

Conservation Commission Minutes
September 26, 2013

In Attendance: Carl Shreder, John Lopez., Laura Repplier., Lillabeth Weiss
Steve Przyjemski, Susan Flint-Vincent

Meeting opened at: 7:15pm

Discussion: **Greenbelt, Conservation Restriction for Wheeler Brook Farm** for signature. Vanessa Johnson of Greenbelt was asking for the Commission's sign-off on the Wheeler Brook Farm Conservation Restriction. It was then to go before the Board of Selectmen and she was asking for the Conservation Commission's support. Steve Przyjemski said he would be happy to accompany her to the meeting and voice the support of the Commission for the Conservation Restriction.

Municipal certification, Environmental affairs, 2 - actual conservation restriction, every CR needs to have municipality sign for the 100K for CPA funds and 150K for Town.

Reviewed by town counsel, Natural Resources and one more.

My request would be to sign both and recommend the BOS to sign.

Laura R. Makes a motion that the commission accepts and approves the Conservation Restriction for Wheeler Brook Farm on Jewett St. to accept the final draft and recommend the Commission to sign the municipal certificate and recommend to BOS sign it.

John L seconds the motion.

Motion carries unanimously.

Hearings:

7: 24 pm Rear Lisa Lane, 18 Lisa Lane, & 44 Searle Street (GCC 2013-14; DEP# 161-0765)
ANRAD - Wetland delineation

Richard Williams, Williams and Sparages, Civil Engineer

Wetland line is consistent and has been accepted. We're looking for an ORAD.

John L.: Did Gillian sign off on everything?

Carl: I understand there were some small changes made in the field and I want to make sure that all of them were captured.

Steve: Yes, they were all captured.

Steve: Jillian signed off on everything.

Carl: Did everyone get a chance to go out on site for a site walk? Are there any comments from the public on Lisa Lane?

Kevin Duncan 46 Searle St.: Can you give us a description of the changes?

40-50 flags that were changed, they varied from 2', there was one spot down behind the vernal pool that changed by 20'. Most were 3' or 4'. They looked at every flag and I'd say 50 of them moved.

Steve: They picked up another vernal pool that was on 46 Searle St's property within the wetland boundary we marked before.

That's the C series of flags.

Jack Grosslein 16 Lisa Lane: Do the changes that were identified with the second viewing of the wetlands make the builder re-draw the road at all? Or will it stay the same?

We did a preliminary, but not a final. We would expect the entrances to be the same.

Carl: We are just trying to lock down the wetland line right now, the subdivision and roadway will be at a future hearing.

Jack: Do you know when it would be heard?

We're working with the planning board now. You will be notified when the hearing will be held both the meetings with the Planning Board and Conservation.

John: Moves that that the GCC issue and Order of Resource Area Delineation (**GCC 2013-14; DEP# 161-0765**) pursuant to the plan to accompany abbreviated notice of resource area delineation in Georgetown, MA Lisa Lane, date 6/11/13 revised: 8/15/13. Sheets 5 of 5.

Laura, seconds.

Motion carries unanimously.

John makes a motion to close the (**GCC 2013-14; DEP# 161-0765**) **ANRAD** for Rear Lisa Lane, 18 Lisa Lane and 44 Searle Street project.

Laura seconds.

Motion carries unanimously.

7:33pm Rail Trail Segment A and Segment B (GCC# 2013-16) RDA

The town of Georgetown Recreational Path Committee would like to open, use and maintain a Multi-purpose trail along the National Grid power lines from the border of Boxford north to Mill Street (Segment A) and from Mill Street north to the border of Byfield (Segment B). Re-grading or the addition of any hard or soft surface is not being requested.

Chris Rupe, committee member of the Georgetown Recreational Path committee.

The Recreation path committee has been working on this project for a number of years to utilize the existing ROW to open it as a rail-trail from the Boxford border to the center of town, then from Mill Street to the Byfield border.

The Town of Georgetown has been licensed by National Grid to make use of the rail trail, of that right of way.

We would like to open the trail in an "as is" condition, with minimal mowing and trimming to get people access to the trail which we've been given the right to use by National Grid.

Carl: We need to get more into the minimal trimming. I have a letter here from the Division of Fish and Wildlife and they had some concerns about how that was going to occur, the width of the trail etc. Their recommendation was not to approve this.

John L: Why did you go with an RDA as opposed to a NOI?

Chris: For this interim trail that we are opening "as is", our intent is to make it available for use. There is, as you know, a much larger project underway which will have a full NOI that will cover that will cover the entire four towns.

Carl: They would have to file in each town, because each town would have to have a Notice of Intent hearing.

Chris: Ok, that's being handled by the engineering firm.

For this individual project in Georgetown, there are certain areas of the trail that are not passable. We would like to be able to mow it. National Grid would like us to mow a trail 6' wide.

Carl: The State had a concern that there seems to be a discrepancy on the application of the width of the trail, it ranges from 6'-16' wide. They were concerned on how it was going to get done? What is the real fact?

Chris: That is one of the reasons we wanted to consult w/ you, to find out what your recommendations were. We are certainly ready to work with the commission.

John: Are you aware that there is protected habitat that falls under the Massachusetts endangered species act, along part of the trail?

Chris: Yes, and if there are concerns about those areas, then we will withdraw those portions and dead end the trail.

Steve: There is a lot of dead ends now, because there are bridges out.

Laura: Can you show us on the map where the areas where you will be doing the most work on in the trimming and mowing department?

Chris: Explains the heaviest area is between route 133 and Main Street. There's a section from 133 to CVS that needs some trimming.

If were to not to go for the entire trail within the borders of Georgetown, we would go for Mill Street to Camp Denison turn, is an area that is not impacted by protected habitat.

Laura: This area was impassible a few years ago. I'm glad it's open.

Chris: Legal or not, it's being used.

Lillabeth: I've been walking from Mill Street north since 2004. I don't think it was mowed much, and then it was. Because of the way it was mowed a lot of the species that were really nice have really been over taken by the poison ivy and other invasives. So I'm really interested to hear about the mowing and the maintenance.

Carl: Who would be doing the maintenance of the trail? Who would absorb the cost?

Chris: The HWY surveyor would help with the initial clearing. Based on National Grid requirements, not being able to bring large equipment, most of the clearing would probably done by hand.

John L: This is far more complicated than what we all think. My impression is that an NOI should be submitted with a maintenance plan. This would give the National Heritage people sufficient time to conduct an endangered species review and provide us with recommendations. The maintenance plan should include mowing methods, equipment used the width and a detailed site plan showing where the endangered species habitats are.

Steve: There is a site plan, but it's not to that detail and the reason is because it hasn't been done yet.

Carl: My concern is that someone will go down with a brush hog and start chopping up indiscriminately.

Laura: I think the problem is that you specify that the entire Georgetown Rail Trail, when really you want to work on a small section of the trail.

Chris: Since there is concern on the northern portion of the Rail Trail, we're willing to scale back for now, but I'd like to understand what would be necessary to open that section of trail and certainly work with you to move towards that, but in the meantime we would like to limit the area that we open to just portions of the trail that are not contested.

Laura: Can I ask, "What is it like out there now? And what kind of work you think you would need to do to open it? And how would you do it?"

Chris: Based on limitations by National Grid, we would be doing it by hand.

Lillabeth: So doing it by hand would be what? Use a chainsaw? Use a mower?

Chris: I'm not even sure we could use a mower, if possible, we would use a light mower or scythe or something to that affect if we cannot use anything with a motor. Clippers on small sapling and brush.

Bill Hastings committee member: National Grid doesn't allow anything taller than 7'

Carl: There may be sections that are not jurisdictional. We could approach it segmental fashion as opposed to we're going to do whatever.

Chris: the way we submitted the RDA we had a northern section and a southern section, so if there were concerns we could just open one section. Look at the southern section from Camp Denison up to Mill St, we don't believe there are any protected habitat.

Carl: We need to know that. (Whether or not there's protected habitat.)

Steve: Keep in mind the local regulations cover all the wetlands. So the Northern portion is heavy National Heritage the other layer is the State and Wetland Protection Act and our Local Bylaw. The South isn't free and clear, it just isn't endangered species that we know of. There's wetland on the southern route right at Baldpate Pond. We need to look at this more holistically, this is not a National Heritage issue, this is wetlands regulations and National Heritage layered on top. You can mark up a map very similar to this highlighting the areas of most concern getting a layer for National heritage, and a layer of wetlands put over it. The wetlands aren't exact for this layer, but it can give you a representation of what's out there.

Laura: I would rather concentrate on this (the downtown and southern segment), rather than the whole rail trail, it is extremely sensitive all around this area.

Carl: Frankly, from here up (most of the Northern segment), it's walkable the whole way right now. You don't really need to do anything up here.

Laura: I would rather just look at this so you can open it. (Downtown and Southern Segment).

John: I wouldn't even go that far to say, "We could open it." I don't have any information to make an intelligent decision, I'm sorry. I'd like to see a site plan, a delineation.

Sandy Martin (Rail Trail Committee): Steve has met with us a few times. He would supervise us and everything that we did. He has graciously offered to come there and watch and help real time to make sure we don't cut what we shouldn't.

Steve: They've done a full-blown delineation. It hasn't been approved by the commission. You need to file an application.

John: The delineation is a legal line and it will tell you what you can and cannot do. So that delineation is important, it gives us a base line for further deliberations. That's important for legal reasons as well.

Steve: It has been done, but has not been confirmed by the commission or any third party reviewers, but they do have a flag by flag delineation of the entire wetlands.

Laura: We can't do anything without knowing that (the wetland line). We need to know in detail what you want to do. I would like to go out there on a site visit, to see what resources are out there, where the endangered species habitats areas are and what needs doing (what areas need pruning).

Chris: A requirement for Nat'l Grid for the license that we have says that any Town permitting necessary needs to be accomplished. If there are sections of the trail that there is no concern over, we need to have a determination from the commission that says that's something you're not concerned about and we can still move forward with that.

Laura: I'm worried that we will leave some funky door open and that will allow paving.

Chris: We're only talking about opening it "as is", with minimal work so it's passable.

Steve: We're not looking to close this out tonight, this is just an opportunity to introduce the project.

Carl: We just need more details.

John L: From my perspective, why waste time? We can either issue a positive determination requiring a Notice of Intent, or issue a negative determination, not requiring one and approving it.

Steve: You don't have to make that decision today. You can continue it and make that decision another time once we get more information and do a site inspection.

Chris: One of the reasons we're here tonight is fact finding. We need to understand from you exactly what you need from us so we are able to provide that to you.

Carl: That's fine, that's what I'd like to see. I'd also like to see you address the concerns of the state had in their letter to you and to us about this RDA.

John: I would suggest you hire a consultant who has the credentials to address the endangered species issues.

Steve: They will be doing that. The state has said, "Don't break it up." I don't want it broken up into multiple pieces because it creates these issues. They have a consultant working on the big picture, 100% design. It doesn't make financial sense to identify a few shrubs and file a NOI and come in with a \$20,000 site plan, when they're looking to send in 10 people with pruners to go cut branches. I understand your frustration that there's not much information here, but it's almost by design because they don't have the \$10,000 site plan drawn up yet.

Carl: That's why the state has an issue with it too. We're talking about one agency vs. another.

Steve: A lot of people at the State are telling me that we should deny it because they are bifurcating the project into too many different sections and that's not allowed under the regulations. I've been telling this to the group for a long time now, but they (Recreational Path Committee) decided that they would like to thought it was worthwhile to bring it before the commission to see what you thought about it and see if there was anything that we could do so they could go out and do some hand-pruning. There's a reason we're at where we are.

Carl: They need to take a plan like that and more clearly define where they want to do the pruning on there.

Steve: They have a site plan they can mark up where the issues are, that is doable.

But I do not believe at this phase you're going to get a \$10,000 site plan down to that detail, that's not going to happen.

Carl: But there some of that information may exist from previous monies being spent through CPC and other departments.

Steve: The site plan they have is perfect. It's exactly what the commission needs, it is to scale and shows the wetlands down to the flag number. You just need to have it hand marked up by these guys.

Laura: Do we know about the endangered species areas in that Northern section.

Steve: All we know is that top half of that is hatch marked "endangered species".

Laura: We haven't seen if it's applicable to that part of the downtown area that we're dealing with. We would need to see a map, but I suspect that endangered species are not going to be a problem in that small section of the trail.

Steve: You could also file a MESA filing with National Heritage and satisfy their concerns, I believe, to move forward on this project. Right now they are denying it based on lack of information. They'll condition it for a certain times of the year, they (Rec Path Committee), need to do it and they haven't filed.

Laura: And they have denied it because you have applied for the entire rail trail which has extremely sensitive and very valuable habitat areas so that's why they denied you.

Carl: This isn't a case where vague information is going to necessarily work. Your intent may to do just a few small areas but that detail is required to take the next step.

Chris: So if we were to provide the delineation from the flagging that we've done, and mark up a map saying this area is where we want to do work.

Carl: That's the next step, I would say. That would give us a better understanding of the real specific targeted areas you want to address. I know for a fact there's a lot of areas that you don't need to do anything in right now, they are perfectly fine as they are.

Carl: Bulletize: This is what would we be doing and when we would be doing it. (Seasonally)

John L: Maybe there's turtle nesting time and you shouldn't be down there.

Carl: The Highway Department will not be doing hand pruning, they will go down there with heavy equipment.

Chris: There's going to be a full maintenance plan for the ultimate trail. We're looking at a couple of years. We'd like to open it now for people to use it as it is.

Steve: I think it's important to do a MESA filing. That's more detailed, but without National Heritage signing off on any of these spots, if it's marked as National Heritage, it's dead in the water.

Carl: It puts us at odds with an agency we're required to work with here.

Chris: If we were to avoid the areas marked National Heritage?

Steve: If you were to 100% avoid the areas marked National Heritage, you won't have to deal with National Heritage in the MESA filing.

Laura: There are a lot of alternative routes to get around there. A lot of the Northern rail trail is a foot in front of foot path in high vegetation. It doesn't need to be a wide, brush-hogged path, it can just be a simple indian-file path through high vegetation.

John L: Who's legally responsible for heavy equipment?

Chris: For this phase, we are taking that completely off the table, as far as DPW. It's going to be volunteer committee members and Friends of the Trail that are going to be doing the initial work to open it.

Lillabeth: What are you going to do with the brush that is cut?

Chris: I would expect that it's going to have to be carted it out.

Lillabeth: And carted out to where?

Chris: We will have to find an appropriate disposal site.

Lillabeth: That would be good to know.

John: Are there endangered species? If so, everything must be contained in a matter consistent with its containment, so you don't spread it. Things like bittersweet.

Laura: You mean invasive, not endangered.

John L: Yes, invasive. I think these are all issues that need to be more comprehensively addressed through another set of meetings.

Carl: I essentially agree, but what I'd like to do is to continue this to give them the opportunity to revisit this information to see if we can't re-look at it and proceed and make a determination at that point to see whether it's going to be a negative or positive finding. I think at this point they have a better understanding of our concerns and where we need to go with this.

I'm going to open it up to any abutters who would like to speak, identify yourselves for the record please.

Gary Morris, 66 Thurlow Street: Town was supposed to do a title search, and the state is requiring a title search. They are saying they have permission from National Grid, on a license or whatever. The town on file as far as what they own, there is no book and page listed. It was listed as ownership of Mass Electric company(no book and page) went to New England Power(no book and page), who went to National Grid (no book and page). There's no paper trail on this. Has the town done the title search? Is it on file so the abutters can review it?

Steve: I spoke to Howard, the town Planner, we need to know that you have permission from the landowners. It is not something that needs to be discussed in front of this group, but it does matter. We need to resolve these issues. It's a town counsel, planning board, BOS, we can't comment on it because we don't have an answer to this.

John L: I've worked on similar issues with National Grid and it could take years to follow up on this question.

Chris: The committee has done research into this and we have provided the information to the town.

Susan Co, Parker River Landing: Last summer and this summer someone has come in with clippers and has cut in a trail. The water comes in a cove, near the pump house. Someone who has a small red car.

Carl: That was a restoration area.

Steve: I did talk to someone who asked to cut some overhanging branches down over a trail at head level. I gave the ok to go ahead and cut.

Susan Co: He went in back behind our condos and cut a trail to a cove.

Laura: That's an endangered area.

Chris: The committee has not done any cutting.

John L: I think it's a poorly conceived presentation.

Dave Gordon 153 Central St.: I'm curious if you have any written documentation from National Grid

George Comisky Old Jacobs Rd: I'd like to see it go in with all the proper procedures. I went to a meeting about a year ago, telling them the proper procedure which addressed them filing with MEFA. There's a management plan, they have a biologist on site monitoring the site, and engineer on site making sure that procedures are being followed.

You don't have an ORAD, or a delineation of the line, so you are right it's early in the process.

As long as you can mitigate it, I'd like to see it go in. You don't want to make abutters or Fish and Wildlife mad. My advice is you file a MESA.

Chris: We met MESA representative.

Jack Frammel from Newburyport, board member of the Parker River Clean Water Association, just want to make sure you know what you're pruning. If you clear that out, who's to know that more invasive species will come in?

John Flaherty, abutter, off Andover St. I want to use the trail.

Lillabeth: When I first came there were beautiful flowers, but National Grid came in twice with a brush hog, and now poison ivy and bitter sweet are choking out the native trees and shrubs.

Richard Paganelli, 21 Pond St: former Rail trail committee member, I submitted a letter, but I'm not going to talk about that now. We did a thorough rail trail title search of the rail bed. We didn't research everybody's property, but we did do the rail bed. There are a few places in the center of town that are owned privately, but the rest of the trail is pretty much owned by National Grid. At our last meeting, YOU suggested the RDA, it was voted for us to go for an RDA, it came from this board. At another meeting Pat Huckaree suggested a RDA. It's a little bit confusing what we do. Do we just go do this? Or do we come to a quorum like this and then we identify the issues to address? It's a little unclear.

Carl: The RDA process, we look at something initially and we make a positive or negative determination based on what you're presenting to us. RDA If it's positive, we move to a Notice of Intent (NOI). If it's a benign, minor activity we would issue a Negative determination. It's typically used in a process where we don't expect to have a major impacts. If there's something significant from the get go, you go right into the NOI process.

Richard: We did in 2007 an elaborate feasibility study. Everybody in town got a copy of. It didn't mention the endangered species at the time but it also suggested mitigation techniques to handle a lot of these things, we're going on these are the premises.

Carl: If we're talking about just doing these little sections, that's an RDA process. If we're doing a 4.5 mile stretch, that's beyond the RDA process.

Mike Coran, 68 West Main Street: One of my concerns is a privacy issue. My backyard is pretty quiet right now. I'm right next to the pizza place that never stays in business. 1st there's a mountain of debris, I caught a guy dumping after about 20 years I was finally able to stop him, pruners, hand tools. The privacy issue is going from a private back

yard, to having thousands of people walking through my back yard every year. Is there anything that you guys can do?

Chris: Initially for the interim trail no, but eventually, the full trail which will be permitted through the entire process, we would look at each individual case on a case by case basis to see what was appropriate. We can't use any state or federal money for that.

Mike: He was looking to have a fence put in.

Steve: Would have to look at it during the permitting process, don't wait until it's done. Make sure it's part of the package. If it's resource areas, but if not, planning board.

Susan: I think promoting the trail to use as is right now are there going to be any stipulations? People use area now, with dogs that are off leash, we've had kids using dirt bikes come by. I am concerned because it is in an area of endangered species. I'm concerned that these issues will be magnified with more people using the trail.

Carl: That's a no-brainer, that's illegal even as we are now.

Chris: As we open the trail there will be tighter control, it will be possible for the Georgetown police department to have greater capability to contain and control things that should not be happening. It's illegal to use the trail right now, it's trespassing. If we were to open it we would have more control over that and the activities that happen on it.

Bill: It's a dawn to dusk trail, no motorized vehicles allowed. We've had several meetings with the police, they've discussed their strategies. They aren't chasing dirt bikers, they know who they are and where they are and they are going to go visit them.

Tom Reilly, Larkspur Circle: With a chopped up bike trail, first you invite people in and then how are you going to tell people they need to stop and go back, there's endangered species? Do you put up a fence? Or a wall?

Carl: The part that the state doesn't want them to touch is in many cases open now, the state just doesn't want them to do anything further, and they don't want to cut anything in these areas. But again this is why we need the details. This is why we need to get into the other filings, the MESA, etc. It's all linked together.

Concerned citizen on Larkspur Circle: Policing, Georgetown said they don't have authority, recommended calling the environmental police. Who has authority to monitor that area?

Chris: Right now it's private property, if we open it more it will be allowed for Georgetown PD to police.

Carl: Normally the local police will defer to the Environmental Police because they are the lead agency for registration and enforcement of ATVs and off-road vehicles.

Concerned citizen: I've had a hard time getting any response from them.

Laura: I've tried the Environmental Police, and they came right away when there were dirt bikers on the trail. Keep trying, they will come, or at least they will know there is a problem in the area, and may come round more often.

Anthony Salerno, 56 Pond St. People don't understand what Rail trails or bike trails actually are. It's a sharing of this bike path makes it accessible for everybody it goes through all kinds of neighborhoods, backyards, wide open areas. It makes it safer, right now you see hunter going up the trail, dirt bikes, kids drinking, when this is opened up to the public and you're walking and enjoying it, you'll see the wildflowers growing on the sides of the hill. If the town allows us to do a small section, enjoy what we have and protect it, we'll enjoy it more. I think you'll see how great it is. Maybe we need to realize that everyone who puts in a bike path has issues. You're talking endangered species everywhere, don't close it off without seeing it and experiencing it. Go up to Newburyport and experience it, it's right through the center of the wetlands.

Susan: I was just wondered if they are still thinking of putting blacktop.

Carl: That's a whole other animal. We would be here until I don't know what time.

John L: Mr. Chairman I make a motion to continue the **Rail Trail Segment A and Segment B (GCC# 2013-16) RDA** to October 17th at 7:45pm with the following conditions:

- identify the areas we'd like to clear

- Delineation plan,
- Maintenance plan showing methods of clearing to be used
- Investigate a MEFA filing
- Plan for removal of waste
- Look into and identify invasive species (plan or method on suggestion for handling)
- Provide the license for National Grid.

Lillabeth seconds.

Passes unanimously.

Meeting Break

Meeting Resumes @ 8:51pm 6 Norino Way (GCC 2013-07: DEP# 161-0761) NOI

Construction of a 3,900 sq. ft. storage area/addition to an existing building and an underground detention area outside the buffer zone with a discharge outlet in the buffer zone of a BVW.

Mark West, West Environmental
 Lenny Mirra, applicant
 Christopher York, P.E., Millennium Engineering, Inc.
 Eric Botterman, Millennium Engineering

Working w/ Larry Graham to come into compliance for three outstanding Orders of Conditions in relationship to this project. We've been working with Larry Graham for the past 3 months reviewing the As Built and On Site Mitigation Plan to come into compliance as best we could. Originally starting down this path we had no original site plan nor, we could find any original OoC.

Larry Graham looked again 161-78 original building and found the original Order and the original Site Plan. We have officially requested for a Certificate of Compliance for that original permit for # 161-78. The original Site Plan didn't have any storm water management shown on it. Through this process we've worked to established 50' buffers, most of the work has gone into an infiltration storm water system, 3-4 bays were added swales were added for grading and through 3 different review processes, Larry Graham's final letter had 3 minor points including showing specific contours in the treatment swales, showing a missing contour outside the basin and the addition of a silt sock. We've addressed those issues on this Plan.

Mark: There was no storm water management originally, we've brought this site up to the highest possible storm water management standards. This is all in the construction yard. We would like to close this out tonight.

The other two parts of it were the subdivision itself, which you all said you didn't have any major issues with and changing the replication area on the site, to avoid cutting down large mature trees. This is the redesign with a 3:1 slope. This area equals that area. The same amount of plants need to be planted. We have the plants on order. We are waiting to move forward with this once you all look at it and agree to this redesign. Here we would be cutting a few shrubs, but no mature trees, we would be building off the existing wetlands and just making the replication area wider. This is the other outstanding order 161-359

Original Request by board 1/10/13 made punch list. I think we've met them.

Carl: Any comments on the old orders?

Steve: No issues at this point.

Commissioners: no question.

New building: storm water management system is underground, only piece is the outlet pipe. The whole idea is to move supplies (rolls of wire, highway signs, safety devices, etc. Gas engines shouldn't be in the office area) from the buffer zone to put it outside of the buffer zone and into one location in the new building designated for storage. We've got to grade and leave the large PVC pipes. You are more than welcome to come see our operations, it might be easier to explain if you saw it.

Laura, what's the ground cover? Asphalt?

Lenny: Gravel.

Mark: We established the 50' buffer area where we will loam and seed so that it won't be disturbed. Fence in a storage area, and put in swales to capture and filter the Stormwater.

Lenny: We don't want to pave this area, we still have heavy equipment that would chew up pavement. I didn't think you wanted to see it paved either. You wanted the area to remain pervious.

Carl: Yes. Are you moving the gas tank?

Lenny: We are speaking with the fire department now. We have an above ground ~5,000 gallon fuel tank, it's piped underground to the pumps. It's been like that for about 20 years.

Carl: Make sure you have an SPCC plan (a spill plan with counter measures). It's a federal plan. I'm speaking from professional experience, this is what you need to have.

Lenny: Do you want the tank in a berm? Or a concrete enclosure?

Carl: Possibly yes, and then have a plan so you know what you would do if you had a leak.

Steve: My only concern is the mitigation component across the street. Larry hasn't had a chance to review the final, final plan. They have already addressed the issues that we had asked them to.

Chris York: The pumps are inside of your jurisdiction, the tank is outside of it. I think the pumps are fine. It's more a situation of the tank and containment for the tank.

Lenny: I imagine the grading would stay the same. The tanks are in an area with a concrete pad. I don't see any digging within the buffer with result of that.

Mark: I already have the plants on order, and the replication area will go in this fall before the end of October as soon as we get approval.

Steve: All of our projects require a three year monitor system.

Lillabeth: What kind of plants are you putting in there?

Mark: Red maple, high bush blueberry, speckled alder and pussy willow. Good cover within 20 years. Doesn't have a lot of purple loosestrife probably b/c of cover.

We could add a wildlife mix instead of just a conservation mix with their erosion control, so you get the stabilization with the wildlife.

Carl: We have one NOI, two old Order of Conditions, and EO, the new Order of Conditions. I want to open up to abutters.

Laura: I make a motion to approve the **6 Norino Way NOI** original plan **GCC 2013-07; DEP #161 -0761** plan original 3/19/13 revised 9/23/13 which included updated mitigation plan.

Lillabeth Seconds the motion.

Motion passes unanimously.

Lillabeth makes a motion to close the NOI

Jon seconds.

Passes unanimously.

9:17pm 3 Emily Lane (GCC 2013-17; DEP# 161-0767)

William Holt, behalf of Mr. and Mrs. Ring

Failing septic system, identified back in August. Old system back in front. Leach is failing. Wetland on back of property. Not a lot of area to put system.

108' to edge of wetlands. The tank is going to be put in the new spot. We can't move it outside the buffer due to grade issues. No issues with the Board of Health, they approved it.

Laura: How close are you to the property line?

William Holt: The septic system is a standard gravity system. The system is at 10' to side, 14' to rear.

Judy Ring, homeowner, present.

John L: I'd like to make a motion to approve OoC for 3 Emily Lane pursuant to plans dated 8/4/13.

Laura: seconds the motion.

Motion carries unanimously.

Lillabeth makes motion to close the hearing for 3 Emily Lane.

Laura seconds the motion.

Motion carries unanimously.

9:23 118 Jewett St (GCC 2013-18; DEP# 161-0768) ANRAD - NEW

Patrick Seekamp, Seekamp Engineering.
Jim Tolman, owner of property

Patrick: The delineation was approved in 2005, reflagged boundary and identified the vernal pool. That's why we're here. That pool has an outlet, that's why we know that the pool can only get so high before it's dumped out. DEP file # 161-0768. No comments, but the filing is complete.

Feel like the BVW is pretty straight forward, and the vernal pool is pretty straight forward.

Laura: I recall a flood plain issue.

Jim Tolman: We had the flood plain lowered to 70', and they've had no problems.

Carl: I would like to have a 3rd party review since the last one was in 2005 or earlier.

John L: Makes a motion to have a 3rd party review DEP# 161-0768 to specifically have Gillian Davies from PSC topographic map showing the wetland line and the BVW dated 7/24/13 and to continue the hearing to 10/17/13 at 8:00pm and to make the review done prior to Oct 15th.

Lillabeth: seconds the motion.

Motion carries unanimously.

John L makes a motion to continue the hearing to 10/17 at 8pm.

Laura: seconds the motion.

9:35pm 169 Central Street (GCC# 2013-19; DEP# 161-0769) - NOI

Scott Cameron from the Neve-Morin Group.

Septic system repair, green cards, DEP letter w/ no comments. Bounded by railway in back and culvert on side.

Like to abandon cesspool, crush, fill, regrade. Existing large dead tree will need to come down. The client's whole purpose is to keep the trees as much as possible.

Carl: Will there be any siltation?

Scott: Yes, there's a silt fence out there, we will need to go under the deck and do it by hand.

Dave Gordon: 113 Central Street, perked very well, rather have it out front than out back. We're using a Presby system.

Craig Southwick, 4 Heart Circle: I'm wondering why I'm being notified, when I did my septic repairs, my neighbors were not notified.

Carl: Any kind of activity happening within or near a resource area, we notify the abutters.

Scott: We're going to edge the drive way with cobbles, it will look very nice.

John L: I'd like to make a motion to issue an OoC for the septic system repair plan dated 9/6/13 sheets 1, 2 & 3 of 3.

Lillabeth seconds the motion.

Laura: makes a motion to close **NOI 169 Central Street (GCC 2013-19; DEP# 161-0769).**

Lillabeth seconds the motion.

Carries unanimously.

9:47pm Tidd's Junkyard (GCC 2007-10, DEP# 161-0666; and GCC 2001-12, DEP# 161-0661)

Steve: They hired another LSP to try and have us back. The DEP has signed off on this process. I want to have a 3rd party review to look at wetlands, we need a check-list.

NOI for clean-up of site and 2nd NOI for a 16 unit condos.

Steve: Told him he has to withdraw w/o prejudice.

Carl: They broke the order the first week.

Steve: They may have it back on the market. This is going to get dropped soon. We have no filing within a few weeks if they can withdraw without prejudice. I can draw up a new Enforcement Order. I'm looking for a continuation until the next meeting.

John L: I make a motion to continue to the **Tidd's Junkyard (GCC 2007-10; DEP# 161-0666 and GCC 2001-12; DEP# 161-0661)** to Oct 17th at 8:05 and 8:10pm respectively.

Laura: Seconds

The motion carries unanimously.

9:57 175 Central Street (GCC 2013-10; DEP#161-0763) NOI

Steve: The Board of Health most likely will deny it. I'm hoping this is the way it goes. Looking to continue. If it's a new system.

John: Makes a motion to continue **175 Central Street (GCC 2013-10; DEP#161-0763) NOI** to 10/17/13 at 8:15pm

Laura: seconds the motion.

Motion passes unanimously.

64-74 East Main Street (GCC 2013-15; DEP# 161-0766) NOI

John makes a motion to forward the BSC report and the applicant to follow the recommendations. Make motion to continue the hearing to 10/17/13 @ 8:20pm.

Laura seconds the motion.

Motion carries unanimously.

Signing of the Order of Conditions, Certificates of Compliance and an ORAD

Laura: Makes a motion to pay the bills.

Lillabeth: seconds the motion.

Lillabeth makes a motion to close.

Laura: seconds the motion.

Motion carries unanimously.

Meeting closed at 10:16pm.