

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

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2019 OCT 22 AM 8:11
JA Brown

Present: Keven Desmarais, Charles Sullivan, and Maria Ternullo.

Absent: Janine Robidoux and Christopher Mather.

Call to order: Keven Desmarais called the meeting to order at 7:01 p.m.

Continued Notice of Intent – 26 Burns Lane, East Freetown

Nyles Zager was present from Zenith Consulting Engineers to represent the project. Mr. Zager stated a majority of the work would be outside the buffer zone; the driveway and a small portion of the grading/landscaping would be within. Mr. Zager further stated the septic system would have to be outside the 200-foot riparian zone due to the site naturally draining to Fall Brook and thereafter Long Pond, which is a secondary drinking water source. Mr. Zager noted at this time that the well is also proposed to be within the buffer zone to maintain its required distance from the septic system.

Mr. Desmarais asked about sediment and erosion control, and Mr. Zager responded silt sock would be used. Mr. Desmarais asked about placement of the well, and Mr. Zager responded the well would be approximately 115 feet from the septic system. He also noted that the required distance is 100 feet, so there was a fifteen-foot area of wiggle room.

Mr. Desmarais asked if there were any abutters present or anyone from the public wishing to comment, and there were none.

A motion was made by Mr. Sullivan, seconded by Mrs. Ternullo, to close the public hearing. The motion carried unanimously.

A motion was made by Mrs. Ternullo, seconded by Mr. Sullivan, to approve the plans as submitted. The motion carried unanimously.

Request for Determination of Applicability – 13 Island Road (a/k/a 13 Hemlock Point), East Freetown

Mr. Zager was also present for this matter. The existing single-family home was damaged by fire, and the owner is looking to rebuild. The existing well and septic locations are not expected to change. The proximity of the house, utilities, and appurtenances to Long Pond dictate much of the siting. The owners due plan to slightly expand and shift the footprint of the house, in part because the existing house is on or over the property line. It is understood that the house may need to go before the Zoning Board of Appeals.

Mr. Desmarais asked if the house would be built on a slab on grade. Mr. Zager replied that the existing house has a crawlspace and the proposed house is also planned for having a crawlspace. Mr. Desmarais asked if the new house would have rear stairs like the existing house, and Mr. Zager stated the actual plans for the home were not finalized, but that the work will stay within the proposed limits.

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

Continued Abbreviated Notice of Resource Area Delineation – 0 Will's Way, Assonet

Mr. Desmarais called the public hearing back to order. Jon Connell was present from SITEC.

The clerk summarized the review letter received from Environmental Partners Group, stating that EPG's wetlands scientist met onsite with the wetlands scientist hired by SITEC. The conclusion of that meeting was that the wetlands delineation was agreed upon.

A motion was made by Mr. Sullivan, seconded by Mrs. Ternullo, to close the public hearing. The motion carried unanimously.

A motion was made by Mrs. Ternullo, seconded by Mr. Sullivan, to approve the delineation as submitted. The motion carried unanimously.

Request for Determination of Applicability – 9 Dr. Braley Road, East Freetown

Rick Charon was present from Charon Associates to represent this project. The property is entirely within the riverfront area, and the proposed septic system has been placed as far away from the resource areas and wells as it can be. The septic will be a Presby design. There will be approximately eighteen inches of fill added in the area of the septic.

A motion was made by Mr. Sullivan, seconded by Mrs. Ternullo, to issue a negative determination #3, with the condition that any spoils or fill onsite be protected with erosion control. The motion carried unanimously.

Continued Notices of Intent – 25 & 27 Hemlock Point, East Freetown

Mr. Charon, representing these projects, requested a continuance to the next regular meeting. A motion was made by Mrs. Ternullo, seconded by Mr. Sullivan, to continue both hearings to Monday, October 21st at 7:00 p.m. at the Town Hall. The motion carried unanimously.

Request for Determination of Applicability – 24 Marie's Way, East Freetown

Homeowners Mitch and Debra Hermenegildo were present. They intend to put an in-ground pool in an area outside the 50-foot buffer zone but within the 100-foot buffer zone. Mr. Hermenegildo and Mr. Desmarais discussed siltation control measures. It was agreed to have straw waddle in place around the work area and any onsite spoils.

A motion was made by Mr. Sullivan, seconded by Mrs. Ternullo, to issue a negative determination #3, with the condition that any spoils or fill onsite be protected with erosion control. The motion carried unanimously.

Request for Determination of Applicability – 0 & 9 Copicut Road, Assonet

Steve Wiehe of Weston & Sampson and Jim Rezendes of R Five Limited were present for the discussion. A solar array was previously approved at these locations with Eversource as the operator. While Eversource discontinued the project, Borrego Solar has picked it up and wants to expand by adding additional panels to the west on the R Five property, north of Peter Borges' building. Mr. Wiehe stated the wetlands line was picked up from a previous delineation of the Campanelli (Ravenbrook) property, and that the fence would be along the 25-foot buffer zone line.

Mr. Desmarais asked if there would be any changes in grade. Mr. Rezendes stated there would not be, only that existing material stockpiles depicted on the plans would be removed.

Mr. Desmarais asked if there would be additional tree clearing, and Mr. Rezendes replied only on a portion of Mr. Borges' property.

Mr. Desmarais asked if the panels would be on piles or screws. Mr. Wiehe responded that was to be determined. Mr. Desmarais asked if they expected to encounter ledge, and Mr. Rezendes replied that the

ledge had been blasted and there was approximately six feet of fill. Mr. Desmarais asked if blocks on grade had been considered, and Mr. Wiehe responded that that method is more expensive, but would be considered if unusual circumstances (such as unexpected ledge) were encountered.

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

Request for Certificate of Compliance – 8 & 10 Billy’s Island Road, East Freetown

Mr. Desmarais stated that the outstanding issues from last winter had been corrected. A motion was made by Mr. Sullivan, seconded by Mrs. Ternullo, to issue a complete Certificate of Compliance. The motion carried unanimously.

Request for Determination of Applicability – 201 Chace Road, East Freetown

Mr. Desmarais explained that the Highway Department crew would be doing routine maintenance work on a woods road leading from the Town Barn to the site of the new police station, and that the filing was done out of abundance of caution.

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

Request for Certificate of Compliance – 1886 Single-Arch Bridge (South Bridge), Assonet

This item was continued to Monday, October 21st.

Icehouse Lot / MBTA Grade Crossing

Mr. Desmarais recounted the site visit between himself, the clerk, Jean Fox, and various engineering and MBTA representatives on September 9th. Instead of the boardwalk originally planned, the MBTA proposes to cut a walking path with occasionally minor-impact crossings. Parking would be located at 15 Richmond Road, with a pedestrian crossing likely on Forge Road. The path would come in from Forge Road along the railroad right-of-way and parallel the tracks, passing the icehouse foundation and extending to the Richmond Estate. Bog mats and stepping stones will be the primary means of crossing when necessary.

New Business

The clerk stated that Mrs. Robidoux had informed him by telephone that she would be leaving the Conservation Commission this fall, and a letter will follow.

Bills & Minutes

Bills paid since the previous meeting were recounted. The minutes of August 26th and September 9th were received. A motion was made by Mr. Sullivan, seconded by Mrs. Ternullo, to approve the minutes as received. The motion carried unanimously.

Any Other Business Properly Before the Commission

None.

Meeting Adjourned

A motion was made by Mr. Sullivan, seconded by Mrs. Ternullo, to adjourn at 8:10 p.m. The motion carried unanimously.

This is a True Record by me.

Attest: _____
Michael T. McCue, Senior Clerk