

**Georgetown Conservation Commission
May 17, 2012 Meeting Minutes
Second Floor Meeting Room**

In Attendance: Carl Shreder; Steve Polignone; Paul Nelson; Tim Collins; Steve Polignone; Steve Przyjemski, Conservation Agent; Carol Fitzpatrick, Minutes Recorder.

Meeting Minutes to be approved:

Signings:

Discussions:

Camp Denison Alcohol Permit Policy

Jim Lacey

Bob Gorton, Camp Denison Board Committee Member

Mr. Gorton: Last meeting we handed out a permit process for alcohol for Camp Denison. Mr. Lacey: We discussed we would come back one year from now and see how things are going. Mr. Shreder: There was some discussion of beer and wine only, or all alcohol. Mr. Lacey: We want to serve full alcohol. Mr. Gorton: Our focus is Kiwanis, Red Hatters, and overall any rental revenue we can get. Mr. Shreder: We want to see what your rental numbers are for the year compared to before you had the license. The permit should be good for one year and renewable after review. Mr. Lacey: I think this is a lengthy process. With a wedding, for example, you would have to apply for an alcohol permit. Mr. Shreder: How does everyone feel? Mr. Polignone: Fine with me. Mr. Bell: I'm indifferent.

MOTION that we approve the liquor process and the alcohol policy presented by the Camp Denison people to be renewed on a one year basis. A financial report would be presented upon renewal, listing profits and losses for the year. The permit would be for a full alcohol license: beer, wine and spirits. Nelson/Bell; All/Unam

Public Hearings:

Canterbury Village, 105 & 107 King George Drive (GCC-2012-04; DEP 161-0738) –NOI (cont. PH)
Valclav Talacko, Hancock Associates

Mr. Talacko: Mr. Talacko explains the ongoing flooding problem in the back of the building. He shows the photos of the recent flooding. Mr. Shreder: Who owns the land behind the building, the state or the condo complex? It looks like you also have a beaver problem. Mr. Talacko: The complex owns some of the land. Mr. Nelson: Can you explain the plunge pool you have designed? Mr. Talacko: It is a gentle slope. The plunge pool will be at the end of the downspout. There will be sheet flow and an under drain. Water always drips through the deck. It will then drain down through the crushed stone and will discharge. This will be prevented by the wall and the gentle slope and the downspouts. There will be a plunge pool at the end of every downspout. Mr. Nelson: You are going to sheet flow to the plunge pool? Mr. Talacko: This is a gravity solution for the most of it. We can add a pump at

a later point if we need to. Mr. Shreder: It looks like people have been hand trenching out there. Mr. Talacko: Yes, people have been desperate. Mr. Nelson: What is the clean up? Mr. Talacko: It will be high pressure water.

MOTION to accept the NOI for Canterbury Village, GCC-2012-04, as reflected on the drawing dated 3/5/12. Nelson/Collins; All/Unam

MOTION to close Canturbury Village, GCC-2012-04. Nelson/Collins; All/Unam

24 Spofford Avenue (GCC-2012-05, DEP 161- 0740) – new NOI

John Judd, Professional Engineer, Gateway Consultants, Inc,
James DiSabatino, Homeowner

Mr. Judd: We have situated the leaching field as far from the pond as possible. We are constrained by a garage. Mr. Shreder: We have a open Enforcement Order (EO) on this property if my memory serves me correctly. Mr. Judd: Are you referring to the deck? The deck is gone. Mr. Nelson: Why is the leaching field where it is? Mr. Judd: There is a drinking well there. The septic is 105 feet. Mr. Bell: A well? I thought everyone in town had to be on town water. Mr. Judd: There are three (3) wells on the street. Mr. DiSabatino: There is no town water on Pond Street there. Each of the 3 homes has there own well. Mr. Nelson: Isn't the tree close to the leaching field? Mr. Judd: We are as far away as we can get.

Mr. Shreder: The Board of Health (BOH) has approved this? The EO must be addressed concurrently with this. Mr. Przyjemski: This went to court about 5 years ago. Mr. Judd: Yes, it is approved by the BOH. Mr. DiSabatino: The deck came down after the final court decision in March/April 2011. Mr. Przyjemski: There was some discussion if the concrete was to come out but it wasn't specified in the EO. Mr. DiSabatino: The concrete sonitubes are sticking out of the ground a few inches. Mr. Shreder: Mr. DiSabatino would you like to discuss the fine? Is your septic system in failure? Mr. DiSabatino: There is bubbling above the manhole cover over the leaching field, proving that the system is in failure. Mr. Nelson: What is the fine? Mr. Przyjemski: We had fined them about \$20 per day. Mr. DiSabatino: The Superior Court issued its ruling and the deck came down one month later. Do you still want to talk about a fine? Is this a bidding process? I don't know how to deal with this. Mr. Judd: Mr. Chairman, we don't need a decision tonight. Mr. Shreder: The Town spent a lot of money in legal costs and we would want to recoup some of that. Mr. DiSabatino: I lost a lot of money also in this court case. I took the chance and I lost. Mr. Shreder: You sued us and that was self inflicted. It is probably not realistic to fine them for 5 years. Maybe it should be something like \$35,000? Mr. Przyjemski: The concrete pilings should be removed as part as the existing EO. Mr. DiSabatino: There are 4 of them and there area is not disturbed and there is grass in the area. Mr. Bell: You could just leave them there and mow around them. Mr. Shreder: Any idea on the fine? Mr. DiSabatino: Would the Commission consider a \$1000 fine? Mr. Nelson: I don't see how you can go less than one year. Mr. Shreder: I am hearing from the Commission that \$1000 is not enough. Mr. Nelson: Maybe we should get some real numbers from Kopelman & Paige. Mr. Judd: Are there any more technical questions or is it procedural? Mr. Shreder: Let's continue this to the next hearing? Mr. DiSabatino: Can we get started on the septic before then? Mr. Shreder: We have to settle the fine first. Mr. DiSabatino: We let Steve know a year ago that the deck was down and we didn't hear anything.

MOTION to continue 24 Spofford Ave, GCC-2012-05, to June 14, 2012 at 7:30 pm. Bell/Collins; All/Unam

35 Pillsbury Lane (GCC-2012-09) – RDA

Rich Williams, P.E., Williams & Sparages
Mr. Joseph Surette, homeowner

Mr. Williams: This is the newer section of Pillsbury Lane. The two wetland areas have been delineated. The house was built in 2004. There is a 1:1 riprap slope. The vegetation has grown in to obscure it. I apologize the photo does not show the old deck which was 10X12, that has since fallen down. The new deck is 10X24. They are not going any closer to the resource area. Mr. Bell: The X out area is the old deck. Mr. Williams: Yes. Mr. Przyjemski: What is the date of this plan? Is this a revision? Mr. Williams: Same plan, we just threw the deck on. Mr. Shreder: They are putting in new sonitubes? Mr. Williams: They are using the same tubes and doing it by hand.

MOTION to give a negative determination for the RDA for 35 Pillsbury Lane, GCC-2012-09. Nelson/Bell; All/Unam

MOTION to close 35 Pillsbury Lane, GCC-2012-09. Bell/Collins; All/Unam

47 West Street-Tidds Junkyard (GCC-2007-11; DEP 161-0666) - NOI (cont. PH)

47 West Street-Tidds Junkyard (GCC-2007-12; DEP 161-0661) - NOI (cont. PH)

Mr. Przyjemski: They are not coming in tonight. They have a NOI for the clean up and another for the building of the units. There has been a lack of sampling of soils and the wells. Mr. Collins: Is there supposed to be a grid soil test, a smaller one. Mr. Bell: He wants to do a ????????

MOTION to continue 47 West Street, GCC-2007-11 & GCC-2007-12 to July 12th at 8:00 and 8:05pm. Bell/Collins; All/Unam

Pentucket Pond Aquatic Management Program (GCC-2010-09, DEP 161-0707) – NOI (cont. PH)

Mr. Przyjemski: The state folks are going to come in and give an evaluation of the dam. We do not have an as-built anywhere on the dam. Mr. Shreder: The state might have some funds for us to use.

MOTION to continue the Pentucket Pond Aquatic Management Program, GCC-2010-09 to August 16th at 7:30 pm. Bell/Collins; All/Unam.

23 Spofford Avenue, GCC 2012-06; DEP 161-0739) - new NOI

Robert Lynch, Atlantic Engineering

George Cotter, Homeowner

Mr. Lynch: The top of the block is up to the mean high water. The wall has collapsed in. There is 5 feet between the wall and the water. The water will be concrete instead of creosote, railroad ties. It will be hand dug. The parts of the wall that we are replacing will be about 5 feet high. It will be wrapped in geo-tech style that will keep it perfectly clean. The stone will be the drainage. Mr. Bell: You might want to add a tube down at the bottom, behind the wall so the water has a sieve. I live on the water so I know about this. Mr. Lynch: Okay, we will put a horizontal pipe in there. Mr. Bell: I am fine with this. Try to do it during a dry, low water period.

Brad Melanson, 30 Spofford Avenue, Abutter: The wall is falling down. We took some ties out of the water floating around. My concerns are the undermining of my wall since the walls join together. There is digging about 7 feet down. Mr. Lynch: We will go as far as the rail road ties. We are going to take the dirt out. Mr. Melanson: Is it going to be reinforced before you stop digging? Mr. Lynch: We are going to stop at the edge of his wall, the end

of our blocks. His wall is continuously going through. Mr. Shreder: You are not going to come in contact with his wall? Mr. Lynch: No, we are not. Mr. Przyjemski: The best thing going is that the concrete block is down there. Mr. Lynch: His wall is a foot and a half higher than our wall. Mr. Melanson: His yard is falling into the water and at night we can see a crack in his concrete and at night we can see into his basement when the light is on. Mr. Bell: Do you want his wall locked into your wall? It is like a sea wall. I know because I have one. Is his wall falling into yours? Mr. Przyjemski: I don't know if there is a way to connect the concrete blocks to the rail road ties. Mr. Melanson: I want them to do it gingerly. I am okay with that. I will keep an eye on it. Mr. Bell: It should all be done when the water is low. The two walls have to join; it is a sea wall. Mr. Lynch: I don't want to attach it to the wooden wall because when it falls down, I don't want our wall to come down with it. He will hire somebody to build it. Mr. Shreder: These are all postage stamp lots. They were never permitted to be permanent homes.

MOTION to approve the NOI for 23 Spofford Avenue, GCC-2012-06, with the work conditions being the a perforated pipe with a geo-tech fiber, contact the Agent, all work done in low water and that the work be hand dug. Nelson/Bell; All/Unam

MOTION to close the NOI for 23 Spofford Ave, GCC-2012-06. Nelson/Bell; All/Unam

4 Heather Road (GCC-2012-07, DEP 161-0742) – new NOI

Jim Marapoti, homeowner

Mr. Przyjemski: The owner lives in North Carolina and is not here. We do not have a DEP number so it has to be continued. Most of this is an improvement, but he wants to cut down more trees than needed. We need to continue this.

MOTION to continue 4 Heather Road, GCC- 2012-07, to June 14th at 7:45 pm. Bell/Collins; All/Unam

355 Central Street (GCC-2012-08) – RDA

James & Mary Barker, Homeowners

Mr. Barker: The back wall of the 28X32 shed has the back wall falling out. I plan to put a concrete foundation with a slab, rebuilding the shed. Mr. Shreder: So this will not be a garage or anything else? Mr. Przyjemski: They are also looking to repave the driveway and remove the asphalt. They have “no cut” bounds from the house from a previous decision. It is right at the 50 foot. Mr. Barker: I would like to remove the asphalt even with the front of the garage. I would like to repave the driveway. Mr. Bell: You are staying within the same footprint? Mr. Barker: Yes. I would like to work with the driveway and broaden the curb to change the driveway. Mr. Przyjemski: That is outside of our jurisdiction. Just talk to Peter Durkee and he will work with you. Mr. Nelson: So you are building within the Do Not Disturb at 27 feet? Mr. Przyjemski: It is an existing building and it is an improvement. It is not ideal building within the 50. They plan to better deal with the water flow that will also be an improvement.

Mr. Collins: I like the idea that you will be using rainwater. Mr. Bell: What are you doing with the driveway water runoff? Mr. Nelson: You could at least guide it to the other side of the driveway. What is your time frame? Mr. Barker: By mid-June. Mr. Nelson: What do you think Steve? The big thing is the storage of soil. Mr. Przyjemski: I would like the soil sock stored out of the 100 feet buffer. Beef up the silt fence. The sock should

also be fine. Mr. Shreder: I am thinking this is more of a NOI than a RDA. Mr. Przyjemski: I am worried about enforcement on this one.

MOTION that we give a negative determination on the RDA for 355 Central Street, GCC-2012-08 ,with the dirt stored outside of the 100 foot, the silt sock inspected by the Agent, and if there if there is an issue an EO will be issued with an NOI then filed. Nelson/Bell; All/Unam

MOTION to close the RDA for 355 Central Street, GCC-2012-08. Bell/Nelson; All/Unam

Affordable Housing Update from Paul Nelson

Mr. Nelson gives a short presentation about a recently completed Affordable Housing study. A housing production plan has been done and is available on line on the town website. We need to keep compliance at 10%. We are now at 11.9%. We would be in trouble if we didn't have the Longview Apartments. There is HUD money available that we can look into for future funding.

MOTION to reappoint Richard Talbot to the Open Space Committee to expire in June 2015. Bell/Nelson; All/Unam.

MOTION to pay the bills as read by Steve, with the exception of the Camp Denison fire extinguisher bill. Nelson/Polignone; All/Unam.

MOTION to close the meeting at 9:45pm. Collins/Bell; All/Unam.