

**Conservation Commission Minutes
September 29, 2016**

Attendees:

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

Absent: Tina Bianco-Leo, Associate Member; Azu Etoniru, Conservation Commission Agent (absent from the Off Auburn St, Bedford St, Colonial Dr, and Whitman St hearings); Mariah Jennings-Rampsi, Associate Member; and Dick Monteith, Chair

Conservation Commission – Old Business

Mr. Azu Etoniru was absent from the following hearing:

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

Ms. Marilyn MacDonald, Vice-Chair, opened the continued hearing and reviewed a letter dated September 28, 2016 from John E. McCluskey, Esq. and read it into the record. It stated the following:

“As the work is ongoing to further determine the wetland areas, request is hereby made to continue the September 29, 2016 hearing for one month.”

Mr. Harry Bailey, Member, motioned to accept the applicant's request and continued the hearing to November 10, 2016 at 7pm in the Municipal Office Building. Mr. Robert Mello, Member, seconded the motion. VOTE: All in favor, none opposed.

Mr. Azu Etoniru was absent from the following hearing:

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 continued hearing. Mr. David Klennert, Professional Engineer from Collins Civil Engineering Group, representing the applicant stated that the surveyors went back out to the parcel and located the flags by survey and updated the plans. Mr. Klennert stated that the updated plans dated September 27, 2016 were dropped off to the Conservation Commission office on Wednesday, September 28, 2016. Mr. Klennert explained the changes on the updated engineered plans, which reflected an increase in the wetland areas as denoted by the updated flags.

The Commission reviewed all the materials as presented and there were no further comments or concerns, and no abutters present for comments. Ms. Melissa Desjardins, Member, motioned to close the hearing. Mr. Harry Bailey, Member seconded the motion. VOTE: All in favor, none opposed.

Mr. Azu Etoniru was absent from the following hearing:

Notice of Intent – 18 Colonial Drive, Lot 5, Map 111, Lot 31, 32, & 13A – SE116-1384

Ms. Marilyn MacDonald, Vice-Chair, opened the continued hearing. Mr. Lawrence Silva, PE, from Silva Engineering Associates, representing the applicant, recapped the proposed project and stated that the parcels were staked out as requested. The Commission reviewed their site walk findings, and stated that everything looked fine, and there would be no significant impact to the wetlands.

The Commission reviewed all the materials as presented and there were no further comments or concerns, and no abutters present for comments. Mr. Matthew Stoddard, Member, motioned to close the hearing. Mr. Harry Bailey, Member seconded the motion. VOTE: All in favor, none opposed.

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 a memorandum from Andrew Delonno, Director of Community and Economic Development, dated September 29, 2016 into the record. It stated the following:

"RE: Claremont Company Application Provides a Direct Public Benefit Please consider this correspondence in support of the Claremont Company application to vista prune the properties along the Lake Nippinnicket shore. The application before the Commission is in compliance with both the Open Space and Town Master Plans and provides a direct public benefit in re-establishing an important scenic corridor. 1. Vistas of the lake are an aesthetic that is promoted within the Bridgewater 2009 Open Space Plan. "Landscapes The town's most compelling landscapes are its open fields...the riverside Lehtola Farm at the end of Auburn Street, the long view up Lake Nippinnicket..." The pruning of the Claremont property promotes a vista for all to enjoy, not merely the property owner. It is indeed a public service so that all passers may enjoy the view-shed and increases the literal and metaphorical visibility of Lake Nippinnicket as a resource for passive and active recreation. Indeed, the southern shore of the lake was once home to a beachhead and allowed the very same vista. The Bridgewater Master Plan concurs, "...Equally significant as a conservation resource is Lake Nippinnicket. Its scenic qualities are most readily appreciated as it borders Pleasant Street along the lake's southern shores..." 2. The Claremont Company has made a significant investment into Lakeside Drive and the area of Lake Nippinnicket. That development is made within a context of proximity to the highway and the scenic qualities that attract quality commercial development. The Claremont investment is in direct compliance with the 2002 Town of Bridgewater Master Plan, "Planned Development District – The PDD District is located between Routes 104, 24 and I-495 south of Lake Nippinnicket and west of Route 24. The area recently gained public water and sewer, creating an excellent opportunity for high-quality office park development. The first project in the PDD, the Corporate Center at Lake Nip[sic], serves as the headquarters for a development corporation and is filled with e-commerce/internet and other professional businesses. The full development is planned over several phases and includes approximately 850,000 square feet of office, light industrial, and hotel uses. Such allowable uses as office, hotel and R & D readily allow for the creation of a business park-like setting. This district probably offers the best potential development opportunity in Bridgewater given its proximity to major highways and attractive settings. Land use regulations have been well designed to protect resources while allowing high quality office park development." 3. The attached images show the significant overgrowth that's taken place along the south boundary of the lake shore. Through a myriad of land use regulations, communities balance private property rights while promoting the general welfare. The application for proposed pruning does not harm the Lake, or any of the immediate watershed. Rather, the proposed pruning re-establishes a previously existing condition of exposing the view shed promoted in the Town's own guide documents."

Mr. Arthur Allen from EcoTec was retained by Claremont to evaluate the lakefront area and the proposed vista pruning for specifics species. Mr.. Allen reviewed his proposed protocol and recommendation as outlined in a letter to the Commission dated September 2, 2016. It stated the following:

"RE: Vegetation Management Plan

At the request of Claremont Companies I, Arthur Allen of EcoTec, Inc., have evaluated the Claremont Company's Pleasant Street frontage on Lake Nippenicket relative to a proposed "Vista Pruning & Selective Tree Removal" plan by Silva Engineering Assoc., Inc. As a result of my evaluation I found that approximately 80 percent of the understory vegetation growing within 30 feet of the sidewalk along Pleasant Street consists of undesirable invasive species including Black Locust (Robinia pseudoaccacia), Autumn-Olive (Elaeagnus umbellata), Glossy Buckthorn (Rhamnus frangula), Multi-Flora Rose (Rosa multiflora) and Asiatic Bittersweet (Celastrus orbiculata). Attached photos Nos. 1 through 7 depict the extent of the invasive species growth. The lake frontage wetland and buffer appear to have been historically highly disturbed with evidence of three waterfront access ways that have broken asphalt or gravel surfaces, gates and associated chain link fencing. The existing infrastructure has not been maintained and the buffers have overgrown largely with the invasive species noted above. Attached photos Nos. 8 through 13 depict the existing access ways and some of the existing fencing that is overgrown with invasive vines. The overstory trees present are largely native species although in need of pruning and deadwood removal. The bulk of the invasive species are limited to the 100 foot Buffer Zone, outside the delineated wetland. The wetland is dominated by native species with scattered invasives. I recommend the following protocol for invasive species control, clean-up of the area and long-term maintenance: 1) In order to effectively and permanently control the invasive vegetation I recommend that the understory, woody vegetation (<6 inches in diameter) and vines be cleared and grubbed from the area within 30 feet of the sidewalk. In the areas where the edge of wetland is within 30 feet of the sidewalk the understory clearing area will only be up to the edge of wetland. The clearing will be done by a combination of hand-cutting and mechanical pulling of roots. Any mechanized equipment will operate only from the sidewalk. As the clearing progresses, the wetland will be protected by the installation of a staked silt sock at the limit of clearing. 2) Once sufficient invasives are removed to expose the existing chain-link fencing and gates, they will be removed and properly disposed of. Removal of this debris will facilitate invasive species removal and future maintenance of native species. 3) As soon as the clearing is complete the cleared area will be hydro-

Mr. Azu Etoniru was absent from the following hearing:

Notice of Intent – 22 Colonial Drive, Lot 6, Map 101, Lot 39 –and SE116-1385

Ms. Marilyn MacDonald, Vice-Chair, opened the continued hearing. Mr. Lawrence Silva, PE, from Silva Engineering Associates, representing the applicant, recapped the proposed project and stated that the parcels were staked out as requested. The Commission reviewed their site walk findings, and stated that everything looked fine, and there would be no significant impact to the wetlands.

The Commission reviewed all the materials as presented and there were no further comments or concerns, and no abutters present for comments. Mr. Matthew Stoddard, Member, motioned to close the hearing. Mr. Harry Bailey, Member seconded the motion. VOTE: All in favor, none opposed.

Mr. Azu Etoniru was absent from the following hearing:

Notice of Intent – Whitman Street, Lot 1 and 2 – SE116-1387 and SE116-1388 (opened simultaneously)

Ms. Marilyn MacDonald, Vice-Chair, opened the continued hearing. Mr. Lawrence Silva, PE, from Silva Engineering Associates, representing the applicant, recapped the proposed project for both lots, and stated that the parcels were staked out as requested. The Commission reviewed their site walk findings, and stated that everything looked fine, and there would be no significant impact to the wetlands.

The Commission reviewed all the materials as presented and there were no further comments or concerns, and no abutters present for comments. Mr. Harry Bailey, Member, motioned to close the hearing. Ms. Melissa Desjardins, Member seconded the motion. VOTE: All in favor, none opposed.

Notice of Intent – 20 Stonehill Lane, Lot 2 – SE116-1386

Ms. Marilyn MacDonald, Vice-Chair, opened the continued hearing. Mr. Lawrence Silva, PE, from Silva Engineering Associates, representing the applicant, recapped the proposed project for both lots, and stated that the parcels were staked out as requested. The Commission reviewed their site walk findings, and stated that everything looked fine, and there would be no significant impact to the wetlands.

Ms. Melissa Desjardins, Member, stated that she noticed wetland pipes on the parcel that were not on the engineered plans. Mr. Silva explained that those were the wetland pipes markers associated with replication area under the approved Order of Conditions for the subdivision and not the individual house lots.

The Commission reviewed all the materials as presented and there were no further comments or concerns, and no abutters present for comments. Ms. Melissa Desjardins, Member, motioned to close the hearing and issue a Order of Conditions with a special condition that states that wetland pipes have to be staked at the new wetland line for the house, prior to the construction and a foundation as-built plan shall be required.

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

Notice of Intent – 15 Stonehill Lane, Lot 6 – SE116-1389

Ms. Marilyn MacDonald, Vice-Chair, opened the continued hearing. Mr. Lawrence Silva, PE, from Silva Engineering Associates, representing the applicant, recapped the proposed project for both lots, and stated that the parcels were staked out as requested. Mr. Silva stated that there are wetlands on the right side of the lot, and a crossing that goes along the back of the parcel. The Commission reviewed their site walk findings, and stated that everything looked fine, and there would be no significant impact to the wetlands.

The Commission reviewed all the materials as presented and there were no further comments or concerns, and no abutters present for comments. Ms. Melissa Desjardins, Member, motioned to close the hearing. Mr. Harry Bailey, Member seconded the motion. VOTE: All in favor, none opposed.

seeded, mulched and stabilized with a wildlife-friendly seed mix comprised of native species. The native species hydro seed mix will include a heavy, bonded fiber matrix "blanket" mulch and binder along with plant nutrients to ensure effective and rapid establishment of vegetative cover. The proposed native species area/invasive control strip will be mowed not more than twice per year and the mowing will only be allowed between September 1 and May 1 to avoid the wildlife nesting season. 4) Once the up to 30-foot strip is cleared a qualified Wetland Scientist will identify any additional invasive species, located beyond the 30-foot strip, which will be removed using the "cut-and-treat" method. The "cut-and-treat" method involves cutting the stem of the plant at 4-6 inches above ground and applying a 20% glyphosate solution directly to the stem using a drip applicator or paint brush. There will be no root removal beyond the up-to 30 foot strip described above and no broadcast spraying of herbicides will be allowed. 5) As noted above, live trees which are 6 inches or greater in diameter will remain in the zone between the sidewalk and the lake. The live trees will be pruned of deadwood and lower branches which are encroaching into the sidewalk and the view shed of the lake. Live trees will be left with a healthy canopy of live branches. Dead and damaged trees, located between the sidewalk and the lake will be removed. Pruning and tree removal will be done by personnel on foot only. Mechanized equipment, operating from the vicinity of the sidewalk, may be used to reach in or to winch out woody debris. 6) We request that the Bridgewater Conservation Commission grants a Perpetual Condition on the Certificate of Compliance allowing for the maintenance of the invasive species control strip (as described at item #3 above) as well as pruning of live trees and removal of deadwood." I have attached a brief description of my qualifications. Please do not hesitate to contact me if you have any questions concerning this or other matters.

The Commission discussed the proposed plan in detail with the applicant. Mr. Harry Bailey, Member, spoke in opposition to doing any vista pruning. Mr. Azu Etoniru, Conservation Agent, stated that the Commission and the applicant can come to an agreement on how it should be managed. Mr. Etoniru stated that it should be supervised and that no machines are used without being notified. Mr. Etoniru also stated that providing low growth vegetation will alleviate the concern for species protection and an actual vegetation barrier will avoid having dogs use the area.

The Commission reviewed all the materials as presented and there were no further comments or concerns, and no abutters present for comments. Ms. Melissa Desjardins, Member, motioned to close the hearing. Mr. Matthew Stoddard, Member seconded the motion. VOTE: All in favor, none opposed.

Conservation Commission – New Business

Notice of Intent – 29 Indian Ridge, Map 85, Parcel 93 – SE116-1390

Ms. Marilyn MacDonald, Vice-Chair, opened the hearing and read the public hearing notice into the record for the Notice of Intent filed by Professional Land Surveyors Associates. The applicant proposed to construct an addition to a single family dwelling with associated grading in the buffer zone. The property is owned by Edward and Theresa Brush at 29 Indian Ridge as identified on Assessor's Map 85, Parcel 93.

Mr. Charles Woodward from Professional Land Surveyors Associates, representing the applicant, made a presentation to the Conservation Commission regarding the proposed project as depicted on the engineered plans presented dated August 24, 2016 entitled "Building Permit Plot Plan on 29 Indian Ridge in Bridgewater, MA" signed and stamped by Edward P. Jacobs. Mr. Woodward gave an overview of the parcel and explained the topography of the land, the location of the 25', 50' and 100' buffer lines and the location of the proposed erosion control siltation fencing. Ms. Marilyn MacDonald asked if there were any existing pipes that could be used as a reference. Mr. Woodward stated that he didn't think so. Mr. Azu Etoniru, stated from a historical point of view, the pipes would be used as a reference and if the pipes aren't there, then the wetland line must be reflagged. The parcel exists within a subdivision that was delineated over 15 years ago. Mr. Etoniru stated that because the area has been developed and the hydrology has changed and it may be more or less, the area will need to be re-delineated.

Mr. Woodward requested a continuation of the hearing to allow sufficient time to reflag the parcel and update the engineered plans, and allow time for a site walk. Mr. Harry Bailey, Member, motioned to accept the applicant's request and continued the hearing to October 13, 2016 at 7pm in the Municipal Office Building. Mr. Matthew Stoddard, 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 hearing and read the public hearing notice into the record for the Notice of Intent filed by Claremont Companies. The applicant proposed to construct a parking lot with associated grading and utilities. The property is owned by Claremont Bridgewater I LLC and is located at 1 Lakeshore Center, 2018 and 2020 Pleasant Street, Bridgewater, MA as identified on Assessor's Map 96, Parcel 11, 12, and 14.

Mr. Stevie Carvalho, PE, from Farland Corporation, representing the applicant, made a presentation to the Conservation Commission regarding the proposed project as depicted on the engineered plans presented dated September 9, 2016 entitled "*Site Plan: 1 Lakeshore Center, 2018 & 2020 Pleasant Street, Assessor's Map 96, Lots 11, 12, and 14, Bridgewater, MA*" consisting of sheet 1-7 entitled "*Cover*", "*Notes and Legend*", "*Existing Conditions*", "*Layout*", "*Grading and Utilities*", "*Lighting*", and "*Details*" as prepared by Farland Corporation, 401 County Street, New Bedford, MA, and signed and stamped by Christian A. Farland, P.E., LEED. Mr. Carvalho gave an overview of the parcel and explained the topography and location of the proposed parking lot to the west side of 1 Lakeshore Drive.

Mr. Azu Etoniru noted that the Commission issued enforcement orders in the past for 2018 and 2020 Pleasant Street and the files should be reviewed to see how it relates to what is being proposed. In addition, Mr. Etoniru noted that there was a master plan that was prepared for the overall site development and it seems that the proposed project may be encroaching on the wetlands further.

The Commission requested that the site be staked at the manhole, ear the existing driveway, near the flooded section, and the two site corners of the proposed parking area, and middle staked. The proposed outfall on the north westerly corner should also be staked.

Mr. Stevie Carvalho requested a continuation of the hearing to allow sufficient time to stake the parcel for the site walk and to review the previous filings and enforcement orders. Ms. Melissa Desjardins, Member, motioned to accept the applicant's request and continued the hearing to October 13, 2016 at 7pm in the Municipal Office Building. Mr. Matthew Stoddard, Member, seconded the motion. VOTE: All in favor, none opposed.

Conservation Commission Business

Review of Request for Determination of Applicability for 280 South Street

The Commission reviewed the Request for Determination of Applicability 280 Main Street as presented. Mr. Harry Bailey, Member, made a motion to issue the Certificate of Compliance. Mr. Robert Mello, Member, seconded the motion. VOTE: All in favor, none opposed.

Review of Order of Conditions for 0 High Street, Map 11, Lot 89D – SE116-1381

The Commission reviewed the Order of Conditions for 0 High Street, Map 11, Lot 89D, DEP File Number SE116-1381 as presented. Mr. Matthew Stoddard, Member, made a motion to issue the Order of Conditions with Special Conditions. Mr. Harry Bailey, Member, seconded the motion. VOTE: All in favor, none opposed.

Review of Certificate of Compliance for Water Street, Map 36, Parcel 12 – SE116-1255

The Commission reviewed the Certificate of Compliance for DEP File Number SE116-1255 for Water Street, Map 36, Parcel 12 as presented. Ms. Melissa Desjardins, Member, made a motion to issue the Certificate of Compliance. Mr. Harry Bailey, Member, seconded the motion. VOTE: All in favor, none opposed.

Review of Meeting Minutes

The Commission reviewed the meeting minutes for August 9, 2016 as presented. Mr. Harry Bailey, Member, made a motion to approve the minutes for August 9, 2016 as written. Mr. Matthew Stoddard, Member, seconded the motion. VOTE: All in favor, none 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 13, 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