

**Conservation Commission Minutes
October 26, 2017**

Attendees:

Present: Marilyn MacDonald, Chair, Harry Bailey, Vice-Chair; Robert Mello, Member;
Azu Etoniru, Conservation Agent

Absent: Tina Bianco, Associate Member

Conservation Commission – Old Business

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

Mrs. Marilyn MacDonald, Chair, opened the continued hearing and read a letter dated October 26, 2017 from Lawrence P. Silva, P.E., S.E., President, Silva Engineering, Associates, Inc., into the record. It stated the following:

"On behalf of our client, Silva Engineering Associates (SEA) would like to request a continuance from your October 26, 2017 meeting until your next meeting on November 9, 2017. The request will allow for the review agent to complete his review and provide comments prior to that meeting. Also, SEA would like to grant an extension of time for the Commission to render a decision on the project until the end of November 2017. If you have any questions please feel free to contact me."

Mr. Harry Bailey, Member, motioned to continue the hearing to November 9, 2017. Mr. Robert Mello, Member, seconded the motion. VOTE: All in favor, none opposed.

Notice of Intent – Lakeshore Center, Lot 5 – Viva Bridgewater 40B – SE116-1413

Ms. Marilyn MacDonald, Chair, opened the continued hearing. Mr. Dan Wells from Goddard Consulting and Lawrence Silva, PE from Silva Engineering were present, representing the applicant. The sitewalk findings were discussed.

Ms. MacDonald informed the applicant that the flags were not clear on the plans, but we were able to get our bearings straight while out there. We didn't really see any issues, and you are keeping away from the 25' buffer zone. Mr. Azu Etoniru stated that there is a 6' animal passageway that needs to be added to the plans, along with the elevations and topography in that area, to ensure that there is no puddling near the pipe what would inhibit wildlife.

Mr. Harry Bailey, Member, also noted that the proposed roadway should be staked out.

Mr. Larry Silva informed the Commission that the comments received from Nitsch Engineering through the Zoning Board of Appeals 40B peer review process are still be addressed, and requested that the Conservation Commission meeting remain open.

Mr. Lawrence Silva, PE, requested that the hearing be continued to December 14, 2017 pending the outcome of the Zoning Board of Appeals hearing scheduled for December 13, 2017.

Mr. Harry Bailey, Member, motioned to accept the applicants request and to continue the hearing to December 14, 2017. Mr. Robert Mello, Member, seconded the motion. VOTE: All in favor, none opposed.

Conservation Commission – New Business

Notice of Intent – 280 South Street, Map 47, Parcel 63 – SE116-1414

Ms. Marilyn MacDonald, Vice-Chair, opened the hearing and read the public hearing notice for the Notice of Intent filed by Bard and Lindsay Emmanuel of 280 South Street, Bridgewater, MA. The applicant proposed the construction of a horse ring with associated pathways, stonewall and fencing within Bordering Vegetative Wetlands. The property is owned by Lindsey Emmanuel and is located at 280 South Street, Bridgewater, MA as identified on Assessor's Map 47, Parcel 63.

Mr. Cameron Larson, Environmental Scientist, form Environmental Consulting and Restoration, LLC, representing the applicant, made a presentation to the Commission, explaining the scope of the project as depicted on the engineered plans dated January 18, 2017 entitled "*Emmanuel Property in Bridgewater, Massachusetts*". Mr. Larson stated that the Emmanuel's would like to construct a stone wall in between a horse ring and the wetlands, and create a proposed pathway to access the uplands at the rear of their property, and maintain it by mowing it. Mr. Larson stated there is no fill, grading or replication proposed. Mr. Larson stated that the plans show a straight pathway on the south side of the parcel, which is the shortest distance to the rear of the parcel. Mr. Larson noted that erosion control would be installed prior to the start of any work to protect the wetland resources.

Mr. Robert Mello, Member, stated that construction of the stone wall appears to encroach upon the 25' buffer zone. Mr. Azu Etoniru, Conservation Agent, stated that the plans need to be updated to reflect the details of the proposed stone wall, i.e., how it will be constructed, what type of stones, what kind of foundation. Mr. Etoniru also stated that the path will be an ongoing disturbance and you cannot corral a horse into a specific path. Mr. Etoniru stated that there is no problem with the activities north and west of the stone wall, but stated that it didn't make environmental sense to allow this type of disturbance to wetlands on an ongoing basis. Mr. Larson stated that the design was in the interest of the homeowner who wants to enjoy his property and his horses. Mr. Larson stated that there is an upland area to the rear of the site that can be used for horse trials and the only way to access that is through the wetlands. Mr. Larson stated that they are not proposing to fill anything, and there is nothing in the regulations that says you cannot walk through the wetlands. Mr. Larson stated to make it easier for the Emmanuel's, is to maintain a path and they are not proposing the removal of any shrubbery and will be taking the shortest distance to get to the uplands.

The Commission suggested a post and rail fence to define the path, and Harry Bailey, Member, stated that he was against the mowing of the path, and suggested wouldn't be necessary because the horses will naturally trample and keep down any vegetative growth.

Ms. Eileen Hiney, a direct abutter residing at 316 South Street, expressed her concerns regarding the wetlands and mowing.

Mr. Harry Bailey, Member, motioned to continue the hearing to November 9, 2017 at 7pm pending updated engineered plans reflecting the post and rail fence, and construction details for the proposed stone wall. Mr. Robert Mello, Member, seconded the motion. VOTE: All in favor, none opposed.

Conservation Commission Business

Review of Certificate of Compliance for 29 Indian Ridge, Map 85, Parcel 93 – SE116-1390

The Commission reviewed the Certificate of Compliance for DEP File Number SE116-1390 for 29 Indian Ridge, Map 58, Parcel 93 as presented. Mr. Robert Mello, Member, made a motion to issue the Certificate of Compliance. Mr. Harry Bailey, Vice-Chair, seconded the motion. VOTE: All in favor, none opposed.

Review of Certificate of Compliance for 369 Lakeside Drive, Map 70, Parcel 3 – SE116-1393

The Commission reviewed the Certificate of Compliance for DEP File Number SE116-1393 for 369 Lakeside Drive, Map 70, Parcel 3 as presented. Mr. Robert Mello, Member, made a motion to issue the Certificate of Compliance. Mr. Harry Bailey, Vice-Chair, seconded the motion. VOTE: All in favor, none opposed.

Review of Order of Conditions for 85 Fireworks Circle (Lot 15), Map 88, Parcel 76 – SE116-1403

The Commission reviewed the Order of Conditions for DEP File Number SE116-1403 for 85 Fireworks Circle (Lot 15), Map 88, Parcel 76 as presented. Mr. Robert Mello, 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 Extension Permit for Order of Conditions for Routes 18, 18/28, 24 and I-495 – SE116-1275

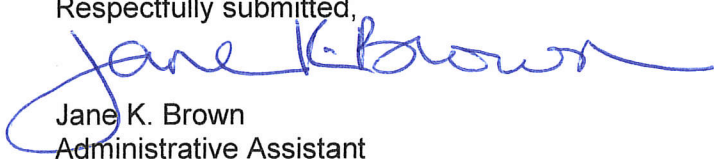
The Commission reviewed the request for an Extension of the Order of Conditions for DEP File Number SE116-1275 for Routes 18, 18/28, 24, I-495 through November 8, 2020 as presented. Mr. Robert Mello, Member, made a motion to issue the Extension Permit. Mr. Harry Bailey, Member, seconded the motion. VOTE: All in favor, none opposed.

Review of Extension Permit for Order of Conditions for 1492 Old Pleasant Street, Map 84, Parcels 11 and 12 – SE116-1146

The Commission reviewed the request for an Extension of the Order of Conditions for DEP File Number SE116-1146 for 1492 Old Pleasant Street, Map 84, Parcels 11 and 12 through December 9, 2020 as presented. Mr. Robert Mello, Member, made a motion to issue the Extension Permit. Mr. Harry Bailey, Member, seconded the motion. VOTE: All in favor, none opposed.

Commissioner Robert Mello, Member, made a motion to adjourn the regular meeting at 8:05pm. Commissioner Harry Bailey, Vice-Chair, seconded the motion. VOTE: All in favor, none opposed. Ms. Marilyn MacDonald closed the meeting. Next meeting will be on November 9, 2017 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