

**Dighton Conservation Commission  
Public Meeting Minutes  
6/16/2022**

**Public Meeting Opens at 7:00 PM at the Old Town Hall at 1111 Somerset Ave.**

**Attendance:** Bill Frenette, Jim Digits, Charlie Mello., Lisa Caledonia-Agent

**Minutes:** Approve minutes of 5/19/22 meeting. Jim Digits motioned to approve the minutes of our 5/19 22 minutes as written, Charlie Mello seconded, and the vote was unanimous.

**Continued Hearing-** Long Built Homes Notice of Intent for development of Hurd's Hill Subdivision DEP File # SE 017-0441. Evan Watson P.E. represents the applicant for this project. Long Built Homes, Inc. requested this hearing be tabled until 7/21/22. Jim Digits motioned to continue the hearing until 7/21/22, Charlie Mello seconded, and the vote was unanimous.

**Continued Hearing -** Comprehensive Conservation Subdivision to construct 135 single family homes and 13,137 linear feet of associated roadway off Forest Street DEP File # SE 017-0443. Joshua Glass has requested a continuance until 7/21/22. Jim Digits motioned to continue the hearing until 7/21/22, Charlie Mello seconded, and the vote was unanimous.

**Continued Hearing --** Reed Brothers Farm Limited Liability Partnership, DEP File # SE 017-0447. The Commission voted to table at a previous meeting. Outback Engineering requested a continuance to 7/21/2022. Jim Digits motioned to continue the hearing until 7/21/22, Charlie Mello seconded, and the vote was unanimous.

**Continued Hearing -** Notice of Intent request from Ross Boisselle, 170 Beach St., Dighton, MA, 02715 DEP File # SE 017- 017-0449 to replace an existing failed septic system in accordance with Title 5 regulations and remove and replace an existing garage as well as a new driveway and associated grading all work is within the "Riverfront Area" and "Bordering Land Subject to Flooding". Bob Berube of Proline Engineering outlined plan changes requested by Todd Pilling, Board of health Agent and Stormwater Commission member. He identified the type of sands on the property as uncompacted, increased the septic system size to accommodate a third bedroom, but the house remains a two-bedroom dwelling, included a 2' wall to be built between adjoining property, the existing garage is in poor shape it will be re-constructed parallel to the abutting property, and performed spot grades of neighboring septic and found that it was higher in elevation than Boisselle's septic. The Commission and Lisa asked several questions. Jim Digits motioned to close the hearing and issue an Order of Conditions, Charlie Mello seconded, and the vote was unanimous

**Continued Hearings -** Notice of Intent request from David Berdos, 2396 Pleasant St., Dighton, MA, 02715, Map 20, Lot 54. EP File No. SE 017-0459 Retroactive approval for constructing an addition to an existing single-family home within the 200' Riverfront Area of the Taunton River and retroactive approval for walkways and float within a Bordering Land Subject to Flooding, salt marsh and Bank of the Taunton River. Lighthouse has requested a continuance to 7/21/22. Jim Digits Motioned to continue the hearing to 7/21/22, Charlie Mello seconded, and the vote was unanimous.

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**Continued Hearing** - Notice of Intent request from Pure Oasis Grow LLC, 398 Columbus Avenue, Suite 148, Boston, MA, 02116. They plan to redevelop an existing parking area at 620 Spring Street, Map 4, Lot 170 within a FEMA flood plain and riparian zone. Sean Barry represents the applicant. Sean presented a plan revised to satisfy changes requested by the Stormwater Committee. The rain garden is now longer, and shallower, additional parking has been provided and several other changes requested by the Storm Water Committee have been incorporated and he asked that we approve the project Lisa said we needed to grant conditional approval to allow the Stormwater Committee and Building Commissioner time to review and approve the plan at their next meeting. Jim Digits motioned for Conditional approval of the revised plan subject to review by Stormwater and Building Dept., Charlie Mello seconded, and the vote was unanimous.

**New Hearing** – Notice of Intent request from David and Aime Tavares, 3093 Elm St., Dighton, MA 02715 Map 24, Lot 49-5 to build a 31 x 41 S. F. garage within the 100’ Buffer Zone of a delineated Vegetated Wetland. DEP File No. SE 017-0410. Bob Berube of Pro-Line Engineering presented the plan to add a large stand-alone garage to the existing property along the driveway away from the house within the 100’ Buffer Zone. Jim Digits asked that the structure be relocated within the buffer Zone so it would be further away from the 50’ no build line. Charlie Mello argued that the property owner should be allowed to place it as shown on the plan. Bob mentioned that the owner was not in attendance and he could not speak for him; it was decided that Bob would stake the current garage location and Lisa and Jim would visit the site. Jim Digits motioned to continue the hearing to 7/21/22, Charlie Mello seconded, and the vote was unanimous.

Discuss and vote to approve a request to extend an Order of Resource Area Delineation with File No. SE 017-0419 from DI Trust II for property off Forest St., Assessors Map 3, Lots 28, ,33, and 78 for three years until 6/26/25. Joshua Glass addressed the Commission on the request he explained that because of the Covid 19 Pandemic the State Legislature tolled various extension dates and this one qualified, the project had been extended to 10/1/23. Jim motioned to approve the Covid tolling date of 10/1/2023, Charlie Mello seconded, and the vote was unanimous.

Discuss and vote to approve lifting an Enforcement Order issued to 2372 Park Ave. We issued An Order of Conditions for this property on 6/1/22 with DEP File No. 017-0458. Jim Digits motioned to lift the Enforcement Order for 2372 Park Ave., Charlie Mello seconded the motion, and the vote was unanimous

Discuss and vote to approve payment of an invoice from the Bristol County Registry of Deeds in the amount of \$106.00 for Chapter Land Release on two parcels of land donated by Otis Dyer’s Estate to the Conservation Commission on Map10 Lot 23. Lisa explained that the lien was for release of the land from Chapter 61B by the Registry of Deeds. Jim Digits motioned to pay\$106.00 dollars to the registry of deeds to release the lien, Charlie Mello seconded the motion, and the vote was unanimous.

Discuss and vote to approve the graphics for signs that are to be used by applicants to memorialize the location of the Dighton Wetlands Protection Bylaws “25’ Undisturbed Vegetation Zone”. The Commission will determine the number and placement of the signs in in the approved plans of future Orders of Conditions.

The Commission discussed re-organization of officers and voted approval of the changes. Bill Frenette decided that he would resign as Chair and asked for nominations Charlie Mello nominated Jim Digits as chairman Bill mentioned that we did not have all members present Charlie Mello noted that he had vote proxies in writing from the two missing members who both voted for Jim Digits as Chair of the Commission. We then completed the vote and Jim was elected by unanimous vote. Jim Digits motioned to continue Charlie Mello as Clerk, Charlie Mello seconded, and the vote was unanimous.

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### **Commission - Agent updates and Discussion Section**

0 Horton St Map 7, Lot 26. Ribeiro Enforcement Order. – Restoration Plan.

Ron Rossini presented a plan showing the restoration of the 25' Bylaw "Undisturbed Vegetation Zone". Jim Digits wants all the alterations in the Buffer Zone included in the Restoration Plan not just the Undisturbed Vegetation area. Lisa responded that the applicant hoped we would accept part of the restoration so he could apply for a perk test in the upland rear of the property. The discussions continued until it was decided that a plan showing restoration of all the disturbed areas should be submitted. Lisa noted that even with the restored area approved the applicant would have to file an ANRAD with the Commission before he sought approval for perk tests in the upland areas of the property.

2050 Horton St. - Brimmer, Map 7, Lot 26-2 Enforcement – Complaint – Update. Lisa had no update to offer.

578 Hart St, Enforcement Order/Expired OOC. – SE 017-0370 – As built plan received - Update. Lisa explained an as-built plan has been received but the engineer has not yet submitted a letter to accompany the plan and a request for a Certificate of Compliance. Bill recused himself and asked for an explanation of an as-built plan and its relationship to the process. We explained that every Certificate of Compliance we issue requires an as-built plan accompanied by a letter from the engineer certifying that the project is built according to the approved plan. As Commission Chairman he had never prepared the necessary COC documents and was not aware of the terminology, they were always prepared by the Commissions Clerk.

1566 Cedar St Letter Issued, Draft Site Restoration Plan – Update. John De Sousa is the new wetland consultant for this applicant he presented a plan that illustrated changes to the property from March 1995 to the present, one of the arial photos showed a cranberry bog and he explained the sequences of construction on the property and noted that the property owner is in the process of applying for inclusion in Chapter 61A and that a NOI application is being prepared.

2371 County St, Enforcement Order Issued on 4/1/21. – Update. Lisa explained that DEP is currently involved in the process, and there has been little involvement with Attorney Mitchell and the property owner is currently out of the country.

1035 Williams St Letter issued 4/28/21 – DEP 017-0403 – Update. No update available.

2040 County St Violation – Update. Consultant is preparing an NOI to be submitted for 7/21/22 meeting.

1763 Wellington St Violation – Update. The property owner has hired consultant and engineering firm.

1030 Oak St. Disturbance in Buffer Zone – Update. No update for this property.

1861 Somerset Ave. Letter sent 5/11/22 – Update. The property owner is in touch with an Engineering firm.

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Clearway Solar DEP File No. SE 017-0396 1420 & 1522 Williams St. – Update. Weekly updates have been submitted to the Commission by the consultant firm.

0 Williams St., Map 21, Lot 34-2, Letter sent 6/2/22 – New Notice of Violation The property owner is concerned and there are some wetland alterations.

1969 Horton St., Map 11, Lot 29, Letter sent 6/6/22 - New Notice of Violation. Tenants do not own property it is owned by Mechanic Bank. Lisa will send copy of letter to bank.

**Public Input:** Bill Frenette proposed all future meetings start with Pledge of Allegiance. Jim Digits motioned hat prior to all Commission meetings the Pledge of Allegiance be made, Charlie Mello seconded, and the vote was unanimous.

**Correspondence:** None

**Adjournment:** Bill motioned to adjourn at 8:40, Jim seconded, and the vote was unanimous