



Town of Dighton
Stormwater Committee Minutes
Regular Meeting
Wednesday, June 21, 2023
Old Town Hall
Upper-Level Meeting Room
Dighton, MA 02715

RECEIVED

Town Clerk-Dighton, MA

JUL 26 2023

Time: 1:02 pm

By: [Signature]

The meeting was called to order by Nancy Goulart, Chairman, at 1:10 p.m. She read the following statement. "This is a public meeting being audio recorded for cable broadcast and internet posting on YouTube."

The Pledge of Allegiance was recited.

Attendance - Roll Call

Present: Thomas Ferry, Robert Woods Jr., Nancy Goulart, Lisa Caledonia

Absent: James Aguiar

Also In Attendance: Ms. Lauren Beausoleil, 1680 Pine Street
David Phillips, Conservation Commission
Michael Mullen, Town Administrator (via Zoom)
Kerrie Easterday, Planning Board Manager (via Zoom)
Andrew Feingold, Green International (via Zoom)
Ahmed Hafez, Grasshopper (via Zoom)
Nick Facendola (via Zoom)

Chairman Goulart stated that she hoped David Phillips would replace Charles Mello (who has retired from all offices within the town) as the representative from the Conservation Commission. Mrs. Caledonia stated that Mr. Mello served over fifty years for the town which is remarkable.

It was motioned by Robert Woods, Jr., seconded by Thomas Ferry and **VOTED UNANIMOUSLY ON A ROLL CALL VOTE** to take Agenda Item 5.a. Brook Street Solar Project – Third Party Review Report Site Visit and Photos out of order.

Agenda Item 5.a.) Brook Street Solar Project – Third Party Review Report Site Visit and Photos

Chairman Goulart asked both Ahmed Hafez and Nick Facendola if they had a chance to review the report that was prepared by Green International Affiliates and both responded in the affirmative. Chairman Goulart explained that the Stormwater Committee asked for a third-party review of the Brook Street Solar plans to determine if the drainage basins were reconstructed based on the plans originally approved by the Planning Board. We have experienced torrential rains of late and the basins did not appear to drain within seventy-two (72) hours. Ms. Goulart summarized briefly the points noted in the third-party review that was signed by Shahin Shahin.




Town of Dighton
Stormwater Committee Minutes
Regular Meeting
Wednesday, June 21, 2023
Old Town Hall
Upper-Level Meeting Room
Dighton, MA 02715

RECEIVED

Town Clerk-Dighton, MA

JUL 26 2023

Time: 1:02 pm

By: 

The meeting was called to order by Nancy Goulart, Chairman, at 1:10 p.m. She read the following statement. "This is a public meeting being audio recorded for cable broadcast and internet posting on YouTube."

The Pledge of Allegiance was recited.

Attendance - Roll Call

Present: Thomas Ferry, Robert Woods Jr., Nancy Goulart, Lisa Caledonia

Absent: James Aguiar

Also In Attendance: Ms. Laureen Beausoleil, 1680 Pine Street
David Phillips, Conservation Commission
Michael Mullen, Town Administrator (via Zoom)
Kerrie Easterday, Planning Board Manager (via Zoom)
Andrew Feingold, Green International (via Zoom)
Ahmed Hafez, Grasshopper (via Zoom)
Nick Facendola (via Zoom)

Chairman Goulart stated that she hoped David Phillips would replace Charles Mello (who has retired from all offices within the town) as the representative from the Conservation Commission. Mrs. Caledonia stated that Mr. Mello served over fifty years for the town which is remarkable.

It was motioned by Robert Woods, Jr., seconded by Thomas Ferry and **VOTED UNANIMOUSLY ON A ROLL CALL VOTE** to take Agenda Item 5.a. Brook Street Solar Project – Third Party Review Report Site Visit and Photos out of order.

Agenda Item 5.a.) Brook Street Solar Project – Third Party Review Report Site Visit and Photos

Chairman Goulart asked both Ahmed Hafez and Nick Facendola if they had a chance to review the report that was prepared by Green International Affiliates and both responded in the affirmative. Chairman Goulart explained that the Stormwater Committee asked for a third-party review of the Brook Street Solar plans to determine if the drainage basins were reconstructed based on the plans originally approved by the Planning Board. We have experienced torrential rains of late and the basins did not appear to drain within seventy-two (72) hours. Ms. Goulart summarized briefly the points noted in the third-party review that was signed by Shahin Shahin.

Mr. Hafez stated that he thought that Green International would be reviewing the design of the basin, the samples from the soil, the type of soil that has been filled, and the size of the basin. He hoped they would say that the design is adequate but not working and the reason why. Instead, the conclusions were all things that have been stated before. Mr. Hafez was already aware that sedimentation had accumulated at the bottom of the basins which was not allowing them to drain within 72 hours. He did not see any comments on the design.

Nick Facendola stated that the report did not bring to light any new findings or detailed information where improvements could possibly be made. They went over stormwater management standards, but it does not help to get to a solution, which is why they thought the town was hiring a consultant to possibly help identify what could be concerns and where improvements could be made. Mr. Facendola was concerned that the site is not fully stabilized or seeded to date. He had visited the site with Todd Pilling. All the bad material was pulled out when the basins were reconstructed.

Andrew Feingold, P. E., from Green International joined the meeting via Zoom. Chairman Goulart asked Mr. Facendola to repeat his statements for Mr. Feingold. Mr. Facendola explained that the basins were not draining because unsuitable materials had been pushed into these excavations when they were initially built. The bad materials were covered over. During reconstruction, the bottoms of these basins were excavated out 10-15 feet with Title V sand placed to fill the void. He had them cover the basin bottoms with crushed stone and a layer of filter fabric. The basins were functioning well right after the work was done but have gotten progressively worse. His guess as to why they were not draining properly was because they were clogged with sediment from runoff. Mr. Feingold explained that another potential cause could be ground water. He explained that, upon visiting the site, their first impression was that it was a ground water issue rather than a construction issue. Chairman Goulart asked where basin #2 was because reference was made to basin #3 and she only saw two basins in total. Mr. Facendola explained that, originally there were three basins approved, but there are physically only two basins on the property now.

Town Administrator Mullen and Planning Board Office Manager, Kerrie Easterday both joined the meeting via Zoom.

Chairman Goulart commented that, in looking at the Third-Party Review Report, and having been out at the site with Todd Pilling and Andrew Feingold, it appeared that none of the Department of Environmental Protection (DEP) Handbook stormwater standards were met. Since this report showed that the findings fell into the "To Be Determined (TBD)" category, Ms. Goulart asked if another report was forthcoming that was going to give us more information and recommendations or give us specifics such as "Yes" or "No" answers. Mr. Feingold explained that they were looking more at the design issues and it was considered not determined yet thinking that it was more of a work in progress than a final construction condition. He stated currently it would be more appropriate to state no, they do not meet the requirements.

Chairman Goulart asked Mrs. Easterday to define exactly what was in the contract with Green International and what they were hired to do. Mrs. Easterday read the proposal dated March 21, 2023 from Green International verbatim. Chairman Goulart asked Mr. Feingold if another report was coming and he stated that no, this was intended as the report that completed the work for this



Town of Dighton
Stormwater Committee Minutes
Regular Meeting
Wednesday, June 21, 2023
Old Town Hall
Upper-Level Meeting Room
Dighton, MA 02715

RECEIVED

Town Clerk-Dighton, MA

JUL 26 2023

Time: 1:03 pm

By: 

The meeting was called to order by Nancy Goulart, Chairman, at 1:10 p.m. She read the following statement. "This is a public meeting being audio recorded for cable broadcast and internet posting on YouTube."

The Pledge of Allegiance was recited.

Attendance - Roll Call

Present: Thomas Ferry, Robert Woods Jr., Nancy Goulart, Lisa Caledonia

Absent: James Aguiar

Also In Attendance: Ms. Laureen Beausoleil, 1680 Pine Street
David Phillips, Conservation Commission
Michael Mullen, Town Administrator (via Zoom)
Kerrie Easterday, Planning Board Manager (via Zoom)
Andrew Feingold, Green International (via Zoom)
Ahmed Hafez, Grasshopper (via Zoom)
Nick Facendola (via Zoom)

Chairman Goulart stated that she hoped David Phillips would replace Charles Mello (who has retired from all offices within the town) as the representative from the Conservation Commission. Mrs. Caledonia stated that Mr. Mello served over fifty years for the town which is remarkable.

It was motioned by Robert Woods, Jr., seconded by Thomas Ferry and **VOTED UNANIMOUSLY ON A ROLL CALL VOTE** to take Agenda Item 5.a. Brook Street Solar Project – Third Party Review Report Site Visit and Photos out of order.

Agenda Item 5.a.) Brook Street Solar Project – Third Party Review Report Site Visit and Photos

Chairman Goulart asked both Ahmed Hafez and Nick Facendola if they had a chance to review the report that was prepared by Green International Affiliates and both responded in the affirmative. Chairman Goulart explained that the Stormwater Committee asked for a third-party review of the Brook Street Solar plans to determine if the drainage basins were reconstructed based on the plans originally approved by the Planning Board. We have experienced torrential rains of late and the basins did not appear to drain within seventy-two (72) hours. Ms. Goulart summarized briefly the points noted in the third-party review that was signed by Shahin Shahin.

Mr. Hafez stated that he thought that Green International would be reviewing the design of the basin, the samples from the soil, the type of soil that has been filled, and the size of the basin. He hoped they would say that the design is adequate but not working and the reason why. Instead, the conclusions were all things that have been stated before. Mr. Hafez was already aware that sedimentation had accumulated at the bottom of the basins which was not allowing them to drain within 72 hours. He did not see any comments on the design.

Nick Facendola stated that the report did not bring to light any new findings or detailed information where improvements could possibly be made. They went over stormwater management standards, but it does not help to get to a solution, which is why they thought the town was hiring a consultant to possibly help identify what could be concerns and where improvements could be made. Mr. Facendola was concerned that the site is not fully stabilized or seeded to date. He had visited the site with Todd Pilling. All the bad material was pulled out when the basins were reconstructed.

Andrew Feingold, P. E., from Green International joined the meeting via Zoom. Chairman Goulart asked Mr. Facendola to repeat his statements for Mr. Feingold. Mr. Facendola explained that the basins were not draining because unsuitable materials had been pushed into these excavations when they were initially built. The bad materials were covered over. During reconstruction, the bottoms of these basins were excavated out 10-15 feet with Title V sand placed to fill the void. He had them cover the basin bottoms with crushed stone and a layer of filter fabric. The basins were functioning well right after the work was done but have gotten progressively worse. His guess as to why they were not draining properly was because they were clogged with sediment from runoff. Mr. Feingold explained that another potential cause could be ground water. He explained that, upon visiting the site, their first impression was that it was a ground water issue rather than a construction issue. Chairman Goulart asked where basin #2 was because reference was made to basin #3 and she only saw two basins in total. Mr. Facendola explained that, originally there were three basins approved, but there are physically only two basins on the property now.

Town Administrator Mullen and Planning Board Office Manager, Kerrie Easterday both joined the meeting via Zoom.

Chairman Goulart commented that, in looking at the Third-Party Review Report, and having been out at the site with Todd Pilling and Andrew Feingold, it appeared that none of the Department of Environmental Protection (DEP) Handbook stormwater standards were met. Since this report showed that the findings fell into the "To Be Determined (TBD)" category, Ms. Goulart asked if another report was forthcoming that was going to give us more information and recommendations or give us specifics such as "Yes" or "No" answers. Mr. Feingold explained that they were looking more at the design issues and it was considered not determined yet thinking that it was more of a work in progress than a final construction condition. He stated currently it would be more appropriate to state no, they do not meet the requirements.

Chairman Goulart asked Mrs. Easterday to define exactly what was in the contract with Green International and what they were hired to do. Mrs. Easterday read the proposal dated March 21, 2023 from Green International verbatim. Chairman Goulart asked Mr. Feingold if another report was coming and he stated that no, this was intended as the report that completed the work for this

proposal. Chairman Goulart asked if the basins meet the requirements of the original plans approved by the Planning Board. Mr. Hafez said he is frustrated with the wording "not determined yet" and would like answers as to who will give recommendations and when will it be determined.

Mr. Feingold agreed that the wording needed to be changed to state no, the basins did not meet the regulations. From their review, the basins were not constructed in accordance with the original plans; however, the calculations demonstrated that they would meet the design intent if they were functioning as intended. The standing water in the basins was an issue and did not meet the design requirements. Elevations varied significantly, six (6) inches to a foot in places. If they were draining within 72 hours and meeting the peak flow rates, they would be functioning as intended. Right now, with them not draining, they were not functioning as intended. Over time, if they are not able to drain, they will not be able to meet peak flow rates. Mr. Hafez again asked for recommendations. Mr. Feingold stated that, if you were to do testing to determine if ground water level is high, then it is a different solution than if the ground water level is low and the basins are still not draining correctly, which then is a construction issue. If ground water is high, no matter what you construct there, the basins will remain full of water. Mr. Feingold stated that we cannot tell you how to resolve the problem until the problem is identified.

Mr. Facendola stated that, based on his evaluation and what he and Todd Pilling witnessed during the excavation work during reconstruction of the basins, he highly doubts that the problem is groundwater. He suggested that, if the Stormwater Committee wanted to dig an additional test hole just outside the basin to verify conditions, they could do that. He thought what Green International said was that the shape and volume of the constructed basins is satisfactory for the most part, except for the standing water. He stated that it is not a perfect construction job, but what has been reconstructed, once all the mulch and stump grindings were removed from the bottoms of the basins, was good. He thinks the basins cannot process the water anymore because they get silted up. Mr. Facendola would like a four-inch (4") pipe placed within the basin. Mr. Feingold would like some kind of pre-treatment as there is none now. Mr. Facendola does not want any work done on the basins until the site is stabilized. The site needs to have significant stabilization in the form of vegetation. Once that occurs and the filter fabric is replaced, the basin should drain.

Mrs. Caledonia stated that, as part of the amended Order of Conditions from the Conservation Commission, Grasshopper is required to ensure site stabilization and minimize any chance of sediment going into the wetland. The site has now been exposed for two years. To allow more site clearing and create more instability on that site would not be wise.

Chairman Goulart explained that she went to the site and expected to see green grass/vegetation such as she has seen at other solar farm sites, but that was not what she saw. Pictures that she took clearly show a lot of bald spots. Both the Stormwater Committee and the Conservation Commission agree that the site needs to be stabilized. Once the site is stabilized, then the tree work that has been approved can take place. Once the site is stabilized, then something can be done about the basins.

Mr. Woods asked about groundwater and stated that right from the very beginning when they came before the Planning Board with plans for the solar farm, it was stated that the property was

very wet. We hired Green International to check out the basins, but it was not their job to troubleshoot.

Mr. Ferry asked about next steps. Chairman Goulart stated that, once the site is stabilized, tree trimming and cutting can be done per the Conservation Commission. When it comes to the actual basins, someone has to figure out why they were not draining and whether or not there is groundwater. Both engineers, Messrs. Facendola and Feingold, agreed that the first step is site stabilization.

Chairman Goulart asked if anyone in the audience wished to speak. Mrs. Lauren Beausoleil stated that from her observations, when the basins were done, they never drained properly even the second time. She asked how it would be determined if the basins drain properly. Mr. Feingold stated that it could be determined during a period of rain.

Chairman Goulart stated that this will be on the next agenda and asked that a progress report be given by the next meeting date as to what is being done to act on some form of stabilization. Mr. Facendola stated that it will take a few months for vegetation to be established at the site. Once the site is stabilized, he recommended cleaning out the basins, and reevaluating the drainage rate at that time. The process cannot be fast-tracked.

Mr. Hafez stated that once the seeding has been done and vegetation is established, a site visit could be scheduled with the Conservation Commission and hopefully tree cutting can begin. Chairman Goulart asked if the amended Order of Conditions from the Conservation Commission included both the leased land and the land owned by Grasshopper. Mr. Facendola stated that the permit modification was only for the solar development site and not the woodland purchased for the firebreak.

4. Committee Business

It was moved by Robert Woods, Jr., seconded by Thomas Ferry and **VOTED UNANIMOUSLY ON A ROLL CALL VOTE** to take Agenda Item 4.b. Resignations from Todd Pilling and Charles Mello out of order.

Agenda Item 4.b.) Resignations from Todd Pilling and Charles Mello

Chairman Goulart said that Lisa Caledonia spoke at the beginning of this meeting regarding Mr. Mello's retirement after over fifty years of service to the community.

It was moved by Robert Woods, Jr., seconded by Thomas Ferry and **VOTED UNANIMOUSLY ON A ROLL CALL VOTE** to send a letter of recognition to Charles Mello with thanks and appreciation for his service on the SWC.

Chairman Goulart would also like to send a letter of thanks to Mr. Pilling for his help on some tough projects. and for his service as the Stormwater Agent on the SWC.

It was moved by Robert Woods, Jr., seconded by Thomas Ferry and **VOTED UNANIMOUSLY ON A ROLL CALL VOTE** to send a letter of recognition to Todd Pilling with thanks and appreciation for his service on the SWC.

Agenda Item 4.a.) Follow-up on Town Meeting Action Regarding Administrative Assistant

Chairman Goulart asked Town Administrator Micheal Mullen about administrative assistant help for the Stormwater Committee. Mr. Mullen replied that effective July 1, 2023, the highway department administrative assistant will be able to take the Stormwater Committee meeting minutes and, through Superintendent Ferry, will provide administrative support for stormwater-related activities when needed. Ms. Caledonia asked if Mr. Mullen knew how many hours per week would be available. Mr. Mullen explained the hours are not specific and will be managed by Superintendent Ferry as needed.

5. Active Project Updates

Item 5.b.) Clearway Solar – Araujo Farms

Chairman Goulart stated that the last report from Joseph Bertherman, Wetlands Scientist, had pictures in it that were interesting. The photographs were related to the comments he made in his weekly reports. That project is moving along quite well. She will forward weekly reports that show the progress at this site.

Agenda Item 5.c.) Tremont and Middle Streets – Solar Projects

Chairman Goulart stated the solar panels are in storage but the ground is not ready for them yet. The last report from Mr. Pilling's site visit showed all cutting done and trees removed. Chairman Goulart asked Mr. Ferry and Mrs. Caledonia to make a site visit with her in the near future.

Agenda Item 5.d.) Main Street Water Main Project and Paving

Mr. Ferry explained that he does not have a definitive answer regarding paving yet. The Water District is considering doing temporary measures so that the rideability of Main Street is improved. The district is trying to keep the taxpayers' money in mind rather than the rideability.

6. Agent Reports:

6.a.) 508 Customs - Conservation Commission Update

Mrs. Caledonia reported that Outback Engineering completed a draft plan and provided it to the property owner. Outback is waiting for him to get back to them with any comments. Outback will then submit the plan to the Conservation Commission. Chairman Goulart stated they will continue to follow up on this.

6.b.) 0 Horton Street (Map 10, Lot 53) - Conservation Commission Update

Mrs. Caledonia heard from the wetlands scientist. He is in receipt of a draft restoration plan; however, the Conservation Commission has not received it. The wetlands scientist stated that there is still a lot of work to be done on the plan and the property. The Conservation Commission had given them a deadline of July 15, 2023. Chairman Goulart stated that they will continue to follow up on this.

6.c.) 210 Williams Street

Chairman Goulart mentioned the definition of area of disturbance from the last meeting. She will try to get some clarification on the definition of area of disturbance from the Environmental Protection Agency (EPA). This will be on the next agenda.

6.d.) 2371 County Street

Chairman Goulart stated that Mr. Mullen is still waiting for an answer from the DEP.

6.d.) 0 Main Street – Report of Potential Runoff into Brook

Chairman Goulart asked if the committee should be in touch with the property owner to do a site visit where this area of suspected run-off is behind his house. She would like a picture or something tangible. She reported that she will do a follow-up and report at the next meeting.

7.) Public Input:

None

8.) Correspondence

None

9.) Approval of Minutes:

a.) Minutes for May 17, 2023

Mrs. Caledonia had asked for additional time to review them.


It was moved by Tom Ferry, seconded by Robert Woods, Jr., and **VOTED UNANIMOUSLY ON A ROLL CALL VOTE** to put the approval of the Minutes of May 17, 2023 on the next agenda.

Mrs. Caledonia mentioned clearing on Tremont Street. Chairman Goulart heard from the Chairman of the Conservation Commission that there was no concern, but then heard that there was endangered species in the area. Chairman Goulart went to the assessors' office for an overview and looked at the maps. The cleared area in question has been enlarged. Trees have been taken down. If there are endangered species, it would also be a concern of the Conservation Commission. A letter will be sent to the property owner inviting him to the July meeting.


Agenda Item 10. Adjournment

It was moved by Robert Woods, Jr., seconded by Tom Ferry and **VOTED UNANIMOUSLY ON A ROLL CALL VOTE** to adjourn the meeting at 2:57 p.m.

Respectfully Submitted,



Nancy J. Goulart, Chairman



Thomas C. Ferry, Clerk

Documents:

Third Party Review from Green International; Minutes for March 15, May 17, June 21, 2023



GREEN INTERNATIONAL AFFILIATES, INC.

100 AMES POND DRIVE, SUITE 200 TEWKSBURY, MA 01876

T: (978) 923-0400 | WWW.GREENINTL.COM

June 19, 2023

Ms. Kerrie J Easterday
Office Manager/Planning Board
Town of Dighton
979 Somerset Ave
Dighton, MA 02715

**Subject: Engineering Peer Review Services for
893 Brook Street
Brook Street Solar Facility
Stormwater As-Built Plans
Assignment #5
Dighton Planning Board**

Dear Ms. Easterday:

Green performed a peer review of the Brook Street Solar Facility at 893 Brook Street Stormwater As-Built Plans as follows:

- As-Built Review Summary Letter, dated February 27, 2023 prepared by Level Design Group, LLC.
- Drainage As-Built Plan Set for Brook Street Solar, Commercial Photovoltaic System at 893 Brook Street (AM16, Parcel 28), Dighton, MA, dated November 17, 2022 prepared by Level Design Group, LLC.

The plans and response letter were reviewed for compliance with applicable Massachusetts Department of Environmental Protection Stormwater Management Standards (MassDEP Stormwater Handbook Vol. 1, Chapter 1).

We performed a site visit on June 7, 2023 to observe site conditions.

Based on our review of the submitted information and the site visit, we have the following comments:

| Item | Observations/Comments | Meets Requirement (Y/N/Not Determined Yet) |
|--|--|--|
| 1. Stormwater management systems shall be designed so that the post-development peak discharge rates do not exceed pre-development peak discharge rates. | Although the stormwater basins as built differ from the approved design, Designer has shown that the stormwater basins reduce peak discharge rates. However, during a site visit the basins were observed not functioning as intended. Standing water was observed within the basins and tadpoles and other animals observed in the standing water indicate the water is not discharging within 72 hours, as mandated by MassDEP regulations. | NDY |

Ms. Kerrie J Easterday
June 19, 2023

| | | |
|--|--|--|
| maintenance plan shall be developed and implemented to ensure that stormwater management systems function as designed. | erosion within the site is minimized. All BMPs shall be repaired and maintained to function as designed. | |
|--|--|--|

Green also has the following additional comments:

- Although the designer has shown that peak discharge rates are reduced under the redesign conditions. The dewatering time in Basins 1 and 3 shall continue to be monitored. Field observation indicates that the basins are not functioning as designed to drain within 72 hours.
- Basin 3 is intended to discharge low flow through a pair of 6" pipes, however, site observation indicated that the basin is not graded to direct all low flow to these pipes. The low point of the basin appears to be at the northern end of the basin.

Please feel free to contact me should you have any questions regarding this Peer review.

Sincerely,

Green International Affiliates, Inc.



Shahin M. Shahin, P.E.
Water Resources/Site Group Leader

SMS/aae

Y:\Shared\Engineering\Projects\2020\20051\Assignment 5_0 Brook Street Solar\Peer Review\2\893 Brook Street Stormwater As-Built Peer Review - Rev1.Docx