

**TOWN OF WEST BRIDGEWATER
CONSERVATION COMMISSION**

Scheduled Meeting: 5 May 2020

This meeting was conducted remotely.

Remote Meeting Instructions for Public Participation

Due to the Coronavirus pandemic, this meeting will only be open to the public through remote participation, via live video using Zoom Meeting platform. The public is encouraged to participate in the live video meeting by using the following invitation. In addition, the meeting video will be made available via West Bridgewater TV either live streaming or at a later date as a recorded video. Please be advised, the meeting host may not allow questions from the audience if circumstances are warranted.

John DeLano, Conservation Commission Agent, is inviting you to a scheduled Zoom meeting.

Topic: West Bridgewater Conservation Commission Meeting

Time: May 5, 2020 06:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/98754250280?pwd=YUs3Y3E4NjNicThiN05KZGhqVG9qUT09>

Meeting ID: 987 5425 0280 - Password: 7qHNnQ

One tap mobile

+13126266799,,98754250280#,,1#,487053# US (Chicago)

+16465588656,,98754250280#,,1#,487053# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Germantown)

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: 987 5425 0280 - Password: 487053 - Find your local number: <https://zoom.us/u/ae3ZgE6pD>

West Bridgewater Conservation Commission Meeting Minutes 05-05-2020

6:30 PM Chairman Tim Hay (TH) called the remote Zoom meeting to order with Commissioners Moe McCarthy (MM) and Ryan Byrnes (RB) present, along with Agent John DeLano (JD). Commissioners Lee Anderson and Steve Winters were unable to join in. Minutes were developed from the cable TV video by Secretary Kitty Doherty. This meeting agenda was duly posted as a remote meeting with instructions for public participation; the meeting video is found <https://www.youtube.com/watch?v=2m3bxSTgvOo>

Approval of Minutes for 21 April 2020

• **MM / RB** motioned to approve the Minutes for 21 April 2020 as submitted, so voted.

Continued Public Hearing:

Scotland & Maple Streets 40B; Notice of Intent (SE 328 – 788) Jacobs Driscoll Engineering / Cochesett Developers (Bisher Hashem) to subdivide two vacant parcels into 44 residential lots with associated infrastructure and grading.

Developer Bisher Hashem and Consultant Greg Driscoll from Jacobs Driscoll Engineering along with some of the abutters to the project participated in this hearing. Reference may be had to the recorded video for names of the participating public who joined in for this portion of the meeting.

Engineer Greg Driscoll reviewed the findings of Consultant Phil Cordeiro's final 53G Peer Review Report with commissioners and those signed into the meeting; Agent DeLano brought up revised planning documents onto the viewing screen. Additional soil testing (which JD witnessed) has provided more information on the area between the rear of existing Scotland Street homes and the proposed new 40B homes; the drainage swale and basin design have been revised to better manage water flow and to treat stormwater. The site is fairly level but the back yards of both the existing and some of the proposed homes will drain into the same drainage swale and basin. The new homes in this section of the project will have no back yard but the swale area.

Discussion ensued; diverse questions were asked about the width and alignment of Maple Street, the new sidewalk, and a proposed pervious section of Maple Street designed to manage street runoff. Questions were asked about soil elevations, drainage basins and mosquito control, the location of the proposed security gate, and also legal need to clarify an Access Easement through Maple Street from Scotland Street to town – owned *Scotland Acres Conservation Land*. Agent DeLano explained this section of Maple Street is an unused *Ancient Road* now under development; the commission does not want any future challenges to public access, so an Access Easement must be clearly stated during project development.

A resident asked what recourse they had if after the 40 B was finished there were drainage problems on Scotland Street; Mr. Hashem replied that the *Regulations* are on the hook; if the proposal and reviews are in compliance with the regulations, everything will work. He said that his proposal design reduces existing problems on Scotland Street. Agent DeLano said that the required As-Built plan will require that every step in the Order of Conditions is complete before a Certificate of Compliance is issued.

Items still missing from the plans were noted: the location of the Turtle Nesting Area, and a copy of the replication Area must be included. JD also noted missing information regarding the Septic Mound, its final grading and culvert design.

For more details on these discussions please view the meeting as noted above.

• **MM / RB** motioned to continue the Public hearing to 19 May 2020, so voted.

Map 60, Lot 22 South Street; Notice of Intent (SE 328 - 759); Andrew Sargent (E.T. Engineering) / Richard Costa; to build a single family home with roof drain, septic system / 1500 gal. tank, and associated site work within 50' of a Bordering Vegetated Wetland

For a year this public hearing has been regularly continued in order to allow Mr. Costa time to iron out legal matters with the probate of the estate. Some commissioners feel that they cannot let it go on forever with no end in sight; it frustrates abutters who are following this proposal. Commissioners want to deny the project without prejudice. Through a letter from his consultant Mr. Costa asked that they continue it again because he doesn't want to lose his standing in court if he were no longer a stakeholder via the NOI. Discussion ensued.

• **MM / RB** motioned to continue the public hearing to 19 May 2020, with the provision that Mr. Costa produce for that meeting a Contract Guarantee from the real estate agent or probate representative indicating Costa's legal standing within the probate, and that all abutters will again receive public hearing notification for a continuance to a date specific in August 2020; so voted. Please note that Chairman Tim Hay abstained from voting.

400 Manley Street; Notice of Intent / GSWM Permit (SE 328 - 786) Kelly Engineering / Gramercy Property Group, LLC; for redevelopment work & solar project; to be continued without discussion.

• **MM / RB** motioned to continue this public hearing to the 2 June 2020 meeting, so voted.

Administrative Discussions:

586 Manley Street; Project Change General Stormwater Management Permit (GSMP); Jacobs Driscoll Engineering, Inc. / Manuel T. Buginga, Jr.: Original GSMP was to convert existing home into an office, construction of a garage / warehouse and contractor's yard

There was a brief wait while MR. Driscoll was invited to be reconnected to the Zoom meeting:

This item was tabled to the 19 May 2020 meeting since the applicant's engineer did not check in again to the meeting.

363 South Elm Street Request for Certificate of Compliance (COC) SE 328 – 735 – Single Family Home Construction with Associated Septic Installation and Site Grading

Agent DeLano said that no shed or pool were constructed as originally proposed, and the natural grading dictates that the swale goes under the driveway. He found that the wetland markers were ok. JD recommends approving this COC request without a bond but hold off issuing it until the riprap is finished on the swale along the front of the lot adjacent to South Elm Street. The commission approved the recommendation made by JD.

• **MM / RB** motioned to issue this Certificate of Compliance without a bond, so voted.

Maple Street - Parcel ID # 71-002, aka Zero Maple Street – Notice to Convert Chapter. 61A land

The Bertarelli Family wish to remove their 10 to 15-acre farm field from the 61A designation and sell the property. The town has first refusal rights, to match their offer of a million dollars. The commission thought that while this is a lovely property adjacent to MA Fish & Wildlife property, recommending purchase was not in the best interests of the community.

• **MM / RB** motioned to recommend to the Board of Selectmen that they forgo their rights of first refusal on this Maple Street property, so voted.

69 Sunset Avenue Extension – Project Change Request.

This project was originally approved as a 3-bedroom home with an onsite septic system. The developer would now like to make that a 4-bedroom home with a further setback than originally proposed. JD noted that the footprint and environmental impact is basically the same. JD recommended it to be a minor project change.

• **MM / RB** motioned to approve this request as a Minor Project Change, so voted.

71 Sunset Avenue Extension – Project Change Request.

This project was also originally approved as a 3-bedroom home with an onsite septic system. The developer would now like to make that a different, larger 4-bedroom home setback more than 50' away from the Conservation Easement. JD noted that the footprint and environmental impact is basically the same. JD recommended it to be a minor project change.

• **MM / RB** motioned to approve this request as a Minor Project Change, so voted.

Administrative:

Zoom Meeting Subscription Invoice – JD Reimbursement

• **MM / RB** motioned to approve paying the \$15.93 monthly, minus the tax, Zoom Meeting Subscription Invoice, so voted.

Adjournment

• **MM / RB** motioned to adjourn at 8:49 pm, so voted.

Respectfully submitted,

Kitty Doherty, Secretary

Minutes approved 19 May 2020