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Town Clerk-Dighton, MA

JUL 17 2023

Time: 2:39pm
By: [Signature]

**Dighton Conservation Commission
Public Meeting Agenda
Thursday 7/20/2023**

Public Meeting Opens at 7:00 PM at the Old Town Hall at 1111 Somerset Ave. This meeting is video, and audio recorded for Cable Broadcast and Internet posting on “www.dighton-ma.gov”, and You Tube.

Meeting starts with the **Pledge of Allegiance**

Minutes: Approve minutes of previous meetings.

Review, Discuss, Act recommendation of appointment of Jason LaChance by the Board of Selectman.

Presentation by MA Fish & Wildlife Program on the new BioMap that now includes Local Components, which are specifically designed to support municipal decisions and actions, and they make BioMap relevant to many new communities.

Review, Discuss, Act **Continued Hearing** – DI Trust Comprehensive Conservation Subdivision seeks to construct 135 single family homes and 13,137 linear feet of associated roadway off Forest Street DEP File # SE 017-0443. *D.I. Trust has requested a continuance to 8/17/2023.*

Review, Discuss, Act **Continued Hearing** -- Reed Brothers Farm Limited Liability Partnership, DEP File # SE 017-0447. *Outback Engineering has requested a continuance to 8/17/2023.*

Review, Discuss, Act **Continued Hearing** – ANRAD Application by Dean Smith of New Leaf, Dighton Energy Storage 1, LLC for 0 Maynard Lane, Map 1, Lots 82, 82-7, and 96. DEP File # SE017-0476. *New Leaf has requested a continuance to 8/17/2023.*

Review, Discuss, Act **Continued Hearing** –ANRAD Application by RJR properties 0 Old Horton Street Map 7, Lots 36 & 36-1 DEP File # SE017-0475. Nover Environmental Submitted a Scope Amendment for the Peer Review

Review, Discuss, Act **Continued Hearing** – Notice of Intent Application by Robert J. Russell III at 0 Old Horton Street, Map 7, Lot 36 for construction of a single-family house with septic system. A portion of the work is within the buffer zone to wetland resources. Dep File # SE 017-0481. *ADE, Inc. has requested a continuance to 8/17/2023.*

Review, Discuss, Act **Continued Hearing** – Notice of Intent Application by Robert Martin at 1035 Williams Street for after the fact permit for garage, site improvements including a driveway, landscaping, above ground pool, clearing and grading of dead trees as well as some invasives, a new fence and restoration plantings. A portion of the proposed work is within the regulated wetland buffer zone. Dep File # SE 017-0480.

Review, Discuss, Act **Continued Hearing** – Notice of Intent Application by James Logan at 0 Prospect Street Map 4, Lot 370 for single family house, with amenities which include a garage, gravel driveway and sewer and water connections at the street. A portion of the project is within the regulated 100’ buffer zone to a bordering vegetated wetland and an intermittent stream. A portion of the project is within an Estimated Habitat of Rare Wildlife as designated on the Natural Heritage and Endangered Species Program (NHESP)

map. A Massachusetts Endangered Species Act (MESA) application was filed by the applicant to NHESP. Dep File # SE 017- 0483.

Review, Discuss, Act **Continued Hearing** – Notice of Intent Application by Robert Brimmer 2050 Horton Street (Map 7, lot 26-02) for a proposed corrective action plan and after the fact filing. Proposed corrective action plan to address a previous violation. The corrective action is permitting existing constructed structures within resource area, establishing post with signs and allowing for a re-vegetation plan. Corrective action to be performed within 100 FT of a vegetated wetlands and within 200 FT of a perennial stream within an Outstanding Resource Water Protection Area. Dep File # SE 017- TBD.

Review, Act, Discuss **New Hearing** – Request for Determination of Applicability from Adam Gent, Whaling City Solar for a property owned by David Prairie at 2204 Maple Swamp Road (Map 1, Lot 4), North Dighton to install a residential ground mount solar panel system and retaining wall. A portion of the work falls within the 100' Buffer Zone to a BVW.

Review, Act, Discuss **New Hearing** –Notice of Intent Application from Charles Roberts Federal National Mortgage Company at 1969 Horton Street, N Dighton, MA 02764. Work includes the upgrading of a failed septic system with septic tank, pump tank, retaining walls, leach field and associated grading. A portion of the work falls within the buffer zone to a bordering vegetated wetland and riverfront area to the Poppasquash River. The applicant also proposes to restore a portion of the riverfront area and buffer zone that was disturbed by the previous owner to its pre-existing state. Dep File # SE 017- TBD.

Review, Act, Discuss **New Hearing** – Notice of Intent from Tom Ferry, Town of Dighton DPW Director for a Municipal Main Street Roadway project including the construction of a 5' wide sidewalk and drainage improvements along an existing 1.8 mile section of Main Street from the intersection of Williams Street to the intersection of Elm Street. A portion of this work falls within the buffer zone of a Bordering Vegetated Wetland, Riverfront Area to Sally Richmond Brook and Muddy Cove Brook, and within Bordering Land Subject to Flooding. Dep File # SE 017- 0485.

Review, Discuss, Act - Request for Certificate of Compliance from Stonegate Landing, LLC for 983 Stonegate Landing (Map 9, Lot 2S) DEP File # 017-0445.

Review, Discuss, Act - Request for Certificate of Compliance from Kevin & Aleksandra Messier for 921 Williams Street (Map 8, Lot 18-2) DEP File # 017-0312.

Review, Discuss, Act - Request for Certificate of Compliance from Jeffrey Rodriques 2040 County Street DEP File # 017-0462

Review, Discuss, Act - Request for Certificate of Compliance from Taunton Yaucht Club for 2125 & 2975 Water (Map 20, Lot 6-8-01) DEP File # 017-0477.

Commission - Agent updates and Discussion Section

0 Horton St. (Map 10 Lot 53) Enforcement Order issued 11/28/22 – Site has been flagged. Site visit 3/9 Were told expect restoration plan asap. Letter sent on 6/1/2023 sent via certified letter. Fines at a rate of \$300/day will begin on 7/15/23 should we not receive a Satisfactory Restoration Plan. -*No New Update*

2371 County Street (Map 20, Lot 65) Enforcement Order issued 4/1/21, DEP visited site on 4/27/22- Request for letter to be sent by the BOS to DEP/Letter sent to DEP by TA Mr. Michael Mullen on 4/26/23 and on 7/17/23- *Update*

1035 Williams St., letter issued 4/28/21 (previous File No. SE 017-04030) – Site Visit with Outback Engineering/owner on 3/15 – *Public hearing opened 4/20/2023, Site visit conducted on 7/6/2023*

0 Horton St. (Map 7, Lot 26) Enforcement Order/Restoration. – Agent spoke with Wetland Consultant on 7/11/23 & site visit on 7/19/23. *Update*

2050 Horton St. (Map 7, Lot 26-2) Enforcement Order Issued 3/24/2022 – After the fact NOI filed by Oakhill Engineering on this agenda.

0 Williams St (Map 21, Lot 34-2) letter sent 6/2/22 – Notice of Violation – Met with owner and Stormwater Agent on 2/16. Restoration plan received. Needs Agent review and discussion at August meeting.

1940 County Street - 508 Customs (Map 17, Lot 79) – *letter sent on 3/23/23. Outback is preparing a site plan. No New Update..*

880 Hart Street (Map 19, Lot 2) – Notice of Violation letter sent 2/1/23 & Site Visit 2/15/23 & 4/11/23- *Agent spoke with Attorney Mitchell on 7/5/23 and provided him with the information.*

700 Main Street – (Map 17, Lot 300) Complaint of Wetland/Bank Alterations - *Certified Notice of Violation Sent 2/22/23. Returned to us as unclaimed. 2nd Letter sent on 3/30, requiring response by 3/10 and attendance at our 4/20 meeting. Site visit 4/18. No New Update*

670 Main Street (Map 17, Lot 133) & 0 Main Street (Map 17, Lot 130) – Complaint received involving bank and land under water to Muddy Cove Brook. Letter sent on 3/8/22. Requested response by 3/18 & attendance at April meeting. *Site visit 3/1 /23. No New Update*

1420 Williams Street (Map 11, Lot 9) – New violation discovered on this property when conducting site visit at Clearway Solar. Letter hand-delivered on 3/8/22. *Site visit 3/6/23. Update*

485 Tremont Street – extensive clearing. A portion may be in the buffer zone to a regulated wetland and in NHESP mapped priority habitat. *Recommend sending letter.*

Complaint received regarding 568 Hart Street Cutting, Clearing.

Public Input:

Correspondence:

Adjournment: