

Freetown Conservation Commission
Minutes of the Monday, September 10, 2018 Meeting
Town Hall – Assonet, Mass.

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2018 SEP 25 PM 1:04

Ja Brown
Town Clerk

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 7:07 p.m.

Amendments to Order of Conditions – 4 Cleveland Avenue, East Freetown

Property owners Brandon and Gabriella Cardoza were present for the discussion, along with neighbors John Chace, Aziz Jammal, and Margaret Jammal, and engineer Nyles Zager representing Mr. & Mrs. Jammal.

Mr. Desmarais began by summarizing the changes Mr. & Mrs. Cardoza are proposing to the plans previously approved for John Parks. Mr. Desmarais noted that the changes were more significant than he was expecting. He stated that he did not want to run contrary to the advice and instructions given to Mr. Cardoza by the Conservation Commission at the previous meeting and by Mr. Cardoza's engineer, but he felt the changes were more significant than a minor alteration. Discussion ensued between Mr. Desmarais and Mr. Cardoza as to the specifics of the changes as shown on the submitted plans. It was acknowledged that Mr. Parks changed the layout of the house several times, but that these changes represented a much larger footprint.

Mr. Desmarais opened the floor to discussion. Mr. Zager approached on behalf of his clients, the Jammals, to inquire about the proposed location of Mr. Cardoza's well. The Jammals are in the process of getting a new septic system approved, and the distance from the proposed well might not be adequate. Mr. Desmarais noted that the well location was unchanged from what was approved for Mr. Parks in 2016. Mr. Zager stated he attempted to address the well site with Silva Engineering, the engineers for Mr. Parks and Mr. Cardoza, but that Silva was not responsive. Mr. Cardoza stated Silva did not inform him until this afternoon that Mr. Zager had contacted them. Mr. Desmarais stressed that the distances from wells to septs is a Board of Health matter and not a Conservation Commission matter, but felt that Mr. Cardoza would be wise to resolve this issue before moving forward. Mr. Cardoza agreed.

Mr. Desmarais asked Mr. Chace if he had any comments. Mr. Chace had none. Mr. Desmarais asked the Jammals if they had any questions or concerns other than the septic-to-well proximity, and they did not.

It was agreed to have the parties back on September 24th, with the hope that the well/septic issue will have been resolved by then.

Request for Determination of Applicability – 10 Huron Avenue, East Freetown

Chip Fontaine was present to discuss his project. Mr. Fontaine has an outstanding Order of Conditions from 2010 for various post-flooding repairs to his property. A proposed stone revetment had never been completed, and Mr. Fontaine was requesting permission for a poured-in-place reinforced concrete wall in its stead. Mr. Fontaine explained that the revetment as not able to be put in place, and erosion has continued. Trees have slid down the hill and been cut to prevent greater problems. Machinery cannot access the area as proposed in 2010 due to continued erosion and slope instability.

Mr. Desmarais asked if there would be any further encroachment into the water from the proposed wall. Mr. Fontaine stated there would not be. Mr. Desmarais asked when the work would be completed. Mr. Fontaine stated as soon as possible, most likely in the fall. He is waiting for a specific contractor to be available.

Mr. Desmarais asked if material would be placed behind the wall. Mr. Fontaine indicated he would use granular fill where necessary, but would use mostly on-site materials, and would plant vegetation to control further and future erosion.

A motion was made by Mrs. Ternullo, seconded by Mrs. Robidoux, to issue a negative determination #3, with the stipulations that Mr. Fontaine is allowed to use granular/rocky fill as needed and will plant vegetation for slope stabilization. The motion carried unanimously.

Request for Determination of Applicability – 6 Point of Pines, East Freetown

Mr. Zager was also present for this filing, for which he appeared on behalf of property owner Craig Cabral. Mr. Cabral has reduced what he originally (informally) proposed for work on the site so that it would require only an RDA filing. Mr. Zager explained that the existing septic system would be completely removed and over-dug as the new system will go in roughly the same location. Mr. Desmarais recommended reducing the length of the silt sock so that it would run in two segments, one from the southwest corner of the house to the Rebeiro property line and one in the vicinity of the new well.

A motion was made by Mrs. Ternullo, seconded by Mrs. Robidoux, to issue a negative determination #3. The motion carried unanimously.

Old Business

No items were discussed under this heading.

New Business

No items were discussed under this heading.

Bills & Minutes

Bills paid since the previous meeting were recounted. The minutes of August 13, 2018 were reviewed. A motion was made by Mrs. Ternullo, seconded by Mrs. Robidoux, to approve the minutes as received. The motion carried 2-0-1 with Mr. Desmarais abstaining.

Other Business Properly Before the Commission

None.

Meeting Adjourned

A motion was made by Mrs. Ternullo, seconded by Mrs. Robidoux, to adjourn at 8:08 p.m. The motion carried unanimously.

This is a True Record by me.

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