MEETING MINUTES

Committee:	Conservation Commission
Meeting Date:	September 15, 2022
Meeting Time:	7:00pm
Meeting Location:	Zoom
Commissioners Present:	Rachel Bancroft, Chris Candia, Tom Howland, Logan Umberger, and Carl Shreder
Staff Members Present:	Steve Przyjemski (Conservation Agent) and Julie Cantara (Administrative Assistant)
Minutes Transcribed By:	Julie Cantara
Meeting Called to Order:	7:01pm

Carl Shreder starts off the meeting by reading off the following:

This Public Meeting is being conducted in a way that is an attempt to satisfy the Open Meeting Law, and other State Laws pertaining to the Public Hearings of the Town's Public Bodies. It is a good faith, best effort to comply with the new law, Chapter 22 of the Acts of 2022, signed into law on February 15, 2022. On July 16, 2022, Governor Baker signed into law an Act relative to extending certain state of emergency accommodations, which, among other things, extends the expiration of the provisions pertaining to the Open Meeting Law to March 31, 2023. Specifically, this extension allows public bodies to continue holding meetings remotely without a quorum of the public body physically present at a meeting location, and to provide "adequate, alternative" access to remote meetings. The Act does not make any new changes to the Open Meeting Law other than extending the expiration date of the temporary provisions regarding remote meetings from July 15, 2022, to March 31, 2023.

MEETING MINUTES

BUSINESS / DISCUSSION ITEMS

- 1. Items not reasonably anticipated by the chair 48 hours in advance of the meeting.
- 2. Approve Meeting Minutes from the August 25, 2022 meeting.

HEARINGS

7:00 47 West Street (DEP# 161-0889) – State NOI – (cont.)

Construction of a 16-unit senior housing development.

7:05 175 Central Street (DEP# 161-0908; GCC# 2021-01) – NOI – (cont.)

Replace an existing septic system, upgrade and renovate existing building, site work, and replacement of drain pipe.

7:10 47 West Street (DEP# 161-0921; GCC# 2022-07) – NOI – (cont.)

Demolition of an existing barn and restoring the grades and revegetating with a wildflower mix to benefit pollinators, within the 100' Buffer Zone to Bordering Vegetated Wetlands.

7:15 <u>4 Barry Way</u> (DEP# 161-0925; GCC# 2022-11) – NOI – (cont.)

Proposed tree removal and invasive species management within the 100' buffer zone to Bordering Vegetated Wetlands.

MEETING MINUTES

HEARING: 47 WEST STREET

47 West Street (DEP# 161-0889) – State NOI – (cont.)

Construction of a 16-unit senior housing development.

Carl: It being on or after 7:00 I'm going to open up an existing hearing for 47 West Street; DEP 161-

0889, and that's the construction of a 16-unit senior housing development. I understand that the

applicant has requested to continue this to next month.

Steve: Yes sir.

Carl: Okay, so we're not going to discuss this. Is there a motion to extend, and what would the date

be?

Steve: October 20th at 7pm, please.

Carl: Is there a motion?

Rachel: Mr. Chairman, I'd like to make a motion to continue 47 West Street to October 20th at 7pm.

Chris: Second.

Carl: There is a motion and it's been seconded, to continue the Notice of Intent for 47 West Street to

October 20th at 7pm. All in favor, roll call vote, and everyone remember their place:

ROLL CALL

Rachel Bancroft	AYE
Chris Candia	AYE
Tom Howland	AYE
Logan Umberger	AYE
Carl Shreder	AYE

MEETING MINUTES

Steve: Carl, when people make motions, can they say who they are? I'm one of those people on my

phone, and I recognize a lot of you, but it's just hard to write them down at the same time.

Carl: Yes.

Steve: Thank you, guys.

Rachel: I made the motion; Bancroft made the motion.

Carl: And who seconded it?

Chris: Candia.

Carl: Okay, very good.

MEETING MINUTES

HEARING: 175 CENTRAL STREET

175 Central Street (DEP# 161-0908; GCC# 2021-01) – NOI – (cont.)

Replace an existing septic system, upgrade and renovate existing building, site work, and replacement of drain pipe.

Present:

Brian Farmer (applicant)

Carl: It being on or after 7:05, I'm going to re-open a Notice of Intent for 175 Central Street; DEP#

161-0908. That was to replace an existing septic system, upgrade and renovate existing building, site work, and replacement of the drain pipes. And they've also requested a continuation, and I'll entertain a motion to continue that. I'm assuming we would also continue to October 20th?

Steve: At 7:05 please.

Brian: Pardon me; Brian Farmer, the applicant.

Carl: Sure.

Brian: I wasn't aware that we were going to continue, but I did want to let the Commission know that

the Board of Health did approve the septic designs last week. If you want to continue the

hearing, that's fine with me.

Carl: Do we have all the plans? I don't have them in front of me.

Steve: Carl, I think the issue is we lost quorum because this has been continued for so long.

Carl: Yes, and you want to have quorum because otherwise we go through the whole exercise and we

can't vote. Mr. Farmer, I guess that would mean you'd have to withdraw and then have to refile. We would not deny it, you'd just have to withdraw that particular application, re-file it, and

then we can hear it again with the new, present Commission.

Brian: Okay.

Carl: We should be able to get that on the docket for next month, if you're ready to go.

Brian: Yup, I'm ready to go.

Carl: Okay, so with your permission we will continue this to next month, and then you can present the

case to the new Commission, if that's okay.

Brian: Okay. Thank you, yes.

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Carl: Thank you. And with that I'd entertain a motion to continue to October 20th, and Steve, do we

have a time?

Steve: 7:05, please.

Carl: And a motion out there?

Rachel: Mr. Chairman I'd like to make a motion to continue 175 Central Street to October 20th at 7:05.

Tom: Howland, second.

Carl: That's Rachel that made the motion and Tom Howland seconded the motion. So, we have a

motion and it's been seconded to continue 175 Central Street to October 20th at 7:05. Steve, do we need to vote on this since it's in front of us? We can do that at the next hearing, I guess.

Steve: Exactly. You can continue, and I'll talk to the applicant offline to explain the process/procedure.

It's always good to keep the old one open before the new one comes in.

Carl: I agree, I'm more thinking out loud of the process, just so we don't get hung up with two

applications open at the same time; because that can be a problem with DEP.

Steve: We'll schedule the next one for like 10 minutes after this one, so he can withdraw and then we'll

open the new one directly after.

Carl: Yes. We can vote to allow the withdrawal without prejudice, then he can file it, and then we

open the new one.

Steve: Correct.

Carl: I just want to make sure I have the process down because I think we've run into this problem

before where there were a couple applications that confused DEP, and it was like, which one is

the valid one?

Steve: Correct.

Carl: Okay, very good. It being on or after 7:10...

Rachel: Carl, don't we need to vote on it?

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Carl: Right, we didn't vote on that, sorry. I'll call to question, all in favor, roll call vote:

Rachel Bancroft	AYE
Chris Candia	AYE
Tom Howland	AYE
Logan Umberger	AYE
Carl Shreder	AYE

MEETING MINUTES

HEARING: 47 WEST STREET

47 West Street (DEP# 161-0921; GCC# 2022-07) - NOI - (cont.)

Demolition of an existing barn and restoring the grades and revegetating with a wildflower mix to benefit pollinators, within the 100' Buffer Zone to Bordering Vegetated Wetlands.

Carl: It being on or after 7:10, I'm going to re-open a Notice of Intent for 47 West Street; DEP 161-

0921. This is the demolition of an existing barn, restoring the grades, and revegetating with a wildflower mix to benefit pollinators within 100' of the BVW. And, we've also been requested to continue this. Have you heard any updates on this one? I thought they were ready to go on

this, but.

Steve: I had a few conversations with them, Carl, related to trying to reconsider combining the projects,

and they said they'd get back to me. I haven't heard any solid feedback since probably two

weeks on that proposal.

Carl: Okay, I remember that discussion. So, we're not going to do any real discussion on that, other

than that brief update. And I would entertain a motion to continue that also, I'm assuming to

October 20th.

Steve: At 7:10, please.

Rachel: So moved.

Carl: We have a motion, is there a second?

Tom: Second, Howland.

Carl: We have a motion and it's been seconded to continue the Notice of Intent for 47 West Street,

DEP 161-0921 to October 20th at 7:10pm. Is there any further discussion? All in favor, roll call

vote:

ROLL CALL

Rachel Bancroft
Chris Candia
AYE
Tom Howland
AYE
Logan Umberger
Carl Shreder
AYE

MEETING MINUTES

Carl: I'm showing one minute short of 7:15, so I can't open up the other hearing there.

Steve: Minutes?

BUSINESS: MEETING MINUTES

Carl: We have meeting minutes for August 25, 2022. Does anyone have any comments on them?

Steve: They're too verbatim.

Carl: They are good, they certainly are good.

Rachel: They're phenomenal.

Carl: We've had staff in the past, and other boards I've worked on, and they would just be more like

bullets and you'd have to kind of guess what was really being said, but these are very good. And

with that, I would entertain a motion to approve minutes from August 25, 2022.

Rachel: So moved. Bancroft says so moved.

Chris: Second, Candia.

Carl: We have a motion and it's been seconded to approve the meeting minutes from August 25, 2022.

Is there any further discussion? All in favor, roll call vote:

ROLL CALL

Rachel Bancroft	AYE
Chris Candia	AYE
Tom Howland	AYE
Logan Umberger	AYE
Carl Shreder	AYE

MEETING MINUTES

HEARING: 4 BARRY WAY

4 Barry Way (DEP# 161-0925; GCC# 2022-11) - NOI - (cont.)

Proposed tree removal and invasive species management within the 100' buffer zone to Bordering Vegetated Wetlands.

Present:

Attorney Caitlin Masys (representing the applicant) Greg Hochmuth of Williams and Sparages

Carl: It being on or after 7:15pm, I'm going to re-open up a Notice of Intent for 4 Barry Way; DEP

161-0925. That's proposed tree removal and invasive species management within 100-feet of a buffer zone to a BVW. We did receive some updated plans, and if I could have the applicant and/or consultant, and if you could identify yourself for the record, please if you're out there.

Greg: For the record, I'm Greg Hochmuth from Williams & Sparages, and Attorney Caitlin Masys is

here as well; both representing the applicant for the Notice of Intent filed for 4 Barry Way.

Carl: Greg, if you could just give us an update.

Greg: I'd be happy to. The last couple hearings we presented the project and we continued to allow

time for the Commission to conduct a site visit, which we were able to do last Saturday. We were able to show the Commission the trees that are proposed to be removed, and we walked in the rear yard and talked about the small expansion of lawn that is being proposed, and as a result of the last couple of hearings and site visit, we did submit a revised plan showing the limit of work line pulled closer to the existing dwelling than what was originally submitted with the Notice of Intent application, as well as the addition of three Conservation posts with placards that would be installed along the limit of work to serve as a future reminder that any activity beyond that point would require a permit application with the Georgetown Conservation Commission. If

the Commission would like, I can share my screen and show you that revised plan.

Carl: Yeah, that would be good.

Greg: It says it's disabled.

Carl: Disabled from your end or our end?

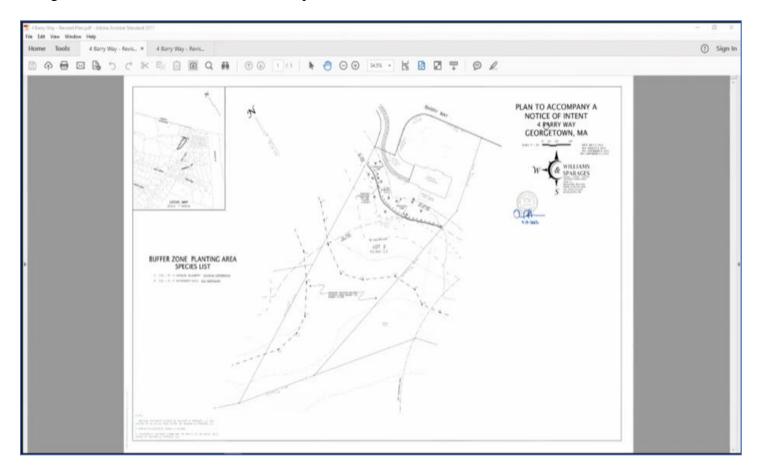
Greg: It says...oh, here we go.

Julie: Sorry, I just fixed it.

Greg: Thank you.

MEETING MINUTES

*Greg shares his screen to show the revised plan:



Greg: Can everybody see that?

Rachel: Yes.

Carl: Yes.

Greg: Alright, so I'm going to zoom in.

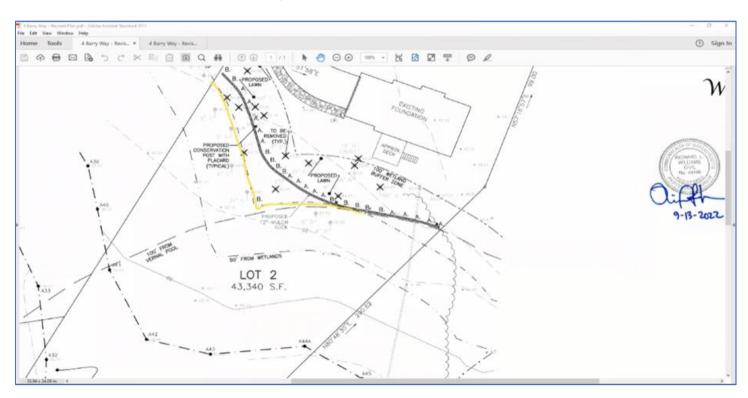
GEORGETOWN CONSERVATION COMMISSION

Memorial Town Hall ♦ One Library Street ♦ Georgetown, MA 01833

MEETING MINUTES

Greg:

Originally, we had proposed to clear, extend the lawn down to here (Greg outlines it in yellow on the screen as shown below):



Greg:

At the last meeting, I believe it was Steve that said, *do you really need to come back in this location? That's kind of a point that would be somewhat useless.* We talked with the applicant and he saw no need on expanding the lawn as far back as he had originally proposed. So, we were able to pull all that work closer to the house, to give a little bit more of a backyard here. It would be roughly a 24ish foot expansion at the widest, but on average about 12-feet into the buffer zone; that's this location here. The trees with the little x's are the trees that are proposed to remove. Most of them are pines that have very, very little green on them – they look like Christmas trees on top of telephone poles. There's a black cherry that was dead, and a group of Norway maples over in here, but I hope the Commission saw what we were trying to do during the site visit, and I do want to just reiterate that we're still over 100-feet from the vernal pool, and the removal of these trees will have no shading impact whatsoever on the vernal pool; the rotation of the sun on this lot won't impact water temperatures in that pool, so I think that's another positive. But I'd be happy to answer any questions that Commission members might have.

Carl:

I know from my perspective, viewing the site and looking at what was proposed made a lot more sense to me.

Caitlin:

This is Caitlin Masys, attorney for the applicant; I do have on my screen I can pull up for you. I know at the site visit we talked about the restriction...

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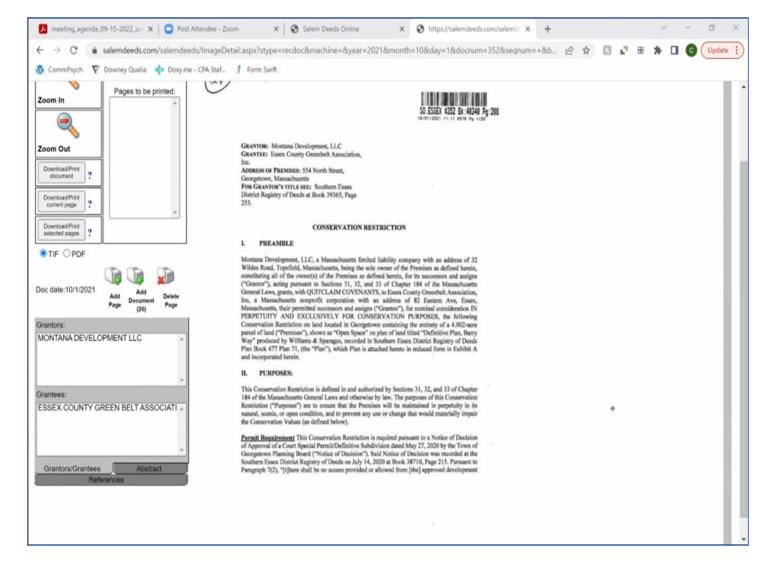
Carl: Oh, over on the Greenbelt.

Caitlin: Being in perpetuity for the Greenbelt, so I do have that pulled up if you wanted me to share the

screen so you can take a look at it.

Carl: Yeah, it would be interesting.

*Caitlin shares her screen:

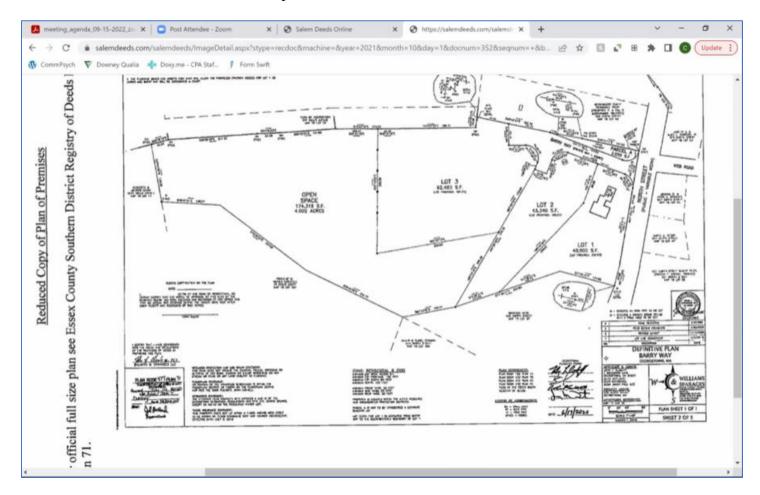


Caitlin:

This is the actual restriction pulled up from the Registry of Deeds, and you can see very clearly in bold, in perpetuity and exclusively for Conservation purposes, and I believe it shows the open space area.

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*Caitlin switches her screen to show the plans:



Carl: You'd probably know the Driftaway Farm, we have an area behind that I believe.

Caitlin: Yes, I believe you are. The town owns...

Greg: It's right on top of...

Caitlin: Up at the top, yeah. Up at the top is the line where the town owns. And you can see the 4-acres

of open space that was placed into Conservation through the Essex County Greenbelt, by the applicant, Montana Development. I know that we talked about that at the site walk, so I just

wanted to have that available for you to see.

Carl: Okay, I appreciate it.

Logan: I wasn't on the site walk, this is Logan Umberger. I wasn't at the site walk, so I'm not familiar

with what was being discussed. Do you mind giving me the cliff notes to get me up to speed?

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Caitlin: Sure. We were discussing the parcel of land that was originally purchased, and as an agreement

with one of the abutters - the total parcel is 8-acres, half of that was gifted to the Essex County Greenbelt, which puts restriction on the property so that it remains for Conservation land in

perpetuity, so nothing can ever now be built on that parcel, and it abuts other land of the town.

Right. This really pertains to the whole overall project, not that site perse, so this just gives me some background for the whole site because we weren't involved in the permitting of the other

homes.

Logan: Gotcha, understood.

Carl:

Greg: One thing I wanted to add was, and Caitlin did a good job explaining that; a lot of times,

applicants and developers will give land to Greenbelt, and a lot of times that land was land that

they couldn't do anything with anyway.

Carl: Yes, I've seen that.

Greg: A lot of times it's wet, or it's a big ledge out crop; in this case that was slated to be a buildable

lot. So, I think at least half, if not ³/₄ of that 4-acres is upland that would be buildable, so it truly

was a win in this case.

Logan: It's a great gesture.

Carl: And the fact that it also abuts existing town land, and adds to the overall benefit and actually it

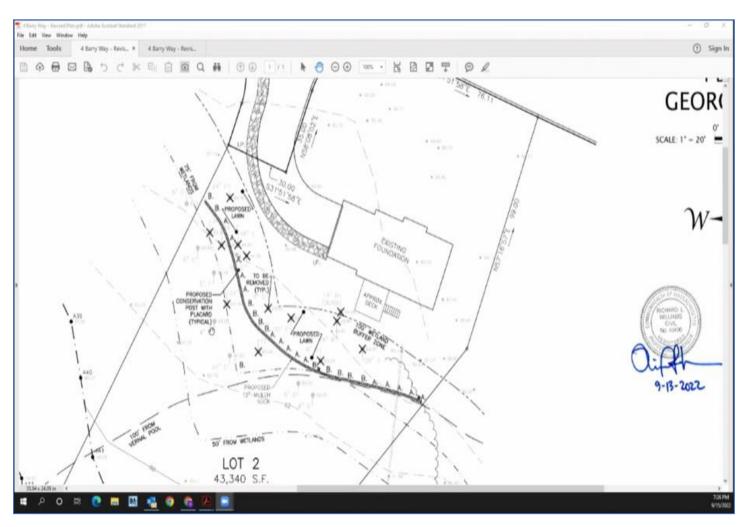
adds to the salability of the development, too; people like to have that type of situation.

Logan: Mr. Chair, do you mind if I ask a question? Greg, if you don't mind going back to your site plan.

Greg: Sure.

MEETING MINUTES

*Greg switches back to the site plan.

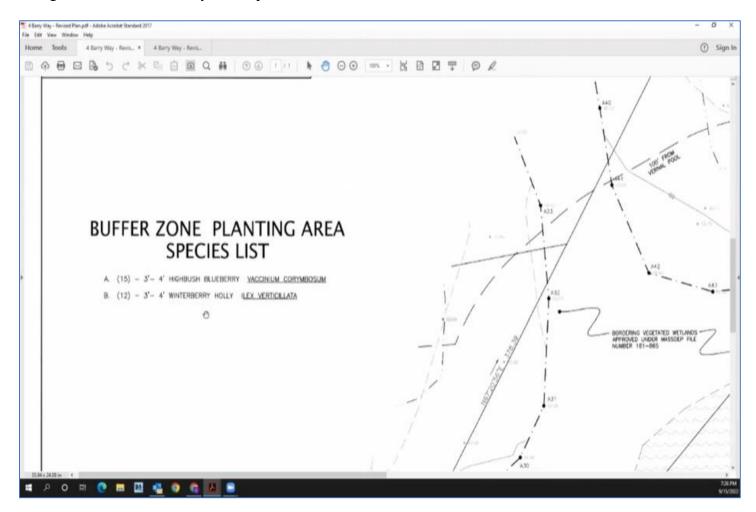


Logan: I just had a question on all the A's and B's that I saw along the newly revised border there. Can you just explain what those are, please, for my edification?

Greg: So, because we're proposing to remove some forest and add some lawn, we wanted to try to give something back in the form of mitigation that would help protect the downgradient resource areas and enhance the buffer zone somewhat. Those little A's and B's correlate with this little key over here.

MEETING MINUTES

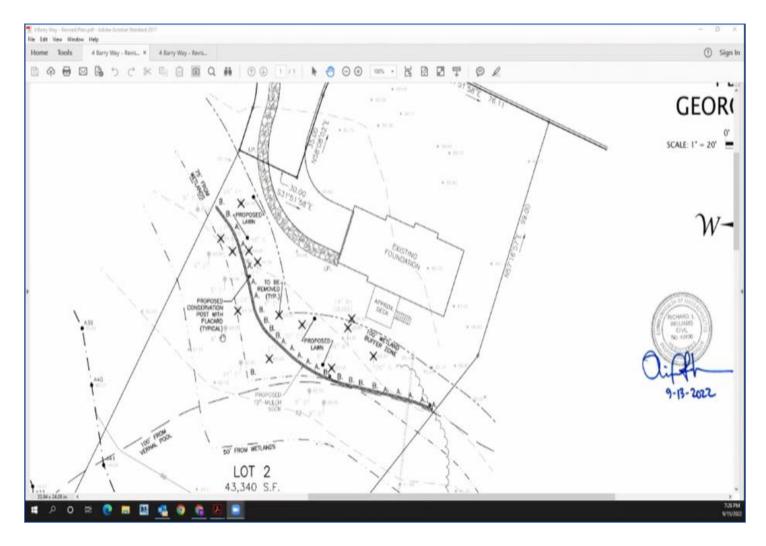
*Greg moves to show the key on the plan labeled BUFFER ZONE PLANTING AREA SPECIES LIST:



Greg:

The A's are highbush blueberry shrubs, and the B's are winterberry holly shrubs. There's a total of 27 proposed all along the edge of the new proposed limit of work, which would be upgradient of the erosion controls, shown here with this line type (Greg goes back to the portion of the plan that shows the A's and B's, shown on the next page).

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Logan: Was this something you proposed, or was this proposed by the agent, the commission?

No, this is something we proposed because we are working in the no-disturb zone, and we're asking for a waiver from that requirement. It's been our experience, not just in Georgetown, but in just about every other city and town that we work in, that whenever we request a waiver, typically there's a little bit of a give and take, and often times that's accomplished by giving up a section of lawn and converting that back into a forested buffer zone – but in this case, where we're creating lawn, there was really nothing else that we could offer other than some berry

producing shrubs along that new limit of work line.

Logan: Great, I appreciate you clarifying for me. Thanks.

Greg: Sure.

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Carl: Does any other Commissioner have any other comments? I think they've done a pretty good job

here, given the situation. As I said, from my perspective, going out and taking a look at the site, the house is very close to the existing wood line, so I think it's probably reasonable; I'm sure I'm only speaking for myself, but I want to make sure that the other Commissioners who were out

there looking around, what their comments are.

Steve: Not a Commissioner, but Carl do you mind if I give a comment?

Carl: Sure, go ahead.

Steve: I think that Greg has done a great job on the project. I reached out to him this morning at 7:00,

and I think he's called me back the earliest of any consultant that I've ever worked with, and really worked through this and trying to help come to a reasonable conclusion. I think everything they proposed really makes sense – it's a safety issue, and we have to help make it less of a safety issue. My initial comments early, early on were prior to me seeing this new plan;

I fully support moving this forward, I think Greg and his team did a great job.

Greg: Thank you, Steve.

Carl: I think, as I said given the situation, I think they've done a pretty good job and both meet the

desire of the applicant and also try to please what the Commission is trying to do. I don't really have any issue with it at this point, and I'll just go back to, any other Commissioners want to

make any comments on the site?

Logan: I can't vote on this one, but I've been able to listen through, I think since the beginning, but I

appreciate the applicant and the consultants working with the Commission as well. I think it's a

great gesture by them.

Carl: Very good. And since it's open, if there are no Commissioner comments at the moment, I'm

going to open it up, if there are any abutters to 4 Barry Way. If you would like to speak, you

may do so if you identify yourself for the record, please.

*No one comes forward.

Carl: Not hearing any. And if there are no more comments, I would entertain a motion for 4 Barry

Way, if a Commissioner would like to make one.

Rachel: Mr. Chairman, I'd like to make a motion to approve the proposed tree removal and invasive

species management within the 100-foot buffer to a Bordering Vegetated Wetland at 4 Barry

Way.

Tom: Howland, second.

Chris: Second, Candia.

MEETING MINUTES

Carl: We had two seconds there, pick one.

Steve: I heard Tom.

Carl: Okay, we have a motion and it's been seconded to approve the Notice of Intent for 4 Barry Way,

that's DEP 161-092...do we have a date on that, Greg? That site plan?

Steve: I was just about to ask that, Carl.

Greg: Yes, it was revised September 13, 2022.

Steve: Perfect, thank you.

Carl: September 13th you said?

Greg: Yes.

Carl: Okay, so I would need a re-motion just to throw that in there.

Rachel: So moved. Re-motion to approve the NOI at 4 Barry Way, stamped September 13, 2022.

Carl: And a re-second?

Tom: Howland, second.

Carl: And re-seconded by Tom Howland. Is there any further discussion? If not, I will call to

question. All in favor, roll call vote:

ROLL CALL

Rachel Bancroft
Chris Candia
AYE
Tom Howland
AYE
AYE

Logan Umberger ABSTAINED

Carl Shreder AYE

Motion carries with one abstention.

Carl: I'll entertain a motion to close the Notice of Intent for 4 Barry Way.

Rachel: Bancroft, so moved.

Tom: Howland, second.

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Carl:

We have a motion and it's been seconded to close the Notice of Intent for 4 Barry Way; DEP 161-0925. Is there any further discussion? All in favor, roll call vote:

ROLL CALL

Rachel Bancroft
Chris Candia
AYE
Tom Howland
AYE
AYE

Logan Umberger ABSTAINED

Carl Shreder AYE

Motion carries.

Greg: Thank you very much, everyone.

Caitlin: Thank you very much.

Carl: You're welcome.

Greg: Have a good night.

Carl: Goodnight. And Steve, do we have any more business? Let's see, we approved the meeting

minutes. Updates? Updates from Open Space or CPC? Does anyone have any CPC projects?

Steve: Not that I'm aware of.

Carl: I'll throw this out there – it's CPC season. If Commissioners are thinking about potential CPC

projects, we should float them out there and have some discussion about what we may want to

do.

Steve: I think the biggest thing I see this time of the year is hunting issues and illegal hunting on town

land, so it might be an awesome opportunity for a plug to just put out there that traditionally, the

Commission does not allow hunting on town land.

Carl: It's actually a Bylaw in Georgetown that you need written land owner permission to hunt on

land, and the Commission is the quote on quote "land owner of ConCom land". But that applies to private property, too; you'd need the land owner's permission in writing to hunt on their property, and actually that's true of almost every town around here. The exemption is the state fish and game land – your hunting license de facto allows you to hunt on state fish and game land, but private land you need written permission. It brings up what I would like to discuss. We need to probably do some better postings, especially down on Lufkins Brook; that seems to be an area that's being hit frequently, actually from out of state hunters the past few years, so if we don't have any signs, we should put some signs down there in the parking areas and the

access...

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Steve: I'm on it.

Carl: The rules for the ConCom land, because some people are blatantly doing what they want, as

usual.

Steve: Traditionally, I have to reach out to the environmental police on those, so I think it's just a really

good reminder to the public to put it out there. I don't carry a gun, so I'm not comfortable walking out into the woods and dealing with these things, so it's more of an administrative act

where I just call the environmental police.

Carl: That would be correct. They would go out in the woods if necessary to certainly do that, but it

helps obviously if we post the property too, that we put signs up with what the rules are so people can't say "gee, I didn't know." The parking areas, etc., because the past few years I've seen someone on (Route) 133 that's parking in the Lufkins area on opening day, and I certainly

can believe what they're doing out there.

Steve: That sign's going up Monday morning.

Carl: So, that's what we should do. I mean, this past summer we've had some issues with trail bikes

out on Hampshire Woods to the point where they have Conex boxes (cargo containers) right there abutting our property, and they're driving them out almost every day. So, again that's

something that we need to get a handle on.

Rachel: Carl?

Carl: Go ahead.

Rachel: In answer to CPC, the window for submissions opened on September 6th, and is closing

November 30th, and I don't know of any projects that are from us or people who would be under

the Open Space (Committee).

Carl: That's why I'm throwing out the comment that we've got some time to think about things that

would be beneficial to the Commission or the Town. Think about things, because other people

will be grasping for the funds as well.

Rachel: I totally agree. Also, the Open Space (Committee) is meeting the 21st, so we can talk about it

then; it's a public meeting.

Carl: Okay, very good. Anything else?

Steve: Thank you, Julie for working twice the hours this week to get us here. She's the unsung hero on

the team. Thank you, Julie.

Rachel: Thank you, Julie.

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Carl: She does an excellent job.

Tom: Thank you.

Julie: You're welcome. It must've been me winning my championship for softball that did it.

Rachel: I think it was. Congratulations again!

Julie: I just had to put that in there.

CLOSING THE MEETING

Carl: So noted. And with that, I'll entertain a motion to close.

Tom: So moved.

Rachel: Second.

Carl: So, Tom and Rachel. We have a motion and it's been seconded, to close the September 15, 2022

meeting of the Georgetown Conservation Commission. Any further discussion? All in favor,

roll call vote:

ROLL CALL

Rachel Bancroft	AYE
Chris Candia	AYE
Tom Howland	AYE
Logan Umberger	AYE
Carl Shreder	AYE

Motion carries.

The Meeting was adjourned at **7:33pm**. Documents and other exhibits used at the meeting will be available for review at the Conservation Office.

****END OF MEETING MINUTES****

MEETING MINUTES

This section is for approving the meeting minutes		
Minutes for the Conservation Commission meeting held on September 15, 2022 were approved by a virtual r call vote on October 20, 2022. The Chairman will sign the Meeting Minutes when in-person meetings resum		
Respectfully submitted,		
Chairman: (signature)		