

Worthington Conservation Commission
Minutes of Meeting
July 15, 2014

The meeting was called to order at 7:12 PM.

1 Attendance

1.1 Members

Peg O'Neal, Andrew Madden, Jim Molyneux, Ed Lewis

1.2 Guest

Mary Munson

2 Public Hearing-Request for Determination of Applicability

Acting Chairman, Andrew Madden opened the hearing at 07:15:16 PM

Mary Munson of 123 Capen Street submitted a Request for Determination of Applicability of the Wetlands Protection Act (RDA) querying whether or not planned work at her home would be subject to the Wetlands Protection Act.

Ms. Munson described the project which consists of replacing a failed underground wastewater disposal system "septic system".

Micky Spokas, Littletree Environmental Services drew the plans. The new system is to be constructed on the same plot as the existing system which failed.

The replacement system involves a new technology called an Elgin system. The DEP has approved this type of system for use. Elgin systems need a 2-foot separation from groundwater which is less than the 3 feet required of a conventional system. Evidently this type of system involves a different sand specification from that needed by conventional systems. Elgins requires a smaller footprint than conventional systems.

The RDA cited the regulatory presumption that systems constructed in compliance with the State Environmental Code, 310 CMR 15, are deemed to protect the interests of the Wetlands

Protection Act under certain provisions. Systems must be constructed outside any non-riverfront resource area. If constructed within the Riverfront area, they need to more than 100 feet from the river. Construction projects must incorporate sediment and erosion control. The plans for the proposed system comply with the above-listed criteria.

Mr. Lewis offered a motion that Ms. O'Neal seconded that the commission issue a negative determination of applicability citing:

- Box 2. The work described in the Request is within an area subject to protection under the Act, but will not remove, fill, dredge, or alter that area. Therefore, said work does not require the filing of a Notice of Intent.
- Box 5. The area described in the Request is subject to protection under the Act. Since the work described therein meets the requirements for the following exemption, as specified in the Act and the regulations, no Notice of Intent is required: 310 CMR 10.03(3)

The commission approved the motion unanimously.

3 Old Business

Minutes of the Previous Meeting

Action on the minutes of the June meeting is deferred until next month.

4 New Business

4.1 Cutting Plan

The commission is in receipt of a cutting plan for work on Starkweather Road. The parcel is identified as Map 402, Lot 29. The landowner is a John Cournoyer. The plan has not been signed yet. No comments.

4.2 Other

There was no other new business brought before the commission.

The meeting adjourned at 07:41:04 PM.