

**Conservation Commission Minutes
August 9, 2016**

Attendees:

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

Absent: Tina Bianco-Leo, Associate Member; Azu Etoniru, Conservation Commission Agent; Mariah Jennings-Rampsi, Associate Member; Robert Mello, Member; and Dick Monteith, Chair

Conservation Commission – Old Business

Notice of Intent – 0 Pleasant Street, Map 83, Lots 15 through 38 – SE116-1375

Ms. Marilyn MacDonald, Vice-Chair, opened the continued hearing and reviewed and read an email dated August 8, 2016 from Lawrence P. Silva, PE, Silva Engineering Assoc. P.C. into the record. It stated the following:

"My client has hired Eco Tech to complete an evaluation of the site and to develop a plan for trimming and replanting that is proposed along Lake Nippinnicket. Art Allen has asked that I request a continuation to your first meeting in September to give him enough time to complete the work. My client, Claremont, has authorized me to grant time to the Commission as required to complete the public hearing and to render a decision by the end of September. If you have any questions about this request, please contact.

Mr. Harry Bailey, Member, motioned to accept the applicant's request and continued the hearing to September 13, 2016 at 7pm in the Academy Building. Mr. Matthew Stoddard, Member, seconded the motion. VOTE: All in favor, none opposed.

Notice of Intent – 50 Scotland Boulevard, Map 59, Parcel 9 – SE116-1379

Ms. Marilyn MacDonald, Vice-Chair, opened the continued hearing. Mr. Dave Klenert, Professional Engineer, from Collins Engineering recapped the proposed project and the Commission reviewed their site walk findings. Harry Bailey and Marilyn MacDonald were fine with the location of the proposed generator and didn't feel there would be a significant impact to the wetlands.

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

Request for Determination of Applicability – 280 South Street

Ms. Marilyn MacDonald, Vice-Chair, opened the continued hearing and informed the applicant, Brad Emmanuel, that the Commission will require engineered plans depicting the delineation of the wetlands in order to do a site walk visit and properly review the proposed work requested in the Request for Determination of Applicability filing.

Mr. Brad Emmanuel requested a continuation of the hearing to allow sufficient time to have engineered plans drawn up for submittal to the Commission.

Ms. Melissa Desjardins, Member, motioned to accept the applicant's request and continued the hearing to September 13, 2016 at 7pm in the Academy Building. Mr. Matthew Stoddard, Member, seconded the motion. VOTE: All in favor, none opposed.

Conservation Commission – New Business

Notice of Intent – Bedford Street, Map 101, Lots 15 and 16 and Map 102, Lots 10, 11, & 12 – SE116-1380

Ms. Marilyn MacDonald, Vice-Chair, opened the hearing and read the public hearing notice into the record for the Notice of Intent filed by Collins Civil Engineering Group, Inc., 225 South Main Street, West Bridgewater, MA 02379 on behalf of the applicant, Samir M. Draik. The applicant requested review and approval of the proposed test pits. The property is located at Bedford Street as identified on Assessor's Map 101 Lots 15 and 16 and Map 102, Lots 10, 11, and 12.

Mr. David Klennert, Professional Engineer from Collins Civil Engineering Group, representing the applicant made a presentation to the Commission regarding the proposed project as depicted on the engineered plans presented dated June 12, 2016 entitled "*Existing Conditions Exhibit Proposed Test Pits*" as prepared by Peter J. Lyons/Steve W. Rumba and signed and stamped by George R. Collins, PE. Mr. Klennert explained the topography of the parcel and informed the Commission that the bordering vegetative wetlands in the vicinity of the proposed activities were delineated by Brooke Monroe, Environmental Scientist, Pine Brook Consulting, 59 Court Street, Plymouth. The closest point to the bordering vegetative wetlands will be 26' and the applicant proposes to use an erosion control system consisting of silt stock along the western side of the lot along the site access to the test pit area. This erosion control system will effectively protect the wetland resource areas associated with the project. Mr. Klennert stated that no other work is proposed at this time.

Mr. Klennert stated that the flagging has already been done. No abutters present for comments. Mr. Klennert requested that the Commission continued the hearing to the next meeting date.

Ms. Melissa Desjardins, Member, motioned to accept the applicant's request to continue the hearing pending individual site walks until September 13, 2016. Mr. Harry Bailey, Member seconded the motion. VOTE: All in favor, none opposed.

Request for Determination of Applicability – 180 Main Street

Ms. Marilyn MacDonald, Vice-Chair, opened the hearing and read the public hearing notice into the record for the Notice of Intent filed by Silva Engineering Associates on behalf of the applicant, Kingswood Park Village Condominiums. The applicant requested approval to allow maintenance of existing drainage system within the buffer zone to a bordering vegetative wetlands. The property is located at 180 Main Street, as identified on Assessor's Map 21, Lot 20.

Mr. Lawrence Silva, PE, from Silva Engineering Associates, representing the applicant, made a presentation to the Commission, explaining the scope of the project as depicted on the engineered plans dated April 28, 2016 entitled "*Drainage Restoration and Maintenance Plan*" as prepared by Silva Engineering Associates, Inc., 1615 Bedford Street, Bridgewater, MA and stamped and signed by Jonathan J Pink, PLS, and Lawrence Silva, PE. Mr. Silva stated that the applicant proposed clean the drainage, swale and headwall areas that are needed to keep everything working properly. Mr. Silva stated that the area is relatively flat and doesn't drain well so it is critical that what is there functions right.

Board members from Village Green, including Ms. Diane Green, 20 Heather Lane, were present to determine how the proposed work would affect them. They expressed their satisfaction.

Mr. Joseph Moniz, abutter from 168 Main Street, stated that he helps clean and clear that area on a regular basis, and suggested that a permanent maintenance plan be adopted for the area.

The Commission reviewed all the material as presented and there were no further comments or concerns. Mr. Harry Bailey, Member, motioned to issue a Negative Determination with a Special Condition to have a Maintenance Operation Plan that will be written by the Conservation Agent and Commission. Mr. Matthew Stoddard, Member seconded the motion. VOTE: All in favor, none opposed.

Notice of Intent – 0 High Street, Map 11, Lot 89D – SE116-1381

Ms. Marilyn MacDonald, Vice-Chair, opened the hearing and read the public hearing notice into the record for the Notice of Intent filed by Silva Engineering Associates on behalf of the applicant, JPCG Realty Trust. The applicant requested approval to allow construction of a single family home within the buffer zone to a bordering vegetated wetland. The property is located at 0 High Street, as identified on Assessor's Map 11, Lot 89D.

Mr. Lawrence Silva, PE, from Silva Engineering Associates, representing the applicant, made a presentation to the Commission, explaining the scope of the project as depicted on the engineered plans dated June 21, 2016 entitled "*Septic System Design Plan*" as prepared for JPCG Realty Trust, 72 Main Street, Bridgewater, MA and prepared by Silva Engineering Associates, Inc., 1615 Bedford Street, Bridgewater, MA and stamped and signed by Jonathan J Pink, PLS, and Lawrence Silva, PE. Mr. Silva stated that the applicant is proposing the construction of a single family home with the septic system outside the buffer zone at the front of the house. The 100' buffer zone goes through the house; everything, with the exception of the backyard is outside the buffer zone.

The Commission requested that the corner of the driveway turn around, the corner of the deck and the closest three corners of the proposed dwelling be staked out for a site walk. No abutters present for comments. Mr. Silva requested that the Commission continued the hearing to the next meeting date.

Mr. Harry Bailey, Member, motioned to accept the applicant's request to continue the hearing pending individual site walks until September 13, 2016. Mr. Matt Stoddard, Member seconded the motion. VOTE: All in favor, none opposed.

Notice of Intent – 365 Elm Street, Map 58, Parcel 33 – SE116-1382

Ms. Marilyn MacDonald, Vice-Chair, opened the hearing and read the public hearing notice into the record for the Notice of Intent filed by Silva Engineering Associates on behalf of the applicant, Fredy Arriola. The applicant requested approval to allow construction of an addition to an existing garage within the buffer zone to a bordering vegetated wetland. The property is located at 365 Elm Street, as identified on Assessor's Map 58, Parcel 33.

Mr. Lawrence Silva, PE, from Silva Engineering Associates, representing the applicant, made a presentation to the Commission, explaining the scope of the project as depicted on the engineered plans dated July 25, 2016 entitled "*Site Plan, Assessor's Map 58, Lot 33, 365 Elm Street, Bridgewater, MA*" consisting of sheet 1 entitled "*Location Plan*", sheet 2, entitled "*Existing Conditions*" and sheet 3, entitled "*Site Plan*", as prepared by Silva Engineering Associates, Inc., 1615 Bedford Street, Bridgewater, MA and stamped and signed by Jonathan J. Pink, PLS, and Lawrence Silva, PE. Mr. Silva stated that there was a previously approved Order of Conditions, SE116-1036, that allowed for the development of the site. The applicant would like to replace the paved back lot with a garage. Mr. Silva stated that there is no change in the runoff or how it runs off, the applicant is just putting a garage where the pavement was. The drains that hook into the hold tank are still in place and the site will now be tied into sewer, but there will be no changes within the buffer.

The Commission reviewed all the material as presented, there were no further comments or concerns and no abutters were present for comment. Ms. Melissa Desjardins, Member, made a motion to close the hearing and issue a standard Order of Conditions. Mr. Matthew Stoddard, Member, seconded the motion. VOTE: All in favor, none opposed.

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

Ms. Marilyn MacDonald, Vice-Chair, opened the hearing and read the public hearing notice into the record for the Notice of Intent filed by Alan Alves, TJA Solar, LLC, 150 John Vertente Blvd, New Bedford MA 02745. The applicant proposed to construct a solar farm for harnessing solar energy and associated site work. The property is owned by KID Farm Realty Trust and located on Auburn Street as identified on Assessor's Map 79, Lots 1, 2, 4 and 18.

Mr. Kenneth Thomson, Walter Watson and Kevin Davis from E. T. Engineering Enterprises, Inc., representing the applicant, made a presentation to the Conservation Commission regarding the proposed project as depicted on the engineered plans presented dated May 31, 2016 entitled "*Imhoff Solar Farm Auburn Street, Bridgewater, MA*" consisting of sheet 1 entitled "*Cover Sheet*", sheets 2-3, entitled "*Existing Conditions*" sheets 4-5, entitled "*Proposed Solar Panel Layout Plan*", and sheet 6 entitled "*Construction Details*" as prepared by E. T. Engineering Enterprises, Inc., 481 Bedford Street, Bridgewater, MA and signed and stamped by Azu O. C. Etoniru, PE, PLS. Mr. Kenneth Thomson, Botanist, gave an overview of the parcel and explained the topography of the land, the location of Beaver Brook, and intermittent and perennial streams as well as the wetland areas, and wetland plants. Mr. Thomson stated that the proposed project will mainly be in the developed portion of the property, leaving 45 acres in the lower portion of the parcel.

Mr. Walter Watson stated that the applicant proposes to place the solar panels in a relatively flat area and the panels will generate three megawatts of power. The solar panels will be facing the southwest direction, away from Auburn Street, towards the back of the property. There will be no glare off of the panels that would reflect towards any of the homes on either side of the property. Mr. Watson stated that most of the vegetation and

trees will remain. Mr. Watson stated that some of the proposed solar panels will be placed within the 100-200' riverfront area. There will be a perimeter drain around the entire field.

Ms. Melissa Desjardins, Member, asked what type of maintenance would be needed for the solar farm. Mr. Watson stated that the site would only require periodical cleaning. Mr. Watson explained the location of the proposed 18' roadway that will provide a separation to the existing home on the back part of the land and allow access the grid. Mr. Watson stated that there will be some mowing of the grass, but no chemicals will be used. Ms. Melissa Desjardins also asked if there would be any type of ground treatment, or vegetation that would provide some habitat, or have some berries. Mr. Thompson suggested that they could explore the option of planting low bush blueberry plants.

Mr. Watson explained that the other option the developer has is to put house lots on the parcel.

Ms. Delija Valiukenas, an abutter residing at 32 Plumfield Lane, asked how many panels are proposed. Mr. Watson stated that the applicant did not have a specific number yet. Ms. Valiukenas asked how close the proposed solar panels will be to Auburn Street. Vice-Chair Marilyn MacDonald informed Ms. Valiukenas, as well as the other abutters present, that there is a scheduled Planning Board hearing on for Monday, August 29, 2016 for site plan specific questions.

Mr. Dan McSherry, an abutter residing at 20 Old Farm Road, expressed his concern regarding the project's impact to the 25' no touch buffer zone and the possibility of a chain link fence being erected around the perimeter of the entire proposed project. Mr. McSherry also asked where the access road for maintenance will be, and Mr. Watson informed him that it would be the existing road. Ms. Marilyn MacDonald, Vice-Chair, informed Mr. McSherry that the Conservation Commission will be taking a site walk to the property, and the Commission will ensure that the wetlands are fully protected.

Nella Spool from Auburndale Heights expressed her concerns regarding the wildlife and the state wildlands trust and stated that she had spent a lot of time preserving the land in this area. Ms. Spool wanted to make sure that the preservation would continue and that the proposed solar farm would not impinge upon that.

Mr. James Heffernan, an abutter residing at 50 Old Farm Road, asked where the proposed road would be. Mr. Thomson stated that the proposed road would be inside the wetland line, along the side.

Ms. Nicole Holmes, an abutter residing at 80 Old Farm Road, asked when the wetland delineation was done and by whom, and who from the Town will review it, and questioned the involvement of the Agent. Ms. Marilyn MacDonald, Vice-Chair, stated that it is the function of the Conservation Commission to review the wetland delineation, and to minimize and mitigate any impact of the proposed project to the wetlands. Vice-Chair MacDonald stated that the Conservation Agent will not be involved in the process or any processes regarding this filing.

Ms. Nicole Holmes stated that the corner of lot 4 on the plans is mapped as a potential rare and endangered species by the Natural Heritage and it is PH1423 on GIS. Mr. Walter Watson stated that they will review that area again. Ms. Holmes went on to say that it was her opinion that there was a lot of species "back there" and the two wetlands on either side were connected hydraulically with species and plants and highly advised the Commission that the Natural Heritage be involved with the site walk, as well as abutters. Ms. Holmes also stated, "The stormwater report, as I understood it, and DEP agrees that solar panels are an impervious surface thus they generate a tremendous amount of stormwater esp. at that density and scale and I didn't see any stormwater management measures, besides a proposed swale, which is really just a conveyance mechanism,

so it is my opinion that this will severely impact the wetlands in terms of stormwater runoff and lack of any mitigation measures.” Ms. Holmes also stated that the plans do not appear to include a grading plan, and she wasn’t quite sure how the road could be constructed as proposed without showing the proposed grades – and to the extent to which they need to tie back in and how the drainage will impact that.

Ms. Marilyn MacDonald, Chair, informed Ms. Holmes, and to those present, that the Conservation Commission would recruit a third party reviewer to take a close look at the stormwater related issues, as well as the project as a whole as it relates to the wetlands. Ms. Marilyn MacDonald also informed those present that any other issues not related to wetlands will be addressed by the Planning Board, stating again that there is a scheduled Planning Board hearing on for Monday, August 29, 2016 for specific site plan development questions.

Mr. Fred Chase, an abutter residing at 60 Old Farm Road, provided an affidavit to the Commission disputing the fact that he received sufficient notification, as well as disputing the fact that the Notice of Intent is a valid filing because the applicant, TJA Solar LLC 3, is not a legal entity. Ms. MacDonald informed Mr. Chase that the Commission will seek clarification regarding this matter from Mr. Andrew Delonno, Director of Community and Economic Development, and Town Counsel.

Ms. Lisa McSherry, an abutter residing at 20 Old Farm Road, expressed her concerns regarding the proposed project, stating that it will be an unsightly enormous project that will affect the value of the homes. Ms. McSherry also stated that she is very concerned regarding the impact to the wetlands and wildlife in the area. Ms. McSherry also expressed concerns regarding the drainage in the area. Furthermore, Ms. McSherry stated that she felt the filing was done very purposeful, with short notice, and at a time of high vacation and people getting ready to send their kids off to school and when they are very busy, and it’s just unacceptable.

Ms. Sherree Clapp, an abutter residing at 635 Auburn Street, expressed her concerns regarding the solar farm being built directly across the street from her house.

Mr. Sean Harris, an abutter residing at 10 Old Farm Road, expressed concerns regarding the noise generated from the panels. Mr. Watson stated that the only noise would be during construction.

Ms. Olivia Andrews, an abutter residing at 100 Old Farm Road, wanted to know how long it would take to construct the project. No answer could be given at this time.

Mr. Mike Berolini, an abutter at 129 Old Farm Road, spoke in opposition to the proposed project, expressing his concerns regarding the impact on the habitats of the existing wildlife and stating that the whole project will be an eyesore and not conducive to the neighborhood. Mr. Berolini also expressed his concerns regarding the potential solar glare.

Ms. Marilyn MacDonald, Vice-Chair, stated that the Conservation Commission would recruit a third party reviewer to take a close look at the stormwater related issues, as well as the project as a whole as it relates to the wetlands. Ms. Marilyn MacDonald also informed those present that any other issues not related to wetlands will be addressed by the Planning Board.

The Commission requested that the solar panels closest to the 25’ no touch buffer be staked out.

Ms. Melissa Desjardins, Member, motioned to accept the applicant’s request to continue the hearing pending individual site walks until September 13, 2016. Mr. Harry Bailey, Member seconded the motion. VOTE: All in favor, none opposed.

Conservation Commission Business

Review of Certificate of Compliance for Colonial Drive Lot 7 – SE116-1365

The Commission reviewed the Certificate of Compliance for DEP File Number SE116-1365 for Colonial Drive, Lot 7, Map 111 Lot 31, 32, and 13A and Map 101, Lot 39 as presented. Mr. Harry Bailey, Member, made a motion to issue the Certificate of Compliance. Mr. Matthew Stoddard, Member, seconded the motion. VOTE: All in favor, none opposed.

Review of Certificate of Compliance for 20 Woodland Drive – SE116-1327

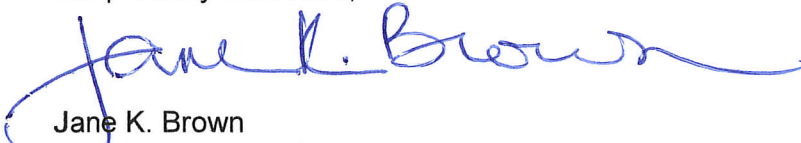
The Commission reviewed the Certificate of Compliance for DEP File Number SE116-1327 for 20 Woodland Drive, Map 100, Parcel 141 as presented. Mr. Harry Bailey, Member, made a motion to issue the Certificate of Compliance. Mr. Matthew Stoddard, Member, seconded the motion. VOTE: All in favor, none opposed.

Steve Black, Iron Works Parkland Steward – Special Request for Monument

Mr. Steve Black, Parkland Steward for the Iron Works Park informed the Commission that over the last several years there have been some improvements to make the park more accessible to the public. These improvements include a new entrance on High Street, a picnic table, park benches and a few walking trails. Mr. Black stated that he has been in contact with an Ironworker Sculptor who would like to create and donate a sculpture of an ironworker clutching a hammer to be placed at the entrance of the High Street gate, and sought permission to follow through with the accepting the offer. Mr. Harry Bailey, Member, stated that it would be a welcomed addition to the park. Ms. Marilyn MacDonald, Vice-Chair concurred, but stated that the Commission would review the request with the Conservation Agent and send a letter. Mr. Black informed the Conservation Commission that he would provide copies of the sketches of the proposed monument when he received them.

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 September 13, 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
Conservation Commission