



**Town of Groveland**  
**Economic Development, Planning &**  
**Conservation Department**  
**Conservation Commission**  
183 Main St  
Groveland, MA 01834

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

**APPROVED 04-12-2023**

**MOTION:** Grim motions to accept the March 29, 2023 meeting minutes. Bartelt seconds. Voted Grim, aye. Formosi, aye. Bartelt, aye. Dempsey, aye. O'Connor, aye. The motion passes.

<b>BOARD:</b>	Conservation Commission
<b>MEETING DATE:</b>	<b>March 29, 2023</b>
<b>MEETING PLACE:</b>	Town Hall and Zoom
<b>TIME:</b>	7:00 PM
<b>COMMISSIONERS PRESENT:</b>	M. Dempsey, S. Bartelt, T. Grim, B. Formosi, T. Schaefer, F. O'Connor (Zoom)
<b>COMMISSIONERS ABSENT:</b>	
<b>GUESTS:</b>	Frank DiLuna, Damon Burt, Jimmy Fiore, Ken Linehan, Shannon Linehan

OWN OF GROVELAND  
2023 APR 26 AM 11:28  
TOWN CLERK  
RECEIVED/POSTED

*Note: Minutes are not a transcript; see the recorded meeting for verbatim information.*

**MOTION:** Grim motions to open the meeting at 7:04 PM on March 29, 2023. Bartelt seconds. Voted: 5-0. The motion passes.

*O'Connor joined the meeting.*

**441 Main Street** – Re-schedule site visit

**COMMISSION:** We will have a site visit April 7<sup>th</sup> at 5 PM.

**Land Donations**

**Dempsey:** I am getting ready to speak with the Board of Selectmen on accepting a parcel that is along Johnsons Pond on Washington St. There is also the potential of receiving 441 Main St as a donation, but the Light Department also has interest in it, as the parcel abuts their substation.

**MEETING MINUTES** Approval February 8, 2023 meeting minutes

**MOTION:** Grim motions to accept the February 8, 2023 meeting minutes. Bartelt seconds the motion. Voting aye: Grim, Schaefer, Formosi, Bartelt, Dempsey, O'Connor, unanimous in favor.

**ENVIRONMENTAL PROGRAM COORDINATOR UPDATE**

**Agent:** Three Enforcement Orders are being issued to properties in Town. The first two are for work on Manor Drive. The first is due to work at the rear of one of the buildings that is within 20 to 30 feet of a small stream. The other is for a sump pump that is coming out of the basement and is discharging to a wetland system approximately 300 feet away. The third Enforcement Order is being issued to 172 King St, for work associated with the remodeling of a home as well as fill that was brought in to create an extra parking spot/driveway area.

**Grim:** And what will the fees be associated with this?

**Agent:** That is up to the Commissions discretion.

**Grim:** I think it is unfair that they don't have to pay any of the filing fees for the work that was completed when normally they would.

Formosi: We should put in a letter that we are considering fines.

Dempsey: We should instead say if you don't follow these instructions, such as filing after the fact and installing erosion controls in the meantime, you will be fined.

COMMISSION: Agreed, a letter will be sent talking about the fines with the Enforcement Order.

Grim: How are things looking at the school?

Agent: Things are going well. They are working closely with West Newbury to address the issues that are taking place there. They will be installing a water quality structure on the other side of the culvert at the entrance to the site which will assist in the quality of the water that gets discharges from the catch basin on the road to the wetland system.

**MOTION**: Bartelt motions to open hearing portion of the meeting at 7:30 PM. Grim seconds. Voting aye: Grim, Schaefer, Formosi, Bartelt, Dempsey, O'Connor, unanimous in favor.

## **PUBLIC HEARING**

### **10 Merrimack River Road** – GRDA – Removal of trees

Linehan: Thankfully to our neighbor we learned about the Ash Borer Beetles so we had a tree professional come to the property to evaluate our trees. We have a total of 11 trees on the berm and then down towards the water that are currently infected. He suggested leaving the trees closest to the water, but the two that are along the berm are very tall and a danger to our home. We just want to focus on these two.

Grim: When would you like to do this?

Linehan: When the ground firms up, probably at the end of April.

Bartelt: Are you planning to replace them?

Linehan: Yes, not in the exact location, but probably about five feet off.

Bartelt: Our agent can get you a list of trees that are native to the area for you to consider.

**MOTION**: Grim motions to approve the GRDA for tree removal at 10 Merrimack River Road. Bartelt seconds the motion. Voting aye: Grim, Schaefer, Formosi, Bartelt, Dempsey, O'Connor, unanimous in favor.

## **PUBLIC HEARING**

### **219 Center Street** – GRDA – Removal of trees

Agent: The homeowner is looking to remove approximately 5-7 trees that are infected with Ash Borer Beetles. The crane would be parked on the driveway or in the street. They are not going to be grinding the stumps.

Dempsey: We would add a boiler plate for replanting trees so provide residents with a list of species they can use to replant.

**MOTION**: Grim motions to approve the removal of the trees at 219 Center Street. Bartelt seconds. Voting aye: Grim, Schaefer, Formosi, Bartelt, Dempsey, O'Connor, unanimous in favor.

## **PUBLIC HEARING**

### **104 King Street** – GNOI – Restoration work

Schaefer: I recuse myself from this hearing.

*Schaefer moves to the audience.*

Burt: I'm Damon Burt from FragglesRock Environmental, this is a Groveland NOI for restoration work that was ordered by the DEP, ACOP DOC #00012177. Also, in this packet you have the restoration plan that was completed in the Fall of 2022. We also gave an update at the October or November meeting on that restoration. The last page of the packet is a letter from DEP stating where we are at, essentially noting that they are happy with the restoration work that has been completed. There will be ongoing monitoring work per DEP.

Dempsey: Can you please summarize some of the improvements that were made?

Burt: Sure, we have three wetland restoration areas. The first one is along the barn, so we restored 1,955 sqft of BVW and intermittent stream, in that area we planted 12 native shrubs, and we also seeded the area with a wetland seed mix and from existing seed profiles. Restoration Area 2 which is also a stream, 13,491 sqft of BVW restored, we planted 32 native shrubs, and planted a wetland mix as well as using seeds on site. Then we have Restoration Area 3 which is within one of the paddocks, these areas were graded, and wetlands were restored, 18 native shrubs were planted, as well as a wetland seed mix and native seeds from the area. We used erosion control blankets, logs, and silt fence during the restoration process, and we completed this past fall.

Formosi: How did it all fare throughout the winter?

Burt: It all took really well. The stream channel has held well, and the erosion controls have done a good job stabilizing it.

Bartelt: Are there enough shrubs?

Burt: Yes, the seed mix will fill it in as well. We're really happy with the results. I think we brought it back to better than it was. Does the Board have any other questions?

Grim: Agent – what is your plan for stopping in throughout the season?

Agent: We will receive the updates per their ACOP, but I'm sure I can work with the owner on scheduling site visits.

Dempsey: Has this negatively affected the business?

DiLuna: We have taken some area out of equine use. There are areas that have been rehabbed and some of those areas will not be entered for equine purposes, which will obviously impact business as it reduces our space.

Burt: Restoration Area 3 is no longer a paddock and in Restoration Area 2 we don't have access across that section.

Dempsey: Is there a requirement to notify the future owners if you were to sell.

DiLuna: This Order of Condition will be recorded at the Registry of Deeds so that should be sufficient notification.

Burt: This GNOI is for the restoration effort, so we would look to close this GNOI at some point, as we don't want to leave an open permit.

Grim: Typically, we look for two growing seasons, how many is this?

Burt: October of 2024 will be the second growing season, and through DEP we are required to monitor for five full seasons.

**MOTION**: Grim motions to close the hearing on 104 King St and issue a Groveland Order of Conditions for the wetland restoration work. Formosi seconds. Voting aye: Grim, Formosi, Bartelt, Dempsey, O'Connor, unanimous in favor (*note that Schaefer was recused from the subject and from voting*).

*Schaefer rejoins the Commission from the audience.*

**MOTION**: Grim motions to close the public hearing portion of the meeting. Bartelt seconds. Voting aye: Grim, Schaefer, Formosi, Bartelt, Dempsey, O'Connor, unanimous in favor.

## **OPEN DISCUSSION**

Grim: I am also on the Water & Sewer Commission, which was a potential conflict of interest, but the Board of Selectmen voted to accept me as a special employee. I discovered this during the yearly ethics training so I encourage everyone to make sure to stay up to date with that.

Dempsey: Does anyone want to collect their stipend?

Grim: Yes.

Formosi: I make my yearly request that we use my stipend gets used to buy informational materials.

Dempsey: Town Meeting is April 24<sup>th</sup>, please look at the budget on the website and let me know if you have any questions. There are a couple CPC projects as well on the Warrant.

## **NEXT MEETING**

April 12, 2023

**ADJOURNMENT**

**MOTION:** Grim motions to adjourn the meeting. Schaefer seconds the motion. Voting aye: Grim, Schaefer, Formosi, Bartelt, Dempsey, O'Connor, unanimous in favor.

*Meeting Materials: March 29, 2023 Meeting Agenda, 10 Merrimack River Rd GRDA Application 2-28-2023, 219 Center St GRDA Application 2-22-2023, 10 Merrimack River Rd & 219 Center St photos, 104 King St GNOI Application Package 3-3-2023, Draft February 8, 2023 Meeting Minutes*