

Dighton Conservation Commission
Public Meeting Minutes
5/19/2022

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

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

Minutes: Approve revised minutes of 4/21/22 meeting. Jack Crawford motioned to approve the revision, Charlie Mello seconded, and the vote was unanimous.

Continued Hearing- Long Built Homes Notice of Intent for development of Hunters Hill Subdivision DEP File # SE 017-0441. Evan Watson P.E. represents the applicant for this project. This hearing was tabled at our last meeting to 7/21/22

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 was in attendance he turned over the podium to our project consultants Beta Group. Wetlands Scientist Jonathan Uroe addressed the resource areas they reviewed, he started with the isolated wetland near the entrance that was to be filled this entrance was required by the Planning Board for the subdivision. He noted isolated wetlands are protected under our Wetland Bylaw. He addressed a potential vernal pool; He took photos of the egg masses he observed proving it is certifiable. This vernal pool is surrounded by houses in the current plan and revisions will be required to insure its viability. He also pointed out that the current plan extended up to the 25' Undisturbed Vegetation line of our Wetland Bylaw and some plan revisions would be necessary. Gary James P.E. followed and discussed some house sites did not meet DEP Stormwater standard of a 50' buffer requirement. It is his opinion that the storm water basins need a waiver from the planning Board for construction, and he has concerns that the current stormwater system on Forest Street will not be able to handle runoff from the proposed development. Lisa pointed out that she feels when comments are received from DI Trust abutters should be notified for this, and the previous hearing and they should be re-advertised as well. Jack Crawford motioned to continue to 7/21/22, Charlie Mello seconded the motion, and the vote was unanimous.

Continued Hearing -- Reed Brothers Farm Limited Liability Partnership, DEP File # SE 017-0447. Outback Engineering's project consultant for this project contacted Lisa and explained that they were still in the process of resolving the 401 Water Quality Application with DEP. He asked Lisa to inform the Commission that we continue the hearing to 6/16/22. Jack Crawford motioned to continue the hearing to 6/16/22, Charlie Mello seconded the motion, 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". Lisa explained Pro-Line has requested a continuance to 6/16/2022. Jack Crawford motioned to continue the hearing to 6/16/22, Charlie Mello seconded the motion, 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. As well as retroactive approval for walkways and float within a Bordering Land Subject to Flooding, salt marsh and Bank of the Taunton River. Brad Delano represented the Berdos family he presented the revised plan to the Commission. Lisa asked him to read the proposal and he read the pertinent parts of the proposal. Lisa read a letter the commission received from the Division of Marine Fisheries, in the comment letter they explained that a plan for the construction of the proposed river access was not presented to the agency. They outlined the dimensions required for construction over the eel grass and dimensions required between the floating dock at low tide and the river bottom a problem arose over the proposed float request for access to the Taunton River. Mr. Berdos admitted that he could not meet the requirements for the float at low tide and stated the channel of the river was much further from shore. It was determined that the plan needed to be revised and Jack Crawford motioned to continue the hearing to 6/16/22, Charlie Mello seconded the motion, and the vote was unanimous.

Continued 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. . Bruce Webb Senior Environmental Scientist of Ecosystem Solutions, Inc. presented the revised plan to the Commission. Jack Crawford motioned to close the hearing and issue an Order of Conditions for the project; Charlie Mello seconded the motion, and the vote was unanimous

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 explained to the Commission that some storm water revisions were made to the plan, that DEP had issued an AUL for the project limiting the gravel trenches that would be installed to no more than three feet and asked that we close the hearing. Lisa explained that if we closed the hearing and the stormwater Commission required changes to the plan he would have to refile with the Commission, and that we met in June one day after his meeting with Stormwater. He agreed to continue. Nancy Goulart addressed the Commission on the issues that were under consideration by the Storm water Commission.

We reviewed and approved invoice number W21-1526-3 dated 5/4/22 in the amount of \$498.75 for services rendered on 2/21/22 and 3/28/22 by Ecosystem Solutions, NC. Jack Crawford motioned to pay the invoice in the amount of \$498.75 from the 53G account set up for Hunters Hill, Charlie Mello seconded the motion, and the vote was unanimous.

We reviewed and approved invoice No.3 dated 4/21/22 in the amount of \$400.00 from Beta Group for services rendered from 2/26/22 to 4/1/22 in the review of Forest Hills Estates on Forest St. Jack Crawford motioned to pay the invoice in the amount of \$400.00 from the 53G account set up for Forest hills Estates, Charlie Mello seconded the motion, and the vote was unanimous.

Commission - Agent updates and Discussion Section

0 Horton St Map 7, Lot 26. Ribeiro Enforcement Order. Lisa asked that we take this update out of Order and instead discuss a request from Jennifer O'Keefe concerning access to Broad Cove for turtle research. Charlie Mello motioned to take this article out of order and hear from Miss O'Keefe, Jack Crawford seconded the motion, and the vote was unanimous,

Miss O'Keefe submitted a letter to the Commission requesting access to Broad Cove off Pleasant St. in order to perform Terrapin Search she is a Taunton River Watershed Association Terrapin Study Volunteer. Jennifer explained that she is part of a team of volunteers working with the State, Taunton River Watershed Assoc., and other stakeholders to assess the population of Diamondback Terrapins on the Taunton and Assonet Rivers. Her associate produced a live specimen of the Terrapin for the Commission and others in attendance to view. They need access to the area to protect eggs laid by the Terrapins. In the past foxes have eaten the eggs. They will monitor the site and plan to cover the egg sites with wire cages to protect them from predators. They will start watching for egg laying activity in the first week of June and likely have their "Stake Out" around the Father Day weekend to protect the egg sites.

0 Horton St Map 7 Lot 26. Ribeiro Enforcement Order. Restoration plan received.

578 Hart St, Enforcement Order/Expired OOC. – Lisa spoke with property owner he has been unable to reach proline engineering.

1566 Cedar St Letter Issued, Draft Site Restoration Plan - Update _- owner has contracted with John DeSouza as consultant. Mr. DeSouza will prepare plan

2371 County St, Enforcement Order Issued on 4/1/21. – Update – DEP, Stormwater Committee and Lisa had site visit. DEP seeks to meet with Atty. Mitchell

1035 Williams St Letter issued 4/28/21 – Update - Owner responded to Lisa and claims to have sent check to Outback for representation.

2040 County St Violation – Update – Consultant has hired someone to re-establish wetland flags.

1763 Wellington St Violation – Update – Owner has hired Steven Chmiel as consultant, is searching for surveyor.

841 Brook St. - Tree cutting in Buffer Zone. – Update – Called owner to make site visit

2050 Horton St. - Bob Brimmer Enforcement – Update - Read email from owner and outlined his 8-point plan for restoration

1030 Oak St. Disturbance Violation – Update Was not able to follow up yet.

1861 Somerset Ave. Letter sent 5/11/22 new violation- Update

Clearway Solar DEP File No. SE 017-0396 1420 & 1522 Williams St. Violation. Jason Wentworth Wetland Scientist of TRC attended the meeting to present a restoration plan for the violation. He acknowledged the damage caused by the violation and began explaining his restoration proposal of replanting and hydroseeding the altered area and explained that he would tackle removing the soil from the Vernal Pool in the Fall. Lisa was not in favor of approving the restoration until she visited the site to assess the proposed restoration. There were numerous conversations ongoing between surveyors, contractors the Commission members and the applicant debating different aspects of the alterations.

Nancy Goulart, Chair of the Stormwater Commission took the floor and read a chain of emails that highlighted the lack of communication between all the parties involved in the construction process. Eventually it was agreed to allow conditional restoration monitored by Lisa and Jason Wentworth. Jack Crawford offered the motion to begin the restoration process, Charlie Mello seconded, and the vote was unanimous.

We discussed an invoice in the Amount of \$719.58 from LocaliQ New England a division of Gatehouse Media Massachusetts I, Inc. for ads placed in Taunton Gazette. These Ads were previously paid locally to the Gazette then to another local entity. Gatehouse is now billing from Cincinnati, Ohio and ads cannot be paid locally. Hopefully the Ads that have been paid for by recent applicants will be credited to our Account. This billing change is making it very difficult for applicants. I found a phone number to the Cincinnati office that has worked for several new applicants to pre-pay for Legal Ads prior to hearings. The Commission holds the advertising account and technically is responsible for Ad Payments.

Correspondence:

Lisa read the Commission a letter sent on May 11, 2022, from L.E.C regarding the 3059 Clubhouse Drive oil Spill advising that A public report was available for interested parties.

Lisa read a complaint received for 621 Center St. it is a field in agriculture and the farmer was trying to correct a wet section of the farm field.

Adjournment: Charlie Mello Motioned to Adjourn at 10:12 PM Jack Crawford seconded the motion, and the vote was unanimous.