6:35 PM Tim Hay (TH) called the meeting to order with Commissioners Lee Anderson (LA), Maurice McCarthy (MM), Ryan Byrnes (RB) and Paula Bethoney (PB) present. Conservation Agent John DeLano (JD) was present and kept minutes. The meeting was video recorded for the local cable network.

- TH asked for a motion to approve minutes for the meeting on January 16, 2018. MM motioned and RB seconded and so voted.

**New Public Hearings:**

River and Howard Streets; Request Determination of Applicability (RDA) (No DEP File# Required) Columbia Gas of Massachusetts; to replace gas mains along a portion of both streets located within the 100' buffer zone to a Bordering Vegetated Wetland (BVW) and the 200' Riverfront Area.

- TH read the Public Hearing (PH) Legal Ad and opened the PH.
- Representative from Merrill Engineers presented the project and the mitigation for protecting the wetland resource areas.
- JD reported his findings and recommendations as noted in the Agent's Report attached.
- TH asked for a motion to close the PH. MM motioned and RB seconded and so voted.
- TH asked for a motion to issue a Negative Determination #3. MM motioned and RB seconded and so voted.

**Continued Public Hearings:**

#586 Manley St; Notice of Intent (NOI) (SE 382 - 743) Edward Perry; to construct a radio tower and accessory infrastructure within 100' of a Bordering Vegetated Wetland

- TH opened the Continued Public Hearing.
- Rebecca Baptista from Silva Engineering presented revised plans.
- Mr. Perry, the applicant presented a check for the additional check in the amount of $100.00 for the bylaw fee. The extra fees were due to the applicant having more than one activity and for the work in the Riverfront Area of the brook.
- JD reported his findings and recommendations as noted in the Agent's Report attached.
- The commission members asked about the starting date. The applicant noted sometime in April.
- TH asked for a motion to close the PH. MM motioned and RB seconded and so voted.
- TH asked for a motion to issue an Order of Conditions (OOC). MM motioned and RB seconded and so voted.
- TH asked for a motion to issue a 50’ buffer waiver for the mitigation offered by the applicant which included an easement over the access road to the vegetation management area in the vicinity of the tower and the town’s EMS services having the ability to use the radio tower/station to broadcast emergency information during power outages. MM motioned and RB seconded and so voted.

#102 West Center St; Amend Order of Conditions (AOOC) (SE 328 -598) Shamrock Partners, LLC / Tom Kennedy; to construct an additional commercial building and parking area within 100' of a Bordering Vegetated Wetland

- TH opened the continued PH.
• David Klennert from Collins Engineering turned in the green cards as evidence of abutter notification and presented revised plans for the project.
• Some questions were raised about the applicant's continued use of the 50' buffer area.
• David Klennert suggested that he needs to talk to the applicant to determine the extent of his future use of the shed area and the access to the lower level at the rear of the building fronting on Howard Street.
• JD reported his findings and recommendations as noted in the Agent's Report attached.
• TH asked for a motion to continue the PH to 02-20-2018. MM moved and RB seconded and so voted.

**Luke Estates Roadway, off Brooks Place** NOI (SE 328 - 708) Pilling Engineering / Al Endruinas, to construct 5,000 sq.ft. of new subdivision roadway with subsurface drainage system, 2 drainage outfalls and 1 culvert outfall within the 100' Buffer Zone of a BVW;
- TH opened the continued PH.
- JD reported that the applicant's representative requested a continuance to the 03-20-2018 meeting.
- TH asked for a motion to continue the PH to 03-20-2018. MM moved and RB seconded and so voted.

**Luke Drive, off Brooks Place; NOIs; Pilling Engineering / Al Endruinas, to construct single family homes with septic systems, retaining walls, driveways, and with related grading and utilities within the 100' buffer zone of a BVW;**
- lot #3 (SE 328-713), lot #4 (SE 328-712), lot #5 (SE 328-711); lot #6 (SE 328-710);
- lot #7 (SE 328-709);
- TH opened the continued PH.
- JD reported that the applicant's representative requested a continuance to the 03-20-2018 meeting.
- TH asked for a motion to continue the PH to 03-20-2018. MM moved and RB seconded and so voted.

**Other:**

**Budget Update** - JD presented a cover letter and the department's FY19 budget that was sent to the Board of Selectmen.
- TH asked for a motion to approve the proposed FY19 budget. MM moved and RB seconded and so voted.

**Update - 225 South Street / Floristal Enforcement Order (EO)**
- JD reported that the applicant had contacted the commission and had planned to attend this meeting. The applicant did not show up for the meeting.
- JD noted that he would contact the applicant and determine if he will show up at the next meeting.

**Model Airplane Club Land License**
- JD reported that Town Counsel sent some minor revisions. JD to make them and send them back for Town Counsel's approval.

**Vote to Archive 2016 & 2017 Minutes**
- JD & TH noted that it has been the practice of the commission to put the minutes in a bound hardcover book.
- JD reported his findings and recommendations as noted in the Agent's Report attached.
- TH asked for a motion to approve the archiving of the 2016 & 2017 minutes for an amount not to exceed $250. LA moved and RB seconded and so voted.

**The following documents were signed by the commission:**

- MSMCP Membership for JD
- 586 Manley Street-Radio Tower - OOC (SE 328 - 743)
- Invoice - KenMark Copier Maintenance Contract
- River & Howard Sts.- DOA-Columbia Gas
## Agent's Report:

### Item #1 New Public Hearing - DEP File #N/A - Request for Determination of Applicability (RDA) - Portions of River Street and Howard Street, Columbia Gas to replace gas mains.

I have reviewed the documents submitted with this request and have no issues with the project. The work is within the jurisdiction of the commission but will not impact the resource areas due to the location of the work and the mitigation measures by which the work will be performed. Therefore the appropriate determination is that the project can receive a Negative #3 Determination that finds the work within the jurisdiction of the commission but will not impact the resource areas and that the applicant does not need to file a Notice of Intent for the project.

**Recommendation:** Motion to close the PH. Motion to Issue a Negative #3 Determination of Applicability (DOA).

### Item #2 Continued Public Hearing - DEP File #328-743- Notice of Intent (NOI) - #586 Manley Street - Construction of a Radio Tower, Small Accessory Building and Associated Site Grading within 100' of BVW

I have received a copy of a revised plan that shows the guy anchors that were mentioned at the last meeting. As you may recall, the plan shows the radials to be installed in the wetland. As it was described to us at the last meeting, these are not trenched but sliced into the soil with a piece of equipment that disturbs very little of the soil. The guy anchors are to be installed in the 50' buffer. The applicant mentioned that West Bridgewater will be able to benefit from the emergency broadcasting abilities of the radio station during power outages that disrupt the internet and other electronic devices. I would recommend that a special condition be added for this as part of the mitigation for allowing a waiver. In addition, the commission should be granted an access easement along the access road from Manley Street and onto the conservation land approved for the relocation of the ILSF on this same property. This would be another form of mitigation for their disturbance of the 50' buffer. Even though the impacts to the 50' buffer and the wetland are minimal, the fact remains that you need to have justification for granting the waiver.

**Recommendation:** Motion to close the PH. Motion to Issue an OOC with standard conditions and the recommended mitigation conditions within 21 days. Motion to issue a waiver of the 50' no disturb wetland buffer.

### Item #3 Continued Public Hearing DEP #328-598 - Amend an existing OOC - #102 West Center Street - To construct an additional building on the site with parking and drainage within 100' of a BVW

The applicant wishes to add an additional building to his existing developed site. The project shows mitigation plantings for the original development and a conservation easement for the original development. These two items are on-going and will be completed as part of the applicant's getting a COC. The new work is outside the 50' buffer and has a very simple drainage system. I don't have any issues with the project and I feel it can be issued an amended OOC.

**Recommendation:** Motion to close the PH. Motion to issue an Amended OOC within 21 days.

### Item #4: Continued Public Hearing DEP # 328-708- Notice of Intent (NOI) - Luke Estates Roadway - Off Brooks Place - Construction of roadway and drainage system

We have received a request today by the applicant to continue the PH. The PB has sent the documents for the Home Owner's Association to Town Counsel for his review and recommendations. Therefore the Planning Board has continued their decision for about a month. The applicant's engineer has requested a month's extension.

**Recommendation:** Motion to continue the PH to 03-20-2018.

### Item #5: Continued Public Hearings DEP # 328-709 to 328-713– Five NOIs- Luke Estates Lots 3,4,5,6 & 7 - Off Brooks Place - Construction of a Single Family Home (SFH), on-site septic system and associated grading.

Same comment as #4 above
Item #5: Continued
Recommendation: Motion to continue the PH to 03-20-2018.

Item #6: Administrative Discussion - FY19 Budget
I submitted a Level Funded budget as requested by the Board of Selectmen. The only changes are for the contractual increase for the Clerical Union contract and the increase for my contract. Both are increases of 2 1/2 Percent.

Recommendation: Motion to approve the proposed Level Funded FY19 Budget.

Item #7: Administrative Discussion - Enforcement Order (EO) - 255 South Street. Applicant cutting trees in the 50' buffer of the wetland to make room for parking his commercial trucks in a residential zone.

The Town Administrator sent the applicant a letter and the applicant came to the Conservation office last Friday. That is not a work day for me so I called the applicant Monday and we met yesterday. He is coming to the meeting this evening.

Recommendation: To be made at the meeting depending on the discussion.

Item #8: Administrative Discussion - Proposed License Agreement for the Model Airplane Club off Maple Street/Scotland Street
Town Counsel sent a response to the proposed agreement with a few suggestions. I will be making those changes and we need to send it back for his final review.

Recommendation: No action needed. Just informational. I will update you as I get new information.

Item #9: Administrative Discussion - Kitty has asked to Archive the 2016 & 2017 Minutes in a Bound Book.
This is the same method of archiving of the minutes that was done in the past. I believe the amount for this service is $250 based on a note left by Kitty.

Recommendation: Motion to authorize the binding of the 2016 & 2017 Minutes for an amount not to exceed $250.

Item #10: Documents to be signed:
MSMCP - J DeLano Membership fee this FY.
KenMark Copier Maintenance Fee
River & Howard Streets - DOA Columbia Gas
586 Manley Street - (SE 328-743) - OOC
#102 West Center Street - ( #328-598) - AOOC

END OF REPORT

Adjournment:

There being no other business to be done by the Commission, the meeting could be adjourned.

- TH asked for a motion to be made to adjourn the meeting. MM moved and RB seconded and so voted to adjourn at 7:37 PM.

Respectfully submitted,

John W. DeLano, Agent