

Freetown Conservation Commission
Minutes of the Monday, May 22, 2017 Meeting
Town Hall – Assonet, Mass.

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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 7:03 p.m.

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

Mr. Desmarais called the continued public hearing back to order. It was noted that the applicant requested another continuance. A motion was made by Mrs. Robidoux, seconded by Mr. Sullivan, to continue the hearing to June 12th at 7:00 p.m. at the Town Hall. The motion carried unanimously.

Request for Determination of Applicability – Winslow’s Wharf (South Main Street), Assonet

Nelson Sousa and Robert Kachajian were present to discuss the project. Mr. Desmarais reviewed some of the history of why this was coming before the Conservation Commission. Mr. Sousa stated that his biggest concern is that the yard is eroding into the river because the seawall has started to give out; capstones and other larger stones are now in the river. Mr. Sousa stated a friend who works in the masonry field has offered to help him repair the wall, re-stacking the stones that have fallen and possibly taking some parts of the wall down and re-stacking for stability, all by manual labor and without machinery.

Mr. Desmarais noted the depth of the river and the variance of the depth at certain tides. He wondered if it would be easier to bring in new stone to repair the wall. Mr. Kachajian stated they had considered doing that, but did not want to run afoul of the commission if bringing in new stone might disrupt the health of the river. Mr. Desmarais felt new stone would be easier and would not be a disturbance to the river; he believed the D.E.P. might actually find it to be more of a disturbance if the stones that had fallen into the river over time were removed, as they might now be viewed as part of the riverbed and part of the navigation for fish and river life. Mr. Desmarais also felt it might be safer if workers were not in the river fighting the tides and current.

Mr. Sousa asked if it would be a problem for a truck to drive onto the wharf area to deliver the stone. Mr. Desmarais said that was not a problem. Mr. Sousa asked if a small amount of mortar could be used to keep the capstones in place, and Mr. Desmarais said that was fine. Brief discussion was held on the benefits of having the wall weep.

Mr. Sousa asked if a non-permanent deck could be constructed for the tent now on the site, something akin to a platform but not with supports sunk into the ground or anything similar. No objections were raised from the members present. Mr. Desmarais noted the site’s history as a working wharf, and felt that a small platform or deck couldn’t be more of a disturbance.

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

Discussion with Property Owner – Dakota’s Way, East Freetown

Manny Gracie, property owner, was present for the discussion. Mr. Desmarais reminded the Gracies that the Conservation Commission can visit sites under Orders of Conditions periodically, which they understood. Mr. Gracie stated that work is in progress, and Mr. Desmarais said not to worry, that this was just a conversation and not that anyone was “in trouble”.

Discussion was had on differences between what the plans called for and what work has actually been done. Mr. Gracie stated that the culverts had been put in where the water actually flows as opposed to where the engineer had sited them because that seemed to work better. Mr. Desmarais said that might seem like the case, but where an engineer stamped the plans, an engineer would have to confirm that what's actually been done will work better than what was put on paper. It was noted that changes aren't forbidden, but have to be reported and discussed. Mr. Desmarais asked about the improvements made to the woods road, and Mr. Gracie acknowledged that the changes had not been on the plan. These improvements were not found to be malicious, but should have been regulated.

Mr. Gracie stated the hay bales have been placed and just need to be fortified. All agreed that the work just needed to get back on track and the technical aspects have to be hammered out. Mr. Desmarais said the conversation was being had now to head off any concerns before neighbors or others make any comments or complaints, particularly to the D.E.P.

On consensus, a site walk will be had on Wednesday, June 7th to view progress. Commissioners will meet at the Town Hall at 4:00 p.m. and then head over to the site.

A question was raised about the proposed dwelling. Mr. Gracie said their intent for now is only to make the site ready to build, but never to actually build. His son, who is now 12, will be given the property one day and let to do with it as he pleases.

Request for Revisions to Approved Plans – 4 Cleveland Avenue, East Freetown

John Parks, who was not present, has requested to make alterations to the footprint of his reconstructed dwelling. The bump-out of the house closest to Long Pond would be removed, and the roadway side of the house would be squared off. The approved house was roughly 30' x 35', and the altered footprint would be 24' x 32'. A motion was made by Mr. Sullivan, seconded by Mrs. Robidoux, to find the alterations to be minor and allow them to proceed with no need to re-file. The motion carried unanimously.

Request for Determination of Applicability – 45 Flagg Swamp Road, East Freetown

Application was received from the property owner, James D. Lajoie, seeking to do landscaping and remove debris left behind by a previous owner. Although Mr. Lajoie was not present, several present had already viewed the property and the work partially in progress.

A motion was made by Mr. Sullivan, seconded by Mrs. Robidoux, to issue a negative determination #3, with the condition that siltation control be used along the stone wall at the limit of clearing. The motion carried unanimously.

Designate Member to Serve on Soil Conservation Board for FY18

A motion was made by Mr. Sullivan, seconded by Mrs. Robidoux, that Mr. Desmarais represent the Conservation Commission on the Soil Conservation Board for Fiscal Year 2018. The motion carried unanimously.

Bills

Bills paid since the previous meeting were recounted.

Minutes of Previous Meeting

The minutes of May 8, 2017 were reviewed. A motion was made by Mr. Sullivan, seconded by Mrs. Robidoux, to approve the minutes as received. The motion carried unanimously.

Any Other Business Properly Before the Commission

None.

Meeting Adjourned

A motion was made by Mr. Sullivan, seconded by Mrs. Robidoux, to adjourn at 8:13 p.m. The motion carried unanimously.

This is a True Record by me.

Attest: _____
Michael T. McCue, Senior Clerk