


Freetown Conservation Commission
Minutes of the Monday, December 5, 2016 Meeting
Town Hall – Assonet, Mass.

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Present: Keven Desmarais, Christopher Mather, and Charles Sullivan.

Absent: Janine Robidoux and Maria Ternullo.

Abbreviated Notice of Resource Area Delineation – Locust Street & Route 24, Assonet

At 7:05 p.m., the chairman, Mr. Desmarais, announced that a quorum was not present (Mr. Mather had not yet arrived) and asked those assembled if any were present for the ANRAD hearing. Nearly all showed hands in the affirmative. Mr. Desmarais then stated that the hearing would not take place because it had not been advertised in the newspaper in a timely fashion. However, since many were present, he would allow the applicant's representative to make a brief and unofficial presentation before the meeting began.

Chris Capone was present to describe the application on behalf of owner/applicant Dave Megna of Capital Funding Services, LLC, and representative Alex Gorodetsky of Gorodetsky Engineering. His clients are requesting a confirmation of the delineation of wetlands on the Boynton and Mello properties (shown as lots 24 and 49.01 on Assessors' Map 206). No work is presently proposed, but the property is zoned Residential and single-family homes are a possibility. All they are requesting right now is confirmation of the delineation. Mr. Desmarais noted that an outside consultant will review the plans for confirmation.

A resident who did not identify herself raised concerns regarding other construction in the area, and Mr. Desmarais stated that the concerns were not germane to the current application.

Call to order: Upon arrival of Mr. Mather, Mr. Desmarais called the meeting to order at 7:20 p.m.

Minutes of Previous Meeting

The minutes of November 7th and November 21st were received. A motion was made by Mr. Sullivan, seconded by Mr. Mather, to approve the minutes as received. The motion carried unanimously.

Notice of Intent – 251 Middleboro Road (a/k/a 251-A Middleboro Road), East Freetown

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

Ted Lyzanger of E. T. Engineering was present to discuss the project. Mr. Desmarais reminded the members that this project was approved in 2013. Since that time it went to the Board of Appeals for approval, was approved and subsequently appealed to court by neighbors, reheard by the Board of Appeals, and was back here now because the Order of Conditions issued in 2013 had expired. Mr. Lyzanger confirmed that the only significant change since 2013 was that the house had moved a few feet from its originally intended location.

It was noted that two mailing receipts were missing, and also that the D.E.P. has not yet issued the project a file number. A motion was made by Mr. Mather, seconded by Mr. Sullivan, to continue the hearing to Monday, December 19th at 7:00 p.m. at the Town Hall. The motion carried unanimously.

Request for Certificate of Compliance – 251 (a/k/a 251-A) Middleboro Road, East Freetown

Mr. Desmarais stated that this was to close out the previous file that had expired. A motion was made by Mr. Sullivan, seconded by Mr. Mather, to issue a Certificate of Compliance noting that the project had never commenced. The motion carried unanimously.

Request for Determination of Applicability – 2 Nottingham Way, Assonet

Jeff and Jen Lewis were present. They are proposing to construct a breezeway and attached garage in an area that is already a maintained lawn. Mr. Desmarais asked if the garage would have a fully-excavated cellar. Mr. Lewis stated the breezeway would, but the garage would be on a slab.

Discussion was held on where to place the spoils. Mr. Lewis said they were considering trucking them away. Alternatives were discussed. If spoils are left onsite, they should be placed on the upland side of the silt fence, and the silt fence should be extended to surround the spoils.

A motion was made by Mr. Sullivan, seconded by Mr. Mather, to issue a negative determination #3 with the above stipulation about the placement and containment of spoils. The motion carried unanimously.

Request for Determination of Applicability – 34 Middleboro Road, East Freetown

Rick Charon was present to discuss the project, which consists of a septic repair/replacement. A Presby system is proposed. The Board of Health has already granted the necessary variances for the system to be installed as shown.

A motion was made by Mr. Mather, seconded by Mr. Sullivan, to issue a negative determination #3 with the above stipulation about the placement and containment of spoils. The motion carried unanimously.

Request for Certificate of Compliance – 30 Hemlock Point, East Freetown

This was noted to be a septic system replaced in 2011. A motion was made by Mr. Sullivan, seconded by Mr. Mather, to issue a Complete Certificate of Compliance. The motion carried unanimously.

Request for Certificate of Compliance – 18 South Main Street, Assonet

This was noted to be for an addition to the existing single-family dwelling in 2005. A motion was made by Mr. Sullivan, seconded by Mr. Mather, to issue a Complete Certificate of Compliance. The motion carried unanimously.

Request for Certificate of Compliance – 129-131 Quanapoag Road, East Freetown

This project was the filling of 3100 square feet of swamp for the installation of a relay/switching station at the corner of Bullock and Quanapoag roads in 1984. A request was made for a Certificate of Compliance in January of 1986, but the records do not show that a certificate was issued and the minutes from 1986 cannot be located. A motion was made by Mr. Sullivan, seconded by Mr. Mather, to issue a Complete Certificate of Compliance as the switching station is in place and the project appears to have been completed correctly. The motion carried unanimously.

Continued Notice of Intent – Lamb's Village, East Chipaway Road, East Freetown

It was noted that Environmental Partners and Robinson Engineering were supposed to have met at the site earlier in the day. A motion was made by Mr. Sullivan, seconded by Mr. Mather, to continue the hearing to Monday, December 19th at 7:00 p.m. at the Town Hall. The motion carried unanimously.

Review Filing Requirements (effective 1/1/2017)

The latest version of the filing requirements was distributed. No discussion was held.

Bills

A schedule of bills paid since the prior meeting was reviewed.


Any Other Business Properly Before the Commission

None.

Meeting Adjourned

A motion was made by Mr. Sullivan, seconded by Mr. Mather, to adjourn at 7:58 p.m. The motion carried unanimously.

This is a True Record by me.

Attest: 
Michael T. McCue, Senior Clerk