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**Freetown Conservation Commission**  
Minutes of the Monday, February 12, 2018 Meeting  
Town Hall – Assonet, Mass.

**Present:** Keven Desmarais, Janine Robidoux, and Maria Ternullo.

**Absent:** Christopher Mather and Charles Sullivan.

**Call to order:** Keven Desmarais called the meeting to order at 7:11 p.m.

**Abbreviated Notice of Resource Area Delineation – 125 South Main Street, Assonet**

Nyles Zager was present on behalf of, and along with, property owner Deb Robbins. Mr. Zager explained that a previous delineation was approved sometime in the mid-2000s, and that the only thing that has changed since that time is the flood zone. Mr. Desmarais asked if there were any areas subject to Natural Heritage review or any vernal pools on the property, and Mr. Zager stated there were not. Mr. Desmarais asked if there were any previously-disturbed areas, and Mr. Zager stated that yes, the existing single-family home and associated yard areas were and are disturbed.

Mr. Desmarais asked if there were any questions from the public, and there were not.

In response to a question from the commission about the flood zone, Mr. Zager stated that Romanelli Associates surveyed the property and established the limits of the flood zone.

It was noted that the D.E.P. has not yet issued a file number, so the hearing cannot close. A motion was made by Mrs. Robidoux, seconded by Mrs. Ternullo, to continue the hearing to February 26, 2018, at 7:00 p.m. at the Town Hall. The motion carried unanimously.

**Request for Determination of Applicability – 249 Middleboro Road, East Freetown**

Mr. Desmarais stated that the applicant, Nick Velozo, could not be present due to a scheduling conflict. Mr. Velozo is seeking to erect a shed on sonotubes in an area that is presently lawn. A motion was made by Mrs. Robidoux, seconded by Mrs. Ternullo, to issue a negative determination #3. The motion carried unanimously.

**Discussion with Ken Motta – 238 South Main Street, Assonet**

Ken Motta of Field Engineering was present to discuss a future filing for slope repair with caged rock retaining walls at the Ashland chemical plant, formerly ISP and Polaroid. He estimated there would be about 600 square feet of temporary disturbance and less than 500 square feet of permanent disturbance. Mr. Motta was advised to file a Notice of Intent.

**Notice of Intent – 0 Track Land & 165 South Main Street, Assonet**

**Notice of Intent – 0 North Braley Cross, East Freetown**

Mr. Desmarais stated these two hearings would be held concurrently, and then called the public hearings to order. A motion was made by Mrs. Ternullo, seconded by Mrs. Robidoux, to waive the reading of the public hearing notices. The motion carried unanimously.

The following interested persons signed in or were noted as present for these hearings:

- Lars Carlson, VHB, Walnut St., Watertown, Mass.
- Karen Staffier, VHB, Walnut St., Watertown, Mass.
- Chris Naylor, HNTB, St. James Ave., Boston, Mass.

- Jeff & Lisa Evora, East Chipaway Road, East Freetown, Mass.
- Roberta Ouellette, Braley Road, East Freetown, Mass.
- William B. Copeland, Elm Street, Assonet, Mass.
- Jean C. Fox, Jeffrey Lane, Assonet, Mass. (also MBTA/South Coast Rail)
- Holly Palmgren, MBTA
- Kim Dobosz, MBTA

Mr. Desmarais took a poll and found that most people present had concerns about the East Freetown side of the project, so it was agreed to start with that portion first.

Dr. Carlson gave a general description of what the South Coast Rail project hopes to accomplish. The preferred route through Stoughton would not be operational until at least 2030, so an alternative route through Middleborough is being proposed which they hope might see operational status by November of 2022.



Dr. Carlson continued by giving an overview of the impacts to wetlands on the East Freetown side, which the MBTA refers to as the New Bedford Main Line [note: older files will refer to this as the Taunton Branch Railroad; also, some filings are filed under Taunton Branch Railroad]. There should be no permanent impacts to bordering vegetated wetlands (BVW), but some impacts to banks and to land under water. The delineation was previously-approved.

Dr. Carlson stated that the culvert replacements are exempt from state filing requirements under the provisions of a bond bill passed by the legislature, therefore with one noted exception, the culverts would not be reviewed. The track repairs or replacements are mostly focused on upgrading the lines from freight service to passenger service.

Mr. Desmarais asked if there would be any replication areas. Dr. Carlson stated not on the East Freetown project, but yes in the vicinity of the proposed station in Assonet.

Mr. Desmarais asked if the work was confined to the existing right-of-way. Dr. Carlson stated it would remain in the right-of-way. He did note that there was to be some reconfiguration at the proposed station location that would require a continuance, this having to do with the parking area for UPS trucks that was recently established near the Assonet Mini Storage site.

Dr. Carlson noted a wildlife crossing, roughly seven inches by nine inches, for turtles. He also noted that by and large, the BVW impacts are mostly for installation of retaining walls and replacement of culverts.

Mr. Desmarais noted that as a state project, this has been thoroughly vetted by various state and federal agencies.

Mrs. Ouellette asked about the drainage ditches on Braley Road in the vicinity of the crossing. Mr. Naylor and Dr. Carlson explained the work proposed for the drainage ditches and the pipe culvert in that area. Mrs. Ouellette stated that she would be watching the project closely.

Mr. Evora asked about work being done in the area of the East Chipaway Road crossing. Mr. Naylor and Dr. Carlson reviewed drainage work and replacement work to be done in this area.

Mr. Desmarais asked if any of the area would be double-tracked. Mr. Naylor stated that the area between Braley and East Chipaway roads would have a second track to act as a sort of "passing lane".

Dr. Carlson stated that Natural Heritage has not yet responded to their portion of the project.

At this time, discussion turned to the Assonet side of the project, which the MBTA is referring to as the Fall River Secondary Line. Dr. Carlson outlined work to be done beginning at the Lakeville line and moving south.

Mr. Desmarais, in his capacity as the Water Department's employee, asked for utility sleeves to be installed at crossings when crossings are upgraded. He also discussed the arrangement of the waterline versus the railroad versus the public roadways south of Brightman Lumber and north of Polaroid.

Discussion turned to the proposed station location at 165 South Main Street. The Rezendes family, as current owners of the property, have requested changes to the layout of the station as a result of changes in the way they are using the property. This has shifted the station arrangement slightly north. Dr. Carlson stated they are again waiting for a response from Natural Heritage.

Mr. Copeland asked about proposed repairs or replacement of a particular culvert. He, Dr. Carlson, and Mr. Naylor reviewed that specific area of the plans in detail.

Copies of the Notice of Intent filing for the East Freetown side were distributed to Mrs. Evora and Mrs. Ouellette. A copy of the Notice of Intent for the Assonet side was given to Mr. Copeland. Mrs. Fox noted that copies were also available at both town libraries.

A motion was made by Mrs. Robidoux, seconded by Mrs. Ternullo, to continue both hearings to February 26, 2018, at 7:00 p.m. at the Town Hall. The motion carried unanimously.

### **Request for Determination of Applicability – 27 Hemlock Point, East Freetown**

The clerk stated that the applicant, Marty Desjardins, could not be present due to a scheduling conflict. Mr. Desmarais reviewed the filing, which would allow a previously-approved removable dock to be replaced with a new removable dock. All felt this was reasonable. A motion was made by Mrs. Ternullo, seconded by Mrs. Robidoux, to issue a negative determination #3. The motion carried unanimously.

### **Old Business**

The following items were handled under old business:

- The Order of Conditions for Clermont Way was not signed as there is still one item (cost estimate for stormwater management) outstanding.
- The Special Town Meeting that will deal with the DCR/Proprietors Way land will be March 14th at 7:00 p.m. at the elementary school.

### **New Business**

(See "Discussion with Ken Motta" above.)

### **Bills**

Bills paid since the previous meeting were recounted.

**Minutes of Previous Meeting**

The minutes of January 22, 2018, were reviewed. A motion was made by Mrs. Robidoux, seconded by Mr. Desmarais, to approve the minutes as received. The motion carried 2-0-1, with Mrs. Ternullo abstaining.

**Other Business Properly Before the Commission**

None.

**Meeting Adjourned**

A motion was made by Mrs. Robidoux, seconded by Mrs. Ternullo, to adjourn at 8:41 p.m. The motion carried unanimously.

This is a True Record by me.

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