

APPROVED ON MAY 4, 2015

**CONSERVATION COMMISSION MEETING
CITY HALL AUDITORIUM, 6:30 P.M. - APRIL 6, 2015
62 FRIEND STREET, AMESBURY, MA, 01913
Meeting opened up at 6:40 P.M.**

PRESENT: Steve Langlois, Kinsey Boehl, Michael Bik.

ABSENT: Alan Corey.

ALSO PRESENT: John Lopez, Agent; Paul Bibaud, Recording Secretary.

MINUTES: Mar. 2, 2015: Motion by Michael Bik to approve minutes as presented. Motion was seconded by Kinsey Boehl. AIF.

Administrative:

Enforcement Order, 92 Lake Attitash Rd. (Ryan)

John Lopez: The applicant's representative is present. This is an enforcement order issued by ConCom in October or November of 2014. This is for unauthorized activities within a jurisdictional area to Lake Attitash. The ConCom amended the Enforcement Order on Mar. 2, 2015 with certain dates requiring the property owner to submit a letter to the ConCom stating that they would comply with the required mandates. This letter was to be submitted by March 16, 2015. No letter was received. The second directive, the property owner shall immediately retain a wetlands scientist or engineer who is competent in wetland ecology and soils science and the wetlands permitting process. This person must submit a letter on their company letterhead, saying that they have been retained. It was to be submitted by March 16, 2015. No such letter was received. Item 3: A filing fee associated with the Notice Of Intent along with a draft schedule of the proposed work was to be submitted, by March 16, 2015. That information was submitted after the March 16, 2015 deadline. The enforcement order goes on to stipulate that a proposal identifying the resources and a proposed plan of action will be received by April 13, 2015 with a NOI being presented to ConCom for further deliberations on May 4. I think it's safe to say certainly three (3) of these deadlines have passed. The April 13, 2015 deadline seems improbable at this time. The applicant has retained a representative and has submitted a filing fee, but for that, I defer to the property owner's representative.

*** Commissioner Bik has recused himself from this agenda item ***

Tom Hughes, Hughes Environmental: I was at the last meeting where we talked about amending the order with the additional deadlines.

Unfortunately, the amended order was mailed to Mr. Ryan while he was still in Florida. He had not received it, so we were unaware of all those deadlines. When I called the Agent just after the 16th to inquire about the revised order, that is when we realized that it had been sent out, but we hadn't received it. So he immediately sent it in an e-mail and we went right to work to try and get all those deadlines met. There was some challenge in dealing with an elderly client who was down in Florida and dealing with the logistics of all that. We have gotten you all of those items. The first item which is the letter from Mr. Ryan is in the mail between Florida and my office. A second letter was actually signed by Mr. Ryan today, and a scanned copy was e-mailed into John and the original, Mr. Ryan put into the mail to the city under certified mail. The letters on letterhead confirming hiring, I was at the last hearing to note that I was representing Mr. Ryan, and that was followed up with the agent, and last week you got an e-mail from Millenium, and then followed up today with letterhead in an e-mail. So I have been retained, Millenium has been retained, so you have everything we need in terms of personnel to put together a NOI. We need to document certain conditions. Survey was actually out today as snow has finally melted enough to document conditions. It'll take some time to get an existing conditions plan that we can then compare, using the photographs that have been provided by the agent. Neighbors have said they have photos. I invited them to send those in to me. John, if you got those, if you could forward those to me, we'll use whatever evidence we can to try to figure out what changed on the ground and document that, then we'll come up with a mitigation package. We'll develop a plan and get that together to file a NOI. Doing all that by April 13 is very unlikely. We've been working on that non stop since I was here last. But we can't do that with snow on the ground, so we finally have snow melt, which has been driving this. There is no desire on our part to not comply with deadlines. I was able to confirm with Millenium this afternoon a schedule, so I e-mailed John literally 20 minutes before this meeting. But we're not going to make filing by the 13th. We certainly can make filing for the next meeting deadline, which would be May 11th for the June 1st meeting. We're now in good shape and making progress on a daily basis, because we can access the site, take measurements, compare pre and post, etc. to the extent we can. So we ask that the deadline for filing the NOI be adjusted in the Enforcement Order to reflect the fact that we now have snow melt and we can proceed. We should file by the June meeting at the earliest.

Kinsey Boehl: What would be the earliest you could get an NOI together?

Tom Hughes: It's going to be close for the 11th, because they started field work today, we have to get a draft plan, review the draft plan, confirm that

all the details we need are on it, and this probably will take one more trip of the field crew out to the site, so we're looking at sometime next week for getting the existing conditions finalized. Then we need a week or so to compare that to what we can with photographs, and its tedious to figure out how is this different, looking at all the different angles. So we're looking a two to two and a half weeks to get that work done, another 10 days for the engineering work with any additional drainage that might be produced, then another week to 10 days to put together a NOI. So we're looking at the first week in May at the earliest. May 11 being a deadline does allow for possible discussions with neighbors if anything went over the property lines, discussions with them would need to happen as to how we'd approach that. So I'd prefer to set it for the 11th, but the earliest would probably be the prior week.

Steve Langlois: I think if you're telling us that you'll be ready by May 11, we're good with that.

Tom Hughes: And as soon as we have it ready, we'll file. We have paid the filing fee, as a show of good faith.

John Lopez: So for purposes of the Enforcement Order, We would need to amend the existing Enforcement Order to reflect revised dates. So the stipulation #3, requiring the assessment be conducted, NOI filed, no later than April 13, so when would ConCom want this amended?

Steve Langlois: May 11. I think that makes sense.

Kinsey Boehl: I'd like to add, for discussion points, because of the length of this; I think we should put an enforcement of \$300 per day, after May 11th, if the NOI is not received.

Steve Langlois: Barring some unforeseen disaster occurring.

Kinsey Boehl: We've been talking about this since September- October?

John Lopez: This really could have been addressed the week after the Enforcement Order was issued, in October. All this talk about snow, this is only because the property owner failed to do...

Steve Langlois: But that doesn't have anything to do with the professionals in place now, so it's a different story now.

John Lopez: So May 11th for the NOI, and then \$300 per day under state and local... so make it \$150 per day for State regs and \$150 a day for local ordinance, for a total of \$300 per day. The ConCom has the authority to issue fines under the wetlands act with the state, and also under the local ordinance. You've proposed a fine of \$300 per day for every day after May 11. So, that \$300 a day, is that under the act or under the ordinance, or both, which would result in \$600 per day? Or \$150 each, which is the easy way?

Kinsey Boehl: I would propose \$150 each for each of the two items.

John Lopez: The Enforcement Order, as amended, would appear at the May 4th meeting, so we would be talking about the June first meeting. May 11 is the deadline for the June first meeting, so the applicant and his representative would need to be present at the June 1st meeting.

Tom Hughes: I will plan on being here at the next meeting and giving you an update regardless...and if we file, we'll be at that other meeting.

Motion was made by Kinsey Boehl to modify the Enforcement Order to include verbiage that if the deadline for the NOI is not met by 5-11-15, a fine of \$150 a day to the state and to the local, each for a total of \$300 per day is levied. NOI must be received by May11 and that the applicant or the property owner's representative will appear before ConCom at the June first meeting.

Motion was seconded by Steve Langlois. Vote was unanimous.

Draft Statement for CC sign-off form for: 56 South Hampton Road:

John Lopez: This is in reference to a superceding Order Of Conditions for a wetland crossing at 56 South Hampton Road. The ConCom will recall that this was pursuant to a Notice of Intervention. The department of environmental protection reviewed the amended plans, as submitted, had some suggestions, and those plans were changed under the Wetlands Protection Act, approved and issued under a superceding order of conditions by DEP under the wetlands state act. What the ConCom has before it is a request to approve the amended plans that DEP has approved under the wetlands act, to approve those plans under the Amesbury Wetlands Ordinance; so in essence, we'd be working under one set of plans that are consistent. Legally right now, we have two separate plans that are not consistent. The ConCom has received some language that is recommended to be put into a motion. The DEP file number is #002-1095.

Kinsey Boehl: Motion to accept the amended plans for NOI 002-1095 for 56 South Hampton Road, per the superceding OoC under the Wetlands local Amesbury Ordinance. Motion was seconded by Michael Bik. AIF.

Enforcement Order- Whittier Snow Removal (MaDOT & Walsh Construction)

John Lopez: An Enforcement Order has not been issued yet, it is at the ConCom's discretion. However, this is pursuant to the DEP snow removal policy. There was an e-mail that was circulated in light of the snowfall which we had in Feb. I have all the e-mails. The issue here was, the unauthorized open water dumping of snow off of the Whittier Bridge into

the Merrimack River navigable waterway of the United States. So, the policy that DEP circulated was reminding applicants that if open water snow dumping is necessary, certain criterias would have to be met. 1. they'd have to prove through documentation that all open disposal areas had been exhausted and there is no place to put it, and it would have to be clean, they could not dump the snow on the salt marsh, bordering vegetated wetlands, all that standard stuff like protected or jurisdictional resources. Any open water dumping would have to be open water; there could be no sea ice underneath. The key thing is that DEP would have to be notified prior to said dumping, and then the applicant would be deferred to the local Commission for approval. I was driving to work one morning and witnessed heavy machinery / front end loaders dumping snow off the bridge. I contacted DEP to see if they had been notified of this, and they had not. So that was one indiscretion. I then contacted the applicant and told them that they had to stop, the applicant being DEP. Miss Kenney was my point of contact. She informed me that she would send out an e-mail to the contractor, telling them to cease and desist all snow removal operations until the authority was provided. I asked for a copy of that e-mail and never received it. The applicant's representative from Walsh Construction tells me they never received the e-mail. That is their communication problem. The issue before ConCom is whether or not the violation was deleterious and willful and what should be done about it.

Jess Kenney, from MaDOT: I did forward you a copy of the e-mail to John so the resident engineer Ernie Monroe directed the contractor to stop. But I will re-forward that to you, if you can't find it.

John Lopez: In speaking with that Walsh representative, today, he informed me that he never received that e-mail.

Steve Nininehan, (sp.)Walsh Construction: To clarify some issues that happened, and we're in the process of building the new northbound side of the bridge. We got caught up in a bad time where we got several snowfalls and it accumulated. We have major access constraints even getting materials to and from our location out there. In some areas, it is open steel with a deck on it in some areas, so it put us in a difficult position, for us to get our people out there in a safe condition to work; we had to move snow from those areas. In doing so, we did dump into the river to do that. We didn't take the proper steps and notification that we should have gone through to make that happen. On the day we were notified, we had continued snow on the steel that required hand removal. We had communication break down with what happened with that, but it certainly was just trying to clear that steel. We didn't get the message to our guys quite right out there doing the work. So

by that afternoon, everything was stopped and no more snow removal took place. We got the proper paperwork done, notifying both Amesbury and Newburyport ConComs and that went through the proper channels. We got approval to continue that operation from that point on, for a short period of time, I don't recall the time frame we were given, but we did get a time frame and removed the rest of the snow within that timeframe. Since then, we were 100% clear on what the process needs to be going forward.

Steve Langlois: The concern that bothered me the most when I heard about this is, this wasn't the first storm. You guys are building a \$365M bridge, and you can't follow a simple DEP policy. We are concerned that, what is the next thing, if you don't consider that as something that is important. Mistakes happen. We as a board want to make some kind of statement. I was going to recommend to the board that there is a \$1,000 fine for both DOT and to Walsh, because we want to set a precedent that when something else comes up, we need to make sure that it doesn't happen again. This is open for discussion.

Kinsey Boehl: This wasn't the first violation, either. In the fall, there was dumping of oil / excavation that brought a \$32,000 fine for the destruction of a salt marsh under the bridge. DEP handled that.

John Lopez: I believe the proper procedure is, the communication from the applicant, being DOT, that information should have been disseminated to Walsh Construction. I recall in my conversation with Miss Kenney, that she said she had considerable in house meetings on this subject about whether to seek approval or notify DEP or not, as I recall.

Jess Kenney: We were not aware that this was happening on this project. So MassDOT was considering other contractors requests to dump snow in open water. We knew that if we allowed someone to do it on one project, someone else would ask, but we would've been going through the proper channels. So that was that conversation. MassDOT told Walsh Construction that they could not dump snow until appropriate approval was received.

Kinsey Boehl: Motion to fine MassDOT and Walsh Construction \$1,000 each for this incident. Motion was seconded by Michael Bik. AIF.

John Lopez: So this would have to be done through the issuance of an Enforcement Order to both parties, and with a date specified as to when the fines would be received. Both of you guys have beaurocracies, I'm sure, so how long would it take?

Paul Malloy, MassDOT engineer for District Four Construction: Can we have a discussion re: MassDOT? I'm not sure what MassDOT 's responsibility is in this and how we'd get fined. We did tell them that they weren't allowed to do it. We walked them through the process afterwards.

We did notify them that morning. So I'm not sure why MassDOT would also get the fine.

Steve Langlois: I'm not sure what the hierarchy is, but it seems to me that somebody would've come forward.

John Lopez: And usually the applicant is legally responsible.

Paul Malloy: Who is the applicant?

John Lopez: MassDOT... Timothy Dexter.

Kinsey Boehl: MassDOT manages this project, right?

Paul Malloy: We do. We're working with them every day for compliance and stuff.

Steve Langlois: Do you have people on site at the project?

Paul Malloy: We do, but it is my understanding this happened early in the morning and our guys weren't out in the field yet. Once we found out and became aware of it, they were told to stop.

John Lopez: Who was fined for the salt marsh incident?

Jess Kenney: Walsh Construction, the contractor.

Steve Langlois: MassDOT is state run. We depend on you just as much as a private contractor. You need to share the blame on this one, and next time when it comes up, you can both make sure it doesn't happen. Or we just let it keep happening?

Paul Malloy: We've been working with the contractor, so it's not going to happen again.

Steve Langlois: That's why if we give you a fine, it'll help you remember next time. Tell me why you don't think you're responsible?

Paul Malloy: Basically, we're working with the contractors to try and get them to follow the proper procedures, and then this case, we did tell them to stop. Once we found out what the protocols were, we walked them through it.

Steve Langlois: I guess it is up to the board.

Kinsey Boehl: **Motion to have enforcement orders to both MassDOT and to Walsh Construction for a \$1,000 fine. Motion was seconded by Michael Bik. Vote was unanimous.**

John Lopez: What is the date you want me to include in the Enforcement order?

Steve Langlois: I think you've got to say within 30 days of the Enforcement Order.

Request For Information- Lake Attitash (Consigli)

John Lopez: This is a follow up to a request for information from a property owner concerning the management of Lake Attitash. The previous request for information was forwarded to the people responsible for managing Lake Attitash, that being the City of Amesbury DPW, pursuant to the approved Lake Attitash and Amesbury Watershed Management Plan. The property owner has submitted an additional set of questions as a follow up. I think these questions are better suited to the director of DPW, Rob Desmarais who actually manages the lake and has expertise in addressing these issues. So I request that this request for information that the Commission vote to defer this to Rob Desmarais and allow him to address the questions directly to Mr. Consigli.

Motion was made by Michael Bik to direct the request by Mr. Consigli be deferred to the director of DPW, Rob Desmarais, for a direct response to the questioner. Motion was seconded by Kinsey Boehl. Vote was unanimous.

Appeal – 13 Merrill St. (Toth) Continued to May 4.

John Lopez: This is an appeal pursuant to a abbreviated notice of resource area delineation for a wetland located at 13 Merrill Street. ConCom will recall that there is a current order of resource area delineation, a current wetland line, legally binding line on the same property, which differs from the one that was submitted under the ANRAD. The commission in their response stated that the wetlands line as proposed in the ANRAD was not accurate, and it elected to uphold the current delineation. The property owner appealed that decision to DEP. DEP reviewed the case and upheld the ConCom's decision. No further action is warranted at this time.

Enforcement Order – Cease and Desist- 37 Middle Road (Anderson)

John Lopez: This is re: an enforcement order which was issued at the last meeting. I first met with the applicant in Dec. over violations to the ordinance (wetlands) in that they graded over an isolated vegetated wetland. That issue was brought to the applicant's attention. In no uncertain terms, it was well documented in monitoring reports. At the time, the field rep stated that this would be addressed at the Dec. meeting, which came and went. I met with the applicant in Jan. who told me he would retain a wetlands consultant. Jan. and Feb. came and went. The enforcement order states that the applicant, the violator, shall submit a letter to the ConCom stating that they would comply with mandates of the enforcement order. We haven't received anything. The E.O. requires that the applicant retain a wetlands

scientist by Mar. 16 and provide proof. It is my understanding that he attempted to do so, but there was perhaps a conflict of interest in that the wetlands scientist he retained is a former conservation agent for the city of Amesbury, so there was a conflict. He was then deferred to another consultant, who contacted me last week. He was unsure whether or not he wanted to be retained by the applicant. Bottom line, the March 16 date has come and gone. There have been no communications received from him. The E.O. goes on to state that a draft restoration plan be submitted to the ConCom for review by April 17, 2015, for review and approval or approval as amended at the May 4 meeting. I think it is safe to say that these deadlines will come and go as well. This also includes a cease and desist provision. So the applicant cannot do any work on the site. In addition, a memorandum which the ConCom is in receipt of, was forwarded to the PLB, the ZBA compliance officer, the director of DPW, DEP, stating that the Cease and Desist has been issued, and that pursuant to the OoC, all applicable state and local permits must be valid for the project to have valid permits. If one permit is not valid, then none of them are valid. So the applicant doesn't have any valid permits. I have not received any e-mails or communication. This is for a subdivision and it has gone on for a long time. It was originally denied by the ConCom way back. It was overturned on appeal. We've had ongoing issues. This is the second or third enforcement order for this applicant.

Steve Langlois: Seeing that March 16th was the deadline, I think it is time for some motivation.

John Lopez: I think we can take the same language from the enforcement order and simply put in new dates. The ConCom may want to consider fines as a motivator.

Kinsey Boehl: Historically, what is the precedent as far as going back to March 16th?

John Lopez: This would be the precedent. Typically, DEP will issue a substantial fine, but state that they are willing to work with the violator, and if the violator is compliant, that fine can be reduced. This is subject only to the ordinance in that this is an isolated vegetated wetland which is not a protected resource under the Wetlands protection Act at the state level, only under the local ordinance.

Motion was made by Kinsey Boehl to amend the enforcement order to levy a fine of \$150 per day starting tomorrow, until the orders have been met. Motion was seconded by Michael Bik. Vote was unanimous.

APPEAL - 68 Lake Attitash Road (Dow)

John Lopez: This is an appeal on a superceding order of conditions. The property owner submitted a request to remove four trees, along with associated landscaping involving the insulation of 66 native, non-hybridized plants and the repair of an existing stone wall within a buffer zone to Lake Attitash. The ConCom approved the project. The project was appealed by an abutter. DEP reviewed the case, issued a superceding order upholding the ConCom's decision. The abutter appealed that decision to the DEP office of dispute resolution, and that is where it resides right now. I'm just bringing this up to get it on the record.

This is essentially between the dept. and the abutter. The abutter has to prove that she is aggrieved, and that the removal of the 4 trees does not meet the performance standards and regulations of the wetlands act. The presiding officer has stipulated a course of action, but there is no further action required by ConCom. This is just for your edification.

APPEAL – 70 Lake Attitash Road (Dow)

John Lopez: This is an appeal on the commission's approval of the removal of two trees within the buffer zone of Lake Attitash. An abutter (an aggrieved party) has appealed the decision, stating that the removal of the trees may cause damage to the soil and cause erosion to Lake Attitash, and also eroding of a public easement, which she claims to have economic interest in. The pre-trial hearing was held, the presiding court officer recommended to the director of the DEP submitted a motion for dismissal, stating that the individual (the appellant) did not prove that she was an aggrieved party. The director of DEP approved / accepted the dismissal and dismissed the case. The appellant has filed a motion to reconsider, where she has documented which she claims to be various indiscretions about the presiding court officer. This is brought to the commission's attention only for your edification. No further action is required from the ConCom. But getting back to 68 Lake Attitash Road: I have been identified as a hostile witness by the appellant. So I do request that if ConCom wishes to have this matter deferred to City Counsel, to be represented by an attorney, I think it would be appropriate, and I think that ConCom should consider that.

Steve Langlois: Considering the whole history of this whole thing, I think that would be wise to do that.

Kinsey Boehl: Motion to petition Mayor Gray to accept the ConCom's recommendation that they be represented with counsel. Motion was seconded by Michael Bik. AIF.

68 Lake Attitash Road- Request for guidance on Roof Replacement (Hallisey)

John Lopez: The property owner of 68 Lake Attitash Road is with us tonight. She is seeking guidance in a written letter. She wishes to replace her roof. The roof on her existing structure is located within the 100 foot buffer zone to Lake Attitash. She is welcome to speak. The letter requests the ConCom to provide guidance as to whether or not said activity is a regulated activity under the wetlands protection act and the Amesbury wetlands ordinance. If so, how should she proceed? If not, how should she proceed?

Kinsey Boehl: Under the wetlands regulation, there is a section 4 for exceptions, which actually exempts this. “Exemptions may be made for maintaining, repairing, or replacing, but not substantially changing or enlarging an existing and lawfully located structure.” Basically, it says if it is existing, you can maintain it if it doesn’t alter the resource areas, but not substantially changing or enlarging.

Steve Langlois: In the past, when people have wanted to re-roof, of course they’re going to strip the roof. We don’t have a boilerplate document for it but you may have to write it up for her, since she is in dangerous territory?

John Lopez: What I recommend is that the motion be made incorporating Commissioner Boehl’s comments, citing in the regulations and also just citing Section 3 of our regulations, which documents regulated activities, such as any activity that changes pre-existing drainage characteristics, salinity distribution, sedimentation patterns, flow patterns or flood retention characteristics. It is safe to say that a roof is above gradient, so it wouldn’t do any of those things.

Steve Langlois: A big issue would be shingles on the ground being picked up that day. No debris can be left on the ground when the contractor leaves the site for the day. Hopefully that is understood, since its common sense that we don’t want shingles flipped and ending up in the lake.

John Lopez: So no construction debris should be deposited on the ground within the 100 foot buffer zone.

Steve Langlois: Construction debris should be removed from the ground every day and put into a container, outside of the 100 foot buffer zone.

Motion was made by Kinsey Boehl to recommend that this activity is exempt under the Amesbury Wetlands regulations under Section 4 under Repairing or replacing but not substantially changing or enlarging a lawfully located structure, and the debris should be cleaned

up daily and placed in a container outside the 100 foot buffer zone. Motion was seconded by Michael Bik. Vote was unanimous.

9-13 South Hampton Road- Discussion on property evolution (Quintal)

John Lopez: I met with the property owner some time during the summer, this is not an open hearing and not an NOI. This is just a short discussion limited to 15 minutes. But the property owner seeks feedback from ConCom on a property which contains a bordering vegetated wetland. It has been delineated, although no ANRAD has been submitted, and no order of resource delineation has been issued. It was delineated but no formal submissions have occurred.

Carlos Quintal, CAQ Engineering: History first, then I'll ask about the guidance we're seeking, and how to go forward from here. 9-13 South Hampton Road is the old Oxbow restaurant. This was subdivided in 2007 into two lots. Subsequent to that, there was some construction of two houses since the beginning of the project back in 2009. We went through the process of getting a permit from the building dept. to tear down the Oxbow, which we did. At the time, in the existing home which is still there at 9 South Hampton Road, they had a sump pump in the basement, which is just discharging to the surface. At the time, we had this topo to show what the grading was. We can see the yellow highlight, showing that from South Hampton Road, it drains to the corner, where there is a catch basin that is tied into the drainage system, running along the property line and dumps out onto under the old car dealership Frasers building. When we did this, there was no indication of wetlands and part of that discussion was there was a proposal called Heritage Crossing which was for Frasers, and was an affordable housing project. The property we're looking at is 9-13 South Hampton Road. There were no wetlands and clearly there was no reason why there would be wetlands. However, because of the sump pump, what happened is, a trench was dug. It shows in your drawings, and shows where the existing grade from South Hampton Road to the existing back corner and drained out through the catch basin. By digging a trench, then abandoning it because of the economy, construction didn't go forward and still hasn't, we created a condition that ultimately created what is now a wetland. The grading between South Hampton Road and that corner catch basin is not that large and was shallow to begin with. By digging the trench through there, we created a sump that couldn't get to the catch basin and get out, so we created this situation that, under the old local bylaw, would be subject to your jurisdiction. That's where we need guidance. My first question is, would the ConCom entertain restoring to the original? If not, then what would the

ConCom require us to do? I have photos if you wish to see them. When we tore down the Oxbow, we had equipment all over the place, they was no wetland whatsoever and not to be found on any maps. It still doesn't show on any maps, but we created this condition and we obviously need to address.

Steve Langlois: First thing that comes to mind is site visit.

John Lopez: The area is flagged but the ConCom needs to keep in mind that this is not a hearing. This is a sticky one. I would say that the regulations are what they are, and if the applicant wants to submit a proposal that would alter the bordering vegetated wetlands, fill it in, the performance standards are pretty clear that if they can reproduce that wetland at a ratio of 2:1 within the same hydrological unit, that would be an option. But that's pretty involved.

Steve Langlois: I think this gentleman wants to find out if it is going to cost him a lot of money to see if he can develop this land. I'm not authorized to make that decision.

Kinsey Boehl: We can't entertain anything without an NOI or an RDA at minimum. So, based on what you're showing us, there is nothing in the public record, so we can't...

Carlos Quintal: That would be the next step, obviously. It's been delineated, but we've never asked John to verify that.

Steve Langlois: Do we think he should do an RDA?

John Lopez: Well, the delineation has been done, although it has not been submitted, so it hasn't gone through the legal process. That's a double edged sword, because if you do it, then it is legally binding.

Carlos Quintal: That's what I wanted to get a feel for, is if there is any merit to the discussion. I was very bold in talking about restoring to existing.

John Lopez: I think if there is no way around not getting the delineation formalized/ legalized, if you want to proceed, then if you wanted to propose filling in the wetland, for construction purposes, you'd also have a proposal where you would re-create said wetlands at a ratio of 2:1, within the same hydrological unit, then ConCom could entertain such a proposal. DEP only requires 1:1, but we require 2:1. So that is the tough thing. That whole area is pretty wet.

Kinsey Boehl: What are the properties that abut that area? Residential, industrial, commercial?

Carlos Quintal: The old Frasers is here on the corner, there's a residence here and here next door, Frasers comes all the way to the street. As you look at the property, there is nothing to the left, a house to the right, and housing in the back.

Michael Bik: If he does an RDA, even though the original plots were dug out and caused a wetland, if he does the RDA, he's going to get in trouble for covering up the wetlands, right?

John Lopez: It's a wetland, and the act in the ordinance considers all wetlands, whether it is a drainage ditch off of 495, it's a wetland. My recommendation is to have the applicant's consultant really dig into the regulations and determine what it is he would like to do, and if he wanted to construct something there, we have Section 21.7 which shows you where buffer zones are, where no build areas are, no wall structures beyond 35 feet to the edge of the wetlands, and if you meet performance standards, the regulations, then it is fine. But meeting those regulations would be tough. If you don't think you can, the regulations allow for you to submit a waiver. You have to specify what section you want waived and why. You could do that. But that would have to be couched within a NOI submission. So I think you should talk to your consultant, figure out what you want to do that is within the regulations, then if you can do it within regulations, figure out what waivers would be necessary and move forward.

Carlos Quintal: That's consistent with our discussion. I was kind of hoping for something better.

Thank you.

Vice Chair- Nominate/elect ConCom Vice chair

ConCom wishes to wait for full Commission attendance to do this election.

CONTINUED BUSINESS:

**NOI # 002-1107- 56-58 South Hampton Road, Locke Hill Lot 4
(Couillard)**

**NOI#002-1106 – 56-58 South Hampton Road, Locke Hill Lot 5
(Couillard)**

**NOI#002-1105- 56-58 South Hampton Road, Locke Hill Lot 6
(Couillard)**

**NOI#002-1104 56-58 South Hampton Road, Locke Hill Lot 12
(Couillard)**

**NOI#002-1103 – 56-58 South Hampton Road, Locke Hill Lot 13
(Couillard)**

Doing all five items at once.

John Lopez: This is in support of a NOI for the construction of single family homes. The applicant is present this evening. I draw special attention to the BSC report, the ConCom's consultant's report dated Mar. 25, 2015, Supplemental Peer Review, for five single family homes. This is a follow up to the initial review, dated Dec. 2, 2014. The applicant's representative is here to address this, as is the ConCom's representative, Ms. Davies from BSC Group.

Matthew Watski, counsel for the applicant: When we last discussed these five NOIs, it was right at the time that DEP filed the intervention on the access roadway, which you just acted on tonight to accept the modified plans. So DEP has approved the modified design for the roadway, ConCom has approved that as well. Where we left off with the individual lots was, ConCom expressing satisfaction that there really were no issues on Lots 12 and 13, but wanted some additional input on lots 4, 5, and 6. The peer reviewer provided peer review comments and we responded to those, in particular, with detailed alternatives analysis, explaining why the work is proposed the way it is. The March 25 BSC Group letter, I'd say the most important piece of it is in the second paragraph, where it states that BSC is satisfied that due diligence has been achieved with regard to full minimization of the buffer zone impacts. The project is a cluster open space subdivision in which a 21 acre open space parcel is being preserved and actually conveyed in fee title to the city, and having a conservation restriction placed on it. In doing that, the road is shorter, the lots are much smaller, and what we've shown on each of the notices of intent is the maximum extent of work we're seeking to have approved, with a limit of work line and its constraints, so that you just have the minimum size house site, called a building envelope, and the area that would be altered for grading and ultimately the creation of a lawn and landscaped area for the house. Once work is finished and the lots stabilized, then you'd have that limit of work line bounded with concrete or granite posts every five feet, two feet high, consistent both with approved plans and with the conservation restriction that we're proposing to impose on all the remainder of the property. One question asked by the peer reviewer and that we addressed in our response was how we're dealing with storm water, and what the potential impact is from the lots and houses on lots in lots 4, 5, and 6,

because two of the houses come within 25 feet of the wetlands, and the other is 50 feet away. Our response is that, unlike the typical construction proposed within close proximity to wetlands, where you would envision the work taking place and any surface run off flowing directly towards the wetland, these lots are graded in a way so that the water flow is actually flowing parallel to the wetlands into best management practices storm water treatment system with a four bay and an infiltration, and actually no water from these lots that will flow into wetlands. It is all being captured and infiltrated into the ground. That's why we suggest that the combination of this being an open space subdivision with the 21 acres of open space that is being provided, rather than spreading lots out and getting the houses out into the land and disturbing far more land, and the very thoughtful design on the storm water management, so you don't have runoff going directly into wetlands is being managed within the lots and the development. We think this meets all the ConCom's criteria for approval of work within buffer zones.

Kinsey Boehl: In the last paragraph from the letter dated March 25, 2015, from BSC Group: the only open item remaining is the applicant providing information regarding how the areas within the limit of work would be set?

Matthew Watski: The way the lots are designed, you have a small area for each lot, and all of the area that is currently proposed for alteration within the buffer zone would be used on the lot as landscaped area. So we're not proposing to alter anything beyond the limit of what is actually needed for the lot area to have the landscaped area around the house. On lot 4, you have 100 foot buffer zone that is right through the middle of the house, 50 foot buffer zone is relatively close to the rear line, and there is a limit of work line shown right at the rear property line. Our proposal, and what we're asking the Commission to issue a permit for, is the development of these lots with everything that is shown within the lot as area where work is proposed will remain as areas where work has been done and it is landscaped. It is not going to be restored with naturally vegetated conditions. We recognize that the commission has that as called a general standard: any work within buffer zone shall be restored in this way. That is why we're asking for the permit, to be able to do this open space subdivision, have lots worked on and stabilized, and the limit of work line set, and then nothing else will ever happen.

John Lopez: Before the commission's consultant speaks, my principle concern is that the limit of work is clearly marked. Because all too often, I'm put in the unenviable position of knocking on someone's door and saying, that backyard you have really isn't yours, and you have to install granite

bounds right through the middle of it. We have an enforcement order on Spindletree right now where a similar situation exists. My concern is that the buyers (property owners) in perpetuity are made aware that they can't say they'd like to put a swing set over there, and clear the land.

Steve Langlois: Wouldn't an engineer be able to set...

John Lopez: I think attorney Watski has just addressed that. I'd like to have our consultant's input on that as well.

Jillian Davies, BSC Group: In this review of revised materials, I felt they did a good job of explaining their thought process and demonstrating how they avoided and minimized impacts to the greatest extent possible. Their choice of a cluster development does really do a lot to minimize impacts. They did commit to installation of granite post boundary markers spaced at the 25 foot intervals and at each corner of the 25 foot no-disturb zone. So the no disturb will be clearly marked with those. In terms of the limit of work, it sounds like putting granite bounds at the limit of work is a good idea to limit yard creep. They are doing that.

Matthew Watski: I think if we only put granite bounds at the approved limit of work, that makes the most sense. Perhaps pins can be placed to delineate where the property boundaries are, though. That would be helpful.

Jillian Davies: If they do the limit of work posts, they don't have to do the 25 foot posts, maybe just pins.

Steve Langlois: So when the project is complete, the granite bounds will be set where they were supposed to be because an engineer will be present.

John Lopez: It all has to be submitted and verified through As-Built Plans and the applicant is very familiar with our granite bounds. We'll little medallions we'll provide to affix to the granite posts.

Matthew Watski: You'll get an As-Built Plan set once the work is done that shows you exactly where those granite posts are placed, where the limit of work has been approved by the commission.

Kinsey Boehl: Based on the information we have from BSC, and the applicant, I recommend approving:

NOI #002-1107, 1106, 1105, 1104, 1103 for 56-58 South Hampton Road per the Definitive Subdivision Plan for Locke Hill Lane:

Motion to approve NOI #002-1107, Lot 4, print dated 8-7-14. Mr. Bik seconds. AIF.

Motion to approve NOI#002- 1106, Lot 5, print dated 8-7-14. Mr. Bik seconds. AIF.

Motion to approve NOI#002- 1105, Lot 6, print dated 8-7-14. Mr. Bik seconds. AIF.

Motion to approve NOI#002-1104, Lot 12, print dated 7-28-14. Mr. Bik seconds. AIF.

Motion to approve NOI#002-1103, Lot 13, print dated 7-28-14. Mr. Bik seconds. AIF.

Motion by Kinsey Boehl to close NOI #002-1107, 1106, 1105, 1104 and 1103. Mr. Bik seconds. AIF.

NOI#002- 1088 - Old Merrill Street (Toth)

Continued to May 4.

NOI#002-1096 - 127 Kimball Road (Scimone)

Continued to May 4.

John Lopez: We've not received a request to continue. We haven't received a request for continue for a long time. We've been doing it as a professional courtesy. I've not heard from anyone on this for well over a year, perhaps two years now. I wonder if the ConCom wishes to continue this, or whether you would entertain a discussion on issuing an Order of Conditions denying the work based upon lack of information?

Steve Langlois: Wouldn't proper protocol be to notify them that ConCom has decided that if we don't hear anything from them by the next meeting, we're going to drop the project.

John Lopez: It's also worth noting that the Wetlands Protection Act which this commission is charged with upholding, along with the local ordinance, has been changed since this started. But I'll send them a notification. The ConCom can issue an order denying the project based on lack of information if there is no communication or an attempt to further the project is not conveyed to ConCom.

NOI#002-1111 - 60 Merrimac Street, Hatters Point (Smith)

John Lopez: This is in support of a Notice of Intent for the redevelopment of an existing structure, the hat factory, a historic mill. The applicant is here, the applicant's representative is here, also the ConCom's consultant, Jillian Davies, BSC, is here. There is one significant mitigating factor here. The project remains under review by the staff of the Ma. Environmental Policy Act (MEPA). I'm told that MEPA will issue comments on the proposed project this Friday. So in your deliberations, please keep that in mind.

MEPA is a fairly significant review process. If ConCom were to approve the project this evening, and close the hearing, a few avenues of approach would be open: 1. DEP could issue an appeal. DEP could issue a Notice of Intervention. The applicant may be free to submit a request for an amended

order, if the dept. appeals or not. But if so, then we'd have to not start from the beginning, but the applicant would have to repost a legal notice in the local paper, as well as a better notification. So that is something to consider.

Steve Langlois: So MEPA has not provided whatever it is they are supposed to provide yet?

John Lopez: They will do that this Friday.

Steve Langlois: So you're saying if we approve this tonight, and something goes screwy on Friday, we're in big trouble?

John Lopez: No, the applicant is. Yes. So there are avenues of remedy but they are very cumbersome. The other option would be to take into account what Mr. Weir will tell the ConCom and what Ms. Davies will tell the ConCom, and perhaps the prudent thing to do is to continue to May 4. If MEPA provides comments which would require a change in the plan, Mr. Weir may have considerable amount of work to do in a relatively short period of time for the May meeting.

Steve Langlois: So I ask the applicant now: do you feel that if we deliberate and put this forward, that if MEPA does not come through with what you want, you want to go that route?

Mr. Weir: We discussed this earlier, we're willing to entertain a continuance this evening, but we would like to discuss the issues, and if MEPA comes back with only minor comments, where did you get those comments?

John Lopez: That letter was a draft comments forwarded to me in an e-mail by the DEP analyst who received them from Nancy Baker, the DEP analyst.

Mr. Weir: We've been calling this "land subject to coastal storm flowage" and now DEP needs this to be called "bordering land subject to flooding." But right in comment, it also said that it was really just nomenclature, because we met the performance standards for land subject to flooding. So they didn't have an issue with it, they just wanted us to name it something different. At the meeting, there was a reference to using a 450I. DEP called that out in their earlier comments and brought it up again at the MEPA site walk. We had already changed that structure to the 900, which DEP does not have a problem with. So I think we'll be ok with MEPA. I don't foresee a problem. To play it safe, it may be best to hold off until after we get that meeting on Friday. Maybe we could meet before May 4th. If that is a possibility?

John Lopez: Also, just for the record, the legally defined coastal zone in Massachusetts ends at the chain bridge. Everything east of the bridge is coastal zone, everything west is, for us, coastally influenced.

Mr. Weir: What I wanted to do tonight was to walk through the progress we've made since the last hearing, because your consultant is here, because we're narrowing this down to a handful of issues. Jillian Davies of BSC has done a peer review, and we've responded to that. There's still a few issues outstanding, one being that this commission had asked us to take as good a look as we could at the use of porous, pervious pavement. We did provide a narrative of why our options on that are very limited. But we did introduce some into the design. The main reason why it is fairly limited is that they do recommend not using it only on pedestrian areas and traffic overflow areas. The reason is that on this main road, the traffic is heavy, so the porous pavement has a tendency to fill up. The place it made most sense to put it is in this parking area here, which are in the 25 foot no disturb. Unfortunately, directly below those spaces is the city sewer line. So putting impervious pavement directly over the sewer line is not a good idea. So instead, we propose pervious pavement in this area. We also propose an area in the front of the site for it. Originally, we had a larger entrance area. The PLB wants us to look at narrowing that area, but at the same time, providing a hard surface that fire trucks could ride over. So we propose pervious pavers in that area, which is a little different from porous pavement. But in both cases, we've infused that in those two spots. The other issue raised by Jillian was they had some alternative plantings that they suggested we do, and we incorporated all of that into our design. We also addressed comments from DEP, and we responded to those comments: the storm sceptor, the 450I we changed to the 900, changes in the Operation and Maintenance that we introduced a more aggressive schedule on street sweeping was incorporated into the long term maintenance. Then there were questions about the plan from the reviewer from DEP didn't understand how the storm water from the roof drains was being handled. To me, it was clear on the plan, so I explained it. We handled all questions and Jillian wrote another letter and I think she's ok with the changes made, but she can speak for herself.

Kinsey Boehl: One of the open items from the minutes was the marking of the storm water influent locations.

Mr. Weir: You know, there may be a note on the plan. I don't know if we did that one or not. But that's a good point, the labeling of No Dumping In The Catch Basins, or whatever the stenciling says.

John Lopez: I talked to the city engineer, and that is something that the city does as standard practice now. We can put it in the Order Of Conditions.

Jillian Davies, BSC: They did address the comments that BSC had made, and I think that if you feel like you'd like to grant them the waivers, I think they've done due diligence to justify it. The site is already disturbed and

very consistent with your past decisions, situations where you've granted waivers in the past.

Kinsey Boehl: Back to the original discussion, would you like to continue this?

Mr. Weir: I was hoping you might entertain a special meeting sooner than May 4?

John Lopez: The city would have to post a legal notice in the paper.

Mr. Weir: If there are MEPA comments that require work on this in a hurry, then May 4 would be the soonest we should meet. But if we got a clean letter from MEPA, then we should be ready.

John Lopez: And if you got a clean letter from MEPA, or even if you have some minor changes to be made and do them, I could have a draft letter ready for ratification at the May 4th meeting. That is the safest way to go.

Motion was made by Kinsey Boehl to have the agent draft an Order of Conditions for the May 4th meeting and to continue this hearing to that date. Motion was seconded by Michael Bik. AIF.

NOI#002-1114 - 50 Merrimac Street (Boudrow)

John Lopez: There were two outstanding issues left from the previous meeting. One was the submission of a waiver request pursuant to Section 2.01.5. The waiver request was submitted pursuant to the ConCom's request. At the previous meeting, the ConCom determined that a waiver was necessary. Only the waiver request was missing. Also there was another outstanding issue being word back from the Natural Heritage Endangered Species folks. They conducted their review and submitted notification to the commission, and they have found that the project as proposed constitutes no impact to any protected species. There was an additional comment concerning alteration, that DEP issued. Mr. Deecee responded to that and I'll let him explain that to the commission.

Bill Deecee, representing the applicants, the Boudrows: DEP made the comment that we couldn't do this because we're in violation of 1058D1, and I pointed out to them that the 5 major points within 58D1, especially the fact that on a pre-existing lot, you are allowed to alter up to 5000 square feet. Under 1058, Heidi Davis, the reviewer on the project, responded to me that she made a mistake and that she was thinking it was going to be a 10% alteration, which would be a lot which was not prior to 1996. So effectively assigned off completely on the project. I sent her another e-mail clarifying with the PDF that plan right there. The only difference between that plan and the plan you saw before is that I had all the areas computer by CAD, so that there were no discrepancies whatsoever, and she was quite happy to be

getting that. Makes it easier to look at than a bunch of numbers. Everything is in the table on the side. We're actually altering less than what we originally proposed...only a little over 1000 square feet.

Steve Langlois: How far is the foundation of the house from the river?

Bill Deecee: Off the top of my head, I'd say 60 odd feet. The wall is 36 feet. The 100 foot setback line runs right through the house.

Kinsey Boehl: So the only other comment from last meeting was to modify the plans with the plantings specifically called out. Is that done?

Bill Deecee: Yes. I gave the agent the complete planting list and you've got numbers on the plan in front of you. They correlate to the planting list given to John.

Motion was made by Kinsey Boehl to approve NOI 002-1114 per the site plan, dated April 3, 2015, with my motion I specifically approve the waiver request form dated March 12, 2015. Motion was seconded by Michael Bik. AIF. Motion to close by Michael Bik, seconded by Kinsey Boehl. AIF.

NEW BUSINESS :

NOI#002- XXXX – 13 Lake Shore Drive (Greenfield)

John Lopez: This is being continued to May 4.

NOI#002-1116 – 219 Lions Mouth Road #RR (McCarthy)

John Lopez: This is concerning soccer fields.

Margaret McCarthy, resident, 2 Democracy Drive, Secretary for Amesbury Soccer Association, applicant represented by Tom Hughes,

Hughes Environmental: We are an applicant as a non-profit. The property owner is the city of Amesbury. We entered into a lease agreement with the city. In lieu of lease payments, improvements to the fields that we are proposing to do in order to provide safer playing environment for the kids of Amesbury who enroll in our program.

Tom Hughes, Hughes Environmental Consulting: The current condition at Woodsom Farm, there are soccer fields off to the left, soccer fields over the hill, soccer fields on the right, with parents running around to different fields for different kids, lots of activity and chaos. You also have lots of other activities going on there, like dog walkers, etc. ASA entered into a lease with the city for an area that is roughly where you see green on the plan, although it is a little bit smaller than what you see. The idea is, to bring the soccer fields here and bring them over here, bring the ones up over the hill, bring them over here, basically to consolidate them all. It makes sense,

parents are sane, and folks using Woodsom for other purposes are not running into soccer everywhere they go. It makes sense, and it is over near Cashman Park, where you have baseball fields. It gives you a sports area within the complex and at the same time, gives kids a much safer field surface. The soils out there are tight, compacted, hard...not good for kids to be running on a hard surface. A well constructed athletic field has a little give to it, which is what there will be once this project is completed. It is well drained. Currently, the fields off to the left, for the little kids, in springtime, it looks more like a puddle than a field. We propose to re-grade this area into three distinct field areas, all graded with a very slight pitch so they drain well and have under drains. Each area will have different possible field configurations, so we can rest portions of the field and have some flexibility, but they will meet the program needs of the existing ASA program. Looking at the plan, what you see is the lease area, the pond, the gray area is the 100 foot buffer, and the wetlands seen on the plan were approved by the commission as part of an ANRAD that was filled, an ORAD has been issued and gone through the appeal period. So the wetland, where it is, is not subject to discussion, it is all locked in for purposes of filing. So you can see a field arrangement with fields A, B, and C. C is pretty much a field. It could be divided up into two for smaller games, but in general, it is just one field. A is U10 – U14 with three U6's, which are age groupings, another U14, and then this area here allows you to take U14 and rotate it. In here, you'd be able to shift things over put the U6's on that side, so it gives flexibility and rest some areas, moving things around. It will be a natural turf field, not synthetic. We did not make use of the entire lease area, but we're using a lot of it and were able to keep it all completely outside the buffer zone. We're completely outside 50 feet, and for most of it, completely outside. In the whole area leased, there is only 2-3K feet inside the buffer. The storm water management standards apply, but we're not creating anything impervious. So it is just a matter of managing storm water to make sure the pre and post conditions stay the same, which isn't hard to do. We're starting with grass, we're ending with grass. We'll have a field system with under drains. Rainwater will collect in the under drains and be directed basically to the same places where it currently goes and the rate at which it flows will not exceed the current conditions.

Kinsey Boehl: How about a fertilization plan. What will it be fertilized with?

Tom Hughes: It will be fertilized with essentially goes through overseeding and fertilization, but it's a fairly low rate fertilizer that gets applied. The fertilizer would essentially, any nutrients would attenuate out as it goes

down through the sand and everything into the collection system. The storm water treatment involves infiltration, so I don't think you'll get any issues with nutrients leaving the site. It would need to be fertilized, which is the compromise you face with a natural turf field. But the bulk of that, looking at the field, is happening outside the buffer zone.

John Lopez: This project would be susceptible to the standard language in the Order Of Conditions, meaning that a slow release fertilizer less than 5% nitrogen shall be used in perpetuity, unless the commission specifies otherwise. So no Chem Lawn or anything like that.

Kinsey Boehl: So regarding the drainage structure underneath, even though a small percentage is actually in the buffer zone, you've got a drainage system for how many acres that actually affects...

Tom Hughes: The drainage discharge is still outside the buffer zone. So it is attenuating through the system, with slow release fertilizer that is to be used here is mostly going to be absorbed by the plants. In the pre condition for storm water, there are two catchment areas divided up into three areas. The bulk of the storm water is going in this direction currently. It is landing on grass, infiltrating into the ground, and most of it is making it subsurface. There is a hill and a small area over here that is making it down into the pond. The water leaving the site is routed through the under drains but it ends up in the same places and doesn't leave the lease area at a rate faster than it leaves now. This area currently goes for agricultural use, occasionally haying the area, and I'm sure some sort of fertilizers are being applied as part of that process. The end result of what we are proposing is a safer field. It will perform better than current conditions from everything from Storm water to actual use of the fields for soccer. We will have properly graded, well maintained fields with proper drainage. We are scheduled to go before the Planning Board on April 27.

Kinsey Boehl: It's not exactly clear about the irrigation system and what the design is of the infiltration system or the perforations of the pipes, etc.

Tom Hughes: We can provide you with details on perforation details. The other thing is that this is going through a PLB review and they will also be looking at storm water, and they do hold it to the same standard as DEP storm water requirements. Since we're not creating any impervious surface, we have to comply with storm water, but whether we really trigger it, because we don't create impervious, is also a question. It's a fairly simple system. At the next meeting, we can have the engineer here to go over all that with you. We can get more information on fertilizer range and set a maximum on that type of thing. The other thing is, its important to note that

this other field is certainly being fertilized and some pest management going on as a farmed field.

Steve Langlois: In the last, its always been the PLB wanting to know what ConCom is going to do. This time, I think it's the ConCom that wants to know what the PLB is going to do. I definitely want to see the fertilizer, more specifics on the drainage, and ...

Kinsey Boehl: Should we talk about a storm water review?

Steve Langlois: I don't think that's necessary. It's not pavement. Its grass.

John Lopez: But it still altering drainage and a relatively large area. You'd need a motion for a review, then we'd need an engineer present on site to insure that the drainage system is installed as approved.

Tom Hughes: We can discuss this further next meeting, but maybe a condition that requires us to comply with any storm water requirements put on the project by the PLB.

John Lopez: But they don't have the authority under the Wetlands Act.

Tom Hughes: We can have the engineer here for the next meeting. Our guy is Paul Avery.

Motion was made by Kinsey Boehl to continue this to May 4th with the condition that a certified engineer comes and explains to the commission the details of the design basis for the infiltration system and more detail on the selection of fertilizer and grasses. Motion was seconded by Michael Bik. AIF.

Bill payments: BSC GROUP (Locke Hill SubDiv.) Services rendered through 2-28-15, \$61.00 (Balance after payment = \$2,135.55)

Motion was made by Kinsey Boehl to approve the payment of \$61.00 to BSC Group for services through 2/28/15. Motion was seconded by Michael Bik. AIF.

Motion was made to adjourn by Kinsey Boehl.

Motion was seconded by Michael Bik. AIF.

Meeting was adjourned at 9:28 P.M.