

**Freetown Conservation Commission**  
Minutes of the Monday, April 23, 2018 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 7:05 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 Mr. Sullivan, seconded by Mrs. Robidoux, to continue the hearing to May 14, 2018, at 7:00 p.m. at the Town Hall. The motion carried unanimously.

**Request for Certificate of Compliance – 19 Cliff Drive, Assonet**

Mr. Desmarais stated that he, Mr. Sullivan, and the clerk had inspected the site on Sunday. All work appeared to have been completed correctly. A motion was made by Mr. Sullivan, seconded by Mrs. Robidoux, to issue a complete Certificate of Compliance. The motion carried unanimously.

**Request for Certificate of Compliance – 241 Chace Road, East Freetown**

Mr. Desmarais stated that he, Mr. Sullivan, and the clerk had inspected the site on Sunday. Most work appeared to be complete, but there remained certain outstanding issues. Mr. Desmarais recommended that a post-and-rail fence be added to the rear of the parking area to prevent encroachment on the wetlands. A motion was made by Mr. Sullivan, seconded by Mrs. Robidoux, to issue a partial Certificate of Compliance. The motion carried unanimously.

**Request for Determination of Applicability – 62½ Howland Road, Assonet**

Mr. Desmarais stated that he, Mr. Sullivan, and the clerk had inspected the site on Sunday. Nick Dufresne was present from Farland Corp., engineers for the project. They are proposing minor grading within the 100-foot buffer zone as part of the site work for a proposed single-family dwelling. The grading will include retaining walls due to the steep pitch of the land. Mr. Desmarais noted that the plan calls for straw waddle, but felt that given the topography straw waddle would not be sufficient. Mr. Dufresne asked if hay bales would be preferred, and Mr. Desmarais noted double-staked hay bales would be best. A motion was made by Mr. Sullivan, seconded by Mrs. Robidoux, to issue a negative determination #3, with the conditions that five wetlands placards be placed at the limits of work and that double-staked hay bales be used in place of the straw waddle depicted on the plans. The motion carried unanimously.

**Request for Determination of Applicability – 48 Huron Avenue, East Freetown**

Mr. Desmarais stated that he, Mr. Sullivan, and the clerk had inspected the site on Sunday. Jeff Couture was present from SITEC Environmental, along with property owner Tom Kennedy. Mr. Couture described the proposal, which is to rebuild an existing deck and shed on the banks of Long Pond. They will remove the existing structures and replace them with new, like structures. The most notable difference will be the use of steel helical piles as supports in the pond. Mr. Couture noted the benefits of these piles to be that they are installed by hand and produce no spoils. Mr. Couture noted that this project could have been completed under the blanket emergency declaration issued by the D.E.P. after the four March nor'easters, but that the contractor could not start until after the emergency declaration expires. A motion was made by Mr. Sullivan, seconded by Mrs. Robidoux, to issue a negative determination #3 with the conditions that all construction

debris be picked up daily and anything falling into the water be removed the same day. The motion carried unanimously.

#### **Notice of Intent – Burns Lane, East Freetown**

A motion was made by Mr. Sullivan, seconded by Mrs. Robidoux, to waive the reading of the public hearing notice. The motion carried unanimously. Mr. Desmarais stated that he, Mr. Sullivan, and the clerk had inspected the site on Sunday.

Nyles Zager was present from Zenith Consulting Engineers to present this project, which consists of extending an existing gravel right-of-way to accommodate creation of a new lot for a single-family dwelling. Mr. Zager pointed out features of the site including an existing pond, wetlands, flood zone, fallow cranberry bog, ancient mill, and bordering and tributary areas to water supply, including Burns Brook. Mr. Desmarais asked to clarify that this Notice of Intent was for the roadway only, and Mr. Zager stated that was correct. Mr. Zager stated that the current Burns Lane is paved to a width of seventeen feet, so the proposed gravel extension would also be seventeen feet wide.

Mr. Desmarais asked how many lots would be created. Mr. Zager stated at this time, only one new lot, with two older lots combined as remaining land. Mr. Zager added that there is no proposed drainage, primarily because the presence of a Zone A water supply forbids any septic or drainage in that zone.

Mr. Zager noted that silt sock is proposed for erosion control. Mr. Desmarais felt that silt sock was fine for the existing gravel road, but that the extension should have hay bales.

The property owners, the Deneault family, were present but did not address the commission.

Note was made that the D.E.P. has not yet issued a file number, and also that the plans have not been filed with the Planning Board yet. A motion was made by Mrs. Robidoux, seconded by Mr. Sullivan, to continue the hearing to Monday, May 14th at 7:00 p.m. at the Town Hall. The motion carried unanimously.

#### **Continued Notice of Intent – 170 South Main Street (Guimond's Farm/Algonquin Gas), Assonet**

Mr. Desmarais called the continued public hearing back to order. Brandon Carr was present to provide an overview of the project. Mr. Carr presented a map color-coded to show phases of development historically, from scattered farms to dairy farm to synthetic natural gas plant to its current state as abandoned vacant land. The map also had a color code for the land not intended for development, approximately 200 acres, which would be the subject of conservation restriction negotiations.

Mr. Carr stated the site is currently in a "master plan" phase, with plans showing maximum potential build-out and not hard-and-fast plans for actual development. Mr. Desmarais asked if permitting was being based on maximum build-out, and Mr. Carr stated that yes, the plans called for the maximum use of the property for reasons of traffic study, etc., to enable the site to be reviewed by all relevant parties at once. Future development would re-permit locally individually.

Mr. Carr stated that there was approximately 196 acres of "disturbance" proposed on the plan; also that about 77 acres of land is within the 200' riverfront area, but that only about 3% of this area would be disturbed.

Mrs. Robidoux asked about some of the uses specified on the plan. Mr. Carr stated that warehouses were used to produce a high traffic volume for the traffic studies, and that there would not necessarily be warehouses on the property. He stated the overall figure was 2.75 million square feet of maximum build-out, but the actual figure could be less.

Mr. Desmarais asked about disturbance to resource areas. Mr. Carr stated that other than the 200' riverfront area, there was no disturbance planned. He added that no impervious surfaces were planned for within the 200' riverfront area or within 100' of wetlands, just grading, etc.

Mr. Desmarais asked about Natural Heritage. Mr. Carr replied that there are no mapped species to be concerned with.

A motion was made by Mr. Sullivan, seconded by Mrs. Robidoux, to continue the public hearing to Monday, June 18th at 7:00 p.m. at the Town Hall. The motion carried unanimously.

### **Old Business**

The Order of Conditions for Clermont Way was signed, as the missing materials were received earlier in the day.

### **Bills & Minutes**

Bills paid since the previous meeting were recounted. The minutes of March 26, 2018 and April 18, 2018 were reviewed. A motion was made by Mr. Sullivan, seconded by Mr. Desmarais, to approve the minutes as received. The motion carried unanimously for March 26th and 2-0-1, with Mrs. Robidoux abstaining from April 18th.

### **Other Business Properly Before the Commission**


Two matters were reviewed under this item:

- Consensus was to place a sign at Porter Pasture stating that boat access was available at Hathaway Park since the road is now closed to vehicles.
- Since someone drove through the locked chain at Porter Pasture, it was agreed on consensus to purchase a sturdier gate to put across the road.

### **Meeting Adjourned**

A motion was made by Mr. Sullivan, seconded by Mrs. Robidoux, to adjourn at 8:32 p.m. The motion carried unanimously.

This is a True Record by me.

Attest:   
Michael T. McCue, Senior Clerk