

2023 JUN 13 PM 2:36

**Town of Freetown
Conservation Commission**

Minutes of the Monday, May 8, 2023 Meeting
Held Hybrid at the Police Station Meeting Room, 15 Memorial Drive and Zoom

Present in Person: Keven Desmarais. **Present over Zoom:** Charles Sullivan and Chris Mather.

Absent: Keith Mello and Margaret French.

Call to Order: Keven Desmarais called the meeting to order at 6:06 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 – 30 Island Road Ext

Catherine C. Ricks, from Coastal Engineering, and Matthew J. Rita, the owner, were present. Ms. Ricks proposed a reconstruction of the piers and a portion of the shoreline with concrete patio top and beach nourishment. The site is located at the southern end of Long Pond. Ms. Ricks also included a retaining wall and vegetative buffer strip in a couple of areas. Ms. Ricks stated she spoke with Victoria and will submit revised plans that include the stairs were moved along the shoreline to within the piers, and construction details. This will allow the retaining wall and vegetative buffer strip to be seen. Ms. Ricks proposed a prefabricated form and to fill it in with the existing rocks along with gravel around it. It would be topped off with a flat concrete top. Ms. Ricks explained they would be adding a minimal amount of sand to extend the beach. It would be graded down to the existing beach. Mr. Desmarais asked if this is what Ms. Ricks called a beach nourishment. She said that is correct. Mr. Desmarais wanted to know where the sand is being brought in from, and if it's washed sand. Ms. Ricks said they would get it from upland sources. It would be washed, sieved, and the grain size would match what is already present. Coastal also has the resources to do the grain size analysis. Then they hire a contractor to give them a grab sample of the sources and Coastal would do a sieve analysis on it. As long as the grains match, they provide the findings to Conservation and then Conservation would normally approve it as long as they match. Mr. Desmarais was concerned about the quality. Is it coming from an approved source, does it contain a contaminate, is it from someone's yard? Ms. Ricks said no, it's something Conservation can approve. She has had a lot of OOC's that have to come from an approved source and have grain size analysis. Ms. Ricks said, for the pier, they would be making the stones more stable and resetting them. She doesn't believe any additional stones need to be brought in. They're not expanding the tow or length of it.

Ms. Ricks said the Department of Fisheries and Wildlife (DFW) identified an endangered turtle and shellfish species. Coastal will need to provide the DFW with additional information. They'll work with DFW to determine the impact construction would have on these species. Mr. Desmarais stated the bulk of the work is to repair the existing structure and Conservation wants to ensure that the quality of the environment is preserved as best as possible. Mr. Desmarais noted if they hear back from DFW in a timely manner, Conservation may not have the necessity to send it for peer review. Ultimately it would be the Commission's decision. The only other item Mr. Desmarais had questions is the cofferdam. He'd like details about the installation. Mr. Mather asked what are the specific endangered turtle and shell fish species. Mr. Desmarais said it's the red bellied cooter turtle and the tidal mucket shellfish. Mr. Rita added he grew up at this site and the piers have been here as long as his family has.

A motion was made by Chris Mather, seconded by Charles Sullivan, to continue to June 12, 2023, at 6:00pm, at the Council on Aging and over zoom. The motion carried unanimously.

Minutes

A motion was made by Chris Mather, and seconded by Charles Sullivan to approve the 04.10.2023 and 04.24.23 meeting minutes as submitted. The motion carried unanimously.

Any Other Business Properly to Come Before the Conservation Commission

Ms. D'Antoni discussed working on a stormwater application for the Town. The Planning Board discussed, at the last meeting, that if the permit pertains to planning, they would be the issuing authority. However, if the application doesn't need to go through them, would Conservation like to take on the responsibility. Ms. D'Antoni said an answer isn't needed tonight, she could add this to the next meeting agenda.

Mr. Sullivan asked for a follow up on 112 South Main St. Ms. D'Antoni reached out to the DEP contact, she hasn't received anything and believes the contact is out of the office. Mr. Desmarais mentioned issuing another enforcement order as they're not keeping the Commission in the loop and flags have been tied. The commission will reach out to counsel to identify the proper process to institute fines. Mr. Mather asked if they had a permit, Mr. Desmarais stated they don't have a permit. Normally when the Commission issues an enforcement order, they work with us. They haven't been working with the commission and they've exceeded the duration of the enforcement order. Mr. Mather asked what kind of fine can be issued. Mr. Desmarais stated it depends on what counsel says. There are certain requirements to be met. Certified letters need to be sent, including one to the address that receives the taxes.

Meeting Adjourned

A motion was made by Chris Mather, seconded by Charles Sullivan, to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 6:42 p.m.

This is a True Record by me.

Attest: _____
Deanna Hayes, Senior Clerk