



Town of Bridgewater, Massachusetts

Town Council

Community and Economic Development Committee

**Town Council
Community and Economic
Development Committee**

**Peter Colombotos
Chairman
District 5 Representative**

**William Wood
District 6 Representative**

**Fred Chase
District 4 Representative**

**Meeting Agenda
November 3, 2021**

Virtual Zoom Meeting to Attend Via Video:
<https://us06web.zoom.us/j/84288175326>

**To Attend Via Phone Dial: 1 646 876 9923
Meeting ID: 842 881 753 26**

Call to Order – 7:00 p.m.

New Business

- **Resolution R-FY22-001 – Acknowledgement of the Acceptance of Catch Basin Cleaning at Marilyn’s Landing land Reclamation Project**
- **Resolution R-FY22-003 – Clear Title to the Town Common**
- **Ordinance D-FY22-013 – Discontinuance of the Abandoned Portion of Lakeside Drive**
- **Order O-FY22-019 – Eminent Domain Order of Taking for Summer Street Property**

Adjournment



Bridgewater Town Council

In Town Council, Tuesday, October 5, 2021

Council Resolution: R-FY22-001

Introduced By: Councilors Rushton

Date Introduced: October 5, 2021

First Reading: October 5, 2021

Second Reading:

Amendments Adopted:

Date Adopted:

Date Effective:

Resolution R-FY22-001

ACKNOWLEDGEMENT OF THE ACCEPTANCE OF CATCH BASIN CLEANING AT MARILYN'S LANDING LAND RECLAMATION PROJECT

WHEREAS; on February 28, 2017, Town Council unanimously approved issuance of a letter to the Massachusetts Department of Environmental Protection ("MassDEP") consenting to the land reclamation project at approximately eight (8) acres of land owned by MacDonald Industries, D/B/A Marilyn's Landing that has been mined of its soils, gravel, and stone;

WHEREAS; the Department of Environmental Protection has issued an Administrative Consent Order approving the land reclamation project.;

WHEREAS; the Department of Environmental Protection oversees the reclamation process, including the testing of all fill;

WHEREAS; MacDonald Industries now proposes to accept municipal catch basin cleanings ("CBC") at Marilyn's Landing and to accept CBC from the Town of Bridgewater free of charge;

WHEREAS; acceptance of CBC is subject to sampling as required by MassDEP, and such sampling results shall not exceed existing testing criteria for soil;

WHEREAS; the Town Manager recommends the issuance of municipal consent based upon the DEP policy governing land reclamation, and;

WHEREAS; land reclamation will bring the land contour back to its approximate original form,

BE IT RESOLVED: The Town Council acknowledges and approves the acceptance of CBC at Marilyn’s Landing, provided it is approved by MassDEP and meets all applicable regulatory standards.

Explanation: In 2017 the Town Council unanimously voted a resolution approving a letter of support for Marilyn’s Landing land reclamation project. The project straddles the Bridgewater/Halifax town line and is made up of the capped landfill on one side and Marilyn’s Landing on the other. As noted in the resolution, the Department of Environmental Protection oversees the project and all fill used to reclaim the land, including determining appropriate materials, testing, and site compliance. This confirmation is sought by the DEP to confirm the Town’s understanding that catch basin cleanings are permitted as part of the fill used to reclaim the land. The Town of Halifax has already assented to the DEP request.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
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Bridgewater Town Council

In Town Council, Tuesday, October 19, 2021

Council Resolution: R-FY22-003

Introduced By: Councilor Wood
Date Introduced: October 19, 2021
First Reading: October 19, 2021
Second Reading:
Amendments Adopted:
Date Adopted:
Date Effective:

Resolution R-FY22-003

Clear Title to the Town Common

WHEREAS, The Bridgewater Town Common is an iconic part of Bridgewater's history, and

WHEREAS, the Common has existed as a public place for generations, and

WHEREAS, prior reviews of the ownership of the Common show that title may be clouded, and

WHEREAS, any grant funded improvements to the Common or the areas surrounding it will require certification that the Town has fee simple ownership of the Common and the streets around it, NOW THEREFORE, the Town Council assembled resolves that the Town Manager should arrange to conduct a review of the ownership of the Common by a qualified party with all due haste to determine if further action is required to secure fee simple ownership in the Town Common.

Explanation: While the Common has been used as a public space for generations, it is possible that there are areas of the Common with "clouded" title, meaning other interests may be held by long deceased parties. When the Town begins to make any state or federal grant funded improvements to the Common, the Town must certify that the Town has full ownership of the property. By conducting a title exam now, the Town will know the ownership status and can initiate appropriate action to clear title prior to applying for grant funding.



Bridgewater Town Council

In Town Council, Tuesday, October 19, 2021

Council Ordinance: D-FY22-013

Introduced By: Councilor Sousa
Date Introduced: October 19, 2021
First Reading: October 19, 2021
Second Reading:
Third Reading:
Amendments Adopted:
Date Adopted:
Date Effective:

Proposed Ordinance D-FY22-013

DISCONTINUANCE OF THE ABANDONED PORTION OF LAKESIDE DRIVE

WHEREAS, a portion of Lakeside Drive has been abandoned and unused for decades and;

WHEREAS, a portion is now part of the parking lot for the boat ramp;

WHEREAS, a portion beyond that runs through the land owned by Claremont Lake Bridgewater;

WHEREAS, the Bridgewater Town Council has the authority to discontinue the way pursuant to G.L. c.81: 81 and Section 2-2 of the Town Charter;

ORDERED, that the council vote to abandon that portion of the way, in accordance with the exhibit listed below. This way will become the property of the state which owns the boat ramp and Claremont Lakeside Bridgewater, LLC. will take ownership of the portion of the way, abutting parcels 11 through 14 and parcels 29 through 39 shown on the Town of Bridgewater Assessor's Map 83.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
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Bridgewater Town Council

In Town Council, Tuesday, October 19, 2021

Council Order: O-FY22-019

Introduced By:	Councilor George
Date Introduced	October 19, 2021
First Reading:	October 19, 2021
Second Reading:	
Amendments Adopted:	
Third Reading:	
Date Adopted:	
Date Effective:	

Order O-FY22-019

EMINENT DOMAIN ORDER OF TAKING FOR SUMMER STREET PROPERTY

WHEREAS, the Town of Bridgewater wishes to create additional downtown parkland and passive recreational space for the people Bridgewater for the public purpose of improving the living experience of residents of Bridgewater who live in the downtown area and providing outdoor passive recreational opportunities for residents and visitors alike.

Ordered, that by the Town Council for the Town of Bridgewater as follows:

1. That the Town of Bridgewater, by right of eminent domain, pursuant to the applicable provisions of Massachusetts General Laws, Chapter 79 and Chapter 121B and also Chapter 610 of the Acts of 1967 and of any and every power granted or implied, hereby takes for itself in fee simple for the purposes set forth or referred to, the Property located in the Town of Bridgewater presently known as 46 Summer Street more particularly described as Parcel 1 in a Plan recorded with the Plymouth County Registry of Deeds at Plan Book 14, Page 625 and in a Deed recorded with the Plymouth County Registry of Deeds at Book 3351, Page 458, together with any and all easements and rights and privileges as specifically referred to if any, but not limited thereto, and all claims, rights and interests of any kind or nature therein, whether vested or otherwise, including the trees, buildings, structures, bridges, overhead bridges, standing upon or affixed thereto, including air rights and the fee, if any, in all streets and passageways in said area and rights, if any, either contiguous or nearly contiguous and adjacent or nearly adjacent to the Properties taken hereby.
2. It is further ordered that in accordance with the provisions of the General Laws, awards are made by the Town of Bridgewater for damages, if any, sustained by the owner or owners and all other persons including mortgagees of record having any and all interest in each parcel.
3. It is further Ordered that a copy of this Order of Taking and related plans, if any, be recorded at the Plymouth County Registry of Deeds, and the Land Registration Section thereof, if applicable, in compliance with M.G.L. Chapter 79.
4. The Parcel (known as 46 Summer Street, Bridgewater, MA 02324) being taken, is specified as Parcel 1 in a Plan recorded with the Plymouth County Registry of Deeds at Plan Book 14, Page 625.

NOT FOR ACTION – FIRST READING ONLY

Explanation: To take by Eminent Domain, a certain parcel of Land in the Town of Bridgewater for Municipal Purposes, namely, to create parkland and open space for the benefit of all Bridgewater residents.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
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