

Freetown Conservation Commission
Minutes of the Monday, April 12, 2021 Meeting
Held Remotely via Zoom.us

Charlie A. Sullivan

RECEIVED
FREETOWN TOWN CLERK

2021 SEP - 7 AM 10:06

Present: Keven Desmarais, Chris Mather, and Charlie Sullivan participated remotely via Zoom.

Absent: Keith Mello and Maria Ternullo.

Call to Order: Keven Desmarais called the meeting to order at 5:07 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 for Determination of Applicability – Freetown/Fallriver State Forest

Mr. Desmarais stated that the applicant has requested to be continued to the next meeting, April 26, 2021.

Continued Notice of Intent – 0 Rear Simmons Road, Assonet

Mr. Desmarais stated that the applicant has requested a continuance.

A motion was made by Charlie Sullivan, seconded by Chris Mather to continue the public hearings to April 26, 2021.

Continued Notice of Intent – 23-25 Gurney Road, East Freetown

Mr. Desmarais stated that the applicant has requested a continuance.

A motion was made by Chris Mather, seconded Charlie Sullivan by to continue the public hearings to April 26, 2021.

Continued Notice of Intent – 41 Water Street, Assonet

Mr. Desmarais stated that the applicant has requested a continuance.

A motion was made by Charlie Sullivan, seconded by Chris Mather, to continue the public hearing to April 26, 2021.

Request for Determination of Applicability – Massachusetts Coastal Railroad Right-of-Way

Tom Lewis, the representative for this project, stated that they are looking for confirmation of the wetland delineation for the MCRR vegetation management plan.

A motion was made by Charlie Sullivan, seconded by Chris Mather, to issue a negative determination #3, #5 and a positive determination #2a.

Notice of Intent – 32 Middleboro Road, East Freetown

A motion was made by Charlie Sullivan, seconded by Chris Mather, to waive the reading of the public hearing notice. The motion carries unanimously.

Rich Tabaczynski presented this large-scale solar project. Ryan Young from CVE North America was also present. Mr. Tabaczynski explained the site was previously approved for a subdivision, however they decided to put a solar array instead. The wetland system is on the western portion of the property and flows in a culvert underneath Clermont Way. The other wetland noted on the plan is the edge of a cranberry bog on the northeast corner of the site. Mr. Tabaczynski stated they are proposing 8.7 acres of solar panels within the fenced in area. All of the solar panels are outside of the 100-foot buffer and the limit of work is at the outer limits of the 100-foot buffer. Widening of Clermont Way is also being proposed and is in the buffer zone. Mr.

Desmarais asked if this plan is showing what the site looked like before the subdivision approval. Mr. Tabaczynski said yes. Shelley Hopkins, an abutter to this project, stated her concerns are with the drainage issues. Ms. Hopkins asked why they are choosing to use gravel instead of asphalt. Mr. Tabaczynski stated they are not replacing the part that is paved, they are proposing to widen it with gravel to have less runoff. Ms. Hopkins asked who would be responsible for maintaining the gravel area to prevent erosion. Mr. Desmarais stated that siltation control needs to be put in place along any area where they are going to be working in 100-feet of the wetland. This is still undergoing peer review and EPG is awaiting the applicant's response.

A motion was made by Charlie Sullivan, seconded by Chris Mather, to continue the public hearing to April 26, 2021.

Meet with Forester and Town Forest Committee

Phil Benjamin and Tom Farrell were present. Mr. Benjamin stated that there were four parcels they worked on: the Bryant Street lot, Howland Road, Christopher Way/Proprietor's Way, and High Plain lot. Mr. Benjamin stated that they are interesting parcels however there are challenges accessing them. Mr. Farrell stated that all of the parcels were a mix of uplands, wetlands, and the transitional area between them. There are areas of each property that could use some work, however accessing them through the wet areas or transitional areas is difficult. Mr. Farrell said that the biggest priority is a pocket of invasive species in the northeast corner of the Bryant Street lot that is possible for a group of volunteers to handle. Mr. Benjamin said that on the Howland Road parcel there is a seasonally wet area and upland areas that are unique, and that no machinery has touched that area in a long time, if ever.

Continued Notice of Intent – 9 Marie's Way

Nyles Zager, from Zenith Consulting Engineers, was present. Mr. Zager explained that they added a double row of silt sock to give more stabilization, provided a note on the plan that conservation 25-foot no disturb limit of work placards be placed, and provided the alternatives analysis. Mr. Desmarais stated he went out for a site visit to confirm the wetland delineation.

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

A motion was made by Charlie Sullivan, seconded by Chris Mather, to approve the plan set dated April 21, 2021 as submitted, with the condition that the conservation area signs be placed at the 25-foot BVW. The motion carries unanimously.

New Business

a. Discuss Rules and Regulations

Mr. Desmarais stated that the rules and regulations have a requirement that says, "Any person filing a permit or other application or NOI with the Conservation Commission at the same time shall give written notice thereof, by certified mail (return receipt requested) or hand delivered, to all abutters". Mr. Desmarais stated that it is supposed to say "NOI" in place of "RDA".

A motion was made by Charlie Sullivan, seconded by Chris Mather, to change the sentence to read "or NOI" rather than an RDA. The motion carries unanimously.

b. Proposed Article

Mr. Desmarais stated the Soil Board is a local board that the Town created. The article is proposing for the Conservation Commission to act as the Soil Board instead of having the Selectmen, one Planning Board member, and one Conservation Commission member. Mr. Desmarais asked the other members to think about it and get back to him.

c. Discuss Returning to In-Person Meetings

Mr. Desmarais asked that the other members think about returning to in-person meetings and mentioned the possibility of doing hybrid meetings in case someone cannot attend in-person.

Minutes

A motion was made by Charlie Sullivan, seconded by Chris Mather, to approve the March 22, 2021 meeting minutes as submitted. The motion carries unanimously.

Meeting Adjourned

A motion was made by Charlie Sullivan, seconded by Chris Mather, to adjourn. The motion carried unanimously, and the meeting adjourned at 6:29 p.m.

This is a True Record by me.

Attest: _____
Victoria D'Antoni, Senior Clerk