

**Georgetown Conservation Commission**

**Meeting Minutes**

**Second Floor Meeting Room**

**July 12, 2012**

**In Attendance:** Tim Collins, John Bell, Carl Shreder, Paul Nelson

**Meeting minutes to be approved:** February & May

**Signings:**

**Discussion:**

**Wheeler Brook Farm Conservation Restriction (CR) -**

Vanessa Johnson, Essex Greenbelt

Ms. Johnson explained that a \$300,000 Conservation Restriction (CR) is what Bob Morehouse wants. Mr. Przyjemski: Bob Morehouse does not want to sell the farm outright to the Town. We just got \$60,000 back from the Land Grant that is CPC money. To make up the remainder of the funds needed for the \$300,000 CR, the Town would pay \$200,000 and Greenbelt would fundraise the remaining \$50,000. The total of land is 18 acres, excluding Bob Morehouse's home. Greenbelt, with a CR on the property, will perform land evaluations in perpetuity. Bob Morehouse likes the idea of a CR because it reduces the value of the land. Mr. Shreder: The devil is in the details regarding the purchase or CR of the farm. We need all the details to get this right from the start. Mr. Przyjemski: I would like to get started on the Affirmative Covenant that protects the property as a farm only, not a horse farm or anything else. Only 7 acres is tillable, the rest is buffer and wetland. Ms. Johnson: We need to work out the details. Mr. Shreder: It is easier for me to support buying a property that we actually own rather than us not really owning it through a CR. Mr. Bell: I would rather see it as a farm than 4 houses. Mr. Nelson: For me, I would like assurance that is actually a productive farm. Ms. Johnson: I will have a draft conservation restriction for you to review at the next meeting. Greenbelt is going to want a strong vote of confidence from this board. Bob Morehouse is willing to enter an option agreement that he can't sell the land while the option is in place. Bob Morehouse would like to sell the land to a farmer. Greenbelt has to fundraise the \$50,000 and we aren't certain that we can do that. This looks like a spring 2013 town meeting vote. The Morehouse's have already qualified for a land tax credit. Mr. Shreder: We need to have very specific and tight details before we move forward. We have a great track record of bringing great, successful projects to the town. Mr. Shreder: The land is worth \$575,000 and it might be easier to sell that land.

I make a MOTION that the board is interested in doing this and that we support the Agent in persuing this and that the Conservation Restriction involves real farming and that it is tightly defined. Nelson/Bell; All/Unam.

**Public Hearings:**

**186 East Main Street (lands behind New Life Church), Town of Georgetown, Park & Recreation (GCC-2012-01; DEP 161-0736) – NOI (cont PH) –**

**24 Spofford Avenue (GCC-2012-05, DEP 161-0740) – cont. PH –**

James DiSabatino, Applicant

Mr. Przyjemski: I have been working with the Applicants wife over the past weeks. They have repaired the buffer with 10-20 foot birch trees. They have offered to pay \$2000 in fines. We are looking to close out the Enforcement Order (EO). The septic is ready to go. Mr. Shreder: My question is the footings, and should we leave them or take them out? Mr. DiSabatino: I thought that we decided at the last meeting not to disturb the footings to not further disturb the land. Mr. Bell: How many are there? Mr. DiSabatino: There are four. Mr. Przyjemski: Is there a door leading to that proposed deck. Mr. DiSabatino: No just windows.

MOTION to close out the Enforcement Order for 24 Spofford Avenue, GCC-2012-05, with the acceptance of the \$2000 check and leave the the sonitubes in place. Nelson/Bell; All/Unam

Mr. DiSabatino: Would the Conservation Commission entertain the removal of the sonitubes in the future?. It is very hard to mow the lawn. Mr. Shreder: You would have to work with Steve in the future.

Mr. Przyjemski: Regarding the septic, the system is in failure and has to be replaced. The DEP has approved it. Mr. DiSabatino: The reason why we are here is because we have to dig a trench from the house to the system. The trench is within the 100 foot. Mr. Nelson: We discussed not to move the tree. That would not be a good idea.

MOTION to approve the replacement of the septic system at 24 Spofford Street, GCC-2012-05. Collins/Bell; All/Unam.

MOTION to close 24 Spofford Avenue, GCC-2012-05. Bell/Collins. All/Unam

**4 Heather Road (GCC-2012-07; DEP 161-0742) – cont PH –**

John Horton, 18 Heather Road, neighbor representing Jim Marapoti, homeowner

I am a neighbor of Mr. Marapoti. He lives in North Carolina and lives here only on a part-time basis. This home has been in his family for years. The stonewall has been deteriorating for years. He has tried to keep it up as well as possible. Mr. Przyjemski: The applicant would like to return the land to the natural slope and would like to remove trees to get that effect. He is working pretty close to the water. Mr. Shreder: Did he give you written permission to have someone attend this meeting on his behalf? I don't want him coming back to us in the future. Mr. Przyjemski: Yes, we have all of this on file. He did give his written permission. He will be getting rid of asphalt and repairing the stonewall and returning the land to its natural slope. Mr. Bell: The back up wall has clearly deteriorated. I am glad that he has come before us before starting the work. I can see that he is very detailed oriented although the drawing is not very good. Mr. Shreder: Has anyone seen this site other than Steve? Mr. Nelson: I would like to see the site. This is not a very clear plan. Mr. Bell: Is he looking to move forward? Mr. Horton: He is coming up at the end of this month once the work has started. He would like to get it all finished then because he is not up here much. Mr. Bell: This is a win-win. This project is much better than it was. Mr. Przyjemski: Mr. Marapoti came in two

meetings ago and explained everything. Paul (Mr. Nelson), you weren't there at that meeting. Mr. Shreder: Does the Commission want to see this? Paul do you want to see it? Mr. Nelson: I would abstain if it went to vote. Mr. Przyjemski: I don't think you can vote on it due to the Mullen rule.

MOTION to approve the 4 Heather Road project, GCC-2012-07, with the Agent there twice a day, working with the homeowner and not accepting the wetland line. Bell/Collins; 3-1; Nelson abstains due to Mullen law.

MOTION to close 4 Heather Road, GCC-2012-07. Bell/Collins; All/Unam

### **27 Meadowview Road (GCC-2012-10; DEP 161-0743) – new NOI**

Sharon and Nicholas Gaeta, Homeowners

Mr. Gaeta: We are replacing the 1000 gallon tank with and 1500 tank. Mr. Przyjemski: There is really not much they can do. Mr. Nelson: It looks like he has a 10 foot buffer on each side.

MOTION to accept the NOI for 27 Meadowview Road, GCC-2012-10, as designed with the plan dated 4/14/12. Nelson/Collins; All/Unam

MOTION to close 27 Meadowview Road, GCC-2012-10. Nelson/Bell; All/Unam

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

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

William Krikorian, West Street Realty Trust, representative for the project.

Mr. Nelson: Where do you stand with the DEP? Mr. Krikorian: I believed that it has been signed off and that it is with Mr. Morello. Mr. Przyjemski: The DEP has not given us any release documentation. The Licensed Site Professional (LSP) has stated these things and has made recommendations. The DEP usually enforces those recommendations. At this point, we need to get the documentation to see what has actually been done. They had a Public Involvement Presentation (PIP) meeting a month ago and the LSP had a list of recommendations from that meeting that went to the DEP to see what the DEP would enforce. There were concerns about high lead samples, that they would sift the top eight inches of soil, etc. Mr. Shreder: We need to do final due diligence to make sure everything is done properly. You have been an absentee applicant. We have taken this much time so let's do it right. Mr. Krikorian: I have been in and out of this project. I am now involved in it again. I am ready to do due diligence also. We hope to break ground next spring. Mr. Nelson: We have two different projects here. Mr. Shreder: Are you proposing the same thing for the next phase? Mr. Krikorian: We tried to remove the "Over 55" restriction through the Board of Appeals but could not. The Toll Brothers are building a 55 plus development in Methuen that's 70% sold so the market is improving. We think the spring will be better once the election will be over. It has been a tough situation with the economy. I was the original developer on this project. Mr. Shreder: Is the site still secured? Krikorian: Yes, we have secured the buildings and the gate has been closed. Mr. Nelson: How are we doing with money in the account? Mr. Przyjemski: We only have a few thousand in the account. A \$5000 check should do it. Mr. Shreder: Would that work for you? Mr. Krikorian: I will talk to Mr. Morello. Mr. Shreder: What kind of a time frame are we talking about here? Mr. Krikorian: 90 days.

MOTION to continue 47 West Street, Tidde Junkyard, GCC-2007-11 and GCC-2007-12 to October 18, 2012 at 8:00 and 8:05pm. Bell/Nelson; All/Unam

### **97 Elm Street proposed building changes**

Brian Riley, Homeowner

Bill Hall, Architect

Mr. Hall: We would like to make a few changes. I spoke with the engineer, Peter Ogren, regarding whether we could put a deck, stonewall, walkway there, etc. Mr. Nelson: Decks are considered structures. Mr. Shreder: How big a deck are you looking to install? Mr. Riley: 12 feet deep and the length of the house. We haven't decided yet. Mr. Shreder: We can live with a reasonable deck. What are you thinking? Mr. Riley: 35X12 feet. Mr. Bell: That is a good size deck. Mr. Riley: Maybe half the size off this corner, making it a patio. Mr. Shreder: Using blocks or a gravel path that allow water to get through? Mr. Bell: We would rather see a deck than a patio, allowing for the rain to go through. Mr. Shreder: Do we need to vote that a deck of this size is a major or minor change? Mr. Przyjemski: You don't have a plan to vote on. Mr. Shreder: I could live with a deck half the size. Mr. Nelson: A three season room has to be outside of the 200 foot. Mr. Hall: We are not asking for more, just a variation of the square footage. I will give you the building area that was submitted and what we are proposing. Would a fence be a major or minor with plantings or a garden shed? Mr. Shreder: Depends where you put it. Mr. Hall: We will submit something to Steve and go from there.

### **186 East Main Street (lands behind New Life Church), Town of Georgetown, Park & Recreation (GCC-2012-01; DEP 161-0736) – NOI (cont PH) –**

MOTION to continue 186 East Main Street (lands behind New Life Church), GCC-2012-01, to August 15, 2012 at 8:00 pm. Collins/Bell; All/Unam

MOTION to pay the bills for Camp Denison and the LSP (Licensed Site Professional). Nelson/Bell; All/Unam

MOTION to approve the Camp Denison Committee appointments. Bell/Collins; All/Unam

MOTION to close the meeting at 9:15 pm. Nelson/Collins; All/Unam