



**TOWN OF GROVELAND
MASSACHUSETTS 01834**

TOWN OF GROVELAND
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TOWN CLERK
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BOARD: Conservation Commission
TOPIC: Monthly Meeting
MEETING DATE: April 13, 2022
MEETING PLACE: Town Hall
TIME: 7:00 P.M.
MEMBERS PRESENT: M. Dempsey, S. Bartelt, B. Formosi, T. Grim
MEMBERS ABSENT: J. Gebauer, Fred O'Connor, Tom Schaefer
GUESTS: A. Schindler (Environmental Program Coordinator), Brian Burke (30 Byfield Rd), Greg Hochmuth (Wetland Scientist), Jimmy Fiore, Frank DiLuna, Damon Burt (all 104 King St)

Grim motioned to open the meeting at 7:11 p.m. on April 13, 2022. Bartelt seconds. Voted: 4-0.

Approval of March 9, 2022 Minutes

MOTION: Grim moves to accept the minutes for the March 9, 2022 meeting with the suggestion to change the note regarding Fred O'Connor's connection being lost. Formosi seconds. Voted: 4-0. The motion passes.

MOTION: Grim moves to sponsor the Earth Day event in Groveland. Formosi seconds. Voted: 4-0. The motion passes.

MOTION: Grim moves to open the hearing portion of the meeting at 7:32 PM. Bartelt seconds. The motion passes.

30 Byfield Rd GRDA

Brian Burke, homeowner, present to discuss application. Schindler explains that the applicant has received approval from the ZBA to place the shed within the setback, now needs Conservation Commission approval as well. Burke explains that there will not be any heavy machinery used to install the shed and that it will be sitting on cinderblocks.

MOTION: Dempsey moves to approve the placement of the shed greater than 50 feet from the wetlands at 30 Byfield Rd and close the hearing. Formosi seconds. Voted 4-0. The motion passes.

6 Governors GRDA

Schindler explains that the applicant would like to place an above-ground pool approximately 75 feet from the wetlands as noted in the application.

MOTION: Bartelt moved to accept the pool as planned for 6 Governors Rd and close the hearing. Grim seconds. Voted: 4-0. The motion passes.

268 Washington Street NOI/GNOI Continued

Greg Hochmuth, Wetland Scientist for the applicant, is present.

A site visit was conducted on April 2, 2022 with the Commission. They have also heard back from Pam with the DEP. Nothing on the plan has changed. They are going to restore the altered BVW and restore the altered stream bank. A new crossing will be installed in accordance with the stream crossing standards. They are going to be aggressive to ensure that invasive species do not take hold on the site. The homeowners are okay with having the Conservation markers on the site. They would like to start on the portion of town property that was altered and then move on to their property and bring the whole site back into compliance.

Discussion with the Commission follows in regards to where the monuments should be placed. Protection of resources is more important than lot line delineation. Two monuments along the shoulder of the new driveway, along the more up gradient area, minimum of four, at the discretion of the Conservation Agent at the pre-construction meeting, have them staked out at this meeting.

Discussion of timing of the work follows. Hochmuth says ideally during the low flow periods of the year, late July-August. Hochmuth says that it is a perennial stream so it is not supposed to dry out, but it does get pretty low in the summer. A sump pump will be used to divert the water while they do work on the existing culvert. Commission agrees and notes that this should be added to the OoC.

Dempsey notes to Schindler that 268 Washington St should be added to the list of sites that will be mailed a seasonal waiver reminder.

MOTION: Dempsey moves to close the hearing and to issue a OoC and bylaw permit for the restoration of the stream and surrounding areas as submitted by the plan with 4 conservation markers that will be determined at the pre-construction meeting. Grim seconds. Bartelt makes sure everyone is okay with the timing of work, could do some restoration work now, and hold off on the work in the stream until late July-August. Voted 4-0. The motion passes.

MOTION: Dempsey moves to close the hearing portion of the meeting at 7:55 PM. Grim seconds. Voted 4-0. The motion passes.

142 King St – discussion regarding erosion controls and retention pond

Matt Connors, landowner, is here to discuss three things, moving the detention pond closer to the buffer zone to save a couple trees and because it will be easier grading wise. Item two is the erosion control methods, the current plans show silt sock surrounding the entire work area, which is very expensive, potentially change the methods to be something less expensive on the up gradient portion of the site. The third matter is the timing of placing the erosion controls, they

will get torn up while logging is going on and the landowner would like to put the erosion controls in place after the logging is complete.

Dempsey notes that the erosion controls were suggested by the applicant's wetland scientist, but the Commission likes to see the limit of work delineated. The location of the sedimentation pond is subject to Planning Board review, so it would be first up to them, then us. Dempsey also notes that he doesn't like the idea of no erosion controls when 78 trees are being removed. A site visit is scheduled at 8 AM on April 16th.

104 King St – discussion on what applicant should file for

Dempsey gives background information on the site. Dempsey sent a letter to the Fiore after the Commission received the DEPs ACOP requesting that the Fiore file for a GNOI and GANRAD to address the DEP work that was in their ACOP. Dempsey continues with the facts in the case are: DEP conducted a site visit and spoke with the Fiore regarding the work that had taken place on the property, and conducted their own research. An Administrative Consent Order with Penalties has been issued which will require work within jurisdictional areas, the ACOP is very similar to an OoC. Up until this point there have been no filings with the Conservation Commission under our bylaw, which is why Dempsey sent the letter. Since this letter was sent out Dempsey, Bartelt and Schindler have spoken with Libby at the DEP and she suggested issuing an enforcement order as a possibility. Dempsey disagrees with this and thinks that the Commission should continue its request for these filings so that all the work that DEP is issued is still permitted under the local bylaw, similar to any post-project filing. Formosi says this will also be a way for us to have a file and record of the work. Schindler notes that Libby cautioned that a local permit can be appealed and that could bog down the project in legal issues. Frank DiLuna (Fiore lawyer) says that they do not want this to get over and above what DEP is already requiring, we want it to mirror what the DEP is requiring.

Discussion continues on what to file between the Commission and the Jimmy Fiore, Frank, and Damon Burt (Wetland Scientist). The Commission would like to see things done properly and the Applicants want to keep it simple.

Dempsey, Schindler and Burt will organize a time to further discuss filing requirements.

139 King Street

Schindler explains that the stumps will be removed by the homeowner who previously worked in landscaping. The homeowner would like to replant the trees.

MOTION: Grim moves to allow the stump grinding at 139 King Street without any special erosion controls and a letter to document this decision. Dempsey seconds. Voted: 4-0. The motion passes.

Seasonal Waiver Letters

Schindler says that some people who have received seasonal waivers have not yet paid the fees and she would like to send them reminder letters.

Seasonal Waiver Fee Sheet

Schindler says that the final changes have been made.

MOTION: Grim moves to accept the new waiver schedule. Formosi seconds. Voted: 4-0. All in favor.

Environmental Program Coordinator Update

Schindler says she is still taking MACC courses as well as the circuit riders "Agent Corners" courses as well. Still working through the files as before moving, and doing regular site visits.

Calls, Meetings, etc

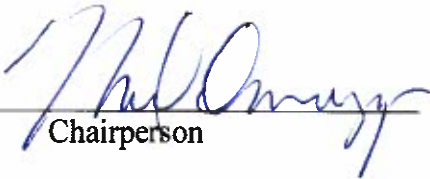
Dempsey reminds that we must let our CR holder for 150 Center St that work is going to be done on the site within the sewer easement. Need to send them a letter as well as a copy of the NOI. Dempsey says that a meeting with state representatives will be taking place with the people involved in Lower Center Street.

Open Discussion


Dempsey mentions that both 106 King Street and Sewell Street both had invasive management plans that were supposed to be submitted to the Commission – need to check in on them.

Next meeting on May 11, 2022 at 7:00pm.

MOTION: *Grim moves to end the meeting at 8:55pm. Formosi seconds. Voted 4-0. The motion passes.*



Chairperson



Date