

2023 SEP 15 AM 9:04

**Town of Freetown
Conservation Commission**

Minutes of the Monday, August 14, 2023 Meeting
Held hybrid, at the Police Station Community Room, and over Zoom

Present in Person: Charles Sullivan, Margaret French and Steven Tripp.

Absent: None.

Call to Order: Charles Sullivan called the meeting to order at 6:00p.m.

Continued Hearings Scheduled for this evening – 30 Island Road extension

A motion was made by Margaret French, seconded by Steven Tripp, to continue the public hearing to October 2, 2023 at the Council on Aging. The motion carried unanimously.

Request for Determination of Applicability – 1 Ross Circle

Rich Rheaume, from Prime Engineering, stated that Ecosystem Solutions delineated the wetlands further upgradient than the line that was previously laid out. The Commission took no issue with where the wetland line was delineated.

A motion was made by Margaret French, seconded by Steven Tripp, to issue a negative determination #2A. The motion carried unanimously.

Continued Notice of Intent – 14 Washburn Road

Jason Youngquist, from Outback Engineering, and Carlos Campoverde, the applicant, are present. Mr. Sullivan wanted them to leave a 25-foot buffer that is between the delineation and the buffer zone to allow regrowth to its natural state.

Mr. Sullivan brought to attention the encroachment on neighbor's property on the parcel across the street. Mrs. French drove by and it is a 3-4-foot-wide path and the stakes were put up.

A motion was made by Margaret French, seconded by Steven Tripp, to approve the plans as submitted with the condition that the 25-foot buffer zone is to be revegetated naturally. The motion carried unanimously.

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

Notice of Intent – 1 Hilltop Park

A motion was made by Margaret French, seconded by Steven Tripp, to waive the reading of the public hearing notice. The motion carried unanimously.

Jason Youngquist, from Outback Engineering, stated this is for a proposed upgrade to the septic for an existing house. The existing septic system has failed and is proposing for new septic system on top of the hill, 20-30 feet above wetlands, they cannot get any further away due to existing well. Mr. Youngquist proposed a silt fence, including dead tree removal and trees leaning toward the house, leaving stumps in place.

A motion was made by Margaret French, seconded by Steven Tripp, to close public hearing. The motion carried unanimously.

A motion made by Margaret French, seconded by Steven Tripp, to approve the plans as submitted. The motion carried unanimously.

Notice of Intent – 8 Rivers Edge Way

A motion was made by Margaret French, seconded by Steven Tripp, to waive the reading of the public hearing notice. The motion carried unanimously.

William Halsing, from Land Planning Inc., stated that the property is adjacent to the Assonet River, the bank of the river delineated by Northeast Eco Services, no BVW is associated, and the house was constructed in 1996. The entire lot is within the riverfront area, therefore, there is nowhere else to put the proposed

addition. The proposal is to construct the addition, including a garage at ground level, a mudroom, and a second story office. The closest disturbance is approximately 80 feet. The whole thing is an existing yard area. Ms. French asked if there were any changes or alterations to anything besides what is already being used. Mr. Halsing confirmed and stated there is a limited of work on the plan with a siltation barrier. Mr. Sullivan wanted confirmation the stockpile of all materials to be within the siltation control and toward front of the house.

A motion was made by Margaret French, seconded by Steven Tripp, to close public hearing. The motion carried unanimously.

A motion made by Margaret French, seconded by Steven Tripp, to approve the plans as submitted with the condition that stockpiled materials be held within the siltation control barrier and towards the front of the house. The motion carried unanimously.

Notice of Intent – 1 Tasha’s Lane

A motion was made by Margaret French, seconded by Steven Tripp, to open the public hearing. The motion carried unanimously.

A motion was made by Margaret French, seconded by Steven Tripp, to waive the reading of the public hearing notice. The motion carried unanimously.

Julie Goodwin, from W. Engineering, stated that they are still waiting on the DEP file number. She explained that the project is for 1 Tasha’s Lane and is a new build, 3-bedroom dwelling as part of a 2-lot subdivision. She presented plans for the new building, including 3 bedrooms, garage and septic system, with all work to be kept out of the 25 foot do not disturb zone. The septic system is all outside of the 100-foot buffer. Mr. Sullivan noted the hearing has to be continued due to not having a DEP file number.

A motion was made by Margaret French, seconded by Steven Tripp, to continue the public hearing to September 11th at the Police Station Community Room. The motion carried unanimously.

Extension Request of the Orders of Conditions – 5 Will’s Way, SE 026-0638

Mr. Sullivan stated that applicant and representative are having trouble dealing with Eversource to get the work completed. Erica Buster, from SunConnect, has requested the 3-year extension. Ms. French asked what work has been done. Ms. Buster stated they have everything except the good to go from Eversource. They are caught up with the work studies in the area and are waiting on the DPU to rule on the upgrades that Eversource has to do and that is the reason for the 3-year extension request.

A motion was made by Margaret French, seconded by Steven Tripp, to approve the 3-year extension request. The motion carried unanimously.

Discussion and Vote on Trail Head Signage

Victoria Alfaro, the Planning & Land Use Administrator, gave two examples of the proposed signage to show where the trail is, the boundaries and to denote who that it is a Conservation Commission owned area.

A motion was made by Margaret French, seconded by Steven Tripp, to approve the number one sign designed as use for trail head signage. The motion carries unanimously.

Discussion and Vote on Records Retention

Ms. Alfaro explained that this project is to scan files and destroy with permission from the Commission and state as records retention allows. This will free up space in office and take files out of School House. The files sitting in the School House are getting damaged from not being in a temperature-controlled facility and would be good to get them scanned and have them digitally available. The Zoning Board of Appeals chose to destroy anything older than 5 years and Planning Board chose 1 year.

A motion was made by Margaret French, seconded by Steven Tripp, to accept the state municipal records retention schedule as classified by Conservation Commissions. The motion carries unanimously.

Discussion and Vote on Updating the Wetlands Protection Rules and Regulations

Mr. Sullivan stated they need a strong policy in place in relation to enforcement issues. The rules and regulations have not been updated since 2008. He recommends to look at the entire document prior to making the decision and making decision after the Selectmen's meeting. Ms. French questioned if it is a by-law. Ms. Alfaro explained that they are rules and regulations and require a public hearing, not a vote a Town Meeting.

Discussion and Vote on Warrant Article for Transferring a Portion of Land on 15 Richmond Road to the MBTA

Mr. Sullivan explained that the MBTA transferred 15 Richmond Road to the Commission, however they need a portion of it back. A vote needs to take place to put it on the special town meeting warrant.

A motion was made by Margaret French, seconded by Steven Tripp, to place the article on the Special Town Meeting Warrant. The motion carried unanimously.

Discussion and Vote on Warrant Article for Transferring Rollback Taxes to the Land Fund

Mr. Sullivan explained that money that gets paid back when land is taken out of Chapter 61 goes to Conservation Commission for the land fund has to be voted on every year. Ms. French requested current balance of budget for land fund and what it will be once funds are added. Ms. Alfaro will send that out.

A motion was made by Margaret French, seconded by Steven Tripp, to place the article on the Special Town Meeting Warrant. The motion carried unanimously.

Discussion and Vote on Changing Meeting Dates/Times

Mr. Sullivan explained that using the Police Station Community Room is more efficient than the Council on Aging. He expressed concern for holidays landing on Mondays but could also push meeting to the Tuesday for that week. Agreed on the 6:00pm time slot.

A motion was made by Margaret French, seconded by Steven Tripp, change the meeting dates to the first and third Monday of the month. The motion carried unanimously.

Minutes

A motion was made by Margaret French, seconded by Steven Tripp, to approve the 07.31.2023 meeting minutes as submitted. The motion carried unanimously.

Any other business properly to come before the Conservation commission

Ms. Alfaro brought attention to 15 Richmond Road about the revisions on the licensing agreement. The edits are minor, mostly grammatical, no content changes.

A motion was made by Margaret French, seconded by Steven Tripp, approve the licensing agreement with corrections from Town Counsel. The motion carried unanimously.

David Shultz, 19 Water Street, asked about removing phragmites from the salt marsh. Ms. Alfaro explained the Notice of Intent process. Mr. Sullivan states that if the lawn is up to the river's edge, you are allowed to maintain it. Mr. Shultz explained that by mowing the salt marsh, grass and things are now growing up that were not allowed to grow there with the phragmites. Mr. Sullivan informed Mr. Shultz to make the decision on his own, and Commission will be willing to help.

Meeting Adjourned

A motion was made by Margaret French to adjourn meeting, seconded by Steven Tripp. The motion carried unanimously, and the meeting was adjourned at 6:58p.m.

This is a True Record by me

Attest: _____

Nicole DeMoranville, Senior Clerk