

GEORGETOWN CONSERVATION COMMISSION

Memorial Town Hall \* One Library Street \* Georgetown, MA 01833

MEETING MINUTES – February 15, 2024

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Conservation Commissions Present: R. Chane; R. Bancroft; C. Candia (joined late); T. Howland; L. Umberger; I. Wye, Staff Present, M. Grenier – Conservation Commission Director

**START of the MEETING:**

At 7:02 pm, the meeting started with Chair, R. Chane reading Governor Maura Healy's supplemental budget bill allowing for remote meetings.

**Minutes**

September 14, 2023; September 21, 2023; September 28, 2023, November 30, 2023, and January 25, 2024. Each meeting minute was addressed individually and all meeting minutes passed with unanimous approval to accept.

**Certificates of Compliance**

No certificates of Compliance on the Agenda

**Request for Determination**

1. 37 Pillsbury Lane (continued)

The commission and agent performed a site visit at this residence on Jan. 29, 2024. There were no comments from the Agent regarding this property. Bryan Delaney, the homeowner was in attendance. R. Bancroft asked for an explanation of Mr. Delaney's new plan for the benefit of the public. Mr. Delaney presented a revised plan with significant changes to the original plan. The new plan includes the following changes and enhancements:

- A. maintain the slope at the ridge line of the property which thereby removes the project outside of the buffer zone.
- B. There will also be additional plantings along the ridge line and any trees that will be removed the stumps will remain.
- C. Erosion control will contain sodding
- D. Proximity of excavation to trees removes majority of project outside of the buffer zone

Commissioner I. Wye commented that the homeowner did a great job on his new plan and plantings

Roll call vote for Negative RDA approved

2. 87 Pond Street

The Agent and Ryan Roseen from Goddard Consulting (wetland scientist) performed a site visit and determined that an area of IVW (Isolated Vegetated Wetland) and potentially an ILSF (Isolated Land Subject to Flooding) existed on the property. Additionally, the soil test showed more than 50% of wetland species and the Agent recommends a positive RDA for this project as an NOI will be required for any work within 100' of buffer zone.

R. Bancroft motioned to issue a positive RDA under #1 for 87 Pond Street; seconded by T. Howland – roll call vote approved

\*Let it be known that C. Candia was admitted towards the end of this agenda item

**Notice of Intent**

3. 107 Tenney Street, Map 15, Parcel 59, Tree Clearing – DEP 161-0942  
R. Bancroft – motion to open 107 Tenney; seconded by L. Umberger  
This project is for tree clearing and on an industrial zoned property. The Agent confirmed the certificates have been received for this project. The owner wants to prepare the land for sale. Our Agent and the owner's wetland scientist, Cameron Larson from Environmental Consulting and Restoration, performed a site walk on this property. Cameron Larson presented a plan of the tree clearing. The property was wetland delineated in 2018 and all of the markings are still on the property. The tree clearing is outside of the 50' buffer zone and will include erosion control. There was some need for clarity for the project from some of the commission as there was no recall if a project request for clear cutting of property without an ensuing project was ever presented before the board. It was suggested that a site visit is necessary. R. Bancroft made a motion to have a site walk on Wednesday, February 21, 2024 at 5pm – seconded by T. Howland – motion approved.  
Motion from R. Bancroft to continue 107 Tenney Street to March 21, 2024 at 7pm; seconded by T. Howland – motion approved.
4. 53 Baldpate Road; DEP 161-1943  
Motion to open 53 Baldpate Road from R. Bancroft; seconded by T. Howland – motion approved.  
This project is an NOI filed after work was started. The Agent and Bill Manuell of Wetlands and Land Management did a site visit on February 12, 2024. The partially built barn structure for garden/tool/machine storage is on existing lawn, with gravel and sono tubes with one corner within the 75' buffer zone; some oak trees were removed within the 50' boundary. The project calls for planting of 56 shrubs and 22 trees for mitigation – the homeowner did not remove anywhere near this number of trees. The property has debris piles left over from previous owner as well as trees removed from previous owner very close to the 50' buffer zone all of which will be removed in the mitigation/restoration project. The mitigation/restoration plan is an extensive revegetation plan to include upland tree shrubs and New England Conservation seed mix. The Agent asked that the vegetation plan removes the white pines from the project and replaced with another tree already in project. The Agent will work in the field with Bill Manuell for the restoration.  
L. Umberger made a motion to accept the restoration/mitigation plan at 53 Baldpate; seconded by I. Wye – motion approved. R. Chane recused herself from this hearing.  
T. Howland made a motion to close 53 Baldpate; seconded by L. Umberger – motion approved
5. 148 Jewett Street – NO DEP number yet  
This project is for a failed septic system within 100' of riverfront. The septic plan does have BOH approval. Ted Doucette of Doucette Engineering presented the new septic plan. The septic will be installed in an already disturbed area. R. Bancroft made a motion to issue an emergency septic approval; seconded by I. Wye – motion approved.  
R. Bancroft made a motion to close 148 Jewett Street; seconded by T. Howland – motion approved
6. 20 Carleton Drive – DEP 161-0885; GCC 2019-19; 14.6-acre site  
R. Bancroft made a motion to open 20 Carleton Drive; seconded by L. Umberger – motion approved  
This project was remanded back from Superior Court on November 3, 2023 to the Conservation Commission for issuance of orders of conditions under the local bylaws. MASS DEP issued a superseding order of conditions on October 27, 2022 and the project will follow this superseding order of conditions. On hand representing the owner, Jason Mello Principle were the following:  
Paul Feldman – Attorney for G. Mello  
Nancy McCann – counsel for the applicant  
Scott Cameron, Moran Cameron group - site engineer  
Rich Kirby, LEC Wetland Scientist  
Also in attendance, Alex Weisheit – Attorney from K&P Law for Georgetown

Scott Cameron presented the plan to the Commission summer 2023, some additional enhancements to buffer zone mitigation along with a no build covenant for balance of lot that will not be disturbed. The original project included the following mitigation:

The wetland replication on the site is greater than 2:1 ratio and includes removing a culvert to restore hydrological connection to existing wetland

An area behind the project which is identified as critical upland habitat will be restored back to a meadow condition

The new enhancements are as follows: additional ¼ acre of buffer zone restoration and add 5.5 acres of restrictive area and limiting any alteration to the land in the future

The conservation Commission suggested the following order of conditions:

1. Granite no cut/no disturb boundary markings along perimeter of wetland over 25'
2. Certifications of 2 vernal pools on the site
3. Wetland monitor for a period of 5 years for restoration and regrowth of plantings
4. Not using any poisons on the site (this was suggested at the meeting).

The applicant and conservation commission agreed to the following Order of Conditions noting that the plan to accept for these conditions is dated January 4, 2024 which includes the additional enhancements to the original plan.

1. Certify the vernal pool on the property (it was determined there is only one)
2. Placement of placards along the 6' perimeter fencing of the property every 40' to state no cut/no disturb boundary
3. Wetland monitoring to be reviewed on October 31<sup>st</sup> of each for a period of three years. At the end of three years the wetland replication must contain at least 75% success in cover of native plants. If the 75% is not achieved there will be an additional replanting and continued monitor for an additional two years to achieve at the end of 5 years minimum of 75% of restoration.
4. There will be a restrictive covenant for a no build to portion of site to remain in the deed for perpetuity. The restrictive covenant will be recorded before issuance of the CoC in the plan dated January 4, 2024 from the Moran Cameron group.
5. Exception to wetland regulations approved by the courts and those are exceptions to 14 and 15 which reference the no disturbance are setback
6. Exception to wetland regulation section 8.7.1 which refers to replication of wetland before project starts –
7. The Agent will be on site when necessary for the replication areas of this project with 48 -hour notice from applicant.

L. Umberger made a motion to accept the Order of Conditions for 20 Carleton Drive and to approve the project; seconded by I. Wye – motion approved

L. Umberger made a motion to close 20 Carleton Drive; seconded by I. Wye - motion approved

#### **Business Discussion Items:**

Agent determined that 3 white pine trees need to be removed at 7 Lake Avenue – all presenting a danger to property.

L. Umberger motion to approve; seconded by I. Wye – motion approved

#### **Items Not Reasonably Anticipated by Chair 48 in Advance:**

The Commission wanted to review the inaccuracy of some comments made at the February 12, 2024 BOS meeting. On December 7, 2023 our Agent reviewed some dead/damaged trees at 12 Lake Avenue. The Agent informed the homeowner that she would present the removal of these trees at the next Conservation

Commission meeting on December 21, 2023. The homeowner was not required to attend the meeting of December 21<sup>st</sup>; however, she dialed into the meeting anyway. All the trees had potential to cause damage to property. At the December 21<sup>st</sup> meeting the commission approved the removal of these trees and authorized a letter to be sent the homeowner a letter stating as such. We also discussed that our past Agent had emergency approval to authorize tree cutting in the field and our Agent has had this authority in her prior positions as well.

Next meeting March 21, 2024

At 9:26 pm T. Howland made a motion to close the meeting of February 15, 2024; seconded by R. Bancroft - motion approved