

Freetown Conservation Commission
Minutes of the Monday, February 8, 2021 Meeting
Held Remotely via Zoom.us

Charlie Sullivan
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FREETOWN TOWN CLERK
2021 MAR 18 PM 12:57

Present: Keven Desmarais, Keith Mello, and Charlie Sullivan participated remotely via Zoom.

Absent: Chris Mather and Maria Ternullo.

Call to Order: Keven Desmarais called the meeting to order at 5:02 p.m.

Note: As this meeting was conducted remotely, all votes taken were by roll call.

At this time, Mr. Desmarais advised anyone listening along that all plans, files, etc., to be reviewed would be available on the Town's website during the meeting. He then reviewed the public hearing process.

Request to Extend Order of Conditions

Dr. Lars Carlson, Jean Fox, and Holly Palmgren were all present to represent the Mass Department of Transportation Southcoast Rail Project. Dr. Carlson requested a 3-year extension for both Order of Conditions and states that the project would be completed within that time frame.

A motion was made by Charlie Sullivan, seconded by Keith Mello, to give a 3-year extension for the two order of conditions that were granted to the Mass Department of Transportation Southcoast Rail Project. The motion carries unanimously.

Continued Notice of Intent – 41 Water Street, Assonet

Mr. Desmarais explained that this project has requested a continuance to February 22, 2021. Mr. Desmarais then went on to update the Commission that there was an RDA granted for the same address, for an emergency repair to the stone wall, however, whoever the applicant hired took down several large trees which was not in the RDA. Once the engineer was contacted, they were on site within a half hour, and agreed with Mr. Desmarais that this was not on the RDA. Mr. Desmarais would like to issue an enforcement order stating that no work can be done until they come before the Commission again. Mr. Sullivan agreed the enforcement order should be issued.

A motion was made by Charlie Sullivan, seconded by Keith Mello, to continue the public hearing to February 22, 2021. The motion carries unanimously.

Request for Determination of Applicability – 86 Chipaway Road, East Freetown

Milton Westgate, the applicant, presented this project. The applicant would like to remove an existing dwelling and moving it further back from the road. There is a 50-foot buffer to the wetland where the proposed limit of work is. Mr. Westgate explained that the only excavation work will be for the foundation and the septic system.

A motion was made by Charlie Sullivan, seconded by Keith Mello, to issue a negative determination #3. The motion carries unanimously.

Continued Notice of Intent – 3 Locust Street, Assonet (Proposed subdivision road modification)

Kory Medeiros from SITEC, Inc. presented this roadway modification project. This was previously approved by the Commission, however the Order of Conditions expired and therefore an extension could not be granted. Mr. Medeiros states the proposed work improves the roadway and gets rid of the various culverts and combining it into a box culvert. Mr. Desmarais brought up that there have been concerns from abutters about water backing up on their property; is it going to increase the water backing up onto their property? Mr.

Medeiros stated that there is a gradual elevation change with the roadway being roughly 10 feet lower in elevation. Mr. Desmarais agreed that since the roadway is at a lower elevation it would take a lot of water to be backed up onto abutting properties.

A motion was made by Charlie Sullivan, seconded by Keith Mello, to close the public hearing. The motion carries unanimously.

A motion was made by Charlie Sullivan, seconded by Keith Mello, to approve the plans as submitted and issue the Order of Conditions, with all of the same conditions that were on the previously approved Order of Condition for this project. The motion carries unanimously.

Continued Notice of Intent – 3, Locust Street, Assonet (Single-family home)

Kory Medeiros, from SITEC, Inc. presented this project. Mr. Medeiros states the project includes at least a 10-foot minimum of separation from the closest disturbance to the approved wetlands line. The house is tucked back to keep it as far away from the riverfront area as possible. The existing drainage patterns are flowing down from the North to the South; any of the abutter surface water is going to come down the hill and be directed along the corner of the septic system towards either the wetland system or drainage system currently on Locust street. Mr. Desmarais asked if there has been an alternative analysis that is required since this project is in the riverfront area. Mr. Medeiros stated that there is not a riverfront analysis that can be done on this project since they are maximizing the separation that they have and minimizing the amount of disturbance to the riverfront area. Mr. Desmarais stated that it is a requirement to have a riverfront analysis if in the riverfront area. Mr. Desmarais would like postings along the wetland area that notes it as a conservation area and any work beyond there needs to be filed with the Conservation Commission.

A motion was made by Charlie Sullivan, seconded by Keith Mello, to continue the public hearing to February 22, 2021.

Continued Notice of Intent – 39 Sammy's Lane, Assonet

Kory Medeiros, from SITEC, Inc. presented this project. Mr. Medeiros states that there is a 75-foot buffer offset denoting where the leeching field is going, and the proposed well is going on the east side of the site. Mr. Medeiros stated that while there is a small portion of this lot that the riverfront area goes through, there is no work being proposed in that area. The surface water is traveling downhill North to the South, passing through the site, and being feathered to either of the wetlands that are on the west and east side depending on where the water is coming in from. There is no definitive tree line on shown on the plan because there is no definitive tree line on the site. Mr. Medeiros said they are maintaining at least a 10-foot buffer from the silt fence which could be looked at as the limit of work. Mr. Desmarais stated on the eastern portion of the site it looks like the proposed work is within 10-feet of the wetland, where typically the Commission likes to see a 25-foot buffer. Mr. Medeiros stated that they take no issue with shifting the well site and the silt fence. Mr. Desmarais would also like posting along the wetland area that notes it as a conservation area and any work beyond there needs to be filed with the Conservation Commission. Mr. Medeiros stated that they should be able to have a new set of plans that shows the offset closer to a 25-foot buffer to the wetlands and new well site. Mr. Desmarais asked if there was a way that when the driveways are graded, they can put a drainage swale for the runoff to be more contained. Mr. Medeiros stated they can do that.

A motion was made by Charlie Sullivan, seconded by Keith Mello, to continue the public hearing to February 22, 2021. The motion carries unanimously.

Continued Notice of Intent – 12 Forge Road, Assonet

The applicant has requested to be continued.

A motion was made by Charlie Sullivan, seconded by Keith Mello, to continue the public hearing to February 22, 2021.

New Business

Mr. Desmarais notified the other members of a Forest Cutting Plan that was submitted by Michael Labossiere. The Forest Cutting Plan does not have to be approved by the Commission.

Mr. Desmarais stated that Mike McCue is interested in the Open Space Consultant volunteer position.

A motion was made by Charlie Sullivan, seconded by Keith Mello, to appoint Mike McCue as Open Space Consultant. The motion carries unanimously.

Minutes

A motion was made by Charlie Sullivan, seconded by Keith Mello, to approve the January 25, 2021 meeting minutes as submitted. The motion carries unanimously.

Meeting Adjourned

A motion was made by Charlie Sullivan, seconded by Keith Mello, to adjourn. The motion carried unanimously, and the meeting adjourned at 6:00 p.m.

This is a True Record by me.

Attest: _____
Victoria D'Antoni, Senior Clerk

