

**Dighton Conservation Commission**  
**Public Meeting Minutes**  
**7/21/2022**

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

**Pledge of Allegiance was recited**

**Attendance:** Jim Digits-Chair, Bill Frenette, Jack Crawford, Charlie Mello-Clerk, Lisa Caledonia-Agent

**Minutes:** Bill Frenette motioned to approve the minutes of the 6/16/22 meeting, Jack Crawford 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. Evan Watson explained they had positive meetings with the Planning Board and the Storm Water Committee on the re-designed plans. LEC Environmental identified one Certifiable Vernal Pool and one potential vernal pool that was affected by drought conditions and would be determined later. Evan explained the new design changes to the Commission some roads had been changed drainage was improved. He also mentioned that they would be proposing a new drainage swale to reduce water flow in one area. Mr. Johnson an undeveloped lot owner was concerned about his lot placement on the new plan. Chairman Digits responded that his concerns were not related to wetland concerns and should be settled at another time with Long Built Homes. Jack Crawford motioned to continue the hearing to 8/18/22, Bill Frenette seconded the motion, 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 has requested a continuance until 8/18/22. Jack Crawford motioned to continue the hearing to 8/18/22, Bill Frenette seconded the motion, 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. Outback Engineering requested a continuance to the hearing 8/18/2022. Jack Crawford motioned to continue the hearing to 8/18/22, Bill Frenette 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. Mr. and Mrs. Berdos and Rick Reid of Lighthouse Land Surveyors, LLC attended the hearing he discussed the changes made to the dock construction as recommended by the Division of Marine Fisheries (DMF) the dock platform has been elevated as suggested by DMF, stops have been designed to prevent the float from resting on the river bed and a third float has been added to the plan that would remain 3" above the river bed at mean low tide. He noted that the dock installation is not

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permanent and will be removed from the river before December and is currently permitted by the Town Harbormaster. Lisa Caledonia our Agent advised the Commission that we could not permit the dock, it needed to be permitted by DEP 's Waterways Division under Chapter 91 Regulations. Jim Diggs then recommended approving the portion of the plan dealing with the house addition and not dealing with the dock. Lisa pointed out that the plan could not be approved unless revised and suggested we continue the hearing. Several suggestions were discussed to no avail. Bill Frenette motioned that we continue to 8/18/22, Jack Crawford seconded the motion, the vote was unanimous.

**Continued Hearing** – Notice of Intent request from David and Aime Tavares, 3093 Elm St., Dighton, MA 02715 Map 24, Lot 49-5 to build a 31 x 41 S. F. garage within the 100' Buffer Zone of a delineated Vegetated Wetland. DEP File No. SE 017-0410. No one representing the applicant was in attendance. Lisa Caledonia suggested we continue the hearing to 8/18/22. Jack Crawford motioned to continue the hearing to 8/18/22, Bill Frenette seconded the motion, and the vote was unanimous

**New Hearing** – Notice of Intent 2040 County St. Rodrigues, DEP File No. Restoration of Disturbed Area in Buffer Zone, Re-Establish Bordering Vegetated Wetland Line. Restoration of disturbed areas in the Buffer Zone. Re-establish BVW limit and establish a 25' Undisturbed Vegetation line. SE 017-0462. Lisa Caledonia informed us we needed to open the hearing and continue to 8/18/22. Jack Crawford motioned to continue the hearing to 8/18/22, Bill Frenette seconded the motion, and the vote was unanimous.

**New Hearing** –Abbreviated Notice of Resource Area Delineation for 0 Pleasant St, 0 Main St., 0 Elm St. Map 20, Lots 84, 1, 84-3 by Zeneca Inc., 1800 Concord Pike, Wilmington, DE, 1980-5437 to confirm the jurisdictional boundaries of Bordering Vegetated Wetlands, Isolated Vegetated Wetlands, Salt Marsh, Bank, Bank /Mean Annual High-Water Line (Inland and Coastal), Riverfront Area, Bordering Land Subject to Flooding, and Land Subject to Coastal Storm Flowage located on 0 Pleasant St., 0 Main St. and 0 Elm St. DEP File # SE 017-0461. Claire Hoozeboom, Wetland Consultant from LEC Environmental presented the plan to the Commission and pointed out the location of the resource areas on each site on the plan. She also asked if the peer reviewer we chose could start the review prior to the next meeting. Nancy Goulart addressed Ms. Hoozeboom about any proposed site remediation, and she replied she was not aware of any. Lisa Caledonia suggested hiring Beta for this project. Charlie Mello motioned to use Beta for the wetland review, Jack Crawford seconded the motion, and the vote was unanimous. Charlie Mello motioned to continue the hearing to 8/18/22, Jack Crawford seconded, and the vote was unanimous.

We discussed a request for a Certificate of Compliance by Mark Mason of Eastside Development for 1008 Rowland Drive Map 13, Lot 132, DEDP file number SE 017-0450. Lisa presented a Certificate of Compliance for this property. Jack Crawford motioned that we sign the prepared COC Bill Frenette seconded the motion, and the vote was unanimous. The members then signed the document

We discussed and voted to approve Beta Peer Review #1 in the amount of \$10,400 for Forest Hills Development. Bill Frenette motioned to approve payment of Beta's invoice in the amount of \$10,400 for services rendered reviewing the Forest Hills Development, Jack Crawford seconded the motion, the vote was unanimous.

We discussed the appointment of commission member to the stormwater committee several proposals were brought forward by Commission members , Nancy Goulart of SWC and Selectman Chair Leonard hall offered possible scenarios, after those proposals were considered Charlie Mello motioned to represent the Commission on the Stormwater Committee, Jack Crawford seconded the motion, and the vote was unanimous.

### **Commission - Agent updates and Discussion Section**

0 Horton St Map 7, Lot 26. Ribeiro Enforcement Order. – Restoration Plan was presented by Ryan Rezine of Goddard Consulting for the restoration of the 100’ Buffer Zone. They propose to use plants and seed in the 25’ Undisturbed Vegetation bylaw Zone and seed the rest of the restored area. Felled trees will be removed and dirt piles leveled and seeded. Work will take place in September and supervised by a Goddard Consultant and the consultant will make periodic field checks during the two years following the restoration. Lisa mentioned that the plans do not show any resource areas on site, Ryan replied those would be on any future Plans proposed by the property owner.

2050 Horton St. - Brimmer, Map 7, Lot 26-2 Enforcement – Complaint – Update. Lisa said that the owner has not yet filed a Notice of Intent with the Commission.

578 Hart St, Enforcement Order/Expired OOC. – SE 017-0370 –An as built plan has been prepared and submitted. Waiting on letter from Proline Engineering requesting a COC.

1566 Cedar St Letter Issued, Draft Site Restoration Plan – Update - Mr. DeSousa the new consultant addressed the Commission he informed us that they had submitted an NOI that was rejected by Lisa. They plan on filing another NOI to address the restoration and the addition. He noted that the Wetland Act allows this action. Eventually we accepted his filing for our August meeting.

2371 County St, Enforcement Order Issued on 4/1/21. – Update- DEP will set stake holder meeting date.

1035 Williams St Letter issued 4/28/21 – DEP 017-0403 – Update -Outback Engineering has been retained by property owner

2040 County St Violation – Update- Will file Notice of intent for 8/18/22 meeting.

1763 Wellington St Violation – Update- Owner has retained Lighthouse Land Surveying, LLC

1861 Somerset Ave. Letter sent 5/11/22 – Update- Owner has requested a proposal Lighthouse Land Surveying, LLC

Clearway Solar DEP File No. SE 017-0396 1420 & 1522 Williams St. – Update – Wetland Consultant is submitting weekly updates on work progress.

0 Williams St., Map 21, Lot 34-2, Letter sent 6/2/22 – New Notice of Violation. Owner has hired Wetland Consultant.

1969 Horton St., Map 11, Lot 29, Letter sent 6/6/22 - New Notice of Violation. Property is owned by a bank Lisa will contact them about violations

**Public Input:** Robert Nolette, 2560 Maple Swamp Rd. addressed the Commission about his problem he has offer to buy a portion of his parcel, but a wetland situation is preventing the sale. He claims that wetland consultant Brandon Faneuf dug 7 test holes and declared that the area in question was not wetlands. Lisa stated that she met with Brandon on site at his request to determine if one area was a Vernal Pool, she said in her opinion it was not and he then augured a test hole and he determined that the soils indicated wetland soils. Lisa also met on site with Mr. Nolette accompanied by the Town Administrator, the Building Commissioner and Board of health Agent. They all informed Mr. Nolette that he needed to file with the Conservation Commission. Jim Digits advised him that he should retain Brandon.

Jim digits asked Lisa what our new Wetland Markers cost so we could set a price for contractors and homeowners when they needed to purchase them for installation on their properties. It was determined that they cost \$1.00 each. Jack Crawford motioned that we would charge \$1.00 each for each sold to applicants and contractors, Bill Frenette seconded the motion, and the vote was unanimous.

**Correspondence:** None

**Adjournment:** Bill Frenette motioned to close the hearing at 9:25 PM, Jack Crawford seconded the motion, and the vote was unanimous.