



Conservation Commission Meeting
Tuesday, December 23, 2025 at 6:30 PM
Town Hall: Second Floor Meeting Room
173 Main Street Groton, MA
OPTION TO JOIN REMOTELY



Present: Chair: Bruce Easom, Larry Hurley, Kimberly Kuliesis, Olin Lathrop, John Smigelski, Peter Morrison

Others Present: Charlotte Steeves, Conservation Administrator

The meeting opened 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 Retroactive Request for Determination of Applicability – 28 Boathouse Road (Unpermitted Deck)

- **Proposal:** Retroactive Request for Determination of Applicability for the construction of a deck within the buffer zone.
- **Presentation:** The applicant appeared and presented a plot plan of the property. Discussion focused on the area of the lot to be designated as a natural, no-disturbance zone, and on the proposed plantings to mitigate the unpermitted work.
- **Discussion:**
 - Commissioners discussed the location of the natural area boundary, referencing the applicant's shed, the fence line, and the septic system. It was agreed that the natural area would extend from 18 feet in from the rear lot line, using the existing fence rail spacing as a reference, to the rear lot line.
 - A Commissioner noted that native plantings should be placed in the area between the edge of the septic system and the rear lot line. Recommendations included approximately five blueberry shrubs, two flats of mayapple ground cover, and two to three witch hazel shrubs. The applicant confirmed agreement with these plantings.
 - A Commissioner stated that witch hazel is shallow-rooted and would not interfere with the septic system.
 - It was agreed that two conservation markers would be placed at the 18-foot mark, one approximately three feet in from the road side and one approximately three

feet in from the rear wall side, to memorialize the natural area boundary for future owners and commissions.

- It was agreed that the natural area would be a no-disturbance zone, with the exception that maintenance on the septic system is permitted.
- **Motion:** A motion was made and seconded to issue a Negative Determination #3, finding that the work described in the request is within the buffer zone as defined in the regulations but will not alter an area subject to protection under the Act, and therefore does not require the filing of a Notice of Intent, subject to the following conditions:
 - Planting of approximately two blueberry shrubs, two flats of mayapple, and one witch hazel within 18 feet of the rear lot line as referenced on the submitted plan.
 - Placement of two conservation markers at the 18-foot mark, approximately three feet in from the road side and three feet in from the rear wall side.
 - The area from the 18-foot mark to the rear lot line shall be designated a no-disturbance natural area, except that maintenance of the septic system is permitted.
- **Vote:** All in favor. Motion carried unanimously.
- **Outcome:** A Negative Determination #3 was issued with conditions.

6:40 PM: Continued Public Hearing – Notice of Intent – Squannacook River Dam DEP# PENDING

- **Proposal:** Repairs to the Squannacook River Dam.
- **Presentation:** The Conservation Administrator reported that the applicant is currently working with Natural Heritage and is requesting a continuance.
- **Motion:** A motion was made and seconded to continue the public hearing to January 13, 2026.
- **Vote:** All in favor. Motion carried unanimously.
- **Outcome:** The hearing was continued to December 13, 2026.

6:41 PM- Notice of Intent- Hollingsworth & Vose Landfill Closure- DEP# PENDING

- **Proposal:** Notice of Intent filed by Hollingsworth & Vose for closure of an existing landfill.
- **Presentation:** The Conservation Administrator reported that the applicant is requesting a continuance.
- **Motion:** A motion was made and seconded to continue the public hearing to January 13, 2026.
- **Vote:** All in favor. Motion carried unanimously.
- **Outcome:** The matter was continued to January 13, 2026.

6:45 PM: Continued Public Hearing – Notice of Intent – 63 Gratuity Road – DEP# 169-1281

- **Proposal:** Installation of a water line. Filed by Routhier & Roper Gratuity Road LLC.
- **Presentation:** Matt Waterman of LandTech Consultants appeared on behalf of the applicant. Also appearing online were Attorney Melissa Robbins of Farrell and Robbins, Rick Roper of Routhier & Roper Gratuity Road LLC, and Desheng Wang, who conducted the flood study. Jared Gentilucci and Emma of Nitsch Engineering appeared as peer review consultants.
- **Discussion:**
 - Representatives presented an updated floodplain map. It was noted that a revised plan had been submitted addressing a labeling comment from Nitsch Engineering regarding how the extent of the floodplain is marked.
 - Nitsch Engineering confirmed receipt of the initial updated map and stated that the amended version submitted later in the day appeared to address the labeling comment.
 - Desheng Wang clarified that the flood study calculations were conducted independently from FEMA and augmented the FEMA data to include contributions from Gratuity Brook, which FEMA had not accounted for.
 - A Commissioner raised four issues:
 - 1. If the FEMA floodplain data on the map represented the applicant's own analysis or strictly FEMA data.
 - 2. That the floodplain should be defined as any area flooded at all, not just areas with one foot or more of flooding, consistent with DEP regulations.
 - 3. That a narrative submitted by Desheng Wang regarding the two known flood events (December 18, 2023 and January 10, 2024) had not been received by the Commissioner in advance of the meeting and would need to be reviewed before the next meeting.
 - 4. That the plan should be revised to remove unnecessary elements and clearly show the water line crossing with the permanent ends of the water line.
 - Mr. Waterman confirmed that a revised plan focusing on the water line crossing at a larger scale would be provided.
 - Concerns were expressed about a home on Teresa Lane that had previously appeared to fall within the floodplain. Mr. Waterman confirmed that the lot had been relocated to the opposite side of the site and fits within the revised plan.
 - The applicant requested that the Commission begin drafting an Order of Conditions for the next meeting. Commissioners had general agreement, with the understanding that the updated plan must be received first.
- **Motion:** A motion was made and seconded to continue the public hearing to January 13, 2026.
- **Vote:** All in favor. Motion carried unanimously.

- **Outcome:** The public hearing was continued to January 13, 2026. The Commission stated that it would begin drafting an Order of Conditions pending receipt of the revised plan.

6:55 PM: Public Hearing – Retroactive Request for Determination of Applicability – 101 Longley Road (Unpermitted Grading and Work in Buffer Zone)

- **Proposal:** Retroactive Request for Determination of Applicability for unpermitted work in the buffer zone.
- **Presentation:** The applicant appeared and explained that he had subdivided his property and conducted grading work to level the land associated with the new lot. He stated that he went further than intended without being aware of the Wetlands Protection Act requirements. He reported that he installed 400 feet of silt fence and wattles throughout the area in response to a prior order, and that no sediment has entered the adjacent intermittent brook. He stated that he intends to bring in loam in the spring to reseed the area and restore it to grass.
- **Discussion:**
 - Commissioners who had conducted a site walk described the conditions observed, including significant fill, estimated at three to five feet in depth in some areas, placed in the direction of the wetland, with visible debris including bricks and pieces of plastic in the fill material.
 - A Commissioner stated that under the Groton Wetlands Protection Bylaw, there is a 50-foot no-touch zone and a 100-foot no-permanent-structure zone, and that the applicant’s unpermitted work had occurred within those areas.
 - Commissioners noted that the existing wetland delineation flags appeared to be placed at the inner channel of the brook rather than at the top of the bank, and stated that the delineation should be adjusted by a few feet.
 - A Commissioner requested that the 50-foot boundary be marked in the field so that the Commission could evaluate conditions during a site walk. The applicant agreed to place stakes 50 feet out from the existing wetland ribbons. A site walk was discussed for January 10, 2026, weather permitting.
 - Commissioners emphasized the importance of native plantings within 100 feet of the brook and a fully wild, no-disturbance zone within 50 feet, noting that any fill material within the 50-foot zone should be removed.
 - A Commissioner raised concerns about the use of non-native loam and the risk of introducing invasive species. The applicant was advised to be mindful of the source of any fill material brought onto the site.
- **Motion:** A motion was made and seconded to continue the matter to January 13, 2026.
- **Vote:** All in favor. Motion carried unanimously.
- **Outcome:** The matter was continued to January 13, 2026. A site walk was discussed for January 10, 2026, weather permitting, to allow the Commission to evaluate conditions after the applicant marks the 50-foot offset.

7:05 PM: Public Hearing – Retroactive Request for Determination of Applicability – 122 Old Ayer Road (Groton Hill Music Center)

- **Proposal:** Retroactive Request for Determination of Applicability for unpermitted work in the buffer zone, specifically the construction of a stone wall along Old Ayer Road and Peabody Street.
- **Presentation:** Greg Roy of Dillis & Roy appeared on behalf of the applicant along with Gary Shepherd of Groton Hill Music Center. Mr. Roy stated that he was retained to prepare an RDA filing promptly after the Commission's prior enforcement action. He presented a plan showing the existing and proposed stone wall running along Old Ayer Road from the Music Center entrance to Peabody Street, and approximately 100 feet up Peabody Street. He noted that straw was in place on site.
- **Discussion:**
 - Commissioners confirmed that the work is jurisdictional due to the presence of a bordering vegetated wetland across the street that extends to the roadside, within 100 feet of the proposed wall.
 - A Commissioner raised a concern received from a member of the public regarding the potential for the wall to block turtle and amphibian movement across the road. The Commissioner suggested that a passage of some kind be incorporated into the wall near its midpoint.
 - Discussion followed regarding the form of the passage. Suggestions included leaving a gap in the wall or constructing a small arch or tunnel. The applicant's representative stated he was open to incorporating a turtle passage but questioned the form. A Commissioner noted that the exact mechanism need not be dictated by the Commission and that the applicant may choose a gap, arch, or other method.
 - Commissioners acknowledged that the Commission had contributed to the confusion by previously allowing work to continue before an RDA was filed, and apologized for the lack of clarity in its prior communications with the applicant.
 - Discussion also addressed the area on the east side of Old Ayer Road, which had been subject to a prior stop work order. The Conservation Administrator confirmed that the State had reviewed the work on that side and indicated there were no issues with the work as it fell within the scope of the Agricultural Preservation Restriction (APR). Commissioners clarified that the APR does not exempt work from the Wetlands Protection Act, but noted that based on the location of the work, the stop work order could be lifted for work above the existing straw wattles on the east side of Old Ayer Road.
 - A Commissioner moved to rescind the stop work order for any work above the existing straw wattles on the east side of Old Ayer Road.
- **Motion 1:** RDA (Stone Wall): A motion was made and seconded to issue a Negative Determination #3 stating that the work described in the request is within the buffer zone as defined in the regulations but will not alter an area subject to protection under the Act, and therefore does not require the filing of a Notice of Intent, subject to the condition that a passage for turtles and other wildlife be integrated into the wall, with

the exact way to be determined by the applicant in consultation with the Conservation Administrator.

- **Amendment:** A motion was made to amend the main motion to require that some means of turtle passage be incorporated near the middle of the wall along Old Ayer Road, without specifying the exact method. The amendment was seconded.
- **Vote on Amendment:** Five in favor, one abstention. Amendment carried.
- **Vote on Main Motion as Amended:** All in favor. Motion carried unanimously.
- **Outcome (Stone Wall RDA):** A Negative Determination #3 was issued with the condition that a wildlife passage be incorporated into the wall near its midpoint, with the method to be determined by the applicant.
- **Motion 2:** Rescind Stop Work Order (East Side of Old Ayer Road): A motion was made and seconded to rescind the stop work order for any work above the existing straw wattles on the east side of Old Ayer Road.
- **Vote:** All in favor. Motion carried unanimously.
- **Outcome:** The stop work order was rescinded for work above the existing straw wattles on the east side of Old Ayer Road.

7:15 PM: Request for Determination of Applicability – Wharton Plantation Tree Removal

- **Proposal:** Request for Determination of Applicability for the removal of red pine trees affected by a fungal disease as part of a salvage forestry operation.
- **Presentation:** A Commissioner summarized the filing on behalf of the applicant, who was not present. It was stated that the New England forester for Wharton Plantation had contacted the Commission about removing all affected red pine trees, which are suffering from a fungus. Natural Heritage and Endangered Species Program (NHESP) had been notified and had responded with a letter mapping a 200-foot buffer around areas of concern.
- **Discussion:**
 - The Conservation Administrator confirmed that the applicant is subject to a timeline for when trees may be cut.
 - Commissioners discussed if the project is jurisdictional and concluded that the Conservation Commission's role is limited to notification and comment.
 - It was noted that the applicable RDA determination is a Negative 5, as the work meets the forest cutting plan exemption under the Wetlands Protection Act.
- **Motion:** A motion was made and seconded to issue a Negative Determination #5 that the area described in the request is subject to protection under the Act, but since the work described meets the requirements of the forest cutting plan exemption as specified in the Act and regulations, no Notice of Intent is required.
- **Vote:** All in favor. Motion carried unanimously.
- **Outcome:** A Negative Determination #5 was issued based on the forest cutting plan exemption.

2. GENERAL BUSINESS

2.1 GENERAL DISCUSSIONS/ANNOUNCEMENTS

Update – 60 Valley Road

- The Conservation Administrator reported that she is working with the original contractor who performed the unpermitted cutting at 60 Valley Road to facilitate a Notice of Intent filing. She provided the contractor with guidance on the filing process.
- It was reported that a wetland scientist hired by the contractor has explained the wetland and determined that no mitigation work should be undertaken at this time of year, and that the contractor has been advised to include that information in the Notice of Intent filing.
- The Conservation Administrator stated that the contractor has been asked to prepare a restoration plan as part of the filing.
- Commissioners discussed the appropriate scope of restoration. Members noted that much of the disturbed vegetation, including shrubs and small trees, is likely to regenerate naturally. Commissioners suggested that the restoration plan could include a first-year phase of monitoring with no active planting, to allow natural regrowth to occur before determining if additional work is needed.
- A Commissioner expressed concern about invasive species colonizing the area following the opening of the canopy, and recommended that the contractor monitor for and address invasive species over time.

Donation Thank-You Letter

- The Conservation Administrator reported that a draft thank-you letter acknowledging a prior donation was ready for signature. Commissioners agreed to sign the letter. The Conservation Administrator stated she would print it for signatures.

Sustainability Commission – Request to Appear

- A Commissioner reported that the Sustainability Commission has requested to be placed on the Conservation Commission's agenda for February. The purpose of the appearance is to discuss the Town adopting the Specialized Stretch Energy Code, which would allow Groton to pursue designation as a Climate Leader Community and access associated grant funding toward the Town's net-zero emissions by 2050 goal.
- Commissioners discussed the proposal. It was agreed that the Sustainability Commission would be invited to appear, and that the Building Inspector would also be invited given the impact of the code on building requirements.

2.3 LAND MANAGEMENT & ACQUISITION

Encroachment Matters Update

- Commissioners requested a review of ongoing encroachment matters. The Conservation Administrator provided the following updates:
 - Martin's Pond/ Nipmuc Meadows: A notice letter sent by the Conservation Administrator was returned unclaimed. It was suggested that the constable be used to deliver the notice, and that a phone call be attempted as a next step.
 - Hill Road (two properties): No updates at this time.
 - Lawsuit (Hahn): No updates. The Conservation Administrator stated that the opposing party appears to be reviewing documents.
 - 309 Boston Road: The property owner paid all outstanding fines. Commissioners discussed the need to follow through on outstanding compliance requirements.
 - **Motion:** A motion was made to appoint Chairman Easom as the designated point of contact for communications with the property owner.
 - **Vote:** All in favor. Motion carried unanimously.
 - It was agreed that a standing agenda item should be added to future meetings to review the status of all open encroachment matters to ensure they do not go unaddressed.
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ADJOURNMENT

- The Commission entered Executive Session and did not return to open session.

APPROVED: 3/10/26