

Freetown Conservation Commission
Minutes of the Monday, December 23, 2019 Meeting
Town Hall – Assonet, Mass.

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Ja Brown

Present: Keven Desmarais, Chris Mather, and Charlie Sullivan.

Absent: Jan Robidoux and Maria Ternullo.

Call to order: Keven Desmarais called the meeting to order at 7:05 p.m.

Request for Determination of Applicability – 8 Billy's Island Road, East Freetown

Nyles Zager of Zenith Consulting Engineers was present, along with new property owner Steven Schlageter. The applicant proposes to raze the existing dwelling and construct a new dwelling. Mr. Zager stated the applicant has a letter from the Building Inspector stating that the proposed new home will not need to go before the Zoning Board of Appeals if it maintains relatively the same footprint and the same setbacks as the existing home. He also stated the relevant portion of the property is not in the flood zone, and that the existing septic (to be maintained) is Title V compliant. Mr. Schlageter stated the septic was replaced in 2010.

Mr. Desmarais asked if there would be dumpsters onsite, or if the material would be hauled away daily. Mr. Schlageter replied that he plans to have two 30-yard dumpsters. Mr. Desmarais requested that the dumpsters be secured during non-working hours to prevent debris from blowing about.

Mr. Desmarais asked if the new home would have a full basement or a slab. Mr. Schlageter stated it would have a full basement. Messrs. Desmarais and Schlageter discussed the water table in the area.

Mr. Desmarais asked if silt sock could be run along the roadway after the house was razed. Mr. Zager saw no problem with that. Discussion ensued on construction vehicles entering and exiting the property. Mr. Sullivan asked if Mr. Schlageter owned the lot across the roadway (Lot 74). Mr. Zager stated that was correct. Mr. Sullivan asked about having the silt sock run along the roadway on Lot 74 to allow unobstructed vehicular access to the home site. Mr. Zager and Mr. Schalgeter were agreeable to this.

A motion was made by Mr. Mather, seconded by Mr. Sullivan, to issue a negative determination, #3, with the condition that erosion control be added along Billy's Island Road on Lot 74. The motion carried unanimously.

Continued Notice of Intent – 19 Howland Road, Assonet

Chris Capone was present on behalf of South Coast Engineering to present this project. He explained that the Conservation Commission previously approved construction of a house on this site, but that the work never commenced and the Order of Conditions lapsed. The applicant proposes 6600 square feet of disturbance, which is under the 10% threshold. Roof runoff is proposed the filter into dry wells. All work proposed is 150 feet away from resource areas.

Mr. Mather asked if the applicant would be maintaining the current elevations. Mr. Capone responded there would be minor grading. Mr. Mather asked if the grading would use materials already onsite, and Mr. Capone stated some material would need to be brought in.

Nobody was present from the public. A motion was made by Mr. Sullivan, seconded by Mr. Mather to close the public hearing. The motion carried unanimously. A motion was then made by Mr. Sullivan, seconded by Mr. Mather, to approve the plans as submitted. The motion carried unanimously.

Continued Notice of Intent – 0 Chace Road (“Gurney Farm”), East Freetown

Azu Etoniru was present for a brief update. He addressed changes made to the plan since the last time he was in, and progress working with Environmental Partners Group. Mr. Etoniru felt there may be a few matters that he and EPG would not be able to agree on. Members advised that they will arbitrate any disagreements if and when that time comes.

A motion was made by Mr. Mather, seconded by Mr. Sullivan, to continue the public hearing to Monday, January 27, 2020, at 7:00 p.m. at the Town Hall. The motion carried unanimously.

Continued Notice of Intent – 0 Will’s Way, Assonet

A motion was made by Mr. Sullivan, seconded by Mr. Mather, to continue the public hearing at the request of the applicant to Monday, January 13, 2020, at 7:00 p.m. at the Town Hall. The motion carried unanimously.

Requests for Certificates of Compliance

- a. Mr. Desmarais reported inspecting the Dakota’s Way area. The majority of work was never started; what had been started appeared to have been completed to an acceptable point. A motion was made by Mr. Sullivan, seconded by Mr. Mather, to issue a Complete Certificate of Compliance. The motion carried unanimously.
- b. Members discussed the tires at the 30 Washburn Road site; the last remaining tires have been removed. The clerk noted that to date, the Historical Commission has not received the deed to King Philip’s Cave, but Borrego is still working on this. A motion was made by Mr. Mather, seconded by Mr. Sullivan, to issue a Complete Certificate of Compliance. The motion carried unanimously.

Old Business

Additional discussion was held on the letter received from Karen Daley regarding hunting on the Betsy Taber property. Mr. Desmarais noted that to prohibit hunting, the property would have to be properly posted, and may need to be surveyed. The clerk noted Nestle’s Lane is one definable property line, and believed he remembered a stonewall running along the Acushnet town line. There was uncertainty whether the line with Wilkinson is defined. Mr. Desmarais suggested pricing out proper posting signs, and determining whether the property would need a survey. All agreed this would be for the autumn of 2020 at earliest.

New Business

The right of first refusal for a portion of the Gurney Farm property was discussed, and members were not interested in purchasing the same. The clerk provided information on the right of first refusal process, including the ability to assign the right to non-profit conservation groups.

Discussion was held on the membership of the Conservation Commission, but no action was taken.

Bills & Minutes

Bills paid since the previous meeting were recounted. The minutes of December 9, 2019, were received. A motion was made by Mr. Sullivan, seconded by Mr. Mather, to approve the minutes as received. The motion carried unanimously.

Other Business Properly Before the Commission

None.

Meeting Adjourned

A motion was made by Mr. Sullivan, seconded by Mr. Mather, to adjourn at 8:04 p.m. The motion carried unanimously.

This is a True Record by me.

Attest: _____
Michael T. McCue, Senior Clerk