

Freetown Conservation Commission
Minutes of the Monday, September 14, 2015 Meeting
Town Hall, 3 North Main Street, Assonet, Mass.



Present: Keven Desmarais, Christopher Mather, Charles Sullivan, and Janine Robidoux.

Absent: Maria Ternullo.

Call to order: Keven Desmarais called the meeting to order at 7:05 p.m.

Minutes of Previous Meeting

The minutes of August 10th were received. A motion was made by Mr. Sullivan, seconded by Mr. Mather, to accept the minutes as presented. The motion carried unanimously.

Request for Determination of Applicability – Freetown Historical Society

Bob Pilling and Nick Lambert were present to discuss the proposal. Mr. Lambert, for his Eagle Scout leadership service project, is proposing to enlist volunteers to clear a portion of the area around the old farm pond on the Wings' farm. He plans to remove plants that are not protected or endangered, and keep or transplant the plants that are. The project is expected to take two or three weekends, with about 10 to 15 people helping each session.

Mr. Desmarais asked if the Historical Society approves of the project, and Mr. Pilling responded that they are in support. Mr. Pilling added additional information about the history of the farm and the previous uses of the pond. He noted that Russell Wing had expanded the farm slightly, as evidenced by a mound near the pond.

A motion was made by Mr. Sullivan, seconded by Mrs. Robidoux, to issue a negative determination #3. The motion carried unanimously.

Notice of Intent – 15 North Hillside Street, Assonet

A motion was made by Mr. Mather, seconded by Mr. Sullivan, to waive the reading of the public hearing notice. The motion carried unanimously.

Darren Michaelis from Foresight Engineering was present to discuss the plan, which is for a replacement of a septic system for an existing single-family dwelling. The lot is approximately 22,300 square feet and borders on the saltmarsh in Assonet Bay Shores. Mr. Michaelis said the work would have minimal impact. The system is proposed from the front and east side of the home. The design of the system is such that it is intended to last forty to fifty years and have less of an impact on the environment. The contractor has been instructed not to stockpile any material on site.

A motion was made by Mr. Mather, seconded by Mrs. Robidoux, to close the hearing. The motion carried unanimously. A motion was made by Mr. Mather, seconded by Mrs. Robidoux, to approve the plans as submitted. The motion carried unanimously.

Notice of Intent – 28 East Howland Road, East Freetown

A motion was made by Mr. Mather, seconded by Mr. Sullivan, to waive the reading of the public hearing notice. The motion carried unanimously.

Mr. Michaelis was present to discuss this plan as well, which is for new construction of a four-bedroom single-family dwelling. Mr. Desmarais noted that some work on the site has already been undertaken. Mr. Michaelis explained that the owner was told all permits and hearings had been conducted prior to the sale, which turned out to be false. This included perc tests, etc. The owner has widened the existing woods road to a twelve-foot-wide gravel driveway. He did not disturb any wet areas in this work and used a silt fence. The well was put in about six weeks prior to this meeting. Mr. Desmarais suggested a post and rail fence be put up from

about point A55 to the granite outcropping on the property. Mr. Michaelis suggested the fence could be put in the same location as the hay bale line depicted on the plan which would protect roughly the same area. Mr. Mather suggested some sort of small placard be placed two or three locations along the fence explaining the purpose of the fence as protecting the conservation area and preventing encroachment. Also that the silt fence and hay bales be left in place during construction.

A motion was made by Mr. Sullivan, seconded by Mrs. Robidoux, to close the hearing. The motion carried unanimously. A motion was made by Mr. Mather, seconded by Mrs. Robidoux, to approve the plans as submitted with the conditions noted. The motion carried unanimously.

Request for a Partial Certificate of Compliance – 16½ Gramp Deane Road

Debra Gehrke & Robert Kardosz appeared to request a partial certificate of compliance for this property. They explained that the property had an existing woods road and this road was widened and improved with a new box culvert to allow for construction vehicles to access the site. However, construction on the home did not commence and the Order of Conditions has expired.

A motion was made by Mr. Sullivan, seconded by Mrs. Robidoux, to issue the partial certificate of compliance. The motion carried unanimously. Mr. Desmarais then explained to the applicants that should work recommence on the property, they would need to file a new Notice of Intent as the old Order of Conditions had expired.

Request for an Amended Order of Conditions – DeMoranville Farm (f/k/a Gurney Farm)

Azu Entoniru was present to represent the project. He explained that the request was made following feedback from the Mass. D.E.P. relative to concerns about drainage. Overall, the amended proposal will reduce the total number of solar panels. Included with the request was a "Supplemental Drainage Report" dated July 2015.

Mr. Desmarais explained that the D.E.P.'s original review was based on aerial photography, some of it dating back to the 1940s and 1950s. He also stated that the D.E.P. originally called the solar panels an impervious surface, but that they later retracted that opinion.

A motion was made by Mr. Mather, seconded by Mr. Sullivan, to accepted the revisions to the number of panels and also accept and place on file the "Supplemental Drainage Report". The motion carried unanimously.

Request for Determination of Applicability – 57 Middleboro Road, East Freetown

Mr. Desmarais stated that this parcel previously went through a Notice of Intent process in or about 2007. Since then some land clearing had taken place, but no construction of any type had commenced. The current proposal calls for a three-bedroom house whereas the original proposal was for a four-bedroom house. The reduction in bedrooms caused corresponding reductions in septic, site work, etc.

A motion was made by Mr. Sullivan, seconded by Mrs. Robidoux, to issue a negative determination #3. The motion carried unanimously.

Chapter 91 Simplified Waterways License – Hemlock Point

Mr. Desmarais reviewed the application, which was relative to the Hughes' dock. The dock has been in place long enough that it significantly predates the Wetlands Protection Act and is now being rehabilitating. The D.E.P. asked for the commission to review the application for any concerns. A motion was made by Mr. Sullivan, seconded by Mrs. Robidoux, to place the application on file and take no action.

Continued Public Hearing – Lamb’s Village

A motion was made by Mr. Mather, seconded by Mrs. Robidoux, to continue the hearing to Monday, October 5th at 7:00 p.m. at the Town Hall. The motion carried unanimously.

Discussion – 0 Lark Lane & 1 Lark Lane

Mr. Desmarais updated the rest of the board on the Board of Health’s and D.E.P.’s actions regarding these properties. The property owners have been instructed to clean up the debris and get the properties into shape.

Bills

A motion was made by Mr. Sullivan, seconded by Mrs. Robidoux, to pay bills as listed on the bill sheet. The motion carried unanimously.

Meeting Adjourned

A motion was made by Mr. Sullivan, seconded by Mrs. ^{Robidoux}~~Ternullo~~, to adjourn at 7:56 p.m. The motion carried unanimously.

This is a True Record by me.

Attest: Michael T. McCue
Michael T. McCue, Senior Clerk