



**Town of Groveland**  
Economic Development, Planning &  
Conservation Department  
Conservation Commission

TOWN OF GROVELAND

2022 AUG 15 AM 9:05 183 Main St  
Groveland, MA 01834

TOWN CLERK  
RECEIVED/POSTED

*Michael Dempsey, Chair*  
*Stephanie Bartelt, Vice Chair*  
*Bill Formosi*  
*Terry Grimm*  
*Fredrick O'Connor*  
*Thomas Schaefer*

**BOARD:** Conservation Commission  
**TOPIC:** Monthly Meeting  
**MEETING DATE:** July 13, 2022  
**MEETING PLACE:** Town Hall and Zoom  
**TIME:** 7:00 PM  
**COMMISSIONERS PRESENT:** M. Dempsey, S. Bartelt, F. O'Connor (Remote), T. Grim  
**COMMISSIONERS ABSENT:** B. Formosi, T. Schaefer  
**GUESTS:** Annie Schindler (Environmental Program Coordinator (EPC)), Greg Wick (6 Merrimack River Road), Bob Niccoli (TEC), Joe Orzel (Lucas Environmental), Kelan Koncewicz (VHB), Mr. & Mrs. Kevin Hubbard (1 Uptack Rd)

**APPROVED 8/10/2022**

**MOTION:** Grim motions to accept the July 13, 2022 meeting minutes with the times of Grims' departure and meeting adjournment mended. Bartelt seconds. Votes 3-0-1, Formosi abstains. The motion passes.

*Note: Minutes are not taken verbatim, see the recorded meeting for verbatim information.*

**MOTION:** Grim motions to open the meeting at 7:11 PM on July 13, 2022. Bartelt seconds. Voted: Dempsey, aye. Bartelt, aye. Grim, aye. O'Connor, aye. The motion passes.

**Approval of June 8, 2022 Minutes**

**MOTION:** Grim motions to accept the June 8, 2022 meeting minutes. Bartelt seconds. Voted: Dempsey, aye. Bartelt, aye. Grim, aye. O'Connor, aye. The motion passes.

**Veasey Park – Washington Street Parking**

**Bartelt:** I spoke with the Friends of Veasey (FoV) earlier today and they don't like the idea of placing boulders at the bottom of the hill, they would prefer hay bales or a snow fence.

**Dempsey:** The point is not to make the sledding easier, it is rather to limit the way people park there. Would the FoV pay for the fencing?

**Bartelt:** Maybe we should host a joint meeting with the FoV. They are concerned about the aesthetic look of the boulders especially with the weddings that take place on the hill.

**BOARD:** We will do a site visit on Saturday July 16<sup>th</sup> at 8:30 AM.

**Informal discussion RE 3 Oakland Terrace basketball court**

**Schindler:** The homeowner was no longer able to be present, but essentially they are looking to place a basketball court somewhere on their property and would like some guidance from the Commission as to the placement.

**Environmental Program Coordinator Update**

**Schindler:** All active construction sites are looking good. 106 King St and 104 King St should be providing their information within the next week or two. The office will be moving within the

next few weeks into the current Highway Department office. If anyone would like to help me go through files it would be much appreciated.

### **38 Benjamin St Ext – Invasive Knotweed**

Dempsey: Yesterday Annie and I went to 38 Benjamin St with Greg Hochmuth, Steve Dehullu, one of his employees, and abutter Nancy Sweetser to look at the knotweed infestation. Greg said it would probably be a 3-5 year project to fully control the infestation and that at the stage it is at right now, spraying would be the best option. I have also spoken with the Dehullu's; they are concerned we're holding up their building permit until they produce an invasive species management plan for the property. Greg said he would provide one that was written up for another property and send it along. The question is, do we want to give them a building permit pre-plan, or let them wait until a plan is in place.

Grim: Who is responsible for the lack of plan?

Dempsey: Them, but we only met on site with them and Greg yesterday.

Grim: But we have been telling them to seek professional guidance for a while now.

Bartelt: I would like to see a plan that we all agree to, it's a very delicate area.

Dempsey: We will address this again at the next meeting.

**MOTION**: Grim motions to open the hearing portion of the meeting at 7:32 PM. Bartelt seconds. Voted: Dempsey, aye. Bartelt, aye. Grim, aye. O'Connor, aye. The motion passes.

### **Uptack Culvert Replacement – NOI/GNOI**

*Bob Niccoli from TEC and Joe Orzel from Lucas Environmental present to present the project. DEP#030-0476*

Niccoli: This is a town project that was spearheaded by Town Administrator Rebecca Oldham. TEC took a look at the culvert and determined that the rehabilitation work that it would take to bring the existing culvert up to standard would cost almost the same as just replacing the entire culvert. Because of this we applied for and received a MassWorks STRAP grant to fund this project. We will be increasing the span of the bridge to 8.5 feet, an increase from the 6 foot span it is right now. There will be 4 foot imbedded footings for frost protection. We will reuse the material that is excavated in finishing the project. This project meets all of the stream crossing standards but one, which is for opening span. If we were to try to meet this standard, the culvert would have to be 25 feet wide, which would make the project financially impossible, and turn the culvert into almost a bridge. We will need to do a controlled water system, as the work must be done in the dry. *(Note: A full project description and NOI can be found at the Economic Development, Planning, and Conservation Department office)*

Orzel: This project qualifies as a limited project. There are different resource areas present, as well as NHESP mapped habitat. NHESP has given the project a conditional no-take and will be approving a turtle protection plan before construction begins.

Dempsey: What will the turtle protection plan look like?

Orzel: There will be monitoring during the construction period, turtle fencing, as well as loam and seeded rip rap so no turtles get caught while crossing the rip rap.

Bartelt: Is there a seasonal restriction for the turtles?

Orzel: Yes, essentially it will either mean we have to do turtle monitoring or no turtle monitoring.

Dempsey: Has any thought gone into the issue of the death of turtles crossing the street here?

TEC/LUCAS: We weren't aware there was an issue there.

Niccoli: If we were to do some type of fencing, it would be a large fence, which abutters don't usually like, and aren't always efficient.

Dempsey: Could you look into adding extra signage for turtle crossing and to slow down for turtle crossing?

Niccoli: Yes, that is definitely something we can look into.

Grim: Tell me more about the flood design.

Niccoli: We have designed the culvert to withstand a 10-year storm/flood.

Dempsey: What is the timeline on this?

Niccoli: We are tied to the grant so we would like to go out to bid in September and begin construction in May/June 2023. We anticipate the detour and road closure to be about 45 days.

Dempsey: Should we do a site visit?

Kevin Hubbard, 1 Uptack Rd: Because we live so close we had a survey done to ensure that we were above the flood elevation so we don't have to pay for flood insurance, will this change the flood levels?

Niccoli: No, this is a no rise project, it won't change any flood elevation.

Hubbard: Will construction affect flooding?

Niccoli: No it won't. There should be no change to flooding at all.

*Discussion about Meadow Pond water elevation...*

**MOTION**: Bartelt motions to accept the plans for the replacement of Uptack Culvert as presented and issue an Order of Condition for the project, with a request for the applicant to investigate signage for turtle crossings. O'Connor seconds the motion. Voted: Dempsey, aye. Bartelt, aye. Grim, aye. O'Connor, aye. The motion passes.

### **8 Merrimack River Road – GRDA**

Michael Bacher, 8 Merrimack River Road: A tree next to my dock snapped at the base and it caught on another tree and I would like to remove it.

Dempsey: How did it snap?

Bacher: I think the tree is sick and it was also right next to another tree so it got crowded out. KMA will be doing the work.

Dempsey: How will they be taking the tree down?

Bacher: I believe they will be bringing in a crane, tying it, and cutting it from there.

**MOTION**: Bartelt motions to issue a letter permit to remove the tree at 8 Merrimack River Rd. Grim seconds the motion. Voted: Dempsey, aye. Bartelt, aye. Grim, aye. O'Connor, aye. The motion passes.

Bacher: While here I would just like to mention that the Clean River Project will be working to clean up the Groveland portion of the Merrimack River starting July 30 until the second week of August. We have different groups working with us on this and more information can be found online.

### **North of Rocky Woods ROW – RDA**

Kelan Koncewicz, VHB: National Grid would like to do line work on one of their poles in their Right of Way (ROW) off of King St and north of Rocky Woods Rd. The pole is within a certified vernal pool and resource area. The crew would walk in to the site, and all of the work would be on the pole. There will be some minor clearing required for the crews to reach the pole. There is

NHESP habitat at this site, but National Grid has an ongoing maintenance plan with NHESP so the company doesn't have to constantly apply with them.

Grim: We would like to have a heads up before the work takes place.

Bartelt: With the NHESP, the workers just have to know that the species are there?

Koncewicz: We will give notice before work starts. And yes the understanding is that the workers are trained and educated as to what to do if they come across one of the species.

**MOTION**: Bartelt motions to issue a negative determination for the maintenance work within the ROW off of King St and north of Rocky Woods Rd. Grim seconds the motion. Voted: Dempsey, aye. Bartelt, aye. Grim, aye. O'Connor, aye. The motion passes.

### **8 Merrimack River Rd – GNOI**

Greg Wick, 6 Merrimack River Rd: I started this project a while ago. A couple of the Commissioners came out to do a site visit last month. The plan you have in front of you isn't final and can be adjusted. The only heavy machinery would be a mini excavator to dig a four-foot trench for the foundation. The location you see on this plan was the suggested location by the Commissioners at the site visit.

Grim: Did we find out if the existing shed was permitted?

Schindler: I don't believe it was. It was put in when the pool went in which wasn't jurisdictional.

Grim: Why not put it where the current shed is?

Wick: We can move it back to that location.

Bartelt: We had suggested there as it was pretty flat.

Grim: The old shed is further from the resource area, why not there? Get as much of it outside of the 75-foot no-build zone as possible. I would also like to see a plan with a smaller shed and closer to the original shed location.

Dempsey: Why should we permit something in the no-build zone?

Wick: With snow and the kids' cars it would just make sense.

Dempsey: I get the desire, but why? I want further explanation as to why.

Grim: Come back next month with a revised plan with a smaller garage.

**MOTION**: Dempsey motions to continue the hearing until the August meeting. Bartelt seconds the motion. Voted: Dempsey, aye. Bartelt, aye. Grim, aye. O'Connor, aye. The motion passes.

**MOTION**: Dempsey motions to close the hearing portion of the meeting. Bartelt seconds the motion. Voted: Dempsey, aye. Bartelt, aye. Grim, aye. O'Connor, aye. The motion passes.

*Grim departed the meeting at 8:35.*

### **Open Discussion**

**BOARD**: Discussion of getting a spot at Groveland Day, will email Lisa Chandler for more information.

### **Annual Appointments**

*This was done at the previous meeting and should not have been on this agenda.*

### **Calls, meetings, and upcoming projects**

*None at this time.*

**Next Meeting**

Next meeting is August 10, 2022 at 7:00pm.

**MOTION:** Dempsey motions to adjourn the meeting at 8:44 PM. Bartelt seconds the motion. Dempsey, aye. Bartelt, aye. O'Connor, aye. The motion passes.