

Conservation Commission Minutes – June 13, 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: Harry Bailey, Vice-Chair; Eileen Prisco, Member; Tiffany Souza, Member and Azu Etoniru, Conservation Agent; Lisa Fields, Executive Assistant

Absent: Marilyn MacDonald, Chair

Conservation Commission – Old Business

6:30pm – Old Business

Notice of Intent – 1400, 1420, 1425 High Street, Map 14, Parcels 11,12 & 17- (Stantec Consulting Services)

Harry Bailey, Vice Chair, read into the record a letter from Stantec Consulting Services dated June 10, 2019 requesting a continuance on the Notice of Intent for 1400, 1420, 1425 High Street, Map 14, Parcels 11, 12 & 17 to July 11, 2019.

Eileen Prisco, Member, made a motion to continue the hearing on the Notice of Intent for 1400, 1420, 1425 High Street to July 11, 2019 at 6:30pm, Tiffany Souza, Member, seconded the motion. **VOTE:** All in favor, none opposed.

Notice of Intent – Scotland Boulevard, Map 59, Lot 14 - (Collins Engineering Group, Inc.)

Harry Bailey, Vice Chair, read into the record a letter from Collins Engineering Group dated June 10, 2019 requesting a continuance on the Notice of Intent for Scotland Boulevard until July 25, 2019.

Eileen Prisco, Member, made a motion to continue the hearing on the Notice of Intent for Scotland Boulevard, Map 59, Lot 14 to July 25, 2019 at 6:30pm. Tiffany Souza, Member, seconded the motion. **VOTE:** All in favor, none opposed.

6:30pm - New Business

Notice of Intent for 1030 Elm Street, Map 30, Lot 13 (Silva Engineering Associates)

Harry Bailey, Vice Chair, opened the hearing and read the Public Hearing Notice into the record. Applicant Anchor Excavating, 16 Industrial Way, Hanover, MA, is proposing to construct a commercial building within the buffer zone to a previously approved wetland. Property is located at 1030 Elm Street, Map 30, Lot 19.

Rebecca Baptista – Silva Engineering Associates – 1615 Bedford Street, Bridgewater, representing the applicant addressed the Commission and discussed the project in detail. The site was previously staked out for a commercial building and the applicant is requesting the Commission review the work already proposed. Ms. Baptista indicated that the applicant is in the process of obtaining an updated permit letter from Natural Heritage. Ms. Baptista further indicated the project still needs to go before the Planning Board (July 17th) and is requesting a continuance to July 11th in order to allow for a site walk by the Commission.

The Commission agreed a site walk was in order and that the Town Engineering will review the drainage calculations as provided by Silva Engineering Associates.

The Vice Chair opened the hearing for questions or comments from the audience. Hearing none the Vice Chair entertained a motion to continue the hearing.

Eileen Prisco, Member, made a motion to continue the hearing on the Notice of Intent for 1030 Elm Street to July 11, 2019 at 6:30pm. Tiffany Souza, Member, seconded the motion. **VOTE:** All in favor, none opposed.

6:30pm – Conservation Commission Business

Other Business: As deemed appropriate by the Commission

Incoming Correspondence – Greenbrier Enforcement Order

Mr. Azu Etoniru, Conservation Agent, addressed the Commission regarding the continuing concerns of Mr. Sean McNeill - 115 Greenbrier Lane, regarding the Sweetman/Danksewicz Enforcement Order. In providing a summary, the Agent stated that at the April 25th meeting covering the issue Ms. Danksewicz provided an update for the Commission on the plans for paving and noted that due to the weather the job may take through June to be completed. The last communication from the Commission to both parties was to have them advise the date of the paving once confirmed with the company providing the service.

The Agent indicated that in his opinion, it is not necessary to issue another fine at this time as the Commission had made it clear to both parties that there will be an opportunity to fine them again if no positive effort is made toward the resolution of paving the driveway. The Agent further suggested to the Commission that he can reach out to the two parties on the progress. He stated that he has been out to the property and, while some may ask if enough erosion controls are in place, in his opinion what is there is working and is adequate.

Harry Bailey, Vice Chair, requested that the Conservation Agent contact the Sweetman's and Danksewicz' and report back to the Commission at the next meeting, June 27th. The Commission will consider a course of action at that time.

Request for Certificate of Compliance – 1605 High Street

The Commission reviewed the Request for Certificate of Compliance for 1605 High Street. Conservation Agent provided a history of the property and recommended issuing the Certificate of Compliance.

Eileen Prisco, Member, made a motion to approve and sign the Certificate of Compliance for 1605 High Street dated May 14, 1987, DEP#116-89. Tiffany Souza, Member, seconded the motioned. **VOTE:** all in favor, none opposed.

Wetlands Violation Compliant – 589 Vernon Street

Mr. Paul Chouinard – 589 Vernon Street, Bridgewater, addressed the Commission regarding a wetlands violation on his property not of his own doing. Mr. Chouinard stated that several weeks ago his new neighbors cut a path through a portion of the wetlands that are on his property in order to use their ATV's. Mr. Chouinard said he has filed a police report and provided the Commission a copy for the record. He also received a no trespass order.

He indicated he did speak with the neighbor's wife and was told they thought no one owned the land behind their house. Mr. Chouinard requested that the Commission visit the site and see the damage. He stated he feels there should be recourse for someone who does damage on his property, resulting in a wetland violation.

The Conservation Agent addressed the commission. He stated he went out to the property after receiving notification at from his office. He observed the area and saw evidence of clear cutting but did not witness anyone doing the cutting. The Agent suggests giving the new neighbors the benefit of the doubt that they did not know they were doing harm. The Agent made a recommendation to send the residents of 575 Vernon Street and all direct abutters, a notice of wetland violation letter regarding 589 Vernon Street. And, just in case they are unaware of the Wetlands Protection Act, provide them a copy of What Not to Do and Frequently Asked Questions. The cease and desist order will advise them that if they are responsible for the present violation they could be fined \$300.00 per day, up to a maximum of \$25, 000.00

Paul Chouinard addressed the Commission and asked that both addresses be listed in the letter. He further suggested the meeting be continued and the neighbors at 575 Vernon Street be made to appear before the Commission at the second meeting in July because they have a violation on their property also.

The Conservation Agent addressed the Commission and reminded them that tonight is not a public hearing but rather a notice of violation. If there is further violation after the certified cease and desist letter is sent and there is evidence regarding the responsible party, then the Commission can take next steps.

Mr. Chouinard stated he wanted it known that the Town of Bridgewater is an abutter via land given to it when Cobblestone Estates was created.

Harry Bailey, Vice Chair, spoke in favor of addressing the issue with first sending the neighborhood the notice of violation letters. Eileen Prisco, Member, agreed.

Eileen Prisco, Member, made a motion to send certified letters to all abutters of 589 Vernon Street notifying them of a wetlands violation and anyone responsible must cease and desist immediately. Tiffany Souza, Member, seconded the motion. **VOTE:** all in favor, none opposed.

Review of Order of Conditions – “0” Elm Street, Map 44, Lot 8

The Commission reviewed the Order of Conditions, with Special Conditions for “0” Elm Street. Harry Bailey, Vice Chair, read into the record the additional condition to be included: “The Commission reserves the right to consider the cumulative impacts of the wetlands filling and alteration regarding any future proposed project on the subject land.”

Eileen Prisco, Member, made a motion to approve and sign the Order of Conditions for “0” Elm Street subject to the additional fourth condition, as read, be attached. Tiffany Souza, Member, seconded the motion. **VOTE:** all in favor, none opposed

Review of ORAD – “0” Elm Street, Map 44, Lot 8

The Commission reviewed the Order of Resource Area Delineation for “0” Elm Street, Map 44, Lot 8.

Eileen Prisco, Member, made a motion to approve and sign the Order of Resource Area Delineation for “0” Elm Street, Map 44, Lot 8. Tiffany Souza, Member, seconded the motion. **VOTE:** all in favor, none opposed.

Review of Order of Conditions – SE116-1450 – “0” Old Forest Street

The Commission reviewed the Order of Conditions, with Special Conditions for “0” Old Forest Street – SE116-1450.

Mr. Harry Bailey, Vice Chair, entertained a motion to sign and approve the Order of Conditions. Eileen Prisco, Member, made a motion to approve and sign the Order of Conditions for “0” Old Forest Street. Tiffany Souza, member, seconded. **VOTE:** All in favor, none opposed.

Review of Meeting Minutes

The Commission reviewed the meeting minutes from the May 9, 2019 meeting. Eileen Prisco, Member, made a motion to approve the minutes from May 9, 2019 as written. Tiffany Souza, Member, seconded the motion. **VOTE:** All in favor, none opposed.

Boy Scout Eagle Project – Titicut

Harry Bailey, Vice Chair, provided an update on a boy Scout going for an Eagle project at camp Titicut. The project involves work on the gated entrance to the camp grounds and increasing available parking spaces.

Commissioner Eileen Prisco, made a motion to adjourn the regular meeting at 7:47 pm. Commissioner Tiffany Souza, seconded the motion. **VOTE:** All in favor, none opposed. Mr. Harry Bailey, Vice Chair, closed the meeting. Next meeting will be on June 27, 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