



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 9, 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
COMMISSIONERS ABSENT:	F. O'Connor
GUESTS:	<i>Please see attached sign in sheet.</i>

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: Bartelt motions to open the meeting at 7:03 PM on August 9, 2023. Grim seconds. Voted unanimously in favor, the motion passes.

PUBLIC HEARINGS

Continued 27 WOOD STREET– NOI for driveway stream crossing for new home.

MOTION: Bartelt motions to reopen the hearing on 27 Wood Street. Grim seconds. All in favor, the motion passes.

Seekamp: We did a site visit a couple of weeks ago and I welcome any questions the Commission may have.

York: I have a question about the culvert you plan on installing. Can you give us an explanation on how the culvert will be constructed?

Ogden: The culvert would be down at wetland level and the blocks would be brought in on top of the culvert to bring it up to the wetlands. Curbing will be installed, and some fill will be brought in at the entrance and be brought in to be at level with the road.

Schaefer: So, it's been determined as intermittent, but with a heavy amount of rain are you worried about scouring?

Seekamp: No.

Dempsey: Is this all set administratively?

Agent: Yes, the fees have been received, legal notice posted, and DEP number issued.

Bartelt: Is there room for an outside consultant for this?

Dempsey: We typically don't do that for single family homes and the flow isn't going to change. Can you please explain what intermittent means?

Seekamp: It is intermittent because the watershed is too small to have year-round flow. It's also not shown on the USGS as a stream.

MOTION: Schaefer motions to approve the plans for 27 Wood St and the stream crossing application and mitigation area that they are replicating. Grim seconds. Voted unanimously in favor, the motion passes.

MOTION: Dempsey motions to close the hearing on 27 Wood St. Bartelt seconds. Voted unanimously in favor, the motion passes.

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

Grim & Schaefer recuses themselves.

MOTION: Dempsey motions to reopen. Bartelt seconds. Voting aye: Formosi, Bartelt, Dempsey, and York. The motion passes unanimously in favor.

Holt: Project designer for the project. The septic, utilities, and driveway are outside of the buffer zones. The house is 78 feet outside of the edge of the wetland which is in compliance with the local Bylaw. There is additionally more grading. There will be no cutting of trees or vegetation besides the field which has been worked.

Dempsey: Were you able to move the markers all up to the 75-ft buffer zone line?

Holt: Three out of the four are, but the applicant is willing to have them all be there.

Bartelt: Yes, we would prefer that, so it is all consistent.

Dempsey: Any questions?

Agent: I would like to note that the DEP has not issued a number for this project yet so we cannot issue an OoC yet.

MOTION: Dempsey motions to continue to the next meeting August 23, 2023. Formosi seconds the motion. Voting aye: Formosi, Bartelt, Dempsey, and York. The motion passes unanimously in favor.

Grim remains recused, Schaefer returns.

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

MOTION: Dempsey motions to open the hearing on 1 Manor Dr. Schaefer seconds. Voting aye: Formosi, Bartelt, Dempsey, Schaefer, and York. The motion passes unanimously in favor.

Bergman: This property is diagonally across the street from here. There was a fire at the property last year. The building that had the fire, Building Inspector Joslin is requiring a balcony and staircase to be built. He also required Arrowpoint, the owners, to add stairs to all of the buildings. Mike Seekamp set 31 wetland markers. Building #2 is getting a whole new floor and balcony, the other buildings are just getting new stairs. Additionally, building #2 will have a new water line going to it to accommodate sprinklers. At the site visit a few months ago there was an issue with a sump line being discharged, as a temporary fix there is a sock attached and erosion controls. We investigated and there are sump pumps in all buildings, so they are proposing to pipe them all out with controls before they reach the stream.

Schaefer: Why does the deck on the back of Building #2 larger? Because of the 3rd floor?

Bergman: Yes, its so all three levels are able to safely exit the building.

Dempsey: Mike, can you tell us about this intermittent stream?

Seekamp: When you enter the site, on the right-hand side there is BVW, but as you go up slope is becomes an intermittent stream. When you are behind Building #2 is goes to BVW, because it goes from 1 BVW to another it makes it an intermittent stream. Looks like it's a high water table. It is straightforward as it has a bank.

Dempsey: What is your opinion on sump pumps existing into the stream?

Seekamp: If it is being dissipated and not all exiting into the stream at the same location and as long as the water is clean, I see no issue.

Bergman: As Mike Seekamp alluded to, the water in the basement is all groundwater, so it is clean.

Seekamp: The water isn't coming from the walls; it's coming from the ground and the pumps before it reaches the cellar floor.

Schaefer: Are there oil tanks in the basements?

Bergman: No all on natural gas.

Seekamp: Also, the area where the rip rap is proposed is all maintained lawn currently.

Dempsey: Do the Commissioners want to look at this?

Site visit scheduled for August 22nd.

Dempsey: Any questions from abutters?

Abutter: Will this affect the wetlands?

York: Where are the existing sump pumps going now?

Bergman: The only one we know of is Building #2. The others we don't know currently, there's a line that just exits the basement.

Dempsey: So, in theory there shouldn't be as much water on the site.

Seekamp: If you get the water into the intermittent stream, the site will be drier, and the wetland will be more wet.

Bartelt: You're putting pumps in all buildings?

Formosi: They already have them; this is like a redesign.

Grim, as abutter: Do we know how often the other sump pumps kick in? Can residents be asked? The sump pumps could be a non-issue if they are not on often.

MOTION: Dempsey motions to continue the hearing for 1 Manor Drive to August 23rd, with a site visit to be held August 22 at 5 PM. Bartelt seconds.

Woman abutter: I'm concerned about the wetland and machinery getting close to it and harming the environment.

Agent: All of the buildings will be getting a second means of egress, it's just that there are certain buildings that are jurisdictional to the Commission that require a filing. They currently have no plans to expand the height of any other buildings, which they spoke about at the Zoning Board meeting last week. If they want to add height onto any other buildings, you would received mail with the date of the public hearing it would be discussed at.

Woman at 204 Main St: Will the stream be able to handle all of this extra water? The water behind my home is very stagnant. Will it increase the amount of water and cause more issues with storms. Right now, the water is about 7 inches deep and the water stays stagnant.

Schaefer: They aren't increasing the total water within that watershed area. It's just having water move in a different way.

Dempsey: We don't know where that water is going right now. When we do our site visit can we stop by your home?

Agent: At one of my site visits I looked around the other buildings for a possible exit for the sump pumps in the other buildings and was not able to find one. I couldn't see water exiting the buildings anywhere.

Schaefer: How are they planning on digging the holes for the stairs? Augers?

Bergman: Not sure but there are erosion controls with enough room for construction vehicles.

MOTION: *The Commission votes on the above motion.* Voting aye: Formosi, Bartelt, Dempsey, and York. The motion passes unanimously in favor.

Grim rejoins the meeting.

379 MAIN STREET – 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 open the hearing for 379 Main St, drainage, replacement of driveway, and stairs. Bartelt seconds. Voted unanimously in favor, the motion passes.

Ryan McShera: Here representing Troy and Laureen Chapman for a NOI. We were here for an RDA to construct a second floor on top of the first floor. We're now here to ask for drainage surrounding the home, driveway, and an adjacent driveway of two clamshell strips for occasional parking.

Schaefer: The total square footage change? More or less, about the same of non-permeable surface?

McShera: Same layout as the driveway but use an open weave paver.

Schaefer: So, the drywell is new and would be taking the water from the permitter drain?

McShera: Correct. To divert it away from the foundation.

Bartelt: How does that work with the dry well?

McShera: The foundation drain will be installed at about grade and slightly pitched toward the drywell where it gathers and perks.

Schaefer: Will the granite steps be on crushed stone foundation?

McShera: Correct.

Schaefer: By hand or machine?

McShera: By hand, but machinery will be needed to bring the granite step in.

Bartelt: Do we worry about erosion control here?

Schaefer: We could say it has to be done within a couple days or they have to use controls.

McShera: We're hoping for a week max with all of the excavation.

Grim: When would you like to get this done?

McShera: By November 1st.

Schaefer: I think we should put a restriction on the amount of time there is exposed ground, just put something in the Order to ensure that there isn't anything at risk of falling.

Dempsey: What would you like it to say for the record.

Schaefer: They should let Annie know when they're going to start and within five business days all the work needs to be complete and stabilized, and let Annie know when it's complete so she can verify, and if there are issues Annie can decide what control methods need to be implemented.

Grim: Do we want more information on the dry well?

Commission: Yes.

MOTION: Grim motions to continue until August 23rd. Bartelt seconds. Voted unanimously in favor, the motion passes.

OTHER PERMITS, WAIVERS, ETC

172 KING STREET – RDA/GRDA for paving of a driveway within a jurisdictional area.

Justin Guimond: We are back here, with less plans this time. We are not going to be doing anything in the backyard at this point; when we started talking to a wetland scientist and the cost was too much. We'll have to do the septic in a couple years, so we'll probably be back with more projects at that point. We're mainly here for the driveway. We've experienced a lot of flooding lately as you can imagine. We had been planning on paving from the right-hand side of the home around to the garage. Because of how bad the flooding has been, we're going to be installing a more sophisticated drainage system, but that is outside of the wetland buffer zone. We're going to put in a drywell which would be outside of the 100-foot buffer zone. The left-hand side of the house where the paving would start would be 77 feet from the wetlands and then move further away, not closer.

Schaefer: Are you aware of the seasonal restrictions?

Ida Guimond: Yes, we want to do it as soon as possible. We need this done before the winter.

Dempsey: Annie, make sure no work is permitted within 75 ft of the wetlands.

MOTION: Schaefer motions to issue a negative determination on the application with the stipulations discussed for the paved driveway and the drainage work outside of the buffer zone with a permit letter under the bylaw. Bartelt seconds the motion. Voted unanimously in favor, the motion passes.

48 King St – Fee Waiver for Certificate of Compliance.

Agent: The local OoC that was issued for Homestead Ln was attached to the map and lot number for Homestead Ln. 48 King St is looking sell and the OoC remains open and needs to be closed out, because the CoCs that were issued were issued to specific lots as full CoCs rather than partials. The buyer wants to see a final CoC that is all encompassing. Because the applicant sees this CoC as “extra” they were asking the Commission to waive the fee, which was \$450.

MOTION: Grim motions to reduce the fee by half, \$225. Schaefer seconds.

Dempsey: So we didn’t issue separate orders for those two houses?

Agent: No. But the way our fee schedule works we should be doing them separately.

Dempsey: We should only be waiving fees for hardships.

VOTE ON THE MOTION: Roll call. Grim, aye. Schaefer, nay. Formosi, nay. Bartelt, nay. Dempsey, nay. York, nay.

MOTION: Grim motions to deny the request for a fee waiver. Schaefer seconds the motion. Friendly amendment by Dempsey stating because no financial hardship was demonstrated. Grim accepts the friendly amendment. Roll call. Grim, aye. Schaefer, aye. Formosi, aye. Bartelt, aye. Dempsey, nay. York, nay.

TREE ISSUES

Dempsey: *Describes the different dead trees on the property that he is proposing to take down, as well as two Norway Maples near the new reforestation project.* There are many dead and damaged trees at Veasey throughout the park. I’m proposing to take down three of the dead trees that are a danger to the buildings, but I think we should hold off on the other three to see what happens with the almost dead one, and the two Norway Maples.

Bartelt: It was my understanding that Vanessa was okay with taking the Norway Maples down and the Norway Maple is actually harmful to the plants we’re looking to plant.

Schaefer: I would like to have a professional tree person take a look.

Dempsey: Northern Tree did take a look, and he supports taking down the dead trees.

Commission: *Continues to discuss the taking certain trees down, etc.*

MOTION: Grim motions to take down the three dead trees by Northern Tree at Veasey Park. Schaefer seconds. Voted unanimously in favor, the motion passes.

MINUTES – Acceptance of May 10, 2023, meeting minutes.

Agent: They are not complete yet.

ENVIRONMENTAL PROGRAM COORDINATOR UPDATE

Agent: At PRSD they are having design issues with a water quality structure that is supposed to be going in near the Groveland entrance. They are still working through the issue and may be before the Commission for a proposed fix.

Dempsey: They may need to file for a modification with West Newbury as they are the ones who issued the DEP OoC.

Agent: I accidentally overpaid our MACC annual membership and they will refund the price but they also could provide us with MACC Handbooks instead if any Commissioners are interested.

Commission: Bartelt, Formosi, and York will get the copies.

Agent: At 268 Washington St, their restoration work went well and almost all of their plantings have lived. They are moving so we may need to issue a CoC. 8 Merrimack River Road received a GDA a few months ago to remove dead trees and the new owner is going to act upon that GDA, which we knew at the time of issuance. I went out and did a site visit to explain the stipulations of the Commission.

OPEN DISCUSSION

Dempsey: This is actually old business. Parcel 13-013-A was donated to us 4 years ago, it's about 2 acres. We can't just accept it, the BoS does as well. The property owner keeps getting tax bills. We need to sign this form so that this process can move forward. *Commission signs.*

OTHER ITEMS NOT REASONABLY ANTICIPATED AT TIME OF POSTING

NEXT MEETING

August 23, 2023

ADJOURNMENT

MOTION: Grim makes a motion to close the meeting at 9:36 PM. Bartelt seconds. Voted unanimously in favor, the motion passes.

Meeting Materials: 8-9-2023 Agenda, 27 Wood St NOI Packet, 6 Katie Ln NOI Packet, 1 Manor Dr NOI Packet, 379 Main St NOI Packet, 172 King St RDA Packet, 48 King St GCoC and Fee Waiver Request