

**Rochester Conservation Commission
November 7, 2018**

Present: Daniel Gagne, Vice Chairman
Christopher Gerrior
Laurene Gerrior
Maggie Payne

Absent: Michael Conway, Chairman
Chris Post

Laurell J. Farinon, Conservation Agent
Margaret Gonneville, Board Administrator

The meeting was held in the Town Hall conference room. Vice Chairman Gagne called the meeting to order at 7:00 p.m. and announced that the meeting was being televised.

Public Hearing

(Continued from October 2, 2018) DEP File # SE 272-0557 A Notice of Intent filed by Repurpose Properties, LLC, 55 Main Street, Buzzards Bay, MA 02532 for property located at Rounseville Road, Rochester, MA 02770, designated as Lots 24, 25B, and 25C on Assessor's Map 30. The applicant proposes construction of an age-related community with 22 duplex units and a common building with a pool area. A roadway with underground utilities, drainage facilities, and a shared septic system for all buildings will be installed. All proposed work within the development is outside of the 25-foot No Disturb Zone, but 14 duplex units, 3 point-source discharges, and 16,100 square feet of roadway will be constructed within the 100-foot Buffer Zone to a resource area. Erosion control measures will be implemented. The property owner of record is Gibbs V. Bray & Patricia M. Bray, Trustees, P.O. Box 989, Marion, MA 02738. The applicant's representative is John Churchill, Jr., J.C. Engineering, Inc., 2854 Cranberry Highway, East Wareham, MA 02538.

Documents submitted: *Letter from Brian Wallace of JC Engineering dated November 1, 2018*

Vice Chairman Gagne stated that Brian Wallace of JC Engineering, Inc. sent a letter by mail on November 1, 2018 requesting a continuation of the public hearing until November 20, 2018.

Agent Farinon reported that Repurpose Properties has been meeting with the Planning Board on a design to eliminate the illicit discharge from the Plumb Corner Mall property. JC Engineering will prepare a summary for the Conservation Commission for the next public hearing. They are looking for feedback from both the Planning Board and the Conservation Commission and are looking to have a joint meeting. Vice Chairman Gagne stated the Commission will need the information in advance of the next public hearing. Agent Farinon will work with JC Engineering to get the information in ample time for the Commission to review in advance of the public hearing.

A motion to continue the public hearing until November 20, 2018 was made by Member Laurene Gerrior and seconded by Member Christopher Gerrior. **The motion passed by a vote of 4 in favor, 0 opposed, 0 abstained (4-0-0).**

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DEP File # SE 272-0563 A Notice of Intent filed by Bartlett Consolidated, LLC, P.O. Box 810, Plymouth, MA 02360, for property located Off Mary's Pond Road on Leonard's Pond Bridge, Rochester, MA 02770. The applicant proposes to repair the guardrail and concrete curb on the Town of Rochester bridge at Leonard's Pond that was damaged in an accident in June 2017. The work includes replacing two sections of concrete curb and guardrail, one section is 50 feet and the second section is 78 feet in length. The work will occur within the 200-foot Riverfront Area to the Sippican River and above Leonard's Pond. The property owner of record is the Town of Rochester, One Constitution Way, Rochester, MA 02770. The applicant's representative is William Madden, G.A.F. Engineering, Inc., 266 Main Street, Wareham, MA 02571.

Documents submitted: *Plan entitled "Plan to Accompany Notice of Intent, Mary's Pond Road, Rochester, MA", Prepared for: Bartlett Consolidated, P.O. Box 810, Plymouth, MA dated October 22, 2018 and revised November 7, 2018*

Bill Madden of G.A.F. Engineering, Inc. was present at the public hearing representing Bartlett Consolidated, and stated that the plans were revised based upon the comments received from Commission members in advance of the meeting. Mr. Madden gave the revised plans to Agent Farinon and she passed them out to the Commission members.

Mr. Madden reminded the Commission that due to weather time constraints, he attended the last meeting to obtain feedback prior to formal NOI submittal. He said that Bartlett Consolidated will repair the guardrail and concrete curb and minimize the shutting down of the Leonard's Pond Bridge to two weeks. Highway Surveyor Jeff Eldridge was not in favor of notching and cutting the curb and patching the concrete, and talked to Bartlett Consolidated about removing and adding new concrete. They will be removing the top 12 inches of concrete curb. They will dry saw cut each side of the concrete curb to provide an edge for the concrete and make a nice uniform joint on each side of the bridge. The debris will be jackhammered off of the bridge and prevented from falling into the pool of water.

Pipe staging will installed in the water, planking it off and adding two layers of geo-tech style fabric for protection. A plate will be put at the bottom of the pipe staging to prevent sediment settling on the bottom of the pool. There will be 7,500 pounds of concrete on the smaller section and 11,500 pounds on the other side. The removal of the concrete will be in 10-foot sections. The debris will be moved with a front-end loader at the edge of the curb, and will be taken off site at the end of each day. The bridge and roadway will be closed in both directions. Debris will be hauled away in a dump truck and not stockpiled on-site.

Mr. Madden stated that the project will conform to Mass DOT Highway Department standards as detailed. The anchor bolts will be set and properly located, concrete poured and forms stripped off from inside the road to the outside curbing. There will be a space between the exterior face of curb. The void space will be filled with fiberglass installation so there will be no contamination on the water.

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Member Laurene Gerrior asked if they were doing one section at a time and Mr. Madden stated he expects it to be done that way. Member Laurene Gerrior asked what the concrete strength was and Mr. Madden replied that it is 4,000 PSI. Member Laurene Gerrior asked about the style of guardrail and Mr. Madden stated that it will be the same guardrail that is used on the other side of the bridge.

Vice Chairman Gagne asked about the chemicals used on-site and Mr. Madden said that they will be using a two-part epoxy. Vice Chairman Gagne requested that the form oils be bio-safe and that bio-safe hydraulics be added as a special condition in the Order of Conditions. He also requested that an emergency spill kit be on-site as a condition. Vice Chairman Gagne suggested that they leave two feet without fiberglass in order for stormwater to go through during a heavy storm.

Agent Farinon recommend a Positive Order of Conditions with the following special conditions:

1. A preconstruction meeting shall be held on-site prior to any construction activity.
2. The Conservation Agent shall be contacted to inspect the shielding wall prior to construction.
3. Bio-safe oils shall be used with the forms.
4. Bio-safe hydraulics shall be used on all equipment.
5. Emergency spill kit shall be on-site at all times.
6. Concrete washout shall be into a designated container and removed off-site.
7. Demolition debris shall be removed in 10-foot sections.
8. There shall be no stockpiling of excavated material on-site.
9. There shall be no fiberglass insulation packed around drainage scuppers.

A motion to issue a Positive Order of Conditions with the stipulations recommended by Agent Farinon was made by Member Laurene Gerrior and seconded by Member Payne. **The motion passed by a vote of 4 in favor, 0 opposed, 0 abstained (4-0-0).**

Commission Business

Minutes

A motion to approve the minutes of October 16, 2018 was made by Member Payne and seconded by Member Christopher Gerrior and all were in favor. Vice Chairman Gagne abstained. **The motion passed by a vote of 3 in favor, 0 opposed, 1 abstained (3-0-1).**

Voucher(s)

The following vouchers were approved for payment: MSMCP / FY19 Membership for Conservation Agent: \$20.00 and Society of Wetland Scientists Professional Certification Program / PWS Certification Maintenance for Conservation Agent: \$75.00.

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New Business

Right of First Refusal: Chapter 61A, Notice of Sale: 440 Snipatuit Road, Map 38 Lot 25A, Herring Brook Farm Realty Trust, Donna Jeffers, Trustee

Donna Jeffers, Trustee of Herring Brook Farm Realty Trust was present at the meeting.

Agent Farinon reported that the property is located on Snipatuit Pond at the headwaters of the Mattapoissett River. The Purchase and Sale Agreement lists the purchase price of the property at \$990,000. Agent Farinon recommended that the Conservation Commission recommend that the Board of Selectmen not exercise its right of first refusal on the subject property.

A motion to accept Agent Farinon's recommendation was made by Member Laurene Gerrior and seconded by Member Christopher Gerrior. **The motion passed by a vote of 4 in favor, 0 opposed, 0 abstained (4-0-0).**

Confirm member availability for future site visits and meetings

Members present confirmed that they will be available for the next meeting on Tuesday, November 20, 2018. There will be no site visits scheduled for Saturday, November 17, 2018.

Filing Fees

Agent Farinon reported that the subject of the filing fees for a Certificate of Compliance (COC) will be placed on the agenda for the next meeting on November 20, 2018

Changes to the Forest Cutting Practices Act Regulations and the Forestry Memorandum of Understanding between Department of Environmental Protection and Department of Conservation and Recreation

Agent Farinon requested to move this agenda item to the first meeting in December and will request DCR District Forester Joe Perry to be in attendance.

Adjournment

The meeting adjourned at 7:50 p.m. on a motion made by Member Christopher Gerrior and seconded by Member Laurene Gerrior. **The motion passed by a vote of 4 in favor, 0 opposed, 0 abstained (4-0-0).**

Margaret Gonneville, Board Administrator

Michael Conway, Chairman