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## CONSERVATION COMMISSION MEETING

NOVEMBER 16, 2015

CITY HALL AUDITORIUM

62 FRIEND ST.

AMESBURY, MA

Meeting called to order at 6:42 p.m.

**Present:** Alan Corey, Steve Langlois, Suzanne Egan

**Absent:** Kinsey Boehl

**Also present:** John Lopez, Agent; Paul Bibaud, Recording Secretary

**MINUTES:** October 5, 2015: Motion was made by Alan Corey to accept the minutes as presented. Motion was seconded by Suzanne Egan. AIF.

**The audio system was not operating, so all had to speak up for the recording all evening.**

### **ADMINISTRATIVE:**

**Amesbury Heights OoC (002-0936) – 36 Haverhill Road  
(Boston North properties LLC)**

**Applicant's team present for the meeting requested their agenda item be taken last on tonight's schedule due to a key member being stuck in Boston traffic. This item was heard last tonight.**

**Violation of Amended Enforcement Order – 12 South Hunt Road  
(New England Sports Park, LLC)**

**John Lopez:** This is a follow up on an Enforcement Order which was issued earlier this year. Through an oversight and the sale of the property, the current property owner was unaware of the Enforcement Order. We've been working on this for the past month or so, we being the applicant or property owner, The Department of Environmental Protection, and myself. Before you tonight is a revised Enforcement Order with an amended restoration plan, based upon current conditions. All we're doing is asking ConCom to support hitting the reset button and starting over for the next growing season. We've changed dates in the draft Enforcement Order, which you have before you, but the applicant's representative will provide details.

**Mary Rimmer, Rimmer Environmental Consulting:** I originally represented EVENT PARTNERS, the property owner at the time of the original violations last year in December when the Enforcement Order was issued. The second Enforcement Order issued associated with TUFF MUDDERS. That violation has been rectified, it is my

## APPROVED

understanding. But the E.O. that was issued to EVENT PARTNERS, the problem was the property has been sold two times since then. Over the course of the sale, compliance with the E.O. was lost in the shuffle. New parties assumed old parties had taken care of everything, when actually; the restoration work never got done. So I got contacted again to follow up with the Enforcement Action and make sure that measures are taken to get back into compliance. That is where we are right now. Nothing got done this year because none of the parties realized that issues still exist. The property is now owned by SEACOAST UNITED, the Amesbury Sports Park property. The responsible party is NEW ENGLAND SPORTS PARK, the previous owner. There are funds in escrow to make sure the restoration takes place. Most of the violations occur on property outside of NEW ENGLAND SPORTS PARK. They occurred on WASTE MANAGEMENT site, the former landfill. They occurred on the MERRIMAC LANDING CONSERVATION LAND that is town property, BARTLETT'S REACH CONDOMINIUM TRUST, and ABLE REALTY LLC, as well as GOODWIN'S CREEK HOMEOWNERS TRUST and MARGARET RICE PARK. So there were a number of properties involved. After doing an initial inspection last year, we decided that several of those properties (lost recording audibly for a few seconds). We really are just focusing on the property that is at the MERRIMAC LANDING CONSERVATION area, a little bit on the WASTE MANAGEMENT site, and as small area in the BARTLETT'S REACH condominium area. So what has happened in the meantime is, this fall was another inspection, took a look at some of the recommendations made last year, and mother nature being what it is, some of these areas have started to restore themselves. The growing season in some areas just got trampled by people running over them. So in these areas, vegetation has re-grown and rather than going in and rebuilding streams and things like that, that we propose especially in the Bartlett's Reach area, we're proposing to just not restore this green bank, which has now re-established itself. We'll do some minimal planting, but let the rest of it grow back on its own. The other condition that has changed since all this has occurred, ATV's/motorized vehicles have gained access to the area and trails are now there. It doesn't make sense to repair them unless we can control the ATV activity. We can do what we can to take material and place it on a trail, if it can be done without disturbing wetlands, etc. Those are the modifications that we propose, and we've prepared a revised restoration plan, which we submitted to John Lopez, which includes comparison photographs from 2014 and 2015. So you can see and compare the different issues. Some areas are coming back, while others are heavily impacted by motorized vehicles making trails. Some of the recommendations are included in this report. The recommendations are to the town to help the conservation areas by posting signage, so pedestrians can continue to use the area.

**Suzanne Egan:** So this E.O. was originally issued in August of 2014 and nothing has been done to comply with it? Is that what you're saying?

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**John Lopez:** Right. The initial E.O. was issued in August of 2014, when the violations were first noted. Then there were two or three amended E.O.s, the last of which was March of 2015, which approved the initial restoration plan as well as its implementation. So this restoration plan before you was approved under an amended E.O. in March of 2015, with the stipulation that it would be implemented in the 2015 growing season. It never was, so this was brought to my attention maybe in September. I contacted Mary, as she and I have been working on this with the property owner since, so this would date more or less from March 2015.

**Suzanne Egan:** And nothing has been done?

**John and Mary:** Correct.

**Steve Langlois:** Well, don't just say nothing, before there was a lot of work done, correct?

**Mary Rimmer:** In other parts, not in this part. There was a pit dug for the TUFF MUDDERS race, but that was restored, but that was a separate Enforcement Order.

**Suzanne Egan:** So that is a separate E.O. and a separate entity. So you are completely separate from the other E.O.? (Mary = yes). So on this particular E.O. and this entity, nothing has been done? (Mary = no).

**Suzanne Egan:** So John, in a situation like this, do you recommend ConCom issuing fines? Because my concern is that we have spent a good deal of our time sitting at these meetings with this issue, and we need something to get the property owner to comply. I don't know else we can do to get them to comply. I don't want to be here some other night, listening to the same issue, since we did start in 2014. Maybe not this particular E.O. but it did start in 2014. That means we've been sitting here a number of nights for a year, listening to somebody tell us that they are going to comply, and they have not.

**John Lopez:** I've met with the current property owner, who voiced dismay that he was not told of this upon purchase of the property. If you recall, the bankruptcy attorneys asked that this not be recorded to allow for the sale of the property, which would generate the necessary funds to pay for Ms. Rimmer and her services as well as installation of the restoration plan. I've met with the current property owner, Mr. Willis, and he voiced dismay at this. He didn't know. I really think he expressed genuine contrition, feeling very badly about it. After that initial meeting, I think things happened quickly, with Ms. Rimmer and Ms. Bell to rectify this situation. So I don't think fines are necessary, at this point. If there is no progress, then perhaps the issue can be revisited, but I feel confident that the responsible individuals will implement the plan. Ms. Rimmer also tells me the date for installation initially, the draft was the end of June 2016. DEP was not happy with that and said to kick it up to the end of May 2016, which we've done. But in conversations with Ms. Rimmer, she feels confident that the installation could take place as early as the end November (this month).

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**Mary Rimmer:** Not the plantings. Some of the work, provided the contractors are available to do the work, that much of it can be done this fall. We don't have to wait for Spring, we could go in right away, since we have a contractor on board. We're ready to do the work. Also, we have been involved with DEP and the commission will get backed up by them.

**John Lopez:** ConCom will remember that this was a rather high profile case at the time. It made the front page of several newspapers, much to our surprise.

**Suzanne Egan:** I'm just trying to avoid having to do all this again. So we should add a condition to the E.O. that the fine ... what is the earliest date that something has to happen?

**John Lopez:** November 20, 2015, with a letter from the applicant stating that they will comply with all the requirements of the E.O.

**Suzanne Egan:** I would suggest that amending the E.O. we quote the date that is contained in this has an accompanying fine. So if they don't comply on Nov. 20, there is a \$300 a day fine, under the local. Then the next date is May 27, 2016 and then we'd have \$300 a day until that is complied with, and then Oct. 17 and then Nov. 7. Then we don't necessarily have to hear this again. That would be nice.

**Ms. Bell:** (This monologue was not audible for the recorder to pick up, even at 5 feet away. Ms. Bell admitted to being one of the players who dropped the ball in communicating the facts to all involved clearly enough, if at all. A request by this writer for her to kindly speak up got no attempt to speak any louder. She continued to be completely inaudible).

**Steve Langlois:** So now the responsibility lies in the hands of the new owner, correct?

**Mary Rimmer:** Actually, it is still Mr. Dipple.

**Steve Langlois:** Okay, so that is what we are going to do. We understand that mistakes were made, now we're not going to allow mistakes, because if there are, we're going to hit fines daily at \$300.

**John Lopez:** The reason why it is not the responsibility of the current property owner is because this was worked out between the attorneys at the closing, that Mr. Dipple would assume or maintain legal and financial responsibility for this.

**Suzanne Egan:** Do we have copies of that agreement between attorney's and Mr. Dipple?

**John Lopez:** I don't have a copy of the escrow agreement.

**Steve Langlois:** Basically, we want the project to be done as well as it can be. I know Ms. Rimmer said it is being beat up by ATVs, so there is going to be a little bit of fluxuation there, but because of the ATVs and all that, how do we know what has to be completed and what doesn't?

**Mary Rimmer:** That's why the revised restoration plan was submitted. We made initial contact with WASTE MANAGEMENT to get permission to just walk the property and evaluate it. There has been no permission gained at this date to do the small work required on the property.

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**Steve Langlois:** So I'd like to move forward on this. We know what we want to do.

**Suzanne Egan:** Don't we want to add a date by which they have to obtain permission from Waste Management?

**Steve Langlois:** We can add another date, yes.

**Suzanne Egan:** I think we should say in a month, which is sufficient time, since it's been so long. So I make a motion to amend the E.O. to add the provision that the applicant has to obtain written permission from Waste Management to enter the property by December 16th. If they fail to do so, they will be fined \$300.00 a day until compliant.

**Steve Langlois:** The only time they'd have to enter the property would be when the work starts. How soon would the work start?

**Mary Rimmer:** As soon as possible, hopefully within the next few weeks. It all depends on how quickly they can respond to us.

**Steve Langlois:** Okay, so there's another date being put in.

**Suzanne Egan:** We just need to see progress being made and the first step is them getting permission from Waste Management that they can actually do this work. They can come up with their own dates, we just care that they get permission so they don't come back again and say they haven't gotten permission yet.

**John Lopez:** To summarize: **To approve the E.O. to implement the restoration plan entitled WETLAND IMPACT ASSESSMENT , NEW ENGLAND SPORTS PARK, FORMERLY AMESBURY LAND ASSOCIATES INC. AND EVENT PARTNERS LLC, revision November 12, 2015, with the following amendments: to item #2 in the attachment to the E.O. that if the November 20, 2015 date is not adhered to, a \$300 fine per day until it is. The same holds true in item #3, for the May 27, 2016 date, and the October 17, 2016 date, and the November 7, 2016 date, as well as a letter from Waste Management of New England acknowledging the authorization the entity to have permission to enter the property. This letter is due to ConCom in 30 days, making it due December 16, 2015.**

**Motion made by Alan Corey of "so moved." Motion was seconded by Suzanne Egan. AIF.**

#### **Enforcement Order/Cease and Desist – 45 Pleasant Valley Road (Chapin)**

**John Lopez:** This is just to acknowledge the receipt of a mandated restoration report, in reference to an Enforcement Order/Cease and Desist. The property owner at 45 Pleasant Valley Road installed rip rap without a valid Order of Conditions or a negative determination of applicability. The E.O. required a restoration plan, which was approved and approved for implementation. The restoration plan has been fully implemented to the specifications of the plan. No further action is warranted.

**Conservation Commission Administrative Discussion: Cancelled.**

#### **CONTINUED BUSINESS:**

#### **Request for CoC (002-1076) - 277 Elm Street - (Beanpod Partners)**

**John Lopez:** This was for the construction of a veterinary hospital. The OoC required a monitoring period of two years. That period ended as of October 15<sup>th</sup>. Reports were

APPROVED

received in a manner as prescribed by the enforcement by the OoC. The site is in substantial compliance. The outstanding issue was the growth of some vegetation, a lot of grass within a jurisdictional area. But if there are no outstanding issues, I feel this project is in compliance with the order. The mandatory 2 year monitoring period has expired. Things are fine and I recommend that ConCom issue a Certificate of Compliance for 002–1076.

**Motion was made by Suzanne Egan of “so moved” and seconded by Alan Corey. AIF.**

**NOI (002-1125) – 23 Clinton Street - (Shuck)**

**John Lopez:** This is in reference to the demolition of an existing structure and the construction of a new single family house within a jurisdictional area. This went to a peer review. Mill River Consulting, Dan Ottenheimer. Both the applicant’s representative is here, as well as Mr. Ottenheimer. This went through a number of revisions pursuant to Mill River’s initial review and supplemental.

**(The applicant’s representative spoke but was inaudible for the recorder to pick up, due to sound system not operating).**

**John Lopez:** I did ask Mr. Ottenheimer to draft in his proposal to include assisting and drafting language for the OoC. I think this is a model which I’d like to proceed with through all applicants, because of the sheer volume of my workload at times, I’m not able to turn around an OoC quick enough, I think. With the assistance of our consultants, I think I can cut that turn around time down. I think this worked well and should serve as a model going forward. So this would be an OoC. Mr. Ottenheimer requests that this be approved as amended. So I recommend that ConCom approve the draft language for the OoC be included into the OoC. Also please cite the plans in the motion as amended into the record.

**Suzanne Egan makes a motion to approve the OoC for 002-1125 for 23 Clinton Street and to include the attached conditions within that OoC. Motion was seconded by Alan Corey. AIF. Motion to close was made by Suzanne Egan and seconded by Alan Corey. AIF.**

**NOI (002-1115) – 13 Lake Shore Drive - (Greenfield)**

**John Lopez:** This is a NOI for proposed improvements on an existing structure including a retaining wall along the lake shore. ConCom has retained the services by Jillian Davies of BSC for a peer review pursuant to the Wetlands Protection Act and the Amesbury Wetlands Ordinance. Mr. Roscoe is here representing the applicant, as well as Ms. Davies representing ConCom. This peer review from Ms. Davies was received just hours prior to the November 2nd hearing. At that time, ConCom didn’t have enough time to digest the report, so it was continued to tonight.

**Alan Roscoe, Cammett Engineering:** (Mostly inaudible and garbled report from Mr. Roscoe, despite being a mere 5 feet from the recording device). The gazebo is no longer in the plans to be built.

**Jillian Davies, BSC:** (Same results of inaudible as Mr. Roscoe’s report - 5 feet away.)

APPROVED

The gist of her report is that the applicant is going to install washed-crushed stone/gravel and plantings. The deck extension, at its closest point to the water, is probably 30 feet and should be 35 feet. The entire site is jurisdictional, so they would have to be native plants.

**John Lopez:** I always incorporate the peer review comments into the OoC, and also, it is presumed that the plan as amended reflects all of the changes and recommendations that Ms. Davies provided. That would be cited in the OoC. If the commission is comfortable approving this, that it be conditioned pending a revised plan removing the gazebo.

**Motion was made by Suzanne Egan to approve the OoC for 13 Lake Shore Drive, and that the OoC incorporate a condition consistent with the recommendations of the third party reviewer. It will not include the gazebo and it will require washed crushed stone/gravel and any other conditions that are contained within that peer review submitted. Motion was seconded by Alan Corey. AIF.**

**Motion to close the public hearing motion was made by Suzanne Egan and seconded by Alan Corey. AIF.**

**Request for Determination of Applicability – 18 Lake Attitash Drive - (Desesa)**

**John Lopez:** This is continued discussion. The property owner is requesting the removal of four mature white pine trees all within buffer zone to Lake Attitash. Two meetings ago, ConCom requested an additional letter from an arborist verifying the trees condition. That was provided. ConCom should have that in your packet. The applicant is here to answer questions. ConCom also asked for more clarification as to where those trees are located. The applicant is planning to do some plantings as shown on the plan. They wish to plant privacy bushes, but will need to stick to species listed on the preferred plantings list that I supplied to the applicant. You can request the applicant to submit a list of proposed plantings, delegate the authority to me, stipulate that they would be selected from the list, and planted in the spring, and the property owner would be requested to submit photographs and a report to ConCom in the spring.

**A motion was made by Suzanne Egan to approve the request for a negative determination of applicability, on the condition that the applicant plants by May 30, 2016, twelve (12) plants limited to the species listed on the preferred plantings list for the property located at 18 Lake Attitash Road. This is to be followed up with a report with photographs to document installation by June 10, 2016. Motion was seconded by Alan Corey. AIF.**

**NOI (002-1096) 127 Kimball Road (Scimone) - Continued to Dec. 7**

**NOI (local only) 9-13 South Hampton Road (Quintal) - Continued to Dec. 7.**

**NOI (002-1129) 60, 75 & 77 Merrimac Street (Hatters Point Marina Parking, LLC) - Continued to Dec. 7.**

APPROVED

**NEW BUSINESS:**

**Request for Amended OoC (002-1094) - 116 Pleasant Valley Road - (Mulch)**

**John Lopez:** This is an OoC that was approved and issued approximately one year ago for the construction of that tiny little carport there. The issue here is the moving of a gazebo just a few feet. In my opinion, this is a very minor change.

(Once again, the applicant's representative spoke too softly for the recorder to pick up 5 feet away. Completely inaudible, despite requests to speak up).

Basically, the speaker only reiterated Mr. Lopez' synopsis prior to the representative speaking. It was all information that is documented in the paperwork.

**Suzanne Egan:** Do we have an amended plan showing the change in the gazebo, or is that going to be submitted. I don't feel we can carry on without seeing. I would suggest the submission of an amended plan showing the change in location of the gazebo, and we could approve that to amend the OoC. Otherwise, we don't have a plan to base it on. So when they came back, we could then approve.

**John Lopez:** The revised location would be reflected in the as-built plans.

**Suzanne Egan:** I would still like a plan. I don't think it needs to be stamped by an engineer or anything. But I need to see some sort of revision to a plan showing the location of the gazebo.

**Motion was made by Suzanne Egan to approve the request for an amended OoC for 116 Pleasant Valley Road 002-1094, on the condition that a plan showing the change in location of the gazebo is submitted to ConCom. Motion was seconded by Alan Corey. AIF.**

**Motion to close the hearing was made by Suzanne Egan and seconded by Alan Corey. AIF.**

**Request for Determination of Applicability**

**Route 110/Westminster Street - (Stedman / MDOT)**

**John Lopez:** This is a request for Determination of Applicability in support of drainage improvements. We have received abutter comments, which were forwarded to the applicant. We received response. These abutter comments were also forwarded to the ConCom, as well as the response. The abutter was here earlier this evening, however he had to leave due to feeling ill. He wanted me to pass along to ConCom that he has no further comments and he feels his concerns were addressed, and he is supportive of the project as submitted.

(Speaker spoke too softly and was not picked up by microphone to capture her briefing.

Basically she listed the various steps involved in the project and how they would proceed).

**Motion was made by Suzanne Egan to issue a negative determination of applicability for the Route 110/Westminster Street application with MASS-DOT.**

**Motion was seconded by Alan Corey. AIF.**

APPROVED

**NOI (002-1133) - 103 & 107 Macy Street, Amesbury Chevrolet  
(Three-Way Realty Trust, c/o Brian Fecteau)**

**Woody Cammett, Cammett Engineering:** Mr. Cammett briefed ConCom on the purpose of tonight's hearing, but was inaudible to the recorder. He reiterated that this is Phase II of the ongoing streamlining of Amesbury Chevrolet placement of various departments to best serve customer and staff so that the process flows much better.

Woody gave John Lopez a check for a third party consultant to cover their duties, inspections, reports.

**John Lopez:** The PLB selected Stantec as their consultant to this project for a site plan review. Knowing it was coming before ConCom, I was perhaps too efficient and I notified Stantec and asked them to have proposal ready for the Nov. 2 meeting, which never happened because of the lack of a quorum. But things got set in motion, so Mr. Cammett is referring to the Stantec contract, which I hope ConCom will support.

**Motion was made by Suzanne Egan to continue this hearing until the Jan. 4, 2016 meeting, once we have the third party review report. Motion was seconded by Alan Corey. AIF.**

**Request for AMENDED OOC (002-0957) - 445-447 MAIN STREET  
(DIPIERO, LLC)**

**PLEASE EXCUSE CAPS – CAPS LOCK IS STUCK DESPITE REBOOTING  
THREE TIMES.**

**JOHN LOPEZ:** THIS IS A REQUEST FOR AN AMENDED OOC ON A PROJECT THAT HAS A LENGTHY HISTORY TO IT. THE APPLICANT'S REPRESENTATIVE, MR. DECEE, IS HERE TO EXPLAIN. I'VE ASKED HIM TO PROVIDE SOME BACKGROUND TO CONCOM. THIS WAS A PROJECT THAT WAS FIRST INTRODUCED IN MARCH 2007 AND WAS APPROVED IN 2009 AND APPEALED. IT HAS BEEN THROUGH A PUBLIC HEARING, ABUTTERS WERE NOTIFIED. BECAUSE THIS IS SUBJECT TO A SUPERCEDING OOC, UNDER THE STATE AND LOCAL THE APPLICANT HAS ALREADY RECEIVED AN AMENDED SUPERCEDING OOC UNDER THE WETLANDS PROTECTION ACT. HE IS BEFORE THE CONCOM SEEKING AN AMENDED OOC UNDER THE AMESBURY ORDINANCE.

**(MR.DECEE ALSO DID NOT SPEAK UP, MAKING HIS EXPLANATION  
INAUDIBLE TO THE RECORDING DEVICE).**

**YANSON BURCEL, ABUTTER TO THE WEST.** I HAVE TWO CONCERNS TONIGHT ABOUT THE NEW PROPOSAL. THE FIRST IS BANK STABILIZATION. THE SECOND IS THE COPIOUS AMOUNTS OF WATER COMING OFF CRUM HILL, WHICH AFFECTS ALL OF US. FIRST, I APPLAUD THE NEW ATTEMPT

APPROVED

TO TRY TO SAVE THE TREES. I THINK THAT IS A POSITIVE. MY CONCERN IS THAT THE NEW PROPOSAL WILL NOT PREVENT FURTHER EROSION. EROSION WAS THE MAJOR TOPIC WITH CONCOM BACK IN 2008 OR 2009. I THINK MARY RIMMER AT THE TIME BEING HIRED BY CONCOM AS THE CONSULTANT, AND SHE HAD MANY CONCERNS ABOUT THE ISSUE OF BANK STABILIZATION. ONE OF THE CONCERNS I HAVE IS THAT WE HAVE SEA WALLS IMMEDIATELY WEST AND IMMEDIATELY EAST DOWN STREAM. WHAT IS GOING TO HAPPEN WITH CONTINUED EROSION OF THE BANK AND THE INTEGRITY OF THOSE TWO SEA WALLS? THE OTHER ISSUE I HAVE IS WITH THIS NEW "BULKHEAD" WHICH IS ESSENTIALLY 15 FEET REMOVED FROM THE BANK, BECAUSE PROPERTY LINES ARE PROPERTY LINES. AS PEOPLE AWARE OF THE HISTORY OF CRUM HILL, COPIOUS AMOUNTS OF WATER FLOW OFF THAT HILL. IF YOU PUT IN BULKHEADS, PROPERTY LINE TO PROPERTY LINE, WATER IS GOING TO COME AROUND AND GET INTO THOSE BULKHEADS. I UNDERSTAND THERE IS A NEW MANHOLE PROPOSED IN THE STREET, BUT I DON'T UNDERSTAND HOW IT IS GOING TO BE DRAINED TO THE RIVER.

(caps lock finally disengaged).

**Alan Corey:** I just want to reiterate that I suggest you do an elevation cert on that, because it will help you in the long run. It's the best procedure. Otherwise you'll have to put in flood vents, or do pilings. If you bring it up to base flood elevation, you're done.

**Suzanne Egan makes a motion to amend the OoC as requested for 445-447**

**Main Street., DEP 002-0957. Alan Corey seconded that motion. AIF.**

**Motion to close was made by Suzanne Egan and seconded by Alan Corey. AIF.**

**Request for Determination of Applicability - 12 Strathmere Club/95 Kimball Road - (Jewell)**

Speaker announced who he is, but was not at all audible for the recorder.

One item that was audible is installation of steps down to the lake. (Speech is completely garbled and muffled).

**Motion was made by Suzanne Egan to issue a negative determination of applicability to 12 Strathmere Club, 95 Kimball Road. Motion was seconded by Alan Corey. AIF.**

**Amesbury Heights OoC (002-0936) – 36 Haverhill Road - (Boston North Properties, LLC)**

**Sean McReynolds: (inaudible for the recorder to pick up).**

**Suzanne Egan:** Show me on the plan what it is that you want modified, that is what I don't think is showing. You are trying to phase. I believe under the OoC that was issued, you have to put in all your erosion control, you have to comply with everything in the OoC, and I think that our third party consultant, Stantec, there are a number of issues that have not been complied with in this. Also, your request to do less than what was required in the OoC could be indicative of what is going on with this project. So, I think that should be addressed, those issues.

**Steve Langlois:** I think Commissioner Egan is requesting compliance, or some sort of discussion with Stantec.

APPROVED

**Suzanne Egan:** You are paying for Stantec to review your project, so that they can come back to us and we can be assured that you are complying. So we are in this process here where you are asking for amendments, and we're getting our third party reviewer telling us that there are issues here and putting up a red flag. Since they are hired to advise us, I would say that that is what my response would be, that in meeting with Stantec you can work this out, so that Stantec can come back to us and assure us that there is compliance to the letter, and if not, something in writing from Stantec saying that it can be waived and is sufficient to be waived. We can go through that list. I think what I'd be comfortable with is that this be continued and that you work this out with Stantec. Once that is done, I would be more inclined to amend it.

**Steve Langlois:** I think that what we're trying to explain to you is that we wouldn't have a problem doing what you want to do here, but if you're not keeping up with what you've had to do already, we're not going to be able to play ball. This is a big project, and we don't want it coming back and forth, so where is the proof that you have answered all these questions? We need to get something from Stantec. That's how we'll keep going with this. We'll play ball if you play ball. So get this straightened out, then we can continue.

**Suzanne Egan:** We have a memo from Stantec, saying what the current outstanding items are, and so we need assurance from Stantec that you have complied. Maybe you've complied with some of them, but it says all wetland flags are not identified and checked. So you have to go through that with them and submit something to us so we can say, alright, we have some basis to do this. Right now, I don't have any basis to make that determination.

**Alan Corey:** We have to hear from Stantec, our representatives. We could postpone this to December 7, only a couple weeks away, if you can get them to come in.

**John Lopez:** So the ConCom is asking for a written response from Stantec with the detailing of where we stand right now and then we go to the next step.

**Steve Langlois:** When we go to the next step, we want to make sure all is complied with to date and we're all ready to go forward. We'd like someone from Stantec here next time. They are our experts, and we have to go with them.

**John Lopez:** So what I'm hearing is, the ConCom wants something in writing from Stantec, and for a Stantec representative be present next meeting, probably on Dec. 7, 2015.

**Motion was made by Suzanne Egan to continue this to the next meeting on Dec. 7 so you can respond in writing to them by that time, which you say you did, but do you have a copy of that letter for us tonight? (No). So you responded to them 2 hours before this meeting. That response from you would be something that we need to see...and their response back to you. Motion was seconded by Alan Corey. AIF.**

**Motion to adjourn was made by Alan Corey to adjourn and motion was seconded by Suzanne Egan.**

**Meeting was adjourned at 9:25 PM.**