

## EAST BRIDGEWATER CONSERVATION COMMISSION

### Minutes

February 13th, 2023

6:30 P.M.

2<sup>nd</sup> Floor Large Conference Room - Town Hall

**Members Present:** Paul Gallant (PG), Sam Malafronte (SM), Craig Winsor (CW), Claire Yocum (CY), Katie Cavanaugh (KC), Amanda Freda (AF)

**Also:** Alex Welch (AW), Conservation Agent

### 6:30 P.M. OPEN MEETING

**Informal 1:** Stanley Kravitz attended the hearing to discuss the recent dike breach at Robbins pond/Plymouth St and the subsequent Emergency Order issued by the Conservation Commission. Mr. Kravitz discussed what work had been done to rebuild the dike to address the public safety concern, that he was working with GZA Environmental on determining a long-term solution for the dike and that he was anticipating filing a notice of intent sometime after the 1-2 month study being conducted by GZA was completed.

**Informal 2:** Kenneth Allen of 8 Emery Lane came to discuss a possible filing at 0 Emery Lane for two future homes (subdivision). Mr. Allen's intent was to see if the Commission had initial thoughts or thought that the project in its draft form was unreasonable. The Commission discussed the stream crossing, standards needing to be met in designing the crossing, if the stream is perennial, the composition of the road (paved, etc.) and drainage. Overall, the Commission felt the work as proposed was reasonable in some form, but that more information would be needed through the filing of a Notice of Intent. Mr. Allen stated that he plans on submitting a notice of intent in the near future for the work and will provide more information at that time through his engineer.

### 6:40 P.M. SCHEDULED HEARINGS

#### NEW

1. 11 Daisy Ln./Scott Burgess/J.K. Holmgren Eng./NOI/New Cons.SFH

The Commission requested that a swale be added to the northwestern side of the house to help capture runoff that otherwise moves toward the wetland. This project also has no MA DEP file number, and therefore the hearing must be continued.

- **SM/PG motioned to continue the hearing to the 2/27/2023 meeting. In Favor – Unanimous**

2. 1 Daisy Ln./Scott Burgess/J.K. Holmgren Eng./NOI/New Cons.SFH

The Commission requested that the "finger-like" projection of area outside the 25ft buffer has conservation markers removed, to square off the yard. This project also has no MA DEP file number, and therefore the hearing must be continued

- **AF/CW motioned to continue the hearing to the 2/27/2023 meeting. In Favor - Unanimous**

3. 625 Bedford St./John Liao/Collins Eng./NOI/upgrade of existing septic
- **CW/AF motioned to close the hearing and issue an Order of Conditions with the additional condition that debris dumped between wetland flags 1 through 6 be included in the Special Conditions. In Favor – Unanimous**

### **CONTINUED**

### **ACTION ITEMS**

### **OFFICE DISCUSSION ITEMS**

1. 166/160 Walnut Street – Filing discussion
- AW shared a perspective from MA DEP Environmental Analyst Greg DeCesare on the either exemption from filing under the agricultural exemption provided by the Wetlands Protection Act, or requirement of a Notice of Intent for work done regarding a road to access an existing agricultural operation done in the buffer zone of a wetland. Mr. DeCesare in his 35 years of experience working for MA DEP stated that from his understanding of the situation (after confirming his understanding with the Commission Agent so both had a common understanding) the Commission has a lot of discretion in such matters regarding the exemption and the terms “existing”, “repair” and “replacement”. In his experience, requiring a Notice of Intent be filed would not be the path forward and that the work is exempt as far as he understands it as the work is in the buffer of the wetland (not the wetland itself) and that there has been no evidence of erosion impacts to the wetlands confirmed by the Conservation Agent in site visits in the Fall of 2022, and assuming agriculture is existing on the property, confirmed by the Conservation Commission. By show of hands the Commission voted that just the work done, and just the remainder of the road as discussed in the meeting meets the WPA standards for exemption given under the WPA for agricultural use.

**Adjournment: PG/SM motioned to adjourn at 8:35 PM. In Favor - Unanimous**