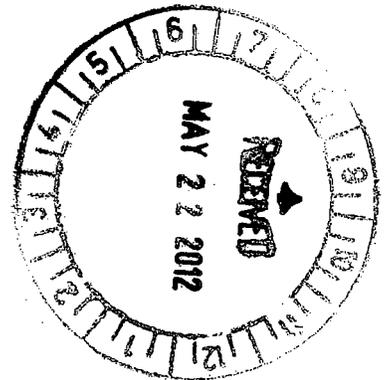




FREETOWN SOIL CONSERVATION BOARD

TOWN HALL 3 NORTH MAIN STREET
ASSONET, MASSACHUSETTS 02702

Freetown Soil Conservation Commission
Freetown Elementary School Activities Room
March 26, 2012



Present: Jean Fox, Lisa Pacheco, Maria Ternullo, Keven Desmarais, Paul Sadeck,
Chairman

Continued Public Hearing for the Whitney Academy Soil removal project

David Klenert, Collins Engineering present.

The Freetown Conservation Commission has issued an Order of Conditions and the plans submitted are up to date and no further changes will be made.

Board reviewed the Conditions Governing the Soil Conservation Application and Permit.

#1 a bond in the amount of \$26,000 is required. Mr. Logan stated he has a \$20,000 on file with the town so he will increase it and get to the Soil Board.

#2 the tipping fee of \$16,687.50 will be paid monthly starting April 15, 2012. The first payment will be \$4,000 due by April 15, 2012 and \$4,000 due every month by the 15th. The remainder will be the final payment. The completion of the project will be by September 30, 2012.

#3 The Board agreed to amend this condition to a 50 feet no touch zone on the side abutting Palmer Court Ext. and 150 feet from Route 18, Middleboro Road.

Conditions 4, 5, 6, 7 apply to the applicant.

Conditions 8 & 9 do not apply.

Conditions 10 & 11 apply to the applicant.

Condition 12 is waived.

Condition 13 & 14 apply to the applicant.

Condition 15 the applicant will be constructing a pond which will be 5 feet above the water table. Applicant will meet this condition.

Condition #16 applicant requests 100 feet of tracking stone and 100 feet of paving to be done. Board agreed to amend the condition.

Condition # 17, 18, 19 applicant will comply.

Condition # 20 The applicants hours of operation will be Monday through Friday 7:00 am – 4:00 pm. Saturdays 8-12 only for clean up, no hauling of material.

Conditions # 21, 22, applicant will comply.

Condition #23 does not apply to this project.

Conditions # 24, 25, applicant will comply.

Conditions # 26, 27 does not apply to this kind of project.

Chairman asked the members if he could have a motion. Motion made by Jean Fox to approve the permit with the conditions stated. Seconded by Keven Desmarais. All in favor.

Board reviewed the minutes for February 16, 2012. Motion was made by Jean Fox to approve the minutes. Seconded Keven Desmarais. All in favor.

Motion , K Desmarais, to adjourn. Seconded, J. Fox. All in favor.

A copy of the Conditions Governing the Soil Conservation Board will be attached to these minutes.

Respectfully submitted,

Karen Robitaille



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CONDITIONS GOVERNING SOIL CONSERVATION APPLICATION AND PERMIT

The following conditions must be met and followed in order for a soil removal storage, or processing permit to be justified.

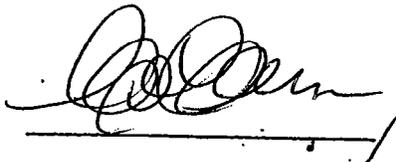
1. A continuous bond certificate in the amount of \$4,000.00 (four thousand) per acre shall be filed with the Freetown Soil Conservation Board. Said bond shall remain in force until the site has been determined by the Board to conform to the conditions outlined in #7 below. \$26,000
2. A one-time charge, known as a "tipping fee" shall be made payable to the Town of Freetown. This tipping fee will be based on the rate of ~~10~~²⁵ cents per yard for each yard of material estimated to be removed from the site during the year. When the tipping fee is submitted, an estimate of the amount of material to be removed must also be included. The Soil Conservation permit will not be issued until a tipping fee, permit fee, certificate, and advertising fee are received. The method of estimate of the amount to be removed must be made available at Boards request.
3. There shall be no soil, loam, sand, stone, or gravel removed from any part of the premises covered by this license which lies within three hundred (300) feet of the layout line of a street, (unless material removed is for house lot preparation) or way, or within twenty (20) feet of all property lines.
4. Any soil or loam required to be stripped from the premises in connection with the removal of sand, gravel, and/or stone under this permit shall be stockpiled on the premises.
5. After the project has proceeded 600 feet, the operator shall slope, grade, and re-seed the initial 300 feet, before and during the period when he begins work on the following 300 feet. Thereafter he shall proceed to advance his operation at integral distance of 300 feet, while simultaneously grading, sloping, and re-seeding the previous integral distance of 300 feet. If the foregoing operations cannot be conducted simultaneously, operations shall cease until the previous 300 feet have been reworked.
6. As soon as practical, and in accordance with good conservation practices, all stripped areas shall be graded and covered with topsoil and loam. Such grades as it slopes away from a street, or way, or property lines, shall be 3-to-1 grade.
7. As soon as practical and accordance with good conservation practices as soon as the loam is restored, it shall be planted with a suitable ground covercrop to prevent erosion of the surface. Retained subsoil and topsoil shall be re-spread over the area disturbed to a minimum depth of 4 inches.

This soil shall be treated with three (3) tons of lime per acre, and one thousand (1,000) pounds of 10-10-10 fertilizer per acre, and then seeded with a grass or legume mixture prescribed by the conservation district. Trees or shrubs of prescribed species shall be planted in order to provide screening, natural beauty, and to reduce erosion. The planted area shall be protected from erosion during the establishment period using good conservation practices.

8. The operations to be carried on under this license are to be conducted in such a way as to not interfere with the natural flow of any stream running through the premises. Any work within 100 feet of the stream requires the filing of a Notice of Intent, under the Wetlands Protection Act, M.G.L. 131, section 40.
9. No excavation shall be allowed closer than fifty (50) feet to a natural stream. This would require the filing of a Notice of Intent as specified in number 8 above.
10. No area shall be excavated so as to cause accumulation of free-standing water. Permanent drainage shall be provided as needed in accordance with good conservation practices. Drainage shall not lead directly into streams or ponds.
11. Upon the completion of the operation, the land shall be left so that natural storm drainage leaves the property at the original storm drainage points, and so that the area of drainage to any one point is not increased.
- ✓ 12. Operations shall not be performed below the road grade.
13. Boulders that are dug up during this operation must be taken from the premises or buried on site.
14. No mounds of loam, gravel, stones, brush, sand, etc., are to be left at the completion of this operation or upon termination of this permit unless specified under the conditions of the permit.
15. No excavation shall take place within 4 feet of the water as its highest measurement.
16. All access roads leading to the public ways shall be treated with stone, watered, or treated with environmentally approved dust control substances. No oil shall be used to treat the access road. A 200 foot bituminous concrete access apron shall be installed.
17. Before a renewal permit is granted, the area previously worked shall be graded and re-seeded, and present operations shall be inspected at the time of renewal.
18. Faces of banks shall be knocked down and sloped at the end of each day so as to prevent any over-hangs or straight faces.
19. Any individual Soil Conservation Board member, or the full Board shall have the right to inspect the gravel operation at any time.
20. The hours of operation of the gravel area shall not exceed the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday. Exceptions further restricting these hours can be made by the Soil Conservation Board with written reasons given. Examples of further restriction may apply to but not exclude: noise, traffic, erosion problems.

21. The conveyance of the property covered by this license, by the licensees, or either of them, shall result in the termination of the right to remove any further sand, stone, gravel, or loam under this permit and the premises shall be restored as provided above. This termination shall not be effective if prior to such conveyance, a bond conditioned on the full performance of all of the terms and conditions of this license and with sureties satisfactory to the Soil Conservation Board of Freetown, be filed with such Board.
22. Any plan submitted to the Soil Conservation Board should indicate the presence of any wetlands or protected areas as indicated by the Wetland Protection Act Regulations, M.G.L. Chapter 131, Section 40.
23. For those sites with suitable storage capacities, a general storage plan should be outlined with future activity also shown.
24. Those operations involved with the processing of material with necessary water storage should so indicate the source, discharge, and recycling capabilities within its boundaries; and also should have a contingency plan regarding abutting properties in writing.
25. This permit is granted in conformity with the Soil Removal By-Laws accepted by vote of this Town on March 10, 1956, and amendments to the By-Laws on May 25, 1964, and April 26, 1966.
26. The Soil Conservation Board reserves the right to review all projects involving the use of coal ash described in Mass General Law 111 Section 150A not covered by the site assignment process. Project involving the use of coal ash will be required to obtain a Soil Conservation Board permit from the Town of Freetown if one is not already enforced. The plans of the project will be examined for their conformance with, and will be subject to, those regulations listed above for all Soil Conservation project permits.
27. The tipping fee for the use of coal ash in projects not covered by a Site Assignment, those listed in Mass. General Law 111 Section 150A, will be a minimum of \$.69 per ton or yard (which ever one is greater). The tipping fee shall be continuous with the duration of the permit payable on a monthly basis.

I, the undersigned have read and understand the above regulations.

 President

(Please sign and copy. Mail back the signed original with the permit application, permit fee, bond, and tipping fee.)