

Plympton Conservation Commission

Minutes of Open Virtual Meeting – September 21, 2021

Held over Zoom Conference Call: zoom.us/j/8802901353

By Telephone: (646) 558-8656 or (301) 715-8592 or (720) 707-2699

Meeting ID: 880 290 1353

Password: 948488

Present: Board Members, Rick Burnet, Amy Cronin, Linda Leddy, Mike Matern and Conservation Agent, Brian Vasa

Guests: Michael Chiuppi of QP Construction, Jason Youngquist of Outback Engineering (122 Main); Rebecca Lipton, Ivan Lipton, Joe Webby of Webby Engineering (0 Prospect Road barn)

1. **Call to Order.** Chair, Rick Burnet called the meeting to order at 6:40 pm.
2. **NOI Hearing Continuation on 122 Main Street – Single-family home within 100' of BVW and nearby vernal pool (SE266-0220).**

At the last meeting, Mr. Chiuppi was informed that an option in the Regs Section 21 is to request a waiver, complete with substantiation and a plan. This was submitted and the Commission discussed. The neighboring vernal pool requiring a 100' buffer was discussed (that was unknown at the time the neighboring house was built). The plan proposed changing the location of the house closer to the road. Some commissioners said that would keep the disturbance to a minimum; other Commissioners disagreed. One thought was that if the house was in the rear of the property, it would meet the rules, but the disturbance would be greater. It was argued that the public benefit would be that the vernal pool would be better protected with the home built closer to the road and a permanent No Disturb Zone protecting the vernal pool and its species' uninterrupted access to ideal habitat in the back of the parcel and neighboring parcels. It was noted that per the regulations, a vernal pool is presumed to be a vernal pool unless proven otherwise. The vernal pool with the obligate species was witnessed by the chair Rick Burnet a few years ago when performing a site visit for the neighboring property. It was moved that the applicant can revise their plan to include a permanent No Disturb Zone, to be submitted by the next meeting. The Commission will consider granting a waiver at the next meeting when reviewing the final plan. The votes were as follows: Burnet: yes, Cronin: yes, Leddy: yes, Matern: no. The Commission will take a final vote on the plan with the No Disturbance Zone incorporated. The hearing was continued to October 5th at 6:42pm.

As background, the NOI Hearing was originally scheduled for June 15, 2021, June 23, 2021, August 3, 2021 and August 17, 2021, September 7th and tonight. The continued public hearing is to consider a Notice of Intent, under the Wetlands Protection Act, M.G.L. c 131 §40 and the Town of Plympton Wetlands Protection Bylaw, General Bylaws Chapter 290 (previously Article XXVIII) from QP Construction, Inc. for the property at 122 Main Street, Map 7, Parcel 1 & Lot 40. The NOI is a proposal to construct a single-family home and

associated amenities within the 100 ft buffer of bordering vegetated wetlands (BVW).

3. 47 Mayflower. This hearing was continued until October 5th at 6:41.

4. 0 Prospect 72' x 96' barn addition to the riding arena and house RDA. Mark Derby, owner, presented the project plan. Brad Holmes did the wetlands demarcation and those plans were provided. It was noted by the Commissioners that there were other proposed items on the plan that were not being asked to be discussed, and were not part of the project. At the end of the meeting, the owner asked that the house on the project also be considered. The abutters, Rebecca Lipton and Ivan Lipton expressed concern that there is a vernal pool on their property that is not considered. A site visit was scheduled for Monday, Sept 27th at 8 am. The hearing was continued to October 5th at 6:43pm.

This public hearing is to consider a Request for Determination of Applicability, under the Wetlands Protection Act, M.G.L. c 131 §40 and the Town of Plympton Wetlands Protection Bylaw, General Bylaws Chapter 290 (previously Article XXVIII) from Mark Derby for the property at 0 Prospect Road, Map 20, Parcel/Lot Number 1-10. The RDA is a proposal for a project that would construct a 72' x 96' addition to an existing barn within 100' of a Bordering Vegetated Wetland.

5. 104 Brook Street. There was a complaint about materials draining onto their property, close to a pond. The Commission will coordinate with the Zoning Enforcement Officer.

6. Review new Building Permit Applications. The Chair, Rick Burnet signed off on the following building permit applications:

- 53 Pleasant: above-ground pool
- 55 Elm (16-4-2A): single family home
- 78 Maple: pool
- 216R Main: pool
- 58 Oak: single family home

7. Sign Warrants. None

8. Parking Lot issues.

- a. An inventory of the vernal pools in town will be created; add the last few years of annual reports to the website.
- b. Create a checklist of best practices for flood plain management.
- c. Center Street Dumping. It appears landscape and cement refuse are being dumped on a property. The K&P lawyer wrote a cease-and-desist enforcement order. The Commission asked if there were any wetlands on the property; an RDA needs to be done.

9. Minutes. The minutes from the September 7th meetings were approved with amendments.

10. Next Meetings. The next meetings will be held on October 5th and October 19th at 6:30 pm. The typical meetings schedule (1st and 3rd Tuesdays of each month) is subject to be modified, and will be posted.

The meeting was adjourned at 8:40 pm by a motion from Mr. Matern and seconded by Ms.

Leddy with unanimous approval.

Respectfully recorded and submitted by Amy Cronin