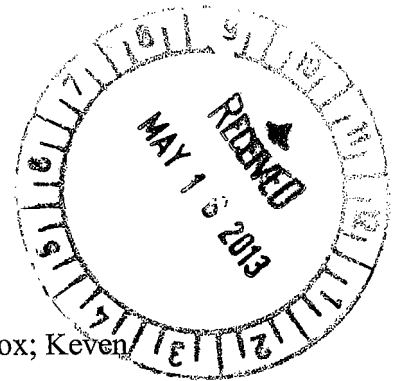




**FREETOWN SOIL
CONSERVATION BOARD**
TOWN HALL 3 NORTH MAIN STREET
ASSONET, MASSACHUSETTS 02702

Soil Conservation Board
Minutes of the Meeting May 17, 2012



Present: Paul Sadeck, chairman; Lisa Pacheco; Maria Ternullo; Jean Fox; Keven Desmarais; Jonathon Silverstein, Esq., Kopelman & Paige

Public Hearing for the Soil removal permit for Cape Coda Aggregate, Corp called to order.

Chairman gave notice that recoding devices are present. Mr. Dugan, recording for the abutters and Comcast is recording for the Town of Freetown.

Ms. Diane Tillotson, Attorney for Cape Cod Aggregates introduced herself and the team of experts present.

Abutters and plaintiffs addressed the board with their concerns:

Blasting and the vibration felt in their homes, the sedimentation in their well water which has resulted in damage and the need for filtration systems. The dust and dirt caused by the trucks leaving the facility have not been addressed properly. Their quality of life has been affected. The violation of conditions had not been addressed.

Mr. Desmarais clarified to the abutters the conditions governing the Soil Permit were not waived individually, when the permit was issued, rather they were discussed and the site plan was approved.

Ms. Dugan made reference various studies conducted regarding blasting and the damage done to the aquifer. Ms. Hannah asked that the abutter's wells be monitored with video during the blasting and conduct testing of their wells. Ms Jackson stated how she had shale in her well and was cleared up with a filtration system and since the blasting the shale has come back.

Cape Cod Aggregate's experts have placed seismographs on abutter's property to measure the blast. The company has made every effort tot address the abutters issue with sedimentation in abutter's water.

Atty. Roskelley asked what testing as been done and where are the records.

Mr. Desmarais asked if CCA could address the abutters issue and comfort them regarding the sediment in the well water. He agrees with the importance of good clean portable water.

Atty. Roskelley asked if a turbidity analysis or testing be done before the blasting and again after the blasting.

The abutters would like to see:

1. The water quality of their wells monitored twice a year at the cost of CCA and documents filed with the Board of Health.
2. A 25 year operational/ mitigation plan, addressing the drawbacks from quarry
 - a. Blasting
 - b. Groundwater withdrawals
 - c. Stream discharges
 - d. Dust, truck traffic and noise
 - e. Long-term land use that usually results in totally different land surface upon completion
 - f. Potential Safety hazards
3. Blasting Protocol

CCA's representation of experts addressed many of the abutters concerns and suggested testing of wells can be done and shields could be placed to reduce noise and dust.

Atty. Roskelley asked the chair if he could make a final statement. In his statement he declared that eight conditions were knowingly violated and CCA knew they were in violation and acknowledged the problem by helping Ms. Jackson with her shale problem in her well and filtration system. He asked that a compensation plan as well as a monitoring and mitigation plan be in place. He requested the board not to grant a 3 year permit to CCA due to all the analysis that needs to be done during this period.

The chairman asked for a motion to close the public hearing. Members asked the advice of town counsel if by closing the public hearing can more information be presented if requested by the members once the public hearing portion of the meeting is closed. Atty. J. Silverstein that the information presented may be heard.

Motion made by Ms. Fox to close the public hearing portion of the meeting. Seconded by Ms. Ternullo. Ms. Pacheco abstained. Motion carried.

Motion made by Mr. Desmarais to continue the meeting to June 11th, 2012 at 7:00 p.m. Seconded by Ms. Fox. All in favor.

Motion made by Mr. Desmarais to adjourn. Seconded by Ms. Pacheco. All in favor.

All document presented at the meeting are available for review.

Respectfully submitted,

Karen Robitaille