

Freetown Conservation Commission
Minutes of the Monday, November 6, 2017 Meeting
Town Hall – Assonet, Mass.

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FREETOWN TOWN CLERK
2017 NOV 28 AM 11:05
J. Brown

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

Absent: Christopher Mather and Maria Ternullo.

Discuss Neighborhood Concerns Regarding Porter Pasture

At 7:00 p.m., Mr. Desmarais informed the neighbors gathered that it was expected two or three might show up, not the large number who did; this item had been scheduled for the end of the meeting, but the neighbors would be allowed to speak now with the understanding that the discussion was informal and there would not be a quorum until around 7:30.

Neighbors present included Jean Fox, George Grunwald, Danny Rezendes, Sharon Rosen, Craig Rosen, Heath Meetis, Jeff Terpak, Gary Martin, Carol Woldorf, Terry Woldorf, and others.

Mr. Desmarais recounted the letter that had been received from Carol Woldorf and the subsequent telephone conversation they had had about her concerns. He also told of past issues and solutions, including gating the property, but noted that complaints about the gate resulted in its removal. The current sticker program was described. It was also noted that the police were asked how many calls they had received from Memorial Day through Labor Day regarding issues at Porter Pasture, and the response was no calls had been received.

Mr. Grunwald stated that problems can't always be seen while they're happening. Mr. Terpak stated he had recently called the police regarding gunshots at night, and that he had also called the Environmental Police.

Mr. Grunwald added that other Conservation Commission properties in other towns are gated and require people to walk in. He stressed that some kind of gate at night is necessary. Mr. Desmarais asked who would be responsible for the gate, and Mr. Grunwald said he believed neighbors would donate toward the cost of the gate. Mrs. Woldorf said the sign states the property is closed from dusk till dawn, but that it cannot be "closed" without some sort of gate. Mr. Desmarais again stated it had been gated in the past, but there had been complaints, including prior selectmen who were strongly opposed to gating the property.

Mr. Grunwald raised the matter of fire danger, as there is much dry and dead material on the property. Mr. Desmarais recounted how the Conservation Commission had the property evaluated in 2006 and 2007 and had plans to address this, but neighbors complained they did not want trees cut or removed. He stated the Conservation Commission has again been working with a forester on a plan; the clerk had actually met the forester onsite the same day as the auto break-ins on Jeffrey Lane and Gramp Deane Road.

Mrs. Fox discussed with the neighbors the need to call the police more often. She said the gate was successful in the past, but that the police need to be called when there are issues at night. Mr. Desmarais said it was better to call the police too often and be asked to call less often than to call less often and not see any results.

Mr. Sullivan arrived at 7:25 p.m.

Call to order: Keven Desmarais called the meeting to order at 7:27 p.m.

Continued Discussion, Neighborhood Concerns Regarding Porter Pasture

Mr. Desmarais provided examples of work done to try and improve the property, including portajons during the season from Memorial Day to Labor Day.

Mr. Woldorf asked what should be the next steps taken on this issue. Mr. Desmarais stated he would try to arrange a meeting between representatives from the Conservation Commission, Selectmen, Town Administrator, and Chief of Police to discuss the issue. He invited the neighbors to pick two or so representatives to attend, but not the large crowd currently gathered. He also stated that he would discuss with the Highway Department returning a gate of some kind to the property. Mr. Terpak stated the posts from the old gate were still present. Mr. Desmarais said he would check them for condition. The clerk was asked to contact the Freetown State Forest to see where they get their gates from for the woods roads and hunters' lots.

Mr. Terpak raised again the concern of firearms. Mr. Desmarais stated a sign could be posted reminding people firearms are not to be discharged on Conservation Commission property.

Discussion was had on establishing a small parking area at the entrance for when the road is gated.

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 Mr. Sullivan, seconded by Mrs. Robidoux, to continue the hearing to December 11th at 7:00 p.m. at the Town Hall. The motion carried unanimously.

Continued Notice of Intent – Clermont Way, East Freetown

Mr. Desmarais called the continued public hearing back to order. Brian Wallace was present from JC Engineering to continue discussion on the project, as was Adam Kran from Environmental Partners.

Mr. Wallace described how the detention pond was moved back to its original proposed location, but altered to reduce impact on the neighboring bogs. He noted this was done after consultation with Ashleys.

Mr. Desmarais asked Mr. Kran if the plan had been reviewed. Mr. Krane stated it had.

Mr. Desmarais asked the Ashleys how their meeting with the applicants went. Frank Ashley, III, stated that some of their concerns were addressed; they still are not happy about the project, and the conditions are not ideal, but they are better than previously proposed.

Mr. Desmarais asked how the review went. Mr. Kran stated the applicants addressed most of the concerns outlined, and that there could be some conditions put on the approval to take care of the rest.

Mr. Desmarais asked about the Stormwater Prevention Plan. Mr. Kran stated it was missing, but that it was not atypical for that to come from the contractor prior to the construction phase.

Richard Clermont asked if anything had been done to tie into the City of New Bedford waterline. Mr. Wallace stated that New Bedford will no longer permit tapping into the 48" main in Middleboro Road, so the subdivision would not use city water.

Mr. Clermont asked about utilities. Mr. Wallace stated the utilities would run underground, and there were no plans for natural gas.

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 Mr. Sullivan, seconded by Mrs. Robidoux, to approve the plans dated October 24, 2017, with the following conditions:

1. That the Conservation Commission shall receive a cost estimate for stormwater management.
2. That a detail be provided for the silt sock.
3. That the stormwater prevention plan be submitted prior to construction.

The motion carried unanimously. The Order of Conditions will be signed and issued after items 1 and 2 are completed.

Continued Notice of Intent – 21 Point of Pines, East Freetown

Mr. Desmarais called the continued public hearing back to order. Steve Gioiosa was present from SITEC to continue the discussion. Mr. Gioiosa noted that the silt fence had been installed, damaged, and repaired. The two pipes were investigated and determined to be well pipes, with only mud and dirt found at the bottom. It is the applicant's intent to remove the pipes. Mr. Gioiosa also noted that Natural Heritage had not responded to the submission made to them, which they received on September 14th. He further noted that the logs holding up the fence, which had been a concern of the neighbors, were shown by survey to be on the Rebeiro property and not the Dusoe property.

Mr. Desmarais asked what would be done with the property from here on. Mr. Gioiosa stated the applicant would loam, seed, and stabilize; also, he will remove the stumps he placed on the Kelleher property.

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 Mr. Sullivan, seconded by Mrs. Robidoux, to approve the plans as submitted with the following conditions:

1. Stumps deposited on the Kelleher property shall be removed.
2. The Rebeiro property shall be loamed, seeded, and stabilized.
3. The pipes will either be removed or cut at ground level and covered.

The motion carried unanimously.

Notice of Intent – 0 & 101 Quanapoag Road, East Freetown

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

Sam Chapin was present from Brown and Caldwell to present the project, aided by Brad Holmes Brad Holmes of Environmental Consulting & Restoration, LLC, who handled wetland flagging and Scott Alphonse, representing the Greater New Bedford Regional Refuse Management District.

Mr. Chapin explained that the District had recently purchased the Albert LaFountain home at 101 Quanapoag Road, and would be using the large garage on the property to store equipment. They propose to build a gravel access road, twelve feet wide, from the garage through the 0 Quanapoag Road property extending into

Dartmouth to the Crapo Hill Landfill site. They propose to put the road here so that it has little or no visual impact on the neighborhood. The road includes a wetlands crossing, and a replication area is proposed.

Mr. Chapin further explained that the narrowest area, the "ideal" location for the crossing, was near to Quanapoag Road, near the Ferree residence, but that for visual reasons they did not want to cross there. The replication area would have a ratio of 1½:1, and the replication area would be approximately 80 feet away.

Mr. Holmes addressed the replication area – the triangular area chosen allowed for a long border on the existing wetlands area. They will use some of the material from the crossing area to create the replication area, mixed with new material if and where needed.

Mr. Desmarais asked how long construction would take. Mr. Alphonse believed it would take a few weeks, including the wetlands replication. Mr. Desmarais asked what material the road would be made of, and Mr. Chapin responded processed gravel.

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 Mr. Sullivan, seconded by Mrs. Robidoux, to approve the plans as submitted. The motion carried unanimously.

Request for Certificate of Compliance – 3 Cameron's Way, East Freetown

Mr. Desmarais noted this was for the 2017 project, constructing the new home. He has inspected the site and felt that it was in substantial compliance. A motion was made by Mrs. Robidoux, seconded by Mr. Sullivan, to issue a Complete Certificate of Compliance. The motion carried unanimously.

Request for Certificate of Compliance – 77 Cliff Drive, Assonet

This item will be taken up at the next meeting.

Request for Certificate of Compliance – 4 Clermont Way, East Freetown

Mr. Desmarais has inspected the site and felt that it was in substantial compliance. A motion was made by Mrs. Robidoux, seconded by Mr. Sullivan, to issue a Complete Certificate of Compliance. The motion carried unanimously.

Update on Town Forest Committee

Mr. Desmarais reported Harrie Ashley was interested in volunteering, and would forward a letter.

Update on Assonet Bay Shores Association Land Donation

Mr. Sullivan reported the Selectmen signed the donation approval. We will now need the deeds to be signed.

Parcel of Land at Horse Pound Swamp

This is another parcel the Treasurer intends to accept through deed in lieu of foreclosure. It is an unbuildable quarter-acre bounded by the Audubon Society at Horse Pound Swamp. Consensus was to accept this land at a future town meeting.

Town-Owned Land, Proprietors' Way

An update was given on the proposal by the Department of Conservation and Recreation to purchase town-owned land off Proprietors' Way. The DCR has indicated they are no longer interested in the Olive Sherman Lot, Newhall Lot, or Paull Lot (etc.), as they cannot determine clear title. They have asked that the Conservation Commission take possession of these parcels to complete the open space area. It was agreed on consensus that once the DCR formally notifies the town that they are not interested in the land, the request will be submitted for the Annual Town Meeting.

Any Other Business Properly Before the Commission

It was noted that beginning in December, the regular meeting nights would change to the second and fourth Mondays of each month.

Bills

Bills paid since the previous meeting were recounted.

Minutes of Previous Meeting

The minutes of October 16th and October 26th were reviewed. A motion was made by Mr. Sullivan, seconded by Mrs. Robidoux, to approve the minutes of October 26th as received. The motion carried unanimously. A motion was made by Mrs. Robidoux, seconded by Mr. Desmarais, to approve the minutes of October 16th as received. The motion carried 2-0-1, with Mr. Sullivan abstaining.

Meeting Adjourned

A motion was made by Mrs. Robidoux, seconded by Mr. Sullivan, to adjourn at 9:20 p.m. The motion carried unanimously.

This is a True Record by me.

Attest: _____
Michael T. McCue, Senior Clerk