

**Town of Freetown
Conservation Commission**
Minutes of the Monday, July 31, 2023 Meeting
Held hybrid, at the Police Station Community Room, and over Zoom

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2023 AUG 15 AM 10:47

Present in Person: Charles Sullivan, Margaret French and Steven Tripp.

Absent: None.

Call to Order: Charles Sullivan called the meeting to order at 6:00p.m.

15 Richmond Road – Discussion with MBTA

Jean Fox, with the MBTA, Carolann McCarron with MBTA Senior Right of Way Agent, Holly Palmgren Senior Project Manager, South Coast Rail, and Ken Caputo VHB Engineering Designer of Record for South Coast Rail, were present. Ms. Fox stated 15 Richmond Road was donated along with another parcel to the Conservation Commission to give access to a walking path. They transferred the property over without realizing important equipment needed to go on a small portion of it. Mr. Sullivan asked if the area highlighted on the plan is what needs to be transferred back. Ms. Palmgren responded yes, the attached plan is a draft license for review. The license would allow use for a year, while we understand it takes longer time to do a permanent transfer, this would be a temporary fix for the immediate. Mr. Sullivan stated it may have to go to before town meeting, and then to the state. Mr. Sullivan would like to turn it over to town counsel to review. Mr. Sullivan asked if they do not want anyone to use the driveway. Ms. Fox responded that they had a meeting on how to make the driveway safe. There will be a sign on the median saying no left turns. Mr. Sullivan asked will the driveway be in the apron of the railroad tracks and do you plan to have a gate there. Ms. Palmgren responded not at the driveway, but at intersection at the street, Mr. Caputo responded off Richmond there will be a gate at end of the median that will prevent you from entering through the tracks from both ways.

A motion was made by Margaret French to turn the proposal over to town counsel, seconded by Steven Tripp. The motion carried unanimously.

Discussion and Vote on Enforcement Order for 0 Washburn Road, Map 227 Lot 56

Ms. Alfaro stated the property owner cleared beyond the approved width of 3-4 feet and cleared up to 48 feet at the entrance of the path and various widths as you go down to the water. The Commission did conduct a site visit. Mr. Sullivan stated they appeared to have encroached on the neighbor's land. Ms. Alfaro stated that the Commission can issue fines up to \$25,000 per violation, according to town counsel. Ms. French recalled that they also had boats down by the water at the site visit, when the Commission told them they could not store the boats or build a structure down there to store them. Ms. French suggested to block area with stakes, so vegetation can grow back. Mr. Sullivan states a 4-foot provision was given, maybe Ms. Alfaro can go to site to keep an eye on the area. Mr. Tripp suggested a hundred dollar fine. Mr. Sullivan suggest 10 business days to comply with putting in the stakes. Mr. Sullivan stated to remind the owner of what was approved. Ms. Alfaro recommended issuing the Enforcement Order first before issuing any fines. Mr. Sullivan stated that if the owner doesn't comply with the Enforcement Order, it can lead to fines and for the owner to come to the next meeting with photos of the restoration. Ms. French agreed with the Enforcement Order first, before fining.

A motion was made by Margaret French to issue an enforcement order, seconded by Steven Tripp. The motion carried unanimously.

Discussion and Vote on How to Proceed with Violation – 112 South Main Street

Ms. Alfaro stated two Enforcement Orders were issued to both the property owners is Spencer Weaver and Johanna Weaver. The person doing the work, is Robert Weaver who came into the office, and asked what he needed to do to comply. Ms. Alfaro told him that he needed to file a Notice of Intent and that Mr. Weaver did state he was working with an engineer. Ms. Alfaro said the Commission needed to see that he working towards compliance, and to have engineer to contact our office. They have not filed a Notice of Intent or had the engineer contact the office. Mr. Sullivan stated there has been no attempt from the resident to comply, they went ahead and cleared brush and cut down trees without a Notice of Intent. Mr. Sullivan explained the next step would be to issue fines. Mr. Sullivan recommended receiving approval from the Board of Selectmen to support the actions of the Conservation Commission.

Discussion and Vote on Stormwater Issuing Authority

Ms. Alfaro said that this was discussed at previous Planning Board meeting a few weeks ago. The Town needs to enact a stormwater bylaw, rules and regulations, and an application for projects, for the permitting process to be compliant with the MS4 Permit. The Planning Board discussed applications only going through the Planning Board, unless the applicant is going through the Conservation Commission only. This would eliminate the applicant having to go through multiple Boards. Mr. Sullivan agreed with the Planning Boards recommendation.

A motion was made by Margaret French to agree with the Planning Board’s recommendation that stormwater applications only going through the Planning Board, unless the applicant is going through the Conservation Commission only, seconded by Steven Tripp. The motion carried unanimously.

Discussion and Vote on Signature Authorization Form

Ms. Alfaro explained that they previously did this with payroll, and would also like to do this with permits and documents to make the process for permits quicker for us and the applicant by having the Chair be authorized to sign. Ms. French stated she does not take issue with giving the chair the authority to sign any and all forms on behalf of the Commission.

A motion was made by Margaret French to give chair the authority to sign any and all forms on behalf of the Commission, seconded by Steven Tripp. The motion was carried unanimously.

Discussion and Vote on Purchasing Vests/Shirts for the Gatekeepers

Ms. Alfaro explains the Gatekeepers asked for vests or shirts, to show they represent the Town. They don’t just open and close the gates, they also take out the trash and interact with town residents. Ms. Alfaro was thinking a high visibility vest saying Town of Freetown Conservation Commission written on it.

A motion made by Margaret French to investigate and purchase vests with the Freetown Conservation, seconded by Steven Tripp. The motion was carried unanimously.

Discussion and Vote on installing a Trash Can at Porter Pasture

Ms. Alfaro stated the Gatekeepers are gathering trash like fishing line and raw chicken legs. They are requesting a trash can be installed. Ms. French stated the trash can should be animal proof. Mr. Sullivan stated the issue would be how to get trash can out of there. Ms. Alfaro she can touch base with the Highway Department and see what they do over at the Town Beach to get ideas. Mr. Sullivan asked if after they have the information, he can make a decision rather than being brought up at meeting again. No members took issue with this.

Minutes

A motion was made by Ms. French to accept the 07.10.2023 meeting minutes as submitted, and seconded by Steve Tripp. The motion carried unanimously.

Any other business to come before the commission

Ms. Alfaro explained that the Gatekeepers encountered an empty truck at time of closing and they left and went back to close gate later on at night. Ms. Alfaro asked what should they do the next time this happens. Mr. Sullivan stated if there’s a vehicle there after closing time, they are to notify the Police Department.

Meeting Adjourned

A motion was made by Margaret French to adjourn meeting, seconded by Steven Tripp. The motion was carried unanimously. The meeting was adjourned at 7:06pm.

This is a True Record by me

Attest: _____
Paula Chretien, Senior Clerk