

Plympton Conservation Commission
Minutes of Open Meeting – February 6, 2018

Present: Board Members Rick Burnet, Amy Cronin, Ami Dion, Linda Leddy, Mike Matern, John Mathias and Marti Nover.

Mr. Burnet called the meeting to order at 6:35

Correspondence

- Title V on-site review for 0 Prospect Street
- Old Colony Planning Council Agenda for January 31st
- Eversource Right-of-Way maintenance activity notification

New Business

1. Prospect Street Gravel Removal Discussion. There was general discussion regarding the issue of the land for sale with potential gravel removal based on the Board of Selectman's meeting last night. There are no items officially before the Conservation Commission at present. There were discussions of wildlife and wetlands. Rebecca Lipton spoke about her research regarding land deeds and historical/current owners. Nicole Brown expressed concern that a road could be built right beside her home. Based on information from the Board of Selectman, there's a question about some of the land ownership. There were questions about gravel removal for bogs versus removal as a business; questions about if it qualifies as agricultural (61A); and the location of the wetlands. It was noted that the abutters will be notified for hearings; the issue is on the agenda for the Selectman's meeting on Monday, February 12, 2018. It was stressed to watch town meetings.

2. 138 Center Street NOI Hearing. The notice of public hearing was duly advertised in the *Plympton Halifax Reporter* and read out loud. Joe Webby of Webby Engineering presented a project to construct a single-family dwelling with associated driveway, site grading and utilities within 100' from a bordering vegetated wetland and within 200' of a perennial stream.

Dave Campbell of 126 Center Street, a few houses down from the proposed construction site, read a statement in opposition to the project. The papers provided are attached at the end of the minutes. He expressed concerns with the builder, Monti Construction who also built the neighboring homes, specifically removal and sale of loam and resulting erosion issues. He also noted the water cannot get to the wetlands, and a bald eagle has been photographed on the property. Mr. Campbell said there was photographic evidence was provided where work was done by the builder near the wetlands. It was suggested that the soil depth be taken in advance.

Mark and Lou Laramée of 122 Center Street also expressed concerns with erosion, also in opposition to the project. Scott Bonome of 136 Center Street and Gail Edwards of 130 Center Street expressed similar concerns. It was questioned if the wetlands are being altered due to this erosion.

A walkthrough is scheduled for 02/15/18 at 2:15. The hearing will be continued to 02/20/18.

3. 12 Prospect Street. A complaint was received by the Commission regarding unpermitted clearing to the river at the property owned by Kim and Keith Wallace. Work being done to the riverfront was witnessed by Commissioner Rick Burnet. Rick advised Kim and Keith Wallace that no further work could be done. The Commission will send a follow-up letter.

4. Earth Removal Bylaw. The Commission discussed reviewing other towns' earth removal bylaws.

Old Business

5. O West Street NOI Continuation Hearing. A site walk was completed by the Commission. Joe Webby of Webby Engineering and Joe Walsh (potential buyer proposing to build a single-family dwelling). The wetlands delineation map was presented. At a prior meeting, it was suggested by the Commission that the well should be moved due to the presence of isolated wetlands (potential vernal pool) to result in less disturbance. Mr. Webby showed the new plans, noting that its more than 200' from the neighbor's septic. The abutter, Mike Miksch noted that he didn't believe the well was more than 200' from his septic since Mr. Miksch noted his septic is located in front of his house. Commissioner Marti Nover confirmed that all the conditions noted by the Commission have been met, including a letter from the Natural Heritage & Endangered Species program. The hearing was closed by unanimous vote. The project was approved with the standard order of conditions attached.

6. 129 County Road NOI Hearing. The notice of public hearing was duly advertised in the *Plympton Halifax Reporter* and read out loud. Joe Webby of Webby Engineering presented for the owners, Dan Gazzola Sr and Anna Gazzola (both present) who sought to clean up all the disturbed areas and stabilize by loaming and seeding within 100' from a bordered vegetated wetland. The Commission noted that the mean annual high water markings were not denoted, and that is the relevant marking. It was noted that based on Google Earth, there was clearing of the riverfront, and simply replanting the grass would not be satisfactory. The mean annual high water boundary must be determined. Dan Gazzola expressed that there's water released onto his property without Conservation Commission approval; he expressed that many authorities have come onto the property without any citation. Mr. Gazzola was asked numerous times to maintain a respectful attitude.

The walkthrough is scheduled for February 15th at 3 pm; Joe Webby and Brad Holmes will be present. The Commission will also request to be accompanied by Officer Silba, Environmental Police Officer. The hearing will be continued to February 20th.

As noted in the October 17, 2017 Commission minutes, a cease and desist was sent to Mr. Gazzola, and a ratified enforcement letter was sent certified mail on August 14th and it wasn't picked up. Commissioner Rick Burnet spoke with Dan Gazzola Senior on August 15th to let him know the order was coming. A second certified letter was sent and also not picked up.

Minutes. The minutes from the October 17, 2017 meeting were accepted as written.

Next Meetings: The next meeting will be held on Tuesday, February 20, 2018 and at 6:30 pm. The meetings are typically held on the 1st and 3rd Tuesdays of month.

The meeting was adjourned at 8:45 pm by a motion from Mr. Matern and seconded by Mr.

Mathias, with unanimous approval.

Respectfully recorded and submitted by Amy Cronin