

Freetown Conservation Commission

Minutes of the Monday, March 27, 2023

2023 APR 12 PM 3:49

Held hybrid via Police Station Community Room & Zoom

Present in Person: Charlie Sullivan **Present over Zoom:** Margaret French and Chris Mather.**Absent:** Keven Desmarais, and Keith Mello.**Call to Order:** Charlie Sullivan called the meeting to order at 6:01 p.m.

Note: As this meeting was conducted as a hybrid and a member participated remotely, all votes taken were by roll call.

Continued Notice of Intent- 92 Narrows Road

Ron Blanchard, of Site Design Engineering, was present. Mr. Sullivan explained that this project is for the construction of a dock and that they have finished going through peer review.

A motion was made by Chris Mather, seconded by Margaret French, to approve the plans as submitted with the condition that anything disturbed during construction must be revegetated immediately or as soon thereafter as the growing season commences with appropriately local indigenous vegetation. The motion carried unanimously.

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

Request for Determination of Applicability - 21 Gurney Rd

Robert Bock, owner, and Susan Peterson, were present. Mr. Bock's requesting to work within 65 feet of wetlands. They want to put up a retaining wall and work within the 100-foot buffer but not to alter anything in the wetland area.

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

Project Update - 13 Estelle Ave

Thomas Luiz, the owner, is present. Mr. Luiz asked why his permit was only extended for the one year. Mr. Sullivan stated that the action of the board was to continue the extension for one year as discussed by the board members. Mr. Luiz asked if they could do the 3 years, otherwise they'd be back again next year, or until the economy gets better or things get back to normal. Mr. Mather said the board's decisions are based on keeping the wetlands protected, doing things for the Town's best interest, and treating everyone the same. Mr. Sullivan said the initial time period allowed is up and the commission decided to give Mr. Luiz another year without having to reapply or give any further paperwork.

Discussion on Proposed Trail Work at the Freetown Fall River State Forest

John Tomawski, from New England Mountain Bike Association (NEMBA), was present. Mr. Tomawski has been working with the dirt bike rider's association locally to repair damage to trails and focus on areas that need the most attention like the trail numbered BR-19 on the bioreserve map. They would be looking for a grant or fundraiser to help fund this themselves. They're looking for permission to repair existing trails. Mr. Mather asked what if someone gets hurt on the bridge, would the town be liable? Mr. Tomawski said there's already 4-5 bridges, he believes anything legally printed today would apply to the new bridge since it's on the same property. Mr. Sullivan said this request would extend permission already given to DCR to do work on the trails. Mr. Tomawski asked if they submit their plans to the board, the order of conditions would cover this trail as well. Victoria D'Antoni, Planning and Land Use Administrator, looked into this and there is an order of conditions but also an RDA from 2021 that's still valid. This covers a greater area. An operations and maintenance plan was submitted by DCR to cover trail improvements. Under that it could be submitted, if planning on doing more work in the future, just make sure another RDA is submitted. RDAs are good for three years.

A motion was made by Chris Mather, seconded by Margaret French, to make a determination that they do not need to file a Notice of Intent or RDA. The motion carried unanimously.

Discussion and Take Action Relative to Request for Letter of Support for Fall River Boys & Girls Club
Mr. Sullivan stated that this is in relation to the work they want to do at Camp Welch. In packet, two letters looking to be signed by the commission and will be sent to our state Senators. Ms. French would like to know what exactly they're in support of. Ms. D'Antoni said they're asking to maintain an old trail and to expand and offer more outdoor activities there. The parcel, which they own, is across the street from the camp.

A motion was made by Chris Mather, seconded by Margaret French, to issue a letter of support. The motion carried unanimously.

Request for Determination of Applicability- 112 South Main Street

Spencer Weaver, the applicant, is present. Filed a notice of intent. Hand delivered letter of enforcement, which Mr. Sullivan stated Mr. Weaver would need to follow. Mr. Weaver wants to clear dead trees, Mr. Sullivan said it can't be done until a NOI is filed. If the dead trees are within 100 feet of wetlands, they can't be cut up or handled until request is filed, have a plan, and then come before the commission. Then the commission would act on that plan. Ms. French asked if there's an arborist report saying the trees were dead? Mr. Weaver said he didn't hire one. Mr. Weaver said he would hire an engineer. Ms. D'Antoni asked if they'd close the RDA, Mr. Sullivan stated yes. Ms. D'Antoni recommends positive determination on #3. Work requested subject to protection under the act and NOI filing is required. Ms. French makes the motion, and Mr. Mather seconded. Motion carries unanimously.

Discussion and Take Action Relative to Enforcement Order - 112 South Main Street

Only needs a motion to ratify Keven Desmarais' signature. Mr. Mather makes motion and Ms. French seconded. Motion passes unanimously.

Discussion and Take Action Relative to Master Plan Committee Representative

Mr. Sullivan stated the Town is in process of setting up a Master Plan Committee. Mr. Sullivan expressed interest and is willing to represent the Commission if they should see fit. Mr. Mather said Mr. Sullivan's knowledge of the community and years of serving the community would be beneficial.

A motion was made by Chris Mather, seconded by Margaret French, to recommend Charlie Sullivan as the Conservation Commission representative on the Master Plan Committee.

Minutes

A motion was made by Chris Mather, seconded by Margaret French, to approve the 02.27.2023 meeting minutes as submitted. The motion carried unanimously.

A motion was made by Chris Mather, seconded by Margaret French, to approve the 03.13.2023 meeting minutes as submitted. The motion carried unanimously.

Meeting Adjourned

A motion was made by Margaret French, seconded by Chris Mather, to adjourn. The motion carried unanimously and the meeting was adjourned at 6:39pm.

This is a True Record by me.

Attest: _____
Deanna Hayes, Senior Clerk