

**Conservation Commission Minutes
December 8, 2016**

Attendees:

Present: Marilyn MacDonald, Vice-Chair, Harry Bailey, Member; Melissa Desjardins, Member; Robert Mello, Member; and Matthew Stoddard, Member

Absent: Azu Etoniru, Conservation Agent; Mariah Jennings-Rampsi, Associate Member; and Dick Monteith, Chair

Conservation Commission – Old Business

Notice of Intent – Off Auburn Street, Map 79, Lots 1, 2, 4 and 18 – SE116-1383

Ms. Marilyn MacDonald, Member and Acting Chair, opened the continued hearing. Updated engineered plan set, revision date October 12, 2016 entitled “Cover Sheet”, “Existing Conditions”, “Proposed Solar Panel Layout Plan”, “Construction Details”, and “Watershed Plan” as prepared by E. T. Engineering Enterprises, Inc. and stamped by Chris J. Gallagher, Professional Engineer were submitted to the office for review.

Mr. John McCluskey, Attorney representing the applicant, stated that he would be making a presentation to the Commission and then asking the Commission to close the hearing. Mr. McCluskey recapped the proposed solar farm project located on the IMHOFF Farm on Auburn Street. Mr. McCluskey presented aerials of the farm depicting the existing topography and explained the configuration of the solar panels. Mr. McCluskey stated that they would be maintaining the wetland setback requirements. Mr. McCluskey also explained the proposed drainage system and the use of infiltration ditches and provided detailed sheets showing the drainage design. In addition, Mr. McCluskey stated that the drainage calculations for the site were submitted to the Commission for their review. Mr. McCluskey stated that, Kenneth Thomson, Botanist, was present to address any wetland questions.

Mr. Nick Lanney, P.E., L.S.P., HML Associates, peer review consultant was present and had several questions regarding the drainage on the parcel. Mr. Lanney asked if any test pits or soil evaluations were down to show the location of the seasonal high water tables. Mr. Lanney was concerned whether or not the swale was located in the high water table or not, and stated that if so, it would not infiltrate in that area. Mr. Lanney also noted that he hadn't had a chance to review the storm water calculations, and was unable to provide final comments.

For the record, Ms. Lenore White stated that she did not receive a copy of the update plans, and therefore was unable to review them.

Mr. Kenneth Thomson stated that he did not receive a copy of the letter from Wetland Strategies dated September 7, 2016. Mr. Kenneth Thomson addressed the concerns in the letter nonetheless.

Mr. Thomson explained where he augured and where he found hydric soils. Mr. Thomson explained the history and hydrology of the parcel. Mr. Thomson stated that the water shed's down into the woods, south of the field, where there is an intermittent stream. Ms. Lenore White, Wetland Scientist, from Wetland Strategies, countered the points made by Mr. Thomson, stating that when an area has been altered, as in the case of an agricultural field, you must go by the soils and therefore could not support the wetland delineation that has been done.

Mr. Dan Zani, abutter residing at 20 Old Farm Road, expressed his concerns regarding the wetlands.

Ms. Lynnette Chase, an abutter residing at 60 Old Farm Road, expressed concerns about the cranberry bogs, and the direction the solar panels would be facing. Mr. McClusky informed Ms. Chase that the Solar Panels do not reflect light and they will not have a glare. Mr. McClusky stated that solar panels do not reflect light, and they will not have a glare; solar panels are made to absorb the sunlight. Mr. McClusky stated that the site plan is currently being reviewed by the Planning Board to address this matter.

Ms. Nicole Holmes, an abutter residing at 80 Old Farm Road, asked if a copy of the Notice of Intent was filed with Natural Heritage. Mr. Thomson stated that a copy was not sent to Natural Heritage. Ms. Holmes informed the Commission that she was a professional registered engineer and civil engineer with a focus on storm water management, and it was her opinion that the applicant was not reducing their stormwater rate / volume into the wetlands. Ms. Holmes stated that it appears that the applicant divided the property into three design points, one to the western area, and one to the bog – which overflows to the wetlands and one to the east. Ms. Holmes stated that the calculations show that they are increasing flow in all storm events to the western wetlands and they are decreasing the flow to the eastern wetlands and to the bog – they are missing two acres in the proposed condition which is about ten percent of the total area so they are not accounting for that area elsewhere. Ms. Holmes showed the Commission an approximate overlay of USGS GIS Topography map and the proposed project to show the Commission what the 200' riverfront zone would look like with the proposed project built out. Ms. Holmes also suggested that they provide an infiltration trench on the western wetland, much like the eastern side. Mr. Thomson stated that in his review of the GIS Mapping, there is an intermittent stream, and there would be no riverfront associated with that area.

Mr. Mike Berolini, abutter residing at 129 Old Farm Road, expressed his concerns regarding the project and its impact on the wetlands.

Mr. Fred Chase, abutter residing at 60 Old Farm Road, expressed his concerns regarding Beaver Brook being a perennial stream or not, and explained the discrepancies as he saw them, according to the gis mapping.

Ms. Lenore White stated that regulations state when a stream is shown as intermittent or not shown on the latest GIS map, the applicant must demonstrate that the stream does not have a water shed that's large enough to qualifying as 75% stratified drift, and a stream stats analysis must be done to determine if it is an intermittent stream.

Ms. Karen Nickerson, abutter residing at 5 Hopkins Drive, expressed her concerns regarding protecting the wildlife so that they can get to the streams.

Ms. Marilyn MacDonald, Vice-Chair, asked Mr. Nick Lanney if he would need to see the test pits. Mr. Lanney stated that if we are going to be infiltrating ground water – stormwater, then we must know where the ground water table is. Mr. Lanney stated that some hand auguring or tests pits will show the location of the seasonal high water table.

Ms. Marilyn MacDonald, Vice-Chair, stated that Lenore White and Nick Lanney will need to have time to review the updated final plans that were submitted, as well as a few more issues that the applicant needs to do, and a lot more clarification is required prior to the Commission weighing in on the project in regards to the rules and regulations. Mr. Harry Bailey, Member, motioned to continue the hearing to January 12, 2017. Mr. John McCluskey, representing the applicant, stated that the applicant does not agree to the continuance and requested that the hearing be closed.

Ms. Melissa Desjardins, Member, made a motion to close the hearing. Mr. Robert Mello, Member, seconded the motion. VOTE: All in favor, none opposed.

Notice of Intent – 1 Lakeshore Center, 2018 and 2020 Pleasant Street – SE116-1329

Ms. Marilyn MacDonald, Member and Acting Chair, opened the continued hearing. Mr. Stevie Carvalho, E.I.T., and *Senior Project Manager* from Farland Corporation, presented the Commission with updated engineered plan set, revision date November 28, 2016 entitled "*Site Plan, 1 Lakeshore Center, 2018 & 2020 Pleasant Street*" as prepared by Christian Albert Farland, Farland Corporation, 401 County Street, New Bedford, MA for their review. Mr. Carvalho recapped the proposed project to construct a sixteen spot parking lot adjacent to the new Marriott. Mr. Carvalho stated that they have received all the necessary approvals through the Planning Board, and Mr. Azu Etoniru, Conservation Agent, has reviewed all of the documents and all of his concerns have been addressed.

The Commission reviewed all the material as presented and there were no further comments or concerns. Mr. Robert Mello, Member, motioned to close the hearing and issue an Order of Conditions with Special Conditions. Ms. Melissa Desjardins, Member, seconded the motion. VOTE: All in favor, none opposed.

Conservation Commission – New Business

Notice of Intent – 139 Arrowhead Drive, Map 13, Parcel 56 – SE116-1398

Ms. Marilyn MacDonald, Vice-Chair, opened the hearing and read the public hearing notice for the Notice of Intent filed by Michael Moreshead, 3 Paula Lane, Foxboro, MA on behalf of the applicant who proposed to repair an existing septic system and requested a determination from the Commission whether the work depicted on the plan is subject to jurisdiction under the Wetland Protection Act and Town of Bridgewater wetland by-law. The property is owned by Aspen Properties, 17 Oxford St, Taunton, MA and is located at 139 Arrowhead Dr as identified on Assessor's Map 13, Parcel 56.

Mr. Stevie Carvalho, E.I.T., and *Senior Project Manager* from Farland Corporation, representing the applicant, stated that he was asked to discuss the proposed project with the Commission at the last minute. Mr. Carvalho explained that the applicant filed a Request for Determination of Applicability and was told that a Notice of Intent would need to be filed to properly regulate the work to repair the septic system. Mr. Carvalho stated that the applicant went to the Board of Health to obtain the Certificate of Compliance for the septic system; but they wouldn't release it until the Conservation Commission issued the Order of Conditions. Mr. Carvalho stated that without the Certificate of Compliance release from the Board of Health, the Building Department will not release the Certificate of Occupancy.

The Conservation Commission expressed their disappointment to the applicant regarding the work already being done.

Mr. Michael Moreshead stated that the Board of Health was out there and measured the flags and wetlands. Mr. Moreshead also stated that he met with the Conservation Agent and Board of Health Agent.

The pending buyers of the property pleaded their case regarding getting the necessary approvals to avoid being homeless. Ms. Marilyn MacDonald, Vice-Chair, stated that the Commission still needed to do their due diligence but will try to expedite the process.

The Commission requested that the applicant stake out the closest points to the wetlands of the septic system, the force main and the pump chamber.

Ms. Melissa Desjardins, Member, motioned to continue the hearing, pending a site walk visit on Sunday, December 11, 2017 at Noon. Mr. Harry Bailey, Member, seconded the motion. VOTE: All in favor, none opposed.

Notice of Intent – 7 Autumn Circle – SE116-1396

Ms, Marilyn MacDonald, Vice-Chair, opened the hearing and read the public hearing notice for the Notice of Intent filed by Marc Emma, 7 Autumn Circle, Bridgewater, MA who proposed to construct an addition, a deck and a pool within the buffer zone to a wetlands. The property is owned by Marc Emma and is located at 7 Autumn Circle as identified on Assessor's Map 63, Parcel 108-7.

Mr. Lawrence Silva, PE, representing the applicant, made a presentation to the Commission, explaining the scope of the project as depicted on the engineered plans dated October 24, 2016 entitled "*Proposed Addition Plan*" as prepared by Silva Engineering Associates. Mr. Silva also discussed the existing topography and drainage at the site.

Ms. Bonnie Nickless, abutter residing at 9 Autumn Circle, expressed concern that the water table may change due to the project. The Commission and Mr. Silva addressed her concerns.

The Commission requested that the back side of the proposed pool location be staked out. Mr. Robert Mello, Member, motioned to continue the hearing to January 12, 2017 pending a site walk visit. Ms. Melissa Desjardins, Member, seconded the motion. VOTE: All in favor, none opposed.

Notice of Intent – 30 Colonial Drive – SE116-1397

Ms, Marilyn MacDonald, Vice-Chair, opened the hearing and read the public hearing notice for the Notice of Intent filed by P.J. Cincotta Inc. who proposed to construct a single family home within the buffer zone to a wetland. The property is owned by E and J LLC and is located at 30 Colonial Drive as identified on Assessor's Map 111, Parcels 31, 32 and 13A, and Map 101, Parcel 39.

Mr. Lawrence Silva, PE, representing the applicant, made a presentation to the Commission, explaining the scope of the project as depicted on the engineered plans dated October 24, 2016 entitled "*Septic System Design Plan*" as prepared by Silva Engineering Associates. Mr. Silva also discussed the existing topography and drainage at the site. Mr. Silva stated that when he examined the parcel a little closer, they discovered that the wetland line as delineated by Ms. Brooke Monroe was substantially different and the reason why is because the line that was originally delineated was found to be incorrect, due to the hydrant leak that was discovered during the first filing. Mr. Silva stated that the proposed house is shown on the plan, within the new delineated wetland line. Mr. Silva stated that the applicant would like the Commission to approve the new wetland line, as filed with this Notice of Intent and rescind the old line.

The Commission will verify the procedures for rescinding a previous approval for a wetland line, and reapproving a new wetland line through this Notice of Intent filing with the Conservation Agent.

Mr. Robert Mello, Member, motioned to continue the hearing to January 12, 2017. Mr. Harry Bailey, Member, seconded the motion. VOTE: All in favor, none opposed.

Notice of Intent – Oldfield Estates, Off Cherry Street – SE116-1395

Ms. Marilyn MacDonald, Vice-Chair, opened the hearing and read the public hearing notice for the Notice of Intent filed by 5P Forester Real Estate Trust who proposed to construct roadways and drainage system within the buffer zone to a wetland. The property is owned by 5P Forester Real Estate Trust and is located at off Cherry Street, Bridgewater, MA as identified on Assessor's Map 66, Parcel 14, and Map 52, Parcels 12-17, 19-21, 23, and 32.

Mr. Lawrence Silva, PE, representing the applicant, made a presentation to the Commission, explaining the scope of the project as depicted on the engineered plans dated October 12, 2016 entitled "*Definitive Subdivision: Oldfield Estates*" as prepared by Silva Engineering Associates. Mr. Silva informed the Commission that the subdivision approvals had lapsed and the applicant was required to reapply for the necessary permits. Mr. Silva stated that the Planning Board was currently reviewing it.

Mr. Silva stated that he would like to have the Commission review the wetland line strictly, until the Planning Board and Mr. Azu Etoniru, Conservation Agent and Town Engineer, has the opportunity to review the engineering work for the project. The Commission stated that they would need to review the request with the Agent, as to whether or not an Notice of Intent is an appropriate filing, or if the applicant would be required to file an ANRAD.

Mr. Robert Mello, Member, motioned to continue the hearing to January 12, 2017. Mr. Harry Bailey, Member, seconded the motion. VOTE: All in favor, none opposed.

ANRAD – Lyman Place

The Commission was unable to open the hearing due to the fact that the applicant was unable to provide the public hearing notice. The applicant will re-advertise for the January 12, 2017 hearing date. The Commission will go out to do a site walk visit in the meanwhile, so that the applicant does not lose any time in the process.

Conservation Commission Business

Review of Certificate of Compliance for 8 Rolling Pines Drive, Lot 3 – SE116-1364

The Commission reviewed the Certificate of Compliance for DEP File Number SE116-1364 for 8 Rolling Pines Drive, Map 67, Parcel 86 as presented. Ms. Melissa Desjardins, Member, made a motion to issue the Certificate of Compliance. Mr. Robert Mello, Member, seconded the motion. VOTE: All in favor, none opposed.

Review of Certificate of Compliance for 396 Oak Street – SE116-1367

The Commission reviewed the Certificate of Compliance for DEP File Number SE116-1367 for 396 Oak Street, Map 3, Parcel 81 as presented. Ms. Melissa Desjardins, Member, made a motion to issue the Certificate of Compliance. Mr. Robert Mello, Member, seconded the motion. VOTE: All in favor, none opposed.

Review of Certificate of Compliance for 493 Summer Street – SE116-1273

The Commission reviewed the Certificate of Compliance for DEP File Number SE116-1273 for 493 Summer Street, Map 49, Parcel 23 as presented. Ms. Melissa Desjardins, Member, made a motion to issue the Certificate of Compliance. Mr. Robert Mello, Member, seconded the motion. VOTE: All in favor, none opposed.

Review of Certificate of Compliance for Residence Inn, One Lakeshore Center – SE116-1329

The Commission reviewed the Certificate of Compliance for DEP File Number SE116-1329 for One Lakeshore Center, Map 96, Parcel 14 as presented. Ms. Melissa Desjardins, Member, made a motion to issue the Certificate of Compliance. Mr. Robert Mello, Member, seconded the motion. VOTE: All in favor, none opposed.

Review of Certificate of Compliance for 115 Grange Park – SE116-943

The Commission reviewed the Certificate of Compliance for DEP File Number SE116-943 for 115 Grange Park, Map 73, Parcel 89 as presented. Ms. Melissa Desjardins, Member, made a motion to issue the Certificate of Compliance. Mr. Robert Mello, Member, seconded the motion. VOTE: All in favor, none opposed.

Review of Certificate of Compliance for 1121 Vernon Street – SE116-970 and SE116-1200

The Commission reviewed the Certificate of Compliances for DEP File Number SE116-970 and SE116-1200 for 1121 Vernon Street, Map 124, Parcel 58 as presented. Ms. Melissa Desjardins, Member, made a motion to issue the Certificate of Compliance. Mr. Robert Mello, Member, seconded the motion. VOTE: All in favor, none opposed.

Review of Certificate of Compliance for 175 Beech Street, Map 131, Lot 39 – SE116-951

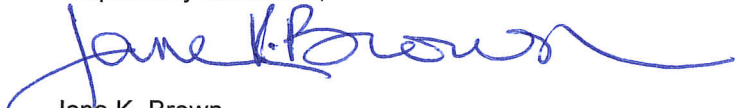
The Commission reviewed the Certificate of Compliance for DEP File Number SE116-951 for 175 Beech Street, Map 131, Parcel 39 as presented. Ms. Melissa Desjardins, Member, made a motion to issue the Certificate of Compliance. Mr. Robert Mello, Member, seconded the motion. VOTE: All in favor, none opposed.

Review of Duxburrow Estates 40B Zoning Board of Appeals Application

The Commission reviewed the application for the Duxburrow Estates 40B project and associated plans. The Commission requested that a letter be sent to the Zoning Board of Appeals to inform the applicant.

Commissioner Melissa Desjardins, Member, made a motion to adjourn the regular meeting at 7:37pm. Commissioner Robert Mello, Member, seconded the motion. VOTE: All in favor, none opposed. Acting Chair Harry Bailey closed the meeting. Next meeting will be on November 10, 2016 at 7:00pm in the Hearing Room located on the second floor of the Academy Building, 66 Central Square, Bridgewater.

Respectfully submitted,



Jane K. Brown
Administrative Clerk