

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

<b>Committee:</b>	Conservation Commission
<b>Meeting Date:</b>	March 16, 2023
<b>Meeting Time:</b>	7:00pm
<b>Meeting Location:</b>	Zoom
<b>Commissioners Present:</b>	Rachel Bancroft, Chris Candia, Logan Umberger, and Carl Shreder
<b>Staff Members Present:</b>	John Lopez (Conservation Consulting Agent) Julie Cantara (Administrative Assistant)
<b>Minutes Transcribed By:</b>	Julie Cantara
<b>Meeting Called to Order:</b>	7:02pm

---

### **BUSINESS / DISCUSSION ITEMS**

---

1. Items not reasonably anticipated by the chair 48 hours in advance of the meeting.
2. Approve Meeting Minutes from January 19, 2023 meeting.
3. COC Request for 38 Brook Street (DEP# 161-0764; GCC# 2013-11).
4. Proposed vote to use Conservation Land for the Border to Boston shared use path.
5. Rock Pond – Minor Modification Request.

---

### **HEARINGS**

---

**47 West Street** (DEP# 161-0889) – State NOI – *Cont. from January 19, 2023*  
Construction of a 16-unit senior housing development.

**47 West Street** (DEP# 161-0921; GCC# 2022-07) – NOI – *Cont. from January 19, 2023*  
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.

**175 Central Street** (DEP# 161-0908; GCC# 2022-17) – NOI – *Cont. from February 16, 2023*  
Repair existing building into home office / single-family.

**38 Brook Street** (DEP# 161-0930; GCC# 2022-18) – NOI – *Cont. from February 16, 2023*  
Septic system upgrade.

**51 W Main & 13 Prospect St** (DEP# 161-0931; GCC# 2023-01) – NOI – *Cont. from 2/16/23*  
Proposed installation of a water fountain to improve water quality.

**10 Mill Street** (DEP# 161-0932; GCC# 2023-02) – NOI – *New*  
Replacement of an existing sanitary disposal system.

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

**Carl:** It being on or after 7:00 on March sixteenth, I'm going to open the meeting of the Georgetown Conservation Commission. This public meeting is being conducted in a way that is an attempt to satisfy the open meeting law and other State laws pertaining to the public hearings of the town's public bodies. It's a good faith best effort to comply with the new law, Chapter 22 of the acts of 2022, signed into law on February 15, 2022. On July 16, 2022, Governor Baker signed into law an act relative to extending certain state of emergency accommodations which, among other things, extends the expiration of the provisions pertaining to the open meeting law to March 31, 2023. Specifically, this extension allows public bodies to continue holding meetings remotely without a quorum of the public body physically present at a meeting location, and to provide adequate alternative access to remote meetings. The act does not make new changes to the open meeting law, other than extending the expiration date of the temporary provisions regarding remote meetings from July 15, 2022 to March 31<sup>st</sup>, 2023.

### BUSINESS: PROPOSED VOTE TO USE CONSERVATION LAND FOR THE BORDER TO BOSTON SHARED USE PATH

#### **Present:**

John Cashell (Town Planner)

George Comiskey (PRCWA – Parker River Clean Water Association)

**Carl:** We have a number of business items to discuss, and we might postpone some of those. Let's see; we have a couple of minutes here. Well, why don't we start off with item number four – the proposed vote on the use of conservation land for the rail trail. A little update on that; I just received an email from John Cashell via Town Counsel; they don't want us to vote on that now, because I've had a conversation with both of them and Greenbelt, and have come up with a more effective, more efficient alternative than trying to take Article 97 out of protection. And since we actually could authorize these activities as a ConCom without changing it at all, and it would be much simpler. If you took a look at the document I sent out regarding the EOEA, regarding Chapter 97, it's actually quite complex to take land out of protection because they want it to be; they don't want it to be easy to take land and all of a sudden decide that you're going to make a parking lot out of a protected open space. So, since we've authorized many activities at Camp Denison, we could easily authorize the activities to finish the rail trail coming through that section. In fact, you would still have to come before us as far as an NOI, because if you're familiar with that area across the railroad access corridor, there's a lot of wetlands, so it would have to come before us in any case. But, since we have buildings and a roadway and a caretaker, and many things happening there already that are pre-existing, we could easily authorize these kinds of activities. Greenbelt agrees with me, and they hold conservation restriction on this parcel. We've never allowed land to be taken out of Article 97, so that would be the way to go, and that's what I told Town Counsel, and they're looking at that; so, I think that's the best way to approach it at this point. So, we're going to hold off any kind of a vote at this point. Alright, any further discussion on that? Again, we're not voting. If you have any questions at this point.

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

- John:** Carl, can I just mention that I really appreciate, and I'm sure Katie does - I got a chance to talk to her this afternoon. There's absolutely no rush to anything, and when she's more ready to come to the Conservation Commission, she will.
- Carl:** Yes, as I said, we had a very reasonable conversation, and I think that what I'm proposing is actually a simpler solution, more likely to come to fruition than the owner's methodology of having to go through the Legislature and all this kind of stuff. I actually educated (her) quite a bit about Camp Denison, and she was unaware that there were all kinds of things already on there as far as buildings, a caretaker, septic systems. She says, "oh really?", and I said yeah, and even directed her to the website and said you could take a look at all the things that happen there. I said that the area they're looking to utilize is already cleared; it's been cleared for the power line access, so I said it's almost a no-brainer.
- John:** Yeah, she did have no idea about Camp Denison.
- Carl:** Yeah, she was just looking at the documentation side, and I said no; this is the easiest parcel to allow something like this to occur, since there's so much there now. So, I think that's the way to approach it. It's cheaper too; we don't have to go to Town meeting and pay more money and then go to the Legislature, and then try to convince all these different people. It'll work.
- John:** Carl, the only other thing I want to mention and make sure everybody is clear about is, this Planning Board has only been involved with the rec path through me updating them on the progress of the Rec Path Committee and what Stantec has been up to. The plans are still being reviewed at the State level...
- Carl:** I think what we discussed briefly John, is, it wouldn't be bad if, especially since we're on Zoom, if Stantec would pop into a meeting on the business agenda just to kind of give us a quick, 5-minute update of where they stand; just because some of our members may not be familiar with the whole process. It's been a long process, so.
- John:** Yeah, and the other thing is; really, it's been premature up to this point, because they were really trying to solidify the route all this time, and they finally did get to the 100% design, and they know full well that they have to come before the Conservation Commission for all of the wetland permitting. So, they're planning to do that, and I wouldn't be surprised it's going to happen within the next 2 to 3 months that they'll actually have to start that whole process.
- Carl:** Yeah, I'd like to know whether they're going to do it piecemeal or one giant NOI for the whole thing, or like different sections, just because it might be a rather lengthy NOI if they were trying to do the entire thing under one.

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

- John:** I haven't even talked to them about that process yet. We're constantly emailing, but weeks and months go by before there's really any update of information from one point to the next. But the plans are at 100% design; we're just awaiting the State's final approval of those 100% design. With the 100%, then they can go to the local jurisdictions to seek the necessary permits; that'll be the real next logical phase of this.
- Carl:** We used to occasionally have conversations with the actual rail trail, but in recent times I haven't heard much from them, so I don't know if there is active in the forefront.
- John:** The most important thing going on at this point in time is the appraisal. There's an appraising firm, and they're in the midst of contacting all of the parties for which easements have to be acquired. There are over 80 of those parties that need to agree in some fashion.
- Carl:** If you happen to be down in Camp Denison where that is, there's a parcel like right across from Camp Denison, across the rail trail that the property owner has American flags up there, and no trespassing signs, and it's just abutting a giant swamp; so, I assume that person might be a bit of a challenge, but one never knows.
- John:** The patriotic use.
- Carl:** Of the swamp?
- John:** No, the trail.
- Carl:** Because the land that he has signs on is a swamp, so don't enter the swamp.
- John:** No, we stay out of those areas anyway. If anybody has any questions, I'll try to answer them, but other than that, it's really the update I have to offer tonight.
- Carl:** Any questions/comments at this point? Again, it's not a hearing, just kind of an update.
- John:** And if you have any questions on general Planning Board matters; I never have a chance to come to these meetings of yours, but if you have any questions, I can probably fill you in on what's going on at the Planning Board, and you probably could fill me in on Conservation stuff if you wanted to. But Carl, feel free to invite me to a meeting or anything like that.
- Carl:** Logan, did you have a comment?

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

- Logan:** Yeah, I just had a question, Carl. I was looking through my email to try to find some more details; I did find the file that was sent by Julie, but is there like a map or a diagram of kind of where this actually is? I'm just trying to figure out in my head where it is.
- Carl:** I don't know. I saw some references to the actual lot, and I know where it is, but I don't think I saw an actual plan that shows where it is. If you're looking at a map, it's like right on the corner of Baldpate Pond where the border is; Georgetown/Boxford is on the rail line.
- Logan:** Is that behind Nunan's?
- Carl:** Further on down, heading toward Boxford, but essentially that's where it is; a little further towards Boxford.
- John:** There is one Article 97 issue that will be going before Town meeting; I think you're aware of that. It's not a wetland area, but it's an area or parcel that was left to the Town, or it's under the Town's jurisdiction – but it was specifically left in a manner that it was to remain in a natural state.
- Carl:** I do recall that.
- John:** Yeah, so it is subject to Article 97, but it's not pertaining to Conservation land. That's something you'll see in the Town Warrant in the Town meeting, but it's not land that has to go before the ConCom; but I just don't want you guys to get confused with that particular Article.
- Carl:** Right, but if it remains under Article 97, it remains open space in perpetuity. Usually what happens, it'll default to us in a sense.
- George:** Carl, I have a copy of the plan if you want to look at it; I'd have to share my screen.
- Carl:** Are you talking about Camp Denison?
- George:** The rail trail, where it abuts Camp Den.
- Carl:** Does anyone want to see that?
- Rachel:** That would be helpful.
- Logan:** Yeah please, thank you.
- Rachel:** I've walked it, I know where it is – but it would be helpful to see.

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

\*George shares his screen.



**Logan:** Yes.

**Carl:** As you can see, right across the way, it's all wetland on the lower part of the screen there.

**Carl:** So, that's where the kiosk is; it's referenced right where your cursor is now. That area is all clear at this point anyway.

**Carl:** Yup.

Page 6 of 50

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

**Logan:** Thank you.

**Carl:** Thanks, George.

**George:** Okay, you're welcome.

**Carl:** Okay, anymore questions on that before we move on? We're almost at the point of needing to open...actually, we do have one item we can address. We could issue a CoC for 38 Brook Street.

**John:** Good night, all.

**Rachel:** Good night.

**Carl:** Good night, John.

### BUSINESS: COC REQUEST FOR 38 BROOK STREET (DEP# 161-0764; GCC# 2013-11)

**Carl:** Julie, did we receive the correct paperwork for this?

**Julie:** Yes, we did.

**Carl:** And it's my understanding that actually no work was done on this, correct?

**Julie:** Steve also confirmed that before he left.

**Carl:** So, if someone would like to make a motion to issue a Certificate of Compliance, please do so.

**Rachel:** So moved.

**Chris:** Second, Candia.

**Carl:** We have a motion; it's been seconded to issue a Certificate of Compliance for 38 Brook Street. Is there any further discussion? Essentially, the applicant has to do this before we can actually move on the next Notice of Intent for the replacement septic system, so you can't have two open at the same time. If there's no further discussion, I'll call into question roll call vote:

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

### ROLL CALL

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

Motion carries.

### BUSINESS: ROCK POND – MINOR MODIFICATION REQUEST

**Carl:** We can wait on the minutes until a little later. Let's see. Do we have Emily for the minor modification; is she on the call?

**Julie:** She said that she couldn't make the meeting, and she didn't really want to continue it to April, so I didn't know if John felt comfortable enough with her memo and the information that she sent, to kind of talk on her behalf.

**John L:** I can, Mr. Chairman if you'd like.

**Carl:** Yeah, go ahead if we've got a few minutes.

**John:** So, in reviewing the request for minor modification, and I'm sure the Commission knows this, but procedurally, there are a few things that need to be addressed. As the Commission knows, the Department of Environmental Protection does not recognize minor modifications. They do allow Commissions some latitude at their discretion, to determine whether or not a modification exists within the footprint of the approved project. One of the first things I would recommend the Commission do, is to decide whether or not it considers this a minor modification, just a small change; a modification that does not change the approved plan to any great extent - does not cross a threshold, and if so, ask the Commission to vote on that. And, having done that, if the Commission does feel that this is a minor modification and does not need an Amended Order of Conditions - in reviewing the project, I would agree that this is a minor change. It doesn't drastically alter the approved project at all.

**Carl:** Essentially, it's a continuation, right?



# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

- John:** Correct. A small change, a continuation. In my opinion, it does not cross the threshold; it does not warrant an Amended Order of Conditions, and if the Commission agrees, just for the record, I would ask that a vote will be taken to confirm that the Commission feels this is minor, and then to approve the minor modification.
- Carl:** And, if you just give a couple statements for the public's edification of what the project is, John, in terms of treatment of Rock Pond.
- John:** Sure. This is an invasive species chemical application to control invasive species. The applicant does say, and I mention this in my briefing memo to the Commission; the applicant does say that there will need to be some signage put up along the shoreline, and just taking a look at that in my recommendations, I do suggest that the Commission verify that the signage is in place, maybe with photographic documentation coupled with a written verification – either by the applicant or, if the Commission so chooses, by the interim agent.
- Carl:** I think in the previous treatments we've had there, and also Pentucket Pond, we had the agent to actually just verify; go down and verify that this was being done. But I would agree with that. This is ongoing treatment; it's not a one-time deal. I mean, it's likely we'll have to do more treatments in the future.
- John:** In perpetuity, yes. Once you start these types of treatments, it's difficult, if not impossible. And, I've worked with Solitude in a neighboring community, with the lake, and this is consistent with modifications that my former Commission has made.
- Rachel:** Just to clarify, John, it's not the actual dealing with the invasive species; it's once you have the invasive species involved, then it's in perpetuity because you can never fully get rid of it.
- John:** Correct.
- Rachel:** It's not the treatment that is causing it; it's the invasive species.
- John:** That is correct.
- Carl:** You can keep it at bay, and that's really the purpose of these activities. Otherwise, the entire pond will eutrophy, and eventually it's going to become a bog.
- Rachel:** Exactly.
- Carl:** After a number of years, it'll just completely fill in. If someone would like to make a motion, please do so.

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

**Rachel:** Mr. Chairman, I'd like to make a motion that the Rock Pond modification be ruled a minor modification.

**Chris:** Second, Candia.

**Carl:** We have a motion and it's seconded, to consider the Rock Pond a minor modification to their existing Notice of Intent. Any further discussion? Okay. I'll call to vote, roll call vote:

### ROLL CALL

<b>Rachel Bancroft</b>	<b>AYE</b>
<b>Chris Candia</b>	<b>AYE</b>
<b>Logan Umberger</b>	<b>AYE</b>
<b>Carl Shreder</b>	<b>AYE</b>

Motion carries.

**Carl:** Very good. I'm sure the people on the pond will be appreciative of that, because actually, this is certainly something that draws them out and gets them involved. They don't want the pond ruined. Unfortunately, the treatment chemicals are very expensive; as in, I think last time I checked, something like \$3,000 a gallon.

**Rachel:** Approximately, the last time I checked it was, yes.

**Carl:** Alright, we'll leave the remaining items till after some of the hearings. Let's see, we have two West Street hearings. I'm going to open them quickly and we're just going to continue those; we've been asked to continue those.

### **HEARING: 47 WEST STREET**

#### **47 West Street (DEP# 161-0889) – State NOI – Continued from 1/19/2023**

Construction of a 16-unit senior housing development.

**Carl:** It being on or after 7:00, I'm going to open up the Notice of Intent for 47 West Street; DEP# 161-0889. That's the construction of a 16-unit senior family housing development. And, we're looking for a continuation date, I think 7:00. And what was the date? To January nineteenth; does someone want to make a motion?

**Julie:** April twentieth.

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

- Carl:** April twentieth, okay.
- Rachel:** Mr. Chairman, I'd like to make a motion to continue 47 West Street to April twentieth at 7:00.
- Chris:** Second, Candia.
- Carl:** There's a motion and it's been seconded, to continue 47 West Street; 161-0889, to 7:00 on April nineteenth, or twentieth?
- Rachel:** Twentieth.
- Carl:** April twentieth at 7:00. All in favor, roll call vote:

### ROLL CALL

<b>Rachel Bancroft</b>	<b>AYE</b>
<b>Chris Candia</b>	<b>AYE</b>
<b>Logan Umberger</b>	<b>AYE</b>
<b>Carl Shreder</b>	<b>AYE</b>

Motion carries.

### HEARING: 47 WEST STREET

#### **47 West Street (DEP# 161-0921; GCC# 2022-07) – NOI – Continued from 1/19/2023**

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

- Carl:** It being on or after 7:05, I'm going to open another Notice of Intent for 47 West Street; DEP# 161-0921; GCC# 2022-07. That's the Notice of Intent for the demolition of existing barn and restoring the grades, and re-vegetating with wildflower mix to benefit pollinators. And we're looking to also continue this one to 7:05, I believe. If anyone wants to make a motion, we can do that.
- Rachel:** Mr. Chairman, I'd like to make a motion to continue 47 West Street to April twentieth at 7:05.
- Chris:** Second, Candia.

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

**Carl:** We have a motion, it's been seconded to continue this Notice of Intent to 7:05 on April 20, 2023. Is there any further discussion? All in favor, roll call vote:

### ROLL CALL

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

Motion carries.

### HEARING: 175 CENTRAL STREET

**175 Central Street** (DEP# 161-0908; GCC# 2022-17) – NOI – *Continued from 2/16/2023*  
Repair existing building into home office / single-family.

#### **Present:**

Brian Farmer (applicant)

**Carl:** It being on or after 7:10, I'm going to re-open 175 Central Street; DEP# 161-0908. That's to repair an existing building into home office/single-family. Actually, it should be on here regarding the septic system. So, actually, this should be listed as a replacement septic system.

**Julie:** I'm sorry, Carl. I went by the project description that was on the State form for 175 (Central Street).

**Carl:** Yeah, I think that's probably wrong. That's actually a repair septic system. I think the applicant applied for a building repair permit for the garage, but what's in front of us is a septic system, and we're considering it a repair as opposed to a new septic system; we can clarify that. Is the applicant online or not?

**Julie:** He is.

**Carl:** If I could have the applicant and/or consultant, and if you could identify yourself for the record, please.

**Brian:** Brian Farmer, Northeast Environmental.

**Carl:** So, they haven't done the third-party on this yet, if I recall. I haven't seen it.

# GEORGETOWN CONSERVATION COMMISSION

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

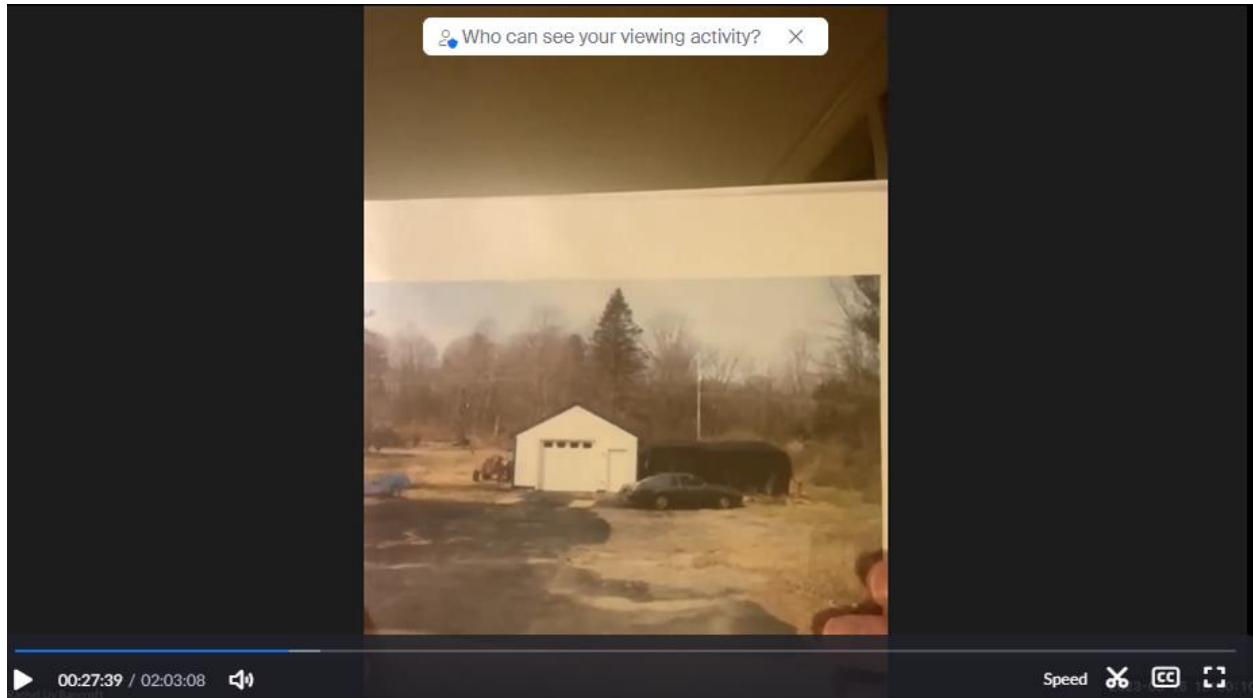
## MEETING MINUTES – MARCH 16, 2023

- Julie:** They just sent us the updated proposal that I forwarded to you guys.
- Carl:** Okay. Yeah, I think I saw that just before I came home. Mr. Farmer, can you give us any further update on this? Anything has changed, other than we're waiting for the third-party to be conducted?
- Brian:** Yeah, just that the deposit was made for the third-party review, and just waiting for the third-party to be authorized.
- Carl:** My understanding is that you're selling this parcel, is that correct?
- Brian:** The property is under agreement to be sold, yes.
- Carl:** Okay. Is the intent that you complete the project? At least this phase of it? Or, is that going to be handed off to the owner, or are you still negotiating that?
- Brian:** He wants me to continue with helping him and get the septic installed, but there's no formal agreement for that.
- Carl:** Okay. So, it looks like until we get the third-party, we're going to continue this, but I did want to also address as part of this process - your building there has expanded significantly in the past couple of years. I know you indicated you had a repair permit from the building department, but you didn't come before us, so that technically is a violation.
- Brian:** There's been no footprint expansion. A site visit can clear that up, but I really have nothing more to say. There's been no expansion.
- Rachel:** Carl, do you need the pictures or not?
- Carl:** Yeah, you have them?
- Rachel:** Yes. This is what it was:

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023



**Rachel:** This was added:

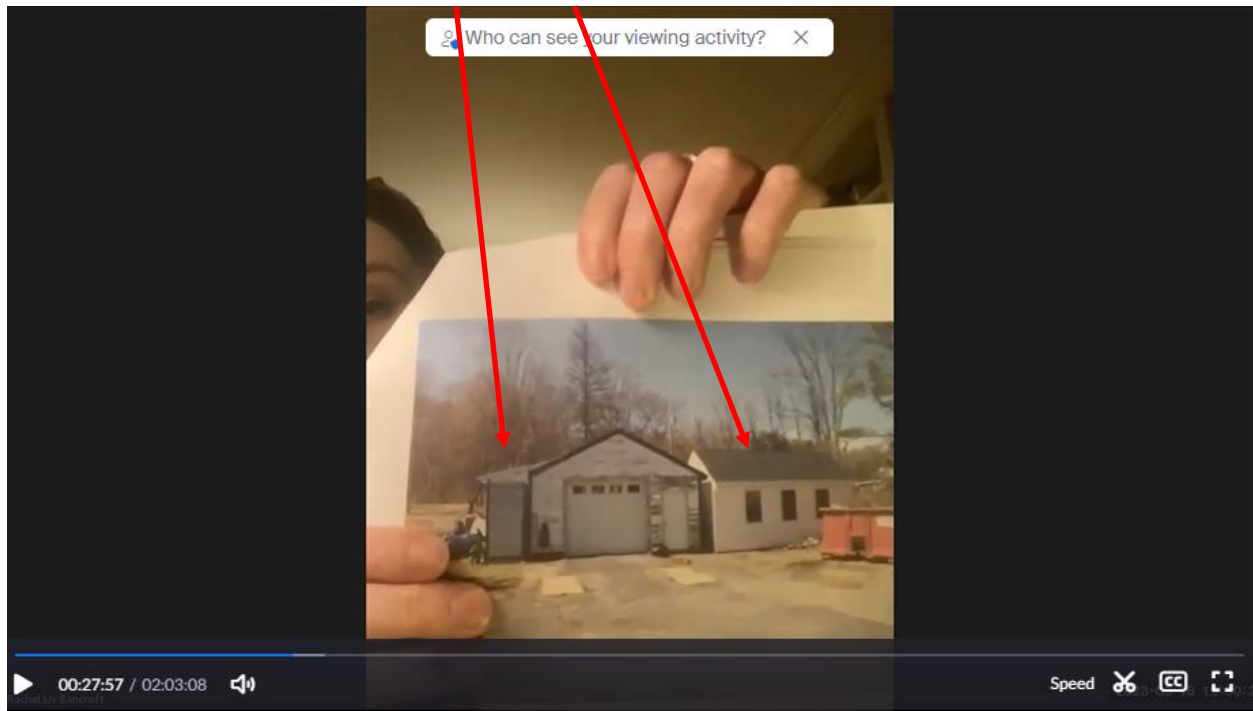


# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

**Rachel:** And then we have this and this:



**Rachel:** And the dates of those were taken over a several year period. I'm just looking for the dates. But, just to clarify that there were expansions.

**Brian:** My only response is that a building permit was obtained. We're just repairing the existing building that was there, and the footing of the bathroom for whatever reason that before the first picture, the walls had collapsed, and it was cleaned up when I first bought the property, which is taking debris out of there. And at one point...

**Rachel:** So, you're speaking about this one?

# GEORGETOWN CONSERVATION COMMISSION

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

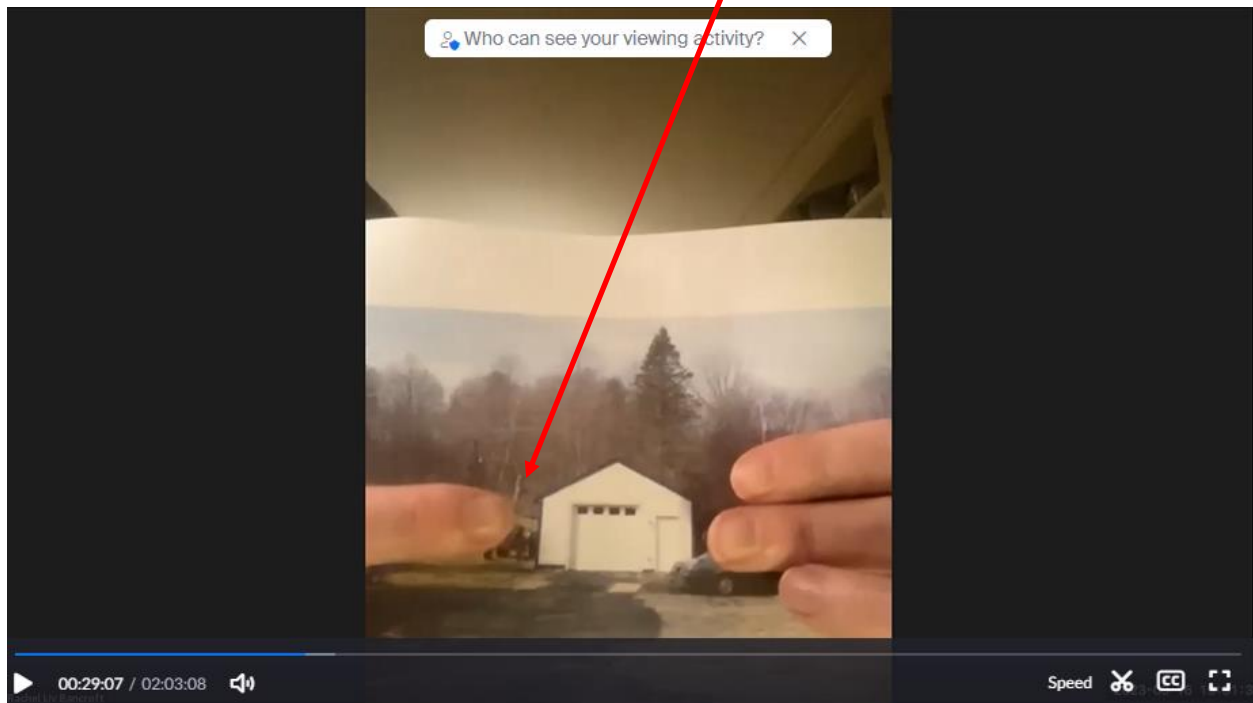
## MEETING MINUTES – MARCH 16, 2023



**Brian:** Yes.

**Carl:** That thing. That black portion on the right-hand side of the picture; that was existing?

**Rachel:** We're talking about what ends up going here:





# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

- Brian:** The original concrete slab is there; it's where the bathroom was. I bought it in 2012. I think within six months of cleaning it up, the prior Conservation agent, he didn't want me to clean up anymore, so it's kind of where, for a long period of time, the project was just in suspension. So, that's that left side of the building where the tractor was. And on the right side, the black tarp, because I couldn't do anything for an extended period of time – that was like a swimming pool cover, and that was just put over that, essentially mothballed, trying to protect that part of the other building, or the other part of the building. You see the newness photo; a repair permit was issued I think in January 2020, I'm pretty sure.
- Rachel:** I have the dates. The first picture was taken in 2008. The second picture was taken in 2017. A small addition was put on the building without a building permit. In early 2021, a building permit was issued to this property. The proposed work was described in the application as "repairing existing garage and auxiliary building" end quote. The third picture was taken 4/8/2021.
- Brian:** So, there's no way that first photo was 2008, because a person I know who I allowed to put the tractor on the property there, was after 2012.
- Logan:** Rachel, do you have electronic copies that you can share with the Commissioners?
- Rachel:** No, this was sent out to the entire Commission.
- Carl:** They probably exist; we'd probably have to...
- Rachel:** They were sent out in 2021. Julie, could you send him this information?
- Logan:** Please. It's hard for me to see in your little square.
- Rachel:** I don't have it available to share. I can't screen share with my phone. But yes, it is all available. This is put together, so it is available in electronic copy if Julie would be so kind and send this to you.
- Logan:** Okay.
- Julie:** The only thing is, is that I'm on Zoom right now. I can't do LogMeIn with Zoom for some reason, so I can't access my files right now.
- Rachel:** Okay.

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

- Carl:** We can email those out to the Commission. I didn't necessarily want to resolve that this evening, but I wanted to bring it up as a potential issue because we're going to have to continue this anyway, because we have to get that third-party done so we can look at the comments and move this forward.
- Julie:** Okay. Can I just make a quick comment about the third-party?
- Carl:** Yes.
- Julie:** Mr. Farmer, I appreciate someone bringing the check in, but the original proposal, as you know, was for a bigger amount, so I didn't deposit that check because it's less than half of what it originally was. I didn't know how you wanted to do that. If you want to come in the office, I could give you the old check, and you can give me an updated one. I don't want to deposit \$13,000 when the new proposal is \$5,800. And then, someone will need to sign the escrow agreement and sign the proposal, to give the go ahead, if that's ok.
- Brian:** Yeah, that's fine. I'll have a new check delivered to you, and we can exchange the checks and sign the agreement.
- Julie:** Okay, that sounds great. I think that you would have to sign the agreement though, right? Since you're the applicant, correct? It wouldn't be the potential buyer; it would be Mr. Farmer; am I correct?
- Carl:** I believe that would be the case.
- Julie:** Okay. I do apologize, but if you want to schedule a time with me, I'll make sure I have everything ready, so it'll just be a nice smooth transaction.
- Carl:** Yeah, for the record – I had a discussion with BSC about the scope of work, and discussions about what needed to be done; what the Commission was looking for, and due to that discussion, they were able to reduce the cost on that to less than half.
- Julie:** That was amazing, thank you for that.
- John:** Mr. Chairman, just for my edification, may I ask a question and make a comment?
- Carl:** Sure.
- John:** It's my understanding in talking to Julie and the Chair, that this is a property that has a Notice of Intent, pending Order of Conditions, and that there is a transaction pending from the current property owner to the perspective buyer; is that correct?

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

- Carl:** That's kind of my understanding. I'm not sure what paperwork has been signed, or documentation at this point; I think the applicant would have to answer that.
- John:** Mr. Chairman, it's been my experience with other Commissions that, and this is a standard language in the Order of Conditions - I don't know if it exists in the current Order, that a notarized letter from the buyer acknowledging the fact that they will assume all legal and financial responsibility once the transition takes place, might be something the Commission would favor to throw in the public record.
- Carl:** It's probably not a bad idea, just so it's clear who is doing what.
- John:** Right, and then Mr. Farmer has brought closure on his end, and then you have something to show that the buyer fully understands the scope of responsibilities; so, you remove ambiguity in the future.
- Carl:** Yeah, I think that's a good idea.
- Brian:** Yeah, it's a good idea.
- Julie:** Yeah, I agree. We can touch base if you want.
- John:** Sure, we can do that. Or, for the applicant, Mr. Farmer, I'm assuming he has a closing attorney, or the buyers have a closing attorney; simply have the attorneys draft something up and have it notarized that we could put in the file, and then we're done with it.
- Julie:** That would be great.
- Carl:** Okay, that makes sense to me.
- Julie:** And, Mr. Farmer I will be in touch with you on Monday, and we can figure out a time that's most convenient for you, to come into town hall and sign the paperwork.
- Logan:** Ok, but John I have a question for you; it's a good suggestion, and I appreciate it. My only question would be, wouldn't we need to establish what the mitigation would be for what the Commission is proposing as what needs to be done for corrective action?
- John:** For the alleged expansion? Yes, but also for the Order of Conditions. Once the property is sold.

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

- Logan:** So, at some point does the Commission have to understand exactly what we felt was done outside of our vote, and then what the corrective action was going to be? When do we have to decide on that? I'm assuming that would be necessary before any document can be written, as to whom owns it going forward? They would want to know what the outcome would have to be, right?
- Carl:** Sure, that's correct. Once we get the evaluation from BSC, we can figure out the next steps, and it really kind of depends on the timeline. Also, when Mr. Farmer wants to move the project with the potential buyer forward.
- Logan:** Okay, so we're just waiting on the third-party report, is that what you're saying? Okay.
- Julie:** I need to get that (third-party review) signed, and get the escrow agreement signed by you and then notarized. We can do that in town hall, and I'll be in touch with you, Mr. Farmer.
- Brian:** Okay, Ms. Cantara.
- Julie:** Thank you so much.
- Carl:** Thank you. And let's see, we need a continuation date on this 175 Central.
- Julie:** April twentieth, and it would be 7:10.
- Carl:** I'll entertain a motion.
- Rachel:** Mr. Chairman, I'd like to make a motion to continue 175 Central Street to April twentieth at 7:10.
- Chris:** Second, Candia.
- Carl:** We have a motion, and it's been seconded to continue the Notice of Intent for 175 Central Street to April twentieth at 7:10; and before we continue it, I should ask, since this is an NOI and we are in discussion – are there any abutters to 175 Central that are out there and want to make a comment? If I don't hear any, we will continue. If you would like to make a comment, please identify yourself for the record.

\*No one comes forward.

**Carl:** Hearing none. Okay, I will call to question – all in favor, roll call vote:

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

### ROLL CALL

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

Motion carries.

### HEARING: 38 BROOK STREET

#### 38 Brook Street (DEP# 161-0930; GCC# 2022-18) – NOI – *Continued from 2/16/2023*

Septic system upgrade.

#### **Present:**

Brian Farmer (applicant)

**Carl:** It being on or after 7:15, I'm going to re-open a Notice of Intent for 38 Brook Street; DEP# 161-0930. That's a septic system upgrade; and Julie, if I'm correct, we did get the green cards on this?

**Julie:** Yeah, everything's all set for this.

**Carl:** Okay. If we could have the applicant, and now we can get into the explanation of this system, once we did the Certificate of Compliance from the previous one. I think that's you, Mr. Farmer.

**Brian:** Yes, Brian Farmer.

**Carl:** If you could kind of walk us through this a little bit.

**Brian:** Okay. I'm not the best skilled here. In brief, there's a leaching field proposed 100-feet beyond, or at the limit of the wetlands setback, and a replacement septic tank. It's going to be a dual compartment tank, complying with the Board of Health Regulations. So, there's like a 1,500-gallon septic tank that flows into a 1,000-gallon chamber, and that's going to dose that tanks and drip dispersion technology; it's innovative by the DEP, and that's going to pressure dose the leaching field outside the...

**Carl:** Now, this also entails enclosing the existing system on 175 Central, that feeds 38 Brook Street; is that correct?

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

- Brian:** Right. Part of the project is discontinuing the use of the leaching field on 175 Central Street. But equally important is the abandonment of the cesspool that's on the property at 38 Brook Street, that's servicing the property on 175 Central Street.
- Carl:** Just to clarify – the leaching field will still be on 175 Central, even though this new system will be on 38 Brook; is that correct? Did I hear you correctly?
- Brian:** It's technically incorrect, because a whole new leaching field is being proposed on 175 Central Street, using the same technology; so, there's no plan to use the existing leaching field on 175 Central Street into the future.
- Carl:** Because, that would tie into this discussion we were having about selling the property and getting the new person involved, as far as agreements and all that kind of stuff. If you've got systems going over one border to another.
- Brian:** Yeah, that's the intention is to, obviously at the final stage, it's just that easement language would be extinguished for the leaching field that's out there servicing 38 Brook Street. You'll hear it in the peer review about maybe using that for the roof drain; you know, there's a field there now, and collecting some of the roof drain runoff from 175 Central Street, and using that leaching field that's existing. But from a septic use standpoint, and the easement language, that would all be extinguished on the existing field.
- Carl:** Okay. Has the Board of Health approved this already, 38 Brook?
- Brian:** Yes, they have.
- Carl:** They have? Okay. John, have you had a chance to review this at all?
- John:** I have, Mr. Chairman. I think it meets the Regulations; I know it meets the Regulations to setbacks. I have no outstanding issues with it. Other than, again, I would ask that the Commission exercise, air on the side of caution; and as I previously stated, request a notarized letter on this issue, stating that the buyers understand the legal and financial responsibilities, and assume them.
- Brian:** That makes sense, and the buyer is aware that the notarized statement with the closing attorney, that language will be inserted.
- John:** Thank you. It really protects everyone.
- Brian:** I agree.

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

- Carl:** Mr. Farmer, are you looking to do this 38 Brook right away? What's your timeline for this?
- Brian:** The language written by the Board of Health was, essentially both projects would happen simultaneously.
- Carl:** Okay.
- Brian:** So, that seems to be the smartest way to do it, both projects at the same time. Being hopeful, I'd say April, but realistically May or June, depending on how the Commission wants to decide.
- John:** Mr. Chairman, it's been a while since I've reviewed a Georgetown Order of Conditions, it's been a while since I've signed one; but I'm assuming that a pre-construction site visit is required to ensure that the Order is recorded at the Registry, approve the erosion control is in, and the DEP sign is in.
- Carl:** That would be correct.
- John:** It's standard. So, that's something that I certainly could do as the interim agent, providing I have a minimum of 72 hours' notice.
- Carl:** And also, I would require these days that we have some written authorization from the applicant that you are allowed to go on the property to do that.
- John:** Yes. Fourth Amendment, Mr. Chairman.
- Carl:** That's correct, we don't just enter people's property; Mr. Farmer, if you could just send that authorization, or the landowner, that would be appreciated.
- Brian:** I will, Mr. Chairman.
- Carl:** Okay. It's pretty standard, but you know, we just want to make sure we're not just wandering on people's property. Okay, does anyone have any further comments? Since this is a Notice of Intent, I'll ask if there's any public out there that is interested in making comments, you can do so if you identify yourself for the record, please. Is anyone out there for 38 Brook Street that would like to make a comment?
- \*No one comes forward.
- Carl:** Okay, hearing none. Would someone like to make a motion?
- Rachel:** To continue it?

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

**Carl:** I don't think we need to continue it, do we?

**John:** No, Mr. Chairman; I find no outstanding issues.

**Carl:** I would entertain a motion to approve.

**Rachel:** So moved.

**Chris:** Second.

**Carl:** We have a motion, and it's been seconded to approve the Notice of Intent for 38 Brook Street, and that's a septic system upgrade. Is there any further discussion? All in favor, roll call vote:

### ROLL CALL

<b>Rachel Bancroft</b>	<b>AYE</b>
<b>Chris Candia</b>	<b>AYE</b>
<b>Logan Umberger</b>	<b>AYE</b>
<b>Carl Shreder</b>	<b>AYE</b>

Motion carries.

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

**Rachel:** So moved, Bancroft.

**Chris:** Second, Candia.

**Carl:** We have a motion, and it's been seconded to close the Notice of Intent for 38 Brook Street. Is there any further discussion? All in favor, roll call vote:

### ROLL CALL

<b>Rachel Bancroft</b>	<b>AYE</b>
<b>Chris Candia</b>	<b>AYE</b>
<b>Logan Umberger</b>	<b>AYE</b>
<b>Carl Shreder</b>	<b>AYE</b>

Motion carries.



# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

### HEARING: 51 WEST MAIN STREET & 13 PROSPECT STREET

#### **51 W Main & 13 Prospect St (DEP# 161-0931; GCC# 2023-01) – NOI – Cont. from 2/16/23**

Proposed installation of a water fountain to improve water quality.

#### **Present:**

John Colantoni (applicant)

Michael DeRosa (from DeRosa Environmental for the applicant)

Paul Martin (third-party reviewer for BSC Group)

Paul Ruvido (owner of the pond)

Walt Gancarz (resident)

**Carl:** It being on or after 7:20, I'm going to re-open the Notice of Intent for 51 West Main Street/13 Prospect Street; DEP# 161-0931; GCC# 2023-01. That's the proposed installation of a water fountain to improve water quality. If we could have the applicant and/or consultant, if you could identify yourself for the record, please.

**John C:** John Colantoni, applicant. I also have Mike DeRosa, my Wetland Scientist on with us as well. Is it alright if I jump right into it, Mr. Chair?

**Carl:** Okay, I just want to indicate that we did receive some documentation from DEP. We also just received a third-party, so there's a lot of documentation going on. Go ahead.

**John C:** Thank you. I first want to give a big thank you to Julie. I know with the transition and stuff, things have been difficult, and she has just been phenomenal on processing and helping us and listening to everything; so, thank you, Julie.

**Julie:** Thank you.

**John C:** John, I've heard great things about you, John L.; thanks for your help as well and for jumping in, so it's nice to see you in person.

**John L:** Thank you, same here.

**John C:** I also want to thank Paul Martin, the peer reviewer, to even get his report in after being sick as a dog as he was, and the storm that he got where he lives, and the tree falling and everything; so, I just want to thank you for getting that peer review in and doing the site walk last week and everything. So, thank you. And thank you, Commission for having us back. So, just to put it in a nutshell for me – we've heard from DEP, we've heard from peer review. Each thing from DEP and peer review is pretty simple. I think Paul hit some nails right on the head on

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

some things that he'd like to have as stipulations, conditions, and we completely understand that; and some of them are ones that we've mentioned in past meetings. The one thing that I'd really like to point out to the Commission is, DEP or peer review, not one mention of this should not be done. Not one mentioned that this could cause damage, or this is not good for the water or anything. So, some conditions, yup; some monitoring, yup; but no one is saying that it should be done. It seems like it can only help. And then to put it even simpler, it's an opportunity for this Commission to get data on a semi-regular basis at no cost on a wetland that's in their jurisdiction, that is being cleaned up more than it ever has been in decades. So, I think that would be a huge positive for the Town and the neighborhood, and we're honored to be a part of it and the meadow that we've created, and the things that we're doing back there. We're hoping that tonight, because what Paul put in, though we just got it today, it's pretty simple reading.

**Carl:** I guess what I'd ask is...

**John C:** Could I just finish with this just for a second? And I appreciate it.

**Carl:** Alright.

**John C:** I appreciate it. My ask would be, once we go through this and hopefully answer some questions for you and stuff, that we might be able to get a vote tonight with this as conditions; so that the Commission get everything that they want, so we can move forward knowing that the things we're going to do to get to the Commission is not going to waste – like, we know that the money that we've spent, and that we're going to spend to keep moving forward is a possibility that it's going to be a definite, as long as we give the Commission what they want. Thank you so much for letting me finish.

**Carl:** Okay. If we approve, we approve it, it's approved. What I'd ask is that you formally address those, and we don't spend a ton of time. I just got the peer review; you just got the peer review. I'd formally address those, come back, and then we can vote on it. As opposed to, if we vote now, it's done; it's closed.

**Rachel:** Mr. Chairman?

**Carl:** Go ahead.

**Rachel:** The DEP letter that came from Alicia - do you want that read that into the minutes, or would you like me to hold off till the next meeting?

**Carl:** If you want to read it, I mean it's part of the record anyway, so.

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

**Rachel:** Yes, or no?

**Carl:** If you want to read it, go ahead.

**Rachel:** Okay. It's dated February 21, 2023; I believe we all received it. It is from Alicia Geilen. "DEP# 161-0931. Although a file # is being issued, please note the following: Project does not appear to be permissible as proposed. A fountain with a light appears to be primarily for aesthetic purposes. The majority of "benefits" listed in ASB Design Group letter are not interests of the WPA (reducing likelihood of excessive algal growth, removing foul odors, decreasing mosquito activity, reducing bottom sediment). Project purports to increase dissolved oxygen (DO) levels in a pond to improve fish habitat, but no evidence was submitted of the presence of fish. It is unclear if the area meets the definition of a "pond". This area appears to be a bog, as supported by MassDEP's Wetlands General Categories (MassMapper), which lists the area as bog/marsh, not open water. If the area is a bog/marsh (i.e., BVW), then the fountain will not "restore" the area. Appendix A notes that aquatic nuisance vegetation will be removed, and vegetation will be thinned or planted to improve habitat value, but these activities are not discussed in the narrative, and the impacts are not quantified. NOI form does not indicate impacts to resource areas. Project was not published in the Environmental Monitor at least 2 weeks before the NOI was submitted. If you have any questions regarding this letter, please contact Alicia Geilen", and then she gives her website.

**Mike:** And, Mike DeRosa, DeRosa Environmental. Just for the record, we responded to Alicia on all her comments, so you should have that in your record as well. We responded to each one of those, and I can go through that if you want to.

**Carl:** Again, what I suggest is you kind of wrap this stuff up in a response tied in with the third-party, and you just come back and say "hey, we've done the following; we've addressed the following", and then at that point, then the Commission looks at voting, as opposed to trying to pre-vote before we have everything wrapped up.

**Julie:** I did send along Mike's comments, but I understand that was before the peer review letter came in; but I did send that to the Commission.

**John C:** Mr. Chair, can we put to bed the DEP thing, since we've already answered those? We'd be glad to respond in public tonight, if that would be helpful to the Commission. Would you like Mike to do that, so at least that piece is handled?

**Carl:** Well, he can address his comments; that's okay. As part of this, I was copied on some response that he had to the DEP, but that was just kind of an email back and forth. I guess what I'm looking for is kind of the combination of wrapping up

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

those concerns in the third-party. As you're aware, even if I said "yeah go ahead and do it", the DEP could, and they have done it in the past, they can issue a Superseding Order if they don't like what we do; and I'm sure you're aware of that, too. Again, I would suggest, since we just got the third-party - formally answer those, and come back to us, and then we have everything wrapped up.

**John L:** Mr. Chairman, if I may.

**Carl:** Sure.

**John L:** I'm assuming that the peer review proposal calls for a supplemental review, is that correct? By Mr. Martin?

**Paul:** Yes.

**John L:** So, to the applicant: Mr. DeRosa's comments could be, I assume, if they have not already been forwarded to Mr. Martin, they can be included in the supplemental review, and Mr. DeRosa would submit a formal reply to Mr. Martin for the supplemental review. The intent here is that by working together, the proposal can be brought into compliance with the Regulations and the performance standards. But, right now I think that it's up to Mr. DeRosa's response, and to be working with Mr. Martin.

**Carl:** I agree. Mr. Martin, since you're on the line, do you want to go over some of your concerns or issues that you brought up?

**Paul:** Sure. They kind of are two general categories, I guess. One is: in the actual application documentation, I point out a number of places, and I know Mike responded to one about that the form checks off that aquatic nuisance vegetation will be removed – but that's not part of the project. But there were probably three or four other activities that were proposed or indicated what occurred that aren't going to occur until...we need some kind of formal documentation for the record; otherwise, as you know, the Order of Conditions is usually issued, premised on the fact that it relies on factual and truthful information provided in the NOI application. So, if the Order of Conditions depends on this particular application and its documentation, there are, in my mind, a handful of things that are stated as occurring, or could occur that are not in fact going to occur. You could eliminate those by putting conditions in the Order of Conditions as one option; but it would be good to have some documentation from Michael against all the points that I bring up. For instance, protection of groundwater and surface water drinking water supply.

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

**Mike:** Those things - we're going to reissue a new form 3; those were things that were carried over from another project, so we apologize for that. Those were Scribner's errors that we're going to clear up with a new form; it's not a big deal.

**Paul:** I didn't think it would be, but I think everyone would agree that we want the documentation to accurately reflect what you guys are proposing. The other comments relate a little bit more to information, you know, justifying the design and the intent. I know, Michael, you did respond to DEP about this not being a fen or bog or whatever - and if you read definitions of bogs being surface runoff, hydrology, fens or intercept ground water, marshes, swamps, or whatever associated with streams and other sources of hydrology; but in order for you to counter the DEP's mapping of this as a potential bog/fen, I think it's coming upon you to provide the information on why you're making that determination. There's also some issues with - if the pond itself extends on the 24R North Street, which it appears to when I look at the Mass Property Map; there's maybe 4 or 5 feet of the pond that appears to extend beyond 13 Prospect Street. I don't know whether you have had any conversations with the owner of that property, because water is a fluid media, what you do on 13 Prospect is going to affect this resource area on 24R North Street. So, I think getting a little understanding of your interaction with that property owner. I think there's statements in the design that the cable route will be left up to the contractor to identify; I don't think that's prudent. I think you need to present where the cable trench is going to be dug, so we can understand its location relative to the resources. Also, the method of anchoring or holding the fountain in position, whether it's anchored or tethered. The tethering is potentially problematic in order to hold it in place, because I don't know whose properties the tether locations would occur on. I also point out that in the plan, it looks like the fountain is not necessarily centered in the pond and appears to be closer to 51 West Main Street, but the plan truncates the pond so you can't really get a good picture of where it's at. And then the one, what appears to be the design plan, has a lot of extraneous information and doesn't necessarily present this project; it seems to be co-mingled with the prior project. It has schematics and stuff for outfalls and other things that aren't even part of this project. I realize for a beneficial ecological restoration project you might not want to spend or waste a lot of money, but we still need to do things properly and accurately, relative to what the Commission is going to approve, and the filing is a little bit confusing.

**Carl:** Thank you.

**John C:** Mr. Chair, may I ask Mr. Martin a question?

**Carl:** You may.

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

- John C:** Thank you, sir. Mr. Martin, thank you again for all your comments and time on this. My question is pretty simple. A lot of the points that you bring up are excellent, and I think it's a great idea even though it costs us more money, to just show the project that the Board is voting on, meaning the water mover and where the water would go, and not have the other things. I think that's great, but if all these things have met, the things that you're asking for - do you see any problems if this is done correctly, on hurting anything out there? Especially if we get some data from it, because we're going to monitor it, to get back to the Commission.
- Paul:** From the concept of aerating a pond that has low DO excursions and exhibits a sign of eutrophication – no, this is a good project, and from that perspective I do believe it falls into the concept of ecological restoration. The challenge is that this is a biological system, and you can't always know what other things are going to happen. For instance, one of the things that I evaluated was whether the aerator fountain was the best technology to use, or whether a bubbler might be better to use. Because, maybe some people, abutters, don't want to see a fountain out there, whereas a bubbler would be less conspicuous and would also potentially be introducing oxygen into the water; and it also creates currents, because as the rising bubbles stir up the water, the challenge with bubblers is, if the sediments have been a stink for decades for excess phosphorus and nitrogen, you actually don't want to stir up the water from the bottom too much and redistribute the excess phosphorus and nitrogen in the water column - because then that backfires; because eutrophication is primarily a nutrient issue. What the oxygen does is, it's like fighting the symptoms and not the cause.
- John C:** You're exactly right, and we gave that information to the company to sort of look over, and what would be the best scenario; and bubblers were talked about, and the reason they were ruled out is exactly what you just talked about – and that's why the one that we're using takes the surface water out. So, you hit the nail on the head. Thank you.
- Paul:** Yeah, I think fundamentally it's a good project. I think you need to tighten up your filing, and give the Commission documentation that is accurate and complete, and potentially helps avoid the DEP issuing a Superseding Order, given her statement that she didn't think this was permissible. I don't know whether she meant that in terms of as filed, there were enough problems with it that a permit shouldn't be issued based on the filing, or whether she thought the fundamental concept was flawed and the project shouldn't be permitted; you can't uncover that from the way she presented that statement. But I personally believe it is an ecological restoration project. It will have benefits, but there is that off chance that something wacky could happen, and that's why I did propose the monitoring and the clause that if, in the future for some reason, the eutrophication is exacerbated, that the Commission has the right to request cessation of use of the fountain. And, I know that the Condo Association wouldn't want to make things

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

worse because it gets uglier for them to have that pond in their backyard; but to have that into the Order of Conditions or the Certificate of Compliance. And, as you were saying, John, it gives some useful information for the Town, so that if this kind of project comes before them in the future, now you've got some evidence of the benefit of this; or if it does cause a problem, then you have that information as well.

**John C:** Thank you very much.

**Carl:** I think you also have to tie this into the fact that we would have to have some sort of...I know you had a letter of agreement between the actual owner of the wetland and the Association, but I think that language would have to be tightened up, given the comments that were made here, too.

**John L:** Mr. Chairman, a comment?

**Carl:** Sure.

**John L:** In my conversation with the DEP analyst, and I certainly don't propose to speak on her behalf; but she stressed that the project as proposed - not that it cannot be approved if it meets the performance standards; again, she stressed as proposed.

**Carl:** Thank you. I think in general, DEP, I've spoken to them before on these kinds of things, and I think DEP likes bubblers versus fountains; that's just my impression. But I think your comments are valid, too – as proposed. I guess the question is, given BSC's comments; when could the applicant address these things, and get us formal responses to these, so we could take the next step?

**John C:** The next meeting is what, April twentieth?

**Carl:** I believe April twentieth, correct.

**John C:** Michael, where we got some of the DEP stuff already answered, is that...

**Mike:** Yeah, all these things are not heavy lifts to get fixed. Many of the things are just administrative things that were on the forms wrong, so Thad Berry can update the plan and come up with a new plan for Paul, so he can see everything on one plan. But there's not a heavy lift here as far as what needs to come up; it's really crossing Ts and dotting I's. So, we can definitely have it for the twentieth. Since we are discussing this tonight, I would like to hear from the Commission if there's any other things; I'm making a list here, based on Paul's presentation. If there's anything else that the Commission feels needs to be in our response, so that we can come to closure at the April twentieth meeting.

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

- Carl:** As I said, I'd like to see the language tightened up. I've worked with Condo Associations before, and they're not very effective or efficient. I would like to ensure that in the future, in perpetuity, that if we would approve something like this, that it would work; you know, the schedules for turning it on and off, and the nuts and bolts of all that; how that would all work.
- John C:** Mr. Chair, you're touching upon two different things, in my opinion. Showing you the language that we would put into the condo docs; we could do that, and it could be very tight. But when it comes to, when's it going to be turned on and when it's going to be turned off, I think some of those things, the Condo Association with the neighborhood has to work – like, are you looking for us to say it's not going to be turned on until...I'm just making things up; nine in the morning, and it's going to be shut off at eight at night?
- Carl:** No. I want a workable system that doesn't start failing from the get go. Condo Associations are notoriously ineffective and don't work, and they squabble amongst each other, and I don't want to have a system where nothing gets done and they can't make a decision; and then we have to get involved and issue Enforcement Orders and all this kind of stuff.
- John C:** I understand your concern, and I respect that. Unfortunately, or fortunately, depending on how you look at it, I'll be involved in a number of years because this is just the type of site that it is, so I think I can play a big role to make sure you don't have a failing Condo Association. I've never had one yet, in all the ones that I've started, but I understand you're concerned and I respect it.
- Carl:** Yeah, we've seen a number of them with septic systems and things like that. They can't figure out what they're going to do; they don't meet, they don't schedule upgrades, repairs - they wait till it's a crisis.
- Paul:** So, comment 7 does refer to development of an operations and maintenance plan that would need to document some of the stuff that you're talking about, Carl, and that that plan; again, because it would get recorded in the Certificate of Compliance, gets attached to the property.
- Carl:** That's actually a great question you bring up, attached to the property. Now, the Condo Association is on one property, and the fountain is on another property. Who gets the document? This is some of what I'm trying to understand.
- Mike:** It would be attached to the Order of Conditions; it would be attached to that.
- John C:** And remember, it's the Condo Association that's responsible for all maintenance, upkeep, electrical – whatever it is, and that would be part of the condo docs.



# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

- Carl:** I'm thinking out loud – does the actual owner have any (inaudible) here?
- John C:** The owner has the right to stop at anytime that he wants to stop it.
- Carl:** I'm assuming that would have to be part of this documentation. Again, if it isn't writing, it's neither here nor there, it's just out there.
- John C:** I apologize if I sound a little frustrated, but some of the things that you're asking for, we don't disagree with, but we don't want to keep putting good money after bad.
- Carl:** I'm just trying to understand it, that's all.
- John C:** It seems like the Commission's going in the right direction, and that if the things are done correctly - the Condo Association wording, the monitoring, the maintenance plan, some of the things that Mr. Martin has asked for; there's no problem in doing those things, but we certainly don't want to come back here on April twentieth with our Ts crossed, our I's dotted and you know, a \$5,000 project turns into \$30,000, and then find out that the Commission was going to vote against it, anyway. Does that make sense?
- Carl:** I understand where you're coming from.
- Paul:** I think that because of the electric connection, and all of that's coming off of 51 (West) Main Street, there's more of a (inaudible) slash maintenance connection to 51, then there is the 13. It's really only going to be the fountain that's out on the 13 Prospect Street property; so that might suggest that more of the burdens for the system is going to be placed on 51 West Main Street.
- John C:** We have the full burden. There's no burden on 13 (Prospect Street) at all, and that's how the arrangement is. I just want to be completely clear with that, I've been since day one; but they do also have the overriding power. If, for some reason they don't like it anymore in the future, or it's causing a problem or whatever – we don't foresee any of that, but they do have that power if they wanted to.
- Carl:** Okay, I appreciate that. Are there any other comments from Commissioners at this point? I want to open it up if there are any abutters out there.

## **PUBLIC COMMENTS**

**Paul Ruvido:** I am the owner of 13 Prospect Street.

**John L:** Excuse me, could you please state your name and address?

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

**Paul Ruvido:** Sorry, I forgot about that. Paul Ruvido, 13 Prospect Street.

**Carl:** Thank you.

**Paul Ruvido:** Yes. John is right, he does have an agreement with me that if I do not like it in the future, it's going to come out. But, like I said in the last meeting, I don't see any future problems because like I said in the last meeting, a simple Google search can answer all these questions very well. So, pretty much I don't see a problem with this at all, and it'll be nice to have it out there to clean up the pond so it's not so ugly all summer, and something refreshing to look at.

**Carl:** Okay, thank you. Are there any other abutters at this point?

**Walt:** Yeah, this is Walt Gancarz. I'm actually a resident a 51 West Main, and I've been on the last few meetings also. If you don't mind, I was going to ask Paul...actually, I'm a professional engineer; actually, spent most of my career in environmental fields, so I just had a couple of questions on the monitoring. You talked about 3 years of monitoring; did you have an idea how often you were interested in getting DO levels?

**Paul Martin:** I mean, it would be nice to do it monthly, from say, April through October; you know, during the period when you're likely to be operating this.

**Mike:** We're proposing it to be monthly, Paul.

**Paul Martin:** Yeah, the critical period is later in July into August when the temperature dries, and the rainfall is lowest; and that tends to be the worst time for DO, but I think it would be worthwhile to document that.

**Walt:** I think something, as you said, like May to October, kind of the critical months; April's still a pretty cool month. But the question too, and I know you'd use a base; a number of, if it dips below 5 milligrams per liter of oxygen – I was wondering what the basis of that was. I've only been familiar with this property for about a year, we actually signed about a year ago. So, it's kind of been observing the area over the last 12 months, and I can tell you that looking at it last summer, I mean it's pretty much fully algae. I would suspect the DO is nil; nil to 2. I'm just saying, you know, part of the Commission wants to have a relatively minimally invasive aerator that's not going to be large or too noticeable. So, for that reason, trying to get it even up to 5 might be tough. My guess is, like I said at this point in time, we're talking about one or two during the summer months. I can't believe that it would, you know, it may not make 5. You'd probably have to have a much larger system to do that. So, I'm just saying that without a baseline, I think I'm certainly in support of collecting data; but I'm just saying that if the

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

numbers came out below 5, but it was certainly an improvement over what we had, I think that's certainly a reason to continue on.

**Paul Martin:** Yeah, and the 5 is partly associated with the State water quality standards for better water quality versus impaired water quality. Most fish species, not all, you know, bullhead and catfish - they live regularly in below 5; but there starts to be impairment of respiration and other functions below 5, and I think the other thing with DO is, it's a vertically challenge. So, you're right. I don't think that a surface aeration like this is necessarily...if the bottom 3 feet is experiencing 0 to 2 milligrams per liter, that this type of system is going to create either enough currents, or by oxygenating the surface area, there's probably not mixing that would have a big effect on the very bottom layer of water. But if the top layer can get improved, you know top 2 feet or something like that, then that's where a lot of the aquatic life is, because they're up more in the photic zone; you could see improvement. As a Scientist, I could, and if I was involved in this I'd be like, let's do some experiments; let's turn the fountain off for 2 weeks, do some measurements, and turn it back on - and then turn it off and turn it back on. You could manipulate the system and see what is the benefit of the aerator or whatever, but I didn't think that was incumbent upon you guys to become water quality research scientists or whatever. But I do think that some manner of documenting that if the water coming out of the winter is 9 milligrams per liter, and in the past there's suspicion that the surface water was dropping below 5, and you can now show that the surface waters are being maintained throughout the summer at above 5, then I think that you're creating better aquatic conditions; at least in the surface waters. And, as I said before, I don't think we want to create such a stirring of the entire pond volume. I suspect with the nature of this pond - the years of fertilizers, and maybe historic septic runoff and other things, that there probably is a fairly good nitrogen and phosphorus load in the sediments, and let's just leave that there.

**Walt:** I agree, and I think the fact that the size of the unit is relatively small, is indicative that it's not going to create this overall stirring and movement of the sediments.

**Paul Martin:** Right.

**Walt:** I'm just pointing out that, if it doesn't make 5, that doesn't necessarily mean it's a failure, because what we might have out there now is 1 or 2; and like I said, I have a picture from last summer, and the pond's green.

**Paul Martin:** Right.

**Walt:** You know, I'm pretty convinced it's not even close to 5; it's probably 1 or 2, and if this thing gets it up to 4, that's better than 1 or 2.

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

**Paul Martin:** Sure. Yeah, did I say that if it didn't reach 5, that it should be considered a failure and get pulled out? I don't think I said that, did I?

**Walt:** I just saw the baseline in there.

**Paul Martin:** Yeah, that's part of the DEP's water quality standards for better water quality versus worst water quality, so that's why I picked it.

**Walt:** Okay.

**Paul Ruvido:** I do have a question. This is Paul from 13 Prospect Street. One of the big benefits I read about water movers is, pretty much at the surface, algae and that green growth has a very hard time rolling with water moving – and that's one of the main reasons why those fountains are used all over the world. And I brought up the Crystal Lake and the lake in Lynn – that was the main reasons why they were put in, is to keep the green algae from growing on the surface and not being so ugly. I thought that was one of the whole points of the water mover, is to keep the water moving so the algae don't build up.

**Paul Martin:** Right. No, I think that Walt and I are in agreement that we're going to see some of that activity as the water gets sucked into the fountain and it gets sprayed out, and then when it lands it's going to cause some of the water to move away and stuff like that; but that is going to be mainly a surface feature, whereas a bubbler with the bubbles coming up from the bottom, it creates a vertical motion to the whole 7 or 8 feet of water – and that's what we don't want. So, I think we're all talking the same thing here; we do all want the surface water quality to achieve higher levels of DO, and the movement and stuff like that. I think this aeration fountain would do all of that, while avoiding some of the negative potential of a bubbler.

**Paul Ruvido:** Yes.

**John L:** Mr. Chairman, just for my edification - are we talking about cyanobacteria?

**Paul Martin:** I don't think that this is a harmful algal bloom situation. Well, I shouldn't say that. I looked at Google Earth and some of the historic photos, and I've certainly seen some of the bright green surface covering. If it's some cyanobacteria, I don't know how many of the people around there have pets or children that have played around the pond or whatever, but if it's cyanobacteria that's as bad as that green covering is, people and dogs would probably be getting ill.

**Mike:** Just for the record here, Mike DeRosa again jumping in – part of the monitoring is to look at the cyanobacteria, John Lopez. Our meter that we use for this will include cyanobacteria as well as DO and a number of different variables; and

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

we're going to be looking at different depths, so we're going to be looking at the surface depth and the first foot or two, and then a deeper sample as well. As you know, these floating fountains are just going to influence the surface of water; it's not going to be dredging things up from the bottom; it's not going to be re-suspending decades old phosphorus, it's all on the surface. I just want to manage expectations a little bit, and have one small, little fountain – so it's not going to be a panacea of help to this pond. Like Walter was saying; if we can take it from 2 to 3, or 2 to 4 in the surface layer, I think that's a good thing. We just need to be careful about what the expectations are from one pump. I think we have a sense of what the Commission wants and what Paul's looking for; I understand what the Chairman is saying that we need to summarize all of this together in one document. I've got a long list of things; we just got Paul's report today, so I haven't had a minute to look at it, but it seems like it's very low-lift kinds of things. Paul's in support of the project. Alicia's review from DEP was from a 30,000-foot height; she's never been to the site; she doesn't know the site – she was just looking at maps on a computer screen. I've responded to all of those in detail. We'll get all of those squared away, we'll square away all of Paul's questions and the Commission's questions.

**Carl:** One additional question I have is, and Mike you had brought this up in your original data, is the PH seems to be a little on the low side.

**Mike:** Well, we got one sample from winter, so. We need a bigger data set there.

**Carl:** Right. As part of this process, that concerned me a little why it was as low as it was, and what possibly is causing it; because from a mitigation standpoint, maybe we want to look at a bigger picture, what the issue is there.

**Mike:** Exactly, I want to look at that. That's why I want to do a monthly sampling; I want to do it from the surface and from the depth, so that we can compare those things, and start to put a database together, looking at those things over time. And, I agree with the May through October. I don't think it's going to hurt to do a couple months in either side of that, just to get the full spectrum of what the pond is doing. I think all that is going to work out to be a good project. I think John and I will work together on more of the administrative things regarding the operation and management plan. How much detail do you want in that, Mr. Chairman?

**Carl:** I want to see a workable procedure that the people who are involved are going to be able to carry it out. Otherwise, it becomes a document or an Excel spreadsheet or Word doc; it stays in a file and nobody looks at it. I've looked at many documents. Someone writes this great plan, it's like great, put it on a shelf; nobody ever looks at it, no one even bothers to read it, and it never gets followed.

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

**Mike:** Understood, okay.

**John L:** So, is the Chair suggesting that it include language that the reports will be submitted for review to the Commission?

**Carl:** Yeah, I would like to see maybe some milestones so we can keep some tabs on what's going on, too. Also, again so it's a useable document for the people involved.

**John L:** Mr. Chairman, my question then is, that seems like it could be involved; it may require a bit more thought than just simple administrative corrections.

**Carl:** It can be a bulletized task list - this is what needs to get done.

**John L:** Does the applicant's representative feel that there is sufficient time to do this; get it to our consultant, and based upon his schedule, to review and provide a supplemental review prior to the next meeting?

**John C:** Again, if I may jump in and answer. Let us do our job. Let us take what the Commission asked and go and do it, and let us spend our money where it should be spent. We understand what the Commission wants. We said that we'll have it done in time for April twentieth. We'll get it to Mr. Martin and you know, if we're not careful, we're going to lose this whole season; even if the Commission wants this, we're going to lose this whole season and not get it in. And if it doesn't get in the season, my project is going to be over in regards to what we have to do back there. And this isn't a threat, I'm just trying to explain to you the process. We won't be able to do it. We can't backtrack it. Do you understand what I'm saying? So, this is the time to try to get this done. Mike's taken a ton of notes. I think we have a real good understanding of what the Commission wants, what Mr. Martin wants, and what John wants, and let us get to it and I think everyone will be happy with what we come back with. But again, to the Chair, I ask – maybe you can take a straw vote right now; we don't want to do all this if the Commission doesn't want to have it.

**Carl:** The straw votes really aren't valid; we don't do them.

**John C:** You can get the Commission's opinion – maybe I used the wrong terminology.

**Carl:** As I said, that's why I ask Commissioners for comments. If nobody's commenting, my assumption is...

**Logan:** I would only comment and say that from an operational maintenance perspective, I'm sure every manufacturer usually has preventative maintenance and operating details in their manuals, so like we just want to start there and leverage that as

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

your checklist. The comment about the PH; maybe Mr. Martin or Mr. DeRosa can comment here, I don't think what's being proposed would have any positive impact on raising the PH.

**Carl:** I agree.

**Logan:** If that's the case, I would assume that's out of the scope of this NOI, and that the Commission look at that separately if there is concern about that; because I don't think that should be tailored to this. I don't think that was something that was an intended benefit proposed by the applicant.

**Carl:** That is true to a degree, but as we're looking at the wellness of a resource area, if we have data that shows as a problem, try to find a solution to that problem; pinpoint the source. I'm not saying that this aerator would have any effect on that, but if we could gather data, we may come to a conclusion what the issue is.

**George:** Mr. Chair?

**Carl:** Go ahead.

**George:** George Comiskey, 45 Old Jacobs Road. I'm on the Planning Board, so usually my comments are restricted to this as a jurisdictional issue, but I can come here as a private citizen and a member of Parker River Clean Water (Association) to comment on some of the proposed project and ask some questions. So, it is kind of a benefit that Mr. Colantoni is in front of the Commission. One thing that I think might be driving the low PH is, this site has historically gone back was once a primary meadow, so I think DEP is right, it definitely has the characteristics of a bog, and bogs have a low PH, they're highly acidic. So, I think that's kind of proof of that. But I wasn't aware that some baseline data...so, was baseline data taken for dissolved oxygen?

**Mike:** Yes. We just have one month of data, and we're going to be continuing that over time during the growing season; so there will be much more data coming, and then every year, we're going to issue an annual report to the Commission, summarizing our findings.

**George:** You take it at different transacts across the pond?

**Mike:** Yes, we're looking at the inlet and then the area near the fountain.

**George:** So, only two areas?

**Mike:** Yeah, only two areas. We're just getting an indication; we're not doing a PhD dissertation on this.

**George:** You're proposing to aerate the whole pond, though.

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

- Mike:** We want to demonstrate what's coming into the pond, and then the area near the fountain; that's the question, so that's what we're focusing on.
- John C:** If I may, to the Chair. George, you just said that we're trying to aerate the whole pond; we're trying to do a simple process here to give some positive back there and do the best that we can, so please don't make it sound like we're...
- Carl:** Okay. Everyone can speak, please don't interrupt anybody.
- John C:** Yeah, but we've got to be careful what we say.
- Carl:** I get it.
- George:** It says here that you want to improve the fish habitat. What type of fish habitat do you want to improve?
- John C:** We've never said that we want to improve the fish habitat.
- George:** It says it right in the DEP comments.
- John C:** No, because it was, and if you read our responses to it, it was a mistake from another application. We don't even have any signs that there's fish in the pond - correct, Michael?
- Mike:** We're not doing this for fish habitat, we're just generally trying to improve the water quality of the pond.
- George:** Have you done any surveys of any wildlife habitat in the pond?
- Mike:** Surveys in what regard? No.
- George:** Reptiles, amphibians; anything like that?
- Mike:** We looked for amphibians several years ago, during the vernal pool season, and did not find anything.
- George:** Okay.
- Mike:** The water quality is so poor. As you know, this pond is taking water from downtown Georgetown, so all the river water runoff comes into this; the turbidity is horrible in the summertime. So, we're trying to do what little we can without taking on a huge project here, because to return this to pristine condition is not what this is about.



# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

**George:** Okay, I just want to understand.

**Mike:** Yeah, that's all.

**Paul Ruvido:** Talking to John over the months about this here, it was just to improve the surface quality. From my understanding, it was never to turn up the bottom of the pond; it was just enough to move the water on the top so it looks prettier. That was my understanding from the beginning with John, and it's small enough to do that, and it's not big enough to upturn everything. I think it's going a little far with this; how far or big this thing is going to be, and what it's going to do. It's a simple water mover, that's it. That was my understanding with John when he first approached me about it months ago.

**Walt:** I think I'd like to just hop in, too - and I think Paul, you put it pretty accurately; I don't think we want to confuse making an improvement with cleaning this pond up in its entirety. I don't think people are talking about trying to get rid of all of the dissolved and suspended solids that have been put there by Town runoff. I don't think we're trying to get rid of ages of nutrients that have been deposited there. I don't think we're trying to adjust the PH. But, any incremental increase in oxygen that can be provided is a positive. I think both the plan for operations of this and monitoring should reflect that. We're not, as Paul said, we're not doing a PhD analysis on here of all water quality there. I mean, that's beyond what we should be required to do.

**Carl:** We're not requiring it; it's just asking the questions. What's the root cause of the problem? You don't know.

**Walt:** I think that's really bigger; you know. And if there wants to be a separate study of that, that's welcome, I'm sure. But I think that this point, the whole idea here is to make a one-step improvement over what is there now. I think that's a positive for everybody.

**George:** I think one thing that might determine it, is MS4 testing; it's going to require testing of the outfalls, and there are some outfalls leading right into this area, so.

**Carl:** Yes.

**Paul Martin:** This is Paul. When I was reviewing the project, I was reviewing it as a project to address a symptom of eutrophication, not a project to address the cause of eutrophication. It's like taking vitamin C when you have a cold, rather than trying to kill the bacteria or something. So, I kind of agree with Walt and folks, that they haven't proposed, and there's no language in anything that they've presented to suggest that they want to tackle the positive factors for eutrophication; they're just trying to address one of the negative consequences of eutrophication.

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

**Carl:** I understand that, but if you're looking at a bigger picture – and I'm not saying that's what the scope is, but you can't solve it if you don't look at the bigger picture, too. And I'm not saying that's going to solve it.

**Walt:** I think George added an excellent point; MS4 testing is going to be critical to this, and certainly welcome seeing the results of that, because that's the inlet water that's coming into this, so that would be a good way of addressing that.

**Carl:** Agreed. So, we're going to have this available for twentieth of April, correct? Because I want to continue this.

**Mike:** Yes, we are.

### END OF PUBLIC COMMENTS

**Paul Martin:** I need to know...we need to back up from the twentieth on when responses – I need a few days to review it and get it to you guys; you're going to want a few days maybe, to chew on my supplemental review response, so we need something from John/Michael; seven days before the hearing, or I don't know what you guys can commit to.

**Mike:** The next meeting is April twentieth...go ahead, John.

**John C:** Paul, if we were to get it to you, and I'd have to talk to Michael first – but if we were to get this to you a week before, can you promise us that we'd get an answer from you the Monday before the meeting?

**Paul Martin:** The twentieth is a Thursday – if you got it to me on the tenth, are you saying?

**John C:** A week before, the thirteenth.

**Mike:** We'll try to get it before that, Paul, just so you have time to review your stuff; because we really want to close this on the twentieth. We don't want to have another night like this on the twentieth. I think we beath this horse to death.

**Paul Martin:** Right. For your sake, if you aimed for like the tenth, that would give me time to get it out to everyone, everyone to chew on it, and you be prepared to further discuss it on the twentieth. So, that's the way I would think about it.

**Carl:** And, if for whatever reason that date starts to slip, please on both sides let us know, because we don't want to waste everyone's time.

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

**Paul Martin:** I don't envision that this next round of review will be quite as intensive as this first round.

**Mike:** Understood.

**Carl:** Okay, is there anything else that we need to discuss tonight? If not, I'd entertain a motion to continue 51 West Main Street to April twentieth at, Julie, give me a time.

**Julie:** 7:15.

**Rachel:** So moved.

**Chris:** Second.

**Carl:** We have a motion, and it's seconded to continue the Notice of Intent for 51 West Main Street, to April twentieth at 7:15. Is there any further discussion? All in favor, roll call vote:

### ROLL CALL

<b>Rachel Bancroft</b>	<b>AYE</b>
<b>Chris Candia</b>	<b>AYE</b>
<b>Logan Umberger</b>	<b>AYE</b>
<b>Carl Shreder</b>	<b>AYE</b>

Motion carries.

**Carl:** I know it's tedious, but I think we've made some progress here.

**Mike:** Thank you, everyone.

**John C:** Thank you, I appreciate all of the time.

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

### HEARING: 10 MILL STREET

**10 Mill Street (DEP# 161-0932; GCC# 2023-02) – NOI – New**  
Replacement of an existing sanitary disposal system.

#### Present:

David Allen (applicant)

Bob Grasso (Engineering Land Services on behalf of the applicant)

**Carl:** It being on it after 7:25, I'm going to open up a new notice intent for 10 Mill Street; DEP 161-0932. That's replacement of an existing sanitary septic system. If I could have the applicant and/or consultant, if you identify yourself with the record, please.

**Bob:** Yes, my name is Bob Grasso from Engineering Land Services. I'm representing 10 Mill Street for a septic system repair/replacement.

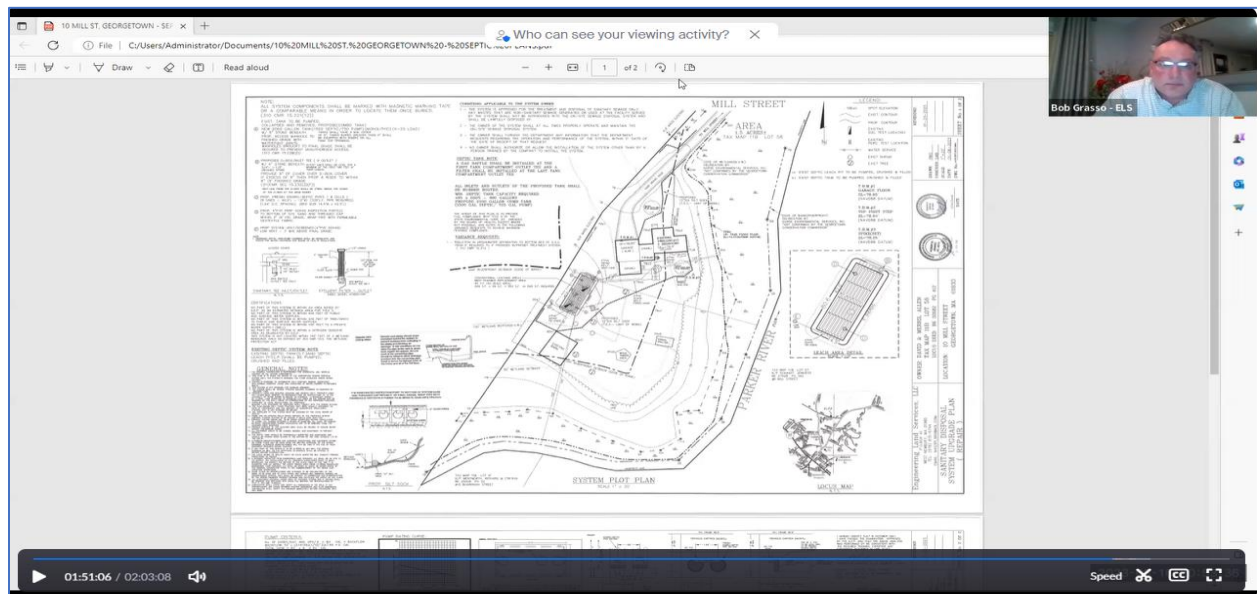
**Carl:** And we got green cards on that? I think I saw something about that.

**Julie:** Yes, we did.

**Carl:** Okay. Go ahead, thanks.

**Bob:** Can I share my screen with the plan?

**Carl:** Sure.



# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

**Bob:** Can everybody see that?

**Carl:** Yes.

**Bob:** This is 10 Mill Street. The existing conditions is a 3-bedroom dwelling. The driveway is a gravel driveway off Mill Street. We had the wetlands flagged by Norse Environmental, 1A through 25A, shown on this line right here.

**Carl:** The Parker River is right along that, correct?

**Bob:** Yes, I'll be getting to that. The other wetland was the C line, which is right here; 1C through 4C, and then we had the river bank of the Parker River, which is right here – 1B through 7B. We've noted on each line that were delineated by Norse Environmental, but not confirmed by the Georgetown Conservation Commission. These lines are only going to be used for this project only. On the wetland buffer we have the 50-foot wetland setback shown here; the 100-foot wetland buffer here, this dotted line; and then on the riverfront we have the 100-foot riverfront – this dash line through here, and then the 200-foot, which is off the property. They have an existing tank right here, existing leach pit here, and existing leach pit out in front of the house. The dwelling is serviced by Town water, which is off of Mill Street. What we're proposing to do is pump and crush the existing septic tank right here, pump and crush and fill the leach pit right here, and there's also a leach pit right here; probably for a washing machine or something like that. That plumbing will be disconnected to that, and connected to the new sewer service, which will be located in the rear of the property. We're proposing a 2,000-gallon septic combo tank shown right here, with a 1,500-gallon and a pump chamber in front of that. We're going to pump it up to a D box shown right here, to a Presby system; there's a 40% reduction in size, compared to a pipe and stone, which would be less impactful on the environmental area, the riverfront area. We're outside the 100-foot buffer here, we're just inside the riverfront area – but we are within the 100-foot buffer for the septic tank. The septic tank is located 61 feet to the wetland, which meets Title 5. And the septic system is located 163, and 115 feet to the wetland here. So, that meets the Local code and the DEP sanitary code. The grade change will probably be about a half a foot. There will be no tree clearing. It's basically an old farm land right here; this is an old barn. It's not used for that right now, it's just a residential property. The only grade change will be about a half a foot above the existing grade. Prior to construction we're going to install a silt sock shown on this heavy dotted line, and then also in the front to protect when we pump and crush that leach pit up in the front area, and the trucks are entering the property; that would be filling in for the sand right here, and the tank truck to install a new tank – so that will all be controlled with the silt sock right here.

**Carl:** So, the existing system is what, a cesspool or?

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

- Bob:** A leach pit.
- Carl:** And it's in failure, I'm assuming?
- Bob:** Yes, it is.
- Carl:** And, what's the timeline for the project?
- Bob:** I believe the owner is here tonight, and I believe he wants to install it this year.
- Carl:** Okay. And, has the Board of Health approved this?
- Bob:** Yeah, the Board of Health has been approved. It's an attachment to the Notice of Intent; that letter is in the Notice of Intent application.
- Carl:** John, do you have any comments?
- John L:** No, Mr. Chairman, I find no outstanding issues.
- Carl:** Any comments from Commissioners? This is a repair, and it's an improvement over the existing system. So, you think the system in the front was a like a dry well, or?
- Bob:** I think that's probably a dry well for washing machine. The primary system was located at the rear of the property. This is going to be beneficial. We're actually replacing the septic system further away from the riverfront and the edge of the wetland, and we're actually doing a technology system that's better than a pipe and stone.
- Carl:** Right. Any abutters to 10 Mill Street? If you'd like to make a comment, please identify yourself for the record.
- \*No one comes forward.
- Carl:** Not hearing any. I don't really have any additional comments. I mean, I think, as I said, I think it's an improvement. You have a failed system. We obviously have to take some action on it, it's been approved by the Board of Health; it's further away from the resource area. I'd entertain a motion if there's no other comments.
- Rachel:** Mr. Chairman, I'd like to make a motion to approve Mill Street - the replacement of sanitary disposal system.
- Chris:** Second.

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

**Carl:** We have a motion, and it's seconded to approve the replacement of the sanitary disposal system at 10 Mill Street. Is there any further discussion? All in favor, roll call vote:

### ROLL CALL

<b>Rachel Bancroft</b>	<b>AYE</b>
<b>Chris Candia</b>	<b>AYE</b>
<b>Logan Umberger</b>	<b>AYE</b>
<b>Carl Shreder</b>	<b>AYE</b>

Motion carries.

**Carl:** I'd entertain a motion to close the Notice of Intent for 10 Mill Street.

**Rachel:** So moved.

**Chris:** Second.

**Carl:** We have a motion that's been second to close the Notice of Intent for 10 Mill Street. Any further discussion? All in favor, roll call vote:

### ROLL CALL

<b>Rachel Bancroft</b>	<b>AYE</b>
<b>Chris Candia</b>	<b>AYE</b>
<b>Logan Umberger</b>	<b>AYE</b>
<b>Carl Shreder</b>	<b>AYE</b>

Motion carries.

**Bob:** Thank you very much for your time.

**Carl:** You're welcome.

# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

### DISCUSSION: POSSIBLE DONATION OF LAND

**Carl:** Okay, I think we just have some meeting minutes. I did want to bring up, as part of the business items – someone is looking to donate some land to the Conservation Commission over on Thurlow Street. I'm evaluating that data, it abuts 66 Thurlow, and we want to make sure it's not part of that, and it doesn't appear to be – because 66 Thurlow was a contaminated site, heavily contaminated with arsenic and lead. So, we don't want to get involved in absorbing it as a potentially responsible party. I spoke with the woman involved with that, so we're in the evaluation process of that; I think it's about 5-acres.

### BUSINESS: APPROVE MEETING MINUTES FROM JANUARY 19, 2023

**Carl:** Okay, meeting minutes. We have meeting minutes from January nineteenth; did anyone read them or have any comments? If nothing, I'd entertain a motion.

**Rachel:** Mr. Chairman, I'd like to make a motion to approve the meeting minutes from January 19th, 2023.

**Chris:** Second.

**Carl:** We have a motion, and it's been seconded to approve the meeting minutes from January 19th, 2023. Is there any further discussion?

**Rachel:** Other than the fact that Julie did a fantastic job, per usual.

**Carl:** And given the fact that we're short of resources, I don't mind that we're a meeting behind; that's not something I want to worry about right now. Okay. Roll call vote, all in favor:

### ROLL CALL

<b>Rachel Bancroft</b>	<b>AYE</b>
<b>Chris Candia</b>	<b>AYE</b>
<b>Logan Umberger</b>	<b>AYE</b>
<b>Carl Shreder</b>	<b>AYE</b>

Motion carries.



# GEORGETOWN CONSERVATION COMMISSION

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

## MEETING MINUTES – MARCH 16, 2023

### CLOSING THE MEETING

**Carl:** We went through everything. I'd entertain a motion for adjournment, if no one has anything else to discuss.

I did want to bring up the fact that, as far as looking for a permanent agent – we've brought John on as a temporary basis as a consultant agent, and I think he's doing a fabulous job. I have been in some discussions with the Town of Merrimac. They're in desperate need of an agent, and they have nobody, and they're looking to share an agent and jointly hire one. My only concern is whether we would get enough hours as we get busier. They're looking to have someone about 15 hours a week, and that would leave us 25. But you know, we may need more than that. But I am in discussions with them about that. They have no staff at all; they have no admin; they have no agent. They have 7 commissioners, though. But again, we are exploring that as an opportunity, too. If anyone has any questions, I can let you know as we find out things. So, again, I'll entertain a motion to close the hearing.

**Rachel:** So moved.

**Chris:** Second.

**Carl:** We have a motion, it's been seconded to close the hearing for March sixteenth; is there any further discussion? All in favor, roll call vote:

### ROLL CALL

<b>Rachel Bancroft</b>	<b>AYE</b>
<b>Chris Candia</b>	<b>AYE</b>
<b>Logan Umberger</b>	<b>AYE</b>
<b>Carl Shreder</b>	<b>AYE</b>

Motion carries.

The meeting was adjourned at **9:03 pm**. Documents and other exhibits used at the meeting will be available for review at the Conservation Office.

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

**GEORGETOWN CONSERVATION COMMISSION**

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

**MEETING MINUTES – MARCH 16, 2023**

**This section is for approving the meeting minutes**

-----

Minutes for the Conservation Commission meeting held on March 16, 2023 were approved by a virtual roll call vote on May 18, 2023. The Chairman will sign the Meeting Minutes when in-person meetings resume.

Respectfully submitted,

Chairman: \_\_\_\_\_  
*(signature)*