

APPROVED



**AMESBURY CONSERVATION COMMISSION
MINUTES
SEPTEMBER 19, 2016**

**City Hall Auditorium – 6:30 p.m.
62 Friend Street
Amesbury, MA 01913**

ATTENDANCE: Dennis Moccia, Adrienne Lennon, Steve Langlois, Kinsey Boehl, Alan Corey, Suzanne Egan.

ABSENT: none

ALSO IN ATTENDANCE : John Lopez, Conservation Agent; Barbara Foley, recording secretary.

TRANSCRIPTION BY: Joni Baptiste

Meeting is called to order at 6:40 p.m.

Minutes:

**July 18, 2016, motion by Alan Corey to approve, second by Adrienne Lennon - 5 in favor
August 1, 2016 motion by Alan Corey to approve, second by Adrienne Lennon - 5 in favor
August 24, 2016 motion by Alan Corey to approve, second by Adrienne Lennon - 5 in favor**

Suzanne Egan arrives

Administrative:

Conservation Commission Discussion: Schedule Public Meeting Date

Chairman Langlois is interested in meeting as a Commission to discuss policies, procedure, etc. Barbara Foley to coordinate. Meeting dates to be available by next meeting.

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Enforcement Order – 386 Main Street (Shea)

John Lopez enforcement order issued which required a notice of intent for numerous violations both to the state wetlands protection act and the Amesbury wetland ordinance. Placement of fill within a riparian bank which is in a flood zone, subject to Army Corp of Engineers jurisdiction as well as MassDEP and this commission. The violator will be required to return the bank and the slope to pre-existing conditions (which has been done). The applicant removed a number of trees and paved the driveway all without a valid order of conditions. The enforcement order required some mitigation as well as a review of the activities by our consultant (Mill River). That was done. I recommend that this be tabled to the Notice of Intent discussion under continued business so that this can be addressed in context with the Notice of Intent.

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Steve Langlois We have four applicants who have continued to October 3, 2016:

NOI (002-1141) Village at Bailey's Pond (Fafard Development)

NOI (002-1139) Riverfront Drive & Pleasant Valley Road Map 110, Lot 4A (Desmarais)

NOI (002-1147) 9 - 13 South Hampton Road (Quintal)

RDA - 34 Birchmeadow Road – Fence - (McDermot)

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Enforcement Order – 83 Whitehall Road (Headley)

John Lopez this is an enforcement order issued pursuant to a complaint received about the unauthorized installation of a dock on Lake Gardner which is a great pond. The alleged violations include that of the Mass. Endangered Species Act as the site is estimated as a priority habitat for a rare and endangered species, also the Mass. Waterways Act MGL Chapter 91 that is not administered by the commission. That is administered by the harbormaster. More relevance to this commission would be the ma wetlands protection act and the Amesbury wetlands ordinance. An enforcement order was issued requiring the removal of the dock by the September 18th with the dock to be placed at a distance greater than 50 from the resource area. If the property owner intends to replace the dock, an Notice of Intent would have to be submitted. The applicant has stated that there was a dock at the site preciously. He has asked to address the commission. The applicant has produced a photograph from Google Earth of the dock in 2006.

Suzanne Egan – is there any record with the City of this dock’s existence?

John Lopez not to my knowledge.

Matthew Headley 83 Whitehall Rd. When we purchased the house we came to find out that there was a dock that was there and a storm blew it away. When I rebuilt the dock, I constructed it as it was. Then I made it a floating dock so that it wouldn’t impact any animal or vegetation on the ground and the lake. I called the harbormaster and asked him if it was okay to put a dock on the water. I was led to believe that it was a temporary structure to come in and out of the lake. I assumed that because it was temporary I didn’t have to get a permit.

John Lopez whenever we get a request for a dock, I forward a copy to the harbormaster. It’s unfortunate that it’s not reciprocated. This something that should be addressed at your policies meeting.

Suzanne Egan I suggest that the enforcement order be ratified and an Notice of Intent is required.

Alan Corey did you check to see if the harbormaster had any record of the dock?

Matthew Headley I didn’t think to ask him about that. I assumed that Mr. Lopez would have a record of it.

Motion by Suzanne Egan that the enforcement order be ratified and request a Notice of Intent be filed, second by Adrienne Lennon. AIF

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Enforcement Order – 46 Birchmeadow Road (Wright)

John Lopez this was an enforcement order issued for the removal of trees which were felled by a storm. He plans to replant and has provided a plan

Gary Wright 54 Birchmeadow Road would like suggestion about the uprooted area on the bank.

Suzanne Egan the plan shows where you plan to plant. Your plan also shows a land court line?

Gary Wright there are two separate lots. One is land court the other was divided off the former owners.

Suzanne Egan do you own that parcel

Gary Wright yes

Steve Langlois some of the replanting is on your abutter’s property

Gary Wright after the storm the abutter’s wife told us that some of their saplings were destroyed. We cleaned that area up for her and replaced the trees.

John Lopez the proposed location is adequate. The property owner was given a planting list.

Kinsey Boehl in regards to Item #2 – “in order to insure the storm altered buffer zone is functionally restored, we will attempt to push the uprooted area back”

Adrienne Lennon don’t try to alter that area, just leave it as it is.

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Motion by Suzanne Egan to approve the proposed planting plan and consistent with the briefing memo from the Agent that the remedying areas be planted with grass and that the applicant provide documentation to the commission within one year verifying the health and condition of the plantings. Second by Adrienne Lennon. AIF

Continued Business:

NOI (002-1132) 5 Merrill Street (Linden)

John Lopez this is a notice of intent in support of the proposed construction of a single family house, in-ground pool, cabana, patios and wall plays and associated site grading within 200 feet add of riparian zone to a salt marsh. The applicable laws are the rivers act which is incorporated into the ma wetlands protection act and the city of Amesbury wetlands ordinance. This has been an extremely complicated project. The con com selected Mill River consulting as it's peer reviewer the commission has access to all of the reviews. The applicant's representative is here to provide a briefing to the commission as well as Dan Ottenheimer from Mill River who will provide his findings and recommendations.

Greg Hockmith, Williams and Sparages all Attorney Don Boystein, Jack Sullivan, Sullivan Engineering and our clients, the Lindens.

Greg Hockmith provides review for new commissioners. In 2010 an ANR plan was prepared that created 12 lots. 9 of the lots are currently built upon with single family homes. On ORAD was filed to identify the resource areas. There were a few missing pieces from the ORAD which we identified. One of them is that it didn't actually approve the mean annual high water associated with the tidal creek that exists. When it discussed the tidal creek it based it on indicators in the bank. Because it's tidal it should have based on elevation. So we tied into a known datum in the area and adjusted that. It followed the contour, it modified the riverfront area boundary slightly but not much to have any major bearing. This plan, created in 2010, created 3 lots down the end that had riverfront area associated with them. Our clients purchased the property in 2014/15 with the intent to construct a single family residence. An Notice of Intent was filed, information was provided that showed that the work proposed was within the commissions discretionary 10% threshold however there were a lot more missing pieces. Since the last hearing, the house has been shifted, a rainwater harvesting system has been added, we basically did everything we could to provide as much enhancement and low impact development techniques to the lot itself.

Dan Ottenheimer Mill River Consulting We reviewed this project, all but one small section of this property is within the riverfront area. We faced two unique challenges with this project review. One the applicant's representatives provided incomplete or erroneous information during parts of this application review process which needed the commission's attorney or mill river consulting to point out what needed to be clarified. The ability to engender trust in the information provided was not easy to come by. Williams and Sparages was able to correct information. The second was the project is in a regulatory arena that might not have been envisioned when the riverfront act regulations were written into the wetlands protection act regulations specifically with all projects in the riverfront area the applicant must look at alternatives that are practicable and provide a substantially equivalent economic out come to the project to see if they can be implemented instead of the proposed project. In this instance, not only within the confines of the lot but within all of the 10 or 12 acres that was previously developed. That land is not owned by the applicant so this proved to be rather challenging for the applicant to demonstrate compliance with that particular section of the regulation.

As it relates to the regulations, they state that that applicant is required to provide a preponderance of evidence to demonstrate to three matters: #1 that there are no practicable alternatives to the proposed project with less adverse effects in the interest of the wetland protection act, #2 that there is no substantially equivalent economic alternatives to the proposed project with less adverse effects on the interest of the wetlands protection act, and #3 the project itself will not provide significant adverse impact in their particular standards in the regulations to review that against.

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After reviewing all of the material that was provided to us including some that was provided last week, to the best of our ability we believe the applicant has demonstrated that there are no other practicable and economically equivalent economic alternatives to development on this parcel. We believe that the proposed work on this parcel will not provide significant adverse impact to the resource area as defined in the riverfront regulations. We especially note that the applicant is proposing to provide permanent markers designating the 100 foot set back area so it will be clear in perpetuity what is to remain undisturbed. To that end, Mill River Consulting recommends the commission issue an order of conditions and we are prepared to draft for your consideration which includes some project specific protections that we think are unique and significant to this project. They include strict compliance with the proposed house size, disturbance area, construction practices, and the construction sequence identified by the applicant. A deed notice so that future owners are aware that this project was approved as proposed and that no new disturbance or construction will be allowed beyond what has been requested in this Notice of Intent. Placement of orange snow fence to designate areas not to be entered during construction. Photographic documentation of each tree to be preserved as well as snow fence to be placed around each one during the construction period. Designation by the applicant of an environmental monitor who will provide weekly email reports with photographs. And development of a site specific native species planting plan along with monitoring requirements for those proposed plantings. Two other suggestions are at the post construction certificate of compliance is to be completed by a licensed engineer or surveyor and that there is a requirement for (the applicant has proposed placing signs so that it's clear that this is an area to be undisturbed) that those signs are to be perpetually maintained by future owners and that the permission to perform hand work to maintain those signs is perpetually allowed.

Suzanne Egan Can you address whether or not the intensity of development on this lot has a greater impact on the use of the lot versus a less intense use of a single family residence.

Dan Ottenheimer the standard for determining where there is no significant adverse environmental impact – some of them are black and white and some of them are a little grey. The black and white ones speak to the fact that there is no endangered species being impacted which there are not. The black and white one says is there a hundred foot wide non-disturbed wildlife corridor. Which there is. It says is appropriate sediment and erosion control being implemented during construction, which there is. The grey area is up to 10,000 square feet of the lot can be requested to be altered. The applicant did provide different scenarios within the lot which seemed reasonable to us and came away with this particular configuration which is 7,500 square feet of disturbance.

Kinsey Boehl The other point was to demonstrate compliance with the alternatives analysis. Can you briefly describe how that was done?

Dan Ottenheimer that was the hardest part of this project because the alternatives analysis requires them to look at not only what is happening here, but what could be the potential subdivision of the large parcel into lot without impact to the riverfront. The parcel was subdivided 8-10 years ago. It's hard to retroactively apply those standards. They made their best faith effort to demonstrate.

Motion by Kinsey Boehl to issue an order of conditions for Notice of Intent 002-1132 5 Merrill Street with the specific items that are recommended by Mill River Consulting in a letter dated 9/19/2016 for mitigation included, second by Suzanne Egan.

discussion (Steve mention of third party reviewer) (**Suzanne** – we have a letter dated September 9th is a completely different conclusion than what you presented. Could you address that)

Dan Ottenheimer we reviewed their most recent submission from August and wrote that letter on Sept. 9th when we found significant concerns. On Sept. 10 or 11, they provided new information to us. We reviewed that new information and submitted a new letter today to your staff. Unfortunately you may not have seen it.

John Lopez when the Massachusetts Legislature enacted the Rivers Act you stated that they did not envision such a scenario. Is it fair to say that this is a precedent?

Dan Ottenheimer no one had any first hand experience with this type of situation.

Steve Langlois there was the mention of a construction supervisor,

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John Lopez our standard Order of Conditions states that an environmental monitor shall be assigned. If the commission likes, I can take care of that or the applicant can select someone.

Steve Langlois if things are in the Order of Conditions they have to be done. Obviously we would like to have reports.

Greg Hockmuth, Williams and Sparages we have intimate knowledge of the site I live in Merrimac and it would be very convenient for me to oversee this project.

VOTE for the motion repeated below

Motion by Kinsey Boehl to issue an order of conditions for Notice of Intent 002-1132 5 Merrill Street with the specific items that are recommended by Mill River Consulting in a letter dated 9/19/2016 for mitigation included, second by Suzanne Egan. AIF

Motion by Suzanne Egan to close the public hearing for 5 Merrill Street, second by Kinsey Boehl. AIF

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NOI (002-1150) 385 - 386 Main Street (Shea)

John Lopez at the last hearing the commission retained Mill River Consulting to conduct a review and provide some recommendations on mitigation.

Tom Hughes, Hughes Environmental Consulting We have identified what trees have been removed from the riverfront area. One tree that was removed was about 195 feet from the river. (Provides photo to commission) The other tree was cut over a year ago when they purchased the property. It was a tree right off the sidewalk right next to the driveway that blocked the view of oncoming traffic when you backed out. The project was peer reviewed and based upon that one of the options was to donate \$500 worth of plants for the conservation commission to plant elsewhere. My client is offering \$750.

Motion by Suzanne Egan to accept the contribution of \$750 to be placed in an escrow account for the purposes of replanting and issue a conditional Order of Conditions and left the enforcement order upon receipt of payment of \$750, second by Alan Corey. AIF

Motion by Suzanne Egan to close the public hearing, second by Adrienne Lennon. AIF

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RCoC – 56 - 58 South Hampton Road, Locke Hill, Lot 13 DEP# 002-1103

John Lopez this Request for Certificate of Compliance comes in support of the proposed construction of a single family house with associated landscaping. The commission will note from a site visit conducted by BSC Group that the work has been done in substantial compliance with the approved plans.

Motion by Suzanne to issue a Certificate of Compliance for Lot 13 Locke Hill DEP# 002-1103, second by Alan Corey. AIF

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RCoC – 56 - 58 South Hampton Road, Locke Hill, Lot 4 DEP# 002-1107

APPROVED

John Lopez this Request for Certificate of Compliance comes in support of the proposed construction of a single family house with associated landscaping. The commission will note from a site visit conducted by BSC Group that the work has been done in substantial compliance with the approved plans.

Motion by Adrienne Lennon to issue a Certificate of Compliance for Lot 4 Locke Hill DEP# 002-1107, second by Suzanne Egan. AIF

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NOI (002-1153) 47 Merrimac Street (Buia)

John Lopez this is the proposed demolition of an existing house and the construction of same within the same footprint within a riverfront area. Wetlands Consulting is the peer review.

Robert Prokop, Wetland Consulting Services I have reviewed plans from the project for the demolition of a house 2/3 of which is in the riverfront area. The area around the house is heavily overgrown with many invasive weeds. My main suggestion is to improve the erosion control due to the steep slope. I also suggest that the applicant provide a construction sequence because the location of the site is on a very narrow section of the road. There is very little area for demolition equipment. They are proposing to clear the vegetation around the house. They have provided a small planting plan. I recommend that the project be approved.

Motion by Kinsey Boehl to approve Notice of Intent #002-1153 - 47 Merrimac Street and issue and OOC per the amended plan and include recommendations from Wetland Consulting Services in a letter dated 9/9/16, second by Suzanne Egan. AIF

Motion by Suzanne Egan to close the public hearing for 002-1153, second by Dennis Moccia. AIF

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New Business:

Revised NOI and Extension Request (002-0969) 37 Middle Road (Anderson)

John Lopez this is in support of two things. 1. an amended Order of Conditions and 2. an extension to an Order of Conditions. The original Order of Conditions was approved on or about 2007 so the expiration date of the Order of Conditions was about to expire in July of this year. The applicant requested an extension of three years. The con com agreed to extend it for three months pending the submission of an amended Order of Conditions to address issues consistent with the replacement of a culvert under Middle road. While the applicant was researching this, it was discovered that the wetlands surrounding the culvert which would be impacted by the culvert replacement were never delineated. The applicant is before you with a request to extend the Order of Conditions as well as an approval for an amended Order of Conditions. Site visits were conducted with myself, Mr. Prokop, and Ms. Merrill from DEP concerning the delineation.

Robert Prokop – In July, Stantec stated that there were deficiencies in the plan for the culvert that were drawn by Merrimack Engineering back in 2008. Millenium Engineering then provided us with some upgraded plans and based upon their review and my delineation of the wetlands on Middle Road, we found that there would be an additional wetland impact of 170 sq.ft. We found a place to mitigate the 170 sf by potentially creating and additional 340 sf up where we did the compensatory flood storage area. This plan has been reviewed twice. DEP reviewed a previous version a few weeks ago. They had some recommendations. This is the most current plan. It shows the wetland impact that would occur to replace those two corrugated metal pipes with the big 5 x 7 box culvert. We've shown all the wetlands on both sides of the road. We've included a de-watering plan for

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the culvert. We provided a diversion ditch and a six inch pipe to allow water flow around the work area during construction. This revised plan includes erosion control, a dewatering plan for the culvert, a diversion pipe, a sandbag dam and additional wetland replication none of which was done originally when Merrimack Engineering drew the plan in 2006/7/8 – whenever that occurred. The new buyer said they can do the culvert in November if you approve it and DEP approves it after the appeal period.

Suzanne Egan is this project so substantially changed or amended that an extension of the existing Order of Conditions is no longer appropriate? Everything you've told us tonight is all newly discovered information and a new plan. Aren't we getting so far away from the original Order of Conditions.

My concern is any existing ordinances that are in affect now that were not in affect then or any of the state law that is in affect now would be applicable if this was considered a new project. If this wasn't a part of the old Order of Conditions I don't see how we have the authority to say we're going to permit it under the old law.

Robert Prokop DEP had considerable discussion about this issue because basically what we had was a project that was so poorly reviewed 8 years ago but it was approved. Once we re-investigated the project we found these new issues. Primarily the main issue with the culvert was that there was 170 sf of impact where the old plan said no wetland impact. That was by the previous engineers. It was the same culvert that was designed 8 years ago. DEP has agreed to go with this design.

Motion by Adrienne Lennon to extend the Order of Conditions for one year and nine months, second by Suzanne Egan. AIF

Motion by Suzanne to continue the hearing on the amended Order of Conditions until next regular schedule meeting. Second by Adrienne Lennon. AIF

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ANRAD – 14 Cedar Street (Lorenc)

John Lopez this is an Abbreviated Notice of Resource Area Delineation for a proposed wetland line at 14 Cedar St. As the commission will note from my briefing memo, this was the subject of a notice of intent which was withdrawn at a previous meeting. The bordering vegetated wetlands border a deteriorating parking lot. There is a contaminated sediment pile within the parking lot although that's not the subject of this wetlands delineation proposal.

Mary Rimmer, Rimmer Environmental Consulting. Representing Barbara Lorenc, property owner. While the property owner is working with the city to address a drain pipe that runs under the property, we would like to get the wetlands delineated. There are only 4 wetland flags. There were not wetlands on this property until recently and it appears that the City's drain pipe is clogged and water is backing up on to the property.

John Lopez the decision is whether to approve the proposed wetland line or conduct a site visit, or retain a third party to conduct a peer review, which are just two of the options available.

Suzanne Egan have you looked at the site.

John Lopez Yes I have and it seems reasonable.

Motion by Kinsey Boehl to approve the ANRAD and issue an ORAD, second by Alan Corey. AIF

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RDA – 461 Main Street - Lowell's Boat Shop (McKay)

John Lopez this the a proposed installation of a split rail fence and associated planting plan on a riparian bank at Lowell's Boat Shop.

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Graham McKay representing Lowell's Maritime Foundation dba Lowell's Boat Shop. We have bank atop the river that is overgrown. We'd like to neaten it up and install a split rail fence.

John Lopez I performed a site visit and the site is overgrown with invasive species.

Graham McKay we have not provided a planting plan as we want to trim up what is there to keep it below the level of the bank. The fence is to improve the look of the area and to prevent dumping of yard waste.

John Lopez Lowell's Boat Shop is a 501.c.3 non profit and they are requesting a waiver of the application fee. Suggest that a sign be placed on the site during work ACC #002-461

Motion by Suzanne Egan to issue a negative determination for the installation of a split rail fence, post a sign with ACC #002-461 while under construction. Prior to installation of plants a planting plan is to be submitted, second by Alan Corey. AIF

Motion by Suzanne Egan to waive the filing fee, second by Alan Corey. AIF

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RDA - 115 Whitehall Road (Bezanson)

John Lopez request for determination of applicability for the installation of a fence within the 100 foot buffer zone to Lake Gardner. The site is a manicured, maintained lawn.

Kinsey Boehl is an abutter - recused

Eric Bezanson 115 Whitehall Rd. We will do a 6 foot white vinyl fence. There is a city sewer easement at the bottom of the property that's 15 feet down.

Motion by Adrienne Lennon to issue a negative determination for the installation of a fence at 115 Whitehall Road and ask that a sign stating ACC002-115 be in place during work on the site, second by Suzanne Egan. AIF (1 recused).

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NOI (002-1155) 425 Main Street (Sickler)

John Lopez this is a proposed deck to support a proposed hot tub also the installation of 4 sonatubes to be installed by hand. And the extension of a deck over an existing cement pad. No increase in impervious material. This is within a FEMA flood zone

Curt Sickler, 425 Main Street we need to replace the existing deck and we wanted to extend it around the side of the house were there is an existing slab originally intended for garage.

Motion by Suzanne Egan to continue to the October 3 meeting and request the applicant to provide a plan showing existing conditions and proposed project, second by Adrienne Lennon. AIF

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NOI (002-1156) 69 Pleasant Valley Road (Pease)

John Lopez this is a proposed repaving of an existing driveway within the riverfront area. The area in question measures 2,475 sqft. Recommend to approve.

Motion by Suzanne Egan to issue an Order of Conditions based upon the material submitted, second by Alan Corey. AIF

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Motion by Alan Corey to close the public hearing, second by Dennis Moccia. AIF

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RCoC (002-1104) 56-58 South Hampton Road – Lot 12 DEP#002- (Locke Hill – Coullard)

John Lopez Request for a certificate of compliance for the construction of a single family house with associated landscaping pursuant to our monitored report dated last Friday from BSC the work has been done in substantial compliance. This house did require granite bounds with our no-cut medallions which have been installed.

Motion by Suzanne Egan to issue a certificate of compliance for 002-1104 Lot 12 at 56-58 South Hampton Road. Second by Dennis Moccia. AIF

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NOI (002-1158), 6 Star Lane (Jennings)

John Lopez this is another casualty of the microburst. The property owner has a significant amount of damaged trees some of which compromised his seawall. The applicant is here with a proposed replacement and repair of the existing wall.

Rob Jennings, 6 Star Lane as stated, we had a microburst go through the area and our wall was damaged. A large oak tree that was approximately 85 years old damaged the wall. We want to repair the wall in kind and re-plant with some native trees. The contractor is Greeley Farms Landscaping.

Suzanne Egan it would be helpful to see a plan that shows where drainage and silt barriers and where storage for construction materials will be. And some sort of construction information regarding the excavator and how we can limit the impact on the resource areas.

Kinsey Boehl I would like to see the applicant submit a request for waiver to do work within the 25 foot no-disturb area.

Motion by Kinsey Boehl to continue 002-1158 so that a request for waiver can be submitted and staff can have a draft Order of Conditions for October 3 meeting, second Suzanne Egan. AIF

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NOI (002-1154) 79 Pleasant Valley Road (Lautman)

John Lopez this is a request to repave an existing driveway. No increase in footage is proposed.

David Lautman, 79 Pleasant Valley Road this is simply a request to fix the current driveway before winter.

Motion by Adrienne Lennon to approve the Notice of Intent 002-1154 and issue a Order of Conditions, second Alan Corey. AIF

Motion to close Kinsey Boehl, second by Alan Corey. AIF

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RDA – 254 Lions Mouth Road – Woodsom Farm (Essex County Greenbelt Association/Williamson)

John Lopez this is an RDA pursuant to a proposed race along the established trail through bordering vegetated wetlands through Woodsom Farm. 1. The activity is proposed to take place within jurisdictional area, 2. the non

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jurisdictional component is that the commission does have oversight of this section of Woodsom farm as conservation land.

Mary Williamson, representing Essex County Greenbelt asking for a negative finding on the RDA that our use for the trail run and family hike had no negative impact on the wetland area.

Kinsey Boehl did anybody walk it to make sure there was no damage during the race.

Mary Williamson we had our own crew go through after the family hike. There was no impact to the wetlands. We de-flagged and took everything that was left over.

Motion by Suzanne Egan to make a negative determination which is good for three years, second by Adrienne Lennon. AIF

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RCoC (2-36) 56 South Hunt Road, a/k/a 34 South Hunt Road (Tighe & Bond)

RCoC (2-42) 56 South Hunt Road a/k/a 34 South Hunt Road (Tighe & Bond)

RCoC (2-255) 56 South Hunt Road a/k/a 34 South Hunt Road(Tighe & Bond)

RCoC (2-380) 56 South Hunt Road a/k/a 34 South Hunt Road (Tighe & Bond)

RCoC (2-399) 56 South Hunt Road a/k/a 26 Hunt Road (Tighe & Bond)

RCoC (2-426) 56 South Hunt Road a/k/a 34 South Hunt Road (Tighe & Bond)

John Lopez this is pursuant to an OOC that was issued for all of the above listed sites in 1993. This was at the former waste management site at 56 South Hunt Road. the con com issued partial certificates of compliance on four of them and on two they required a phase one environmental review to be conducted. We were able to find the minutes of the meetings. The withholding of the COC pending of EPA Phase 1 review makes sense, why they issued only a partial on the others we have not been able to figure out. However, all work has been done to the best of everyone's knowledge in substantial compliance with the approved plans. In reference to the two outstanding that require EPA Phase 1 review it should be noted that since 1993 a significant amount of information, literature and reviews have been generated on the site that are far more sophisticated than what was asked in 1993. So I think to a large extent, that request is obsolete – I think it has been superseded by information that has been submitted in the intervening years.

Motion by Steve Langlois to issue Certificate of Compliance for 002-0036, 002-0042, 002-0255, 002-0380, 002-0399, 002-0426, second by Adrienne Lennon. AIF

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Motion by Adrienne Lennon to adjourn at 9:40 pm, second by Kinsey Boehl. AIF