

Committee: Conservation Commission.

Date: June 15, 2017.

Time: 7:00pm.

Location: 3rd Floor Town Hall.

Members and Staff present: Carl Shreder, Rachel Bancroft, Rae Baldwin, Laura Repplier and Steve Przyjemski.

The meeting was called to order at 7:07pm by Chairman Carl Shreder.

Conservation Commission Meeting

June 15, 2017

99 Central Street (GCC 2016-17; DEP#161-0832) ANRAD – (cont.) Wetland delineation.

C. Shreder: I am going to continue the AN-RAD for 99 Central Street.

S. Przyjemski: The 3rd party review is still being done. The applicant has requested a continuation to July 20, 2017.

R. Baldwin: Motion to continue the AN-RAD for 99 Central Street to July 20, 2017 at 7:00pm.

R. Bancroft: Second.

Motion carries 4-0.

64-74 East Main Street (GCC 2017-01; DEP#161-0835) NOI – (cont.) To pave an existing gravel driveway, construct paved parking spaces and install Stormwater management areas within 100 feet of Bordering Vegetated Wetlands and within 200 Foot Riverfront Area.

C. Shreder: We have been asked to continue by the applicant until July 20, 2017.

R. Baldwin: Motion to continue 64-74 East Main Street to June 15, 2017 at 7:10pm.

R. Bancroft: Second.

Motion carries 4-0; unanimous.

R. Bancroft: Motion to approve the minutes of December 15, 2016; January 19, 2017; April 27, 2017; and May 18, 2017; as read by Steve.

R. Baldwin: Second.

Motion carries 4-0; unanimous.

R. Bancroft: Motion to reappoint Andrea Thibault to the Open Space Committee.

R. Baldwin: Second.

Motion carries 4-0; unanimous.

Tenney Street Lot#1 (GCC 2016-18; DEP#161-0830) NOI – NEW

Construction of a 4 Bedroom dwelling. A portion of driveway, utilities and associated grading within the buffer zone of the freshwater wetlands.

C. Shreder: I am going to reopen the NOI for Tenney Street Lot 1. The applicant has requested a continuance.

R. Baldwin: Motion to continue Tenney Street Lot 1 to July 20, 2017 at 7:15pm.

R. Bancroft: Second.

Motion carries 4-0; unanimous.

S. Przyjemski: There are a few administrative items needing Conservation Commission signatures. (1) Extension of time for Turning Leaf; (2) Certification of Compliance on the Order of Conditions at 93 Spofford Street.

{Conservation Commission signs the documents.}

L Replier: I would also like to discuss Camp Denison.

{Conservation Commission discusses Camp Denison roadway paving, bathhouse remodeling and other improvement projects.}

C. Shreder: We did some work in progress last year on the Community Gardens. The front access needs to be cleared out to Lufkins Brook.

S. Przyjemski: We are planning to bring an excavator in the fall in conjunction with the Highway Department to create a parking area.

S. Przyjemski: We have Camp Denison bills to pay from their revolving account that total \$1,655.00. There is also a Camp Denison bill from the CPC historic project account for \$594.00.

R. Bancroft: Motion to pay the bills as read by Steve.

R. Baldwin: Second.

Motion carries 4-0; unanimous.

L Replier: What is the status on 15 True Lane?

S. Przyjemski: The fill was removed about 2 weeks ago, which was 4-5 days after the deadline in the EO. Replanting was not done on time but they are planning for next week. The contractor received the EO with \$600.00 of fines.

L Replier: What comes next?

S. Przyjemski: Replanting and three years of oversight for erosion control.

47 West Street (DEP#161-0826) – NOI – (cont.) Construction of a 16-unit senior housing development, with associated grading, roadway, septic system, utilities and stormwater management structures. Portions of proposed project are within the buffer zone to the BVW.

C. Shreder: I am going to reopen the NOI for 47 West Street, DEP#161-0826. The construction of a 16-unit senior housing development, with associated grading, roadway, septic system, utilities and stormwater management structures. Portions of proposed project are within the buffer zone to the BVW. This is a state only hearing.

Michael Seacamp: Seacamp Environmental Consulting.

Richard Morello: Applicant.

C. Shreder: The Site Walk was on June 12, 2017.

S. Przyjemski: Gillian, the BSC Wetland Scientist, did multiple reviews of the wetland line and identified some areas of concern. Mr. Seacamp's theory is that some work was not done during the cleanup that caused the grades to not be returned back to their original grades they the wetland changed over time. The purpose of the site walk was to try to understand better that concept. The Commission needs to weigh in on where is the line. We have spent a lot of time discussing this line, yet my concern is that we haven't got into the stormwater, the Wetland Protections Act and all the discussions about the project, and other impacts.

We need to make a decision on the wetland line. This is the third meeting that we have discussed the line.

C. Shreder: The site is going to have to be ultimately re-disturbed because there is debris on that site. Even if the decision is to move the line back to where it originally was, everything has to be sifted at the site.

S. Przyjemski: The Order of Conditions that was issued for the cleanup with the close out enforcement order had a stipulation, and the applicant agreed at the time that the entire disturbed site, not just the construction site, would be sifted to a 2" diameter down two feet. That was for the entire site. There is a lot of trash and car equipment in the wetland down below that is in town land, and in the parcel that is proposed to be donated.

{Conservation Agent, Conservation Commission, Applicant, and Applicant's Wetland Scientist discussion regarding the wetland line; the philosophy of the original wetland line circa 2003 vs. the current wetland line; extent of site disturbance; health of soil and health of residents who may one day live on that site; the terms of removing the remaining debris; how to condition the site so that it is as healthy as it can be; site cleanup issues; amount of fill; grading plan and engineering schematics.}

Applicant Wetland Scientist: We are expecting a decision tonight. We are not going to give up the project. That is what is going to happen if we allow the wetlands to migrate.

{Conservation Agent, Conservation Commission, Applicant, and Applicant's Wetland Scientist discussion regarding stormwater recommendations from 3rd party review; drainage calculations; increase in flow.}

S. Przyjemski: We never closed out the enforcement action. We could reopen that tonight, re-vote it and say that the cleanup was not complete, and that we will finish it up in an enforcement order.

{Conservation Agent, Conservation Commission, Applicant, and Applicant's Wetland Scientist discussion regarding contaminants; safety of drinking water supply.}

L. Repplier: Can we say that the cleanup is complete? I am concerned with the statement in the 3rd party review that says "might be spreading of hazardous materials".

George Comisky, Parker River Watershed: I am confused about the wetland line. Every three years you are entitled to a wetland delineation. The Commission has resources – they have the DEP Circuit Rider, they have MACCC, to back up what Mr. Seacamp is saying. I am also confused on how we are going by the old stormwater regulations when they were updated in 2008, and how these standards are being met. We know that there is high groundwater there. That's why all the houses are being put on slats. I haven't seen anything but one plan, there is not gradient changes and you would usually see 4-5 sheets showing gradient changes and where the test pits have been dug and things like that.

I was questioning in my letter about what are the groundwater levels near the infiltration basins. We are calling them infiltration basins but are they really? Are they infiltrating anything? What is the storage capacity? I also brought up the fact that we are now putting a catch basin on West Street and bringing water in from the hill, and bringing it on the site, into a trench. To say that we don't need any pre or post runoff calculations because nothing in the site is going to change, to me, it doesn't make sense. I would really like to question our peer reviewer over that.

Jean Mulligan, Resident 48 West Street: I have lived through the junkyard my whole life. My father, and now me, have been attending these hearings since they began over 14 years ago. I am confused because it seems they want to take a little bit out of pre-2003, and some new things now and combine the two. They left, and nothing has been done. What about the fines? Why wasn't this clean-up project finished in 2003? And, why come back 14 years later? So, now this is the second developer (who was once partners with the first developer and no longer is). There was a lot of standstill during the clean-up, and you weren't doing your job (to the applicant). You wouldn't be going through this now if you had done the grading required in 2003.

You can't live in 2003. Its 2017.

L. Repplier: I would like a little more clarity on what the safest way forward for the hydrology of the area that may stabilize whatever contaminants might still be lingering out there. We don't have that information, that data, so when we are deciding whether to go back to 2003, or work with it as it is now, I would like to know what are the ramifications in terms of contaminants, safety, etc. It is possible to know that, or get some idea?

S. Przyjemski: More wetlands typically are better for the environment. They infiltrate more contaminants. A healthy wetland with a good buffer will protect more than anything else. What is existing currently is not equivalent to a forested, wooded, natural area.

{Conservation Agent, Conservation Commission, Applicant, and Applicant's Wetland Scientist additional discussion regarding contaminants; safety, and drinking water supply.}

C. Shreder: There is no quantitate date provided. I would be interested in seeing that. Their own letter provides evidence that the cleanup may not be complete.

S. Przyjemski: To Laura's concern; if we don't know what is better for the environment and the safety of the public (the 2003 or 2017 wetland line) then you do not have enough information to make a decision.

L. Repplier: I would like a very clear accounting of our thinking prior to a vote.

{Conservation Agent and Conservation Commission, discuss the following:

- 1. Lack of clarification regarding multiple comments by the engineers re: questions whether the site is cleaned up or not.*
- 2. Evidence provided by the applicant suggesting that the cleanup was not completed.*
- 3. The stormwater review has not been completed and some major outstanding issues have been identified by our 3rd party reviewer.*
- 4. We have not received a single memo regarding any aspect regarding the review of the Wetland Protection Act and the wetland line.*
- 5. Applicant is refusing to give an overview of the project after over a year of not presenting it- the site plan doesn't have enough detail to really understand and clearly discern what the project is proposing.*

6. *Lack of grading, lack of detail or stormwater. To an abuttor's comment- there is usually 60 pages, and we have only 1 sheet.*
7. *2016 sample data not provided.*
8. *A request to reach out to the circuit rider re: clarification on wetland filling in this situation. We have never done this before, it's important to get some DEP clarification on does this count? Is it grandfathered or not?*
9. *Any delineations that were previously done are expired.*
10. *The applicant is not willing to work with the town confirming the wetland line.*
11. *Outstanding questions about infiltrating potential contaminants into the well fields.*
12. *Verification and other information from DEP. Did they come out and do the approval? Were they aware that grades weren't done properly?*
13. *BSC letter states that the applicant should clarify if there are any elements of the stormwater and or engineering design that are not in conformance with the bylaws and or regulations. There has been no response.*
14. *BSC letter states that the October 2016 letter should be review for any impacts it may have on the engineering or stormwater management design. Of particular concern is the potential for revising the wetland line and how it may impact portions of the project. No response has been provided.*

C. Shreder: After 16 years working with this applicant, and we just come now to the last part and now it's just ram it through without providing closure and details and information. This is an important site. It is right near our well fields. In terms of due diligence the Commission needs to make sure we have the follow through.

We are now requested regardless to come up with a decision with less than full information.

L. Repplier: Also, #4 in the BSC letter states "the change of existing conditions to fair; or the change of post development conditions to poor result in increased peak runoff rate under post development conditions." There is a runoff concern.

L. Repplier: Motion to deny the State NOI for 47 West Street DEP#161-0826 under the Wetland Protections Act only; for all the reasons just enumerated.

R. Bancroft: Second.

Motion carries 4-0; unanimous.

L. Repplier: Motion to close the NOI for 47 West Street DEP#161-0826 under the Wetland Protections Act only; for all the reasons just enumerated.

R. Bancroft: Second.

Motion carries 4-0; unanimous.

66 Parish Road (GCC 2016-21; DEP#161-0834) – NOI-(cont.)

10 lot subdivision on a 40+ acre parcel. An eleventh lot, as well as the remaining 28+ acres, will remain as open space and be donated to the Town of Georgetown. No work is proposed within any Wetland Resource Area other than Riverfront Area, where proposed alteration is less than 10% of the total Riverfront Area on the lot (excluding Stormwater areas).

C. Shreder: I am going to reopen 66 Parish Road. We have been requested to continue by the applicant to July 20 at 7:30pm.

R. Bancroft: Motion to continue 66 Parish Road to June 15, 2017 a 7:30pm.

R. Baldwin: Second.

Motion carries 4-0; unanimous.

R. Baldwin: Motion to close.

L. Repplier: Second.

Motion carries 4-0; unanimous.

Next Meeting Dates: July 20 2017.

List of Documents and Other Exhibits used at Meeting:

Documents and Other Exhibits used at meeting will be available for review at the Conservation Commission Office.

Meeting was adjourned at 9:15 pm.

Next meeting:

Date: _____ July 20, 2017 _____

Time: _____ 7:00pm _____

Place: _____ 3rd Floor Meeting Room _____

Respectfully submitted,

Chairman: _____

(Signature)

Minutes approved by Committee on September 21, 2017.