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Town Clerk Dighton, MA

OCT 21 2025

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**Town of Dighton**  
**Conservation Commission Minutes**  
Regular Meeting  
Thursday, September 18, 2025  
Old Town Hall  
Upper-Level Meeting Room  
Dighton, MA 02715

**Public Meeting Opens at 6:00 PM at the Old Town Hall, 1111 Somerset Ave. This meeting is video, and audio recorded for Cable Broadcast and Internet posting on "www.dighton-ma.gov", and YouTube.**

Present- Chairman Jim Digits, David Phillips, Abel Mariano, Paul Reynolds and Agent Lisa Caledonia

Absent- Jack Crawford, Robert Brimmer

Meeting starts with the Pledge of Allegiance

Chairman Jim Digits opens the meeting addressing the responsibilities of Conservation Commission and Agent. He addresses negative social media posts, comments and criticism from an anonymous resident. He ensures the Dighton Conservation Agent is highly qualified in her position and continue to educate the commission. He states that their job is to protect Dighton residents and wetlands.

**HEARINGS & POSSIBLE DELIBERATIONS**

Review/Discuss/Act Continued Hearing: Notice of Intent (NOI) application from Carl Rebello of Bell Farm Estates, LLC at 0 Milk Street & 0 Council Oak Way (Map 17, Lots 109, 135, & 208) for the construction of a 26-lot subdivision with associated roadway and infrastructure- "Bell Farm Estates. A portion of the work falls within jurisdictional wetland resource areas (MADEP File# SE01 7-0520). Weston & Sampson provided a phase D peer review. Chris Vandenberg with Civil Environmental Consultants speaks he would like to address one of the comments made by W&S. Comment number 15 regarding the detail wildlife habitat evaluation if this is required or not. His understanding is that it is not required. The comment was made because they are working within the buffer zone but he states they are not working within the zone. Jim Digits would like to see the habitat review before making any comments, they will address this October 16, 2025. Agent asks about the letter from Somerset Water Dept stating if the project will affect the drinking water. Megan Kearns wetland scientist from W&S speaks, she presents the comments on the regulatory compliance review. Comment number 12, the project does not comply with the local 25' buffer zone. Comment number 14, the total of impact number within local buffer zones needs to be provided. Quantities of tree clearing, enhancement planting or replacement needs to be addressed. Comment 15, the wildlife habitat evaluation is required because the work is 100' within a vernal pool, the bylaw states this

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extends an additional 100' from the original totaling 200'. The applicant has not included a discussion on how the proposed work will avoid or minimize adverse effect on this important habitat feature. In addition, it is not clear if there is "Habitat of Potential Regional or Statewide Importance" within or adjacent to the project. Agent explains this in place not only to protect animal habitat but water quality as well. Comment 16, clarifying impact to resources areas. If there is disturbance over one-acre NPDES will be required. Required to submit 14 days before construction. Comment 20, clarifying more impacts. Comments 21, description on ILSF. Regarding stormwater Conservation may wish to have the applicant provide a signature for the elicit discharge statement. Chris mentions the signature was provided in the stormwater report. Motion to continue on October 16, 2025 put forth by David Philips – seconded by Abel Mariano. All present members in favor.

Review/Discuss/ Act Continued Hearing: Notice of Intent application from Dighton Boatworks, LLC d/b/a Shaw's Boat Yard, Inc. at 86 Main Street (Map 17, lot 1) 86 Main Street for the proposed construction of a boat storage building within 100 ft of a bordering vegetated wetland 200 ft of the Taunton River and within land subject to coastal storm flowage (MADEP File # SE017-0526). Weston & Sampson provided a peer review. Continuance requested. Motion to continue on October 16, 2025 put forth by David Philips – seconded by Abel Mariano. All present members in favor.

Review/Discuss/Act Continued Hearing: Notice of Intent application from John-Paul Rossi of Zeneca, Inc at Elm Street/Muddy Cove Pond (Map 20, lot 106) for lowering the water level of Muddy Cove Pond. The work falls within inland wetland resources including: bordering vegetated wetlands, land under waterbodies/waterways and bordering land subject to flooding (MADEP File # SE017-XXXX). A peer review proposal was requested to Weston & Sampson. Continuance requested. Motion to continue on October 16, 2025 put forth by David Philips – seconded by Abel Mariano. All present members in favor.

Review/Discuss/Act Continued Hearing: Notice of Intent application from Tyla Gooch at 553 Center Street (Map 13, Lot 42A) to demo existing trailer home/construct new 4-Bay Garage with associated parking, utilities, and septic system. A portion of the work falls within jurisdictional wetland resource areas (MADEP File # SE017-0527). Awaiting funds for Weston & Sampson peer review. Evan Watson speaks representing the applicant, he relies they are waiting on funding for W&S review. The applicant would like the board to ask W&S to review their proposal. Concerns of high pricing given the size of the project. Continuance requested. Motion to continue on October 16, 2025 put forth by David Philips – seconded by Abel Mariano. All present members in favor.

Review/Discuss/Act New Hearing: Notice of Intent application from Daniel Johnson at 2548 Horton Street (Map 6, Lot 20) for construction of a barn. A portion of the work is within the 100' buffer zone to bordering vegetated wetland and also within 100' buffer zone to a vernal pool (MADEP File # SE017-528). Greg Drake from Outback Engineering representing Daniel Johnson. He is proposing a 40x40 barn to place where his gravel driveway is within the buffer zone of wetland and vernal pool north of property. No work is within the 25' and outside the 50' no build zone. Agent requested changes be made to the plan after doing a site visit, which included adding landscape infiltration basin to handle the water from roof runoff from garage. Change erosion control to silt sock and then adjusted it so everything is outside the 25' no touch zone. Add conservation signs and existing generator and propane tank that was original to the house when purchased. Agent asks about the rain

garden and confirms that whoever is installing this knows how to build it. Motion to accept the project and issue an order of conditions put forth by David Phillips –seconded by Abel Mariano. All present members in favor.

Review/Discuss/Act New Hearing: Notice of Intent application from Joanne Bettencourt at 1763 Wellington Street (Map 15, Lot 20-1) for an addition to an existing garage. A portion of the work is within the 100' buffer zone to wetland resources. (MADEP File # SE017-520). Evan Watson of W Engineering representing applicant. The site is 5 1/2 acres, wetland delineated on both sides. The Cole River is both sides with 200' Riverfront. The existing garage has a small garden behind it and a gravel area for vehicles. The proposal is to add the 32x 32 garage to accommodate the vehicles on the gravel area. They are proposing to put straw wattles on the edge of the gravel area. Agent reminds them to check with planning board in regards to building the garage. Motion to accept application and issue the order of conditions put forth by Abel Mariano –seconded by David Phillips. All present members in favor.

Motion to accept Hunter's Hill project out of order put forth by David Phillips – seconded by Jim Digits. All present participating members in favor. Abel Mariano recuses himself.

Review/Discuss/Act New Hearing: Request for Determination of Applicability (RDA) application from Antonio DeSousa at 680 Somerset Avenue (Map 9, Lot 17-A) for a new garage. A portion of the work is within the 100' buffer zone to wetland resources. Antonio DeSousa speaks on behalf of his friend, Lynet Sylvia. The proposed garage will 24x 26. Agent reminds him to make sure to have permits with planning board and building inspector. Erosion controls were agreed upon. Motion to for a negative three determination put forth by Abel Mariano –seconded by David Phillips. All present members in favor.

Review/Discuss/ Act New Hearing: Request for Determination of Applicability (RDA) application from Donna Domanoski at 647 Rebecca Road (Map 13, Lot 107) for a septic system replacement and abandoned the existing septic system. A portion of the work is within the 100' buffer zone to wetland resources. Bob Berube represents the owner. The existing four-bedroom dwelling septic system went through a title 5 inspection and failed. A new system will be installed. They will start with the septic tank into a pump chamber then to the leeching field. There are no wetlands on the property but off the property is a wetland area. The tank is being proposed will be 45' from the wetland line. The pump chamber that will be lifted 5' off the ground will be 35' from the wetland line. A force main will run along the back of the property around the pool and then out to a leeching field. The leeching field is more than 100' away from wetlands. The tank and pump chamber are within the 500-year flood zone. The leeching field is outside of the flood zone. Agent suggests putting placards on backside of the property. Motion to for a negative determination put forth by Abel Mariano - seconded by David Phillips. All present members in favor.

Review/Discuss/ Act: Request for a 3- year Extension of Order of Conditions from Long Built Homes for work on the Hunter's Hill project DEP File # SE017-0441. The project is still under construction and due to expire on 11/17/2025. Evan Watson of W Engineering represents applicant; they are requesting an extension from the board for the record. Motion to issue an extension put forth by David Phillips – seconded by Paul Reynolds. All present participating members all in favor:

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Review/Discuss/ Act: Request for a 1-year Extension of Order of Conditions from David Berdos for work at 2396 Pleasant Street project DEP File# SE017filw-0459. A portion of the project is still under construction and due to expire on 9/6/2025. Motion for an extension put forth by Paul Reynolds – seconded by Abel Mariano. All present members in favor.

#### **CERTIFICATE OF COMPLIANCE**

Review/Discuss/ Act Request for a Certificate of Compliance from Holly Grotta for work done at 1325 Rebecca Road - DEP File# 017-0518. Motion to issues a certificate of compliance put forth by David Phillipd – seconded by Abel Mariano. All present members in favor.

#### **ENFORCEMENT**

Motion to take Prospect St out of order put forth by David Phillips – seconded by Abel Mariano. All present members in favor.

Review/Discuss/Act-2371 County Street (Map 20, Lot 65) Conservation will be hearing shortly from owners.

Review/Discuss/Act-2470 Pleasant Street (Map 20, Lot 55) & 2421 County Street (Map 20, Lot 64-2) Conservation will be hearing shortly from owners.

Review/Discuss/Act-710 Center Street (Map 9, Lot 154) No update.

Review/Discuss/Act-880 Hart Street (Map 19, Lot 2) Email received on September 14<sup>th</sup> from Darlene Whitmore, stating shift work and distraction of life have delayed our ability to correct the project for our property. Starting with the engineer, it was a long wait to have him stake out the area to work. The engineer had fallen and broken some bones causing a delay and also experienced a death in the family. After he came to the site, we purchased the material to correct the fencing area. Then unfortunately two men went out of work with paid time off, disability work has a 12-hour rotating shift. This has caused excessive amount of overtime being taken and covered that had to be covered due to state licensing regulations at the power plant. Bad timing and a crazy amount of extra work hours have added up to total exhaustion and individuals that have been out of work should be back September 22<sup>nd</sup>. We are asking for an extension to get the project going and given time until the end of November to be sure that this issue is no longer held over our heads. Again, we have purchased the material for the project but have no had the manhours or ability to start. Sincerely, Darlene Whitmore. Conservation responded on September 16<sup>th</sup> stating Agent will present this information at the next meeting and thanked them for the information. Agent said commission will likely expect the work done by November 30<sup>th</sup>.

Review/Discuss/Act-1070 Smith Street (Map 10, Lot 15-2) The engineer was notified about the earth disturbance. They are complying with having Zenith go out and do erosion controls.

Review/Discuss/Act-1030 Oak Street (Map 6, Lot 27) Waiting on posts and placards. Site is stabilized.

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Review/Discuss/Act-260 Country Hill Drive (Map 9, Lot 17-19) Owners notified conservation that they had seed mix.

Review/Discuss/Act-662 Somerset Ave (Map 9, Lot 18) Agent gave a list of native plants, herbaceous and aquatic vegetation that would do well in the pond.

Review/Discuss/Act-2365 Elm Street (Map 20, Lot 91) Received a response with photos, Agent, David Phillips or Tom Ferry was not able to open the photos.

Review/Discuss/Act-2625 Lewis Street (Map 21, Lot 47C) Agent asked owner to send updated photos of the disturbed area being stabilized. Conservation is requesting dumpster be moved outside of the 100' buffer zone due to wetlands protection act.

Review/Discuss/ Act-0 Cobbs Lane (Map 17, Lot 9) Poles were removed. Waiting to hear back to see if they put down seed. Native wetland seed mix to be used.

Review/Discuss/Act-1861 Somerset Ave (Map 17, Lot 27-2) Owner will be picking up paperwork at Town Clerk's office.

Review/Discuss/Act- 0 Prospect St (Map 4, Lot 370), DEP File # 017-0483 Chairman suggests owner plants blueberry bushes or puts down seed where the land was disturbed. Chairman tells owner to give the commission something in writing to amend the order of conditions. Plans have been updated to add roof runoff. Agent told them the wall is an amendment that falls under MADEP Policy 85-4. Agents' concerns are allowing the structure within the 50' as it does not comply with town's bylaw. Workarounds the bylaw is if they can prove there is no other alternative location for it. Agent explains he can write up an amendment request to notify his abutters and come to the public hearing. A copy of revised plan needs to be sent to DEP. Agent suggests looking into abatement to reduce taxes on the 10-acre property.

Review/Discuss/Act Request from Brook Street Solar for additional buffer zone plantings at 893 Brook Street (Map 16, Lot 28) The plan is to replant 25 mountain laurels, 25 northern high blueberry bush and 10 red maple trees. Install erosion controls at the lower area and Agent talked to Nick about adding seed mix and placards around the site. Agent also addressed the dead vegetation. Their goal is to do this quickly; they are waiting on approval. Agent is good with the species and quantity.

#### OTHER BUSINESS

Review/Discuss/Act Proposed warrant article for Conservation Revolving Fund The proposal needs to be written up to go on the warrant.

Review/Discuss/Act- Meeting Minutes (5/15/2025) Draft had some grammatical errors but content was fine.

Bills Payable --Review Bills Payable since last meeting. Bills have been paid.

Review/Discuss/Act -- SRPEDD red-lined version of the Conservation Subdivision Bylaw. Paul

submitted comments to SRPEDD in regards to the presentation at August's meeting. Conservation plans on attending meeting on October 6<sup>th</sup> to learn more about SRPED.

## CORRESPONDENCE

Applications for Pere Location Test & Preliminary Sign-offs with BOH. Some progress has been made.

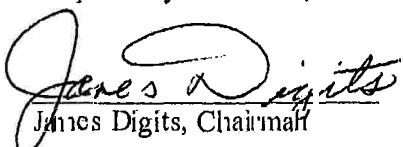
## PUBLIC INPUT

Nancy Goulart speaks; she is going to prepare a damn report that will start with the history and all the research that she knows about that. This will be shared. This report will discuss the history and current dealings BOS; Bill Fett and Tom Ferry have had with Astrazeneca. Nancy has not seen a flowchart because she has been excluded from meetings due to not being a department head. Jeff Caryharlo and the planning board have had discussions about revisions that needed to be included. She also states W&S have submitted a draft report that relates to the storm water program bylaws and regulations will be distributed. Chairman asks if the report included the damn structure. It did not, it included testing for contaminants. November of 2020, she drafted a memo of the Town's suggestion relaying to Muddy Cove Pond. She brings up applying for grant money to do an engineering study to see how to deal with the damn moving forward.

## ADJOURNMENT

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Respectfully Submitted,



James Digits  
James Digits, Chairman

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