

Conservation Commission Meeting
Tuesday, August 12, 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, 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: Continued Public Hearing – Notice of Intent, Off Worthen Drive

- **Applicant/Representative:** Judy Gilson, Greg Roy – Engineer
- **Proposal:** Construction of two homes and a shared driveway
- **Presentation:** The hearing notice was read into the record. The Conservation Administrator reported that Greg Roy, representing the applicant, requested a continuance of the hearing to September 23, 2025.
- **Discussion:**
 - Members confirmed the correct date for the continuance, noting an initial misstatement to September 25 that was corrected to September 23. No additional discussion was raised.
- **Vote:** OL, KK, JH, PM, LH, BE: Yes (6-0)
- **Outcome:** Motion to continue the public hearing to September 23, 2025 was made and seconded.

6:32 PM: Continued Public Hearing, Notice of Intent – 63 Gratuity Road

- **Applicant/Representative:** Roper and Roper for 2D Road LLC
- **Proposal:** Installation of a water line at 63 Gratuity Road.
- Administrator Steeves reported that the applicant requested a continuance to the next meeting to allow time for the peer review to be completed. Nitsch Engineering has been engaged and estimates the peer review will be finished by August 15. The applicant requested the hearing be continued to August 26, 2025.
- **Discussion:**

- Board members confirmed that the peer review is underway and that the continuance aligns with the anticipated delivery of Nitsch's report. Members agreed this was appropriate and that materials would be distributed once available.
- **Vote:** OL, KK, PM, JS, LH, BE: Yes (6-0)
- **Outcome:** Continued to August 26, 2025.

6:38 PM: General Discussion – Optional Site Walks for Conservation Parcels

- **Proposal:** Consideration of adding optional site walks to the end of scheduled site walks as part of the Commission's stewardship responsibilities.
- **Discussion:**
 - In the past, the Commission had occasionally scheduled optional site walks to inspect parcels for trash and encroachments. Members noted the Stewardship Committee had previously conducted these walks and expressed support for re-engaging that committee while still keeping the option for Commission members to participate. Concerns were raised about scheduling and the need to avoid delays that could inconvenience the public. It was suggested that optional walks could be added on a trial basis, with invitations extended to the Stewardship Committee.
- **Outcome:** Chair decided to add one optional site walk to list.

6:40 PM: Public Hearing – Notice of Intent, UMass Memorial Hospital (490 Main Street)

- **Applicant/Representative:** UMass Memorial Health Care, Inc.
- **Proposal:** Construction of an emergency care facility at 490 Main Street.
- **Discussion:**
 - The applicant reported that peer review by the Planning Board and Stormwater Committee was nearly complete, with revised plans and responses submitted on July 31, 2025. It was confirmed that no changes had been made within jurisdictional buffer zones. Minor clarifications to the stormwater design included additional test pits, which showed clean sandy soils, and the addition of water quality units. A cut/fill map was presented, showing a balanced site with flexibility for minor adjustments during construction.
 - Commissioners reviewed the plan, asked clarifying questions about differences from prior submissions, and confirmed that no work within 100 feet of wetlands had changed.
 - The applicant requested that the public hearing be closed because no comments were received. The Commission agreed to table the matter temporarily until after the Stormwater Committee meeting that evening, in case new information arose.

- **Outcome:** Public hearing tabled until later in the evening, with intent to close following confirmation from the Stormwater Committee.

6:50 PM: Request for Certificate of Compliance – 20 Sandhill Road

- **Applicant/Representative:** N/A
- **Proposal:** Request for a Certificate of Compliance for a single-family home with driveway relocation and associated site work.
- **Discussion:**
 - The administrator explained that the driveway was originally permitted closer to the resource area but was relocated further west, reducing impacts.
 - A site walk confirmed construction matched approved plans, the adjacent vernal pool canopy remained intact and shaded, and no disturbance to the pool was observed.
 - Commissioners noted a large mowed grass area near the buffer, it was determined to be within the permitted limit of work.
 - The vernal pool remains highly productive, the Order of Conditions allows three years of access for certification attempts.
 - The applicant agreed to install buffer zone markers with medallions every 50 feet and to remove erosion controls.
- **Motion:** To issue a Certificate of Compliance for 20 Sandhill Road, contingent upon installation of buffer zone markers with medallions and removal of erosion controls.
- **Vote:** KK, OL, LH, PM, JS, BE: Yes (6-0)
- **Outcome:** Certificate of Compliance approved with conditions.

6:55 PM: General Discussion – Nipmuc Meadows Spraying

- **Proposal:** Annual management of swallowwort at Nipmuc Meadows.
- **Discussion:**
 - It was reported that manual spraying along the edges had been completed several weeks ago.
 - Mowing had not been done, and members agreed it was too late in the season to proceed with mowing.
 - The administrator noted that the forestry company had been contacted before vacation but a quote had not yet been received.
 - The Commission agreed spraying should occur as soon as possible, especially since seed pods were maturing and needed to be treated before producing viable seeds.
- **Motion:** To authorize the administrator to engage the forestry company to spray Nipmuc Meadows for swallowwort if the quote does not exceed \$3,000.
- **Vote:** KK, OL, PM, LH, JS, BE: Yes (6-0)
- **Outcome:** Authorization granted, spraying to proceed once quote is confirmed.

7:00 PM: Request for Determination of Applicability – 129 Longley Road

- **Applicant/Representative:** Anna Elliott
- **Proposal:** Work in the buffer zone at 129 Longley Road, including removal of a berm created during stump removal, restoration of agricultural use, construction of a stream crossing, and placement of stone armoring at an existing culvert.
- **Discussion:**
 - The applicant explained that the berm created during stump removal would be removed to allow direct access across the stream and that a pedestrian crossing would be constructed at the property line.
 - The applicant described efforts to restore the property to agricultural use and control invasive species by mowing and manual removal. Commissioners asked questions about long-term maintenance and the handling of removed material.
 - Concerns were raised about mowing too close to the stream, but commissioners generally supported the restoration plan and acknowledged the applicant's efforts to maintain canopy cover and minimize disturbance.
 - The applicant also requested clarification on placing stones around the existing culvert to minimize erosion; commissioners agreed this could be incorporated into the filing narrative.
- **Motion:** To issue a Negative Determination #3, with the condition that work be performed in accordance with the plan filed by Elliott Realty Trust, dated June 2025.
- **Vote:** KK, OL, LH, JS, PM, BE: Yes (6-0)
- **Outcome:** Negative Determination #3 issued with conditions.

7:05 PM: Continued Public Hearing – Notice of Intent, 16 West Main Street

- Applicant/Representative: N/A
- Proposal: Pool installation at 16 West Main Street.
- Discussion:
 - The administrator reported that the applicant requested a continuance to the next meeting.
- Motion: To continue the hearing to August 26, 2025.
- Vote: JS, PM, LH, OL, KK, BE: Yes (6-0)
- Outcome: Continued to August 26, 2025.

7:10 PM: General Discussion – 309 Boston Road

- **Discussion:**
 - Administrator Steeves reported that no payment has been received and the applicant has not provided the requested materials. Previous fines of \$50, \$100, and \$300 were issued, with \$300 being the maximum allowable per violation. The most recent letter warned that daily fines could be imposed if there was no compliance.

- The Commission discussed whether to pursue additional fines immediately, or wait until after a scheduled meeting with Town Counsel and the Town Manager later in the week. Members agreed it would be best to seek guidance before escalating further.
- It was noted that the District Court clerk suggested the Commission could consider filing a criminal complaint, though the Chair stated he was not prepared to take that step at this time. Commissioners emphasized the need to pursue collection of fines already issued to ensure credibility and avoid setting a precedent of non-enforcement.
- **Outcome:** No further fines will be issued at this meeting. Administrator Steeves and the Chair will meet with Town Counsel and the Town Manager to discuss next steps, including potential collection procedures and other possible steps. The Commission will revisit the matter at its next meeting.

7:20 PM: Order of Conditions – 124 Radden Road

- **Proposal:** Repairs to a septic system at 124 Radden Road (DEP #169-1287).
- **Discussion:**
 - The Commission reviewed the draft Order of Conditions.
 - Standard 19 boilerplate conditions were included, along with additional site-specific conditions related to erosion control, notification requirements, stabilization, and acknowledgement by contractors.
 - Members confirmed that all conditions addressed protection of the adjacent wetland and buffer zone.
- **Motion:** To issue an Order of Conditions under the Wetlands Protection Act, DEP #169-1287, including the 19 standard conditions and conditions 20-49 as read into the record.
- **Vote:** OL, JS, PM, LH, KK, BE: Yes (6-0)
- **Outcome:** Order of Conditions issued under the Wetlands Protection Act.
- **Motion:** To issue an Order of Conditions under the Groton Wetlands Protection Bylaw, including bylaw-specific conditions 1–7 as read into the record.
- **Vote:** OL, JS, PM, LH, KK, BE: Yes (6-0)
- **Outcome:** Order of Conditions issued under the Groton Wetlands Protection Bylaw.

7:25 PM: Committee Updates – Stewardship and Related Matters

- General updates from the Stewardship Committee and related conservation matters.
- **Discussion:**
- Stewardship Committee reported that the monthly meeting had not yet been held, and no new business was available. Membership remains low, though one new member, Ben Wolfe, has recently joined. Additional engagement is still needed.
- It was suggested that applicants not selected for open Conservation Commission seats could be encouraged to serve on the Stewardship Committee, as this would provide them with experience and familiarity with conservation work.

- A member inquired about the status of surveillance cameras at Sargisson Beach. Administrator Steeves reported that technical difficulties with fiber optic connections had delayed installation, and outside assistance was needed.
- An update was provided on the West Groton Rail Trail Committee: the group is being dissolved following a definitive notice from Genesee & Wyoming that they have no interest in selling or leasing freight rights along the corridor. If the existing bridge is repaired, the company intends to retain the spur for storage use. As a result, the rail-trail project cannot proceed at this time.
- Approximately \$70,000 in CPC funds originally appropriated for rail-trail permitting and negotiations will likely be returned. The CPC has discussed re-appropriating those funds for debt service on the middle school track project, with a warrant article anticipated for the Fall Town Meeting.

7:30 PM: Continued Public Hearing – Notice of Intent, UMass Memorial Hospital (490 Main Street)

- **Applicant/Representative:** UMass Memorial Health Care, Inc.
- **Proposal:** Construction of an emergency care facility at 490 Main Street.
- **Discussion:**
 - The applicant reported that the Stormwater Committee had met earlier that evening and voted to issue the stormwater permit with standard conditions, confirming closure of peer review.
 - With stormwater permitting complete, the applicant confirmed readiness to close the Conservation Commission hearing.
- **Motion:** To close the public hearing for DEP #169-1286, 490 Main Street.
- **Vote:** KK, OL, LH, PM, JS, BE: Yes (6-0)
- **Outcome:** Public hearing closed. Commission noted that the applicant should remain available as the Order of Conditions would be drafted and potentially issued later in the meeting.

7:30 PM: Request for Determination of Applicability – 788 Boston Road

- **Applicant/Representative:** Goldsmith, Prest & Ringwall, Inc. (Bruce Ringwall)
- **Proposal:** Construction of the final pad site building within the Four Corners development, originally permitted in 2017. The building footprint, dimensions, and utilities remain consistent with the prior approval. Work includes excavation for a full basement, grading within the buffer zone, and adjustments to erosion controls. Roof drainage will connect to an existing stub designed to supplement hydrology to the replicated wetland.
- **Discussion:**
 - The applicant described the history of the site, noting that three of four buildings have been constructed under the original permits, and that the replicated wetland is larger than required and thriving.

- Minor revisions include shifting erosion controls downgradient of a drain manhole to allow for removal of grass clippings and prevent sediment overloading.
 - Commissioners asked questions regarding updated plans, extent of grading, roof runoff, and changes since the prior approval. The applicant confirmed that no work below the erosion controls will occur and that roof drainage will flow into the existing stormwater system.
 - Commissioners expressed some concern about new work within the 100-ft buffer but acknowledged that it was part of the original approved plan.
 - **Motion:** To issue a Negative 3 Determination, that the work described is within the buffer zone but will not alter an area subject to protection under the Act, provided the work is performed as shown on the plan dated and initialed 8/12/25.
 - **Vote:** KK, OL, LH, PM, JS, BE: Yes (6-0)
 - **Outcome:** Negative 3 Determination issued with conditions.
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2. REMAINING GENERAL BUSINESS

Tree Removal Request – Behind 50 Amelia Drive

- Resident Mr. Lewis appeared before the Commission regarding a dead double-trunk tree on conservation land posing a potential risk to his home. Commissioners confirmed the tree was dead. Discussion included the option of leaving a snag (approximately 20 feet) to provide habitat value. The Commission agreed that all felled material would remain on site for conservation purposes.
- **Motion:** To authorize removal of the tree behind 50 Amelia Drive on conservation land, with a minimum 20-foot snag left standing and all tree material left in place on site.
- **Vote:** JS, PM, LH, OL, KK, BE: Yes (6-0)
- **Outcome:** Request approved with conditions.

Order of Conditions – 490 Main Street (UMass Memorial Health Care)

- The Commission reviewed the standard boilerplate conditions and added modifications. Condition #30 (“no siltation to wetlands”) was struck, given excavation and restoration within the wetland. A new in perpetuity condition (#50) was added requiring the landowner to conduct annual management of invasive vegetation on site.
- **Motion:** To issue the Order of Conditions under the Wetlands Protection Act with standard conditions, as modified.
- **Vote:** JS, PM, LH, OL, KK, BE: Yes (6-0)
- **Outcome:** Order of Conditions issued under the Wetlands Protection Act with modifications.

Groton Wetlands Bylaw Order of Conditions – 490 Main Street

- The Commission voted to issue the companion Order under the local bylaw, incorporating standard conditions plus the additional condition requiring annual invasive species management.
- **Motion:** To issue the Order of Conditions under the Groton Wetlands Bylaw, with conditions including annual invasive species management.
- **Vote:** KK, OL, LH, PM, JS, BE: Yes (6-0)
- **Outcome:** Order of Conditions issued under the Groton Wetlands Bylaw.

Potential Violation – 828 Martins Pond Road

- Review of reported site alterations including soil piles, grading, and potential activity within the 100-ft buffer zone.
 - **Discussion:**
 - The Commission noted the property, formerly a goat farm abutting NEFF land, has had significant ongoing work. Photos taken by the Administrator showed soil and clay piles and regrading near a resource area.
 - Members recalled prior site visits under the former owner when no violations were found, but observed increased activity in the new photos. It was discussed that the new owner may be related to the prior owner.
 - Options considered included sending a letter requesting information and permission to inspect the site, and whether to order a stop work. The Commission agreed to request an explanation of current work and permission to enter the property, with a deadline prior to the next meeting to allow for a potential site visit.
 - **Motion:** To send a letter to the landowner at 828 Martins Pond Road requesting an explanation of work being conducted within the 100-ft buffer zone and permission for the Commission to access the property for inspection, with a response requested by the Friday prior to the next meeting.
 - **Vote:** JS, PM, LH, OL, KK, BE: Yes (6-0)
 - **Outcome:** Letter to be sent requesting explanation of work and permission to inspect, with deadline prior to next meeting.
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5. INVOICES

- Paul Funch reimbursement: \$25.49 to Paul Funch for sign hardware.
 - **Vote:** KK, OL, PM, JS, LH, BE: Yes (6-0)
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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)
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7. ADJOURNMENT

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

Meeting adjourned.

APPROVED: AUGUST 26th, 2025