



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 5-8-2024.

BOARD: Conservation Commission
MEETING DATE: November 8, 2023
MEETING PLACE: Town Hall and Zoom
TIME: 7:00 PM
COMMISSIONERS PRESENT: M. Dempsey, T. Grim, B. Formosi, S. Bartelt, R. York
COMMISSIONERS ABSENT: F. O'Connor, T. Schaefer
GUESTS: Bill Burnham, April Ferraro, Steve Collins

TOWN CLERK
 RECEIVED/POSTED
 2024 MAY 15 AM 11:39
 TOWN OF GROVELAND

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.

CALL TO ORDER

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

PUBLIC HEARING

Continued - 912 SALEM STREET – NOI for the construction of a 22,000 sq ft contractors yard/warehouse building and associated drainage structures within jurisdictional area.

MOTION: Bartelt motions to reopen the hearing for 912 Salem. Formosi seconds the motion. Voted all in favor, the motion passes.

Dempsey: We have done a site visit to see where the building is proposed to go, the wetland delineation, etc. Natural Heritage also noted there would be no adverse impact. Do we have an update from TEC?

Agent: Yes, Bill Burnham with TEC is present, as well as April Ferraro with RJ O'Connell. At the Planning Board meeting last Monday, the Board expressed that they wanted to see an access road around the entirety of the building for fire access. RJ O'Connell has been working on a plan to show this and I have a progress print that I received today.

April Ferraro: Yes, the plan you see shows a 16-foot-wide access road around the building. Like the other paved areas on site, it will have curbing and catch basins that would be filtered through the stormwater features. As you can see there is a portion of this drive that crosses the 100-foot buffer, we went back and read through the bylaw and our interpretation of it is that since the use of this is for access for emergency vehicles and there wouldn't be parking or even a door on that side of the building, we felt that it would be allowable within the 100-foot buffer. We wanted to confirm that with you before we continue to create the plans.

Grim: Would you have to expand the pond?

Ferraro: The pond would be around the same size as the original one. We had to change it slightly to have access around it, so we've moved the location. We haven't fully flushed out what the grading would be, so I can't 100% tell you. It may need to move back into the buffer zone. We haven't finalized it because

we wanted to make sure we could do it. The other difference is that the basin on the left is going to be an underground basin, to pull it away from the property line and the wetlands.

Grim: Is there a way we can tentatively say that if the Planning Board wants access there, we're okay with it pending the revised grading and retention pond not too intrusive into the buffer zone?

Dempsey: I disagree with their interpretation of the bylaw. That somehow this road would be allowed because it's called something different. But I think personally, I would be open to it if it were unpaved and called an emergency access way with an emergency use only sign put on each side. And that it wouldn't get regular use.

Grim: If it is unpaved and they need to plow it in the winter it is going to be a mess. And if it is emergency access it's going to have to be clear all the time. I think it would have to be paved.

Dempsey: How are you going to make this exception from the bylaw? For prior projects we haven't allowed anything in the 100-foot buffer for a commercial project.

Formosi: People plow dirt roads; it probably would take some additional upkeep after the winter. I think that I would rather see it unpaved. Is there anything that is driving it that it be paved?

Agent: The Planning Board said they would be fine with it being unpaved because they thought it would make it more palatable for the Commission. They were more concerned about making sure a fire truck could access all 4 sides of the building.

Grim: Is the footprint of the building smaller now?

Ferraro: Yes, it is smaller.

Grim: Could you move the building closer to the road?

Ferraro: No, it is up against the front setback.

Grim: How many feet would you have to shave off to get it outside of the buffer zone?

Ferraro: 16 feet by 80 feet.

Grim: If that was shaved off you could cut short the amount of pavement.

Dempsey: I understand what you're saying, but at a certain point it becomes economically unfeasible to do the project.

Agent: They did speak to that at the Planning Board meeting.

Commission: *Discussion of potential president allowing the road to go in would create.*

Ferraro: I'm hoping the basins don't change that much, but we have to confirm with the calculations.

Bill Burnham: I was able to take a look at the plans that were submitted today. Right now, you're showing a retaining wall right along the edge of the structure.

Ferraro: This is just a preliminary plan; those details still need to be worked out.

Burnham: We're still seeing HDP pipes going through retaining walls which we have concerns with.

Ferraro: The retaining wall there is just a place holder, we probably won't have a retaining wall around the entire thing. We know it's been a comment so we will make sure to address that.

Discussion regarding the plan for the septic system.

Grim: It seems like we would be inclined to approve it pending the grading and drainage plan and if it were permeable surface.

Ferraro: Thank you for the guidance.

MOTION: Grim motions to continue this hearing to December 13th. Bartelt seconds the motion. Voted all in favor, the motion passes unanimously.

8 MERRIMACK RIVER ROAD – Seasonal Waiver Request

Agent: This is for the new owner of 8 Merrimack River Road, he doesn't want to remove any more trees than what had previously been permitted.

Steve Collins: He has a very steep slope in his backyard that is very wet this year. We held off doing the work because it is difficult to do this kind of work in a wet area. I'm looking to get a waiver so we can do

this work during the winter when the ground is frozen. It will make it easier for us and it will also be better for the yard with the equipment we have to use. The longer we put this off, the trees could fall and pull the roots out, causing more issues for the riverbank.

Grim: How long will this take?

Collins: At most three days, including clean up. There are 8 or 10 trees that will be taken down. It's the same trees as the original proposal, just during the seasonal restrictions.

Dempsey: What is the waiver fee?

Agent: \$200/day.

Dempsey: When do you want to do the work?

Collins: It's hard to say, it depends on when the ground freezes.

Commission: We can have the waiver be for any time between now and February.

MOTION: Grim motions to approve a three-day waiver for a seasonal restriction at \$200/day pending how many actual days are used through February 2024. Bartelt seconds the motion. Voted all in favor, the motion passes unanimously.

ACCEPTANCE OF BUSSING PROPERTIES 43-003-D, 43-003-0 (NEAR EVERGREEN LANE)

Dempsey: Both properties are on Evergreen Lane. One of them is on the corner of Evergreen Lane and Rocky Woods and is about a half an acre. The other is on Evergreen Lane and it's about a quarter of an acre. The one on the corner is open, I think the person who lives next to it is encroaching on it a bit. That has value because the person maintains it and there are some nice trees, it fits in with keeping the area green. The other parcel is a wet area, it is a matter of adding to the open space feel of the neighborhood. These were left over from the Planning Board not having the developer incorporate them into the parcel.

Grim: These don't seem valuable from a wetland perspective.

Dempsey: The smaller one is all wet, but the larger one is for open space. I recommend that we accept these two donations:

MOTION: Dempsey motions that the Commission accept the two donations of 43-003-D and 43-003-0 near Evergreen Lane. Bartelt seconds the motion. Voting aye; Bartelt, Formosi, Dempsey, York. Grim abstains. The motion passes.

447 MAIN STREET – Update on replanting

Dempsey: This is the six acres parcel that had trees cut down within the 200-foot riverfront zone. We put together a plan to replace the vegetation that was removed. The replanting plan has been completed and the pine trees and blueberry bushes have been planted.

Commission schedules a site visit for November 28th.

UPTACK RD CULVERT - Certificate of Compliance Request

Dempsey: The Agent and I have looked at this and we believe it has stabilized enough to issue the Certificate of Compliance.

7 SAVORY LN - Certificate of Compliance Request

Agent: These are for OoCs were issued in the 1990s. One is for the well for the property, and one is for a dock that was never built. They are looking to sell the home. I went out to the site Monday and the well has been completed and the dock was not built.

MINUTES – Approval of June 28, 2023, meeting minutes.

MOTION: Grim motions to accept the June 28, 2023, minutes with minor corrections. Formosi seconds the motion. Voting aye; Formosi, Grim, Dempsey. Bartelt and York abstain. The motion passes.

CONSERVATION AGENT UPDATE

Agent: The seasonal restriction began last week. Katie Lane has stabilized all the areas of work within jurisdiction. They are still working but on lots that are not in jurisdiction. 379 Main St will be holding off until the spring. 27 Wood St, they did their tree work and left all the stumps in place. They are looking to get access to where the home will be built, outside of our jurisdiction, so they can still work on the house without being in jurisdiction. PRSD ordered the materials for markers.

OTHER ITEMS NOT REASONABLY ANTICIPATED AT TIME OF POSTING

Dempsey: I am expecting to hear updates in December on the Veasey Reforestation Project, and on the Lucile's Cottage Project. Also, in January I'm expecting a draft report on the Veasey Sustainability project.

Formosi: On October 27th I was out with the 4th graders again and they did a great job.

NEXT MEETING – December 13, 2023.

ADJOURNMENT

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