by the Planning Board (site plan, stormwater, and traffic) are underway, with no major changes expected.
 - Commission members discussed timing of approval, noting that if the hearing were closed now, no new information could be accepted. They agreed it would be better to continue to August 12, 2025 to allow incorporation of any outstanding peer review responses.

- The possibility of a special meeting on August 15, 2025 was raised, should additional coordination be required after the Planning Board review.
- The applicant stated construction is hoped to begin in September and supported continuing to August 12, with the understanding that a draft Order of Conditions would be ready for review at that meeting.
- The Commission also raised a concern about proper disposal of invasive plants to avoid spread to other locations. The applicant agreed to follow up with the contractor and provide clarification by the next meeting.
- **Motion:** To continue the hearing to August 12, 2025.
- **Vote:** OL, JS, PM, LH, KK, BE: Yes (6-0)
- **Outcome:** Continued to August 12, 2025. A draft Order of Conditions will be prepared for review at that meeting, with flexibility to hold a special meeting on August 15 if necessary.

7:10 PM: Request for Determination of Applicability – 101 Boathouse Road

- **Applicant/Representative:** Patricia Simmons
- **Proposal:** Removal of a dead tree at 101 Boathouse Road.
- **Discussion:**
 - The Commission visited the site a few weeks prior and confirmed the tree remains dead and standing.
 - Members agreed the tree should be removed, with conditions to prevent soil disturbance or runoff into the lake.
 - The applicant was advised to revise the filing to include a second tree so that removal could be authorized within the three-year approval period.
 - The applicant explained that Tree Masters has been contracted for the work and confirmed the tree can be safely removed without impacting the lake.
 - The Commission emphasized that equipment and debris must be kept away from the water during removal.
- **Motion:** To issue a Negative Determination #3 with conditions (no equipment or debris in the lake, removal conducted to prevent impacts to resource areas).
- **Vote:** OL, JS, PM, LH, KK, BE: Yes (6-0)
- **Outcome:** Negative Determination #3 issued with conditions. Paperwork will be prepared for the applicant to collect the following day.

7:15 PM: Retroactive Request for Determination of Applicability – 40 Britt Lane

- **Applicant/Representative:** Tracy Roberts
- **Proposal:** Tree removal at 40 Britt Lane.
- **Discussion:**
 - The applicant reported that trees were removed by a tree company due to safety concerns, without the use of equipment. The trees were climbed and cut by hand, and the debris was left in the wooded portion of the property.

- Commission members agreed that leaving the cut trees on the ground is acceptable, noting they provide habitat value.
- Discussion also addressed the presence of Oriental bittersweet on the property. The applicant stated they plan to work with the Invasive Species Committee to explore treatment options to protect remaining healthy trees.
- The Commission advised that herbicide treatment within 100 feet of the stream would require a separate filing in the future, as special conditions apply.
- The current filing covers the tree removal already completed, with no additional conditions imposed.
- **Motion:** To issue a Negative Determination #3 for tree removal.
- **Vote:** OL, JS, PM, LH, KK, BE: Yes (6-0)
- **Outcome:** Negative Determination #3 issued. Applicant advised to file separately if herbicide treatment is pursued in the future.

7:20 PM: Certificate of Compliance – 54 Ridgewood Avenue

- **Discussion:**
 - The outstanding condition required roof drainage from the sheds to be directed underneath the building for recharge. The condition has been satisfied, and no other issues remain outstanding.
- **Motion:** To issue a Certificate of Compliance for 54 Ridgewood Avenue.
- **Vote:** OL, JS, PM, LH, KK, BE: Yes (6-0)
- **Outcome:** Certificate of Compliance issued.

7:25 PM: Request for Determination of Applicability – 129 Longley Road

- **Applicant/Representative:** Anna Elliot
- **Proposal:** Work in the buffer zone at 129 Longley Road.
- **Discussion:**
 - The applicant requested a continuance and was not present.
- **Motion:** To continue the hearing to August 12, 2025.
- **Vote:** OL, JS, PM, LH, KK, BE: Yes (6-0)
- **Outcome:** Continued to August 12, 2025.

7:30 PM: Continuation of Public Hearing – Notice of Intent, 16 West Main Street

- **Applicant/Representative:** Dunham & Billings
- **Proposal:** Installation of a pool at 16 West Main Street.
- **Discussion:**
 - The applicant's representative provided an update on site conditions and reported investigating drainage issues in the surrounding area. He noted the presence of a network of buried pipes and historical alterations by the DPW that may affect surface flow, suggesting the drainage features are not functioning as

a jurisdictional stream. He stated that the proposed pool would be entirely within an existing paved area and would include a saltwater system with a cartridge filter (no backwashing).

- Commissioners discussed whether the drainage channel is a jurisdictional intermittent stream. Some members considered it a man-made swale, while others noted photographs from site visits showing flowing water consistent with an intermittent stream. Commissioners agreed further documentation was required.
- Concerns were raised regarding raised vegetable beds placed in the area under review. The applicant explained the beds and plastic fencing are temporary and can be relocated if necessary.
- Commissioners requested that the applicant provide:
 - An updated site plan showing the exact location of the pool.
 - Square footage of pavement to be removed and replaced with pervious cover.
 - Notations describing pool operation (saltwater system, cartridge filter, no backwashing).
 - Location of the drainage channel and its distance from the proposed pool.
- **Motion:** To continue the hearing to August 12, 2025, for submission of revised plans and details.
- **Vote:** OL, JS, PM, LH, KK, BE: Yes (6-0)
- **Outcome:** Continued to August 12, 2025. Applicant to provide updated site plan and supporting details for review.

7:40 PM: Notice of Intent – 124 Raddin Road

- **Applicant/Representative:** Marsha Lansson
- **Proposal:** Repair and replacement of a failing septic system at 124 Raddin Road.
- **Discussion:**
 - The applicant's representative explained that the existing cesspool is failing and will be replaced with a new septic tank and leach field. A shed will be removed to avoid cutting a nearby tree, though one cedar tree in the backyard must be trimmed or removed to complete the work.
 - The project will take place primarily within the existing lawn area. Erosion controls, including waddles staked every five feet with silt fence backing, are proposed.
 - The closest point of work to the wetland is approximately 63 feet (near Flag 8), with no work proposed within the 50-foot buffer zone.
 - The project has been issued a DEP File Number (169-1287) with no comments.
 - Commissioners agreed the filing was straightforward and adequately protective.

- A neighboring property owner asked for confirmation regarding tree removal, and the applicant clarified that only one tree at the rear of the property will be removed.
- **Motion:** To close the public hearing.
- **Vote:** OL, JS, PM, LH, KK, BE: Yes (6-0)
- **Outcome:** Public hearing closed.

7:50 PM: Continued Public Hearing – Request for Determination of Applicability, 14 Rustic Trail

- **Applicant:** Charles Hogan
- **Proposal:** Reconstruction of an existing deck within the buffer zone.
- **Discussion:**
 - The applicant presented revised plans incorporating the Commission's prior feedback. The revised design removes the old stairway and reduces the net footprint by approximately 10 sq. ft. compared to the previous structure. A mulch bed and refreshed gravel area are proposed beneath the deck, along with new fern plantings on the downhill side to stabilize soil. A gutter will be added to capture roof runoff and redirect it toward the rear of the house, away from the lake. The applicant also noted the existing deck may contain arsenic-treated lumber, while the replacement deck will be composite material.
 - Commissioners expressed support for the revisions, noting the reduced footprint, stormwater controls, and use of plantings for stabilization. Members agreed the plan addressed prior concerns regarding incremental expansion within the buffer zone. The updated plan showing calculations of net square footage reduction was accepted into the record.
- **Motion:** To issue a Negative 3 Determination, with the condition that work proceed as shown on the submitted plan (dated July 17, 2025).
- **Vote:** OL, JS, PM, LH, KK, BE: Yes (6-0)
- **Outcome:** Negative 3 Determination issued with condition.

3. GENERAL BUSINESS

309 Boston Road – Update:

- **Discussion:**
 - The Commission reviewed the status of enforcement at 309 Boston Road. The \$100 fine previously issued has been sent, with an additional \$300 fine prepared for issuance. Commissioners discussed whether to continue escalating fines, pursue collection, or seek court enforcement. Members agreed that continuing

- fines is necessary to maintain compliance pressure, while also recognizing that alternative enforcement mechanisms may need to be explored.
 - It was noted that the applicant has 21 days to appeal each fine to the court. The \$100 fine remains unpaid, and the deadline for submitting the required tree-cutting plan has passed.
 - The Commission agreed that fines should continue to escalate as allowed under regulations, with delivery by constable to ensure proof of receipt. Commissioners also raised the possibility of consulting with Massachusetts Environmental Police regarding potential involvement in enforcement if fines do not achieve compliance, though several members preferred to first exhaust legal remedies suggested by Town Counsel.
 - **Motion:** To issue a \$300 fine effective July 23, 2025, delivered by constable, with a note stating that daily fines may be considered beginning August 12, 2025, if compliance has not been achieved by August 11, 2025.
 - **Vote:** OL, JS, PM, LH, KK, BE: Yes (6-0)
 - **Outcome:** \$300 fine to be issued. Town staff will also consult with Environmental Police and the Town Manager regarding possible future enforcement options.

Conservation Commission Recruitment

- **Discussion:**
 - The Commission noted receipt of a resignation letter from Alison Hamilton.
 - The Commission discussed next steps to fill the vacancy, including advertising the position through the Groton Herald, the Town website, and other outreach methods available to the Town Manager. Members agreed that applications should be due by September 8, 2025, providing sufficient time for interested residents to apply despite the challenges of summer schedules. The Commission will review applications, invite candidates for interviews, and then make a recommendation to the Select Board.
- **Motion:** To request that the Town Manager advertise the open position on the Conservation Commission using all appropriate methods, with applications due by September 8, 2025.
- **Vote:** OL, JS, PM, LH, KK, BE: Yes (6-0)
- **Outcome:** Town Manager to advertise open Conservation Commission position with September 8 deadline for applications.

Marsh Lewis Memorial Grove (Reedy Meadow Road)

- **Discussion:**
 - The Trails Committee requested approval to make a minor relocation of the trail entrance at Marsh Lewis Memorial Grove. The current trail drops steeply off

Reedy Meadow Road, creating erosion concerns. The proposal is to add a single switchback to reduce the grade and prevent further erosion.

- **Motion:** To authorize the Trails Committee to relocate the trail near the entrance to the Marsh Lewis Memorial Grove (Parcel 230-31) to decrease erosion.
- **Vote:** KK, OL, PM, JS, LH, BE: Yes (6-0)
- **Outcome:** Authorization granted for minor trail relocation with erosion control benefits.

4. COMMITTEE UPDATES

- **Sargisson Beach Committee:**
 - Update provided regarding ongoing issues at the Sargisson Beach parking area. The committee discussed adding trail cameras, improving the parking area, and installing two employee/authorized vehicle spaces along with five resident-only parking signs. The intention is to deter out-of-town visitors who have been causing problems (trash, disturbances, arrests) without immediately involving police enforcement. Some commissioners expressed concern that “resident-only” restrictions set a difficult precedent.
- **Farmers' Market:**
 - The Conservation Administrator announced that the Groton Farmers' Market is underway, held Fridays at 3:00 PM, and encouraged attendance.
- **Invasive Species Committee:**
 - Updates included treatment of knotweed along Nod Road and at Surrenden. Replantings at Surrenden are showing strong growth, particularly native deer tongue grass. Additional work continues. Commissioners Bruce and Olin treated swallowwort at Nipmuc Meadows.
- **Land Management and Acquisition:**
 - The main field mowing is scheduled within the next week or two. The commission discussed scheduling a turtle sweep before mowing, potentially during a weekday if enough volunteers are available.
- **Stewardship Committee:**
 - Membership was reported as having multiple vacancies following recent resignations. Ben Wolfe volunteered to join, and a motion was made and approved.
 - Motion: To appoint Ben Wolfe to the Stewardship Committee.
 - Vote: KK, OL, PM, JS, LH, BE: Yes (6-0)

5. INVOICES

- Williams Barn: fire protection alarm system upgrades.
- Paul Funch reimbursement: \$51.42 for washers, boxes, and screws.
 - **Vote:** KK, OL, PM, JS, LH, BE: Yes (6-0)
- Impact Fire Protection – \$98 for service call and annual fire extinguisher maintenance.
 - **Vote:** KK, OL, PM, JS, LH, BE: Yes (6-0)

6. OTHER DISCUSSION:

- Discussion on engaging forestry contractors to spray swallowwort at Nipmuc Meadows.
 - **Motion:** To direct the Administrator to engage the forestry company for swallowwort spraying at Nipmuc Meadows.
 - **Vote:** KK, OL, PM, JS, LH, BE: Yes (6-0)

7. ADJOURNMENT

- **Motion:** To adjourn the meeting.
- **Vote:** KK, OL, PM, JS, LH, BE: Yes (6-0)

Meeting adjourned.

APPROVED: AUGUST 26TH, 2025