

Freetown Conservation Commission
Minutes of the Monday, April 10, 2017 Meeting
Town Hall – Assonet, Mass.

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2017 APR 25 AM 11:48 *gab*

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

Absent: Christopher Mather and Maria Ternullo.

Call to order: Keven Desmarais called the meeting to order at 7:20 p.m.

Continued Notice of Intent – Lamb’s Village

Mr. Desmarais called the public hearing back to order. John Robinson of Robinson Design and Pastor Joel Moniz of the Pentecostal Assembly were present on behalf of the applicants, the Pentecostal Assembly, and Adam Kran was present on behalf of Environmental Partners, the commission’s review engineer. Mr. Kran stated that Environmental Partners Group at this point finds most of the plans and documentation acceptable, but continued to have concerns about two items as outlined in their review letter of April 7th. Subsequent to that date, the first item was resolved with Robinson Design, and only the second item remained in question.

Mr. Desmarais asked how critical the one outstanding issue was. Mr. Kran responded that it was something they would prefer to see worked out further, but that it was not overly critical and would not be an issue to move forward without changes. Mr. Kran provided copies of the April 7th letter for review as it contained proposed conditions and a proposed waiver. Mr. Robinson provided copies of an e-mail from April 10th that included an additional proposed condition. Commissioners reviewed the materials, and Mr. Desmarais asked if the applicants were on board with the proposed conditions. Mr. Robinson stated that they were.

A motion was made by Mr. Sullivan, seconded by Mrs. Robidoux, to grant a waiver from the requirement that all best management practices be located outside of the Zone A Surface Water Supply Protection Area as requested by the applicant and approved by Environmental Partners. The motion carried unanimously. The text of the waiver information was as follows:

BMPs in the Zone A

The Zone A is the most protected Surface Water Supply Protection Area in Massachusetts. Standard 6 in the Massachusetts Stormwater Handbook states that stormwater best management practices (BMPs) are prohibited in the Zone A and any discharges near or to an outstanding resource water (ORW) must "receive the highest and best practical method of treatment." Previously, the Applicant had requested a waiver from the requirement to locate all BMPs outside of the Zone A.

Since requesting this waiver, the Applicant has relocated all infiltration facilities outside of the Zone A. The Applicant has also provided calculations that comply with the 44% TSS removal requirements of Standard 6. In addition, the Applicant now provides water quality units (hydrodynamic separators) upstream of many infiltration areas. These water quality units appear to provide at least 74% TSS removal when properly designed, constructed, and maintained.

The Applicant continues to show alterations, including buildings, pavement, and BMPs, within the Zone A. Nevertheless, the Applicant has proposed enough stormwater treatment to potentially justify this waiver request as long as the Applicant resolves the new and outstanding items noted above and commits to actively maintaining the proposed stormwater management system.

A motion was made by Mr. Sullivan, seconded by Mrs. Robidoux, to close the public hearing. The motion carried unanimously.

A motion was made by Mrs. Robidoux, seconded by Mr. Sullivan, to approve the revised plans dated March 15, 2017, with the requested waiver previously voted and also subject to the following conditions:

1. No work, including site preparation and land disturbance, may commence unless and until a construction period pollution prevention and erosion and sedimentation control plan that meets the requirements of Standard 8 as further elaborated by the Massachusetts Stormwater Handbook has been approved by the Freetown Conservation Commission.
2. The BMPs used during construction must be different from the BMPs that will be used to handle stormwater after construction is completed and the site is stabilized.
3. The Applicant shall submit a BRP WM 09 (NPDES Pollution Prevention Plans for Permits Discharging to Outstanding Resource Waters) Application to DEP. No work, including site preparation and land disturbance, may commence unless and until the BRP WM 09 Application is approved by DEP.
4. The Applicant shall provide 1-week notice prior to constructing infiltration facilities so that a third party engineer can verify subsurface conditions match what is modeled (sand).
5. The Applicant shall notify the Conservation Commission when the erosion controls have been installed for an inspection prior to construction.
6. All manufacture shop drawings and sizing calculations be submitted for review and approval by the Town Consultant prior to the installation of any stormwater unit.



The motion carried unanimously.

Continued Notice of Intent – Hart Lot, Buddy’s Crossing, Wamsutta Way, etc., East Freetown

A motion was made by Mr. Sullivan, seconded by Mrs. Robidoux, to continue the hearing to April 24th at 7:00 p.m. at the Town Hall. The motion carried unanimously.

Requests for Certificates of Compliance –

15 Point of Pines, 138 Middleboro Rd., 149 Quanapoag Rd., and 44 Huron Ave., all in E. Freetown

All applications were reviewed. It was noted that the Point of Pines and Huron Avenue projects were more recent, and the Quanapoag Road and Middleboro Road projects were longer ago, Middleboro Road dating from about 1987. The most significant project was on Huron Avenue where an old gambrel-roofed home was replaced with a one-level home. For each application individually, a motion was made by Mr. Sullivan, seconded by Mrs. Robidoux, to issue a Complete Certificate of Compliance. All motions carried unanimously.

Request for an Amended Order of Conditions – 3 Cameron’s Way, East Freetown

The letter requesting an Amended Order of Conditions was reviewed, along with changes between what was applied for in 2015, approved in 2016, and now being asked in 2017. Consensus was that the number and types of changes being requested were too extensive. A motion was made by Mrs. Robidoux, seconded by Mr. Sullivan, to deny the request for an Amended Order of Conditions and direct the applicant to file a new Notice of Intent.

Bills

Bills paid since the previous meeting were recounted.

Minutes of Previous Meeting

The minutes of March 13th were reviewed. A motion was made by Mr. Sullivan, seconded by Mrs. Robidoux, to approve the minutes as received. The motion carried unanimously.

Discussion on Town Meeting Articles

Discussion was held on accepting M.G.L. Chapter 45, Section 21, to establish a Town Forest Committee to aid the Conservation Commission in developing its land holdings for better use by the public (walking trails, etc.). It was noted that much of the Commission’s time is spent on regulatory matters and that having extra hands might allow for better use of the properties under the commission’s purview. Consensus was to submit this article.

Any Other Business Properly Before the Commission

None.

Meeting Adjourned

A motion was made by Mr. Sullivan, seconded by Mrs. Robidoux, to adjourn at 8:50 p.m. The motion carried unanimously.

This is a True Record by me.

Attest:

Michael T. McCue
Michael T. McCue, Senior Clerk