

**Conservation Commission Minutes
October 13, 2016**

Attendees:

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

Absent: Tina Bianco-Leo, Associate Member; Mariah Jennings-Rampsi, Associate Member; and Dick Monteith, Chair

Conservation Commission – Old Business

Notice of Intent – 29 Indian Ridge, Map 85, Parcel 93 – SE116-1375

Ms. Marilyn MacDonald, Vice-Chair, opened the continued hearing. Mr. Charles Woodward from Professional Land Surveyors Associates, representing the applicant, recapped the scope of the project and provided updated engineered plans dated October 11, 2016 entitled “*Building Permit Plot Plan on 29 Indian Ridge in Bridgewater, MA*” signed and stamped by Edward P. Jacobs reflecting the old versus the new wetland line. Mr. Woodward stated that they gained approximately 25’ of upland. Mr. Woodward also submitted an updated wetland delineation report dated October 11, 2016 from Brad Holmes, Professional Wetland Scientist #1464, from Environmental Consulting and Restoration, LLC for the Commission’s review.

The Commission reviewed their site walk findings. Ms. Marilyn MacDonald, Vice-Chair, stated that she did not have time to do the site walk due to the late receipt of the updated plans. Mr. Harry Bailey, Member, said that he walked all the flags and augured at flags 6, 8, and 11 through 13, all of which were pretty close to where the soils changed. Mr. Bailey was uncomfortable approving the project at the new wetland line due to the drought conditions, and stated that the project should be approved based on the old wetland line and reassessed at a later date, when the drought is over. Mr. Bailey, Ms. Desjardins, and Mr. Stoddard all stated that they were fine with the project as it stands.

Mr. Azu Etoniru, Conservation Agent, recommended approving the project based on the old wetland line, and required a foundation as-built plan.

The Commission reviewed all the material as presented and there were no further comments or concerns, and no abutters present for comments. Mr. Harry Bailey, Member, made a motion to close the hearing and issue an Order of Conditions with a special condition requiring a foundation as-built plan. Ms. Melissa Desjardins, Member, seconded the motion. VOTE: All in favor, none opposed.

Notice of Intent – 1 Lakeshore Center, 2018 and 2020 Pleasant Street – SE116-1392

Ms. Marilyn MacDonald, Vice-Chair, opened the continued hearing. The applicant was not present. Mr. Harry Bailey, Member, made a motion to continue the hearing to October 27, 2016. Ms. Melissa Desjardins, Member, seconded the motion. VOTE: All in favor, none opposed.

Conservation Commission – New Business

Notice of Intent – 369 Lakeside Drive, Map 70, Parcel 3 – SE116-1393

Ms. Marilyn MacDonald, Vice-Chair, opened the hearing and read the public hearing notice into the record for the Notice of Intent filed by John Fitzgerald, 369 Lakeside Drive, Bridgewater, MA 02324. The applicant requested proposed to install a portion of a driveway within 100' of a Bordering Vegetative Wetlands. The property is located at 369 Lakeside Drive as identified on Assessor's Map 70, Parcel 3.

Mr. John Fitzgerald made a presentation to the Commission regarding the proposed project as depicted on the engineered plans presented dated September 14, 2016 entitled "*Plot Plan Showing Proposed Driveway, 369 Lakeside Drive in Bridgewater, MA Owned by Madeline J. and John Fitzgerald*" as prepared by John W. Delano and Associates, Inc., Professional Land Surveyors and Engineers, 27 Jefferson Street, Taunton, MA and 220 Hudson Street, Halifax, MA. Mr. Fitzgerald stated that the existing driveway does not allow access to the garage. Mr. Azu Etoniru, Conservation Agent, stated that the existing driveway was an easement for the Beagle Club. Ms. Melissa Desjardins, Member, asked if there was a Town Bylaw that excluded a property owner from having three curb cuts. Mr. Azu Etoniru responded no. Mr. Harry Bailey, Member, asked how far the property was to the Keith Homestead. Mr. Fitzgerald responded that it is approximately 300'. Mr. Harry Bailey stated that the existing wetlands are on the opposite side of the street and did not see a problem with the proposed project. The Commission concurred.

The Commission reviewed all the material as presented and there were no further comments or concerns, and no abutters present for comments. Mr. Harry Bailey, Member, made a motion to close the hearing and issue an Order of Conditions with a special condition requiring a foundation as-built plan. Ms. Melissa Desjardins, Member, seconded the motion. VOTE: All in favor, none opposed.

Notice of Intent – Beninati Farm Road, Map 119, Parcel 18 and 87 – SE116-1394

Ms. Marilyn MacDonald, Vice-Chair, opened the hearing and read the public hearing notice into the record for the Notice of Intent filed by Jonathan Kish, 60 Joshua Lane, East Taunton, MA 02718. The applicant proposed to construct a single family dwelling, soil absorption system and driveway with related grading and utilities within the 100' Bordering Vegetative Wetlands resource area as delineated. The property is owned by Kathleen Beninati Realty Trust and is located at Beninati Farm Road, as identified on Assessor's Map 126, Parcel 17 and 18.

Mr. Michael J. Koska, PE, from Michael J. Koska and Associates, Inc. representing the applicant, made a presentation to the Commission, explaining the scope of the project and topography of the parcel as depicted on the engineered plans dated August 30, 2016 entitled "*Soil Absorption System Plan, New Construction, Map 119, Lot 87 and Map 119, Lot 18, Beninati Farm Road, Bridgewater, MA*", as prepared by Michael J. Koska and Associates, Inc., 98 Broad Street, Bridgewater, MA. Mr. Koska noted that the old wetland line was delineated by Walter Hewittson, and are the older pink flags. The new wetland line, delineated by Ken Thomson, are indicated by flags numbered KT1-KT18. Mr. Koska stated that the plans were submitted to the Board of Health for approval. Mr. Koska also informed the Commission that the property owner, and Mr. and Mrs. Higgins, to the north of the parcel, will be swapping property around to meet the setback requirements and will need to go to the Planning Board, if successful in obtaining the Conservation Commission approval.

The Commission reviewed all the material as presented, there were no further comments or concerns and no abutters were present for comment. Mr. Robert Mello, Member, made a motion to continue the hearing to October 27, 2016, pending individual site walk visits. Mr. Harry Bailey, Member, seconded the motion. VOTE: All in favor, none opposed.

Notice of Intent – 66 Sarah Drive, Map 7, Parcel 63 – SE116-1391

Ms. Marilyn MacDonald, Vice-Chair, opened the hearing and read the public hearing notice into the record for the Notice of Intent filed by Mark and Geneve T. Fitzgerald. The applicant proposed to construct an addition to the existing house which is 64' from the Bordering Vegetative Wetlands. The property is owned by Mark and Geneve T. Fitzgerald and located at 66 Sarah Drive as identified on Assessor's Map 7, Parcel 63.

Mr. Vladimir Nemchenck, PE, from Sea-Coast Consulting, LLC, 4 Court Street, Suite 101, Taunton, MA 02780, representing the applicant, made a presentation to the Commission, explaining the scope of the project and topography of the parcel as depicted on engineered plans dated July 25, 2016 entitled "Site Plan for Addition to 66 Sarah Drive, Bridgewater, MA". Mr. Nemchenck stated that the wetland line was previously approved, and the closets point is 65' on the inside of the fenced in area. Erosion control measures have already been put in place, and the work will be done in an area that is already being used, and will not go past the tree line.

The Commission reviewed all the material as presented and there were no further comments or concerns, and no abutters present for comments. Mr. Harry Bailey, Member, made a motion to close the hearing and issue a standard Order of Conditions. Mr. Robert Mello, Member, seconded the motion.

VOTE: All in favor, none opposed.

Conservation Commission Business

Review of Certificate of Compliance for Corner of Plymouth and Mill Street, Map 24, Parcel 23 – SE116-894

The Commission reviewed the Certificate of Compliance for DEP File Number SE116-894 for Plymouth and Mill Street, Map 24, Parcel 23 as presented. Mr. Harry Bailey, Member, made a motion to issue the Certificate of Compliance. Mr. Melissa Desjardins, Member, seconded the motion. VOTE: All in favor, none opposed.

Review of Order of Conditions for 18 Colonial Dr, Lot 5, Map 111, Lot 31, 32, & 13A and Map 101, Lot 39 – SE116-1384

The Commission reviewed the Order of Conditions for DEP File Number SE116-1365 for 18 Colonial Drive, Lot 5, Map 111 Lot 31, 32, and 13A and Map 101, Lot 39 as presented. Ms. Melissa Desjardins, Member, made a motion to issue the Order of Conditions. Mr. Harry Bailey, Member, seconded the motion.

VOTE: All in favor, none opposed.

Review of Order of Conditions for 22 Colonial Dr, Lot 6, Map 111, Lot 31, 32, & 13A and Map 101, Lot 39 – SE116-1385

The Commission reviewed the Order of Conditions for DEP File Number SE116-1385 for 22 Colonial Drive, Lot 6, Map 111 Lot 31, 32, and 13A and Map 101, Lot 39 as presented. Ms. Melissa Desjardins, Member, made a motion to issue the Order of Conditions. Mr. Harry Bailey, Member, seconded the motion.

VOTE: All in favor, none opposed.

Review of Order of Conditions for Bedford Street, Map 101, Lots 15 & 16 and Map 102, Lots 10, 11, & 12 – SE116-1380

The Commission reviewed the Order of Conditions for DEP File Number SE116-1380 for Bedford Street, Map 101, Lots 15 & 16 and Map 102, Lots 10, 11, & 12 with special conditions. Ms. Marilyn MacDonald, Vice-Chair, read the special conditions into the record. They stated the following:

- 1. The soil evaluation and percolation tests shall be conducted only at locations where a no-activity minimum distance of 50' can be achieved between the approved wetlands line and the soil evaluation test pits. No material stockpile (temporary or permanent) shall be placed less than 50' from the approved wetlands line. Erosion and silt control barrier shall be placed around the perimeter of the soil evaluation area prior to commencement of any soil evaluation work. This Order of Conditions does not authorize other site activities beside the soil evaluation work.*
- 2. Any request for certificate of compliance (COC) shall be accompanied by two copies of a certified topographic site as-built plan prepared by a Massachusetts Registered Professional Land Surveyor. The COC request shall be filed along with a written statement prepared by a Massachusetts Licensed Professional Engineer. The statement shall include a certification clause signed and stamped by the engineer noting compliance with the approved plan and the Order of Conditions and any deviations from the approved plan. All as-built plans and certification statements shall include at least a copy of said plan and/or statement bearing the original wet ink stamp and signature of the appropriate registered professional. Colored copies are not considered original wet ink.*

Mr. Harry Bailey, Member, made a motion to issue the Order of Conditions with special conditions as presented. Mr. Matthew Stoddard, Member, seconded the motion. VOTE: All in favor, none opposed.

Review of Order of Conditions for Whitman Street, Lot 1 – SE116-1387

The Commission reviewed the Order of Conditions for DEP File Number SE116-1387 for Whitman St, Lot 1 as presented. Ms. Melissa Desjardins, Member, made a motion to issue the Order of Conditions.

Mr. Harry Bailey, Member, seconded the motion. VOTE: All in favor, none opposed.

Review of Order of Conditions for Whitman Street, Lot 2 – SE116-1388

The Commission reviewed the Order of Conditions for DEP File Number SE116-1388 for Whitman St, Lot 2 as presented. Ms. Melissa Desjardins, Member, made a motion to issue the Order of Conditions.

Mr. Harry Bailey, Member, seconded the motion. VOTE: All in favor, none opposed.

Review of Order of Conditions for 20 Stonehill Lane, Lot 2 – SE116-1386

The Commission reviewed the Order of Conditions for DEP File Number SE116-1386 for 20 Stonehill Lane, Lot 2 as presented. Ms. Melissa Desjardins, Member, made a motion to issue the Order of Conditions. Mr. Harry Bailey, Member, seconded the motion. VOTE: All in favor, none opposed.

Review of Order of Conditions for 15 Stonehill Lane, Lot 6 – SE116-1389

The Commission reviewed the Order of Conditions for DEP File Number SE116-1386 for 15 Stonehill Lane, Lot 6 as presented. Ms. Melissa Desjardins, Member, made a motion to issue the Order of Conditions. Mr. Harry Bailey, Member, seconded the motion. VOTE: All in favor, none opposed.

Review of Order of Conditions for 0 Pleasant Street, Map 83, Lots 15 through 38 – SE116-1375

The Commission reviewed the Order of Conditions for DEP File Number SE116-1375 for 0 Pleasant Street, Map 83, Lots 15 through 38 with special conditions. Ms. Marilyn MacDonald, Vice-Chair, read the special conditions into the record. They stated the following:

1. Prior to scheduling any on-site pre-construction meeting with the Commission and prior to start of any site work, the applicant shall submit a written statement signed and stamped by a Massachusetts Registered Professional Land Surveyor certifying to the Commission that the erosion control barrier has been installed at the approved location. The certification shall be made with original wet ink stamp and signature. Colored copies are not considered original wet ink.
2. The vista pruning shall be conducted under the direct supervision of a registered arborist, forester, wetlands biologist, or a registered landscape architect; who shall provide the Conservation Commission a written report documenting the results of the pruning work. The work shall be done in strict compliance with the numbered sequence from #1 to #5 listed in the September 2, 2016 correspondence from EcoTec, Inc. and as modified herein below.
3. The applicant shall replace in kind and size any unauthorized tree removal from the area.
4. If grass lawn is installed, a barrier fence shall be installed between the pedestrian traveled sidewalk and walkways and the grass lawn.
5. Removed tree limbs and leaves and grass clippings shall not be deposited into the lake or left adjacent to the lake.
6. Schedule for mowing of any grass lawn installed in the area shall be provided to the Conservation Commission for its review and approval prior to commencing any mowing.
7. Warning signs shall be installed along the perimeter of the affected lands which shall notify the public that waste dumping is prohibited and that cutting and removal of trees and vegetation is not allowed without the approval of the Conservation Commission. The signs shall be constructed of durable stainless steel plates mounted on stainless steel posts and shall be installed at thirty foot (30') intervals.
8. Shrubbery (woody) plants like berries shall be planted to provide winter food source and a more permanent habitat for wildlife.
9. A robust and thorough maintenance plan, to include hand-weeding prior to mowing shall be prepared by a professional experienced with invasive species and submitted to the Commission for its review and approval.
10. Live trees shall be pruned of dead wood and lower branches which are encroaching into the sidewalk and view shed of the lake. Live trees shall be left with a healthy canopy and all pruning shall be done by personnel on foot and supervised by a licensed professional.
11. Any request for certificate of compliance (COC) shall be accompanied by two copies of a certified topographic site as-built plan prepared by a Massachusetts Registered Professional Land Surveyor. The COC request shall be filed along with a written statement prepared by a Massachusetts Licensed Professional Engineer. The statement shall include a certification clause signed and stamped by the engineer noting compliance with the approved plan and the Order of Conditions and any deviations from the approved plan. All as-built plans and certification statements shall include at least a copy of said plan and/or statement bearing the original wet ink stamp and signature of the appropriate registered professional. Colored copies are not considered original wet ink.

Ms. Melissa Desjardins, Member, made a motion to issue the Order of Conditions with special conditions as presented. Mr. Matthew Stoddard, Member, seconded the motion. VOTE: Melissa Desjardins, Matt Stoddard and Marilyn MacDonald in favor; Robert Mello and Harry Bailey opposed. Three in favor, two opposed.

Commissioner Melissa Desjardins, Member, made a motion to adjourn the regular meeting. Commissioner Harry Bailey, Member, seconded the motion. VOTE: All in favor, none opposed. Vice-Chair Marilyn MacDonald closed the meeting. Next meeting will be on October 27, 2016 at 7:00pm in the Council Chambers room located on the second floor of the Municipal Office Building, 66 Central Square, Bridgewater.

Respectfully submitted,



Jane K. Brown
Administrative Clerk
Conservation Commission