



TOWN OF GROVELAND

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***TOWN OF GROVELAND
MASSACHUSETTS 01834***

BOARD: Conservation Commission
TOPIC: Monthly Meeting
MEETING DATE: April 14, 2021
MEETING PLACE: Town Hall Meeting Room and Zoom Meeting
TIME: 7:00 P.M.
MEMBERS PRESENT: M. Dempsey, S. Bartelt, F.O'Connor, T. Schaefer
T. Grim, W. Formosi
MEMBERS ABSENT: J. Gebauer
GUESTS: None

Lower Center St

A site visit was completed by Dempsey and Bartelt on April 9. On April 10, Formosi, Gebauer, Grim and Dempsey visited the site. Another site visit is planned for April 17. Dempsey said we cannot enforce restrictions on the boat launch and parking because they can't be enforced or tracked from people parking down there.

Minutes

Grim motions to approve the March Minutes. Dempsey seconds. Voted 2-0-4 (Dempsey and Formosi voted yes)

Conservation Agent Update

The town budgeted for this new position. We could be ready to hire by July 1. ½ fee will come from ConCom budget and the other ½ will be from Veasey Revolving Account.

Bartelt will redo the maintenance plan and Grim will read it over.

104 King St

Site visit on 3/31 was scheduled and cancelled by 104 King Street attorney representing the applicant.

929-930 Salem St.

Permits for construction going on and permits issued have expired last November 2020. Any work done was on the inside of the building.

MACC suggested we write a letter on COC and they need to refile on things they haven't done. Planning Board has their own restrictions. The Planning Board has a cease and desist on the property.

194 Main St

An extension was granted to do work. Dempsey met with the owners on Monday. The erosion controls were in place. Dempsey would like to charge them a fee of \$400.00 for starting one day early.

Grim motioned a ½ fee (\$200.00) for 1 day's work during the restricted season. Schaefer seconds. Voted: Unanimous.

Dempsey motions to open the hearing section of the meeting at 7:34 p.m. Bartelt seconds. Voted: Unanimous.

268 Washington St- GNOI/NOI

Dempsey contacted owners and spoke to the Wetlands Scientist. More news will be coming next month. Dempsey motions to continue to May 12. Grim seconds. Voted: Unanimous.

215 Seven Star Rd- GRDA for above ground pool

Bartelt and Dempsey visited the site on March 6. Dempsey said the pool can be placed 75 ft. away from the stream. Since it's an above ground pool it can be 50 ft. away from the stream. Dempsey motioned to approve the placement of the above ground pool at 50 ft. from stream and issue a letter permit with a negative determination. Grim seconds. Voted: Unanimous

764 Salem St. GRDA

Dempsey motions to open 764 Salem St. Bartelt seconds. Voted: Unanimous

On March 20th a site visit was made. Trees were cut along 200 ft. river front area. Dempsey said the owner needed to file a RDA. When the site visit was completed, they found 6 trees were cut in the 200 ft. area. The owner cut 7-8 trees. When he bought the house 3-4 years ago he was told he couldn't build anything. He wanted to take the weight off his septic system by moving his kids swing set and sandbox play area away from the septic system. Dempsey explained what a RDA was to the home owner.

Dempsey moved to issue a negative determination and issue a permit letter stating that trees were cut out of the river front area. Grim seconds. Voted: Unanimous.

18 King St GRDA

Grim would like to recuse himself since he is an abuttor.

Dempsey motions to open the hearing for 18 King Street RDA. Bartelt seconds. Voted: 5-0. A tree fell and it needs to be removed.

Kevin Kerne of Northern Tree Service said he is proposing to take out 2 storm damaged trees. They will travel on the mats with a machine to get the trees out with minimal impact.

Dempsey motions to approve the pre-removal of the tree with a negative determination. Bartelt seconds. Voted: 5-0-1.

Grim rejoined the meeting.

54 Bare Hill Road GRDA

Dempsey motions to open 54 Bare Hill Road for GRDA for inground pool. Grim seconds. Voted 6-0.

The Commissioners would like the pool to be placed in a specific location. Mr. Sloken would like to put the pool before the storm wall. The commissioners agreed to this location
Dempsey motioned to issue a permit with a negative determination and placement of an in-ground pool. Grim seconds. Voted: Unanimous.

102 King St. RDA

Dempsey motions to open the hearing for 102 King St. Grim seconds. Voted Unanimous.
Schaefer recused himself because he is an abuttor.

Bartelt and Dempsey looked at the property in March. Robin Wright, owner of property would like to clear the land using a bobcat forestry mower to clear the area. Trees that were marked will stay. ComCon doesn't want any trees near the pond cut that is more than 2 inches thick. There is mostly overgrown brush.

Dempsey motions to approve brush and tree cutting at 102 King St. No tree more than 2 inches thick can be cut within 25 feet of stream. Grim seconds. Voted 5-0-1. Schaefer abstains.

55 Garrison St.- owner Katherine Shaw

Grim moved to open the hearing. Bartelt seconds. Voted: Unanimous

Dempsey visited the site on Monday April 12. The stream is 75 ft. away from work that needs to be done. In front of barn will be excavated and behind the house where the bulkhead to be grated away from the house.

Dempsey motioned to approve site work for better drainage at 55 Garrison St. which will be 75 ft. from nearby stream. Grim seconds. Voted: Unanimous

163 Seven Star Rd. GNOI - enforcement

Chris Mahoney owner.

Dempsey motions to open to hearing. Grim seconds. Voted unanimously

There was an enforcement act because of DEP was not happy with the documentation from the applicant. DEP asked why he planned to do what he was did.

Dempsey motion to resend the enforcement order. Grim seconds. Voted: Unanimous

Dempsey motioned to cancel the DEP NOI filing which the commissioners voted to accept but are reversing the vote. Dempsey motioned. Grim seconds. Voted: unanimous.

106 King Street NOI/GNOI continued.

Grim and Schaefer recused themselves on this application and Grim left the meeting. Dempsey motions to open hearing. Bartelt seconds the motion. Voted 4-0.

Conservation Commission would like to hire a peer reviewer. After the March 10 meeting, Dempsey proceeded to get estimates from 3 wetland scientist companies. Two came back with estimates. TEC and Williams & Thoragi.

Atty. Deschenes said his client would like to have TEC do the work since they are doing the Storm Water Management for Planning Board. Bartelt said the other firm would do better because we have experience with Greg Hochmuth. Formosi agreed with Bartelt.

Dempsey said he didn't know who is doing the peer review. He's concerned because TEC doesn't have their own wetland scientist. He doesn't want to hire the same company as Planning Board. Dempsey said we used Greg Hochmuth on another project and he helped us write the Orders of Condition on that project.

Dempsey motioned to hire Greg Hochmuth. Bartelt seconds. Voted 3-0-1. O'Connor abstains. Dempsey sent the applicant a schedule of the hearing process.

Questions from abutters:

Philippa Petrucelli 118 King St.

Jan Truppner 4 West Hadley Rd., Merrimac

Dempsey will email the abutters questions to Atty. Deschenes.

118 King St. Paul Kinx sent 2 letters dated April 7 referencing 106 King St. They should be placed on hold because of the action of 104 King St. The abutters have an interest in both applicants.

Dempsey motion to continue to May 12 for 106 King St. Bartelt seconds. Voted: 4-0-2. Schaefer rejoined the meeting.

11 Pine St.

Bartelt motions to open the hearing. Dempsey seconds. Voted: 5-0.

This property is located next to Johnson's Pond. Lot 46 -11. It's an abandoned building and there are vehicles on the site. Dempsey went to the site on March 23, 2021. Dempsey sent a certified letter to the owner and the letter was returned. He would like to have the vehicles and some of the brush removed and eventually have the home taken down.

Dempsey motions to have the abandoned vehicles removed from 11 Pond St. Lot 46-11 and have any trees that are 6 inches or less wide to be removed.

Schaefer seconds. Voted: 5-0.

Johnson Pond lily removal and boat launch

Dempsey motions to open the hearing. Stephanie seconds. 4-0.

There are two permits, DEP and OOC. We extended bylaw permits to 2023. These two permits expire April 2, 2021 and I would like to extend them to 2024 which is a three-year extension. There will be more work on the boat launch, but minimal impact on resource area and a lily removal will be done in September.

Dempsey motion to grant extension for Johnson Pond and OOC and extend it to 2024. Bartelt seconds. Voted: 4-0.

Dempsey motions to close hearing portion at 9:40 pm. Schaefer seconds the motion. Voted 5-0.

Wednesday, May 12 is an in person and zoom meeting. Bartelt motions to close the hearing at 9:45 pm. Schaefer seconds. Voted 5-0.

M. D. [unclear]

Chairman

5-12-21

Date