

Committee: _____ Conservation Commission _____

Date: _____ June 16, 2016 _____

Time: _____ 7:00pm _____

Location: _____ 3rd Floor Town Hall _____

Members & Staff present: __Nick Feitz, Carl Shreder, Andrew Currie, Laura Repplier, Susan Flint-Vincent & Steve Przyjemski

Members not present: _____ Rae Ann Baldwin, Rachel Bancroft _____

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

Con Com Minutes 6/16/16

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

Steve Przyjemski: I have heard nothing from the applicant one way or another, I don't see them here, (although half the neighborhood is here).

Carl Shreder: If you have heard nothing from the applicant, the Commission can continue or deny due to lack of information, but normally we continue.

Steve Przyjemski: The last time they put in a request to continue. I can give you and the public an overview.

Discussion of Third Party Review and vernal pools.

Nick Feitz: Would it make sense if we go ahead and have the vernal pools certified, so we have that (for the future)?

Steve Przyjemski: Under our regs, it is a vernal pool unless proven otherwise. Under the state, they need it to be certified to be able to act. You can, it helps, but you don't have to.

Carl Shreder: That's why it's important that it all gets documented.

Nick Feitz: To me it would be nice to have it in the record.

Laura Repplier: Did you take GPS coordinates to lock down where you were?

Steve Przyjemski: No, it was easy, it's based on the flagged wetlands. There is a really cool isolated vernal pool when you walk in from the Brook Street end that is triangular shaped, half the size of this room, and 100' down there's an enormous wetland. That's the beauty of this map it shows every resource on property by flag #. There might be a flag missing here or there, but I always knew where I was.

Steve Przyjemski: I've walked the property, there are probably some depressions that are within the wetland boundaries and not on the map, but a Third party Review will walk every square inch of the property and note everything, even suspicious depressions as suspected vernal pools.

Steve Przyjemski: This is funky because it's a steep hillside and water is flowing out of the hillside, but there's no pooling depressions to accumulate water.

You can figure out a wetland even when it dries up a bit. The vernal pool is a relatively small window. That's why I did 2 or 3 site walks in two weeks. They have certain characteristics.

Nick Feitz: Makes a motion to initiate the process to certify vernal pools at the Chaplin Hills property

Laura Replier: Seconds the motion.

Motion passes unanimously.

Abutters?

Roger La Pointe, 3 Chaplin Hills Road: Given that the applicant isn't here, it seems fruitless that he's not getting our opinions and observations.

Carl Shreder: That's why I don't want to carry this on for an hour, because the applicant isn't here, but if there's something that you feel you need to say, feel free.

Steve Calabro, 8 Chaplin Hills Road: I find that the actions of the applicant is very disrespectful to the Commission and to the neighborhood. I'd like to ask that the hearing be closed and if he gets serious and wants to come back and start the process again, he would be allowed to do that. But the fact that there's no communication, we're all here, he's not here, I see that as very disrespectful.

Carl Shreder: I would tend to agree. Thank you.

Roger La Pointe: As far as the third party opinion for the wetland delineation, is there a way to postpone that to next year during the wet season? Last fall he tried to push to have it done during that week, and you said, "No, because there had already been a frost, we're not going to do it." It seems like he's trying to sneak in through the back way as much as he can.

Steve Przyjemski: You don't need standing water for it to be determined to be a wetland. The part that would be harder to determine without evidence would be vernal pools, once it's dried up. When wetlands dry up, you can still very accurately determine where the edges of the wetlands are, so it would be atypical to continue it to spring just related to wetland delineation. Vernal pools season would be a very different story if I didn't have the information that I have. That being said, the Commission can postpone it to whenever they want.

Carl Shreder: Normally we give the applicant the benefit of the doubt for a meeting or two certainly I'm not going to continue this on for years. If they don't want to communicate, we'll take appropriate action.

Roger La Pointe: How long does it take before you can identify that soil as a wetland?

Joe Orzel, Wetland Scientist, Wetland Protection, INC.: Depends on the site and the soils.

Dave Gordon, 153 Central Street: I directly about the wetlands there, the only thing that divides our property is the railroad bed, the rail trail. I grew up on that property. Why is this land looked at as being buildable? Back in the 70s, the town looked to put a school up there, which ended up being Penn Brook School. The soil conditions up there weren't great, there were issues with percs. Why is it being looked into again?

Carl Shreder: The applicant can file on any property. It's really up to us and other boards to determine what the next steps are to be taken. We've only been asked to determine the resources. We're not even talking building at this point.

Dave Gordon: Any water that comes off that property, will flow down behind Crosby's and will flood downtown again, worse than it is now.

Steve Przyjemski: Once they file with us for a NOI we can start talking about the impact on the resources, right now we're just trying to figure out what the resources would be impacted with any potential development. Right now they are talking with the Planning Board, once they file with us that would be a very, very appropriate time and we would be concerned about that.

Carl Shreder: They are just trying to get us to pin down what we feel are the resources out there. It's just phase I of a multi-phased project.

Dave Gordon: I can tell by the way he walked through the area, he's seeing the same things: Underground springs, brooks, a lot of water coming off that hill already.

Laura Replier: I think that's an excellent point about connectivity of the water off of the property, because years ago, I was invited into the basement of the building where the Post Office is, and it was full of water there. The water was coming off of the hill down under CVS.

Dave Gordon: You increase that water flow from there, and you'll devastate the businesses there.

Laura Replier: It will. We normally focus on the property. I don't think I've been on a hearing before where the results of what might happen would impact something so far off site.

Steve Przyjemski: For ANRADs we look at 200' off property, and lock in what's there. Planning board and the Conservation commission reviews the storm water runoff.

Carl Shreder: We've hired hydrologists to look at projects before, with large developments.

Steve Przyjemski: With any big project, there's always storm water reviews. The commission doesn't hear about it unless there's an issue. As long as the engineers say, "No more water off property." we take it for that.

Laura Replier: So in my mind, what we have, catch basins etc. are currently in-effective.

Steve Przyjemski: A lot of people think we should increase the water runoff numbers. We can open up our regulations and make them stronger. I'm of the belief that we're underestimating the water coming off properties, because with every development that goes in, people all around are complaining about being flooded. The engineers said, "No more water will leave the property than already is". We all know it's happening but without regulations to back us up, there's very little we can do. We need to change the regs (regulations). The numbers that go in need to be adjusted.

Laura Replier: That number fluctuates tremendously over the course of a year. Do we collect a year's worth of data? What do we do?

Drew Currie: The current regulation numbers have been out for at least 20 yrs. It can vary from town to town what level storm you design for 100yr, 50yr, and 10yr? The fact is you are creating more water on the surface. All you can really do is slow it down with either detention or infiltration into the ground. I personally think you can never get it to what it was.

Carl Shreder: The more impervious surfaces we have, the bigger the problem - more sheet flow, more runoff, etc. and it impacts all kinds of off property.

Discussion of water runoff numbers.

Carl Shreder: Right now we're just talking about where the water is, where the resources are and just trying to lock that down.

Laura Replier: Makes a motion to continue the hearing for Chaplin Hills Road, Brook Street and Central Street (GCC 2015-13; DEP#161-0811) ANRAD - (cont.) to July 21, 2016 @ 7:00pm.

Nick Feitz: Seconds the motion.

Motion carries unanimously.

7 West Street (GCC2016-10; DEP#161-0823) - NOI - NEW
Joseph and Vicky Halter, 7 West Street

Joseph Halter: We're proposing to put in a 16 x 20' pool in our backyard, according to the map it's 50' to the buffer zone that was established by a project in the past, extend a deck to connect to the pool and extend a couple of decks on the side.

Carl Shreder: Is there another place you can put the pool?

Vicky Halter: On the other side of the stream in the woods.

Steve Przyjemski: Just to clarify, they did file previously to cut some trees down, the wetland line was not approved. It was pretty much a hand-drawing. Originally when this came in, was a hand drawing, I wasn't comfortable with it as a hand-drawing, because previously we've gotten in trouble with hand-drawings in the past. This is an intermittent stream that has NOT been confirmed. The wetlands off of it, I can't tell you they're perfect, it's close. I've been out there for a previous application and there's a good sized wetland buffer around it. This isn't a locked down wetland line, it's more their opinion about what's out there.

Laura Replier: It says 50' to the resource area, is that to the stream?

Steve Przyjemski: its 50' to the bank of the stream, not seeing wetlands associated with a natural stream is a red flag. Maybe we need a third party review of the wetlands so we know exactly where it is. I have a feeling it was a surveyor who did the plan who either picked it up off of aerial or off the bank but may not have been even out there.

Nick Feitz: Can you put the pool to the north of the existing patio? This would bring it further away from the so-called "wetland line".

Vicky Halter: Then we would have to take down the deck.

Laura Replier: Does there have to be a setback between a pool and structure?

Steve Przyjemski: Usually you have a deck that leads up to a pool that's raised around it and a fence for safety reasons.

Vicky Halter: We were hoping the pool would connect to the deck for privacy reasons and it's an above ground pool.

Carl Shreder: So it can't slide over towards the existing deck? Is that what you're saying?

Vicky Halter: We want it to connect to the existing deck, but we need permission to connect it.

Joseph Halter: Where he has the pool drawn is the best place for a pool.

Nick Feitz: Maybe the best place for the pool, but not the best place from a wetlands standpoint.

Carl Shreder: Why can't you keep the deck where it is and move the pool?

Vicky Halter: We have a patio.

Steve Przyjemski: I have a list of concerns, precedent-wise, the Commission doesn't allow this much of a waiver for something considered a luxury item, pools fit into that category. Septic systems, things that are necessities all the time... This is at 51 feet, when it's supposed to be at 75'. I don't really believe its 51, I think it's more like 30-35'. I would strongly recommend against approving it until we confirm the wetland line and look at alternative design and options, because this is so, so close.

Laura Replier: Do we ever send you (Steve) out and do a "ballpark" flagging of the wetlands?

Steve Przyjemski: Versus hiring a 3rd party review? All the time. Usually on smaller projects we don't hire expensive 3rd party reviews.

Laura Replier: So I think that would be fair, to see what is really out there.

Joseph Halter: we would be willing to take some of the patio out, maybe 2-3 feet, so we could move the pool closer.

Laura Replier: Makes a motion to do a site walk after work on Monday, June 20th at 6:30pm.

Nick Feitz: Seconds the motion.

Motion carries unanimously.

Steve Przyjemski: Are abutters allowed to attend the site walk?

Joseph Halter: The abutters are more than welcome to be there at Monday at 6:30pm.

Carl Shreder: Abutter comments?

Jay Hansen, from the pool company: The siting of the structure, we've taken a lot of considerations for minimal disturbance. It's a closed system, so no backwashing, no water on the ground anywhere. We've given this a lot of consideration before we even came here.

Bob Watts 9 West Street: I have no real problems with it. It sounds like a fun thing to do. My only real concern is emptying the pool, where is that water going to go?

Vicky Halter: Why would we empty it?

Jay Hansen: The idea is not to empty it. It will stay full over the winter.

Nick Feitz: I make a motion that we continue 7 West Street (GCC 2016-10; DEP#161-0823) - NOI to 7/21/16 at 7:05pm.

Laura Replier: Seconds the motion.

Motion carries unanimously.

Discussion:

Jim Lacey: Earlier in the year we did a review of the camp manager and all of the activities he does, and the time he spends. We would like to increase his stipend from \$ 30/ quarter to \$250/month. When we hired him, the idea of what he would do, is very different from what he now does. We had a lot of vandalism before we hired him, so we wanted someone there, and he was to mow some grass. He now deals with all the people that come in to rent. He spends a lot of time doing that. On our web-site, it's his cell phone number to make reservations. He works full-time for the Pentucket School District. He has to be there for weddings, LARP groups. There's no intent to go further than where we are right now. He's just doing much more than he was originally hired for, we want to compensate him for that.

Carl Shreder: From a legal standpoint all the employees need to report to Steve. So if there are any issues, he should go to Steve.

Laura Replier: He may not be actively engaged in hands on work for however many hours you're thinking, he is always keeping an eye on things, there to answer questions, prevent vandalism. I feel his mere presence is very valuable to the camp. I've met him a couple of times, he's passionately caring about the property.

Steve Przyjemski: Is it sustainable?

Jim Lacey: If you look at the top table in the bottom right-hand corner, that's how much money we've taken in in rental income. We've spent a lot because we've done a lot of work there, but that's the type of money we've been taking in.

Steve Przyjemski: What is a typical year for maintenance?

Jim Lacey: \$4000-\$5000.

Steve Przyjemski: They brought in \$30,000, they are spending \$26,000 this year with all of the bathroom renovations and paving, but that's not typical.

We've been talking with Mike Farrell, about benefits. This would qualify for benefits, he's not drawing on them, but he could, it's an additional town expense. It's something to look at.

Jim Lacey: His hours are not officially defined. We would have to look at this in our re-visitation of management. The whole concept was that the housing was part of it.

Steve Przyjemski: Typically he reports to the Camp Den committee, but legally he reports through me to the Conservation Commission.

Laura Replier: Makes a motion to support increasing the stipend to the Camp Denison Manager from \$30/qtr to \$250/month, with the understanding that the hours will not exceed 19 1/2hrs/week.

Drew Currie: Seconds the motion.

Carl Shreder: I would just like to see more clarification of what the job is he performs.

Motion passes unanimously.

Jim DiMento from Park and Rec - I think things are working better now. I didn't know there was a problem until June 1st (2016). We actually requested on the forms that those hours be adhered to.

Steve Przyjemski: As part of the East Main Street Conservation Permit, some of the off-site conditions to mitigate damage on-site, were things like: donating land off Hampshire Lane, reducing the hours out on the West Street Soccer Fields. Because of things going on elsewhere in town where they were losing fields, the Commission gave a 1 year window where they didn't have to comply with that. After that during a specific time when the turtles were breeding, everyone had to be off the fields by 6:30pm. There was a lot of discussion from being off the fields by 4:30pm to no activity at all, in my opinion based on the recommendations by the State and the turtle people, the Commission really, really compromised on the hours that the fields were in use. It came to my attention a few weeks ago that there were soccer games being played after 6:30pm. Again, this ties back to the East Main Street project, the donation of land still hasn't happened yet. We didn't put time frames on the donation of lands, we are getting that going again, working on the deed and the mapping of that land. The biggest concern is the turtles on that field, that map will get registered, the deed will get registered.

Jim DiMento: The Mylar was done, the Mylar got lost. Jim Bussing has been waiting to get that land off his tax rolls, so the Mylar was recreated 2 weeks ago. We'll both walk it over to Mike Farrell to make sure it gets registered this time. I'm not saying Mike lost it, but someone in Town government lost it.

Carl Shreder: So as far as dates are concerned... Was it people forgetting that this had transpired? Lack of communication?

Jim DiMento: On our forms we request that those hours be adhered to, that was from Richard Abraham who does the forms for me. When they were notified on June 1st that they were in violation, they stopped. May 31st and June 1st were the two days that they were past, and since then... Susan Cawfield was down there for lacrosse almost every other day, I sent you an e-mail. She made sure they were off before then, but there were two days when she wasn't there. So it has been adhered to since then.

When we first went through this John Pingree and Mark Perry were notified, they were the GAA people at the time, and they didn't want to get involved. I was looking for concessions, but I think the hours are reasonable, it's really for the GAA's purpose that the days in June. After June 11th, they go to a lighter schedule because school's almost over.

Steve Przyjemski: So the problem really solves itself.

Jim DiMento: The Park and Rec talked about it. We have to put up a sign, that this is a turtle habitat area, and the park will be closed these hours. We're putting signs in all the other areas.

The Hampshire Lane issue we've also been working on.

Steve Przyjemski: I'm a little worried about compliance with the original plan. There were some last minute, in-the-field changes, that didn't really go through the right process. They proposed taking irrigation water out of the pond, and instead they drilled a well. There might be very good reasons for doing it, but that was a condition that was set for a reason. The commission wasn't really part of the discussion for that change. It's in the limit of work. This is a long term project, and they are trying to keep their costs down, there's no engineers going out and surveying after the fact to make sure we're still in the good.

Jim DiMento: There was no water in the pond last year this time when we put the field in, so we drilled a well. It wasn't to reduce cost, it was actually \$10,000 more. The concession was that you guys didn't like the pond anyways, so...

Carl Shreder: I'm not saying I would be opposed, there needs to be open channels of communication. That kind of stuff needs to come before us just so we know what's going on.

Jim DiMento: The "Limit of Work" was something we all missed. On the original designs there's an LOW (limit of work). If I had picked up on it...If we're too close to an area, we'll fix it when the project is over.

Steve Przyjemski: It's considered a short term disturbance.

Jim DiMento: We didn't change anything, we just didn't pick it up. Peter Durkee picked up on it.

Jim DiMento: My next project is for electricity and a rain garden and then a wetlands replication. I'm still working on some IOUs. Then the parking lot and the skate park. We're still working. The well was a situation that had to be made on the fly because we had to grass in and we didn't have water.

Carl Shreder: Just a quick communication.

Jim DiMento: Truthfully, my neck was on the line. At 400' they still hadn't struck water, and over 400' it's \$100/ft. 500ft it would have been another \$15,000. At 437' they finally struck water. I didn't want to talk to anybody.

Carl Shreder: How many gallons are you drawing? At 100,000 gallons you need a state permit. Can you find out for us?

Steve Przyjemski: It won't be that high for one field.

Jim DiMento: It's only 1 or 2 zones. West Street is much bigger for water usage. I can get that number for you tomorrow.

Laura Replier: I seem to recall receiving a number of e-mails the first two weeks of June regarding people out on the field. There were teams out on the field, there were girls' lacrosse games out on the way back fields, there were turtles trying to nest and leaving the field.

Jim DiMento: I was told it was just May 31st and June 1st. We got notified on June 1st and all hell broke loose.

Carl Shreder: We need to communicate to ALL the different users, not just the GAA. It's a relatively short window we're asking. It's not like it's in perpetuity or all year long. That's why the signage needs to be there.

Jim DiMento: It will be more a non-issue next year when Penn Brook fields are open. We have 4 fields at Penn Brook that are down and one on East Main Street.

Carl Shreder: Just to educate the public, it's one of the "Hot Spots" for these turtles in the entire state!

Jim DiMento: I walked the fields on June 5th and there were 25-26th nesting areas, so quite a bit. Most were on the perimeter of the fields, only one on the field. There's more turtles nesting in the low grass, it's hard for them to navigate the high, dense grass and poison ivy.

Steve Przyjemski: Isn't there a condition to mow that? I think it was twice a year.

Carl Shreder: I think this is a lesson learned and we need to do better overall, and I think we can.

Rick Humanhoffer, President of the GAA

I'd like to add some clarification. We were wholly unaware of the Orders of Conditions. You may have spoken with Mark and John, but I've been on the GAA board for five years now and I don't recall that coming up. In terms of open communication, we request that the GAA is more involved in these types of decisions.

Carl Shreder: During the hearing process there were GAA reps here, including the President of the GAA.

Steve Przyjemski: The typical chain of command is that we communicate with Park and Rec, and they communicate with you. GAA is not directly under the Conservation Commission, it's under Park and Rec, so they are the ones who should be communicating with you. Don't get me wrong, I'd be happy to talk with you, but that's not the typical chain of command.

Rick Humanhoffer: Under normal circumstances that certainly would work, but we are the primary user of the West Street fields. We have a lot of activities in both the fall and the spring.

Carl Shreder: We are concerned about GAA use. Our environmental experts want us to shut this down at 4:00pm. We did quite a bit of compromising being sensitive to your concern. But we also have a very rare and endangered species that we're trying to protect during this window.

Laura Replier: We REALLY, REALLY gave a lot to the turf field as well as the East Main Street project, specifically to take some pressure off of West Street. This took place during two very long, long hearings, the GAA was present and it was agreed, that's why.

Carl Shreder: Somewhere along the chain no one communicated with you guys.

Jim DiMento: We had asked for a one year continuance because we thought East Main Street and Penn Brook would be up and running this year, which they're not. We're off one year, next year they'll be up.

Rick Humanhoffer: We're off two years. They just seeded Penn Brook soccer and lacrosse fields. We've got two growing seasons before we can use that facility.

Jim DiMento: I'm going to have everyone on East Main Street with just one growing season. They are mostly young kids, and we'll try to manage that.

Laura Replier: The turf field was going to be in full use by now too.

Rick Humanhoffer: It is very much in full use. There isn't an open slot.

Carl Shreder: My plan would be to get back together next year before the season starts, to make sure everyone is on the same playing field, we know what the plan is. I don't want to miss an opportunity here.

Rick Humanhoffer: I think the idea of the signage is terrific! We did notice on the permit form the hand-written condition was up in, but we've been filling out these forms like clockwork.

Jim DiMento: They hand us the permits, and usually early so we can make sure there are no scheduling issues. Richard had said he had put it in, but I never got a permit back to check, but he did get it in.

Rick Humanhoffer: I guess in the e-mails that were going around said that there were kids playing soccer down on the East Main Street. Those weren't GAA folks, I'm not saying this to defend us, but I'm just saying that if that can happen on East Main Street it could just as easily happen on West Street fields where kids show up with a soccer ball to play, and it's not a GAA sanctioned event. I think the signage is really important around the parks, but some of what happens on it is out of our control.

Laura Replier: Just to review: We permitted a turf field within 12' of a perennial stream, that's unheard of! We do NOT allow any kind of development within 200' of a perennial stream! With the express understanding that pressure would be taken off of West Street for this period. And we also compromised on the time that that was going to be prohibited. We compromised greatly on the East Street fields. We have allowed fields, development, roads, and skate parks well within areas we have jurisdiction over, and we normally would NEVER have agreed to have that kinds of impact within feet of a major resource. We've compromised SO very, very much which is why this is really, really important that this comes to be because we've given a lot just for this purpose.

Rick Humanhoffer: Speaking for the GAA, we are not asking for any additional compromise, just asking to be brought into the loop.

Carl Shreder: The Commission really doesn't want to get involved in writing Enforcement Orders to other boards and organizations. There's other ways we can approach this. Communication needs to be open, through the organization make sure all the leadership knows. Signage.

Jim DiMento: I don't want to be the enforcement, I'd prefer the police go down there if there was an issue.

Laura Repplier: Maybe we should have the police patrol as a matter of course.

Carl Shreder: We can look at that next year.

Elm Street and Brook Street (GCC 2016-12) RDA - NEW

Amanda Neville, Conoco Engineers and Scientists
Environmental consultant for Boston Gas Company,

Amanda Neville: Boston Gas is looking to replace a gas main that is located on Elm Street. This is done mostly to upgrade mains. Most of the gas mains in this state are old iron or steel gas mains. They have been in there since the early 1900s, and they start to deteriorate and rot out. They will be replacing it with a new plastic pipe that is much less corroded from the soil. Part of it will be on Brook Street, and the main part will be up and down Elm Street. Under the state regulations it's exempt activity because it is repair and maintenance of an existing structure. Boston Gas is working closely with Peter Durkee to coordinate time frames. All of the work will be done under the roadway before the roadwork is done. It's about 4000' of pipe. We do come within the buffer zones of several different wetland areas, and into the 50' and 75' setbacks that you have in the bylaw. We are requesting a waiver for that because we're working within previously developed and disturbed areas. They will line the areas between the roadway and the wetlands with straw wattle along all of the sections, and silt socks around all of the catch basins. Typically they come in and saw cut the road. Then bring in a mini excavator and dig, 2-3'W x 3-4'Deep. Typically they "abandon in place the old pipe", meaning they cut the old pipe and cap it, after running an inert gas through it to clear the pipe, then they run the new pipe within inches next door to it, depending on where the other utilities are. Typically they leave it in place, it's less disturbance.

Excess soil will be removed each day off-site and the plates will be laid over openings. Put straw wattle around soil that is removed while they are working.

Drew Currie: Is the gas line within the paved road?

Amanda Neville: Yes, my understanding is yes, but definitely the new one will be.

Nick Feitz: What is your timeframe to start and stop?

Amanda Neville: Because it is so much pipe, it will take at least a month. They would like to start as soon as possible, so the town can do what they need to do.

Nick Feitz: Will it impair traffic?

Amanda Neville: They will have traffic details out there. Most likely the section they are working will be a one lane road.

Carl Shreder: Are there any abutters to the Elm Street/Brook Street project?

John Howland, 105 Elm: You didn't mention connecting to each house.

Amanda Neville: They will probably connect the service connections to the main, but as far as I know they won't be replacing the service connections. If you have any questions, you can talk with the local Boston Gas Customer Service Representative.

Drew Shelby is my contact at Boston Gas.

Steve Przyjemski: Can you e-mail me his contact tomorrow or Monday? And I'll connect you guys.

Amanda Neville: Sure, I can do that.

Gloria Swanson 71 Elm Street: Would they do any kind of inspection of the lines coming into the homes, to look at the integrity of the lines coming into our homes?

Amanda Neville: I'm honestly not sure.

Carl Shreder: That's a good question to pose to the gas company, especially if you felt you had a problem with your service and they disconnect a rusty old line. I've dealt with gas pipes and after a period of time, vibration will start leaking underground.

Steve Przyjemski: It's a similar question, so any information you get from the contact (at Boston Gas), if you could share it. Just make sure you e-mail me.

Laura Repplier: I'd like to make a motion for a negative determination on the RDA for Elm Street and Brook Street (GCC 2016-12).

Nick Feitz: Seconds the motion for the negative determination of RDA on Elm Street and Brook Street (GCC 2016-12).

Motion carries.

Laura Repplier: Makes a motion to close the RDA

Nick Feitz: Seconds.

Motion carries unanimously.

Jewett Street (GCC 2016-13) RDA - NEW

Amanda Neville, environmental consultants for Boston Gas Company.

Carl Shreder: What is precipitating this line change?

Steve: Peter works with the utilities when he's digging up a street, so it may be this.

Amanda Neville: The Boston Gas Company would like to replace about 720' of pipe along Jewett Street, between North Street and #12 Jewett Street. The Northwest section comes within the 50', 75' and the 100' buffer zones to a wetlands. Again, we are requesting a waiver because it is an already disturbed area. The way that they do it is exactly the same, laying the new plastic pipe next to the old one. Everything will be done within the paved roadway. They will repave and plate at the end of each day. This one will probably only take a few weeks because it's a much smaller stretch. Same protections with straw wattles and silt socks.

Nick Feitz: Are there vernal pools out there?

Amanda Neville: Not that I'm aware of.

Same thing with the erosion controls, hugs section of straw wattles and silt socks

Nick Feitz: I move to issue a negative determination for the Jewett Street RDA

Drew Currie: Seconds the motion.

Motion carries.

Nick Feitz: makes a motion to close.

Laura Replier: Seconds the motion.

Motion carries.

66 Parish Road (GCC 2016-09; DEP# 161-0825) ANRAD - (cont.)

Joseph Orzel, Sr Wetland Scientist with Wetland Preservation

Joseph Orzel: Update on status for the 3rd party review, and to answer any questions that did come up on the site walk and apologize for not being present on the site walk if any commissioners did show up. I made an error in not verifying that the site walk had been changed. I made an assumption based on some e-mail communications.

Carl Shreder: I'd like to see if the Commission is open to revisiting the site walk. It's important to see the site after the 3rd party review is completed.

Joseph Orzel: Met with Jillian Davies on Monday, spent a good part of the day reviewing the wetlands. The only thing we did not get to was the C series. There were a few small changes. There's a small fringe of BVW near rte 95. We haven't gone 200' off site as of this point no. There are some wetlands across the street in Newbury.

Steve Przyjemski: Any vernal pool potential?

Joseph Orzel: No.

Compared with a previous wetland delineation, it ???

Drew Currie: I was at the site walk, but technically we're not supposed to go on the site without a representative. How hard is it to walk the site?

Joseph Orzel: It's very hard, very thick of multi-flora rose. I thought we could just get a feel for the land.

Nick Feitz: Makes a motion to continue 66 Parish Road to July 21st at 7:10pm

Laura Replier: Seconds the motion.

Steve Przyjemski: Do you typically identify zone 2 well heads? It's not required, but it helps going in to the Notice of Intent.

Joseph Orzel: No we didn't, but we can check.

Motion carries unanimously.

162 Ponds Street Discussion. - Tree cutting Enforcement Order

Normandy Marchetti, homeowner

Steve Przyjemski: E-mail Complaint from neighbor for tree cutting in the buffer. I contacted the owner and they stopped immediately and are working with me. So I haven't issued an enforcement order. I don't know what it looked like before. There is some grass and some apple trees were cut. There is a small bridge there that looks like it is more than 5 years old. The owners have only been there for 3 years this summer, so it was there before they moved in. There was some activity there because the bridge was there, but I don't know what it was. It was maintained before they moved in, but they haven't maintained it since they moved in. Their argument is that they are restoring it to what it looked like 3+ years ago, but not knowing what that was, it looks like new activity to me. Maintenance is a very loose term, cutting trees down in the buffer is not maintenance. How far do you go to restore it to its previous condition to be considered maintenance? There is no grandfathering. To me that's gray and that's why I wanted to bring it to you. The backyard is really unique in that map is from a septic system design The Commission approved a couple of years ago. It is hard to tell what the back is. It's a defined channelized stream. Once you go over the bridge the soil screams wetlands. A lawn wouldn't normally grow in that. It's full of weeds and poison ivy, and very wet. You stopped doing things there 3 weeks ago and it is already waist-high. It just doesn't look lawn to me, maybe 20 years ago it was lawn. Past the bridge, there's a defined channel, I very much believe that's a wetland, how far back is open to discussion.

Normandy Marchetti: I don't know if you have this map, but this map shows it a lot better about where the actual stream is here and where the back area is there.

Steve Przyjemski: That gives you an idea about the bank, but what it doesn't show is wetlands. The plan The Commission approved a couple of years ago for the septic, shows the front line of the wetland, but not the back.

Normandy Marchetti: It does show wetlands on the state web-site that the wetlands are in this area of the stream and on the other side of Perry Street which is the other side of the driveway. That goes the whole length of the backyard.

Steve Przyjemski: We may use the state site to get an idea what's out there, but it's not "boots on the ground". The plot plan for the septic system is an engineered plan to the inch. I can see the confusion, I don't think they did anything intentionally knowing this was a problem. The second I contacted them, they instantly stopped, began complying and actually reached out to me and asked, "Hey, where does this stand? It's been a week." They have been working with me. I don't know where to go with it. The trees can be restored easy enough, but I don't know how far back to go with the restoration. I don't see any grass, to me it looks like a wetland. Can you turn a wetland into a lawn? - That's huge waivers. And not knowing where that line is, I didn't know how to recommend. I didn't delineate it, I didn't go out and put flags up. But I'm guessing after the bridge you go 15-20' back, that doesn't leave much area for lawn. That's wetland, not including buffer for the wetland.

Normandy Marchetti: I agree, when you come over the bridge, to the left is swampland area, but to the right there is a ton of grass there. The three trees I did cut down, sorry about that, I did not know. Like Steve said, we immediately stopped when we found out. There was a ton of construction waste some of it was in the stream. I raked 50 bags of leaves. I just want things that I can manage and look nice. The thorn bushes are thick and lots of poison ivy. I'm willing to learn and put in the effort to make it look nice and environmentally friendly.

Steve Przyjemski: All that's reasonable. The entire area.

Carl Shreder: Its a resource area. You can guide away from the invasives, but it's a resource area it can't just become a lawn/golf course.

Laura: What's your plan?

Normandy Marchetti: My plan was to make it useable space, not just lawn. I want to plant flowers and trees and things that I can manage. Right now, it's so overgrown it's not manageable. The stream is not flowing because the vines that have grown into the stream and its only mid-June. There are so many mosquitos because it's just stagnant water.

Steve Przyjemski: There's some evidence that it was planted and used. There aren't just native things and there's some invasives. My concern is that it's not grandfathered in, it's truly a wetland. One option is to go out there and do a better job flagging the wetlands...

Carl Shreder: I would come up with a planting plan, reasonable, natural mix in the buffer near the stream, take out the invasives.

Laura Repplier: So landscaping, some type of vegetative cover, that's not so noxious next to the stream, maybe a path up to the grassy area. Maybe authorizing taking out trash, and go over plan of attack.

Normandy Marchetti: There's a lot of contractor trash back there, and to get to the brick you have to go through poison ivy to get there.

Steve Przyjemski: The Bridge wasn't permitted, that technically is kind of a big deal. It's wide, 5-6'. It wasn't these guys who put it in, eventually going to have to mow it down to get to the trash to clean it up. So there will be short term damage for long term restoration. I have a vision for a restoration, with mitigated plants along the bank, a walkway up to an intentionally planted sitting area, maybe some lawn. I have no idea what you would like, but I think we can come up with something that both you and the commission would like for mitigation in the buffer. There will be some mowing in the wetlands and in the buffer. There's no waivers, its restoration, short-term buffers. Do you file an enforcement order? Or a file a Notice of Intent? I'd like to get on the ground and delineate the back edge of the wetlands. Then that would define the restoration area, and the potential useable area. Right now they cannot restore to the point of using, wetland, it has to be buffer and wetland.

Carl Shreder: We have to work under documentation. An access way to get in to facilitate the removal of the debris.

Laura Repplier: I would like to move that we issue an EO for 162 Pond Street to removal debris through judicious mowing under the direction of Steve, Steve to flag the wetland line and come up with restoration plan with the applicant and establish the wetlands.

Carl Shreder: Reminds homeowner that if she wants to do any work, like put on a garage, it has to go through the commission.

Drew Currie: seconds the motion

Motion carries unanimously.

CoC for 211 East Main Street signed by Commission.

Nick Feitz: Makes a motion to approve the April Meeting Minutes.

Drew Currie: Seconds the motion.

Motion passes, Laura abstains, because she wasn't there.

Laura Replier: Makes a motion to accept the bills as read by Steve.

Nick Feitz: Seconds the motion.

Motion carries unanimously.

Nick Feitz: Makes a motion to close the meeting.

Laura Replier: Seconds a motion to close the meeting.

Meeting closed at 9:33pm.

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: _____ 9:33pm _____

Next meeting:

Date: _____ July 21, 2016 _____

Time: _____ 7:00pm _____

Place: _____ Third Floor Meeting Room _____

Respectfully submitted,

Chairman: _____

(Signature)

Minutes approved by Committee on: ___ October 19, 2017 ___

(Date)