

**Conservation Commission Minutes – December 13, 2018
at 7:00 PM On the Second Floor of the Municipal Office Building,
66 Central Square, Bridgewater, Massachusetts**

Attendees:

Present: Marilyn MacDonald, Chair, Harry Bailey, Vice-Chair; Eileen Prisco, Member;
Tiffany Souza, Member; and Azu Etoniru, Conservation Agent

Absent: None

Conservation Commission – Old Business

Wetland Enforcement Notice

Marilyn MacDonald, Chair, opened the hearing. Ms. MacDonald stated that she went on a site walk there has been no paving or barriers put into place. Ms. MacDonald stated that paving season has come to and end, but she is going to order that erosion control measure be put into place until the spring time when the work can be done to rectify the situation permanently. Ms. MacDonald did acknowledge reviewing a letter in the file, submitted to the Commission by Sean and Eileen McNeil. Mr. Azu Etoniru, Conservation Commission Agent, state that the driveway is an uphill, and the paving season has ended, at this point, the erosion control needs to be put into place. The work should be done no later than April 30, and the homeowners will be notified to come back to a public meeting to discuss the work done.

A notice will be sent to the homeowners, Mr. Donald Sweetman, Jr., 119 Greenbrier Lane, and Mr. and Mrs. Danksewicz, 121 Greenbrier Lane.

Mr. Sean McNeil, abutter, expressed his frustrations and concern that the situation has not been rectified as of yet.

Notice of Intent – 0 South Street, Map 74, Parcel 39

Marilyn MacDonald, Chair, opened the continued hearing. Ms. Rebecca Baptista updated the Commission on the revised plans presented, dated December 3, 2018, entitled "*Plan to Accompany Notice of Intent Site: Lot 2, Lot 3 & Lot Assessor's Map 74, Lot 39A - 0 South Street, Bridgewater, MA 02324*" as prepared by Silva Engineering Associates. Ms. Baptista reviewed the status of the filing, stating that they had requested a continuance to address issues with the abutter Mae Doherty and her Attorney. Ms. Baptista noted that the concerns were addressed and updated on the revised plans submitted.

Ms. MacDonald stated that the Commission has reviewed a letter dated November 13, 2018 from Attorney Michael O'Shaughnessy, representative for Ms. Mae Doherty of 756 South Street. Ms. MacDonald noted that the letter is part of the public record for anybody who would like to read it.

Mr. Azu Etoniru, Conservation Commission Agent, stated that a house lot was removed, and the restoration area has been established, as well as the easement which is all reflected on the updated plans. Mr. Etoniru stated that the easement should be part of the record, prior to any work is done, and that the easement is part of the land in perpetuity.

The Commission had no further concerns. Ms. Etoniru stated that all issues raised by the Commission have been addressed. Ms. MacDonald opened the hearing to abutter comments.

Mr. O'Shaughnessy, representative for Ms. Mae Doherty of 756 South Street, stated that he had sent a letter and mail to the Commission with suggested conditions, and looked forward to a response.

Ms. Carol LeFeber, 566 South Street, stated that at the October 25, 2018 meeting there were discussions regarding the excavation equipment which was on the proposed Lot 3, and Mr. Silva and Mr. Leach, stated at the time that they would provide a new plan, because there are catch basins and underground piping that go to the north from there and they wanted to make sure that that wasn't going to be disturbed because there is quite a bit of water flow. Ms. MacDonald stated that the latest plans reflect the necessary changes and the Commission had not further comments or concerns.

Mr. Azu Etoniru stated that it is no longer a concern because the house that was previously proposed has been eliminated and the applicant does not propose to go that far back on the property.

Ms. Anna Klimas, 722 South Street, expressed concern when the conditions will be determined and if there would be an opportunity to weigh in on the conditions. Mr. Azu Etoniru explained the procedural process regarding opening and closing the hearing process and the input of any future information for consideration. New information cannot be considered after the hearing is closed. Ms. Klimas expressed concern of what exactly the conditions will be.

Ms. Rebecca requested the Commission to close the hearing. Ms. Eileen Prisco, Member, motioned to close the hearing. Mr. Harry Bailey, Vice-Chair, seconded the motion. VOTE: All in favor, none opposed.

ANRAD – 0 Plymouth Street, Map 24, Parcel 240 – Burrill Place Apartments 40B – SE116-1426

Ms. Marilyn MacDonald, Chair, opened the continued hearing, and reviewed the site walk findings of the Commission. Ms. MacDonald stated that the Commission had several areas of concern and communicated them to Silva Engineering Associates. Silva Engineering subsequently went back out to the field and addressed the concerns, and reflagged. The Commission then reviewed the changes out in the field and were satisfied with the changes.

Ms. Rebecca Baptista provided updated engineered plans, dated December 3, 2018, entitled "*Plan of Resource Area Delineation, Site: Assessor's Map 24, Lot 4, Plymouth and Whitman Street, Bridgewater, MA*" as prepared by Silva Engineering Associates to reflect the changes discussed and made in the field.

The Commission was satisfied and had no further questions. Ms. MacDonald, Chair, opened the hearing to abutter comments. Ms. Robin Thomas, 25 Tuckoosa Circle, expressed her concerns regarding the project.

Ms. Rebecca requested the Commission to close the hearing. Ms. Eileen Prisco, Member, motioned to close the hearing. Mr. Harry Bailey, Vice-Chair, seconded the motion. VOTE: All in favor, none opposed. Ms. Eileen Prisco, Member, motioned to issue the Order of Resource Area Delineation, and have the Commission members stop by the office to sign the document. Mr. Harry Bailey, Vice-Chair, seconded the motion. VOTE: All in favor, none opposed.

ANRAD – 0 Bedford Street, Map 88, Parcel 84

Ms. Marilyn MacDonald, Chair, opened the hearing, and read the public hearing notice into the record for review of an Abbreviated Notice of Resource Area Delineation filed by GEI Consultants, Inc. on behalf of Benning Solar, LLC, 0 Bedford Street, Bridgewater, MA. The applicant sought approval of a delineated wetland line to allow for construction of a solar array. The property is owned by Ingeborg Kuntz and is located at 0 Bedford Street, Bridgewater, Map 88, parcel 133. In accordance with the plans on file.

Ms. Karen Stackpole, Sr. Natural Resources Consultant, from GEI Consultants, Inc., 455 Winding Brook Drive, Suite 201, Glastonbury, CT, representing the applicant Benning Solar LLC, made a presentation to the Commission, explaining the scope of the project as depicted on the engineered plans dated October 10, 2018 entitled "*Wetland Delineation Map of Study Area, Cypress Creek Renewables*" Sheets WD1-WD2", prepared for Benning Solar, LLC, 489 Flagg Street, Bridgewater, Massachusetts, prepared by GEI Consultants, 455 Winding Brook Drive, Suite 201, Glastonbury Connecticut. Ms. Stackpole also reviewed the topography and wetland locations on the parcel.

Ms. Eileen Prisco, Member, motioned to continue the hearing to January 10, 2019 pending site walk visits. Mr. Harry Bailey, Vice-Chair, seconded the motion. VOTE: All in favor, none opposed.

Conservation Commission – New Business

Notice of Intent – 86 Aldrich Road, Map 10, Parcel 155

Ms. Marilyn MacDonald, Chair, opened the hearing and read the public hearing notice into the record for review of a Notice of Intent filed by PMP Associates, 200 North Bedford Street, East Bridgewater, MA. The applicant proposed to repair a septic system within the 100' buffer of a bordering vegetated wetlands. The property is owned by Patricia and Peter Farragher and is located at 86 Aldrich Road, Bridgewater, MA Map 10, Parcel 155.

Mr. Patrick Carrara, from PMP Associates, representing the applicant John Coyman, made a presentation to the Commission, explaining the scope of the project to repair a failed septic system as depicted on the engineered plans dated November 14, 2018 entitled "*Notice of Intent & Septic System Repair Design*" as prepared by PMP Associates.

The Commission and the Conservation Commission Agent had no concerns. There were no abutters present.

Ms. Eileen Prisco, Member, motioned to close the hearing. Mr. Harry Bailey, Vice-Chair, seconded the motion.

VOTE: All in favor, none opposed. Ms. Eileen Prisco, Member, motioned to issue the Order of Conditions, and have the Commission members stop by the office to sign the document. Mr. Harry Bailey, Vice-Chair, seconded the motion.

VOTE: All in favor, none opposed.

Notice of Intent – East Street, Map 26, Parcel 31, Retreat Lot 1

Ms. Marilyn MacDonald, Chair, opened the hearing and read the public hearing notice into the record for review of a Notice of Intent filed by Andrew Chuckran. The applicant proposed to construction a single-family dwelling on-site septic system, paved driveway, utilities and grading appurtenant thereto. The property is owned by Chuckran Family Limited Partnership and is located at Retreat lot 1, East Street, Left of #48 Samuel Avenue, Bridgewater, MA, Map 26, Parcel 31 (portion of), 200 North Bedford Street, East Bridgewater, MA. The applicant proposed to repair a septic system within the 100' buffer of a bordering vegetated wetlands. The property is owned by Patricia and Peter Farragher and is located at 86 Aldrich Road, Bridgewater, MA Map 10, Parcel 155.

Mr. Charles Woodward, from Professional Land Survey Associates, representing the applicant, made a presentation to the Commission, explaining the scope of the project as depicted on the engineered plans dated October 17, 2018 entitled "*Septic Design Plan*" as prepared by PMP Associates.

Ms. MacDonald asked if there was a valid wetland line, or if it was being approved as part of the Notice of Intent filing. Mr. Woodward stated that the wetland line will be approved through the Notice of Intent filing process.

The Commission asked that the corners of the proposed dwelling, closest to the wetlands, be staked out. Mr. Woodward stated he would also stake out the 25' buffer zone.

Denise Ginsburg, 197 East Street, expressed concerns that the wetlands are not disturbed in such a way that the proposed project would displace water onto her property.

Ms. Eileen Prisco, Member, motioned to continue the hearing to January 10, 2019 pending site walk visits. Mr. Harry Bailey, Vice-Chair, seconded the motion. VOTE: All in favor, none opposed.

Notice of Intent – 175 Harvest Lane, Map 74, Parcel 39-C15

Ms. Marilyn MacDonald, Chair, opened the hearing and read the public hearing notice into the record for review of a Notice of Intent filed by Christopher Lalli for an addition to a single-family dwelling. The property is owned by Christopher Lalli and is located at 175 Harvest Lane, Bridgewater, Map 74, Parcel 39-C15.

Ms. Rebecca Baptista from Silva Engineering, representing the applicant, Christopher Lalli, made a presentation to the Commission, explaining the scope of the project, noting the wetlands and topography, as depicted on the engineered plans dated November 28, 2018 engineered plans entitled "*Proposed Addition, Site: Assessor's Map 74, Lot 39-C15, 175 Harvest Lane, Bridgewater, MA*" as prepared by Silva Engineering Associates. Ms. Rebecca Baptista also presented and reviewed the architectural plans dated November 26, 2018 entitled "New In-law Addition for Lalli Residence" as prepared by Custom Home Design, Inc., 66 Jerome Street, Berkley, MA.

Azu Etoniru, Conservation Commission Agent, stated that he is very familiar with the area and had no issues with the proposed project. Mr. Harry Bailey, Member, stated that a foundation as-built will be required prior to construction.

Ms. Rebecca requested the Commission to close the hearing. Ms. Eileen Prisco, Member, motioned to close the hearing. Mr. Harry Bailey, Vice-Chair, seconded the motion. VOTE: All in favor, none opposed. Ms. Eileen Prisco, Member, motioned to issue the Order of Conditions with a special condition to have a foundation as-built will be required prior to construction noting the location of the wetlands relative to the foundation and have the Commission members stop by the office to sign the document. Mr. Harry Bailey, Vice-Chair, seconded the motion. VOTE: All in favor, none opposed.

Notice of Intent – High Street, 1400, 1420, and 1425, Map 14, Parcels 11, 12, and 17

Ms. Marilyn MacDonald, Chair, opened the hearing and read the public hearing notice into the record for review of a Notice of Intent filed by the Town of Bridgewater Water Department. The applicant proposes construction of a new water treatment plant and associated improvements to existing facilities. The applicant proposes construction of a new water treatment plant and associated improvements to existing facilities. The property is owned by the Town of Bridgewater and is located at 1400, 1420 and 1425 High Street, Bridgewater, MA Map 14, Parcels 11, 12, and 17.

Mr. Justin Miles from Environmental Services, from Stantec Consulting Services, Inc., reviewed the existing infrastructure, the project need, and explained the scope of the project as depicted on the engineered plans dated November 27, 2018 entitled "*Riverfront Disturbance at WTP Site*" as prepared for the Town of Bridgewater, Water Department, High Street Water Treatment Plant, Town of Bridgewater, Massachusetts", and prepared by Stantec Consulting Services, Inc., 136 West Street, Suite 203, Northampton, MA 01060.

Ms. Lori Benoit, Pd.D., Project Manager, Environmental Services, from Stantec Consulting Services, Inc., 136 West Street, Suite 203, Northampton, MA 01060 informed the Conservation Commission that the wetland delineation was done by Pinebrook Consulting in June and July 2017 at all three parcels and discussed those findings and impacts in detail and what erosion control measures will be taken during construction.

Azu Etoniru, Conservation Commission Agent, stated that he attended the environmental project meeting on-site through the MEPA office process, and the site selection, and the treatment facilities that are nestled into the property, it is something that the Town needs and well-needed improvement and recommended that the project move forward.

The Commission reviewed and discussed the information presented and had no further issues. Ms. MacDonald, Chair, opened the hearing to abutter comments.

Mr. Paul Groppi, abutter residing at 23 Mill Street, expressed his concerns regarding the potential drainage on the site raising the water level in Blood Pond. Stantec Consulting representative addressed his concerns.

Frank Buckley, 60 Kathy Circle, expressed his concerns regarding the project.

Timothy Buck, 1490 High Street, recognized the need for the project, expressed his support in the project, and his concern regarding safety during the construction.

Michael Koska, concerned citizen, expressed his concern regarding the wetland alterations noted on the plans, and was wondering if the Town had an exemption, or does it get resolved through the MEPA process. Mr. Azu Etoniru, Conservation Commission Agent, addressed his concerns, stating that the work is being done under the Stormwater Management.

Ms. Eileen Prisco, Member, motioned to continue the hearing to January 10, 2019 pending further review visits. Mr. Harry Bailey, Vice-Chair, seconded the motion. VOTE: All in favor, none opposed.

Conservation Commission Business

Review of Extension Request for ORAD Scotland Boulevard – SE116-1359

The Commission discussed and reviewed a letter dated October 15, 2018 from George R. Collins PE, Collins Civil Engineering Group, Inc., 225 South Main Street, West Bridgewater, MA 02379 requesting an extension for the Order of Resource Area Delineation issued under DEP File Number SE116-1359 for Scotland Boulevard, Map 59, Parcel 14 and 15 as presented. Mr. Harry Bailey, Vice-Chair, made a motion to grant a three-year extension expiring on January 26, 2022. Ms. Eileen Prisco, Member, seconded the motion. VOTE: All in favor, none opposed.

Review of Order of Conditions for 85 Plymouth Street, Map 34, Parcel 240 (Burrill Place 40B), SE116-1430

The Commission reviewed and discussed the Order of Conditions for SE116-1430 for 85 Plymouth Street, Map 34, Parcel 240 (Burrill Place 40B), noting a special condition that the issuance of an Order of Conditions does not authorize any alteration, disturbance or filling of the so-called existing access easement, nor operation of any vehicle through or across the wetlands 370 Spruce Street as presented; and a special condition that the applicant shall provide the Bridgewater Conservation Commission all correspondences, written directives and communications (current and future) from the Massachusetts Department of Environmental Protection regarding Activities Use Limitation for the site.

Mr. Harry Bailey, Vice-Chair, made a motion to issue the Order of Conditions for SE116-1430 for 85 Plymouth Street, Map 34, Parcel 240 (Burrill Place 40B), with special conditions as discussed. Ms. Eileen Prisco, Member, seconded the motion. VOTE: All in favor, none opposed.

Review of Order of Conditions for 75 Fireworks Circle, Map 88, Parcel 84, SE116-1432

The Commission reviewed and discussed the Order of Conditions for SE116-1432 for 75 Fireworks Circle, Map 88, Parcel 84, noting a special condition A certified foundation as-built plan prepared by a licensed land surveyor shall be submitted to and approved by the Bridgewater Conservation Commission prior to commencement of any additional site or building construction work. The foundation as-built plan shall include the distance between the foundation and the wetlands boundary

Mr. Harry Bailey, Vice-Chair, made a motion to issue the Order of Conditions for SE116-1432 for 75 Fireworks Circle, Map 88, Parcel 84, SE116-1432 with special condition as discussed. Ms. Eileen Prisco, Member, seconded the motion. VOTE: All in favor, none opposed.

Review of Order of Resource Area Delineation for 857B High Street, Map 13, Parcel 94, SE116-1433

The Commission discussed and reviewed the Order of Resource Area Delineation for SE116-1433 for 857B High Street, Map 13, Parcel 94 noting that no other resources have been reviewed or confirmed by the Bridgewater Conservation Commission as part of this Order of Resource Area Delineation.

Mr. Harry Bailey, Vice-Chair, made a motion to issue the Order of Resource Area Delineation for SE116-1433 for 857B High Street, Map 13, Parcel 94 as presented. Ms. Eileen Prisco, Member, seconded the motion. VOTE: All in favor, none opposed.

APPROVED: January 24, 2019

Review of Order of Conditions for 37 Birch Hill Road, Map 82, Parcel 36 – SE116-1434

The Commission discussed and reviewed the Order of Conditions for SE116-1434 for 37 Birch Hill Road, Map 82, Parcel 36 Spruce Street noting the proposed pier shall be a removable structure and not a fixed structure that could be attached to or expanded in the future. The proposed structure shall be constructed to conform to the dimensions shown on the plan of record.

Mr. Harry Bailey, Vice-Chair, made a motion to issue the Order of Conditions for SE116-1434 for 37 Birch Hill Road, Map 82, Parcel 36 with special condition as presented. Ms. Eileen Prisco, Member, seconded the motion.

VOTE: All in favor, none opposed.

Commissioner Harry Bailey, Vice-Chair, made a motion to adjourn the regular meeting at 9:10pm. Commissioner Eileen Prisco, Member, seconded the motion. VOTE: All in favor, none opposed. Ms. Marilyn MacDonald closed the meeting. Next meeting will be on January 10, 2019 at 7:00pm in the Council Chambers located on the second floor of the Municipal Office Building, 66 Central Sq, Bridgewater.

Respectfully submitted,



Jane K. Brown
Administrative Clerk