

**Freetown Conservation Commission**  
Minutes of the Monday, February 28, 2022  
Held Remotely via Zoom.us

RECEIVED  
FREETOWN TOWN CLERK  
2022 APR 12 AM 8:46  
*Cheryl A. Estelle*

**Present:** Keven Desmarais, Chris Mather, and Margaret French participated remotely via Zoom.

**Absent:** Charlie Sullivan and Keith Mello

**Call to Order:** Keven Desmarais called the meeting to order at 6:01 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.

**Continued Notice of Intent – 0 Rear and 5 Costa Drive**

**Continued Notice of Intent – 67 Chace Road**

**Continued Notice of Intent – Off Chipaway Road**

**Continued Notice of Intent – 43 Water Street**

**Notice of Intent – 0 Locust Street and 0 George D. Williams Lot**

The applicants have requested to be continued due to being in peer review. The 0 Locust Street Notice of Intent did not meet the posting requirements.

A motion was made by Chris Mather, seconded by Margaret French, to continue the public hearings to March 14, 2022. The motion carries unanimously.

**Request for Determination of Applicability – 3 Christopher Drive**

Doug Simmons, the applicant, explained that he would like to put in a driveway and a garage. Mr. Desmarais asked that siltation control be installed during construction.

A motion was made by Chris Mather, seconded by Margaret French, to issue a negative determination #3. The motion carries unanimously.

**Request for Determination of Applicability – 25 Braley Road**

Nyles Zager, of Zenith Consulting Engineers, stated that this is a simple septic system upgrade because the current septic system is in failure. They will rotate the septic system to keep it outside of the 50-foot buffer. They are proposing a silt sock for erosion control.

A motion was made by Chris Mather, seconded by Margaret French, to issue a negative determination #3. The motion carries unanimously.

**Request for Determination of Applicability – 176 County Road**

Nyles Zager, of Zenith Consulting Engineers, stated that this was repaired in the early 2000's and it is in failure again. This is an emergency because it is overtopping and the proximity to Fall Brook. They are looking to utilize the existing septic tank, replace the leaching field and place it in the existing lawn area.

A motion was made by Chris Mather, seconded by Margaret French, to issue a negative determination #3. The motion carries unanimously.

**Notice of Intent – 36 South Main Street**

Nyles Zager, of Zenith Consulting Engineers, stated this is an existing dental office, Woodside Dental, and the owner would like to expand the business. An addition to the building, parking, and drainage are being

proposed to meet the zoning requirements. They are not within the flood zone at all. They are proposing a silt sock for erosion control. Mr. Desmarais asked about drainage. Mr. Zager replied the drainage is designed to handle a 100-year storm event.

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

A motion was made by Chris Mather, seconded by Margaret French, to approve the plans as submitted with the condition that if anything should arise during construction, additional siltation control should be placed on site.

#### **Notice of Intent – 6 & 21 Point of Pines Road**

Nyles Zager, of Zenith Consulting Engineers, stated that this project came before the Board for an RDA for a septic upgrade and a new well which has been completed. The new owner of 21 Point of Pines is looking to expand the home. All work is within an existing cleared area. Erosion control is proposed near the well. The nearest point of work is roughly 8-10 feet to Long Pond to allow enough work to construct the driveway. No fill is being proposed within the Flood Zone AE-7.

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

A motion was made by Chris Mather, seconded by Margaret French, to approve the plans as submitted with the condition that an as built be provided prior to issuing a certificate of compliance. The motion carries unanimously.

#### **Notice of Intent – 15 Snuggles Way**

Stevie Carvalho, of Farland Corp., was present. Mr. Desmarais asked if the wetland flags could be refreshed to be readily visible. Mr. Carvalho replied that they have no problem adding flags to make the delineation more visible. Mr. Desmarais asked about what the event the drainage is designed for. Mr. Carvalho replied it is designed for a 100-year storm event. Mr. Desmarais stated he appreciates that they are going above and beyond the required regulations.

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

A motion was made by Chris Mather, seconded by Margaret French, to approve the plans as submitted. The motion carries unanimously.

#### **Abbreviated Notice of Resource Area Delineation – 81 Middleboro Road**

Robert Naser, the applicant, was present. Mr. Desmarais stated what makes this ANRAD interesting is that there is an identified cranberry bog which usually indicates wetland, however this is an upland cranberry bog. Mr. Naser stated that they did their due diligence to get the land delineated and compiled a report that was shared with the Commission determining the bog was upland and the goal was to ratify the report. Mr. Desmarais stated that the Town's peer review consultant, Environmental Partners Group, agreed with the determination in the report.

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

A motion was made by Chris Mather, seconded by Margaret French, to approve the ANRAD and delineation as submitted. The motion carries unanimously.

### **Notice of Intent – 92 Narrows Road**

Ron Blanchard, of Site Engineering, was present. Mr. Blanchard stated that the applicant proposes a floating sock and a separate concrete boat ramp. They received comments from Marine Fisheries to modify the dock and they did revise the plan. Marine Fisheries is against the boat ramp. Mr. Desmarais asked about the methods of the construction. Mr. Blanchard explained that there would be a dock builder with a barge to drive piles. One comment Marine Fisheries had was concerns about the barge grounding on the bottom because of the shallow water. Mr. Blanchard did say there was a note added to the plan for the work to be constructed within plus or minus two hours of high tide. Mr. Desmarais stated a condition would be to keep the barge out of the navigable channel to not impede boat traffic. Mr. Desmarais asked how to prevent the dock from sitting on the bottom during low tide. Mr. Blanchard stated that this was also a comment that Marine Fisheries had and that he added float stops to prevent the dock from sitting on the bottom. Mr. Desmarais asked what the proposed walkway material is. Mr. Blanchard replied wood. The height of the dock was changed per Marine Fisheries comments. Mr. Desmarais about the construction of the ramp. Mr. Blanchard stated a steel trap machine taking buckets of stone to be placed where the area the proposed ramp will go as a base and then drive over it with a tractor to further compact it. Mr. Desmarais stated he does not see a replication area on the plan. Mr. Desmarais stated that this will be going through peer review.

A motion was made by Chris Mather, seconded by Margaret French, to continue the public hearing to April 11, 2022. The motion carries unanimously.

### **Chapter 61B Right of First Refusal Notifications**

Mr. Desmarais explained that there are two notifications, 19 Flaggs Swamp Road and 0 George D. Williams Lot. The Commission has no issues with this and does not want to exercise their right of first refusal.

### **Review Environmental Partners Contract**

Mr. Desmarais stated that this will be sent out and discussed at the next meeting.

### **Minutes**

A motion was made by Chris Mather, seconded by Margaret French, to approve the 12.13.2021, 01.10.2022, and the 01.24.2022 meeting minutes as submitted. The motion carries unanimously.

### **Any other business to properly come before the Conservation Commission**

Ms. French asked about the trainings through the MACC and how to sign up for them. Mr. Desmarais stated Victoria will reach out to her this week.

### **Meeting Adjourned**

A motion was made by Chris Mather, seconded by Margaret French, to adjourn. The motion carried unanimously, and the meeting was adjourned at 7:31 pm.

This is a True Record by me.

Attest: \_\_\_\_\_  
Victoria D'Antoni, Senior Clerk