

**Freetown Conservation Commission**  
Minutes of the Monday, June 12, 2017 Meeting  
Town Hall – Assonet, Mass.

RECEIVED  
FREETOWN TOWN CLERK  
2017 JUL 11 PM 3:27

**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 7:02 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 July 10th at 7:00 p.m. at the Town Hall. The motion carried unanimously.

**Notice of Intent – 4 Cleveland Avenue, East Freetown**

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

Larry Silva of Silva Engineering was present to discuss the project, as was John Parks, property owner. Mr. Silva stated that their intent is to remove the tires that have been stockpiled and accumulated on the Parks property, noting that the Parks family was not responsible and believes another party placed the tires there years ago. They anticipate having two ten-foot-wide paths to access the tire area, and their plan is to use a winch hooked up to a Bobcat to remove the tires without putting any machinery or equipment in proximity to the wetlands.

Mr. Parks asked if a tree has grown up through a tire, can the tree be removed to facilitate removing the tire. Mr. Desmarais stated the Commission's preference would be to have the tire cut rather than the tree. Mr. Parks stated with some of the tires that could be difficult, owing to wires in the tires or to the tires still being mounted to rims. Mr. Sullivan noted that the wire issue could be resolved with a Sawzall. Mr. Desmarais stated that a condition of approval could be that all practical means and methods be used to remove tires before any tree is cut down. He added that while it may be necessary to remove an occasional tree, it should not be that a noticeable amount of trees is taken down. Mr. Silva advised Mr. Parks to take before and after photographs of any trees that are removed to demonstrate why the trees were removed.

A motion was made by Mr. Sullivan, seconded by Mrs. Robidoux, to approve the plans as submitted with the added condition regarding tree removal as noted above. The motion carried unanimously.

**Discussion Relative to Site Work – 21 Point of Pines, East Freetown**

Mr. Desmarais recapped the history of this issue. A week or so prior, a complaint was received that land-clearing work was being done on the property in violation of previous legal proceedings. There were no files in the Conservation Commission office to indicate there were any prior issues or legal proceedings, so Mr. Desmarais phoned one of the property owners, Suzanne Rebeiro. Mrs. Rebeiro stated that a female employee of the Conservation Commission had given them approval to do the work via e-mail. Mr. Desmarais informed Mrs. Rebeiro there had been no female employee since 2014, and asked to have copies of the e-mail forwarded to the commission office for review. To date, the messages have not been forwarded. Discussion was held on the type of work observed and possible remedies. A motion was made by Mr. Sullivan, seconded by Mrs. Robidoux, to issue an Enforcement Order requiring that:

- ♦ The property owners immediately cease and desist all work

- ♦ The property owners immediately ensure that erosion/siltation control are put in place to protect Long Pond
- ♦ The property owners file a Notice of Intent for action at the next meeting [Note: Next meeting is July 10th, Enforcement Order instructs that the NOI be submitted by June 27th at 2:00 p.m.]

The motion carried unanimously. It was determined not to record the Enforcement Order at the Registry of Deeds at this time, but to do so if no response is received.

### **Bills**

Bills paid since the previous meeting were recounted.

### **Minutes of Previous Meeting**

The minutes of May 22, 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**

Mr. Desmarais noted complaints from the Buzzards Bay Coalition regarding mowing the marsh grasses at Hathaway Park. It is believed a resident or residents of Water Street are mowing the grass since the Highway Department no longer mows it. Opinions were mixed on whether or not this should be allowed, some believing it was not an issue and others believing it could be down the line. Consensus was to secure a few 4x4 posts and affix the Wetlands Protection Act placards to them to see if that deters mowing.

Also discussed was the sign at the entrance of Porter Pasture. The wooden sign is in tough shape even though it was replaced several years ago. It was agreed to have a stone placed by the entrance and engraved with the name of the property – The Porter Pasture – and “Freetown Conservation Commission” in smaller lettering.

### **Meeting Adjourned**

A motion was made by Mr. Sullivan, seconded by Mrs. Robidoux, to adjourn at 7:48 p.m. The motion carried unanimously.

This is a True Record by me.

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