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AUG 28 2023

Dighton Conservation Commission
Public Meeting Minutes
Thursday 3/16/2023

Time: 2:09 PM
By: [Signature]

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.

Meetings started with the **Pledge of Allegiance**

Attendance: Jim Digits – Chairman, Bill Frenette, Dave Phillips, Paul Reynolds, Charlie Mello – Clerk and Lisa Caledonia-Agent.

Chairman Jim Digits asked, for a motion approving the February 16,2023 meeting minutes. Bill Frenette motioned to accept the minutes as written, Dave Phillips seconded, and the vote was unanimous.

Continued Hearing – DI Trust Comprehensive Conservation Subdivision seeks to construct 135 single family homes and 13,137 feet of roadways off Forest. DEP File # SE 017-0443. *Outback Engineering has requested a continuance to 4/20/23.* DEP file No. SE 017-0443. Dave Phillips motioned to continue the hearing to 4/20/2023, Bill Frenette seconded, and the vote was unanimous.

Continued Hearing -- Reed Brothers Farm Limited Liability Partnership, DEP File # SE 017-0447. *Outback Engineering has requested a continuance to 4/20/23.* Bill Frenette motioned to continue the hearing to 4/20/2023, Dave Phillips seconded, and the vote was unanimous.

Continued Hearing – Abbreviated Notice of Resource Area Delineation (ANRAD) Leopold Specht, 1130 Briggs Street, Map 8 Lot 6-2. Resources include but are not limited to BVW, 100’ Inner Riparian and 200’ Outer Riparian Zones and Mean Annual High Water of the Segreganset River. DEP File # SE017-0465. *Holmgren Engineering LLC. has requested a continuance to 4/20/23.* Bill Frenette motioned to continue the hearing to 4/20/2023, Dave Phillips seconded, and the vote was unanimous.

Continued Hearing – ANRAD Application by Dean Smith, Dighton Energy Storage 1, LLC for 0 Maynard Lane, Map 1, Lots 82, 82-7, and 96. DEP File # SE017-0476. Beta submitted a work scope and cost estimate for this project on 2/28/23, they will review the 2,142 linear feet of wetland resource area boundaries and inspect for additional resource areas that may not be delineated, prepare a report of their findings, and attend one public hearing to address their report. The estimate for services rendered is \$4,700.00. A vote is required to establish the 53G account in the amount requested. Bill Frenette motioned to set up a 53G consultant account for Beta Group to peer review the site in the amount of \$4,500 dollars, Dave Phillips seconded, and the vote was unanimous.

Continued Hearing –ANRAD Application by RJR properties 0 Old Horton Street Map 7, Lots 36 & 36-1 DEP File # SE017-0475. Lisa distributed to members the peer review estimates from two consultant firms. Jim Digits asked members to review the bids. Bill Frenette requested that the commission review and approve the site, Jim Digits reminded Bill that we had voted to seek peer reviews at our February meeting and the minutes that Bill approved earlier in this meeting showed the vote was unanimous and his request was Out of Order. Charlie Mello motioned to prepare a 53G account in the amount of \$2,000 dollars for Mr. Chemiel, Dave Phillips seconded the motion, Jim Digits and Paul Reynolds voted in favor and Bill Frenette abstained.

New Hearing – Brook Street Solar –Request for an Amended order of Conditions from Level Design on behalf of GHTJA03, LLC (Grasshopper Energy) and the property owner “The Manual & Louise Andrews Trust”, File # SE 017-0404. The request includes expansion of work to include site plan modifications to expand the approved limit of clearing, new 14’ wide gravel driveway extension and 15” RCP drainage culvert, and additional tree trimming within the 100’ wetland buffer zone. The applicant requested a continuance to 4/20/23. Nancy Goulart chair of the Stormwater Committee noted that some of the changes would be undertaken on the adjoining property. Dave Phillips motioned to continue the hearing to 4/20/23, Charlie Mello seconded the motion, and the vote was unanimous.

The applicant also requested a one-year extension as the project will expire on March 25, 2023, as there is still on-going site work and stabilization work which needs to occur at the site. Charlie Mello motioned to continue the hearing to 4/20/23, Dave Phillips seconded the motion, and the vote was unanimous.

New Hearing – Taunton Yacht Club, Water Street – Notice of Intent, the applicant is proposing to spread, and grade, dredged materials on pervious areas within the property limits as well as install two metal storage containers. The work proposed is within 100’ feet of both Coastal Bank and Salt Marsh resource areas, the 200’ Riverfront area and Coastal Land Subject to Flooding associated with the Taunton River as well as the Commission Bylaw 25’ Undisturbed Vegetation Area of these resources. DEP File # SE017-0477. Maggie Laracy of Crocker Design Group presented the proposal and after discussing the proposal Dave Phillips motioned to issue an Order of Conditions for the project, Bill Frenette seconded, and the vote was unanimous.

New Meeting - - Request for Determination of Applicability by the Town of Dighton for proposed sediment sampling at Pleasant Street Bridge over Muddy Cove Brook. Work at the site includes sediment sampling in accordance with the Water Quality Certification Regulations at 314 CMR 9.07 to determine future dredging activities and dredge material disposal options (and will be permitted under separate application). Work will be conducted within an area subject to protection. Dave Phillips motioned to issue a Negative Determination of Applicability, Charlie Mello Seconded and the vote was unanimous.

Review and approve payment of invoice No. 1024 from Professional Consulting Services, 24 Temple Rd., Orange MA, 01364 for services rendered from 1/1/23 through 2/19/23 in the appeal of Strawberry Fields 40B Residential Development in the amount of \$1,062.50. Bill Frenette motioned to approve the payment, Charlie Mello seconded, and the vote was unanimous.

Request by Maris Development, LLC for a Certificate of Compliance at 14 Maris Lane (Map 9, Block 57, Lot 9) for a single-family home and associated grading, utilities, and septic system. MA DEP File #SE17-0439. Dave Phillips motioned to pay the invoice, Charlie Mello seconded, and the vote was unanimous.

Review the Town Counsel's opinion on Soil Conservation Commission determinations- Applicability with Special Permits / Site Plan Reviews. Opinion attached to Agenda packet.
No vote required.

Commission - Agent updates and Discussion Section

Discuss response to Town of Dighton land auction purchase increase. Jim Digits addressed it.

1566 Cedar Street (Map 15, Lot 4-1 & 2) Enforcement Order Issued 12/7/2022, *See Order* required owner to submit restoration plan by 2/2/2023 – nothing received – *Certified Letter Sent 2/23/23 required response by 3/13 & attendance at this meeting.* Consultant DeSousa called requesting a site visit, she asked him to make an appointment, he never replied.

0 Horton St. (Map 10 Lot 53) Enforcement Order issued 11/28/2022 – Site has been flagged.
Site visit 3/9 -*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 – *Update.* The letter was sent as requested.

1035 Williams St., letter issued 4/28/21 (previous File No. SE 017-04030) – Site Visit with Outback Engineering/owner on 3/15 – *Update.* The owner hired Outback Engineering

0 Horton St. (Map 7, Lot 26) Enforcement Order/Restoration. - *No Update until Spring, 2023*

2050 Horton St. (Map 7, Lot 26-2) Enforcement Order Issued 3/24/2022 – Site is flagged, communications with Oakhill Engineering – *Update.* May add Garage.

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 – *No new Update.*

1861 Somerset Ave (Map 17, Lot 27-2) – Met on-site with owner and Lighthouse Engineering on 2/15- *No new Update.* No change.

771 Hart Street (Map 23, Lot 7-2) – Notice of Violation Letter sent 1/5/2023 – Erosion Controls in place as requested – *Will have new Update in spring.* Lisa will follow up.

1940 County Street - 508 Customs (Map 17, Lot 79) – *No new Update.* Lisa will send letter, they may have hired Outback Engineering.

880 Hart Street (Map 19, Lot 2) – Notice of Violation letter sent 2/1/23 & Site Visit 2/15/23- *No new Update. May have hired a consultant.*

700 Main Street – New Complaint of Wetland/Bank Alterations - *Certified Notice of Violation Sent 2/22/23. Required response by 3/8 and attendance at 3/16 meeting. No response.*

670 Main Street & 0 Main Street – New Complaint received involving bank and land underwater of Muddy Cove Brook. Letter sent on 3/8/22. Requested response by 3/18 & attendance at April meeting. No response.

1420 Williams Street – New violation discovered on this property when conducting site visit at Clearway Solar. Letter hand-delivered on 3/8/22. Requested response by 3/18 & attendance at April meeting.

Public Input: None

Correspondence: Beta Group Inc. sent an estimate for their services that will be required during the Commissions appeal of DEP's approval of Strawberry Fields 40B subdivision. The estimate was broken down to the different services they estimated would be needed, the grand total is \$67,995. Dave Phillips motioned to accept Beta's estimate for services rendered during the appeal process, Bill Frenette seconded the motion, and the vote was unanimous.

Adjournment: Dave Phillips motioned to adjourn at 9:10 PM, Bill Frenette seconded, and the vote was unanimous.