

**Dighton Conservation Commission
(Revised) Public Meeting Minutes
4/21/2022**

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

Attendance: Jim Digits Acting Chair, Jack Crawford, Jim Souza, Charlie Mello Sec., Lisa Caledonia, Agent

Minutes: March 17, 2022 were reviewed by members, Jack Crawford motioned to approve the minutes as written, Jim Souza seconded and the vote was unanimous

Continued Hearing - Long Built Homes Subdivision Notice of Intent for development of Hunters Hill Subdivision DEP File No. SE 017-0441. Evan Watson P.E. represents the applicant for this project. He informed the Commission that they needed to appear before the Planning Board and the Stormwater Commission for approvals required from plan revisions. He asked that we table the hearing until July 21, 2022. Jack Crawford motioned to table the hearing to 7/21/22, Jim Souza 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 requested a continuance until 5/19/22. Jim Souza motioned to continue the hearing to May 19, 2022, Jack Crawford 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 and continue until January 20, 2022 . Outback Engineering requested a continuance to 5/19/2022. Jim Souza motioned to continue the hearing to May 19, 2022, Jack Crawford 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”. Pro-Line has requested a continuance to 5/19/2022. Jim Souza motioned to continue the hearing to May 19, 2022, Jack Crawford seconded and the vote was unanimous.

Continued Hearing - Notice of Intent request from Simons Construction and Materials, Inc., 310 Elm St., Dighton, MA, 02715 DEP File # SE 017-0448 to construct a single-family dwelling and appurtenances at 0 County St., Assessors Map 24, Lot 94-3. A portion of the driveway lies within the wetland resource area” Bordering Land Subject to Flooding. Bob Berube of Pro-line Engineering presented a revised plan to the Commission. He explained that a small part of the driveway would fall within Land Subject to Coastal Storm Flooding. After a brief discussion Jim Souza motioned to approve the plan and issue an Order of Conditions, Jack Crawford seconded and the vote was unanimous.

New Meeting - Request for a Determination of Applicability from Long Built Homes, 158 Charles L. McCombs Blvd., New Bedford, MA, 02780 to determine if the areas depicted on the plan titled "Hunters Hill, Dighton, MA." Are subject to the jurisdiction of the Wetlands Protection Act and the Dighton Wetlands Protection Bylaw." Evan Watson P.E. presented a report prepared by LEC Environmental Consultant Inc. Showing the existence of a Certifiable Vernal Pool within Wetland J of the plan and that Potential Vernal Pool #6145 was in fact a Certifiable Vernal Pool. LEC will continue to monitor depressions found within Wetlands E/D and F for two months determine if these pockets are certifiable.. **Revised-** Evan asked that the Commission issue a Positive Determination of Applicability for the RDA we are considering tonight. Jim Souza motioned that the Commission issue a Positive Determination of Applicability as requested, Jack Crawford seconded and the vote was unanimous.

New Hearings - Notice of Intent request from David Berdos, 2396 Pleasant St., Dighton, MA, 02715, Map 20, Lot 54. Retroactive approval for the construction of an addition to an existing single family home within the 200' Riverfront Area of the Taunton River. As well as retroactive approval for walkways and a float within a Bordering Land Subject to Flooding, and Bank of the Taunton River. Lisa explained to the Commission that her recent site visit showed that changes needed to be made to the plan and the consultant requested a continuance. Jim Souza motioned to continue the hearing to 5/19/22, Jack Crawford seconded and the vote was unanimous.

New Hearing - Notice of Intent request from Cecile Franco of Cecile D. Franco Revocable Trust, 2732 Park Ave. and 0 Cherry St., Map 25, Lots 56 and 48 to construct an out building/shed and appurtenances within the Riverfront area of the Taunton River and Land Subject to Coastal Storm Flowage and the Buffer Zone of an isolated Vegetated Wetland. Lisa explained to the Commission that her recent site visit showed that changes needed to be made to the plan and the consultant request a continuance. Jim Souza motioned to continue the hearing to 5/19/22, Jack Crawford seconded and the vote was unanimous.

New Hearing - Notice of Intent request from Ryan Fisher, 4162 Riverside Ave., Somerset, MA, 02726 to construct a single family dwelling and appurtenances at 0 Elm St., Map 24, Lot 37. within the Buffer Zone of a Vegetated Wetland. Lisa explained to the Commission that her recent site visit showed that changes needed to be made to the plan and the consultant requested a continuance so the plan could be revised. Jim Souza motioned to continue the hearing to 5/2/22, Jack Crawford seconded and the vote was unanimous.

New Hearing - Notice of Intent request from Philip Renzi, 961 Dighton Woods Circle, Dighton, MA, 02715 to construct a single family home and appurtenances within Lot 15-A, Map 10, 0 Horton Street. Evan Watson P.E. presented the plan for the applicant. It is a large lot with upland along the street and the majority of the rear portion is wetlands. Several abutters objected to the plan claiming the area floods during heavy rains. Jim Souza motioned to close the hearing and issue an Order of Conditions, Jack Crawford seconded and the vote was unanimous.

New Hearing - Notice of Intent request from the Town of Dighton Water District, 192 Williams St., No. Dighton, MA 02764. The Water District. plans to replace the existing water main, improve fire hydrants and replace water services within their ROW on Main Street from the intersection of Williams St. to the intersection of Pleasant St. This work will temporarily

disturb areas protected under the Mass. Wetland Act and the Dighton Wetlands Bylaw. Claire Hoogedork of Woodward and Curran presented the plan to the Commission Lisa had some questions for Claire and Selectman Leonard Hull had some questions and one resident questioned the road reconstruction and it was determined that after the water line was rebuilt the street department would file with the Commission prior to construction. Jim Souza motioned to continue the hearing to 5/2/22, Jack Crawford seconded and the vote was unanimous.

New 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 presented the proposal to the Commission he explained that the paved surface of the parking area at the rear of the mill building would be removed and returned to a gravel surface. It was determined that a continuance was required. Jim Souza motioned to continue the hearing to 5/19/22, Jack Crawford seconded and the vote was unanimous.

Review and approve Beta itemized invoice for Services Rendered from November 27, 2021 to February 25, 2022 in the Strawberry Fields MEPA Application review in the amount of \$110.00. Jim Souza motioned to pay the invoice in the amount of \$110.00 dollars Jack Crawford seconded and the vote was unanimous.

Review and approve Beta itemized invoice for Services Rendered from October 2, 2021 to February 25, 2022 in the Forest Hills Peer Review in the amount of \$1,677.50. Jim Souza motioned to submit a request that the Town Treasurer pay the invoice from the 53G Account set up for Forest Hills, Jack Crawford seconded and the vote was unanimous.

Request to release Enforcement Order – 0 Horton Street, Map 7, Lot 22 DEP File # SE 017-0433. Lisa explained that we had approved the project at a previous meeting and the EO was no longer needed. Jim Souza motioned to release the Enforcement Order on 0 Horton St., Jack Crawford seconded and the vote was unanimous.

Commission - Agent updates and Discussion Section

2050 Horton St Map 7, Lot 26. Ribeiro complaint. Lisa recommended that the commission take this article Out of Order and hear later in the agenda. Jim Souza motioned to take the article out of Order, Jack Crawford seconded and the vote was unanimous.

578 Hart St, Enforcement Order/Expired OOC (DEP # 017-0370)/Request for RDA. Lisa explained that we still have not received an As-Built Plan.

1566 Cedar St Letter Issued, Draft Site Restoration Plan by Zenith Land Surveyors, LLC. Awaiting report from wetland consultant.

2371 County St, Enforcement Order Issued on 4/1/21. The Commission approved Lisa's request at our 3/17/22 meeting to notify DEP of the owner's reluctance to appear or to address the wetland alterations. DEP is making a site visit on 4/27/22.

1035 Williams St Letter issued 4/28/21 (Previous Filing DEP #017-0403). We advised Lisa to contact Outback Engineering and ask if they are still retained by the property owner before we take action.

2040 County St New Violation – Discussion with owner, building official, and stormwater agent. The owner has hired a wetland consultant to delineate the wetlands on the property.

1763 Wellington St New Violation – Notice of violation letter sent. Lisa will handle the problem

841 Brook St. - Tree cutting in Buffer Zone. Property owners will meet with Lisa after they return from a planned trip.

1960 Horton St. - Bob Brimmer appeared before the Commission and discussed his interactions with DEP and other agencies he has contacted.

2050 Horton St Map 7, Lot 26. Ribeiro Enforcement Order. Tom Schutz , Wetland scientist for Goddard Consulting, LLC presented a plan to the Commission detailing the size of the altered area and the numbers and varieties of wetland plants to be used Lisa and Jim disagreed with the size of the area shown on the plan countering that it should be larger. Bob Brimmer an abbuter questioned the plan and the size of the altered area also. A member of the Ribeiro group questioned the alterations Brimmer made in wetlands on his property 14 years ago that are currently under review by DEP and a heated exchange ensued. Mr, Schutz was informed by the Commission that the replacement plan needed to be revised.

Public Input: None offered

Correspondence:

Property owned by Jo Ann Racine Living Trust, 621 Middle St., No. Dighton, MA. Chapter 61A Right of First Refusal. The Commission was not interested in this property.

Lisa presented members a copy of a Courtesy Notification letter from SWCA for Algonquin Gas Transmission Line regarding maintenance work scheduled for May 2022 within the R.O.W.in Dighton off Pine St.

Adjournment: Jim Souza motioned to adjourn at 9:15 PM, Jack Crawford seconded and the vote was unanimous.