

**Conservation Commission Minutes – March 14, 2019**  
at 6:30 PM in the Council Chambers on the Second Floor of the Municipal Office Building,  
66 Central Square, Bridgewater, Massachusetts

**Attendees:**

Present: Marilyn MacDonald, Chair; Eileen Prisco, Member; Tiffany Souza, Member and Azu Etoniru, Conservation Agent; Lisa Fields, Executive Assistant

Absent: Harry Bailey, Vice-Chair

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**Conservation Commission – Old Business**

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

Ms. Marilyn MacDonald, Chair, opened the continued hearing. Stantec Consulting Services – Applicant Representative was not present and did not send in a request for continuance. Conservation Agent stated that the applicant is still waiting for DEP assigned evaluation as to the acceptability of the site for the water treatment office building and cannot move forward at this time. Agent suggests the Commission motion for a continuance.

Ms. Eileen Prisco, Member, motioned to continue the hearing on High Street, 1400, 1420 and 1425, Map 14, Parcels 11, 12, 17 to the next meeting March 28, 2019 at 6:30pm in the Municipal Building. Tiffany Souza, Member, seconded the motion. VOTE: All in favor, none opposed.

**Notice of Intent – Elm Street Roadway Improvements**

Ms. Marilyn MacDonald, Chair, opened the hearing. VBH – Applicant Representative was not present. Conservation Agent referenced an email from the applicant and the determination letter dated March 13, 2019 from Natural Heritage & Endangered Species Program (NHESP).

The NHESP has determined that:

*"this project, as currently proposed, **will not adversely affect** the actual Resource Area Habitat of state-protected rare wildlife species" and furthermore, "**will not result in a prohibited Take** of state-listed rare species."*

The determination from the NHESP was the only outstanding item based on our Conservation Commission hearing on February 14, 2019.

Larry Silva - Silva Engineering Associates, 1615 Bedford Street – Comment: Inquired as to whether there are plans to have drainage basins on private properties along the road. Conservation Agent indicated there will only be temporary slope easements.

Ms. Eileen Prisco, Member, motioned to close the hearing on Elm Street Roadway Improvements. Tiffany Souza, Member, seconded the motion. VOTE: All in favor, none opposed.

**Conservation Commission – New Business**

**Request for Determination of Applicability – 242 & 250 Main Street, Maps 20 & 21, Lots 16 & 40 (McElwain School Apt.)**

Ms. Marilyn MacDonald read the Public Hearing Notice into the record for a review of a Request for Determination of Applicability filed by LEC Environmental Consultants, Inc. regarding whether the work area depicted on the plan is subject to the Wetlands Protection Act. The property is owned by CC MPZ Main Street LLC and located at 242 & 250 Main Street, Map 20 & 21, Lots 16 & 40, Parcel 16/40

Applicant Representative: Mark Manganello, LEC Environmental Consultants, 12 Resnik Road, Suite 1, Plymouth, MA 02360 addressed the Commission and explained that during the projects hearing in front of the Bridgewater Zoning Board of Appeals, it was requested that LEC obtain a Request for Determination of Applicability from the Conservation Commission specifically for confirmation that an on-site Isolated Vegetated Wetland (IVW) does not meet the criteria for classification as Isolated Land Subject to Flooding (ISLSF) as defined in the Massachusetts Wetlands Protection Act (the Act; M.G.L., c. 131, s.40), its implementing Regulations (310 CMR 10.00).

Evaluation performed by Kelly Engineering Group, 0 Campanelli Drive, Braintree, MA 02184 finds that it does not meet the definition. The peer review performed by McMahon Associates reaches the same conclusion.

Agent comments: Town Manager recommended an independent consultant do a peer review for this project so as to not be in conflict if done by the Town Engineer, whereas it is a Town project and the Town has a relationship with the developer. Ms. Marilyn MacDonald, Chair, read into record the letter dated March 11, 2019 from McMahon, 350 Myles Standish Blvd., Taunton, MA 02780 into the record in its entirety.

Kevin Walker, 233 Main Street, stated he had requested and received a copy of the RDA but that he could not read the drainage map and requested to review a better copy. He was provided one by LEC.

Eileen Prisco, Member, motioned to issue a negative Determination of Applicability on 242 & 250 Main Street, Maps 20 & 21, Lots 16 & 40 (McElwain School). Tiffany Souza, Member, seconded the motion. VOTE: All in favor, none opposed

Eileen Prisco, Member, motioned to approve, and members to come and sign in the CED offices, the negative Determination of Applicability on 242 & 250 Main Street. Tiffany Souza, Member, seconded the motion. VOTE: All in favor, none opposed

**Request for Determination of Applicability – 360 North Street, Map 32, Lot 16**

Marilyn MacDonald, Chair, opened the hearing and read the Public Hearing Notice into the record for review of a Request for Determination of Applicability filed by David and Leigh Long of 360 North Street, Map 32, Lot 16.

Applicant David Long – 360 North Street address the Commission. The applicants are proposing to take down a barn structure and renovate the rear portion of the home and make a connection to the new barn structure and that the work is 72' from marked wetlands which is inside of the 100' buffer zone requirement.

Conservation Agent stated that as long as the work remains at least 50' from the wetlands the Commission can make a determination if they so choose. The Commission reviewed the plan and Marilyn MacDonald, Chair, entertained a motion for a negative determination of applicability.

Eileen Prisco, Member, motioned to issue a negative Determination of Applicability on 360 North Street, Map 32, Lot 16. Tiffany Souza, Member, seconded the motion. VOTE: All in favor, none opposed

Eileen Prisco, Member, motioned to approve, and the members to come and sign in the CED offices, the negative Determination of Applicability on 360 North Street. Tiffany Souza, Member, seconded the motion. VOTE: All in favor, none opposed

**Notice of Intent – “0” Curve Street, Map 77/78/91, Parcel 18/1, 2, 3, 4, 5, 110/1, 2, 3, 6 – (Duxburrow Estates 40B)**

Marilyn MacDonald, Chair, opened the hearing and read the Public Hearing Notice into the record for review of a Notice of Intent filed by Silva Engineering Associates on behalf of the applicant, Duxburrow Estates, LLC. The applicant is requesting approval from the Commission to allow construction of roadway and drainage basins with associated grading within the buffer zone to a previously approved wetland line.

Applicant Representative, Larry Silva, Silva Engineering Associates, 1615 Bedford Street, Bridgewater, MA 02324, discussed in detail the history of the Duxburrow Estates project and referenced a Bridgewater Zone Board of Appeals approval that included a State statute allowing a buffer zone with a 5’ separation from wetlands. After a review of the scope of work, the Commission requested a stake out and site visit as a next step. It was further requested by the Commission and the Conservation Agent that flags on the property be refreshed and the outfall areas close to wetlands and berm be clearly marked. Silva Engineering to contact the Conservation Agent’s office when the site is ready and a site walk by Commission members will be arranged.

Eileen Prisco, Member, motioned to continue the hearing for Duxburrow Estates, Notice of Intent to Thursday, April 11, 2019 at 6:30pm. Tiffany Souza, Member, seconded. VOTE: All in favor, none opposed

**Conservation Commission Business**

**Review of Meeting Minutes**

The Commission reviewed the meeting minutes from the February 28, 2019 meeting. Eileen Prisco, Member, motioned to approve the minutes from February 28, 2019 as written. Tiffany Souza, Member, seconded the motion. VOTE: All in favor, none opposed.

**Review of Order of Conditions – Firefly Lane, Lot 3, Map 49, Parcel 99 – SE116-1439**

Ms. Marilyn MacDonald, Chair, opened the continued hearing by reading the Order of Conditions, with Special Conditions for Firefly Lane, Lot 3, Map 49, parcel 99 – SE116-1439.

Marilyn MacDonald, Chair, entertained a motion to sign and approve the Order of Conditions, Eileen Prisco, Member, motioned to approve and sign the Order of Conditions for Firefly Lane, Lot 3, with special conditions as read. Tiffany Souza, member, seconded. VOTE: All in favor, none opposed.

**Review of Order of Conditions – Firefly Lane, Lot 4, Map 49, Parcel 99 – SE116-1440**

Ms. Marilyn MacDonald, Chair, opened the continued hearing by reading the Order of Conditions, with Special Conditions for Firefly Lane, Lot 4, Map 49, Parcel 99 – SE116-1440.

Marilyn MacDonald, Chair, entertained a motion to sign and approve the Order of Conditions, Eileen Prisco, Member, motioned to approve and sign the Order of Conditions for Firefly Lane, Lot 4, with Special Conditions as read. Tiffany Souza, member, seconded. VOTE: All in favor, none opposed.

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Commissioner Eileen Prisco, Member, made a motion to adjourn the regular meeting at 7:30 pm. Commissioner Tiffany Souza, Member, seconded the motion. VOTE: All in favor, none opposed. Ms. Marilyn MacDonald, Chair, closed the meeting. Next meeting will be on March 28, 2019 at 6:30pm in the Council Chambers located on the second floor of the Municipal Office Building, 66 Central Sq, Bridgewater.

Respectfully submitted,

Lisa D. Fields  
Executive Assistant