

Plympton Conservation Commission  
Minutes of Open Meeting – December 5, 2017

Members: Richard Burnet, Ami Dion, Linda Leddy, John Mathias, Marta Nover  
Absent: Amy Cronin

Meeting opened at 6:30 pm

Minutes from October 3, 2017 and November 21, 2017 meetings were reviewed and a motion by Mr. Burnet was made to accept the minutes as edited. This was seconded by Mr. Mathias and the motion passed unanimously.

**Correspondence Received:**

Received a letter with supporting materials from Mr. Jack O’Leary, a resident in town, questioning the Board of Health waiving the “5 acre rule”. The Commission agreed to raise this issue with the Board of Health clarifying how they are implementing this rule.

**New Business:**

The Commission received a complaint about a potential wetland violation at 387 Main Street, (property of Mr. Jeff Perette). Mr. Burnet checked it out and found everything in order.

**Old Business:**

Mr. Burnet spoke with the owner, Gene Beliveau. Mr. Beliveau extended a verbal invitation for the Commission to do a site visit and check the wetlands. The Commission plans to set a date when it next meets on January 9, 2018. Ms. Dion will send a confirmation to Mr. Beliveau to confirm.

**O Center Street**

Ms. Dion will send a letter to the applicant to request a site walk to inspect the restoration work on the property.

**129 County Road**

The owners were back at doing work within the Commission’s jurisdiction last Thursday. Mr. Burnet was contacted by neighbor. He called Joe Webby at Webby Engineering and found out that a plot plan has been prepared and the wetlands have been flagged. He went to inspect the property and found the owner working on the wetlands line. He told him to stop the work and to come to the Commission’s next meeting on Tuesday (December 5, 2017). The owner did not appear so the Commission decided that Ms. Dion would contact Mr. Webby to see where this project stands and to arrange for the County Sheriff to deliver the Enforcement Order in person.

### **0 Maple Street, Black**

The hearing on this NOI was closed at the last meeting but the Commission still needs to vote. There was extensive discussion on both the state and local wetlands by-laws, especially in terms of the impact of the project on two adjacent wetlands. Michael Matern (113 Maple Street) and Ray Correia (112 Maple Street) were in attendance. Dan Orwig, the engineer for the project did not attend this meeting.

Ms. Leddy made a motion (seconded by Ms. Dion) to deny the project under the State Wetlands Act because the project does not meet the performance standards of 310 CMR 10.55 (4) and long-term requirement to avoid adverse impacts on the resource areas.

After further discussion on the performance standards of the State Wetlands Act, this motion was withdrawn without prejudice.

Mr. Mathias made a motion (seconded by Ms. Nover) to approve the project under the State Wetlands Act subject to the following conditions included in the order:

- No clearing beyond boundaries;
- Replication design must be submitted and approved in order to be in compliance with the DEP Replication Design guidance;
- Replication constructed before project begins;
- No paving the driveway;
- Erosion control boundary shall be moved to the limit of grading around the house and septic system;
- Erosion control must be 18" compost filled silt socks

The vote was taken:

Mr. Mathias, Ms. Dion and Ms. Nover approved.

Mr. Burnet and Ms. Leddy denied.

Mr. Burnet made a motion (seconded by Ms. Dion) to deny the NOI (SE 266-0189) at 0 Maple Street (Map 6, Parcel 2, Lot 3A) under Plympton Local By-Law 28 because the applicant did not clearly demonstrate that the alteration of the bordering vegetated wetland and the 0-50' buffer zone will not have an adverse effect on the adjacent resource areas subject to protection under the By-Law including vegetated wetlands and vernal pools. The Commission feels that the project will not benefit the resource areas because the wetland replication area proposed will not be better than the wetlands altered. The Commission feels that there is likelihood of additional alteration of the 25' no-disturb buffer and wetlands from construction of project due to site conditions.

This motion passed unanimously.

**Number of Members on Conservation Commission**

It was decided that the Commission would continue to have seven (7) members until the spring of 2018 and then assess.

**NOI SE 266-0171 (West Street)**

Ms. Leddy raised a concern that the applicant is not in compliance since it has been several years since the Order of Conditions was issued on this project. She will visit the site and assess.

Motion made by Ms. Dion to close the meeting. This was seconded by Mr. Burnet and the vote was unanimously approved. Meeting adjourned at 8:50 pm.

Minutes recorded and submitted by Ami Dion.