



TOWN OF DIGHTON

STORMWATER COMMITTEE MINUTES

Regular Meeting

Wednesday, March 16, 2022

Old Town Hall, Upper-Level Meeting Room

1111 Somerset Avenue

Dighton, MA. 02715

This was also a remote participation "Zoom" meeting. It was a public meeting being video and audio recorded for Cable Broadcast and Internet posting on www.dighton.ma.gov and YouTube.

The meeting was called to order by Nancy Goulart, Chairman, at 1:00 p.m. A brief recess was declared to allow Highway Superintendent Thomas Ferry time to join the meeting.

The Pledge of Allegiance was recited.

Roll call: James Aguiar; Timothy Rhines; William Frenette; Nancy Goulart; Todd Pilling; Barbara Catabia, Board of Health representative; and Thomas Ferry (Arr. 1:17p.m.)

Member absent: Thomas Pires

Town officials present: Rosalind Grassie, Office Manager, and Lisa Caledonia, Conservation Agent

General Public: Franz Kucherbauer, 2386 Pleasant Street; Russell Enos, 2371 County Street; Attorney John Mitchell representing Mr. Enos; Jim Minnema, 2041 Anne Circle; Jeff Cloonan, Dighton Water Department Superintendent; Dr. Eric Vaught (Arr 1:20 p.m.) 2470 Pleasant Street; Sean Barry (Arr. 2:00 p.m.) Level Design Group

Remote Participation Laureen Beausoleil, 1680 Pine Street, and Ahmed Hafez, Grasshopper Energy.

COMMITTEE BUSINESS

Review / Discuss / Act: Railroad Bed Violations – Stormwater Agent Todd Pilling stated property owners are filling in the old railroad bed and impeding the flow of water. Conservation Agent Lisa Caledonia stated the water needs to be able to flow. These wetlands are hydrologically connected to the Taunton River. She also advised the railroad bed owners that they will need to also meet with the Conservation Commission.

Chairman Goulart explained that the property owners who have filled the railroad bed will be contacted individually to schedule site visits and there will be separate discussions to resolve the problem of impeding the flow of water.

Mr. Russell Enos, 2371 County Street, asked to address the committee and discuss other railroad bed violators who have also filled in the railroad bed to the north near Center Street. Chairman

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Goulart explained to Mr. Enos that only the area identified will be addressed at this time. Attorney John Mitchell thanked the committee for broadening the scope of its investigation. Attorney Mitchell requested a copy of the letters that were sent to the other railroad bed owners. Conservation Agent Lisa Caledonia stated each owner needs to read the Town of Dighton Conservation Bylaws. Mr. Pilling made copies of the bylaws for the property owners.

Review / Discuss / Act: 2041 Anne Circle – Property owner James Minnema addressed the committee. He stated that the water runs in between his property and 2031 Anne Circle and then runs into the street. The developer of Cedar Estates was supposed to install drainage to direct the flow of water to the catch basin down the street near 2051 Anne Circle. Mr. Minnema explained that he was working and raising a young family and put off following up with the town regarding the water flowing into the street and down the road because he was so busy. Now that he has retired and has the time, he contacted the Planning Board secretary whom he had previously spoken with about this issue. He was told that due to a change in personnel, all the paperwork regarding the development of Cedar Estates had been purged. Building Commissioner James Aguiar stated there appears to be isolated wetlands behind these properties. This is an ongoing problem that is only going to get worse.

It was moved by James Aguiar, seconded by Timothy Rhines and VOTED UNANIMOUSLY on a roll call vote to table the discussion until Highway Superintendent Thomas Ferry arrived.

Review / Discuss / Act: Proposed Solar Battery Storage Units' Regulations – Planning Board Chairman Timothy Rhines stated the Planning Board has just approved Standard Operating Procedures (SOP) for Solar Battery Storage. Building Commissioner James Aguiar stated the bylaw will need to be changed slightly to include battery storage. The process for adding battery storage to an existing solar project was discussed, as well as adding battery storage to a permitted under-construction solar project. Battery storage units will require a major modification and notices sent to abutters. The Brook Street Solar Project was discussed and it was agreed that they would need to file to modify the existing stormwater permit as new support infrastructure may be required.

It was moved by Timothy Rhines, seconded by Todd Pilling and VOTED UNANIMOUSLY on a roll call vote to take the Brook Street Solar Project agenda item out of order.

Thomas Ferry joined the meeting at 1:17 p.m.

ACTIVE PROJECT UPDATES

0 Brook Street Solar Project – Grasshopper Energy – Planning Board Chairman Timothy Rhines, stated the Planning Board signed the decision approving the modification request for additional screening and the twenty-day appeal period has begun. Building Commissioner James Aguiar stated that after the twenty-day appeal period is over the owners will still need to apply for building, electrical, and fire department permits. Stormwater Agent Todd Pilling stated they will also need a modification to their stormwater permit to add battery storage and the panels in the drainage basins. Building Commissioner James Aguiar explained that there can be no grid connection until the stormwater infrastructure is working properly.

Ahmed Hafez, representing Grasshopper Energy, inquired about the possibility of the project connecting to the grid now without battery storage being added later. Building Commissioner James Aguiar reinforced his statement that the Town of Dighton will not consider any grid interconnection until the stormwater basins are working properly. Fix the basins. Then we will consider grid connection. Stormwater Agent Pilling stated the northeast basin is full and is going to overflow. He has been asking them to dig test holes to determine why the drainage basins are not working.

Review / Discuss / Act: 2041 Anne Circle continued

It was moved by Todd Pilling, seconded Timothy Rhines and VOTED UNANIMOUSLY on a roll call vote to continue the discussion for 2041 Anne Circle.

Mr. Minnema explained that he is looking for help getting his property to drain into the catch basin located 152 feet down the road from his property. Highway Superintendent Thomas Ferry stated the builder should have installed a drain for that property. Chairman Goulart explained this is not a problem for the stormwater committee or the Town of Dighton. Mr. Ferry stated he would consider allowing a connection into the town drainage system to help alleviate the problem, but the town cannot do the work.

It was moved by Timothy Rhines, seconded by James Aguiar and VOTED UNANIMOUSLY on a roll call vote to take Public Input out of order.

2:00 p.m. Building Commissioner James Aguiar left the meeting.

Public Input – Dighton Water District Superintendent Jeffrey Cloonan addressed the committee stating the Dighton Water District will be commencing a large water main project this spring. The water district will be replacing the water main on two miles of Main Street connecting Williams Street to Pleasant Street. Mr. Cloonan gave a projected timeline for the project: permit submittals in April, finalize permitting by June, shovel in the ground July 2022. Highway Superintendent Thomas Ferry added the Main Street re-construction project will be proceeding simultaneously with the water main project.

Mr. Cloonan inquired about the need for a stormwater permit. Stormwater Agent Pilling stated a permit is needed if more than 35,000 sq. ft. is disturbed. This project will require stormwater permits for both the water department and the highway department. He explained that a request may be submitted to waive the permit fees.

2:15 James Aguiar re-joined the meeting.

It was moved by Timothy Rhines, seconded by Todd Pilling, and VOTED UNANIMOUSLY on a roll call vote to take agenda item 5(b) Update Dora Estates Development of Parcel A out of order.

Update Dora Estates Development of Parcel A – Chairman Goulart stated the developer added the seventh building back on the plan with the stormwater running into the wetlands. Mr. Pilling reviewed the project. The designer revised drainage for the seventh building to route the water through the road drainage system. The wetlands are now protected.

Review / Discuss / Act: Extension Request 903 Tremont/ 624 Middle Street Solar Project – It was noted the extension request should have been for the 1420 and 1522 Williams Street solar project. The committee discussed a tentative approval until they can vote at the next meeting.

It was moved by James Aguiar seconded Timothy Rhines and VOTED UNANIMOUSLY on a roll call vote to tentatively approve the six-month permit extension request and to ratify the vote at the next stormwater meeting.

Review / Discuss / Act: Stormwater Agent Dora Estates Compensation – Chairman Goulart explained this compensation was for work that was done by the stormwater agent who attended night meetings with the Taunton Conservation Commission regarding Dora Estates and protecting the Town of Dighton’s water supply. The compensation requested was for 8 ½ hours, for a total of \$501.08.

It was moved by Timothy Rhines, seconded William Frenette, and VOTED on a roll call vote to approve payment for 8 ½ hours in the amount of \$501.08 for the stormwater agent for attendance at the Taunton Conservation Commission meetings with Mrs. Goulart. Mr. Pilling was thanked for all of his hard work to protect the town’s watershed and water rights to the Segreganset River.

Roll call VOTE – 6 Ayes: Barbara Catabia, James Aguiar, Thomas Ferry, William Frenette, Nancy Goulart, Timothy Rhines.

Todd Pilling abstained.

Meeting at Bristol County Agricultural High School re: MS4 Permit and Drone Use - Chairman Goulart reported that there was a meeting with school officials to discuss the use of drones to inspect outfalls. She will report back to the committee with an update on the drones once the school completes their research. Mrs. Goulart stated she contacted Newton Tedder at the EPA to determine if the school will need to get a separate MS4 permit and file its own MS4 report. Mr. Tedder said the school does not need its own designation or file a separate MS4 permit as long as the town and school continue to have a good working relationship. Therefore, the town will continue to include the Bristol County Agricultural High School in its annual MS4 report.

Review / Discuss / Act: Stormwater Regulations / Proposed Changes / Request for Comments
It was moved by Todd Pilling, seconded by James Aguiar and VOTED UNANIMOUSLY on a roll call vote to table discussion until later in the meeting.

Update 620 Spring Street- Planning Board Mixed Use Special Permit – Stormwater Agent Pilling reported that both he and Chairman Goulart met with Sean Barry from Level Design Group at the 620 Spring Street location. Mr. Barry is here today to give the committee an informal presentation of the project.

Mr. Barry showed a proposed plan to the committee. He explained that he will be filing the stormwater permit application later today. He also stated that he has already submitted a plan to the Planning Board but they have not seen the revised plan set that is here today.

Chairman Goulart explained to Mr. Barry that all departments need to have the same plan. Everybody needs to be working on the same set of plans. When a plan is revised, each department needs to receive a new plan set. Each revised plan set needs to be numbered and show all revision dates. Stormwater Agent Pilling stated he will need to witness the test pits for the three drainage basins.

It was moved by Timothy Rhines, seconded by Todd Pilling and VOTED UNANIMOUSLY on a roll call vote to take agenda item 5(d) DG Dighton solar projects Phase I & II Elm Street out of order.

DG Dighton solar projects Phase I & II Elm Street – Stormwater Agent Todd Pilling stated he received a PDF email of the revised as-built plans from Dave Cowan on March 10, 2022. He has not reviewed it. He is waiting for the hard copy to be submitted. Building Commissioner James Aguiar asked the committee if Stormwater Agent Pilling approves the revised as-built, is this committee amicable to allow him to close out the stormwater permit.

It was moved by Thomas Ferry, seconded by Timothy Rhines and VOTED UNANIMOUSLY on a roll call vote to approve the as-built plans pending Mr. Pilling's approval.

It was moved by Timothy Rhines seconded James Aguiar and VOTED UNANIMOUSLY on a roll call vote to take agenda item 4(g) off the table.

Review / Discuss / Act: Stormwater Regulations / Proposed Changes Request for Comments. - Stormwater Agent Pilling stated he had reviewed both the bylaw and the regulations, and he has a few changes that he would like to recommend. Chairman Goulart stated it's clear the bylaw has to spell out the creation of the stormwater committee, its responsibilities, and authority. The committee discussed having a separate workshop to review the bylaw and regulations rather than during a regular meeting. Mrs. Goulart asked Mrs. Grassie to set up a date that works for all committee members and to email the Audubon Bylaw Review to the committee members prior to the workshop.

Forest Hills Housing Development – Planning Board Chairman Timothy Rhines stated the continued public hearing for the Forest Hills development is scheduled for Wednesday, March 16, 2022, 6:00 P.M. at the Dighton Middle School. He stated the Taunton Planning Board has continued its public hearing for the Forest Hills development until May. Building Commissioner James Aguiar read a letter into the record that he and Fire Chief Chris Maguy prepared regarding the Forest Hill development, a copy of which is attached hereto to become a part hereof these minutes.

Conservation Agent Lisa Caledonia stated the conservation commission's consultants are waiting for the planning board changes before they complete their review. She stated the commission has requested the roadway be staked prior to the Monday, April 4, 2022 site visit.

Stormwater Agent Pilling stated if the Stormwater Committee wants to do a site walk, he would prefer to coordinate and meet on site before the bugs come out.

Hunters Hill Housing Development – Planning Board Chairman Timothy Rhines stated there is nothing before the Planning Board at this time.

Inspectors' Reports – Highway Superintendent Thomas Ferry stated the Briggs Street culvert wetland restoration is underway.

Conservation Agent Lisa Caledonia stated the wetlands staking is complete at the Araujo's property. She will be meeting with Construction Manager Kaleigh Pitcheralli next week if anyone wants to join her.

Building Commissioner James Aguiar reported that he received an email from a resident near the Brook Street Solar project stating the construction signage is blocking his line of site leaving his driveway.

Public Input – Stormwater Agent Pilling inquired about the Zoom meeting requirement and if the committee wanted to resume live in person meetings with the option of a phone with a speaker line. There was a show of hands vote and the consensus was the next meeting will be live in person with a speaker phone for call ins.

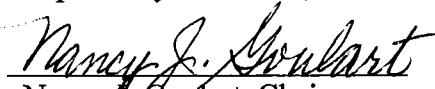
Stormwater Office Manager Rosalind Grassie explained that Mrs. Goulart has requested she research and get price for frisbees as part of the public education program for children. Mrs. Grassie reported that there were four color options. Pricing would be good through March 30, 2022.

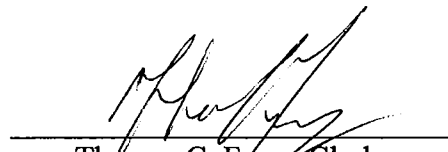
It was moved by Thomas Ferry, seconded by James Aguiar, and VOTED UNANIMOUSLY on a roll call vote to give tentative approval to place an order for 500 frisbees in assorted colors. The committee will take a final vote on this item at its next meeting.

APPROVAL OF MINUTES – It was moved by Timothy Rhines, seconded by William Frenette, and VOTED UNANIMOUSLY on a roll call vote, to approve the meeting minutes of February 15, 2022, and pre-construction meeting notes of February 23, 2022.

ADJOURNMENT - It was moved by Timothy Rhines, seconded by William Frenette, and VOTED UNANIMOUSLY on a roll call vote, to adjourn the meeting at 3:56 p.m.

Respectfully submitted,


Nancy J. Goulart, Chairman


Thomas C. Ferry, Clerk

Documents:

Letter dated March 15, 2022, from James Aguiar, Building Commissioner, and Christopher Maguy, Fire Chief, regarding the Forest Hills housing development

Regular meeting minutes for February 15, 2022

Pre-Construction meeting notes of February 23, 2022