##### Town of West Bridgewater

**CONSERVATION COMMISSION**

**Town Hall Conference Room, 1st Floor**

**65 North Main Street**

**April 1, 2014**

**Minutes**

**6:30 PM** Chairman Tim Hay (TH) called the meeting to order with Commissioners Moe McCarthy (MM), Jack Connolly (JC) and Commissioner Lee Anderson (LA) present. Conservation Agent John DeLano (JD) was also present.

**Order of business:**

**Meeting Minutes:**

Approve Minutes for March 18, 2014. Motion made by JC, seconded MM. Voted.

**New Public Hearing (PH):**

4 Woodrow Lane NOI (SE 328 – 653)Landmark Site Design / Woodrow Estates LLC; construction of a single family house with associated utilities and grading within the 100’ Buffer Zone. Peter Lavoie, applicant’s rep. presented the green cards. Peter Lavoie made the presentation of the project. He noted WBBOH had approved the plan. Some questions were asked by Commission members. JD read the Agent’s report in reference to this site. Motion made by MM, seconded JC to issue Order of Conditions. Voted. Motion made by JC, seconded MM to close PH. Voted.

**Continued Public Hearings (PH):**

323 South Elm Street NOI (SE 328 - 646) Danena Engineering / Linda Cavallaro / Flaggy Meadow Realty Trust for construction of a farm pond and the repair and regrading of an access road within the Hockomock Swamp ACEC. There being no additional plans submitted to address the Commission’s concerns, motion made by JC, seconded MM to continue the PH to 4-15-14. Voted.

227 South Elm Street NOI (SE328 - 645) Danena Engineering / Linda Carvallaro / Flaggy Meadow Realty Trust for the construction of a single family home with associated utilities and grading within the Hockomock Swamp ACEC. There being no additional plans submitted to address the Commission’s concerns, motion made by JC, seconded MM to continue the PH to 4-15-14. Voted.

**Administrative discussions:**

Enforcement Order (EO) issued by Agent – 109 Spring Street / 48 Harvestwood Drive; Jack Peters. Motion made by MM, seconded by LA to ratify EO issued by Conservation Agent. Voted.

Restoration Discussion with Attorney Matthew Watsky, Robert Gray and an Engineer from JC Engineering. Discussed number, type and size of trees, shrubs and saplings. Also discussed some scheduling of the work. Some residents attended the PH to ask questions. Motion made by JC, seconded by MM to have JD work with Robert Gray to present the commission with a more definite plan for the 4-15-14 meeting. Voted.

AGENTS’S REMARKS FROM THE 4-1-2014 MEETING REPORT:

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| **Item #1: Continued Public Hearing - DEP # 328-646 – NOI- 323 South Elm St. – Construction of a farm pond and repair and re-grading of an access road** |
| **Note**: No plans or reports have been submitted to the Commission as of this date. The applicant’s consultant has been waiting for the weather to break and the snow to leave the woods so they can do the work required by the Commission. In addition, the consultant was waiting for Mrs. Wallace to grant permission to allow them on her property to do the elevations the commission requested. I prepared a document for her to sign and she has signed it and returned it. The document has been sent to the engineer for his signature. I have asked that he return it for our files. It is presumed that he will start the work shortly thereafter. Therefore, the PH needs to be continued.  **RECOMMENDATION: Motion to continue the PH to the meeting of 4-15-2014 so that the work requested by the Commission can be addressed and we are able to receive a comment letter from NHESP.** |
| **Item #2: Continued Public Hearing - DEP # 328-0645- NOI – 227 South Elm Street- Single Family home construction with septic system and associated grading for a residential lot.** |
| **Note**: No plans or reports have been submitted to the Commission as of this date. The applicant’s consultant has been waiting for the weather to break and the snow to leave the woods so they can do the work required by the Commission. See above for additional reasons for a delay in this project.  **RECOMMENDATION: Motion to continue the PH to the meeting of 4-15-2014 so that the work requested by the Commission can be addressed and we are able to receive a comment letter from NHESP.** |
| **Item #3**: **New Public Hearing - DEP # 328-0653- NOI – #4 (Lot 3) Woodrow Lane- Single Family home construction with septic system and associated grading for a residential lot.** |
| I have no issues with the plans. However, in reviewing the original subdivision OOCs, the Special conditionsrequired assurance that the drainage system as approved was installed as designed. (SP Condition #23) This will require a certification from a PE. I suggest that this be done as part of the COC for this lot. In addition, every house in the development was to have roof drains installed. (SP Condition #19) I suggest this be required before the COC be issued. Also, I will need to inspect the leaching system for the roof drains and the connection made to it before the backfilling of the system. These requirements are contained in the suggested OOCs for this evening.  **RECOMMENDATION: Motion to issue the OOCs. Motion to close the PH.** |
| **Item #4: Informational – Razing of the House Located on Commission Land on Clinton Road** |
| I still need to obtain information from reliable contractors to give you numbers to use. In addition, some research on the property is necessary to determine the bounds of the land.  **No Action is Necessary** |
| **Item #5**: **Informational**  - **State Ethics Requirements** |
| The **test** and **the acknowledgement of receiving the Ethics information from the Town Clerk** is required by the law in order to be on any Board or Commission for the Town. Please see me or call me if you’re not sure that you have submitted these two items. I am willing to assist in the process in any way that is helpful. We need you and your experience on the Commission and your input is extremely helpful. Don’t let this minor item keep you from being a valuable member of this good working Commission. I thank you for your service to the Town.  **No Action is Necessary** |
| **Item #6**: **Informational**  - **DEP Workshop at MA DEP Office in Lakeville, 3-20-2014 Topic: HOW TO DO IT RIGHT!!  WPA Permits & Procedures** |
| This was a whole day workshop. I was able to learn about some administrative procedures to make our work comply with DEP regulations. There is another part day workshop on 4-14-14 that will introduce new revisions to the regulations. I will report on what these changes are at the meeting on the 15th. Therefore, I will be out of the office in the afternoon of that day.  **No Action is Necessary** |
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| **Item #7**: **Administrative Discussion - 48 Harvestwood Drive - Mr. Peters tree clearing of the entire lot.** |
| PLEASE RATIFY THE ENFORCEMENT ORDER I ISSUED TO MR. PETERS ON MARCH 7, 2014.  The Wetland Scientist and the engineer met me at the site on 3-24-2014 to count tree stumps, sapling stumps and shrub stubs that were located in the areas where no activity was proposed. The count made was 36 trees, 14 saplings and 14 shrubs. It was agreed that 9 trees out of the 36 were allowed to be cut due to disease or storm damage. Therefore 27 trees need to be restored on this site. 14 saplings and 14 shrubs are to be planted too. The wetland scientist’s restoration plan needs to be revised to reflect these numbers. In addition, the plan shall be revised to include the species, diameter and heights of the trees, saplings and shrubs. The nursery stock to be used for the restoration must be from an approved source acceptable to the Commission. The ground cover should be a wetland buffer seed mix from an approved source acceptable to the Commission. The plan shall require the installation of the restoration vegetation to be done by a contractor with demonstrated experience in this work and who is approved by the Commission prior to commencing the work. The work shall be done under the supervision of the wetland scientist. The work shall be done prior to the installation of the foundation or the start of house construction. The wetland Scientist shall furnish the Commission with a report at the end of the restoration work, at the end of the first growing season and the start of the 2nd growing season. No Certificate of Compliance will be issued without the first report or an asbuilt plan. If the timing dictates that the COC needs to be issued before the final two reports are turned into the Commission, a Bond will be required before the issuance of the COC to assure that the vegetation will be viable. The wetland Scientist shall submit the revised plan to the Agent for review before the Commission votes to approve it. **RECOMMENDATION: Motion to ratify the Enforcement Order issued by the Agent on 3-7-2014.** |
| **Item #8**: **Informational – Land on Crescent Street Offered for Sale** |
| As noted at the last meeting, the Commission is interested in submitting a counter offer for the land rather than purchasing it for the asking price suggested by the owner. The offer would not include the land upon which the dwelling sits. “In kind” engineering services would be offered to the owner in lieu of money for the rear land. Those services would be for the surveying and preparation of a Form A lot for the house. It would include services for the perc testing, design and preparation of a Title 5 compliant septic plan approved by the WB BOH. This would allow the owner to sell the house with all the engineering costs “paid” for by the Commission. The costs to the Commission would be my time away from the Commission’s office while performing this “in kind” work. I am still working on putting this together to send it to the Attorney.  **No Action is Necessary** |
| **Item #9**: **Informational – 320 West Center St- Overflowing Septic System** |
| This is the site where the septic system is located to the rear of the property and has been overflowing into two catch basins. Septic Preservation Services, a company working on the problem has been keeping me updated regarding this problem. The problem has been diagnosed as a malfunctioning float switch. The broken float switch has been allowing the pumping out of more effluent at one time than the leaching system can handle. A repair to the switch was made. The overflows continued. It was suggested to adjust the floats to run for shorter times. It has improved the situation but an overflow was observed by two different people associated with the Commission at two different times. I will be asking the contractor to see if some additional adjustments can be made on the pump run times to see if it stops the overflow. I will keep monitoring the situation and will keep the Commission updated on this.  **No Action is Necessary** |

END OF AGENT’S REPORT

There being no other business before the Commission, Chairman TH asked for a motion to adjourn at 8:00 PM. Motion made by JC, seconded by MM to adjourn. Voted.

Respectfully Submitted,

John W. DeLano

Conservation Agent