

Committee: _____ Conservation Commission _____

Date: _____ May 19, 2016 _____

Time: _____ 7:00pm _____

Location: _____ 3rd Floor Town Hall _____

Members & Staff present: __Nick Feitz, Rae Ann Baldwin, Carl Shreder, Rachel Bancroft, Andrew Currie, Laura Replier, Susan Flint-Vincent & Steve Przyjemski

Members not present: _____

The meeting was called to order at: _____ 7:03pm _____

Chaplin Hills, Brook Street, and Central Street (GCC 2015-13; DEP# 161-0811) ANRAD - (cont.)

Discussion: Vernal pool discussion,

Carl Shreder: Will have to adapt all of info. Unacceptable that they don't respond. Send them a memo. Make sure we do an excellent job documenting and categorizing.

Nick Feitz: Makes a motion to continue Chaplin Hills, Brook Street, and Central Street (GCC 2015-13; DEP# 161-0811) ANRAD to June 16th at 7:00pm.

Rachel Bancroft: Seconds the motion.

Motion carries unanimously.

Elm Street (GCC 2016-07; DEP#161-0822) NOI— cont.

Steve Przyjemski: None of the activity is within the 200' buffer. It is all set to be approved. The plan was received.

Rae Baldwin: Makes a motion to approve Elm Street (GCC 2016-07; DEP#161-0822) — cont.

Rachel Bancroft: Seconds the motion.

Laura Replier: Abstains.

Motion carries.

Rae Baldwin: Makes a motion to close Elm Street (GCC 2016-07; DEP#161-0822)

Nick Feitz: Seconds.

Motion carries unanimously

24 Summer Street (GCC 2015-15; DEP#161-0813) NOI - (cont.)

John Paulson, Atlantic Engineering

Chris Conway, homeowner

Discussion regarding changes to the prior proposed plan. Mitigation is removing the invasive knotweed, catching the roof runoff and infiltrating it.

Rae Baldwin: Makes a motion to approve 24 Summer Street, not approving the wetland line and removing all the fill that was put in in the flood plain, 80% survival rate of all plantings, additional siltation barriers per Steve.

Drew Currie: Seconds the motion.

Nick Feitz: Nay

Laura Replier: Abstains

The motion carries.

Rae Baldwin: Makes a motion to close

Rachel Bancroft: seconds the motion.

The hearing is closed.

84 Nelson Street - (GCC 2016-11; DEP#161-0824)

Andrew Currie, Camp Den Representative

Jim Lacey, chairman of the Camp Den

Christian Roop, Camp Den committee member

Drew Currie: Discussion of the project.

Carl Shreder: Concerned re: the jurisdiction of the water to put the dock in it. Georgetown has jurisdiction over the land on our side. Boxford has jurisdiction over the water.

Laura Replier: Makes a motion to waive the 'round the pond abutter notification, and keep it to within 300' of the project and the site of the project.

Drew Currie: Abstains.

Rachel Bancroft: seconds the motion.

Timeline: The challenge would be orchestrating both the weekday and weekend activities. Should be done by Labor Day.

Level it out regrade it and compact it. Work with the agent when problems arise in the field.

Carl Shreder: Talk to the Harbormaster, Ross, to get permission.

Susan Flint-Vincent, 5 Davis Lane: How would you get the canoes from the storage area over to the dock?

Christian Roop: There is a narrow path over to the dock from the storage area.

Nick Feitz: Makes a motion to approve 84 Nelson Street - (GCC 2016-11; DEP#161-0824) NOI project, not accepting the wetland line, working with the agent in the field.

Rae Baldwin: Seconds the motion.

Motion carries with one abstention by Drew.

Rae Baldwin: Makes a motion to close.

Nick Feitz: Seconds the motion.

Motion carries unanimously.

175 Central Street (GCC 2016-01; DEP#161-0815) - NOI (cont.)

Brian Farmer, 8 Weston Street, Danvers, MA, property owner

Brian Farmer: Plan dated 5/11/16, the only thing added to sheet 1 was the variance request. (Commission requested a 200' setback from property lines where all the wetlands...). The blue was the pond, the four blue lines were the culverts.

Carl Shreder: I still have issues with the project, because what was a garage has become a house.

Nick Feitz: The last time we met, this building wasn't going to be added to, just being redone.

Steve Przyjemski: They are reducing the paving.

Nick Feitz: It looks like they're adding 327' to the building.

Brian Farmer: So we squared the building it was an "L", there's no net increase in building size.

Steve Przyjemski: The actual footprint was squared off and made the closest point, further away from the wetlands.

Rachel Bancroft, Nick Feitz and Carl Shreder: All saw this as a garage.

Carl Shreder: I would classify this as "new construction".

Steve Przyjemski: A quick overview history of property: Originally 38 Brook Street was subdivided with an ANR.

Brian Farmer: It was always two lots, but that lot line was not there.

Steve Przyjemski: So when that ANR was approved by the town, it cut off a garage and shed off of the main house. At the time it was showing a three bedroom dwelling, so the septic system was for three bedrooms. Jump forward.

Carl Shreder: That septic was for the house though, not for this.

Steve Przyjemski: Correct, it needed a new septic system so they built a septic system for the house at 38 Brook Street. There was an easement granted to the house beyond 175 Central. Again, this is to the best of my knowledge based on everything I can find at the Town Hall. The Assessors data describes the land as accessory land, not a build able lot, not a home, its land that is assessorly to a building, which was cut off. It's an assessorly building on a lot.

In '38, it just showed that structure as a garage, it didn't say house, it didn't say bedrooms. The first time I can find it referenced in any information in Town Hall as a house or a 2-3 bedroom dwelling is in pretty much this application before the Commission. Before that, town wide, there's no permits for any bathrooms, any structures any of that stuff.

There is a drawing in here for a cesspool, but again that appeared more recently. It was not historically in any of the paperwork. That along with the description of a two bedroom house. That wasn't shown.

When they proposed the 38 Brook Street septic system, the Commission approved a project for a new septic system a number of years ago because it was in failure. The condition of that permit was that they were going to abandon, crush and fill the septic system on 175 Central Street.

Now they are saying that septic system is okay and we're going to re-use it. It's kind of double dipping. If you look at the whole property it had a three bedroom septic system on it for the whole thing. You then go and cut it in half, and you put the three bedroom system over here, now what we're being told is "Oh, we're going to put a two bedroom system over here." If you look at it holistically it's an increase in septic flow.

If you have a 3 bedroom house and a three bedroom septic system within a 100' buffer and you add a fourth bedroom, it's not allowed. The Commission can deny a 3 bedroom to a 4 bedroom because it doesn't meet regulations.

Carl Shreder: In my opinion, this is not a repair.

Steve Przyjemski: In my opinion, you cannot have an increase, you had 3; now you have 5 bedroom septic system. To me it looks like an increase in septic. That increase is considered new. Brooks street is considered new for a 3 bedroom house, and now the system that they wanted to abandon has become alive again and they want to use it to connect into for 175 Central Street. The math doesn't work out. Part of the approval for 38 Brook Street, was that the old one on this property was to be abandoned and crushed.

They have an applied for a permit to redo the septic system at 38 Brook Street, but it hasn't been built.

Carl Shreder: They didn't follow the Order of Conditions for 38 Brook Street. Why don't we ask the applicant since he's here. Sir, can you explain this controversial septic system?

Brian Farmer: It's not controversial at all to be quite honest with you. There was a problem in '96 with the previous property owner trying to get approvals from the town, because the town may have been confused.

Let me report some facts, I'm not being argumentative, but there are two septic systems out there.

Carl Shreder: How come the other one never appeared on any documentation?

Brian Farmer: I dunno, alls I know is I was born in 1962, and in 1963, there were obtaining a special permit for residential use, which was non-conformed to zoning to have a home occupation to repair automobiles. In 1971 they went before the Selectmen to reaffirms that. In 1979 a variance is requested and approved by the town of Georgetown to continue that residential use, which you are all calling a garage. I understand there where some other issues...

In 1996, the applicant got permits from the BOH to dig test pits, and the Commission for whatever reason prevented that from happening. When the ANR was approved, and the previous property owner wasn't able to get the proper permits, these easements were created.

Carl Shreder: The lot was broken up in what year?

Brian Farmer: I believe it was 1996.

Carl Shreder: So it was one lot prior to that?

Brian Farmer: Once again, it was 2 lots out there. There was a property line...

Carl Shreder: You just said it was split in 1996.

Brian Farmer: I said, the ANR plan was approved by the Planning Board in 1996. It's not technically a subdivision because there was two distinct uses. But I don't really want to get into land-use, if you want to talk septic, which is what I heard a lot of...

Steve Przyjemski: I thought that's the whole point of the discussion, "Is in it new or existing septic?" You're talking about the Selectmen approving, that's uses, that's allowing the structure to be used as a garage...

Carl Shreder: From our perspective, "Was it a residence? - No". "Was it new construction? - Yes". You can't tell me anyone's living there.

Brian Farmer: I can only tell you there was a use there.

Nick Feitz: As a garage.

Brian Farmer: A legal use. You say, "a garage", I say a "residential use" because, it was a home occupation.

Steve Przyjemski: But the house was at 38 Brook Street.

Brian Farmer: If I could just continue on a little bit on the septic...

What is the maximum septic design that could be created for both properties, compliant with the 100' wetlands setback? It turned out to be a 5 bedroom septic design which was presented, reviewed and after a 3 year deliberation, it was approved by the Board of Health in 2014, was 3 Bedroom for 38 Brook Street, 2 Bedroom for 175 Central Street with no variances. Rather than a shared system, with cross, improper design, you have two fully compliant design systems, compliant with Title V sanitary code in the Commonwealth of Massachusetts.

Rachel Bancroft: So the proposed septic system for this, (38 Brook Street),

Steve Przyjemski: That the Commission approved?

Rachel Bancroft: Yes. When was that done?

Steve Przyjemski: 2013 received permission from the Commission to upgrade the septic system at 38 Brook Street.

Rachel Bancroft: And it still has not been done?

Steve Przyjemski: It still has not been done, correct.

Rachel Bancroft: So they are still using this one?

Steve Przyjemski: I presume so but,

Carl Shreder: Is that the case that the other septic system was never closed out?

Brian Farmer: An extension permit was granted for 3 years.

Drew Currie: Title V - when was that?

Brian Farmer: 2013

Steve Przyjemski: I have the entire Board of Health packet here. It was mentioned that the BOH approved it, I disagree with every conclusion they came to on that. Just because they approved it doesn't mean that's correct. Their own file had a permit to construct in 1975, maximum 3 bedrooms. Again, all the evidence points to an increase in bedrooms. I don't know why they approved it, but I don't believe they were correct and accurate in how they did that.

Carl Shreder: If this is new construction, does it meet our regulations?

Steve Przyjemski: No, it does not.

For 38 Brook Street, that septic system didn't meet the regulations either, waivers were granted because it was replacing an existing, failed system. The Order of Conditions was contingent on the other one being, ???

Carl Shreder: If this was a residence, I would consider this a repair, but I don't I don't consider this a repair, 175 Central Street is a new construction.

Drew Currie: When was it perceived to be in failure? They must have rechecked it, gone in and found out that it was still viable. The leaching field serving the house.

Brian Farmer: it was not in failure, because it doesn't trigger any of the failure criteria under Title V, even though it does not comply with Title V as far as system design.

Carl Shreder: I think it was brought to us as a system in failure.

Brian Farmer: I'm very confused. I'm one hundred percent confused right now. So what happened, was there was two applications submitted to the Conservation Commission.

Twice DEP has reviewed this, and twice it was approved. Once for 38 Brook Street, once for 175 Central Street, as an upgrade and as new construction. It was proven that you could design under new construction. What the Board of Health in Georgetown voted on and approved, is what is before the Commission.

As far as failure goes, the cesspool was determined to be in the ground water.

Carl Shreder: Where did you find the information about the cesspool? We apparently have no information on when that appeared.

Brian Farmer: All I can tell you is what I know.

Steve Przyjemski: What Deb said is, it's pretty common to have a cesspool, to clean cars. So by just having a cesspool doesn't mean we're having a septic system upgrade. So what Rachel is holding is the approval for 38 Brook Street, and it shows a connection to the existing system that shows the cesspool and says, "To be abandoned". It's the same applicant, same everything.

It says "existing building", not existing two bedroom house. This is their drawing. This is the approval for 38 Brook Street.

Brian Farmer: 38 Brook Street, I thought we were talking about 175 Central Street?

Brian Farmer: That says, “Septic easement”, that is language in the Registry of Deeds. We’re not talking about the physical components that are in the ground.

Steve Przyjemski: It says “To be abandoned”. The structure in question has always been described as a commercial building, not a 2 Bedroom dwelling. It doesn’t become a 2 bedroom, until you apply for this permit. So it goes from being a garage on slab, to being a 2 bedroom house. And we’re hearing it’s been there forever. This proposal is the first time I was able to find reference to it as a two bedroom house, that’s new construction. That’s my interpretation.

Brian Farmer: It was never represented to anybody as a 2 bedroom house. It was always a “proposed use”.

Carl Shreder: That defines it as “New construction”. It is a change of use.

Brian Farmer: I don’t know about the definition, I don’t see it as anything other than residential use. The Town of Georgetown allows home occupations under zoning, and that zoning is considered “residential use.”

Nick Feitz: But you’re going from 3 to 5 bedrooms.

Brian Farmer: Not really if you think about it, you have two distinct uses. You have a residential use and you have a home occupation use. I’m talking sanitary code. In 1975, there was a 1978 code which was when the DEP came in on sanitary, 1987 I believe, was the next major revision and the big revision was March of 1995, there have been subsequent revisions to the Title V code in 2006 and so forth for some of these alternative technologies. As I look at it, as pre-existing uses, both structures are first period structures in the Town of Georgetown. You had two distinctive uses. We had to value, “what is the use?” Of that home occupation.

Carl Shreder: If everyone has a tool shed in the yard, can they now claim that as another house in the back yard?

Brian Farmer: If they had a special permit, and a variance granted prior to the zoning, and it was a legal residential use and they went through the process. I’m also saying that that cesspool pre-dates.

Steve Przyjemski: That’s zoning usage, that’s not septic systems.

Laura Replier: My question is: If you have a detached garage that is referred to as a residential building because it's part of the infra-structure of the home, this does not mean that people live in the garage, it's a habitable building, but it is part of the structures used for domestic arrangements. This gentleman keeps using the term "residential structure", but to me a residential structure also can mean a building you can use as part of your domestic life, it doesn't mean it's a home you live in, cook in and bathe in, and it's just part of your domestic arrangements. Is that the technical use of that term? Just by calling it a residential building, doesn't mean it's a home.

Steve Przyjemski: This wouldn't be a residential structure, it would be an accessory structure. That's what the assessor previously showed this as such, they have never taxed this as a build-able lot. This has never been shown or approved as a build-able lot.

Carl Shreder: No one has ever lived in that garage. In that sense and in my mind, it's new construction.

Steve Przyjemski: It doesn't become a two bedroom until you applied for this permit. It was originally a garage on slab, and it all of a sudden becomes a two bedroom house, and we're hearing it's been like that forever. This is the first time I was able to find it referenced as a two bedroom house, that's new construction. That's my interpretation.

Brian Farmer: We never represented it to anybody as a two bedroom house, always a proposed use.

Carl Shreder: That defines it as new construction and a new use.

Brian Farmer: I don't know about the definition, I don't see it as other than a residential use. The town of Georgetown allows home occupations under the zoning, and that zoning is considered residential use.

Laura Replier: The cesspool was used as a slop sink, it was used for washing your hands or whatever while you're working on things, it was not intended as any kind of septic facility. I do believe it's new use.

Steve Przyjemski: As new use, it is required to be outside the 100' buffer.

Laura Replier: It is, and it does not. Is there any evidence that humans have inhabited that building? Is there a statute of limitations on that? You say it's a first period building.

Brian Farmer: I think there's substantial evidence. Yes, it is and that's been documented and is in the Board of Health records by a local attorney and eye witnesses.

Brian Farmer: 1st period, it's my understanding that building around 1954 more or less, the Town of Georgetown created zoning and any existing structure was called it a 1st period structure. This first period structure has its own separate electricity, water, sewer, a structure. When you look under the Sanitary Code in 1962 when it describes spaces, where you work was a habitable space, it's clear. It might not be the nice 2016 \$800,000 homes, new construction in the Town of Georgetown, and all that. In a time when that wasn't the case in Georgetown, that probably is a habitable structure. Especially if you're working 12, 14, 15 hours/day to make a living.

There's your toilet, there's your water. Yeah, this gentleman had at least the opportunity to go into the house at night to sleep with the family. I think the record is pretty strong that it's habitable space.

Rachel Bancroft: But there was no kitchen.

Brian Farmer: So does it lose its habitable space?

Carl Shreder: Half the garages in the town could meet those criteria.

Brian Farmer: Any garage in town that has sinks, septic, water... I haven't told you how I found the cesspool.

I'm cleaning up the property, there's a slab here, I find a toilet fixture, I call a company, and they jet out with a transmitter, voila! There it is, 2012.

I'm of the opinion that it was probably used by the two uses and it was a shared system. The house was connected too, and sometime in '75, maybe they were having problems with their septic system. We had to go back and look at both parcels, what is the maximum compliant system, Town of Georgetown? That design came up to a 5 bedroom, shared system, outside the setback in the property lines and that is how 5 bedrooms are before this board tonight.

Which is previously approved 3 bedroom, for 38 Brook Street, it's on the front page, a 2 bedroom, for a conforming lot and structure for zoning, and a conforming septic to local bylaws twice reviewed by the Commonwealth of Massachusetts, and various Health agents, so this is completely above

board. The proposal before you is a conforming residential use in the Town of Georgetown.

Laura Replier: You mention in 2014 the Board of Health approved a 2 bedroom septic. Do we have documentation of that?

Steve Przyjemski: They approved it, I've read through the minutes, but they didn't know half of what I know right now. Just because the Board of Health approves something, doesn't mean its Gospel. We have dual jurisdiction.

Carl Shreder: We have our jurisdiction and regulations and they have theirs too.

Laura Replier: They're just looking at percobility or something like that, they aren't interested in "change of use", or whatever, whatever, am I right?

Steve Przyjemski: We're not interested in the change of use either. All the zoning, all the Selectmen votes, what it was used for has nothing to do with this hearing. We're trying to get away from the zoning.

Carl Shreder: Is this new construction? Does it meet our regulations, or not? Do we want to grant a waiver, or not?

Laura Replier: Does every building in town, Town Hall, the schools, Crosby's, anywhere with a bath room, does it qualify as residential space? That's the argument before us, if it has electricity and a bathroom, therefore it qualifies a as a residence.

Brian Farmer: I would agree with that statement. If you were saying Crosby's is habitable space, I would absolutely agree with you. Zoning really gets to the use.

Laura Replier: You're argument was just because it had electricity and a toilet that went out to a hole in the ground. I'm not entirely convinced that qualifies it as a residence. I don't believe there's any proof that humans "lived" there. This was a commercial building, that needed electricity, a toilet and a sink, but it does not qualify as a "human living in residence". As Rachel said, it doesn't have a kitchen, no evidence of bedrooms or of people living there.

I don't accept the argument that it's a pre-existing habitable structure, as structure that people have lived in. It has things that enabled people to work

there, but it does NOT have things that enabled people to live there. It is new construction, in my mind.

Carl Shreder: In my mind it is a new construction home. It was an accessory building that was broken off, separated the lot from the other one, it wasn't a residence unto itself. Obviously it exists as a building, we can't deny that it's there, and it does have water and electricity. But to me it's a new construction home. It never existed before.

Laura Replier: The water and electricity don't make it a home.

Nick Feitz: I agree.

Rachel Bancroft: There's the garage and there's the shed, there's electricity in the garage, but not the shed, and they're detached, they are not connected, so there's two there. It shows they're connected here, but they are NOT connected in reality so, that too is something...

Carl Shreder: If it was a residence, it would be a repair and I could live with that, but this is not a residence, and it doesn't meet our regulation.

Laura Replier: I agree.

Nick Feitz: There's no evidence that anyone has ever lived here. The use that we know has always been commercial, correct? It's a commercial garage, correct?

Brian Farmer: We went down that avenue with the Board of Health, okay, and I agree. I looked at it that way too. It turns out when the lawyers get involved and talk about it, apparently, what is told to me, was a residential home occupation, because it's a conforming use, the special permit and variance granted by the town... What I'm trying to say is the residential use, was not in conforming with zoning, and so he got an exemption for that residential use, because it's an occupation, I think that's the way it went down. To call, hey, that's commercial property, all of a sudden, I'm not 100% sure that's what happened.

Nick Feitz: I'm betting you have insurance on this, and the insurance is not a Homeowner's policy, I'm just guessing, because I know with a Homeowner's policy what you have to have.

Brian Farmer: Actually I had residential home insurance on this structure just to insure it.

Nick Feitz: It doesn't qualify for Homeowner's insurance.

Brian Farmer: I have it insured under my Homeowner's insurance policy on my property in Danvers.

Laura Replier: As a supplemental.

Brian Farmer: It's an insurable asset.

Steve Przyjemski: Keep in mind we wear 2 hats, local regs, I do not believe this meets; state, it meets the 50' no septic system buffer to a wetland. The State still has concerns with the drainage and the culvert. So I recommending denying under the local, originally I was going to say approved under the state because it meets the 50' setback to the wetlands, but if you look at the justification on why they're exempt from some of culvert stuff because it's a redevelopment of an existing house. If that's not the case, it's hard to justify. You can go either way on the state, you can approve or deny it. It really, really, really doesn't matter.

Laura Replier: What happens if we approve it by the state and deny it by the Local Bylaw? Does the development go forward?

Carl Shreder: No, it's a dual fold hearing. You have to have the approval of both to go forward.

Steve Przyjemski: On the state one you can go either way. It has other issues, it's not just that.

Laura Replier: What are the other issues?

Steve Przyjemski: the drainage, the state put in other issues that have not been resolved. Engineering details, again you can go either way. The cleanest way is to approve it by the state, deny it under the local.

Brian Farmer: I don't know if a continuance is possible? I may not be explaining it right. I'm trying to get a fresh concept. The big issue is, "new construction definition locally"? If someone could tell me the question I need to have answered. The next time you have a scheduled time, I'll meet with you.

Steve Przyjemski: We have been talking about this new vs. old, this has been going on for a few years, continue, continue, continue, we talk about it, continue, continue. He had to withdraw without prejudice, cause he lost quorum, half the people were here the whole time, and reapplied with exactly the same discussion pretty much verbatim.

Carl Shreder: It really comes down to whether it's new construction or not, whether we feel it's a residence or not and a new use. We can talk about all the other issues, but at the end of the day it comes down to our regulations what we need to deal with. There's a lot of other things swirling around in this conversation, but we need to deal with our regulations. This is a Conservation Hearing and we're dealing with the Wetlands Protection Act and our Bylaw, the rules and regs.

Laura Replier: I'd like to make a motion that we deny the NOI for 175 Central Street (GCC 2016-01) under the local bylaw.

Nick Feitz: Seconds the motion.

Motion passes unanimously.

9Laura Replier: I'd like to make a motion that we approve the NOI for 175 Central Street (DEP#161-0815) under the Massachusetts Wetland Protection Act.

Nick Feitz: Seconds the motion.

Drew Currie: I abstain.

Motion passes.

Laura Replier: I'd like to make a motion that we close the NOI for 175 Central Street under the local bylaw and the state act (GCC 2016-01; DEP#161-0815).

Rachel Bancroft: Seconded the motion.

Motion carries unanimously.

66 Parish Street (GCC 2016-09) ANRAD

Curtis Young, Wetlands Preservation, Inc.

Joe Orzel, Wetlands Preservation, Inc.

Nick Cracknell, Permitting and development consultant

Curtis Young: Complicating that we're on the boundary of Newbury, some of this project is in Newbury, but most of this project is in Georgetown, from a physical perspective, it involves the replacement of bridge that has washed out over time on Larkin Road.

Carl Shreder: I believe it's been more than 3 years since you were last before us on this project?

Curtis Young: Yes, I believe it has been.

The property is located just east of route 95. Larkin Rd swings down through this portion of the site, right on the boundary of it. This is the continuation of Chute Road that goes over to the boundary of Georgetown and Byfield. I live at the end of Chute Road, but in Georgetown, North Street #559.

Wheeler Brook is a perennial stream that runs down through, nice flow to it. It drains a large portion of Georgetown and local areas. As is the stream that runs under Route 95 that bisects the project dividing it in half in a sense.

This project is a Residential subdivision, the limit of the scope because all of the development will be clustered along Larkin Road, not in the back of the property where the riverfront, BVW and flood zone are located. The front has been used for a long time. At this point the farm house has not been used in a number of years.

We have filed in Newbury, and have been issued an ORAD for completed a delineation of the Larking Road/Parish Road Bridge that is out. The replacement will be part of this project. If it needs to be widened at all, to accommodate a guardrail and safety. That may fall slightly within to both Georgetown and Newbury as well and we'll likely be in front of you with regard to the bridge in some regard. This is simply for looking at wetland boundaries on the site.

Joe Orzel: There are several resources areas present on site including: Inland banks, BVW, bordering land typical to flooding and riverfront areas. The BVW borders the swale on Larkin Road, connected to a culvert which goes under Larkin Road and is goes into a wetland on the other side of the street. The BVW surrounding the stream that flows under rte 95, is flagged with "Top of Bank" and "Median High Water Line". In this section the bank is well defined, obvious change in slope and change in vegetation. Downstream where it enters Wheeler brook, the top of bank is submerged, the median high water line was based on changes in vegetation, because the top of bank is down here under water, probably due to recent beaver activity. There's a lot of evidence of beaver activity on the slopes around the site. Small areas of BVW connected to this larger area with small, shallow ditches, probably excavated to help drain this area. The bordering land subject to flooding is shown here, scaled off the FEMA plan. There were some topo issues here, they were originally scaled off an old site plan and the vertical data was not known, we'll have a revision of this with the topography tied to known vertical data. The buffer zones are shown on the plan for the 200' riverfront area. The delineation of the BVW was based on vegetation, soils and hydrology. It was done in mid-late August of 2015. The riverfront area Medial High Water line was delineated based on bank indicators.

Carl Shreder: Correct me if I'm wrong, this is a former farm.

Curtis Young: Yes, there are two parts to it. The front of the property was a farm, it was "used land". The back part of the property was heavily wooded, less disturbed, fairly large trees, both evergreen and deciduous. More than 1/2 of the property is in disturbed condition.

Nick Feitz: Are there any vernal pool possibilities on the property?

Joe Orzel: We have not done an extensive work in the back of the property. In the front of the property, none mapped and none observed. Much of the land here is out of the jurisdiction of development.

Much of the riverfront property is restricted.

Carl Shreder: This is a pretty big site, I'd recommend a site walk, especially if you're not familiar with that area, and it's a pretty big parcel.

Curtis Young: 40 acres, of the front, maybe 2/5 of property has been delineated, and is proposed for development.

Carl Shreder: With something like this I'd like to have a third party too, just based on the site visit, it's a pretty big parcel.

Nick Feitz: Looks like it abuts some Conservation land that we own.

Curtis Young: The center of the stream seems to have some ownership. This parcel seems to be in the Wheeler Brook drainage way, I don't know how that would work out....

Steve Przyjemski: It's all that Chapter# 61 land. We own some property a little bit down on the street, I don't think this abuts to it in any significant way.

Curtis Young: We understand you'd probably want a 3rd party review and a site walk. We understand that and just want to get going.

Carl Shreder: Would you allow abutters to attend a site walk, or not?

Curtis Young: I don't think there's any problem whatsoever with that for two reasons: 1) I think they can go on it now; 2) There's a bike problem, a motor bike problem we need to deal with. That's just something to be aware of and it is the easiest way to traverse the site.

Laura Replier: Makes a motion to get a third party reviewer to look at the Wetland lines for 66 Parish Road (GCC 2016-09) using Gillian from the BSC.

Rachel Bancroft: Seconds the motion.

Motion carries unanimously.

Laura Replier: Makes a motion for a Site walk on June 11th for 66 Parish Road (GCC 2016-09) starting at 9:00am.

Nick Feitz: Seconds the motion.

Carl Shreder: Abutters okay?

Curtis Young: Yes.

Motion carries unanimously.

Carl Shreder: Full disclosure: Nick was a former employee of the town for 3 1/2 years, he's been gone for 5 years. I've worked with Nick in the past too.

Steve Przyjemski: We can park in Byfield and go back through.

Laura Replier: I'd like to make motion to continue the hearing for 66 Parish Street (GCC 2016-09) ANRAD to June 16th at 7:35pm

Rachel Bancroft: Seconds motion.

Motion carries unanimously.

64-74 East Main Street (GCC 2015-03; DEP#161-0802) Request for a minor modification to OoC issued on 6/22/15.

Greg Hochmouth from Williams and Sparagues

Representative for Constantine Scriavanos

They are nearing completion of the septic system. There is some reshuffling going on in the building. The owner has a potential tenant for one of the spots. The original design that was permitted under the current Order of Conditions, has a septic tank, shown in blue that is supposed to be pumped, abandoned and filled. The potential new tenant is a restaurant-type use, and would require a grease trap. So we are proposing to convert the septic tank, instead of abandoning it, crushing it and leaving it in place, to make it a grease trap. It's already in the ground, it wouldn't require a lot of disturbance. It seems to make sense, but it is a deviation from the approved plan. We've submitted a letter to the Board of Health. We fully expect them to be on board with the request. The tank is adequately sized, we just need to, reroute some of the plumbing. Instead of the building plumbing we would need a separate grease line coming from the slab. There would be a new line leaving it going to the new septic system.

Carl Shreder: It might be presumptive doing it, but maybe you should put in a preventative maintenance serviced, many times these things get built and never get serviced.

Greg Hochmouth: I know the Dunkin Donuts has a maintenance program in place, to have their grease traps cleaned 3 times annually or more if needed. I think they do it more often.

Laura Repplier: How would it function? A grease trap would be self-contained.

Greg Hochmouth: it still would contain grey water, the whole point of the grease trap is that it contains the grease by floating it to the top, what leaves it is free of grease, and that effluent gets discharged to the leaching facility. The grease trap itself will hold some solids, and the rest flows out to the leach field. So if it's properly maintained, it should function as designed.

Nick Feitz: Is this set-up typical of most restaurants?

Greg Hochmouth: Every Restaurant needs a grease trap, and the minimum size is 1000 gallons, but a lot of restaurants take it a step further and have grease traps inside to remove as much grease as possible before it's discharged.

Rae Baldwin: Is the size of the grease tank in relation to the seating of the restaurant? Are we in ballpark here with the size?

Greg Hochmouth: The tank now is 1500 gallons, the minimum is 1000 gallons, so it's a good sized grease-trap. We have to be 10' from the foundation or the slab with the external grease trap. If the tenant is larger, we would have to come back before the commission to ask for a bigger tank.

Greg Hochmouth: It's a closed system. Restaurants have to be very careful of the soaps that they use, so they don't jeopardize or compromise the system. The grease goes to the grease trap, and then the effluent goes out to the leaching field.

Rae Baldwin: Makes a motion for 64-74 East Main Street to approve a minor modification to the previous application of the Order of Conditions.

Nick Feitz: Seconds the motion.

Motion carries unanimously.

Discussion on Hunting on Conservation Land.

Rae Baldwin: I make a motion to deny the hunting request.

Nick Feitz: I second the motion.

Steve Przyjemski: There's a policy in place, "No hunting without permission".

Carl Shreder: We could have mixed use issues between hunters and families not use to the hunting etiquette and times. Most people are aware that there's no hunting on Sundays in Massachusetts, so you don't have to worry about encountering hunters in the woods on Sundays, Saturdays, I wouldn't wander out there from October 16th - December 31st on a Saturday morning without orange on, that's just the way it is, but most people are aware of that at this point. It comes down to logistics, where we could even offer people to do it at this point. The only place I can think that might work is Hampshire Woods, everything else is too small.

Laura Replier: Hampshire Woods is infested with dirt bikes, there won't be a deer for 30 miles...it's posted "No Dirt bikes, etc." and they're everywhere!

Carl Shreder: The state gave me statistics for this area as best they could: 16-18 deer/ square mile. All of our Conservation land equals about 1.3 or 1.4 square miles, so that calculates out to less than 40 deer if you average them out.

Laura Replier: I would like to gather some more information on deer density. And I would like to look into hunting in Hampshire Woods, because deer can be SO destructive, I've seen it happen to the sanctuary in Topsfield. And it's SO infested with ticks that you cannot go off the path and you have to protect yourself! The deer are like squirrels, they're everywhere and there's NO understory. I don't think hunting is necessarily a bad thing, and I think this might be a good spot.

Carl Shreder: But you don't want to just say it's open. It should be case by case and only if it's necessary. The other factor because Article 17 was

passed over, the discussion that needs to occur is to work with other departments and come up with a bylaw that we can live with. I had a problem with the bylaw that town council mutated because it basically said, "The Board of Selectmen will be the authority to determine who's going to be hunting in Georgetown." And again, not being a land use board and not having the familiarity with the land I didn't see how that was going to be functional. The care and custody is with the Conservation Commission or the Water Dept. or Park and Rec, or whoever, but that didn't make any sense to me and I think everyone else agreed with that. I think that's a project that needs to occur this year. We don't have to resolve this tonight.

Steve Przyjemski: When I e-mailed the State and asked them if they had any active numbers, they mentioned they could look into it a little bit more.

Laura Replier: I would like to gather more information about our density and the prospect of allowing Hampshire Woods to be used, just to protect the environment out there. I've seen what can happen to woodlands that are over-infested...

Rae Baldwin: I'll withdraw the motion.

Steve Przyjemski: I'll do some more research and get back to you.

OoC's signed:

- **Summer Street Local and State**
- **84 Nelson Street, Camp Denison**
- **175 Central Street, State approval, Local denial**
-

CoC's signed:

- 24 Pillsbury Lane

- **401 Central Street**
- **Elm Street, the Town**
-

Rachel Bancroft: Makes a motion to pay the bills as read by Steve.

Rae Baldwin: Seconds the motion.

Motion carries unanimously.

Beaver discussion request by the Water Dept.

Carl Shreder: Just from a legal standpoint, we aren't the approving board to dispatch the Beavers, the BOH approves the dispatching of the beavers. We approve of the breaching of the dams for the beaver deceivers.

Steve Przyjemski: They are actually already doing this on other town land. There's a guy at the Highway Department who is has a license to trap.

Carl Shreder: It's a wildlife management issue.

Rae Baldwin: Makes a motion to authorize Steve on our behalf to work with the Water Dept. and the Highway Dept. on beaver issues as necessary.

Laura Replier: Seconds the motions.

Motion carries unanimously.

Steve Przyjemski: Starts discussion re: the Community Gardens project.

Rae Baldwin: Makes a motion to close the meeting.

Laura Replier: Seconds the motion.

Motion carried unanimously.

Meeting closed @ 10:03pm

List of Documents and Other Exhibits used at Meeting:
Documents and Other Exhibits used at meeting will be available for review at: ___the Conservation Office___ Georgetown_____

(Office)

Meeting was adjourned at: _____ 10:03pm_____

Next meeting:

Date: _____ June 16, 2016 _____

Time: _____ 7:00pm_____

Place: _____ Third Floor Meeting Room_____

Respectfully submitted,
Chairman: _____
(Signature)

Minutes approved by Committee on: __ November 17, 2016__
(Date)

