

Committee: _____Conservation Commission_____

Date: _____April 16, 2015_____

Time: _____7:00pm_____

Location: _____3rd Floor Town Hall_____

Members & Staff present: __Nick Feitz, Lillabeth Weis, Carl Shreder, Andrew Currie, Rachel Bancroft,

Members not present: __Laura Repplier_____

The meeting was called to order at: _____7:07pm_____

Minutes from the _____ Meeting were reviewed and approved with _____ adjustments.
(Date)

Meeting Motions / Actions and Summary of Discussions:

Discussion:

1 Industrial Way:

Chip Nylen, Attorney representing the applicant

Chip Nylen: Hoping to clarify a matter. Planning on Filing a NOI to move the wall, assumed paying a penalty at the conclusion of the process.

Carl Shreder: I consider this an Enforcement Order. You don't get to choose when you are paying the amount.

Chip Nylen: I wouldn't have any problem putting it into escrow.

Carl Shreder: It's a fine, my understanding is that you get a fine, and you pay it when you are fined, its part of the mitigations to allow these incursions to occur. We can ask the board what they think.

Nick Feitz: I assumed we would get the money upfront. Is this a financial hardship? Is it inconvenience? Or not a good time? Or is it really a hardship where he cannot meet payroll?

Chip Nylen: When we agreed to a penalty, we agree that there's a violation, and we agree to pay that. We agreed to pay that amount as part of a global settlement.

Carl Shreder: The process could have fined going back to 1996, if that were the case the fines would be astronomical. We didn't have a regulations before 2003, but we did have a bylaw, please clarify that. My understanding is that when there is an enforcement order and we've issued fines, they are paid up front. That's my interpretation, but that's what we have always done.

Steve Przyjemski: That is also in line with the past, the fines have always been paid within a month.

Chip Nylen: We would prefer to do everything under the enforcement order, but I think you made it clear that you wanted an NOI so abutters are notified and there's a public notice and we agreed to that.

Steve Przyjemski: Sounds like the outstanding question is should the EO fines be paid in a month or at the end of the process?

Nick Feitz: Short of financial hardship, I think the fines should be paid up front. Rachel agrees. Carl, sets precedent.

Chip Nylen: There's only one EO that we're working from, correct?

Carl Shreder: Correct.

Chip Nylen: We'll work from your vote from two weeks ago, it's still our intent...

Carl Shreder: I'll give you 30 days, that's for two months out from when we had this discussion initially. We don't collect fines and then say "No." We want to resolve it too.

7:18pm 211 Pond St (GCC2014-24; DEP#161-0796) - NOI (cont.)

EO

Rob, Alderman, A & S Land services, representing the Primitals

Request to have bounds 55' out from resources. Commission was seeking restoration to the buffer areas that were illegally cleared.

Incorporate planting areas in pink, and down in front, comes out to the 100' buffer on the North side, and wedges out to the 75'. Bounds with placards, and the fence will be in front of the bounds.

Narrative and reduced size site plan passed among the commissioners. In this area just larger species trees, black birch and red maples, for a gladed area. The other areas will be more densely planted with the same species of trees added to that will be shrubs and native grasses. Ask Steve for a recommendation for seed mix.

Post and rail along the driveway, as opposed to the stockade fence. Then we will plant a berry patch composed of wild strawberries, blueberries and wild red raspberries.

Steve Przyjemski: Most of what we are concerned about is the grading within the 50', so waivers to the regulations.

Rob Alderman: Really the only earthwork to be done is removing the gravel material. That's why we have the silt sock where it is. The rest is planting whips and plugs for the strawberries. We're hoping what we are proposing is sufficient area-wise, we're planning on doing really dense plantings behind the fence and over here.

Steve Przyjemski: There's an 80% survival rate that they have to maintain for 3 years.

Lillabeth Weis: The area you are planting the berries, is it wet?

Steve Przyjemski: No, it's upland.

Carl Shreder: In that area, there were quite a few oaks too.

Steve Przyjemski: A month before they plant they will reach out to me to decide on a final plant list.

Lillabeth Weis: If you're going to be doing 24" whips, if you don't protect them from the deer, you should over-plant.

Steve Przyjemski: You can plant them closer, 10' - 15' apart. Anything that gets mowed down, they will have to replant. Maybe put up protection on Day 1 to keep out the rabbits and the deer.

Carl Shreder: We never heard from the tree company why they cut down without a permit.

Steve Przyjemski: Considering that this started as an enforcement order, they worked with me pretty well. What's the plan on this?

No abutters.

Nick Feitz: Makes a motion to approve the NOI for 211 Pond St (GCC2014-24; DEP#161-0796) - with plan dated 4/16/15. rev. 1

Lillabeth Weis: Seconds the motion.

Motion carries unanimously.

Lillabeth Weis: Makes a motion to close NOI for 211 Pond St (GCC2014-24; DEP#161-0796)

Rachel Bancroft: Seconds motion.

Motion passes unanimously.

7:34pm 175 Central Street (GCC 2014-25; DEP#161-0797) NOI

Applicant requested to continue since they are not here.

Nick Feitz: Makes a motion to continue (GCC 2014-25; DEP#161-0797) NOI to May 14, 2015 at 7:00pm.

Rachel Bancroft: Seconds motion.

Motion carries unanimously.

Workshop in the Woods:

Steve Przyjemski: I still haven't seen the certificate of insurance. So I'm not comfortable having you sign off on it.

Open Space Plan:

I have gotten written comments from Carl and Laura.

Andrew and Lillabeth can get e-mails to Steve within a week.

Steve Przyjemski: It sounds like you are in-line with a lot of my thoughts. So the money originally came from CPC. Any heavy lifting we have to do we will have to hire a consultant. It might be another \$1000.

Carl Shreder: Steve needs to get it in writing. What I would like to see is a balanced plan. Open space and recreation plan.

CPC Appointment:

Steve Przyjemski: Lillabeth would like to sit on the Community Preservation Commission.

Rachel Bancroft: I would like to make a motion to appoint Lillabeth to be the representative to the CPC to represent the Conservation Commission.

Nick Feitz: Seconds the motion.

Carl Shreder: It's typically a 1 year term, you'll need to be reappointed every year. They meet on Tuesdays.

Motion passes unanimously.

7:41pm 64-74 East Main Street (GCC 2015-03; DEP# 161-0802) NOI (cont.)

Rachel Bancroft: Makes a motion to continue 64-74 East Main Street (GCC 2015-03; DEP# 161-0802) NOI to May 14th at 7:15pm

Andrew seconds the motion.

Motion passes unanimously.

269 Central Street (GCC 2015-04; DEP# 161-0803) - NOI -NEW

Frank Deluna, Attorney representing Nunan's
Scott Cameron of the Morin, Cameron Group, Civil Engineer for the project
Steve Flynn, Nunan's owners.

Frank Deluna: To make the farm more viable they are diversifying into agri-tourism. The agri-tourism at Nunan's is going to be a restaurant which will be outside of the resource jurisdiction. What will be inside the jurisdiction is the miniature golf. The specimen vegetation in the area will be for sale. It's all marked so people can see what the plants will look like both in and out of season. It's a unique marketing tool.

Scott Cameron: Existing Site conditions: Survey in 2013 by Kirk Young, 9.1 acres parcel. Property in the residence B and C zone. The 100' is the orange line, pink line is the 50' buffer. Use rest of site for growing or storing products or other agricultural related uses. There is quite an obvious break in the wetland here where at some point the wetland was filled in. There is a clear-cut drop-off of about 6' from the useable area down to the wetlands. They are using all the area right up to the top of the site.

Site is encumbered by a pipe, majority of flow is municipal, which discharge out to the wetlands. There's another catch basin here which discharges out to the wetlands. Verified the conditions of the pipes. Most of mulch and winter are stored in the lower right corner far out of the buffer zone.

Project will redo the parking area, sited Stormwater features in the buffer zone. The light green is portraying the limit of work.

Grading and utility plan - We've designed a project that is fully compliant with the storm water standards. We've offered to repair the municipal pipe out of the buffer zone, retro fit the existing outfall pipe with a pretreatment structure. The balance of the runoff is from the miniature golf, the roof areas or the greenhouses. Make a rain garden a feature of the miniature golf design, so people can see how to use a rain garden. Trying to capture 100% of runoff, right now it goes into the wetlands. The rain garden overflows into a detention area behind property, our goal here was trying to catch as much runoff as possible. Keep in mind this is taking away area that they currently use for the nursery.

Andrew: Is there an increase in impervious area?

Scott Cameron: It's a mix: In parking lot, increase pavement, towards buffer zone, decrease pervious area. Surface for turf is artificial turf, effectively the entire area is pipe and stone that will all runoff to percolate down into the storm drains?

Rain Garden Plants: grasses, ferns, trees and perennial flowers.

Frank Deluna: A company designed the miniature golf course, we didn't piece it together.

Food and beverage will be served out of the cafe, as well as the restrooms. There will be new septic system installed outside of the buffer zone, as well as new gas and electric.

Lillabeth Weis: The vegetation will be permanently planted?

Steve Flynn: The rain gardens will be permanent.

Steve Przyjemski: Are you going to double pot the plants so you don't have a lot of soil disturbance clogging the filtration system?

Frank Deluna: The plants will be sitting on top of the surface, and mulched over. The whole idea is so that people can see how plant species took together.

Steve Przyjemski: Can you show the improvements to the site?

Scott Cameron: We are being a good citizen of the town by allowing the pipes through it. 82% of the runoff is from off-site sources, so we're not doing much with that, because most of it is not their run-off. What is their run-off, is this main here, we're going to retrofit that with a treatment structure so we can meet the treatment standards for it. Through the use of these detention areas and the rain garden, provide additional mitigation and renovation of the Stormwater run-off. With the exception of about a 2 acre section, a large chunk of that is roof area is going through this pipe, the rest will be mitigated. We classified this portion as redevelopment, we reduced the tributary pavement to it.

Frank Deluna: This is not water generated on site, its water generated off-site.

Steve Przyjemski: Why not try to capture some of it, since 20% is generated on-site, maybe not 100%, but some of it, can you show some improvements to the site?

Scott Cameron: We met with Peter Durkee last summer. We're really being a good steward in letting the town place pipe on the property with no easement to access the wetlands. What we have here is a very affordable treatment structure that is perfect to treat that volume of Stormwater would be a much larger, more expensive structure. The places to put it would be in and around the greenhouses and the building which would be difficult to excavate without causing damage. We determined it to be cost prohibitive.

Steve Przyjemski: Are there any other areas that you can make improvements above and beyond to offset not being able to capture that 20%?

Scott Cameron: We're reducing the amount of pavement and therefore the burden on the system. The greenhouses just drip off, the main garden center is tied into this system. The roof run-off from the cafe is going into the rain garden.

Carl Shreder: Are you doing anything with the steep slope surrounding the golf course?

Scott Cameron: We're going to leave it alone, it's established with vegetation now. There's a planting plan to accommodate part of that, it's outside of your jurisdiction, it comes up to where the green houses use to be.

Steve Przyjemski: What about a planting plan for inside the 50' buffer?

Frank Deluna: That's all agricultural use going forward. We are going to maintain our exemption on it, yes.

Steve Przyjemski: Historically I thought our discussions were talking about increasing the buffer to 25'.

Scott Cameron: Shows the top of the slope to be about 25' from the resources. The 6' drop is from the top of the slope to the bottom of the slope.

Steve Przyjemski: Is the new house to the south of this part of the same property? It has the same map and lot # as what you gave us. If it is part of the same property you need to show the entire property even if you are not proposing any work on that portion. That just needs to be clarified.

Scott Cameron: No, they may have given it a new number afterwards. It has been mapped as 1A now.

Steve Przyjemski: Okay, I didn't get a chance to check with the assessor's office before the meeting.

Steve Przyjemski: The outflows, you mentioned you are going to do an improvement on that. Are you just going to do rip-rap spreaders? Or a plunge pool?

Scott Cameron: 8' wide spreader, 8' x 8'.

Steve Przyjemski: We did get an estimate for a standard 3rd party review if you guys would like that to be done.

Lillabeth Weis: The nursery stock you are watering, can it be fertilized with organically with a compost tea, instead of something with a salt? So the runoff isn't contaminating the catch basins.

Frank Deluna: It's a pelletized fertilizer that releases over time. You can't depend on some of your teas if you're going to have seasonal growth in a pot. They are moving away from the mpks and moving towards micro-nutrients.

Steve Przyjemski: When we get them in in April, they are already charged with slow-release fertilizers and they are pretty much gone by the fall, we don't fertilize at all.

Nick Feitz: Makes a motion to hire a 3rd party review, for a wetland scientist 269 Central Street and also that we do a site walk.

Nick Feitz: Revises the motion to hire BSC group to do the 3rd party review.

Lillabeth Weis: Seconds the motion.

Site walk tomorrow, Friday 17th at 6:30pm.

Motion unanimously carries.

Steve Przyjemski: I'm interested in dissecting the Stormwater looking for more mitigation or buffer enhancement.

Carl Shreder: Is there a timeline?

Steve Flynn: We would like to get the miniature golf in this summer.

Carl Shreder: Abutters? (None)

Lillabeth Weis: Makes a motion to continue 269 Central Street (GCC 2015-04; DEP# 161-0803) - NOI to May 14, 2015 at 7:30pm

Rachel Bancroft: Seconds the motion.

Motion passes unanimously.

Frank Deluna: Would like to have any questions ahead of time, so we can answer succinctly.

Discussion: Hearing timeline that allows for discussion, and a timely meeting.

Carl Shreder: I don't think having meetings at 11:30pm, leads to good discussions or decisions. I think it will work better to stick to a time line.

Steve Przyjemski: I will come up with a proposal, we can vote on it first thing and I can keep a time clock.

Steve Przyjemski: I have a bunch of bills to pay.

Nick Feitz: Makes a motion to pay bills as read by Steve.

Rachel Bancroft: Second motion to pay bills.

Motion carries unanimously.

John Bell has resigned. He has been on for 12+ years, I'm sending around a letter to say "Thank you" for all his work and peanut butter cups. We have an open position, if anyone who hears this and wants to be on the Commission.

Steve Przyjemski: Certifications and Orders of Conditions read and sent around for sign-offs.

Lillabeth Weis: Makes a motion to close the Georgetown Conservation Commission Meeting of April 16th, 2015

Nick Feitz: Seconds the motion

Motion passes unanimously.

List of Documents and Other Exhibits used at Meeting:

Documents and Other Exhibits used at meeting will be available for review at: _____

(Office)

Meeting was adjourned at: _____ 8:38pm _____

Next meeting:

Date: _____ May 14, 2015 _____

Time: _____ 7:00pm _____

Place: _____ 3rd Floor Meeting Room _____

Respectfully submitted,

Chairman: _____
(Signature)

Minutes approved by Committee on: __May 14, 2015__
(Date)

