

Conservation Commission Minutes
April 26, 2018

Attendees:

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

Absent: Tina Bianco, Associate Member

Conservation Commission – Old Business

Abbreviated Notice of Resource Area Delineation – Curve Street – SE116-1395

Mrs. Marilyn MacDonald, Chair, opened the continued hearing. Mr. Scott Goddard provided updated engineered plans dated April 23, 2018 and entitled *“Duxburrow Estates, Plan to Accompany Resource Area Delineation Assessor’s Map 78, Lots 1, 2, 3, and 4; Map 91, Lots 1, & 2; Portions of Map 78, Lot 5; Map 91, Lots 3 & 6, Site: curve Street, Bridgewater, MA”* as prepared by Silva Engineering Associates, P.C, 16125 Bedford Street, Bridgewater, MA and stamped by *Lawrence P. Silva, P.E., Reg No. 33381-C*. Mr. Goddard stated that the update plans reflect the site walk findings. On this plan, highlights four changes to the site plan. One, near flag A120 – shows a linear ditch that runs through the field, labeled, non-jurisdictional ditch because it doesn’t have any wetlands adjacent to it, so you can see the orientation of it to the surrounding wetlands and it is located about 100’ away from the wetlands, off-site, beyond the stone wall. Secondly, where flag A135, added a new flag point, flag A135A brings the corner up slightly. Thirdly, in between flags WH172-WH176 – a few new flags were established to bring the line more upgradient. These changes added more Bordering Vegetative Wetlands than initially was noted. Lastly, isolated wet featured, labeled to X1-X3 – the question there was “is there something large enough to be jurisdictional – isolated land subject to flooding, does it qualify to be a isolated land subject to flooding, as defined by the Wetland Protection Act”. Micro-typography was done by Silva Engineering, and shown on the plan with detailed calculations determined that the area was not an ILSF. Mr. Goddard noted that you can see that out in the field, because the depressions are quite shallow, even in consideration of past weather events this spring. The ISLF calculations were discussed in detail.

The Commission stated that the updated plans were just received into the office, and they will need to be reviewed more closely, and Commission Bailey hasn’t been able to do a site walk and needs to go back out to the site. Mr Bailey also noted that he would like to have the field dry up a bit more and not visit right after a rainstorm. Mr. Muhammad Itani stated that he would like the Conservation Commission to be comfortable with the line is being approved and agreed that the Commission should take one last look at the site based on the updated plans.

The Commission reviewed all the information presented and no abutters were present to speak in opposition. Mr. Harry Bailey, Member, motioned to continue the hearing to May 10, 2018. Ms. Eileen Prisco, Member, seconded the motion. VOTE: All in favor, none opposed.

Notice of Intent – Definitive Subdivision – Crimson Heights, off Lyman Place – SE116-1413

Mrs. Marilyn MacDonald, Chair, opened the continued hearing and read a letter dated April 26, 2018 from Lawrence Silva, PE, Silva Engineering Associates into the record. It stated the following:

“On behalf of our client, Silva Engineering Associates (SEA) would like to request a continuation from your April 26, 2018 until the Commission’s public hearing on June 14, 2018. The continuation will allow time for the Planning Board to review and render a decision on the project. If you have any questions, please feel free to contact the office.”

Mr. Harry Bailey, Vice-Chair, motioned to accept the applicant’s request and to continue the hearing to June 14, 2018. Ms. Eileen Prisco, Member, seconded the motion. VOTE: All in favor, none opposed.

Conservation Commission – New Business

Request for Determination of Applicability – 1 Magnolia Way, Map 67, Parcel 3-C92, 3 Magnolia Way, Map 53, Parcel 3-C107, 5 Magnolia Way, Map 53, Parcel 3-C108, 7 Magnolia Way, Map 53, Parcel 3-C92

Ms. Marilyn MacDonald, Chair, simultaneously opened the public hearing by way of reading the public hearing notices into the record for each the Request for Determination of Applicability filed by Prime Engineering, Inc. The applicant proposed work involving the removal of trees, erosion control and grading of property within the 100' buffer zone and requested a determination from the Commission whether the work depicted on the plan is subject to jurisdiction under the Wetland Protection Act and the Town of Bridgewater Wetland Bylaw. The properties are owned by Bridgewater Preserve LLC and are located at 1 Magnolia Way, Map 67, Parcel 3-C92, 3 Magnolia Way, Map 53, Parcel 3-C107, 5 Magnolia Way, Map 53, Parcel 3-C108, 7 Magnolia Way, Map 53, Parcel 3-C92.

Mr. Aaron Reardon from Prime Engineering, representing the applicant, made a presentation to the Commission, explaining the scope of the project as depicted on the engineered plans dated March 16, 2018 entitled "*Plan to Accompany Request for Determination of Applicability 1 Magnolia Way (Lot 48)*", dated March 9, 2018 entitled "*Plan to Accompany Request for Determination of Applicability 3 Magnolia Way (Lot 47)*", dated March 16, 2018 entitled "*Plan to Accompany Request for Determination of Applicability 5 Magnolia Way (Lot 46)*", and dated March 16, 2018 entitled "*Plan to Accompany Request for Determination of Applicability 7 Magnolia Way (Lot 45)*".

The Commission reviewed and discussed the information presented and there were no abutters present to express concern. The foundations and septic systems are outside the 100' Bordering Vegetative Wetlands, therefore Mr. Azu Etoniru, Conservation Agent, recommended that the Commission issue a negative determination for all four requests.

Ms. Eileen Prisco, made a motioned to close the hearing. Mr. Harry Bailey, Vice-Chair, seconded the motion. VOTE: All in favor, none opposed. Mr. Harry Bailey, Vice-Chair made a motioned to issue a Negative for Determination of Applicability for 1 Magnolia Way, Map 67, Parcel 3-C92, 3 Magnolia Way, Map 53, Parcel 3-C107, 5 Magnolia Way, Map 53, Parcel 3-C108, 7 Magnolia Way, Map 53, Parcel 3-C92 based on the plans presented. Ms. Eileen Prisco, Member, seconded the motion. VOTE: All in favor, none opposed.

Abbreviated Notice of Resource Area Delineation – 1968 South Street, Map 125, Lot 17

Ms. Marilyn MacDonald, Chair, opened the public hearing and read notice into the record for the Abbreviated Notice of Resource Area Delineation filed by Michael Meoli, Bridgewater, Halifax, MA. The applicant sought approval of the Bordering Vegetative Wetlands resource area as delineated. The property is owned by Enrico Meoli and is located at 1968 South Street, Bridgewater, MA, as identified on Assessor's Map 125, Parcel 17.

Mr. Michael Koska, PE, from Koska and Associates, Inc., representing the applicant, made a presentation to the Commission, explaining the scope of the project as depicted on the engineered plans dated February 6, 2018 and entitled "*Resource Area Delineation Plan, 1968 South Street, Map 125, Lot 17, Bridgewater, Massachusetts*". Mr. Koska noted that the wetland line was delineated by Wetland Scientist Ken Thompson. Mr. Koska stated that the test pits will need to be done in coordination with Mr. Thompson and the Conservation Agent. Mr. Koska also noted that the Taunton river is shown, and the top of bank was not flagged when the plans were originally done, so they will need to be updated. Mr. Thomson report stated that the river was more than 200' away, however it is not based on field findings. Mr. Koska asked that the Commission to go out and do a site walk to determine the line.

Mr. Azu Etoniru noted for the record that prior to coming to the meeting, he had met with Mr. Meoli to take a look at it to verify work that he had done two years ago. This is on record with the Town and he hasn't had any dealings with Mr. Meoli for two years. If Mr. Koska has any issues, with him representing the Commission, he can state that for the applicant and he will step out. Mr. Koska stated that he was fine with Mr. Etoniru sitting and representing the Commission for this project.

APPROVED: October 25, 2018

Mr. Harry Bailey, Vice-Chair, noted that where it is located near the scenic Taunton River, the Bridgewater Conservation Commission has 200' jurisdiction with the riverfront. Mr. Koska acknowledged that and added that you can alter 5,000 sq ft in the outer riparian, or ten percent of the swath. Mr. Harry Bailey stated that he sits on the Taunton Watershed Alliance Committee, and they would like to see what the Indian's saw, when coming down the river. Mr. Koska also noted that any approvals can be conditioned to protect the river.

The Commission reviewed the information presented and stated that they will need to do a site walk visit. Mr. Koska informed the Commission that the site has already been flagged for their review. There were no abutters. Mr. Harry Bailey, Vice-Chair, motioned to continue the hearing to May 10, 2018. Ms. Eileen Prisco, Member, seconded the motion. VOTE: All in favor, none opposed.

Conservation Commission Business

Review of the Request for Extension for Order of Resource Area Delineation for 0 Grange Park, Map 86 and 73, Parcels 99 & 94 – SE116-1336

Mrs. Marilyn MacDonald, Chair, read a letter dated March 7, 2018 from Patrick Driscoll, Driscoll Family Trust, C and D Realty Trust into the record. It stated the following:

"I am writing to request a 3-year extension to the above referenced order. The order was approved on 5/12/2015 and will expire on 5/12/18. The basis of the extension request is to complete the permitting and development of lots 1 and 3 that I have yet to obtain an order of conditions on. Lots 1 and 3 are currently being designed and I wish to preserve the Order of Resource Area Delineation line that has been established. In addition, the Order of Conditions for Stonehill Lane utilizes the line for a replication area that needs to be completed. Based on the above please consider my request to extend SE116-1336 for an additional 3 years, to 5/12/2021. Enclosed is the Order, as well as a \$200.00 extension request fee payable to the Town of Bridgewater. Thank you for your consideration."

Mr. Harry Bailey, Vice-Chair, made a motion to issue the Extension Request Order of Resource Area Delineation for DEP file number SE116-1336 for 0 Grange Park, Map 86 and 73, Parcels 99 & 94 for an additional three years, expiring on May 12, 2021. Ms. Eileen Prisco, Member, seconded the motion. VOTE: All in favor, none opposed.

Review of Certificate of Compliance for 75 Scotland boulevard, Map 59, Parcels 15 & 16 – SE116-1369

The Commission reviewed the Certificate of Compliance for DEP File Number SE116-1369 for 75 Scotland Boulevard, Map 59, Parcels 15 & 16 as presented. Mr. Harry Bailey, Vice-Chair, made a motion to issue the Certificate of Compliance. 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 8:45pm. Commissioner Eileen Prisco, Member, seconded the motion. VOTE: All in favor, none opposed. Ms. Marilyn MacDonald, Chairperson, closed the meeting. Next meeting will be on May 10, 2018 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 Assistant