



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 Grim
Fredrick O'Connor
Thomas Schaefer
Richard York

APPROVED 2-14-2024

BOARD:	Conservation Commission
MEETING DATE:	August 23, 2023
MEETING PLACE:	Town Hall and Zoom
TIME:	7:00 PM
COMMISSIONERS	M. Dempsey, S. Bartelt, T. Grim, B. Formosi, T. Schaefer, R.
PRESENT:	York, T. Schaefer
COMMISSIONERS ABSENT:	F. O'Connor
GUESTS:	Ryan McShera, Paul Bergman, Al Couillard, Dianne Plantamura, Willow Cheeley

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

Pursuant to Chapter 20 of the Acts of 2021, "An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency", extended by the Governor on March 30, 2023, which extended permission for boards and commissions to conduct remote meetings, the Planning Board conducted this meeting in a hybrid format.

MOTION: Grim motions to open the meeting at 7:01. Bartelt seconds. Voted all in favor, the motion passes.

Continued 6 Katie Ln (formerly 106 King St Lot 8) – NOI for new single-family home within resource area.

Grim recuses himself.

Dempsey: We continued this because the DEP had not been issued, it has since been issued.

Agent: Yes, that is correct. The DEP number is 030-0481. You have the updated set of plans in front of you showing the moved markers to where the Commission requested them to be.

MOTION: Formosi motions to accept the plans with the new markers for Kaite Land and close the hearing. York seconds. Voted all in favor, the motion passes. *No Grim.*

MOTION: Dempsey motions to move 379 Main St to the end of the hearing portion. Bartelt seconds. Voted all in favor, the motion passes.

Continued 1 Manor Dr – NOI for second means of egress on certain buildings, and drainage and a third-floor addition on Building #2 within jurisdictional area.

MOTION: Dempsey motions to reopen the hearing for 1 Manor Dr. York seconds the motion. Voted all in favor, the motion passes.

Dempsey: We did a site visit on Monday night.

Bartelt: I'm concerned about how the new sump pumps will affect the flow of the intermittent stream.

Dempsey: We were told by the wetland scientist at the last meeting that it wouldn't have a big effect.

Formosi: We can ask for notification of when they're put in so we can monitor the flow.

Dempsey: We don't have proof that there will be any additional impact than what's already there. The water there has to be going somewhere now. I don't think there's anything we can do to be 100% sure.

York: Can we have a flow meter on each of the sumps?

Formosi: I think we would only be able to ask for that on one for a couple of weeks at a time.

Dempsey: So as each building is done a flow meter for three months to monitor the condition of the sumps. That way we can have documentation.

Bergman: Is the concern damage to the stream?

Dempsey: No, more so that it's impacting other properties along the stream.

Bergman: I would argue those properties are already being affected by climate change.

Formosi: By monitoring it we can ensure that there is protection for all parties in question.

Bartelt: I noticed that there was lumber being stored in an area close to the stream, will we distinguish location of that moving forward.

Dempsey: Yes, that is typical of our OoC. Another thing, there is a fine we issued in April, is there any response from that from the company?

Bergman: I'm not sure. How much was it for?

Dempsey: It was \$12,000 and we haven't received any response. I don't think we can close the hearing until we can settle this matter.

MOTION: Dempsey motions to continue the hearing on 1 Manor Dr to our next meeting, which is tentatively Sept 13, 2023, when the issue of the fine is resolved. Bartelt seconds the motion. Voted all in favor, the motion passes. *No Grim.*

Grim returns to the meeting.

Continued 379 Main St – NOI for the installation of drainage, replacement of driveway with more permeable surface, and excavation/site work associated with granite steps within a jurisdictional area.

MOTION: Dempsey motions to reopen the hearing for 379 Main St NOI for work outside of the building within jurisdictional area. Bartelt seconds. Voted all in favor, the motion passes.

Ryan McShera: From Red Barn Architecture, here with a couple of points of clarification. Came back with the elevation on the back corner of the home and the specs for the Shea concrete dry well. Those were the only outstanding items from the last meeting.

Grim: Where is it draining to?

McShera: It is draining to the front yard where the dry well will be with the seashell parking strip on top of it.

Dempsey: Any further questions from the Commission?

MOTION: Bartelt motions to approve the project at 379 Main Street as written. Dempsey makes a friendly amendment to also issue an OoC and close the hearing. Bartelt agrees. Grim seconds. Voted all in favor, the motion passes.

Schaefer joins the meeting at 7:30 PM and was not included in any of the prior votes of the board.

NEW 37 Dwinnell St – NOI for the construction/installation of a new dock along the Merrimack River.

Grim recuses himself.

MOTION: Dempsey motions to open the NOI hearing for 37 Dwinnell St for a dock along the Merrimack River. York seconds. Voted all in favor, the motion passes. *No Grim.*

Al Couillard: I'm a friend of the applicant and have done this process before so I told them I'd help; I'll probably build the dock. The dock will be installed with helico pilings, a metal rod that gets twisted into the ground and the top of it gets incorporated into the concrete pad.

Bartelt: The pad is permanent, but the dock is seasonal?

Couillard: Correct. I'll put down a 3x5, 2x8 will be a concrete pad that will be the only impact to the bank. There will be no additional block. The cement pad will go right from the bank to the floating dock.

Schafer: What about the 900 lb blocks? Some will hold the dock in place but there is one shown very close to the bank.

Couillard: It's an old plan, that block won't be there. It will be a pad that will go right down to the floating dock.

Bartelt: Does this come under review with the Army Corps of Engineers?

Couillard: If you are putting in a permanent dock with pilings in the water, that would be with the Army Corps.

Bartelt: What about MESA? Have they weighed in?

Agent: This application what submitted to them, but they wouldn't reach out to the Conservation Commission. They haven't begun the review because they haven't received the filing fee.

Bartelt: We should be extra careful since we're working within the river front. Should we get a peer review?

Dempsey: Our policy has been to only do peer reviews on filings for more than single-family homes.

Schaefer: Since I've been with the Commission, we've permitted about three docks and never gotten peer reviews for them.

Bartelt: The bank there is eroding away, and we don't want to contribute to that.

Formosi: We aren't in any position to make them do something about the erosion of the riverbank.

Dempsey: How would it affect the erosion? It's only 3x5.

Schaefer: You're only taking one tree down that was already leaning, is there anything else being taken down?

Couillard: No, we purposefully chose this area because it was the easiest way to get to the river. The pad won't be touched by the erosion of the river in our lifetimes. The pad is 6-8 ft from the edge of the grass.

Bartelt: Would the applicant be willing to plant a replacement tree for the one they are taking down?

Couillard: Yes, whatever the Board recommends. The work would probably take place in the spring.

Mike Szydlo, 20 Cranton Ave: Most of the erosion I see is when there's ice. I don't have any problem with the location of the dock.

Paul Doucette, 23 Cranton Ave: I welcome the dock, I welcome people enjoying the river from their property.

Schaefer: How are you planning on taking the tree down?

Couillard: We'll probably cut it down and float it up the river.

Schaefer: Can we condition that only one tree can be taken down.

MOTION: Schaefer motions to approve the dock at 37 Dwinnell St that the 4 900 lbs blocks won't be installed, rather a 3x5 pad 8 inches thick on two helicon pilings will be installed 8-10 ft off the edge of the bank, and only one tree can be cut, and it cannot be released into the river and floated away and to close the hearing. Formosi seconds. Voting aye: Schaefer, Formosi, Dempsey, York. Abstention: Bartelt. The motion passes.

43 Center St – GRDA to repave existing paved driveway within the buffer zone.

Agent: This homeowner installed a new septic system and they had to cut into the driveway for the pump. There were some issues with the patchwork done on the driveway from this. The cracks cause leaks into the basement of the home. They are only looking to re-pave the portion of the driveway that is in bad shape. They are not increasing impervious surfaces, just repaving.

Grim: How is the crack in the driveway causing a leak in the basement?

Agent: The septic system pump cuts through their basement foundation wall and goes under the driveway, the homeowner explained that when they were re-doing the septic with the driveway cut open a rainstorm was approaching and they went in with quick concrete and it has failed.

Grim: Erosion controls?

Dempsey: They can put a silt sock on the downward slope where they're paving.

MOTION: Schaefer motions to issue a negative determination for the application at 43 Center St for the driveway repaving and in the approval letter the inclusion of some erosion control from the edge of the house to the paving area. Grim seconds. Voted all in favor, the motion passes.

PRSD – Minor modification in elevation and outlet of water quality structure.

Agent: At the last meeting I had mentioned the school was having issues with the water quality structure in Groveland. They are proposing to add a flared pipe rather than tie it in to the existing outfall. It will function the same way it was originally designed to, it will just be exiting from a separate structure rather than through the existing flared end. They are planning on looming and seeding the area with a conservation seed mix but are holding off until there is less rain in the forecast.

Schaefer: Has this work already been done?

Agent: Yes, the way it was sitting before was unacceptable, so they did already complete this work.

MOTION: Grim motions to accept these minor modifications to the OoC as had been presented. Schaefer seconds. Voted all in favor, the motion passes.

TREE ISSUES

Dempsey: I sent out a plan for 2023-2024 for some of the issues we discussed at the last meeting. Dianne is here to talk more about the trees and her reforestation project.

Dianne Plantamura: The first phase of the project is almost complete. The intent of the area that we've cleared is to make a pocket forest, it will be an educational and demonstrative project for Groveland to help people understand native plants. We are following the Miyawaki forest method where the pocket forest will grow 30% faster than other pocket forests. It's very important to talk about invasives trees and vines that take the place of native trees. We know that the native species are better. We hope to put two paths through the area with a gathering place for teachers to educate about what we're doing. We discovered two American Elms while clearing the area. We are preserving these elms which would've been killed by these vines if it weren't for this project. There are two good sized Norway Maples on the edge of the project that need to go. They are invasive and on the State's invasive species list. Our plan is to plant hundreds of trees and we can't plant them with Norway Maples there because they have an extensive root system that sucks up all the water in the ground. We have enough money in the budget to take them down. If these trees come down later, it could be more expensive because we will be putting up deer fencing, and it would make it harder to take them down.

Willow Cheeley: Another thing to consider is that leaving them could increase the labor of volunteers when their seedlings germinate. There will also be temporary irrigation to preserve this investment, and the water will go to these invasive species rather than the new things we're trying to get established.

Dempsey: I pointed out that there are more Norway Maples in another area of the project. Why aren't you asking for those to come down?

Plantamura: I would love for those to come down, but the two we're requesting are more pressing and the others won't be as hard to take down once we get further into the project. If we want to do educational programs there we need to not have invasives there.

Bartelt: What is your planting timeline?

Plantamura: Next we would lay cardboard down to make sure everything invasive is dead, then compost will be placed on top. Then we will be laying the paths and putting the deer fencing up. For planting we are going to be doing it on Saturday's this coming April. We want to do this project right.

Grim: Does the Town have compost?

Plantamura: They do but it's not suitable for this.

Schaefer: So, the question now is really about the Norway Maples. So, we're going to be spending the money on irrigation and the trees but if we leave the Norway Maples it will end up costing more. Does it make sense with the budget?

Plantamura: Yes, we are planning to spend about \$6,000 on trees and then we need to figure out irrigation. We've also been getting a donations of trees.

Schaefer: Will this affect any of the events happening?

Plantamura: There's one more wedding outside, but we're planning on doing the work after. If the Norway Maples stay up one more year, we can't plant in the middle of summer because those roots need to rot.

Dempsey: How many Norway Maples were removed?

Plantamura: I didn't see any.

Dempsey: I think Doug took down 4.

Schaefer: Maybe you can put a sign up explaining what's happening there.

Plantamura: There's already one up there.

Dempsey: Dianne is going to give us a monthly report on the project. I'm opposed to taking the trees down this year, not completely. I object because of the perception and at Town Meeting we got a lot of bad comments about trees and Veasey Park and people will use whatever they can against us when we request funding. We need to take a measured balanced approach. I put together a plan for what I proposed with seven recommendations. The other portion of this project is to plant trees along Washington Street.

Bartelt: I agree but I really think we need to take these Norway Maples down. We can announce it and make it a thing about how it's important to take them down.

Schaefer: I think it makes sense to protect the investment of the new trees that you'll plant.

MOTION: Bartelt motions to recognize and accept this Veasey Park Tree Plan for 2023-2024, excepting the recommendation regarding the two Norway Maples. Grim seconds. Voted all in favor, the motion passes.

MOTION: Bartelt motions to remove the two invasive Norway Maples impeding the progress of the Miyawaki forest. Schaefer seconds the motions. Voting aye: Bartelt, Grim, Schaefer, Formosi. Dempsey and York abstain. The motion passes.

CORRESPONDENCE

Agent: I spoke with someone on the phone who was planning on sending the Commission something but never did. Also, I have requested that Vanessa, the Director at Veasey, send us a report on what's been going on there. As you may know we are doing a feasibility study on Veasey and the ultimate decision will be the Commission but barring the conversation on trees that we just had, I don't think most of the Commission know much about Veasey. I still have not received anything from her.

ENVIRONMENTAL PROGRAM COORDINATOR UPDATE

Agent: Someone called about the trash that's being left at the bus turn around and she asked what we could do about it. I recommended she call the police as they enforce that. Upcoming we have 912 Salem Street who just submitted their NOI.

Schaefer: Who owns the bus turn around?

Dempsey: The City of Haverhill.

OPEN DISCUSSION

Bartelt: Why is there a backhoe parked along Johnson's Pond?

Dempsey: It is part of the Uptack culvert construction. They need to control the water level of the pond while doing construction.

OTHER ITEMS NOT REASONABLY ANTICIPATED AT TIME OF POSTING

None.

OPEN DISCUSSION

None.

NEXT MEETING

Sept 27, 2023

ADJOURNMENT

MOTION: Grim makes a motion to adjourn. Schaefer seconds. Voted all in favor, the motion passes.