

GEORGETOWN CONSERVATION COMMISSION

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

MEETING MINUTES - JANUARY 19, 2023

Committee:	Conservation Commission
Meeting Date:	January 19, 2023
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:	7:25pm

BUSINESS / DISCUSSION ITEMS

1. Items not reasonably anticipated by the chair 48 hours in advance of the meeting.
2. Approve Meeting Minutes from the November 17, 2022 meeting.
3. Minor modification request for 51 West Main Street (DEP# 161-0877; GCC# 2020-01).
4. Community gardens invasive species management – *Continued from November 17, 2022 (the December 15th meeting was canceled).*
5. Community gardens (CPC) project proposal, evaluation – *Continued from the December 15, 2022 meeting that was canceled.*
6. CPC project proposal, invasive species assessment – *Continued from the December 15, 2022 meeting that was canceled.*
7. Request for appointment to Camp Denison - *Continued from the December 15, 2022 meeting that was canceled.*
8. 66 Parish Road Open Space.
9. COC (Certificate of Compliance) request for 5 Rosemarie Lane (DEP# 161-0913; GCC# 2021-14).

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HEARINGS

- 7:00** **175 Central Street** (DEP# 161-0908; GCC# 2021-01) – NOI – *Continued from 11/17/2022*
Replace an existing septic system, upgrade and renovate existing building, site work, and replacement of drain pipe.
- 7:00** **47 West Street** (DEP# 161-0889) – State NOI – *Continued from 11/17/2022*
Construction of a 16-unit senior housing development.
- 7:05** **47 West Street** (DEP# 161-0921; GCC# 2022-07) – NOI – *Continued from 11/17/2022*
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** **91 Nelson Street** (GCC# 2022-15) – NOI – *Continued from 11/17/2022*
Septic system upgrade.
- 7:20** **130 North Street** (GCC# 2022-16) – RDA – *New*
Construction of an addition as shown on plans.
- 7:25** **175 Central Street** (DEP# 161-0908; GCC# 2022-17) - NOI – *New*
Repair existing building into home office / single-family.
- 7:30** **38 Brook Street** (GCC# 2022-18) – NOI - *New*
Septic system upgrade.

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Carl: We have some business and a number of hearings to get to, and since we are essentially late starting, I think we might jump into some of the hearings; unless we think we can knock off a couple of these business items very quickly. We'll postpone the meeting minutes for now. Why don't we jump into some of the hearings?

HEARING: 175 CENTRAL STREET

175 Central Street (DEP# 161-0908; GCC#2021-01) – NOI – *Continued from 11/17/2022*

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

Carl: It being on or after 7pm, I'm going to re-open a Notice of Intent for 175 Central Street, DEP# 161-0908; GCC# 2021-01. This was to replace an existing septic system, upgrade and renovate existing building, site work, and replacement of a drain pipe. Do we have the applicant and/or consultant, and if you could identify yourself for the record, please.

Brian: Yes, Brian Farmer here.

Carl: Okay. Mr. Farmer, are you representing yourself, or do you have a consultant with you?

Brian: I'm representing myself.

Carl: Okay. And as I recall, this was the one you were looking to withdraw this specific one, so we can open up another one – correct?

Brian: That's correct.

Steve: Carl, can I just clarify that?

Carl: Yup, go ahead.

Steve: We're going to be withdrawing just the local GCC 2021-01; we're going to keep the DEP number open till the next hearing at seven twenty five, so Mr. Farmer should be just withdrawing from just the GCC number, not the DEP number.

Carl: So, is that the plan Mr. Farmer?

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Brian: That's the plan.

Carl: So, I think we need a vote from the Commission to allow him to withdraw that without prejudice, GCC 2021-01.

Rachel: So moved.

Carl: Do we have a second? I thought I heard something.

Logan: Second. I seconded it, Umberger.

Carl: Okay. Just as we're going, just protocol again, we need to make sure we ID who's saying what, because we're forgetting to do that – just so we're capturing that for our meeting minutes, thank you.

We have a motion and it's been seconded to allow the applicant to withdraw the local Notice of Intent for 175 Central Street; that's GCC 2021-01. Is there any further discussion? If not, I'll call into question - 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.

Carl: Okay, we'll jump into the next portion of this in just a few minutes. Looking at the schedule here, I'm going to open up 47...actually Steve, we have to actually close that, or do we?

Steve: I think withdrawing it omits the need for closing.

Carl: Okay, I just want to be clear so that we're not leaving it open. Right, I guess that makes sense that it's a closed, local Notice of Intent.

Steve: Correct.

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HEARING: 47 WEST STREET

47 West Street (DEP# 161-0889) – State NOI – Continued from 11/17/2022

Construction of a 16-unit senior housing development.

Carl: It being on or after seven o'clock, I'm going to open up a continuation of 47 West Street, DEP 161-0889. That was the construction of a 16-unit senior housing development, and the applicant has requested a continuation to March sixteenth, so we won't be doing any discussion of this particular NOI. I would entertain a motion to continue that.

Rachel: Mr. Chairman, I'd like to make a motion to continue 47 West Street to March sixteenth at...

Steve: At seven o'clock, please.

Rachel: At seven o'clock.

Carl: And that motion was made by...Bancroft.

Rachel: Bancroft.

Tom: Second, Howland.

Carl: We have a motion and it's been seconded to continue the Notice of Intent for 47 West Street, DEP# 161-0889, to March sixteenth. Is there any further discussion? All in favor:

ROLL CALL

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

Motion carries.

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HEARING: 47 WEST STREET

47 West Street (DEP# 161-0921; GCC# 2022-07) – NOI – *Continued from 11/17//2022*

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: Okay, we have another one. It being on or after seven o five, I'm going to re-open a Notice of Intent for 47 West Street, DEP 161-0921; GCC 2022-07. That was the demolition of an existing barn and restore the grades and revegetating with wildflower mix to benefit pollinators within 100' BVW. Again, the applicant has requested that we continue this also to March sixteenth, and I would entertain a motion for that.

Rachel: Mr. Chairman, I'd like to make a motion to continue 47 West Street, the demo of the barn as stated by you, to March sixteenth at what time?

Steve: Seven o five.

Rachel: At seven o five, Bancroft.

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; GCC 2021-07, to March sixteenth at seven o five. Is there any further discussion?

Steve: Carl, is Chris on the call?

Chris: Yes.

Steve: Okay, cool. I didn't hear your voice earlier. Sorry, thank you.

Carl: 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.

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HEARING: 91 NELSON STREET

91 Nelson Street (DEP# 161-0929; GCC# 2022-15) – NOI – Continued from 11/17/2022
Septic system upgrade.

Present:

Jim Scanlan (Scanlan Engineering) and Heather Klosowski (real estate agent for 91 Nelson)

Carl: It being on or after seven fifteen, I'm going to re-open a Notice of Intent for 91 Nelson Street. Actually, is this a new one Steve?

Steve: No, a continuation.

Carl: Alright, and the DEP number is 161-0929; GCC 2022-15. That's right, it's a continuation from November seventeenth, and this was a septic system upgrade. I think from my notes, I think everything was okay with this. Any comments, Steve?

Steve: No sir, we were just waiting on a DEP number. I don't know if the applicant is there, but we told them they really didn't have to come in.

Carl: That's right, I remember this one; there was actually very little issue with this one, we just didn't have the number at the time.

Carl: I would entertain a motion to approve this, if someone would like to make that.

Rachel: So moved, Bancroft.

Tom: Second, Howland.

Carl: We have a motion and it's been seconded to approve the Notice of Intent for 91 Nelson Street, 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

Motion carries.

Carl: I would entertain a motion to close the Notice of Intent for 91 Nelson Street.

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- Rachel:** So moved, Bancroft.
- Tom:** Second, Howland.
- Carl:** We have a motion and it's been seconded to close the Notice of Intent for 91 Nelson Street, is there any further discussion?
- Heather:** Could I just ask a question? My name is Heather Klosowski, I'm the real estate agent that's representing this property.
- Carl:** Just wondering when we can get those signatures so we can have our closing. We've extended until the twenty seventh, and after that we don't know what's going to happen. Can we get the signatures like Monday for this?
- Carl:** We should be able to get them out quickly.
- Steve:** I'll have the order available for Commissioners to sign off first thing Monday morning. As long as four Commissioners sign it and let me know, we can reach out to you the second the fourth one has signed and we can release the documents.
- Carl:** I would ask the Commissioners to make a good effort to get down to the police station so they can sign that, so this can move forward.
- Heather:** We would really appreciate it.
- Jim:** Mr. Chairman?
- Carl:** Yes.
- Jim:** Jim Scanlan, I'm the engineer on behalf of Barbara Pandolfi at 91 Nelson. I would also like to add that I appreciate that, and I would also add if I could be notified – I'll pick it up and get it to the registry, for recording.
- Carl:** I think we can do that.
- Heather:** Jim, I can let you know too, if I hear anything.
- Jim:** Okay, perfect.
- Julie:** I will always let everyone know when the paperwork is ready, so I will let...
- Jim:** Oh, Julie I'm sorry – we talked earlier today.

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Julie: No, that's okay. Jim, as soon as I know that we have at least four signatures, I will definitely let you know the second I have that paperwork in my hands.

Jim: Perfect, thank you.

Julie: No problem.

Carl: Thank you.

Heather: Thank you everyone, we appreciate it.

Carl: You're welcome. And it being on or after seven twenty, I'm going to...

Tom: Did we finish our vote?

Carl: Did we vote? That's right we didn't. Okay, sorry about that. We need a roll call vote; we had a motion and I believe it's been seconded; we were kind of in the middle of deliberation. Roll call to approve:

ROLL CALL

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

Motion carries.

Carl: And now we need a motion to close that.

Julie: You guys already did the motion to close; Rachel did the motion and Tom did the second.

Carl: Alright so we already did the closure. Okay, very good.

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HEARING: 130 NORTH STREET

130 North Street (GCC# 2022-16) – RDA – *New*

Construction of an addition as shown on plans.

Present:

John Trougakos (applicant)

Carl: It being on or after seven twenty, I'm going to open up a new RDA for 130 North Street; GCC 2022-16, and that's the construction of an addition as shown on plans. I think we just received the green cards for this, am I correct?

Steve: Correct.

Carl: And, we were looking from the RDA perspective - if we don't have any major issue, we would issue a negative determination and that would be it. If we have a positive determination, then it has to go through the NOI process. I think that based on what's in front of us, I'd be looking at a negative determination, if someone would like to make a motion. Is the applicant on (the Zoom meeting) for 130 North Street?

Steve: I can give a brief overview Carl, if needed.

Carl: Yeah, why don't you do that? The applicant doesn't seem to be on the line.

Julie: Someone put in the chat that there was terrible audio, so they might not be able to hear.

Steve: Got it.

Logan: Julie, did you?

John: (inaudible) – because it's my case. If you can hear me, because I'm having a hard time hearing you (the audio fades out).

Julie: Okay, hold on. Logan I'm sorry, what was your question?

Logan: I was just asking if there was information on North Street sent out. I only have the 175 Central and the 38 Brook Street details; I didn't receive any North Street.

Tom: That might have gone out in December.

Julie: I'm so sorry about that, you're absolutely right, Logan.

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- Carl:** Yeah, we skipped the meeting (in December).
- Julie:** I'm so sorry. If you have your email open, I'll do it in the background and send it out to you right now.
- Logan:** Okay, thank you.
- Julie:** Sure.
- Carl:** Steve, why don't you give us an overview of this. I know the applicant is out there.
- John:** Yes, I'm here but I can't make - (audio fades out).
- Carl:** The applicant's freezing up. I can hear bits and pieces, but the audio is kind of ratcheting and the video is freezing, so Steve, if you could just give us an update on that.
- Steve:** Sounds good. This property is kind of on the corner of Mill Street and North Street. The proposed addition is 136-feet from a wetland. The reason why it's before the Commission as an RDA is because there's a stream associated with it; it's a little bit further, it's 193-feet from the river. So, it's outside the Commission's jurisdiction for the wetland, but it is within the 200-foot buffer to the river. It's very reasonable; it's on existing lawn, it's 193-feet with a lot of woods and lawn between it and the river.
- Carl:** Is that the small, white cape?
- Steve:** Yes sir.
- Carl:** Okay, I'm familiar with that.
- Steve:** There's also a small 8x12 shed that's 175-feet from the wetlands and the river, so these are really minor activities, but they are jurisdictional. I strongly recommend a negative determination; it's very reasonable, and the gentleman has been very cooperative in going through the process, so it's pretty straight forward.
- Carl:** Any comments from Commissioners or the applicant?

*No one comes forward.

- Carl:** Are there any abutters to 130 North Street out there that would like to make a comment? You may if you identify yourself for the record, please.

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*No one comes forward.

Carl: Again, with the RDA, if we feel this is acceptable, I would entertain a motion for a negative determination if there's no other comments. If someone would like to make another motion, please feel free – if you want to make some other comments, please do so.

Chris: Carl, are you looking for a motion now?

Carl: Yes, I am.

Chris: I'd like to make a motion to approve with a negative determination, 130 North Street; GCC 2022-16.

Logan: Umberger, second.

Carl: We have a motion and a second, and just a reminder to everyone to identify your name when you do it. We have a motion and a second to issue a negative determination for 130 North Street; GCC 2022-16. 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

Motion carries.

Carl: And I would entertain a motion to close the RDA for 130 North Street.

Rachel: So moved, Bancroft.

Tom: Second, Howland.

Carl: We have a motion and it's been seconded to close the RDA for 130 North Street, is there any further discussion? All in favor, roll call vote:

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ROLL CALL

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

Motion carries.

HEARING: 175 CENTRAL STREET

175 Central Street (DEP# 161-0908; GCC# 2022-17) – NOI – *New*

Repair existing building into home office / single-family.

Present:

Brian Farmer (applicant)

Carl: It being on or after seven twenty-five, I'm going to open a new Notice of Intent for 175 Central Street. This is GCC 2022-17, and also using the same DEP number as the previous; DEP 161-0908, and that's to repair an existing building into a home office/single-family. If I could have the applicant and/or consultant, and if you could identify yourself for the record.

Brian: Brian Farmer for 175 Central Street, the applicant.

Julie: We did get all of the green cards for this and the next hearing; just wanted to let you know.

Carl: Okay. This has been kicking around a while, and I think there were a number of issues identified along the way. Mr. Farmer, do you want to give us a review or an overview of your project again?

Brian: Yes, Mr. Chairman; looking to rehab the existing building that's on-site, upgrade the septic system that services the building, and do landscaping to clean up the property. There is a culvert that seems to be undersized that crosses the driveway.

Carl: That's the one under (Route) 97, correct?

Brian: It runs parallel to 97. Yes, there is a culvert that flows under 97; there's a 36" Town of Georgetown culvert, but this is the main...

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- Carl:** There's one kind of near the driveway is, there's one there too as I recall, isn't there?
- Brian:** Yes, there's a 12" there and there's like two 24" culverts that feed into the 12" culvert, so it's just undersized. It's been reviewed by DEP a fair amount; we're just trying to balance the flow in that area. Those are the four principal activities proposed.
- Carl:** Because this has a little bit of a complicated past, I think we might like to see a 3rd party just to update us on this and do a review of the project as it is now at 175 Central. Does any Commissioner want to make a motion of that?
- Rachel:** Mr. Chairman, I'd like to make a motion to have a 3rd party review for 175 Central Street, with a GCC of 2022-17.
- Carl:** Do you want to specify the firm, like BSC for instance, or?
- Rachel:** Yes, BSC with Gillian.
- Tom:** Howland, second.
- Carl:** We have a motion and it's been seconded to do a 3rd party review of 175 Central Street using BSC, and the scientist would be Gillian Davies – is there any further discussion on that?
- Logan:** How long do they usually take, Chairman, and is the applicant in a hurry?
- Steve:** Usually about a month.
- Logan:** Is that a (inaudible) time frame, Mr. Farmer?
- Brian:** Yeah, that's fine with me, the applicant. The project's been reviewed a lot, and BSC is a good company.
- Carl:** There's quite a bit of history here; let's get it done, let's do it right, and move on – so, if we get this done, then we move to the next stage. There's a motion out there and it's been seconded. 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.

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- Carl:** So, the hearing is still open; this was simply the motion for the 3rd party. Any comments from Commissioners at this point?
- Rachel:** I'd like to hear what Steve has to say about this, so if he could do an overview as well.
- Steve:** I think Mr. Farmer did a good job representing the action items that need to be done. I think the things we'd be looking for from the consultant is to confirm the wetland line. It's been five plus years since we've been out there, so I think that confirming the wetland line, and I would add that there's some waivers associated with increased impervious material; when they connect the two buildings, it's a fairly small stretch of roofing, but technically it is a waiver to the Bylaw. Through the 3rd party review, that will get evaluated and feedback. There's also a small bathhouse structure that sticks off the side that I think needs to be labeled as new; it's on the far side of the wetland, so I don't think it's a big deal – it's just dotting the I's and crossing the T's. Both of those are increased impervious material, and they're within 50-feet, not 75-feet of the wetlands. But I think Mr. Farmer did a great job representing the project earlier, so I don't have much to comment.
- Rachel:** Thank you.
- Carl:** Are there any abutters to 175 Central Street that would like to make a comment?
- Brigham:** I'm Brigham Lee, I live at 38 Brook Street which is next to that property. I live next door to that property, and I'm encouraged to hear about BSC coming out to check that, and waterflow and everything. We obviously don't want flooding over to our side of the property at all, but with a good company like that reviewing it – if they think they've got a good flow, that'd be great to know. Apart from that, I don't really have any issues.
- Carl:** Excellent, thanks for the comments. I think we would need to continue this, and we would need to continue it to – Steve, I'd probably need a date.
- Steve:** February sixteenth at seven o'clock. If by some chance it's not done yet, we can bounce it from there; but, I'd prefer to go month to month, than to push it too far ahead.
- Carl:** Yeah, because if I can, I'd want to have that 3rd party review to discuss, so it makes it fruitful.
- Steve:** I'll get on that first thing Monday morning.

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Carl: Alright, if there's no more discussion at this point, I would entertain a motion to continue to February sixteenth at seven o'clock - if someone would like to make that.

Rachel: So moved, Bancroft.

Tom: Second, Howland.

Carl: We have a motion and it's been seconded to continue to February sixteenth at seven pm – roll call vote:

ROLL CALL

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

Motion carries.

HEARING: 38 BROOK STREET

38 Brook Street (GCC# 2022-18) – NOI - *New*
Septic system upgrade.

Present:

Brian Farmer (applicant)

Carl: It being on or after seven thirty, I'm going to open up a new Notice of Intent for 38 Brook Street; GCC 2022-18, and this was for a septic system upgrade. With this particular one, there was an existing and expired Order of Conditions, and normally we don't open up new Notices of Intent when there's an existing Order of Conditions out there; we normally have to close that out first. So, there are a couple ways you can approach it – you can either put this off until that gets closed out, or you can make it a condition before any work would start that you have to close out the existing or expired Order of Conditions, and we would have to issue a COC before any work could occur.

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- Steve:** Typically, in this situation we would continue it to the next month and then close out the old one with a COC, and then approve the new one. Or, the Commission can condition it that by the next meeting they will close out the other Order of Conditions. It really doesn't matter, I don't know if they can install this, this time of the year anyways – I don't know if the applicant is on the phone; either one of them gets the same thing done, it's just two different ways of doing it. It's really up to the Commission, and if the applicant can weigh in, that would probably be helpful.
- Carl:** Is the applicant out there for 38 Brook Street?
- Brian:** Yes, Mr. Chairman. In brief, in 2013 the Order of Conditions were recorded for the septic upgrade, a previous design – and then extended in, I believe 2016, and no work was ever performed. So now a new design is eventually, hopefully before the Commission. My understanding is that we would request a Certificate of Compliance for the work that was not performed under the previous Notice of Intent to close...
- Carl:** So, would it be acceptable that you request that information and you get that done by the February sixteenth meeting?
- Brian:** Yes, that can be done.
- Carl:** So, we could all do it at once.
- Brian:** Yes, Mr. Chair.
- Carl:** Okay.
- Steve:** So, that means we're continuing tonight.
- Carl:** Yes. We would get that request and be able to issue a COC and have that for the February sixteenth meeting, at the time we would've rescheduled 175 Central at the same time. Are there any questions or any abutters to 38 Brook Street?
- Brigham:** I live at 38 Brook Street, and he's working on his property and my deed, and we have a mutual agreement based on when I purchased the home in 2018; it was already on the deed that if and when he wanted to upgrade his septic system, because my leach fields are on his property, he would then upgrade mine. So, that's a part of this project, and as Mr. Farmer said - the old project, nothing was done, so we want to move forward with the new one, and I appreciate you guys being willing to do that in the timeframe and lockstep with February sixteenth.

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- Carl:** Okay. I appreciate that, thank you. Are there any other comments from Commissioners? I didn't hear any abutters out there.
- Carl:** If there are no other comments, I would entertain a motion to continue this to the February sixteenth meeting; maybe seven o five, I'm not sure.
- Rachel:** So moved, Bancroft.
- Tom:** Second, Howland.
- Carl:** We have a motion and it's been seconded to continue 38 Brook Street to seven o five on February sixteenth. Is there any further discussion?
- Brigham:** I'm so sorry. I should wait, go ahead.
- Carl:** Actually, we're in the middle of deliberations, so if we're going to continue, I'm going to hold it...
- Brigham:** It was just about me getting an email in the future – go ahead.
- Carl:** Okay, you can ask that after we do the motion. So, again the motion's been seconded to continue to seven o five on February sixteenth – 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.

- Carl:** So, you're looking for an email? Alright.
- Julie:** I can send that, Carl. I'll make myself a note and I'll send him an email. I've emailed him before, so I will send that out.
- Carl:** Very good. As far as hearings, we're done with hearings, but we've got to go back and address some business items on the agenda.

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Steve: Carl, we can start with 51 West Main; I think there's probably people waiting on that. The rest can be handled without as many people being interested.

BUSINESS: MINOR MODIFICATION REQUEST FOR 51 WEST MAIN STREET

Present:

John Colantoni (applicant)

Michael DeRosa (Wetland Scientist at DeRosa Environmental)

Carl: So, if people remembered from a couple meetings back, there was a request for a minor modification to install a pump in the wetland; an aerating pump, and I know that we ended up contacting DEP on this as well, and doing a little research on this. Is the owner of that project online?

John: Yes, Mr. Chairman; John Colantoni present, good evening.

Carl: Good evening. We did hear from DEP on this, and they indicated that they would definitely not consider this a minor, that it would be a major modification, which would mean you would have to go through the NOI process. We actually heard from two sources at DEP.

John: Well, that's not what DEP told us when we called in.

Carl: They put it in writing for us.

John: With no disrespect to the Board, why wouldn't that have been forwarded to us? I know nothing of that; nothing's been sent.

Carl: They sent an email; the circuit rider and the permitting people at DEP said that in their opinion, this would be a major modification and would require an NOI; that's what they're telling us.

John: But again, my question is, why wouldn't that have been forwarded to us, to avoid tonight, even though we disagree with what's being said?

Carl: Because we're still doing our research and we want to still give the opportunity. I was doing some research on this as well, and looking at these aerators and what they're used for. You said you talked to DEP, and we didn't hear anything on your end, either; that's why we're here for some discussion, but that's what they're telling us. We can have some more discussion on that if you want.

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John: I appreciate that. I first wanted to start off by thanking Steve and wishing him good luck; we might not have always agreed over the years, but he's done a great job in servicing Georgetown, and we want to wish him the best of luck in the future, and I appreciate all his hard work he's done over the years.

Steve: Thank you, sir.

John: Just to refresh everyone's memory, the meeting we were at two months ago the Chair had asked if we could provide some pictures of the site before we started. So, Michael DeRosa, our wetland scientist, we're lucky to have him from day one with the project – Mike, maybe if we can share those pictures of what the site looked like before we started.

Mike was unable to share his screen, and there were some technical difficulties with Zoom.

John: While Julie's doing that, I'd like to share a few words to save us some time, if that's ok.

Carl: Sure.

John: This isn't an Order of Conditions or anything. This isn't something that we have to do, this is something that my team wants to do - and we want to finish the vision back there, add more quality to the wildlife, and we want to spend the money to do this; and we think it's well worth while. Some of the positives that we feel is based on multiple engineers; Michael and Thad, our engineer; but I've bounced this off – I'm in double-digits now of engineers and wetlands people on this. I won't read our letter that you have from two months ago, but I'll just read the six benefits are the most important:

- Improves water quality
- Reduces the likelihood of excessive algae growth
- A very important one that I feel is, removes foul odors
- Enhances fish habitat
- Decreases mosquito activity
- Reduces the accumulation of bottom sediment

So, those are six key points of that aerator, fountain, or water mover – or whatever name you want to give it. I'll turn it over to Michael; he has some pictures that Mr. Chair had asked for the last time we were in front of you, on how bad this site was when we took it over. Go ahead, Michael.

Michael: These photos I'm going to show are from 2018, right when John and his group took over. You can see the piles of debris; they were basically using this as a staging area for their discarded debris. A lot of material was out in the wetland

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area, which was all cleaned up as part of the Order of Conditions. You can see the piles of debris that were around the entire property; storage boxes and trucks were there, just accumulated debris. So, this is what the site looked like before John took over. Those are the photos, John, did you want to speak specifically?

John: Do you want to show the video of the water quality?

Michael: Oh yes, I will.

Logan: And to refresh our memory, an after photo would be also helpful.

John: We have to share that with May who's on our call, too; another part of our team. So, just to make it easier for Julie, I thought I'd have Michael finish up on a couple things.

Logan: Ok great, thank you.

Carl: That makes sense.

Michael: This is a YouTube video that we did (Michael shares the video). What we do is we use these remote-control boats with GoPro cameras on the bottom of them to survey vernal pools and other water work that we do, and he's going to put it in the water now, and this was April 1, 2020. So, you can see the poor visibility, the high sediment, and total suspended solids. The water quality in this pond is really bad, and I think that everybody knows that. I think everybody who's been out there is aware of the poor water quality here. We agree with John and his engineer; if John's willing to do something about the water quality here, we should do that. Adding oxygen to the pond is really a positive thing, and it's well known. There are so many fountains and so many basins and ponds all over, and so we support this idea. Anything else, John that you wanted me to show?

John: Did you want to talk about the Florida article on any of those points?

Michael: Yup, and I can send this to the Commission as well.

Michael: John had asked us to look into this and the benefits of this, so I did a little bit of research online; we use fountains, we use diffusers a lot in our ponds. We do work for a number of groups that have water quality issues in their detention basins, and that kind of thing. This is a document that I can send to you guys, it's from the University of Florida Extension office, and down there they have lots of - they're mostly on golf courses, which is what they're used for up here as well. So, this is just a document that goes through the pros and cons of fountains. Basically, you're getting the water out of the pond, throwing it up in the air, getting it in contact with the atmosphere, which has oxygen in the atmosphere.

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The oxygen diffuses into the droplets as they're in the air, and then fall back into the pond and oxygenate the pond.

Carl: The question is, are we calling it a pond or are we calling it a wetland resource area? That's kind of the question.

Michael: It's a wetland resource area, absolutely.

Carl: So, I mean, why aren't we having fountains in all wetland resource areas? It really depends on the definition of what we're trying to do here. I've certainly done some research on it as well, and if we're looking at DO; do you know what the DO level is in the water? Did you happen to measure that?

Michael: No, we haven't done any parameters at all.

Carl: A lot of times they do these when they're actually trying to make a wetland; like a manmade wetland, they'll use these things very often. Again, it depends on the goal.

Michael: The goal is to improve the water quality in the pond.

Carl: DEP's not saying you can't do it, they're saying it has to go through the NOI process, because it's off property; so, they're not saying not saying you can't do it, they're saying you can't call it a minor when it's not even on the property.

John: Mike, could you explain what we talked about? If there's a written agreement, a written documentation of what DEP allows?

Michael: We do a lot of invasive species management and a lot of ecological restoration, and often times that work will cross over different property lines. We had one particular project up in Manchester that we were working on where we had one client who wanted to remove a bunch of Japanese knot weed and other invasives, and re-establish a native plant community, which is what we do, so we contracted with them. And then, part of this stand of knot weed was on a neighbor's property; so, it was either file two NOI's, or we talk to Pam Merrill at DEP. We said (to Pam Merrill) that we're doing beneficial stuff here, and asked if there was any problem just including the neighbor's property as part of the Order of Conditions. She wrote back, and I have the email, but she wrote back and said that all that needs to happen – she said “sorry not to respond sooner. If the invasive eradication is occurring on two abutting properties, you can file one NOI”, and it lists the site addresses, “and have the property owners sign the NOI.”

Carl: But this is an already done thing, so this is kind of an after the fact.

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- Michael:** It's fine. It's an existing Order of Conditions, and John has the letter from the...
- Carl:** And Pam Merrill is who answered us, too, from DEP.
- Michael:** So, what did Pam tell you?
- Carl:** That this was considered a major (modification).
- Logan:** Wait, let's just be clear though. Steve, when you forwarded that message, your commentary was that this was their feedback - but it was up to the Commission to decide whether that's required or not, right?
- Carl:** Of course, it is, but we represent the DEP, too. It's up to us now, it's our decision.
- Logan:** Understood, and I'm not doubting that – I'm just trying to understand where the hesitancy is. The intent seems pretty clear. I've looked online, and honestly, you're hard pressed to find any detriment to this type of implementation in a pond, and I've actually searched for negative parts of that, and nothing came up. My question would be to other Commissioners, is what is your biggest concern when it comes to this? I heard concern about the potential of little critters, and the impact of that flow rate...
- Carl:** Are we trying to create a bass pond, or is this a wetland? That's really what the issue is.
- John:** Let me answer that question. I want to be crystal clear – we're not trying to create a bass pond; we're not trying to create a fishing location; what we're trying to do is make a situation that we've made much better, as perfect as we can. So, some of the concerns that the Commission had the last time I was in front of you was the depth of this pond or wetland. This aerator, fountain, water mover – whatever you want to call it, is a surface one, it pulls the water from the surface. It's not something that has to run 24/7; it can be on a timer; it can be shut off. It's not going to run year-round. So, we have total control of it, depending on the different seasons, depending on the different weather, whatever may happen. But we want to make this water cleaner, clearer, and better for the wildlife that's out there by pumping the oxygen in. It's not going to create any negatives whatsoever back there. As stated, when I read the six positives, I've unfortunately, ate, live, slept 51 West Main Street since March 2018 when we purchased it – and a year before that, when we started looking into it. I've spent many, many hours that I'll never get back in my lifetime, and one thing that I hate is water that smells. In the short year that we've created the meadow, it doesn't smell as bad, and that's because we are starting to filter through the meadow, which, thanks to this Board and my team on how this whole thing was designed,

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has started to make a big difference for that wetland or pond – and it's starting to look beautiful back there, and we're starting to see wildlife again. We've gotten a ton of compliments from the neighbors that have lived there forever, and they've also complimented on some of the wildlife that's coming back, and how it's starting to look. May, who's one of our admins who's on the Zoom call, with the permission of the Chair, will be able to share her screen. Thank you. So, that picture that you're looking at now is a picture from December 2022, and the one with the flowers is the meadow in June/July of 2022. So, it's a huge difference. I never thought as a builder that I'd get so excited about a meadow that we created as a team, than I would be the seven townhouses that we built. It's stunning in the summer, and again I thank this Board and Steve with the help of how the meadow should be created – what seeds and stuff should go in there, and Mike DeRosa and his team; the hours upon hours of time they spent doing it. Obviously, there's more to be done, and one of those things that we would love is the Commission to believe in us that this water mover will be a big help back there, and make a big difference to bring this to the next level. I think that the Commission can see that we're all in to make this something very special in downtown Georgetown. Michael, have I forgotten anything?

Michael: No, I think the Commission's on board with the technology and with the improvements that would benefit the wetland and the wetland resource area. There's no question about it. It's a well-used and often used technology, so there's no mystery in it. I think you've hit all the good points, and this meadow alone is helping to filter run-off water and provide habitat; the habitat improvement over what was there before is immense.

John: Let me also explain to the Board something – there's a drainage pipe that comes from West Main Street, underground through the parking lot of the Eagle Building. In the maps and things that we saw in researching all of this, it looked like it stopped at the end of the Eagle Building property underground – who knows. Peter from the Highway Department, who is a wealth of knowledge, told me and explained that it continued. That area when you look at the townhouses way to the right, when we were concerned when we had the pumps going during the build – that pipe goes, when that got cleaned up, it actually comes a little bit above ground and drains into that corner, and that's what creates that little gully that eventually makes its way to the pond. So, all that stuff coming from West Main Street was unfiltered. And some of that concern that we all had when we were pumping, that silt was actually coming from there. Now what we've done is, that's been cleaned up, it's going to be filtered before it goes into the meadow, and we've given it an official easement that's been recorded to the Town, of that pipe, so now the Highway Department in Georgetown can now take care of that now and forever, in case there's any problems and not have any issues. So, that's another plus that's going into this wetland/pond area. We're trying to cross every T and dot every I, to give a quality place to the seven owners of the townhouses.

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To the Chair, I open it up to any questions, anything that we can add. I would like to get a feel from the Chair if what Michael thinks is true, that the Commission is for us; spending the money and doing the labor and getting the effort done of putting this in, but there's just a question mark on the formality to the way to do the process.

Carl: That's obviously the issue, the process. Doing a minor modification on someone else's property, that's to me kind of strange, and again DEP is kind of saying that to us, too. I understand kind of what you're doing, I go back to my question of what the goal is; are we talking a wetland or a pond? I'd open it up to other Commissioners to get their comments. I've done some research on these things too, and often they're used, but you don't see them in natural type wetland settings – that's just the reality, too.

John: Mr. Chair, if I may ask you a question.

Carl: You may.

John: You've said three or four times saying that you've done the research. I thank you for taking the time to do that. Are you for us, to spend the money to move forward, if the Commission votes yes on it?

Carl: That's why I want to get the feedback from the other Commissioners, so it's not just my say, I'm only one vote.

John: I know and I'm only asking you as the Chair person, and you're a one vote, and that's why I'm asking you directly.

Carl: I understand the concept. I have some reservations about one person controlling a device on someone else's property. I've seen processes like that fall apart; twenty years from now, who's running the show now? When the pump dies, and all pumps die, who's going to replace it?

John: Excellent questions, and we talked about this at the last meeting we were at, and I'll be glad to answer it again. The Condo Association, as part of their docs, as part of the agreement with their neighbor, is 100% responsible for any repairs, any anything. The thing that you're forgetting is – this just isn't on their property. The care of the water and the pond is on our property, and the whole buffer zone and meadow is on our property; so, there's a combination here, even though the water mover will be on their property, sort of in the center of the pond – so there's a combination here, and it will benefit all the neighbors that surround that pond. You keep asking, what is our goal? Our goal is to give a better-quality life to everyone, human-wise that lives around that pond, and wildlife that is presently there – and maybe more wildlife will be created there, who knows.

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- Carl:** It depends on what wildlife we're selecting for. If we look at vernal pools, if we're trying to make sure that vernal pools all of a sudden have water all year-round, then all of a sudden, they're not a vernal pool. If we're adding a lot of dissolved oxygen, you're making life better for fish, but not necessarily for invertebrates. From an ecological standpoint, it depends on what we're selecting for.
- John:** So, Mr. Chair, with no disrespect – who cares? Do you think that pond, sitting the way it is right now is doing any benefit to the humans around it? Or any wildlife that's there now? Or any wildlife that might try to visit it? So, I understand your concerns, but what we're doing 1000% outweighs your concern. Your concern doesn't exist if we let that pond sit the way it is right now.
- Logan:** Mr. Colantoni, let's just take a breath here real quick. I'm open to hearing any of the Commissioners concerns as it relates to this, because there may be things that we're not considering; but at the end of the day, I hear a lot of assumptions, but I don't hear any facts backing up and validating those assumptions. So, I think what the Commission needs to do at this point is, if you have concerns, what is the basis for those concerns, and is it backed by data that would allow, myself included, to make an informed decision? Because right now, Mr. Chair, if I'm quite honest with you; you're saying there could be concerns to certain species, but where's the data to support that assumption, and I don't hear that.
- Carl:** Our goal is to try and maintain natural resource areas. How many natural pumps are there out there? From a data standpoint, we mess things up; humans.
- Michael:** If I could make a couple comments, Mr. Chairman, Mike DeRosa again. I would want to say that this pond is not a natural pond, it's impaired; it's impaired just based on the visual evidence. We have not done a deep study of the dissolved oxygen, total suspended solids...
- Carl:** Did you look at the COD, BOD, anything?
- Michael:** If I could just finish. So, the inputs to this pond are stormwater runoff from the streets of downtown Georgetown – that's the source of the water that comes in. All that water that's feeding into this pond is ladened with everything that you would find in road water runoff contaminants, and that's why the suspended solids are so high based on the video I showed you. I think that this pond would clearly benefit from the addition of oxygen, and the Wetlands Protection Act protects habitat generally, it doesn't protect for species. So, this is a wetland; a pond is a kind of wetland. As you know, the Wetlands Protection Act has multiple wetlands; inland wetlands, coastal wetlands, bordering vegetated wetlands, inland bank, floodplain – there's a number of wetland resource areas. The Wetlands Protection Act calls ponds land under water, that's what you're

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managing is the land under the water. But water quality is paramount to all these things, and by adding oxygen, it will have a positive benefit and it will have a positive benefit to all the creatures who utilize that habitat – just like the meadow has a huge benefit now. Mr. Colantoni wanting to take this on is notable, and I think the process is simply that we have an agreement from the neighbor to allow John to put the fountain in, and let's just use it and monitor it, and we could definitely monitor it as part of the duration of the Order of Conditions – and let's see if there's an improvement. It's an opportunity I think, one that the Commission should take advantage of. I just think that this is a no-brainer, and it's confusing me a little bit, but we're here to answer questions from the Commission, so go ahead.

Carl: Again, DEP was not saying you couldn't do this, from a procedural standpoint they said that this was a major, that's what they told us – it's a procedural issue. So, any other Commissioner comments on this? Again, I'm only one vote, so it's not my call.

Julie: Carl, this is Julie. I have the email from DEP in front of me, do you want me to read what they said?

Carl: Sure, why not?

Julie: Pam responded to Steve, she said, "I'm up against a deadline to get a permit out so I really don't have the time. I cc'd Alicia, she's a great resource. I will say one thing, though; there is no such thing as a minor modification. It's an invalid permit under the WPA and its Regs, although it may be recognized under the Bylaw, therefore the applicant must file an amendment request. That said, I would point you and the Commission to an amending Order of Condition policy." And then Alicia said that she agreed with Pam, that there's no such thing as a minor modification, and adding a water movement device represents an expansion in the scope of the project, and an increase of impacts to a resource area; neither which is allowed per DEP policy 85-4. So, she basically said that a new Notice of Intent would be required, too. I just wanted to let everyone know what DEP said.

John: Mr. Chair, if I may ask a question.

Carl: Yes.

John: A couple questions and a comment. One, Julie thank you so much for reading that, it helps us understand things – when DEP was asked this question, were they told specifically that there was a formal written agreement between our property and the neighbor?

Steve: No.

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- John:** Okay. Thank you for that. That is a very, very important point, because it changes things when there is an agreement between two land owners, so that's important. The other thing that I'm confused about is, in that email it stated that there is no such thing as a minor modification; is that how that was worded?
- Julie:** She said there was no such thing as a minor modification, that it was an invalid permit under the Wetlands Protection Act.
- John:** I don't want to throw myself under the bus, but at the last meeting that we were in front of you, you guys voted unanimously for a minor modification on one of our changes on the site. So, are minor modifications allowed, or are they not allowed? I believe they are allowed because I've done them before and it's totally up to the Commission; just like the Commission has the ability without any new NOI being filed, to do this. But, with that said, I respect the concern of the process. I'm just asking the Commission to respect what we're willing to do and the money we're willing to spend that does no benefit to us when we walk away from here – it continues to benefit the people around that pond, and to downtown Georgetown. I'm trying to get a feel from the Commission if you're in favor of this, and if we just have to work out the process, we'll do that, but I don't want to continue to spend money to go down this road that everyone's going to benefit from, if the Commission's not interested.
- Carl:** That's really why I want to get some more feedback from other Commissioners. I made some comments, Logan made some comments, but I haven't heard from other Commissioners, and I want to get some other feedback for you.
- Chris:** Carl, this is Chris.
- Carl:** Yes.
- Chris:** I believe the meadow the way that it is presently, is perfect. I love it as is.
- Tom:** Carl, I also want to say that I agree with your comments. I appreciate the work they've done on this, and they've really improved, like they've claimed, I think the water quality already, and I'd just like to see what happens from here. I know way in the past I did some work on some vernal pools and wetlands and I just think that, let's wait and see. I think they've done some good work and I'm not on board with putting a fountain in at this time.
- Carl:** I think what Mr. Colantoni's trying to allude to - is it worth his effort if he has to do an NOI? If Commissioners were opposed to it, if he feels that the Commission wouldn't be in favor of it, that it would be a waste of his effort to push that forward; you can correct me if I'm wrong. It's not really a straw vote, but I'm trying to get a feel for where people think this is.

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Abutter: Excuse me. Will there be an opportunity for the public to speak at some point?

Carl: It's not technically a hearing, it's a minor modification, but after I get some feedback from Commissioners, I certainly don't have any objection to you making a comment. Let me just get through getting some more feedback. Does anyone else have any other comments at this point, regarding this? From my perspective DEP feels it's a major modification, but the issue is now, is this something the Commission would entertain?

Rachel: Carl, my issue is with the legality of having two different land owners, because we know how that can go. I want to make sure that that's buttoned down properly, and all I's are dotted and all T's are crossed, and I also wanted to bring up the fact that when we do things like require/request applicants to do things like the meadow or plantings, this is exactly what we're going for, is something that benefits everything; so, that is why we ask this, that is why it's a great thing when we work with people who come in front of us – this is why we ask people to do things like this. I just don't understand quite how it will be able to be worked out, without it being an NOI.

Carl: Okay. There was a gentleman who had wanted to make a comment, if you could identify yourself for the record, please – even though we're not hearing, perse.

Public Comments:

Walt: Hi, I'm Walt Gancarz, I live at 51 West Main Street, unit 4. I guess we're the first actual residents of this area, my wife Linda and I. I just want to tell you that I've been a professional engineer for 45 years, most of it in environmental civil engineering, although I did post-retirement, was a town engineer in a town of 30,000 people in Connecticut, and also the liaison to the water pollution control authority for a number of years. I just want to say that this project attracted us for a number of reasons; we liked the sustainability of it being close to Downtown, that we could walk to a number of sites. I've done a lot of work with Brownfield's projects in the past, and certainly the idea of renovating a project that had a poor past use and making it a much better place and a much better asset to Georgetown, really attracted us to this site. I will say one negative; I looked at some aerial photos before we signed, and the pond behind appeared to be a fairly algae ridden pond in the warmer months, and so I was pleasantly surprised when John mentioned that he intended on putting in a water mover to increase the oxygen levels. My experience has been that anytime you can add oxygen to the water, it's a benefit – other than anerobic digesters at waste treatment plants, I don't see any negative to adding oxygen. Secondly as I said, I did spend seven years as a Town engineer, and I can tell you that even under the best conditions, towns do their best but they don't always clean their catch basins on a regular basis, and that sediment overflows and ends up in wetlands like this, and so

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causing sediment and higher organic loads on areas like this than would've occurred naturally. No one's asking in this case, the Town to say, hey clean up what you sent in for past sins.

Carl: No, actually towns are supposed to under MS4.

Walt: They're supposed to, but you and I know; I've been around for 45 years as a professional engineer, I can tell you for a fact MS4 is a relatively recent phenomena, and prior to that there wasn't a regular basis of cleaning catch basins, and so they ended up with a lot of sediment and a lot of organic load. MS4 is a great program, I agree with it 100%. I was actually the person responsible for implementing that in Cheshire, Connecticut.

Carl: Private industry had to do this for the past 35 years, but Municipalities are catching up finally.

Walt: We agree on that, I'm not arguing about that. I'm just saying that the fact that that's occurred, and we end up with an area that is deteriorated; the fact that we're trying to improve it, and improve it for all of Georgetown, and certainly for those who directly abut the area, I just want to say that we're 100% in favor of this. And I really would be very interested as to why it shouldn't be accepted, when it's something that frankly, the builder's going on the hook to put it in; and long term, those of us who live here will be responsible for maintaining it.

Carl: I think we've discussed benefits and such for that, and I think that the issue is the methodology of permitting.

Walt: I hear you there. If it's a question of whether it's a major or a minor, certainly that's something that you folks have to decide on. I just think that once we get past that, I'm talking about the technical benefits and the technical issues as to why it should not be accepted. I fully support it as a resident, and more importantly as a technical issue, and I just want to go on record for that.

Carl: Okay, thank you.

Abutter: Can I say something? I'm the second resident of 51 West Main Street.

Carl: Ma'am, could I have your name please, for the record?

Ann: My name is Ann Carlson, and my daughter lives here. I've been driving here to watch my grandchildren for the last thirteen years, and what John has done here is incredible. I don't have the scientific knowledge that all of you have, but from an aesthetic point of view, this place was a dump. His heart and soul is in here, and for what that's worth, that's my input. I'm sitting at the window right now where

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I can overlook that pond, and during the day it's absolutely beautiful, and I think that this can only enhance it. For what it's worth, that's my input and I fully support it, too.

Carl: Thank you, ma'am.

Ann: You're welcome, sir.

Carl: I guess the Commission just needs to decide at this point whether we're considering it a minor or a major.

Rita Stone: Can I make a comment? I just wanted to make sure, and I didn't want you to end things. I had actually spoken at the last meeting and I'm wondering - this is Rita Stone; I was involved in the project from the beginning of the clean-up. All of those pictures that were shown before, I was privy to have similar photos on my phone, I was kind of disgusted by the fact that Georgetown had allowed it to get that bad, that nobody had stepped in. How was it allowed to be used as a dump, like it's been said more than once? My question is, because I keep hearing about the DEP and the NOI – I feel like if the DEP was given the information about the agreement between the two landowners, that I think that you might have gotten a different response, but we don't know that because that was not disclosed to them, which I don't think is fair. When you're leaning on that as your go-to, that DEP is saying it's major when DEP wasn't given all the information when the question was asked. For what it's worth, just listening to this whole thing, and watching it progress, to hear that now, why wouldn't that have been given to the DEP when the question was asked?

Julie: Can I answer that. Carl?

Carl: Go ahead.

Julie: This is Julie. Hi Rita, I'm sorry - DEP did say that obviously the owners have to agree in writing to any work before an OOC (Order of Conditions) can be issued or work begins; so, they did know, we did make them aware. I'll be happy, if Carl says it's ok, I'll be happy to forward this email along to John Colantoni so he can see it.

Rita: Well, when the question was asked the answer was no, they weren't advised of that.

John: Julie, that would be great if you could forward that, I would appreciate it.

Julie: Okay.

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Carl: There's two issues. As I said, we're going kind of in circles here. There are two issues; there's a major or a minor, and whether the Commission would entertain it. I think we're trying to solve everything at once, and that's not what we're trying to do tonight. Tonight's discussion is if it's a major or a minor; that's the discussion.

Rita: That's obviously up to you guys, I just wanted to make it clear that when I'm hearing it, and I'm hearing that they're not being advised of it, that's what I needed clarification on – considering that since the 1970's, that place has been a dump. The fact that it's gotten this far, why wouldn't you want to put it to the complete? And I know it's been said over and over again, and no one disagrees with that, but does the DEP just need to see a copy of the agreement?

Carl: It's really our decision, but we are representing the DEP, but we do go to them for advice on certain things. We represent both the State and the Local in this issue, but when we talk to them for advice, we're technically working for them on this issue.

Steve: When I said that they weren't aware, I do not have that email in front of me – that was a month plus that it was sent. I did say that and I might have spoken too quickly. Julie mentioned that I did mention it, so I apologize for mis-speaking earlier; that was my memory of the email, but obviously I did include that.

Carl: What we're trying to do here is hash out an NOI without going through the process. What we need to focus on right now are the facts – is it a major or is it a minor?

John: Mr. Chairman, can I make a suggestion?

Carl: Yes.

John: I respect the concern of the Commission, and everyone wants the process to be correct. I think everyone would be in agreement, and it was well said by one of the Commissioners a few minutes ago, maybe we share with the Commission, the wording and the documentation that the Condo docs would show for this water mover; maybe that would help with the concerns of tightening that up, because we all do know that the Commission has the capability of making this a minor and voting on it if they wish to. But maybe before they make that decision, we give some documentation that helps tighten up the rules – that maybe would make the Commission feel more comfortable. I'm just making that suggestion, Mr. Chair.

Carl: It would maybe be helpful if we saw that documentation. Are you asking us to review that and then revisit this?

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- John:** I'm asking the Commission that you have a team that's willing to do something better for the Town, better for the pond, better for the neighborhood, and it's not going to cost the Town anything now or into the future. So, I'm asking the Commission to consider making this a minor instead of a major, so we don't have to make it into a longer process and spend even more money. And I'm asking for you to let us provide you with some more documentation that might make it easier for you to make it a minor, if that makes sense.
- Mike:** I just want to add to that a little bit. We work in a number of towns all along the north shore, and all the towns of the work in, the majority of them, we always propose minor modifications; they have different names to them, to existing Orders of Conditions – it's a very common practice. So, the Commissions have the discretion to issue a modification to an existing Order of Conditions without going through a formal amendment. I just wanted to throw that out there, because it is a common practice.
- Carl:** Okay. What's the Commission's pleasure?
- Logan:** We should probably bring a motion on whether we consider this as a minor modification, and then move forward.
- Carl:** It's either a minor or a major. If you want to make a motion, make a motion.
- Chris:** Excuse me, Carl. What will it mean if it's deemed a minor?
- Carl:** It's means basically, we would just amend the existing documentation off-property, which is part of the issue – and they would just continue on.
- Chris:** So, that's not voting for the use of the water mover?
- Carl:** Yes, it is.
- Chris:** Okay. So, that would either encourage a vote for either yay or nay for the water mover, if it's a minor?
- John:** Mr. Chair, if I may – I would have to disagree with that. We're not asking for a vote from the Board right now, on putting in the water mover, we're just asking if the Board could make this a minor modification, let us give you more documentation to make you feel more comfortable about it, and then the Board is going to have an opportunity to put thumbs up or thumbs down on putting the water mover in.
- Carl:** I would disagree with you; what are we making a minor modification from, if you're telling us that this isn't for the water mover. What's the modification?

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- John:** We're talking about the process; we're not talking about the vote on the use of it.
- Carl:** I would disagree.
- Mike:** John, if I hear you right, we're not asking the Board to make a vote tonight on the minor modification; John just wants to get some level of comfort that the Board would entertain...
- Carl:** This is exactly what I was asking. Are you going to give us some more information, and then we'd have to have the discussion? Because if I agree, if the Commission agrees that this is the minor or major, that's the approval.
- John:** If the Commission were to vote tonight that this ask is a minor modification, that's not giving us permission to do the water mover, or voting on the water mover. All we're asking is, Commission, make this a minor modification, and then let us continue to bring you in documentation and more information so that you guys could make a more educated decision on thumbs up or thumbs down, on the water mover. That's all we're asking.
- Steve:** I have to disagree from a procedural standpoint. If it's a minor modification, this is done and you can put it in. There's no minor modification and then put it in later; that is the vote. So, there are three options; continue to the next meeting, so that more information could be provided; issue a minor modification, which means you can start tomorrow; or, a major, you'd have to file a Notice of Intent to continue. Those are the only three options at this point.
- Carl:** I agree. This is what I was trying to drive across; if the Commission issues a minor right now, you're good to go, that's basically it. You can't have a minor change and then there's no detail.
- John:** Again, this is a procedural question. I've been in front of a lot of Boards, a lot of Commissions, and I'm totally baffled and here's my example – the last meeting that we were in front of you, you guys voted on that pump to the right of unit seven. It was a minor modification. Because it was a minor modification, it didn't automatically give me permission to put a pump in. You guys had to vote on the location and the use of that pump.
- Carl:** Right, the detail; but that's the permission, the do it.
- John:** So, I'm asking a procedural question from this Board. If I want to put a water mover in this pond, and have an agreement with the neighbor, is this Board going to consider it a minor modification or a major modification? That's a procedural question, and I thought the motion was made to clarify that procedural problem. It has nothing to do with giving me permission to do it.

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- Carl:** I disagree.
- John:** I don't understand at all.
- Logan:** I'm confused as well, Mr. Chairman.
- Carl:** If I issue a minor modification, you can go ahead and do it. What else would you need?
- John:** You issued a minor modification for my pump before the vote.
- Carl:** And we told you, you can go put your pump in.
- John:** My question is – the pump went to a minor modification procedure with the Board. Because it was a minor modification, doesn't mean I automatically got to do the pump, you had to vote on that pump. It's no different than this water mover or fountain. Is it a minor modification, so you can vote on it in the future, or is it a major modification where we have to do more documentation and file? It's a procedural question for this Board.
- Mike:** John, let me try to rephrase it a little bit. We're not asking the Commission to make a vote. We're asking the Commission; would they consider the installation of the fountain as a minor modification to the existing Order of Conditions? And then we will come back next time with all of the documentation. We've heard all of the concerns from the Commission, so we know what you need to see - but we don't want to wait another month and bring you that information and have you say "thanks for this, but we're not going to consider it a minor modification, and you have to file a Notice of Intent anyway." So, what we're trying to do is save a little bit of time. If the Commission feels that the correct process is an NOI, then we'll come back with an NOI. If the Commission feels like, if we address all your concerns, you could issue a minor modification just like you did for the pump, then we'd much rather do that because it's less effort.
- Carl:** My view, and it's just one vote; I'm not saying you can't do it, I'm just saying my belief is it would need to come as an NOI. Other Commissioners may have different viewpoints.
- Logan:** It sounds like what the applicant is asking for, is to vote on whether this is a minor modification – a yay or nay vote, with a continuation to next month, barring more information that has been asked for by some Commissioners, and we can ask for more information, and then a final vote at the next meeting. That's what it sounds like to me.
- Carl:** Conditional approvals aren't really legal.

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- Logan:** But, that's not what I said.
- Carl:** I understand that. It's a moot vote; so, we're voting to say it's a minor modification, but then we'd have to vote again that it's a minor modification. Right? Am I missing something?
- Julie:** Right. Carl, you're correct. If you vote on it tonight, that vote is done. If you say yes, it's a minor modification, that gives them the go ahead. I'm looking at the meeting minutes from the last meeting, and the reason why you were able to vote the pump as a minor modification is because he provided us with all of the details that you guys needed. I think the wording may be back and forth, which is the reason why I think the lines are getting crossed. From a procedural standpoint, you guys don't have what you need. I think he's asking right now the way it looks, if you think it would be worth his time.
- Carl:** Yes, that's why I was trying to get a little bit of a straw vote on where the Commissioners stood on this.
- John:** Just for the record, and to be completely transparent, I'm going to agree to disagree with what's going on here. With that said, we have no problem taking the input of the Board from tonight and getting more information from you, just like we took from the last meeting and brought you information, and answering some of your questions – but, do we have the Commission's support that when we give you all the information and answer all of your questions, that you're going to vote on it?
- Carl:** We'll vote on it. If it comes before us, we have to vote on it. That's why I was trying to get some additional feedback.
- John:** So, when we do this, you're going to vote on it as a minor modification?
- Carl:** We're getting into a circular discussion here. My thoughts are, if you can provide all of the information, then the Commission can determine whether it's a minor or a major modification. Once we determine that, then you can go or not go.
- John:** Mr. Chair, that is just so incorrect. You don't make a decision on information the Commission gets; if it's major or minor, that's not how it works. That is not how the system works. You're going to tell me to spend all this money, gather all this information, and come to you...
- Carl:** That's not what I'm saying. I'm asking – you want us to make a decision with less information than we'd like, and then not go through the process?

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John: I want the Commission to give me the correct procedure; is it a minor or major modification from this Commission? This Commission has the capability to have me continue as a minor, to give you more information and then vote.

Carl: Again, we're getting into a circular discussion here. There's going to be one vote.

John: I agree.

Logan: Mr. Chairman, I would like to put forth a motion that the Commission vote tonight on a minor modification request at 51 West Main Street.

Carl: We have a motion to make a minor modification for 51 West Main Street – is there a second for the motion?

*No one comes forward.

Carl: I'm not hearing a second. Okay. Would someone like to make an alternate motion?

Logan: As a Commissioner, it is not clear to me what the Commission is asking for at this time; it's just not clear.

John: Thank you, sir, thank you so much for saying that publicly because I'm confused.

Rachel: Mr. Chairman, I'd like to make a motion to have 51 West Main Street be considered a major modification.

Tom: Second, Howland.

Carl: We have a motion and it's been seconded to consider the request for 51 Main Street to be a major modification. Is there any further discussion? We've had plenty of that.

John: Am I allowed to ask a question?

Carl: Yes, sure.

John: I just want the Commission to realize that if this goes to a major modification, I'm not sure if my team will continue with it; we'll probably abandon it. Maybe I should've said that earlier, but at some point I have to make a decision for my team, my family, how much money we're going to spend that we're not getting any benefit from – but the Town is. So, I just want the Commission to realize that if this goes to a major modification, I'm not sure if we'll continue with it. Thank you.

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Carl: Thank you.

Rita Stone: I have a question. I heard one of the Commissioners say that they liked it as-is, I heard two people say that they liked it as-is. Let's see, these are the words I heard or maybe I'm just adlibbing; let's see what happens. Well, what if it's left as-is, and what happens is the algae comes back, it's not as good as it is right now because it doesn't have the aeration that everyone knows – you've heard it from multiple engineers, it's all over the internet; I myself have not seen anything negative from adding oxygen to water. We have a pond at my house – same thing, the aeration is good, so I'm concerned that it's going to be left as-is and see what happens; well, what happens when there's no written agreement about what's going to happen? Two years from now if it's full of algae again, who's going to take care of that pond? Who's watching it? What's going to happen to it then? That's another concern. Is it just, hey let's let nature take its course, and if it ends up kind of swampish, so be it? Then we'd have to go back to that smell again? I'm just curious as to what *let's see what happens*, means.

Steve: Carl, just really quick; this is a formality. During deliberation, technically only Commissioners can talk. I'm not trying to keep the public from speaking or the abutters, but it's been circular for about 40 minutes now. Technically, legally, during deliberations it's for Commissioners to give their final comments – not to go back into the same cycle of discussion. There's a motion on the floor; usually it's just the Commission's final statements.

Carl: I asked for comments from Commissioners for further discussion. We have a motion on the floor. From my perspective, I'm not saying no I wouldn't entertain it, but from my perspective it's a procedural thing that, again; from recommendations from DEP, that it should be a major. I'm not saying that I wouldn't support it, I'm just saying that's the way it should be, but that's just my opinion; other Commissioners may have different views and they can.

Logan: Carl, I'll just make one more comment. I thought this was a great opportunity for us to discuss the scientific rational behind why we would or would not consider this, because I think that's getting lost in the nuance of the process. The concerning thing that I have is that I have not heard from those that, it sounds like are detractors of this modification, provide any scientific basis for why. You know, *I like it the way it is*, is not a scientific rational, data driven decision; it's an opinion. That's the concern I have.

Carl: We could do an endless analysis, as I said...

Logan: We didn't do any analysis, Carl.

Carl: Neither did anyone. Do we know the DO?

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- Logan:** No, I'm listening to Mr. DeRosa, he's the expert in wetland science.
- Carl:** What's the BOD? What's the COD out there? So, we don't have that data, that's all I'm saying. Everyone's saying they want the data, but we don't have the data.
- Logan:** Carl, the play on words is not helpful.
- Rachel:** Mr. Chair? If it goes forward with an NOI, we will have every opportunity to have all of the information that we need, and all of the questions answered as needed; that is what it is there for, and it is for the purpose of not having anything come back that is a problem. We're not saying yay or nay to the water mover, we're not saying that tonight – we are basically just saying major or minor going forward, that's it. We're not saying leave it alone, we're not saying any of those things. We are just voting on whether it's a major or minor modification.
- John:** If I may ask a question on your vote, because I don't understand.
- Rachel:** We haven't voted, sir.
- Logan:** We haven't voted yet, John.
- John:** You said earlier if you voted as a minor, it's a done deal. So, how isn't it a done deal if you voted on it as a major now? Does a new NOI have to be filed?
- Carl:** If we voted as a major, it becomes an NOI.
- John:** Okay.
- Carl:** We're trying to do a hearing all in one and do six things in one. Really, the whole discussion should've been, purely, a minor or major? End of discussion, bring it to the next level to do...
- John:** Mr. Chair, I gave the Commission a chance to move this forward for you to get even more information. My side is the only side that's provided scientific data; you asked for some numbers, but I have engineers that have been in the business thirty or forty years, do written opinions, and that's worth something. They get paid money to do that. We haven't half-assed this at all; we've been doing this the right way, and have the respect that you want the information, and that's why I bring the professionals to the table. Last meeting, I said I would bring my wetland scientist here – he's been in business thirty five or forty years, he knows that pond inside and out. There's a binder on that pond, on a study that they did that's probably an inch or two thick. I'm just telling you, as someone who loves Georgetown, or I wouldn't be doing the two major projects that I'm doing in it, that if this is a major, it's slipping away.

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Carl: Excuse me, sir; we're in deliberation. The discussion is whether it's a major or a minor, we're not trying to do an NOI in the middle of a deliberation – that's all we're trying to do. Period.

John: I'm just telling you that if it's a major, it's disappearing.

Carl: We have a motion on the table, I'll entertain a vote. All in favor, roll call vote:

ROLL CALL

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

Motion carries.

Carl: Motion carries, it would be considered a major. That's not saying that we're not going to do it, that we wouldn't accept an NOI to do it; that's all I'm saying at this point.

John: Best of luck, everyone, appreciate your time. My last question is, I noticed Parish Road, which is my project on the agenda; I was never notified of that, I don't know anything about it, so is Parish Road going to be talked about tonight?

Carl: Let's see. There was an issue or a question about Open Space.

Steve: Yes, Carl; do you want me to give you a quick overview?

Carl: Yes, please.

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BUSINESS: 66 PARISH ROAD OPEN SPACE

Steve: I received an email from the Planning Board, asking us the simple question, is the Commission interested in accepting the open space on the back portion of this property as open space. It's a pretty straight forward question; is the Commission interested, yes, or no? I don't know where the question came from as far as the history of it, I was just asked that question by the Planning Board a few days ago. It's in the Order of Conditions that the land is donated to the Conservation Commission. I don't understand why it's being asked, but they were asked for us to verify that at a meeting; yes, or no.

John: I might be able to help why they're asking.

Steve: Okay, awesome, thank you.

John: I think they're asking because the way the Conditions were written, that technically the land is supposed to be deeded and taken by the Town that you'd have it, before we get any occupancy permits. Obviously, that's in our opinion kind of crazy because it's up to you guys when you're going to take it, when you're not going to take it; and, if all of a sudden you guys decide, *hey we're not going to take it for three years from now*, we're not going to wait three years before we get an occupancy permit. I think that's why they're asking.

Steve: Got it. So, then, really the question is – if I can take it back a step; it's less whether we want it or not, it's more when the deed gets registered and transferred. I mean, we don't just take it, you write a deed. I think I asked you a few months ago to send us the deed so we can review it, and there was some question over timing. So, I think as long as you get us the deed asap, we can then register it whenever the Commission wants to register is.

Carl: If the Planning Board wants us to get a formal vote on something that we really already voted on as part of the process, we can do that if that's what the Planning Board wants. I guess I would, since we're talking about it even though we jumped ahead a little bit – I'll entertain a motion. Does the Commission want to acquire the open space as part of the 66 Parish Road development? I'll entertain a motion for that.

Rachel: Mr. Chairman, I'd like to make a motion to accept the land accompanying 66 Parish Road that went with the original NOI.

Tom: Second, Howland.

Carl: We have a motion and a second to accept the open space associated with the 66 Parish Road development. All in favor, roll call vote:

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ROLL CALL

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

Motion carries.

John: Mr. Chair, I thought, I think the deed's already been sent into the Town for review, but I could be wrong, I'll check with my attorney. But, is that what you guys would like to have happen? Give you guys the property of that deed?

Steve: Actually, send it directly to me and cc the Planning Board, and I'll take care of it from there. I have not seen it, so send it to me.

John: You got it.

Steve: Thank you, sir.

Carl: We have two more discussion items, and that's the Community Gardens invasive species management project, and then the other...

Steve: Carl, do you mind if I talk?

Carl: Go ahead.

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BUSINESS: COMMUNITY GARDENS INVASIVE SPECIES MANAGEMENT

- Steve:** Selectwoman Amy Smith has proposed this with the Open Space Committee and one of the groups she's working with. The proposal is to do a controlled burn along the community gardens, across from the country club, along the rock wall, roughly two hundred linear feet by ten feet deep. They've also proposed to do a small burn around the parking lot, and in the meadow in the back. I think the main aspect of this, is that it's a test case for doing controlled burns to reduce invasive species; which all of those areas I just mentioned are pretty heavy with invasive species. The proposed time would be late winter/early spring; the work would be done by DCR, and overseen by an agent and the Fire Department. They will do a police detail if determined necessary by the Police Chief and the Fire Chief, and again, DCR will do the burn, they will do a reverse 911, and some volunteers will go door to door in the area just to let people know what's going on, so that the public is aware of it. This was on the agenda a few months ago just as a concept. At this point, they're looking for a vote of go or no go.
- Carl:** Any comments from Commissioners? My only comment was that I wanted to make sure that something like this didn't get out of control, and didn't get into like an underground burn or something like that; I think I did mention that this past summer there were fires that were burning for literally weeks over in the state forest. Obviously, we don't want somebody's house to get burned out, so that was my primary concern. Does anybody else have any comments or issues?
- Logan:** My only concern is that this didn't give abutters any time to come and comment on that.
- Carl:** That's valid.
- Logan:** Has any of the abutters been notified, and have they approved?
- Carl:** That's a good comment. Do we know, Steve? Have we run this by any abutters?
- Steve:** No, the only – again, I'm not in charge of this project, I'm just kind of handling it at the Commission end. The existing proposal only talked notifying abutters a day or two before, and a reverse 911; there's no proposed input from abutters or residents, to your point, Logan. I guess the short answer is no. We could do a notification 300-feet, but we'd have to pay for it. We could do an abutter notification just like the applicants, for 300-feet around it, and send that out and reference our next meeting.
- Carl:** The question from a cost perspective, could they do multiple reverse 911's more than two days in advance – maybe a couple weeks in advance, or something?

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Two days is not a lot to, all of a sudden someone's going to light a fire outside your house.

Logan: I wouldn't want that anywhere near my house, I'd want a say in that. I'd be concerned about smoke getting into my house and lingering.

Carl: Would you want to see a written notification or multiple reverse 911's going on?

Logan: Whatever notification would be consistent with any other Conservation action.

Carl: We normally do like a butter green cards; that's kind of costly, but that could be done, too.

Steve: Carl, I think Logan has a really good point. Notifying them is different than inviting them for a conversation. So, with your permission I'll put this on next month's agenda. We don't have to send them green card, return receipt at eight dollars, we can just mail it to them, right? We do that to prove that it was mailed, but if I do the mailing, we're more comfortable with that. And, I think Logan has a really good point – we need to talk with them about it, not just notify them that it's going to happen.

Carl: I think it would make sense to actually send them, let them know that there was going to be further discussion at a meeting and they can come in and do a Zoom thing and say, *hey I've got concerns*, or *I have no problem with it*.

Logan: I think that's fair enough.

Steve: Thank you for the feedback. Do you mind if I jump in?

Carl: Yeah, go ahead.

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MEETING MINUTES - JANUARY 19, 2023

BUSINESS: CPC PROJECT PROPOSAL / INVASIVE SPECIES ASSESSMENT

Steve: I also have one that's not on the agenda, that you guys saw that came in yesterday. I attended a CPC meeting a couple nights ago, and they often look for feedback from the Commission. One of the proposals is to do an invasive species assessment, Town wide. Again, this is Selectwoman Smith that suggested this. A couple of other towns have done this recently. The concept is, we talk about invasive species management, but we really don't know how big the problem is, where it is, and what species we're talking about. I believe it was Newbury, but I could be wrong. They had two interns that were brought in in the summer with iPads, and they evaluated all town-owned property, and identified what species were there and how large the patches were. That data could then be used later to assess where the funds and the energy should be put towards it. Right now, we do a lot of management of invasives in the two ponds, but we're not doing much terrestrial. We're starting to get into it, but this burn for the gardens, that's invasive species. Maybe we should be focusing those on larger patches of a more aggressive species. I think it's a great idea, and it's pretty cheap – and again, we're not getting into the nuts and bolts on this; it's just, does the Commission support the idea? Because when CPC brings this up, they can say, *yes, ConComm thinks this is reasonable* – because all of the money eventually goes through the Commission, and the agent kind of facilitates it once the money gets deposited. At this point, I'm just kind of looking for a vote; is the Commission for or against the concept? Then, the CPC will really pick apart the details, the dollar amounts and things like that.

Rachel: Steve, can I add something to that?

Steve: Sure.

Rachel: Her proposal is also that once the two iPads, basically it's just a study and the information will be provided to the Town by the department who's actually doing the study. All that the Town will be responsible for are the purchasing of two iPads, and from what I understood from the CPC meeting on Tuesday – also the data plan for those two iPads, and that's what they're asking for in order to do the study. That's all I wanted to add.

Carl: And this is only on public property?

Steve: Correct. I think at the CPC money meeting, they mentioned all property, and I think that concept came up of getting owner permission – so, on the fly they backed off.

Carl: I think since we've had issues associated with public/private property, we need to be very clear that people aren't going on other people's property to do this.

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- Rachel:** No, Carl, it's only on public property.
- Carl:** We also need to make sure that interns know where the public property is, so they're not inadvertently wandering into someone's yard, and then we get into more problems.
- Steve:** Correct.
- Carl:** What is the liability? From an employment standpoint – are they employees, consultants; how is that being handled?
- Steve:** I have no idea, Carl. I have a feeling we're going to mirror. The original proposal was a cut and paste from Newbury; we're not reinventing the wheel, we're kind of copying what they're doing, so I don't know the answer to that question.
- Carl:** I'm just trying to understand. Say somebody trips and falls and breaks their ankle.
- Rachel:** Carl, that was not brought up. Steve, do you want to ask Amy that question?
- Steve:** Absolutely.
- Carl:** I mean just so they're covered, the Town's covered. In a consulting role, under the law their consulting firm would pick up the cost, unless it was negligence on Georgetown type of thing. In an intern situation, you've got to make sure there's some coverage. We'll have to figure that out, just so we don't get ourselves into trouble.
- Steve:** I will bounce that to next month also.

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BUSINESS: COMMUNITY GARDENS (CPC) PROJECT PROPOSAL/EVALUATION

- Steve:** The next CPC proposal is an evaluation of the community gardens. So, hiring a consultant to evaluate the community gardens, and kind of what the public wants for the future of the gardens. We've talked about putting an apple orchard in the back, we've talked about an expansion, we've talked about doing more maintenance and making it more perennial in nature versus annual in nature, as far as the gardens. Julie and I have been talking about this for at least three years; we often come back to, we don't know what the public wants. What I want, what Julie wants, even what the Commission wants – we have a vote in it, but it's really what the public wants. I think this proposal came up as a way to cut through the internal debate as to what's best, and reach out to the public. So, this is a proposal to hiring a consultant to look at the process/procedures relating to the gardens; is it organic, do we need better water source, do we want to expand? But, also polling different Boards and Commissions, but also polling the public – what would they like to see out there?
- Carl:** I'm not opposed to that. My only concern was the initial cost that I saw there.
- Steve:** Correct.
- Carl:** What are we getting quantitatively for deliverables for that like \$50,000? That's a lot of money.
- Steve:** Correct.
- Carl:** I don't want a six-page report and it costs me \$50,000.
- Steve:** Correct, and I think that's kind of what CPC will do; dig into those details. I think a vote from the Commission is concept. It is a fairly lengthy suggestion as far as the base mapping all the way through, and kind of revising all of the policies of the garden and comparing it to other towns. It's a fairly lengthy proposal, and to your point it's not cheap – but I think if we did it for a few grand it wouldn't be worth our while.
- Carl:** We need to be careful that we manage these consultants, and that we don't just give them free range.
- Logan:** Help me understand this, Steve. I thought that those gardens was a cooperative, where people either rented or had a section to do what they wanted with that section. I guess I don't understand why we need the public to give their opinion on what we should do with that. If someone wants to be involved in that, then they would be involved in that; they would have rented a space. I'm not really sure how that works.

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- Steve:** I see your point, and it's a valid question. Right now, we have roughly sixty or seventy plots and a lot of them are really underutilized. There's a lot of people down there that have a stake in the game, and they've all been very vocal. But, there's a large number of underutilized and vacant plots that are kind of going fallow, and growing into shrubbery. Back in the day, it was required that everything was removed every year, and the entire place was plowed up – and then, the plots were reassigned, just to keep the weeds down and to keep order. Over the years, people have made it more into a perennial. If you look at the old rules, you had to pick up everything, every year. It's kind of turned into, there's a lot of trash, fencing, weed blocking material that's non-organic, flying around.
- Logan:** It sounds like it's a compliance issue.
- Carl:** I think it's a bigger vision issue. As I recall, Steve, a few years back we actually sent out some information to the people who were renting. We wanted to reorganize, and some of the people got really upset because they were fixed on their plots, and didn't want to be moved.
- Steve:** It's tough because people feel ownership because they've been there for a long time, and they have a right to; they've been working a piece of land for ten or fifteen years. Logan, to your point, there's a lot of land in the back that used to be a large cornfield. There's probably a 5-acre, dilapidated field that's growing in. A lot of people have talked about putting in an apple orchard back there. Or maybe, is there a demand for more garden plots? Or is it an experimental garden for the schools to do some work and outreach? I think part of it is, it's a beautiful piece of land, and are we utilizing it to its maximum? And, are we utilizing it to what the whole population wants, not just catering to twenty or thirty gardeners? And those twenty or thirty gardeners absolutely have a vote, and they'll give input, I guarantee it. I think it's kind of interesting that a few people make decisions on a large piece of land; I think it should be broader.
- Carl:** Is there a proposal from this consultant? Like a quantitative, like these are the tasks that we're proposing, so we can look at it?
- Steve:** There's an 8-page document. I will send that off for everyone to review, and again, we'll bounce this one to the next meeting.
- Logan:** I think that's important, Carl. I think that's a good point, because if it's to be maintained as a garden property, then I'm not sure of the benefit of reaching out to the Town; but that's because I just can't see it, I'm open to other ideas. But, if there were other options to maybe increase the parking, to make that kind of a common area, or a park or something – maybe that would be an interest to the Town.

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- Carl:** We used to have some more active people under the ConComm who would manage the gardens for us, and were active gardeners themselves; so, it probably worked out better a number of years ago because they would make sure everyone was doing what they were supposed to, and making sure the place was cleaned up on an annual basis. As people get older, they drift away from these kinds of things, so it's hard to get people actively involved in this kind of thing.
- Steve:** I'm not talking about making this into an active recreational facility, I think it has to be passive – but it's enough land that's being under-utilized and just growing invasives. Who knows what it could turn into. Like my orchard idea; I think it's just thinking outside the box and it is being under-utilized. To your point, Logan, if the answer is just gardens, then we could save money on this and just expand the garden plots, and expand access.
- Logan:** I think too, the only concern you might have with opening it up to the public, is that you may not get the answer that you want. If the Commission is open to the possibility to allowing the property to becoming something different, then I say I'm all for it. But, if that's not the consideration, you may not want to open up that can of worms.
- Carl:** Just for everybody's edification, that's part of Lufkin's Brook. That's kind of a unique Conservation parcel because I think some Federal money was used to purchase that, too. So, there are actually specific Bylaws relating to just Lufkin's Brook, so we have some additional restrictions on that, as opposed to some of the other parcels we have.
- Steve:** To Logan's point, if you were going to send it out to the public, you might want to refine the questions, and not say, *what do you want to see out there?*
- Logan:** Give options that are specific to the vision of the Conservation, or you might get, let's make it a soccer field.
- Carl:** That's a valid point. Give people a list of potential options here, as opposed to just saying, give me some answers. You're right, Logan.
- Steve:** I will also send that out first thing Monday, and you guys can give me some feedback. So, I believe that's it for discussions.

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BUSINESS: REQUEST FOR APPOINTMENT TO CAMP DENISON

- Steve:** We have a request for an appointment to Camp Denison for Sue Gardiner. It's kind of funny because the street address is in Boxford, but she is a Georgetown resident.
- Carl:** Does someone want to make a motion for that? Do we have a date?
- Steve:** Her appointment date would be today.
- Carl:** I'd entertain a motion to appoint Sue Gardiner to the Camp Denison Committee.
- Rachel:** So moved, Bancroft.
- Carl:** And that would be a term for one year.
- Steve:** Carl, I think we bumped it to two years recently.
- Carl:** Okay, I think I remember that. Is there a second for that?
- Tom:** Second, Howland.
- Carl:** We have a motion and a second to appoint Sue Gardiner to a two-year term to the Camp Denison Committee. Is there any further discussion?
- Logan:** My only question is, I don't know Sue Gardiner. I feel kind of odd voting her to a committee if I've not spoken with her, or had any background. Or, is this a case of, not many people sign up for the Denison group, so we'll take what we can get?
- Carl:** Actually, there's a pretty dedicated group of folks who volunteer down there.
- Julie:** I think she's already a non-voting member; we voted last year I think, to make her a non-voting member – right, Steve?
- Steve:** Correct.
- Logan:** Okay.
- Steve:** And she does the minutes. She's been active for a few years.
- Logan:** I trust the judgement of the Commission that voted her in before, so that's good enough.
- Carl:** There's a motion on the table for Sue Gardiner for two years. Is there any further discussion? All in favor, roll call vote:

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ROLL CALL

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

Motion carries.

BUSINESS: COC REQUEST FOR 5 ROSEMARIE LANE

Steve: There's a COC request for 5 Rosemarie Lane. This was a fairly complicated project with a deck and a patio, and a retaining wall, and a lot of other work. They did everything spot-on to what they said they would, and I recommend approving the COC.

Carl: Okay, I'll entertain a motion. That's a COC for Rosemarie Lane; do you have an address?

Steve: Yup, 5 Rosemarie.

Chris: So moved, Candia.

Rachel: Second, Bancroft.

Carl: We have a motion and it's been seconded to approve a COC for 5 Rosemarie Lane. Is there any further discussion? I think we got the report from Steve. 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.

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BUSINESS: MEETING MINUTES

- Carl:** And I think we still have some meeting minutes floating around out there.
- Steve:** From November 17, 2022.
- Carl:** Does anyone have any comments from the meeting minutes from November 17th? Or, would you like to make a motion for the approval?
- Rachel:** Mr. Chairman, I'd like to make a motion to approve the minutes from November 17th.
- Tom:** Second, Howland.
- Carl:** We have a motion and it's been seconded to approve the meeting minutes from November 17, 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

Motion carries.

- Carl:** Is there anything else on the agenda? I have to bring up something. As you probably already know, this is Steve's last meeting. We as a Commission are going to have to figure something out in the interim. It may take a while for us to figure out what we're going to do for an agent. We may have to look at temporarily hiring a consultant. I have no idea what the Town's vision is for the future, but in the past, we've brought on an agent for a couple hours a week, or just to come to meetings temporarily, until the Town figures out what to do. But the Commission should essentially decide what we want to do. And again, from a hiring standpoint, that's probably going to go under Human Resources with the Town, but we need to figure out what the Board wants to do. Any comments at this point? I want to thank Steve for his service to the Town. A lot of people don't appreciate what we do, and criticize us a lot, but they don't really understand what we do. Steve's put up with a lot of bs over the years, and it's a very thankless job, so we want to thank him for that. Again, I'd like some comments from the Commission about what you'd be interested in entertaining in the short term, to help us with meetings.

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- Rachel:** Steve, you had mentioned...first of all, I don't even want to think about you not being the agent because you've helped so many people; not just us as Commissioners, but the public as well. I think that's lost a lot of the time on people. You had mentioned that you would help with a smooth transition...
- Steve:** In my resignation letter I said I'd be happy to help with the transfer. What that means would have to be figured out; attending meetings, maybe going out on weekends to issue permits and to answer emails. I don't know, I've never done this before. I'm willing to help. I care about Georgetown; I care about the Commission. This was a very hard decision. I don't want to leave you in a bad place. I don't think the public and half the Commission realizes how much this department does. Julie is amazing, but she can't answer the technical questions, and give advice on how to proceed on projects like I can, or someone equivalent to me; even Commissioners don't know a lot of the process/procedures. So, it's a hard gap to fill in the short term. My offer was, if you want some help I'm willing to help, but I can't commit to a large amount of time; I need to commit myself to my future job. I'm willing, but that has to be determined what that even means. I know other agents fill in, in other situations.
- Carl:** A number of years ago, I had hired the Wenham Conservation Agent as a stop gap measure, because in those days we didn't even have an admin; we would call upon Commissioners to man the office during the day, and there were a couple who were retired and got called upon a lot – that's not really appropriate, but we did what we had to at that time. Hopefully we're a little better at this now. I would like the Commission to think about the concept of, in the interim, what we would like to do to deal with it. We still have to maintain the office, hearings still coming in, etc.
- Steve:** We also sign off on building permits; there's a lot of day-to-day operational stuff. If you only look at the number of hearings we have on the agenda, that doesn't really fairly represent what the department does every day. If you're not in there during the day, you almost don't know what you don't know. Julie is amazing; she has brought the department up five thousand times as it was before she started, amazingly so, but she's part time and I don't think it's fair to ask her to make decisions that might make her uncomfortable, as far as making decisions that are over her head, technically. I just don't think that's appropriate, and I want the department to function properly. I think it's important to maintain that for the public; it's a public service that we do. We get enough pushback when we do our jobs; if we can't issue permits fast enough; if we can't sign off on building permits, it's really going to upset the public. We really need to maintain a professional department through the transition.

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- Rachel:** Agreed. That being said, Carl, is there a way that we could make it solidified to perhaps hammer it out with Steve, with you, or with the ConComm going forward?
- Carl:** I think you'd have to vote on a concept; whether you'd want to try and engage the agent, a consultant, or try a temporary agent from somewhere else.
- Steve:** I would not put it as just me; you can put it out to other agents. I would draft it as, to look at options, Carl. You don't want to put it as just me. I'll be honest – I'm not excited about doing it, but I would do it because it's the right thing to do. If you found someone else, I'd be ecstatic.
- Carl:** I think other towns do that, and I think that's what we'd be looking at.
- Steve:** I think your best option would be to find another agent from a town. A consultant would be very expensive, and they wouldn't have the extensive knowledge that an agent would have.
- Carl:** So, what's the Commission's pleasure on that? What do you prefer?
- Logan:** Steve, thank you for your service to Georgetown. I also thank you for your open arms when I joined the Commission under some controversy, so I appreciate you sitting down with me and walking me through everything. I wish you all the best in the future.
- Steve:** Thank you, and I actually really appreciate all of your pushback on all of the science questions. I like the debating, and I think you've added some value to the Commission, so I thank you also.
- Logan:** Thank you. Mr. Chair, I guess for me understanding our role here – do we own the responsibility of, are we the ones that hire them and/or write the rec? I'm just trying to understand the landscape here.
- Carl:** I don't think we know. We're kind of in a different regime here, so I don't know. What we did in the past, isn't necessarily valid anymore. From my perspective, the Commission is actually the one who appoints the agent. HR would be the one who hires the agent, the Town. Under Chapter 40, Section 8C, if you look there, it gives the Commission the authority to hire agents and consultants and stuff like that; but we're not necessarily the hiring agents. It's kind of a mixed baggage if you will. Right now, I'm not exactly sure how that's going to work. If it's a consultant, we can do that, but we still have to get approval to spend the funds, even though they're our funds. It's a really good questions you asked, Logan, and I'm not exactly sure in this situation, the answer. The process of hiring an agent has to go through HR, but we need a short-term solution.

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- Steve:** From a budgetary standpoint, you have the Bylaw and the State account. You have plenty of money to work with, and I presume that you could use the budget of my salary that doesn't get used. The money is there, it's just figuring out how the Commission wants to proceed. Again, I apologize for putting this on you guys.
- Carl:** If opportunities come along, you've got to look out for yourself. We certainly understand. Again, it's not my decision, it's the Commission's decision.
- Steve:** Whatever you decide, I'd make it as flexible as possible because you just don't know where this is going to go. Something generic of working towards bringing someone in on a temporary basis until a permanent position is filled; something to that affect. If you put it too narrow, you'd probably have to vote on it next month.
- Logan:** I remember from my hearing, when I had to go in front of the Board of Selectmen – when the building inspector had too many inspections, they had a spillover to another person, and I forget the term that was used, but they were used as a secondary backup. Do we have that option with other towns, to kind of leverage their Conservation Agent?
- Carl:** That's kind of what I'm talking about right now; there's nothing made formal. Basically, we would have to literally reach out to another Town and ask if they'd be willing to work with us, so there's nothing formal with any other Town.
- Steve:** Logan, about six months ago I took a month off for vacation, and I requested from the Town Administration office to bring someone in to cover the window just to keep things moving, and that request was denied. So, over the years it has come up, and I think it's a mistake not to pay attention to that. People want answers faster and faster; getting back to people a day later is almost too late. When I was gone for three weeks, Julie was amazingly able to keep the place running, but I think the Commission has to think towards the future. Again, I don't take too many long vacations anymore for that reason; I asked, and the request was denied. Maybe the Commission can revisit that, so maybe you're not just hiring a full-time, but also a backup.
- Logan:** Or at least a short term stop-gap as we look for a permanent solution.
- Carl:** Does someone want to make a motion that we come up with a stop-gap measure to bring on a temporary, at least in concept?
- Rachel:** I'd like to make a motion; I'm just trying to figure out how to word it as well.

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- Carl:** A motion to engage a temporary agent as a stop-gap measure until a more permanent solution can be determined? But again, it's still going to have to go through Administration.
- Steve:** Rachel, a motion to bring someone in as a stop-gap measure until a full-time agent is hired, is probably generic enough. That would leave it open to a consultant; the Commission is authorized to hire consultants, so that's an easy one. Or, another agent, or there might be a resident in town.
- Carl:** Or, make the motion a stop-gap agent and/or consultant, to make it inclusive of both.
- Steve:** Perfect.
- Rachel:** So, Mr. Chairman, I would like to make a motion to have in place a stop-gap measure with either another agent in another town, or something similar to that.
- Carl:** I would suggest a consultant or something like that.
- Rachel:** A consultant. I just don't want to get too specific with the words used to describe them – going forward, as we try to figure out how to move forward without Steven.
- Steve:** I can clean that up if you want.
- Rachel:** Please clean that up, because I can't. I cannot figure out how to word that properly.
- Carl:** It's kind of an unusual motion, but do we have a second for that? To come up with a stop-gap measure assistance with the Conservation office; a temporary agent or consultant to assist with the office?
- Chris:** Second, Candia.
- Carl:** We have a motion and it's been seconded to try an engage a temporary agent and/or consultant to help us in the interim as a stop-gap measure until a more permanent solution can be found. Is there any further discussion? Now, this is only a basic, preliminary; it's just a concept. Is there any further discussion? All in favor, roll call vote:

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ROLL CALL

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

Motion carries.

Carl: Again, it's not a commitment, it just kind of points us in a direction. We have to; people come up to the window and they want information, and we have to figure out a solution to this.

Julie: I just want to say that Steve is by far, other than you guys, of course; but Steve has been the absolute best boss that I could ever ask for. I am so, so, so sad that he is leaving. I am so happy for him at the same time, but I've worked in offices for over twenty years; I've had many bosses, and he's been the best boss. I can't say enough about him. It's a huge loss to the Town of Georgetown. We'll miss you, Steve.

Carl: Yes, we will.

Rachel: I second that.

Tom: Amen to that.

Chris: Agreed.

Carl: As I said, it's definitely an under-appreciated activity that we do. No matter what you do, there's always going to be people who hate. It's a labor of love, and I have to say that most agents in other communities don't last because it's such a corrosive environment, that they'll bail after three to five years.

Steve: I did the math the other day; I've been here for seventeen years, and the current Commission has put in over fifty years of service protecting this Town; protecting the water; protecting flooding, for the residents. We're talking about me, but I can put it back on you. Fifty plus years. You guys are the unsung heroes in my eyes, you're all volunteers.

Carl: I have to say, all my coworkers think I'm nuts. They say *what are you doing that for? That's insane.*

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- Julie:** I also think you're nuts, Carl; no offense. I'm just kidding.
- Carl:** They're like, *why are you wasting your time?*
- Chris:** We love you too, Carl.
- Julie:** Yes, we appreciate you, Carl.
- Steve:** It's getting late, but I very much appreciate you all, and thank you very much.
- Carl:** We appreciate you, Steve, and your service to the community, the Commission. I would entertain a motion to close, it's been a long meeting.

CLOSING THE MEETING

- Tom:** So moved.
- Rachel:** Second.
- Carl:** We have a motion and it's been seconded. 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 **10:11pm**. Documents and other exhibits used at the meeting will be available for review at the Conservation Office.

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

G E O R G E T O W N C O N S E R V A T I O N C O M M I S S I O N

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This section is for approving the meeting minutes

Minutes for the Conservation Commission meeting held on January 19, 2023 were approved by a virtual roll call vote on March 16, 2023. The Chairman will sign the Meeting Minutes when in-person meetings resume.

Respectfully submitted,

Chairman: _____
(signature)