

GROTON CONSERVATION COMMISSION

Minutes

June 14, 2005

Chairman Peter Morrison called the meeting to order at 7 p.m. Members Bruce Clements, Craig Auman, Kris Corwin, Bruce Easom, and Marshall Giguere were present. Evan Owen arrived at 7:15 p.m. Conservation Assistant Barbara Ganem was also present.

Member Corwin suggested the Commission develop a policy if applicants wish to be present during discussion on Orders of Conditions.

Upon a motion by B. Easom, seconded by C. Auman, it was

VOTED: to approve the minutes of May 24, 2005 as amended.

Upon a motion by K. Corwin, seconded by B. Clements, it was

VOTED: to issue the draft, amended Order of Conditions for DEP #169-909 for Rocky Hill.

B. Ganem will insert the appropriate Operations & Maintenance Plan from the filing.

7:15 p.m. - 55 Wenuchas Trail Notice of Intent

No applicant's representative was present so the Commission kept the hearing open while other business was conducted.

Upon a motion by B. Clements, seconded by K. Corwin, it was

VOTED: to issue an Order of Resource Area Delineation for DEP #169-916 for Indian Hill Road, accepting the B and C series of flagging, but not confirming Wetland Flags 1 - 20, nor the status of the stream. The plan of record is dated May 23, 2005.

Upon a motion by K. Corwin, seconded by B. Easom, it was

VOTED: to issue an Order of Resource Area Delineation for DEP #169-914 for Longley and Sand Hill Roads, excluding the Wetland Flags A75 - A90 and D13 - B86, and the re-location of C192 12' upland.

Stan Dillis arrived at 7:20 p.m., and the 55 Wenuchas Trail hearing resumed. He explained his client, Steve May, plans to renovate and add on to the house. A retaining wall that serves as a foundation will be re-built. The addition will be two stories with a roof deck. New construction will be supported by sona tubes. Roof runoff will be directed into two dry wells. Only one tree will be cut for the project.

B. Easom commented it would have been helpful to have someone involved in the project there for the Saturday site visit. Mr. Dillis indicated he was not notified. Mr. Easom asked what will be done with the soils on site. S. Dillis said the addition will match the height of the existing house. The plan to stabilize the slope with riprap is not shown on the plan. When asked what will be the size and capacity of the dry well, Mr. Dillis replied it is the typical size we have been using. He noted the roof slopes toward the street so runoff goes into the landscaping and recharges there. There is actually 20' between the edge of pavement and the house although the plan shows the road right up against the house. Wenuchas Trail runs along the top of a ridge. The applicant proposes doing the repairs on the retaining wall as soon as possible.

Mr. Dillis stated the nearest point of construction is 3' from the resource area. The sona tubes will be dug by hand and the proponent will pump concrete from the front or street side of the house so no equipment will be brought to the lakeside. The erosion control line will be outside the floodplain at the high water mark. Mr. Dillis felt that the drainage on site would be improved. He added "Riprap will provide stabilization."

C. Auman asked if there was any filling proposed behind the retaining wall. Mr. Dillis said the addition will occupy the same footprint on the ground as the present structure. The first floor will be elevated 8' on sona tubes. The retaining wall will be constructed by others of poured concrete. Members requested a construction sequence and description of how debris will be removed from the site. M. Giguere questioned where erosion control will be placed and noted the site is stable now. The details on the project's retaining wall should be provided.

E. Owen questioned whether this plan shows all impervious surfaces. Mr. Dillis said the parking area is gravel, and there are granite steps. K. Corwin said she would like to see the height of the retaining wall and whether there will be any fill behind it. She also requested the elevation of footings of the retaining wall and the location of floodplain on the plan. The plan should also show the location of the septic system, **concrete can set in water**, shed, and topography. In response to a question, **Stan Dillis indicated concrete can set up in water.** Upon a motion by C. Auman, seconded by B. Clements, it was

VOTED: to continue the hearing to June 28, 2005.

7:30 p.m. - Weed Harvesting NOI continuation

As an abutter of the Lake, E. Owen stepped down from the discussion.

Brad Harper submitted the (320) green cards for the abutter mailing to Lake residents. He explained the purpose of the filing is to get the mechanical harvester back into action. The plan submitted with the filing shows the areas where harvesting is proposed this year. Bill Eger noted they were working with Natural Heritage to determine the approximate acreage of the areas to be treated. Prior to the harvesting, the area would be inspected by the certified botanist crew. Due to weather constraints it has been impossible to make positive identifications. Dr. Eger mentioned the letter he sent to Natural Heritage is included in the Commission's packets. He pointed out there are logistical difficulties but not philosophical difficulties in how to approach Lake treatments. Dr. Eger said there is one exception and that is for an on-site determination of whether the weeds are hazardous for public safety in which case they will go ahead and harvest. There are two new plants that are identified as rare by Natural Heritage, and the group will await a favorable response from Natural Heritage before proceeding.

K. Corwin said this map is for this year's application, but a multi year harvest is proposed. She pointed out it may be necessary to know in advance what sites are to be treated each year.

A copy of the NOI filing has been sent to Natural Heritage, and it is anticipated their response will be forthcoming within 30 days. B. Easom asked if there is a chance the harvester could contribute to the spread of the weeds and questioned whether there is any method for decontaminating the machine as it moves from location to location. It was noted the harvester has not been moved from pond to pond, but it may be used in Baddacook Pond. There is some question about whether Cabomba came from Baddacook in the first place. Those present thought the spread is more likely to occur by fishermen. Upon a motion by K. Corwin, seconded by C. Auman, it was

VOTED: to continue the hearing to June 28, 2005.

8:00 p.m. - Deerhaven Detention Basin Request for Determination of Applicability

Attorney Bob Collins explained this solution was discussed with the Commission three years ago. Because of sedimentation issues the applicant reached a consensus to put in a sediment forebay between the road drainage collection system and the detention basin. This will augment the capacity of the existing detention basin by construction of a small depressed area. The forebay will ensure that water reaching the detention basin has time to

settle out first. The work would be done during a dry period this summer. This is work within the buffer zone, not covered by the original approved plan. It would improve the situation and is something that could be done without any impact to wetlands.

C. Auman questioned the functionality of a detention basin that has water in it. B. Clements asked if it was sized correctly. Mr. Collins assured the Commission the area would be limed and seeded for stabilization, and the detention basin is sized appropriately to handle a 100-year event. Attorney Collins asserted the sediment forebay will provide significant pre-treatment. The Commission must also determine whether it wants to require the filing of an NOI. Mr. Collins thought it would be more efficient to do it with a negative Determination and submit an As-Built Plan. Mr. Collins indicated a flexible corrugated pipe could be used to bypass the work area during construction. Eventually the original drainage pipe outletting to the detention basin will be cut and capped in place. The sediment forebay will function as a secondary detention basin, allowing sediments to settle before reaching the primary detention basin. He indicated the forebay is smaller and will be mostly dry since it treats, but will not hold water.

B. Easom questioned whether the water level represents the water table, and Mr. Collins said, "I do not believe so." He noted that the water problems with the detention basin overflowing into the wetland started after loaming and seeding which he thought created a fairly impervious bottom. The forebay will need cleaning at regular intervals. B. Clements commented it should help minimize turbidity while the last lot is under construction. B. Clements questioned whether the Planning Board has reviewed this plan, and Mr. Collins stated "No." Once the drainage system is fully constructed, the sediment forebay will be shown on the As-Built Plan.

Bill Maher of Judith Nitsch Engineering, Inc. prepared written comments for Commission review of this filing. Commissioners agreed a negative Determination would be okay as long as all comments are addressed. Mr. Collins thought it prudent to continue the hearing to have Mr. Maher's points addressed by Drew Garvin. It is likely it will need the approval of the Sediment and Erosion Control Committee as well. Upon a motion by C. Auman, seconded by B. Easom, it was

VOTED: to continue the hearing to June 28, 2005.

8:15 p.m. - Reeves/Gould/101 Longley Road Notice of Intent

At the applicant's request and upon a motion by K. Corwin, seconded by B. Easom, it was

VOTED: to continue the hearing for 101 Longley Road to June 28, 2005.

In discussion on the proposed public water well in the Town Forest, W. Groton Water District Superintendent Gordon Newell commented the Commission walked the two proposed routes for the water line in the Town Forest. One would be in Ames Pond Road while the other would go cross country through the forest from Lawrence Lane to a new pump house. M. Giguere noted this is for work related to the pump house and access to both this town well and a future town well on the adjacent Blood parcel. The installation would be approximately 12' wide and would contain a 12" water main and a 5" electrical conduit, and a 4" telephone conduit. Mr. Newell indicated he could cut a one-to-one slope in order to keep the width of the roadway narrow.

K. Corwin said she was hoping members of the Town Forest Committee would be present for the discussion. She noted the route that parallels the water could result in more resource area disturbance, and she felt it was important to hear from Natural Heritage on the proposed alternatives. Conversion of a portion of the Town Forest to a water well involves Article 97 of the Massachusetts constitution. This means the District must obtain a favorable 2/3s vote from both the Groton Town Meeting, and the state legislature.

Mr. Newell pointed out there is an SRF funding deadline, and the town and state legislature must first determine it is okay to proceed. He explained the EIR will be done next year. The Water District is supposed to close on Mr. Blood's 100-acre parcel with the caveat that there will be no public water well constructed within 15 years of the purchase. K. Corwin noted she would defer to Natural Heritage's recommendation on this matter. P. Morrison said he preferred the route through the Forest, but the Commission's job is to protect the interests listed in the Wetlands Protection Act,

many of which are also of conservation interest to Natural Heritage. B. Easom questioned whether the water would be chlorinated, and Mr. Newell replied, "No." He added that the forest route would be more direct from Lawrence Lane, and the access route would be gravel. Pointing out there is already erosion along the Ames Pond route into the wetland, he felt the upland route through a wooded area would better protect resources.

B. Clements commented the more direct route appears to be practical, but it would be nice to have input from the Town Forest Committee. C. Auman concurred, stating he would also like to hear from Natural Heritage before making a recommendation. Commissioners agreed to continue the discussion at 7 p.m. on June 28th to allow input from the Town Forest Committee.

Chairman Morrison explained the Commission visited a common driveway at 216 and 218 Longley Road the previous Saturday and observed significant erosion into the wetlands that needs to be addressed immediately. Greg Melone (216 Longley Road) suggested pulling the eroded materials back, re-grading the present driveway, and then making a new driveway with less impact. He said he would prefer to pave the driveway.

Member Owen suggested armoring what is there now. Mr. Melone indicated he would open the drains up and then have the board look at the other driveway with a wetland crossing. He thought fewer crossings would be better. While preferring that the driveway be paved, K. Corwin indicated she would choose to keep the driveway where it is to adding a wetland crossing. Chairman Morrison said he, too, was in favor of compacting and paving the existing driveway. It would be another event to take the driveway out completely. Member Easom suggested it would be best to get the problem fixed sooner rather than later. He noted he would like to see the detention trench along the driveway re-established. While he was not opposed to a wetland crossing, B. Easom commented it requires compensatory mitigation, and there may not be an appropriate place for that. B. Clements added he would prefer to see the driveway restored according to the previously approved plan. It appears to have been widened, and the drainage capabilities need to be restored. He questioned whether work on the driveway requires approval from another owner. P. Morrison pointed out this is not the Commission's concern.

Cheryl Keough (220 Longley Rd.) said she was vehemently opposed to paving the driveway. Mr. Morrison asked her to follow the Commission's policy and allow Commissioners to first speak on the issue, and then the public would be invited to comment. Member Auman indicated he preferred to see something done immediately to correct conditions, and he agreed paving would be a long term solution. M. Giguere agreed that immediate action was necessary, especially the drainage structure to the side of the driveway. He indicated he would need more information on how mitigation for a crossing would be accomplished if a new wetland crossing is proposed. K. Corwin pointed out this would not qualify as a limited project because the applicant has alternatives to a crossing. Mr. Giguere noted that paving is the only complete solution.

P. Morrison requested the audience members to address their comments to him. Sheila Harrington, an attorney representing Jane Hughes (218 Longley Rd.), said prospective buyers of Ms. Hughes' property had been approached by the abutter and there was confusion with regard to the property. They wanted to have the driveway paved, and Mr. Foley would not sign a new Notice of Intent which requires the signatures of applicant and owner. Submitting a packet of materials to the Commission, Ms. Harrington stated the easement document clearly allows her client to install, repair, replace, and maintain an access and utility easement. Ms. Harrington said she contacted Mr. Bill Foley, co-owner of 220 Longley Rd., regarding paving the common driveway. He indicated that, unless he was granted an easement to the next door neighbor's lawn, he would not allow paving. When it was confirmed the septic system is located there and Ms. Hughes could not deed land where it was located, Mr. Foley then asked if her client would sign a recordable document that she or subsequent owners would sign over this area, with no monetary compensation, upon the failure and re-location of the septic system. According to Attorney Harrington, Mr. Foley acknowledged that linking the paving of the common driveway was the only way to force his neighbor to sell the land to him.

Cheryl Keough (220 Longley Rd.) said that she and her husband co-own 220 Longley Rd. with her parents, William and Frances Foley. She recollected the conversation Mr. Foley had with Ms. Harrington differently. She submitted a history, including photographs, about her property to the Commission, noting she was in the position of defending herself and discussing an uncomfortable land situation. She explained they wanted to purchase the land because it is

their backyard. She acknowledged that research revealed it was not a feasible option because of the septic system. Mrs. Keough said her family has a serious concern about liability if the portion of the driveway that they own is paved. She stated her own driveway was not paved, and she thought paving could create a possible play area for children, contribute to speeding issues, continue runoff problems, and create long term maintenance issues. Her issues are outlined in the position paper "History of the Shared Driveway 216/218 Longley Road" submitted to the Commission. She urged the Commission not to allow the driveway to be paved. Mrs. Keough said they would engage legal counsel because they felt the easement was subject to many different interpretations. She felt it was necessary for two attorneys to bring the matter to a court of law and requested the Commission to respect her family's position.

Lise LaFrance (216 Longley Rd.) pointed out the easement was in place when Mrs. Keough purchased the property. Gary Oravetz (218 Longley Rd.) said the original set of plans showed the driveway was engineered to be asphalt. Due to financial and time constraints, the former owner did not choose to pave. Mr. Oravetz concurred that the compromised drainage issues needed to be addressed.

Jane Hughes (218 Longley Rd.) asserted that although the driveway was gravel, it was calculated as an impervious surface when the engineer originally prepared the plans. P. Morrison said it would be interesting to see the original plan, and B. Ganem said the Commission's records include the plan. C. Keough said it is unfortunate we have to go this route, and it is becoming personal. Chairman Morrison acknowledged we are at an interesting juncture, and the Commission must review its options. E. Owen pointed out the Commission's position trumps everything as it carries the weight of law behind it. If an applicant is not in compliance, it is a fineable offence. He said we have to figure it out as a board, and we cannot allow wetlands to be compromised. A gravel driveway is unlikely to be perfect forever.

B. Clements added a gravel driveway typically requires annual maintenance to keep it in a functioning state. If the Commission assumes it is not possible to pave the driveway, the only other alternative may be the wetland crossing. P. Morrison said permitting a new driveway is unlikely without extenuating circumstances. He noted mitigation would have to be on donated land, and this may not be available to the applicant. The Commission could look at issuing Enforcement Orders to all parties.

J. Hughes explained the former owner of the property purchased 13 acres from George Carpenter. When the land was subdivided, they agreed to a shared driveway for two houses because it would avoid a wetland crossing. She noted Longley Road is a difficult road to drive on as there are multiple driveway entrances. Ms. Hughes pointed out the next four driveways are already paved, and recently Barry Cunningham had paved his driveway. The Planning Board now requires that shared driveways be paved. She said she has difficulty understanding the liability issue, and she feels paving would define the driveway in a superior fashion. She indicated they were willing to bring it back to its former status regardless, but urged the Commission to consider paving.

P. Morrison suggested contacting MACC's Alexandra Dawson on the matter of a shared driveway partially on a third party's land. This could help the Commission determine what options we have regarding the surfacing of the driveway. He recommended, however, that the Commission act now and issue an Enforcement Order to bring the project into compliance.

Greg Melone said they could follow the engineered plans for the first 200' of the driveway and then prepare a replication plan for any crossing. Commissioners explained the Cunningham driveway was a limited project under the Wetlands Protection Act because the applicant had no other alternative to get to back land. The common driveway does not fall into this category. An Enforcement Order would put an encumbrance on all properties. C. Keough asked Commissioners if they would want an Enforcement Order on their land, and P. Morrison explained it was the only thing the Commission can do to assure compliance. An Enforcement Order will require restoring the driveway to original conditions. Attorney Harrington asked the Commission to include clear language that is not equivocal in any decision it makes. She added there is an indemnification clause in the Declaration of Easements and Restrictions that apply to these properties for the access and utility easement. Upon a motion by K. Corwin, seconded by M. Giguere, it was

VOTED: to issue an Enforcement Order to all three parties to restore the driveway serving 216 and 218 Longley Road as dictated on the originally submitted NOI plan, on

which a Certificate of Compliance was issued by the Commission. The Order will include the requirement that gravel and sand be removed and does require the cooperation of the owner at the bottom of hill but the financial responsibility rests with the owners of 216 & 218 Longley Road. The work is to commence within 7 days and be completed within one month of issuance.

C. Keough asked if paving is a separate issue to be resolved after consultation with MACC, and Commissioners indicated this was the case, but they prefer a permanent solution for the reclamation and restoration of the original driveway. The vote was unanimous in favor of issuing the Enforcement Order. Ms. Keough requested a copy of the documents presented by Ms. Harrington, and Commissioners gave them to her, commenting they are now part of the public record. C. Auman suggested the Order include a requirement for an As Built Plan from an engineer.

B. Ganem explained she had visited 654 Longley Rd. and observed tree limbs deposited in the wetland and buffer. The homeowner explained he was improving the bank at the Longley Rd. wetland crossing. Commissioners agreed to send a letter to the homeowner requesting removal of the materials with a copy sent to the realtor who is handling the sale of the property.

B Squared Builders has submitted an As Built Plan for 8 Labbe Road. The Plan shows the same tree line as the NOI plan. Commissioners agreed in the future to require applicants to clearly show the extent of lawn on plans. Upon a motion by B. Easom, seconded by C. Auman, it was

VOTED: to issue a Certificate of Compliance for DEP #169-771 for 8 Labbe Rd.

K. Corwin voted in the negative.

Commissioners agreed to allow B. Ganem to inspect the property at 53 Island Road for compliance with the Order of Conditions, and upon a motion by K. Corwin, seconded by B. Easom, it was

VOTED: to issue a Certificate of Compliance for DEP #169-784 for 53 Island Rd. once it is confirmed the applicant is in compliance with the Order.

The Commission observed on June 11th that homeowners at 12 Canterbury Lane have actually added a trampoline to the conservation area. B. Ganem reported the homeowner at 77 Hidden Valley continues to mow the conservation area next to his lot. Commissioners agreed to send certified letters to these parties with a deadline for compliance and noting fines can be issued.

In discussion on the amended Order of Conditions for #169-783 for Academy Hill, member K. Corwin recommended the Commission require compliance with the Massachusetts Technical Guidelines for stream crossing standards, dated August 6, 2004 in the Order of Conditions. B. Clements questioned whether the 5000 SF provision outlined in the MACC Handbook applied to rare species habitat in an ACEC. He noted it appears to be discretionary, and perhaps this was an oversight in the issuance of the original Order of Conditions. K. Corwin also questioned whether the filing qualified as a limited project because there was a second access. Upon a motion by K. Corwin, seconded by B. Easom, it was

VOTED: to issue the amended draft amendment to the Order of Conditions for DEP #169-783 for Academy Hill.

Regarding the new filing, DEP #169-917, B. Clements felt that a case could be made for the 5,000 SF provision which does not appear to be allowed in rare species habitat. In reference to the work in the buffer on this phase of the project, Mr. Clements pointed out it does not comply with the Groton Wetlands Protection Bylaw. He questioned whether the proposed mitigation was sufficient to approve a plan which includes 94 housing units. He did not believe it provided a significant public benefit as the proposed Conservation Restriction does not provide more conservation value than already exists at the site. He noted more traffic, more people, and more pets do not constitute a public benefit. He

urged the Commission to look at the project as a whole, and it does not provide a public benefit because of the proximity to rare species habitat. He said residential development is not a public benefit to the Town.

P. Morrison said, in that case, the Commission would be forced into the position of denying every project that comes before us as 80% of the town is rare species habitat. B. Clements pointed out it depends on the magnitude and looking at the whole project from the perspective of public benefit. It is possible that, with far fewer housing units, there could be a public benefit. He felt there was a discretionary threshold for which there could be no specific number. Member Giguere questioned whether they could come back with more units under a Ch. 40B proposal.

P. Morrison said there should be a balance.

Member Owen said the project is really one piece yet we are holding it up to two different standards because they were proposed at different times. M. Giguere said it does not meet the Commission's standards as presented in the Bylaw. Member Clements pointed out the new Bylaw allows the Commission to look at encroachment into upland habitat, and he believed the proposed mitigation was not adequate. P. Morrison said his concern was that if the Commission issues a denial because of rare species and/or the existence of the ACEC, there would be no times when wetland filling is allowed. Re-reading Ch. 12.6.7 in the Environmental Handbook, any loss of up to 5,000 SF of wetland is discretionary, even if replicated. B. Easom thought the "may" may be discretionary for replication. The usual requirement is that all disturbances be replicated. C. Auman read the section of the WPA Regulations which applies to alterations in Bordering Vegetated Wetlands. If you play the project out for the south access, it does not qualify as a limited project. B. Clements encouraged the Commission to carefully reflect on their decision as this was one of the most important the Commission will make. K. Corwin felt the discussion should have taken place at an earlier point in the consideration of the project.

Larry Beals, who had requested a specific time on the Commission's agenda at which these Orders would be discussed, asked if he could speak. P. Morrison said essentially the Commission cannot listen as the hearing has closed. Mr. Beals said the new access was purposely relocated to keep the project out of rare species habitat. Mr. Morrison said he felt the proposed Conservation Restriction could be more protective of the habitat as it would deter ATV and off-road vehicles currently using the area. B. Ganem explained applicants are required to send Natural Heritage the complete NOI filing if work is proposed within a rare species polygon. She read from Natural Heritage's response letter of March 10th, in which they state there will be no adverse impact from the project but do require the applicant to get a Conservation Permit for the taking of rare species. Mr. Morrison questioned how the project can be denied if they are not taking turtle habitat. He thanked B. Clements for a good job in explaining his point of view.

Mr. Clements urged the Commission to look at the whole project, not just the south access. B. Easom made a motion, seconded by E. Owen, to approve the amended draft of the Order of Conditions for DEP #169-917. In discussion on the motion, B. Clements recommended Commissioners look at the impact to the Town of 94 housing units. He noted the impacts will result in more traffic and more requirements for services. He questioned whether this is a significant public benefit. M. Giguere asked him how many housing units he felt would be appropriate for the site, and Mr. Clements responded he could not answer this. E. Owen acknowledged this was a gem among undeveloped parcels. He urged the Commission to vote with the Bylaw standard so that it meets the test of time, being very careful to treat all applicants equally regardless of the scale of the project. K. Corwin acknowledged it is one of the premier parcels, but she did not think the Commission could stop something from being built there. The Conservation Restriction offers a situation in which some of the habitat is preserved. If a 40B gets filed, the Commission will not be able to have control under the Bylaw. P. Morrison thought that, if someone spends a lot of money buying parcels on the Throne, there is a possibility that something will be built there.

B. Clements said he would expect something of less magnitude, significantly less. K. Corwin said she wished Natural Heritage had forced the issue. B. Clements said Natural Heritage is essentially using our town to conduct a long term experiment in turtle survival to the detriment of the people who live here by imposing 94 housing units. Natural Heritage does its studies on the turtle population pool and maintains a 500' buffer for the study area. He thought this area of the Throne is being sacrificed for the study. The original motion came to the floor, and it was

VOTED: to issue the amended draft of the Order of Conditions for DEP #169-917.

C. Auman, P. Morrison, K. Corwin, and B. Easom voted in favor while M. Giguere, E. Owen, and B. Clements voted in the negative.

Discussion then turned to revising the Regulations under the Bylaw. K. Corwin suggested some changes, and M. Giguere agreed to see how they could be worked into the existing Regulations.

B. Ganem explained the Commission has received a complaint from Chris Petroff that his neighbor's in-ground pool (235 Riverbend Dr.) is larger than was proposed in the Notice of Intent. Commissioners said this matter will be addressed when the applicant applies for a Certificate of Compliance for the project.

K. Corwin said she felt it was inappropriate to make an appointment for an applicant to be in attendance when the Commission is discussing an Order of Conditions. Acknowledging this is a meeting that is open to the public, members agreed to adopt a policy in which applicants are informed of the meeting when the Commission will be discussing an Order, but the Commission will not set up a specific appointment time for the discussion.

There being no further business, the meeting was adjourned at 10:40 p.m.

Respectfully submitted,

Barbara V. Ganem
Conservation Assistant

Approved as amended June 28, 2005