

Plympton Conservation Commission
Minutes of Open Meeting – May 1, 2018

Present: Board Members Rick Burnet, Amy Cronin, Ami Dion, Linda Leddy, Mike Matern and Marta Nover

Not Present: John Mathias

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

Old Business

1. Correspondence.

- Letter from Mosquito Control Project near 8 Churchill Road to restore the ditches to ensure proper flow.
- Letter from Eversource to selectively apply herbicides within Plympton.
- Old Colony Planning Agenda for April 25th.

2. Building Permits Received.

12 Prospect. The Wallace's are seeking to build a 3-stall shed, but the property has a river and wetlands. It has been reported that some sort of work is already commencing. The Commission had previously sent a letter to them advising them that no work can be done in the wetlands when a Commissioner witnessed work being done. An RDA with a plan depicting the wetlands needs to be done, and another notification that work must cease.

104 Main Street. The Lemieux/McDonald family is seeking to build a 40' x 60' Morton building. The Commission approved the request. The decision was provided based on information found on the assessor's map and the plans provided with the building permit application showing that the work would not be within the jurisdiction of the Conservation Commission. The Commission reserves their right to require an after-the-fact filing if it is later determined the work is within the jurisdiction of the wetlands.

3. NOI Hearing Continuation for 138 Center Street, Map 11, Parcel 2, Lot 14: Single Family Home Construction. On April 17th, Joe Webby of Webby Engineering presented the plans, along with the developer, Amanda Monti and potential buyers, Ned and Deb Brown. A walk-through had been done with a 3rd party reviewer, Art Allen of EcoTec, Inc. There were several questions posed regarding if the temperature was higher, how would the soil readings be impacted. Art Allen was asked to attend the meeting to address these questions.

Joe Webby of Webby Engineering made another presentation. Another report was submitted by Brad Holmes (noting the February 2017 date should be April 24, 2018) with subsequent testing. Joe Webby interpreted that this letter provided proof that the isolated wetland is not within the jurisdiction of the Conservation Commission based on the Wetlands Protection Regulations and had not been "disturbed" in decades.

Arthur Allen of EcoTec, the third-party reviewer commented on the report and some of the questions. When the walk-through was done, they were on the cusp of the "growing season" as defined in soil science. He noted he observed a high-water table and puddling with areas that are poorly drained or very poorly drained. The soil temperature was at 39°F (versus

41°F), and at lower temperatures, observed hydrology is relevant. He noted that in his opinion, the site is indeed disturbed and is not populated with native vegetation. He noted they dug 12 pits and made observations and made correction to the BVW boundaries provided by the applicant. The pits showed a high-water table. Pit #3 was about a 10' diameter and was shown to be hydric; the pit is in the middle of the site. Arthur Allen commented that during the growing season, high groundwater could possibly indicate wetlands. The water table was from 12" to surface.

The Commission suggested that the project questions be broken down into three distinct areas.

1. Is the isolated wetland jurisdictional under the Plympton Bylaw? Clearly it is.
2. Is that Pit #3 an isolated wetland?
3. Consideration about the Brad Holmes' report that the site had been farmed for so long and could no longer be considered wetlands.

Corrie Merritt questioned if the isolated wetland could be an area where a stump was buried. The Commission requested to visit the site again during the "growing season", and the Commission request was denied by the applicant. The hearing was closed.

4. 61 Upland Road Borrego Solar Hearing, Map 13, Parcel 2, Lot 29D. The hearing will be continued until May 15th. The project engineer will be requested to provide some information requested at the first meeting. Neighbor Candice Imlach of 25 Dukes Brook was present. The scope of work was written and will be put out to bid. A site walkthrough is scheduled for May 7th at 4:30.

5. 117 Lake Street Solar. A site walk was rescheduled for May 8th in the 5:00-5:30 timeframe.

6. 11 Maple Street Barn Construction, Map 7, Parcel 1, Lot 10. A site walk-through will be done on May 8th at 4:30 pm.

7. NOI Hearing continuation for Single Family House Construction at 15 Winnetuxet Road, Map 21, Parcel 1, Lot 14A. The hearing will be continued to wait for the revised plan.

8. Letter Regarding Work Near Wetlands - Property on Rt. 58 near town line. There has been no response to the letter was written from the Conservation Commission to Amanda Monti reminding her that any work within 100' of the bordering vegetated wetlands (BVW) or 200' of a river must be first approved by the Commission. It was noted that clearing had been done, and the Commission requested a site walk to review the work.

9. NOI Consideration 129 County Road – Dan Gazzola. On 3/20/18, it was voted unanimously to deny the NOI of 129 County Road. The Commission denied the issuance of an Order of Conditions allowing the cleanup of disturbed area, as described in Attachment A to the Order of Conditions. An enforcement order will be drafted during the next meeting.

New Business

10. 89 Palmer Road. Anne Murray of Century 21 appeared on behalf of the owners who are seeking to sell their property. They had gotten an Order of Conditions in 2004 to build a barn, and that barn was never built. A Certificate of Compliance was issued, noting that work never commenced.

Minutes. The minutes from the March 20th meeting were accepted with one amendment, and the April 17th minutes were approved as written.

Next Meetings: The next meetings will be held on Tuesday, May 15st, 2018 and Tuesday, June 5th at 6:30 pm. The meetings are typically held on the 1st and 3rd Tuesdays of month.

The meeting was adjourned at 8:15 pm by a motion from Mr. Matern and seconded by Linda Leddy, with unanimous approval.

Respectfully recorded and submitted by Amy Cronin