



The Commonwealth of Massachusetts  
Town of Acushnet  
Conservation Commission  
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Tel: 508.998.0202 Fax: 508.998.0203

Robert Rocha, Chairman  
Ted Cioper, Vice-Chair  
Marc Brodeur  
Everett Philla  
Heidi Pelletier  
Evelyn Bouley

Merilee Kelly, Conservation Agent  
Christine Lagasse, Senior Clerk

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**MINUTES OF January 23, 2018 CONSERVATION COMMISSION MEETING**

**Present:** Robert Rocha  
Everett Philla  
Marc Brodeur  
Evelyn Bouley

**Absent:**  
Ted Cioper  
Heidi Pelletier

Merilee Kelly, Agent  
Christine Lagasse, Senior Clerk

**I. Meeting called to Order at 6:04 P.M.**

**II. Minutes for approval:**

December 26, 2017 – No quorum was available for the attendees that were present at the December 26 meeting to approve.

**III. Meeting Mail: (none)**

**IV. Appointments: (none)**

**V. Old Business:**

There is still an opening on the Commission for a new member; anyone interested should send a letter of interest to either the Selectmen or Conservation Agent Merilee Kelly.

**VI. New Business:**

**RDA – Almeida Family Trust/ 52 Morse's Lane** – A Request for Determination of Applicability was filed by Elaine Almeida Family Trust, Barbara Hathaway, Trustee for property located on 52 Morse's Lane, Map 17, Lot 24. The applicant proposes to install a new septic system, part of which is located within the 100-foot buffer zone of a bordering vegetated wetland. The applicant would like to know whether the work depicted on plan(s) referenced is subject to the Wetlands Protection Act. The applicant is represented by Alan Ewing Engineering, Inc. Plan name is "Sewage Disposal Repair Plan of Land at 52 Morse's Lane". Plan dated 1-3-2018.

Alan Ewing of Alan Ewing Engineering, Inc. stated the first thing done was to have the wetlands flagged by Steve Chmiel. The new septic tank and pump chamber is all in the buffer zone. A 2" force line will go over to the new leaching field then out to the hay field which is outside of the buffer zone. Mr. Ewing is proposing to place a silt fence along the edge of the proposed work which will be approximately 137 feet in length.

Robert Rocha questioned notes on the plan which said the septic system would be for a 3 bedroom minimum design per Title V for a 3 bedroom system. Mr. Ewing said that was correct and is the minimum requirement by the DEP. Agent Kelly asked Mr. Ewing to review the placement of the silt fencing area. Mr. Ewing reviewed and explained the placement of the silt fence. Mr. Rocha said after going to the site visit it was a straight forward project and nothing was complicated about it. Mr. Rocha stated it was good placement of the leaching field as it was going into the uplands and out of the buffer zone. Agent Kelly asked if the existing house on the property will remain. Mr. Ewing responded by saying at this time it will stay.

A motion to issue a negative determination was made by Everett Philla and was seconded by Evelyn Bouley. Motion passes 4-0.

**NOI – Santos / 16 Brookside Drive (SE001-0525)** – A Notice of Intent was filed by Tony Santos for property located at 16 Brookside Drive, Map 14, Lot 78. The applicant proposes to upgrade septic system located within the 100 ft. buffer zone of the bordering vegetated wetland. The applicant is represented by Foresight Engineering. Plan name is “Sewage Disposal System Upgrade Design”. Plan dated 12/11/17.

Darren Michaelis of Foresight Engineering said he was at the site visit Saturday, January 20, 2018 with the Commission, and Mr. Santos. He mentioned he, Mr. Santos, Agent Kelly, and Joe Correia (Board of Health agent) had a meeting on Tuesday, January 23, 2018 at the Conservation office. Mr. Michaelis explained there is a failed septic system in the backyard within the 50 foot buffer zone. The new system will be more than 65 feet away from the wetlands; the tanks are exactly 60 feet from the flagged wetlands. He indicated on the plan the placement of the silt fencing along the existing tree line. Mr. Michaelis also said there was discussion of a dewatering pit; if the system was installed during the wet season and if the Commission decides on this, they could make it part of the order of conditions. He also mentioned the tanks are in the water table and he had the Board of Health approvals.

Mr. Rocha asked Mr. Michaelis to fill in the Commission on the meeting that was held earlier in the day. Mr. Michaelis explained that Mr. Santos was still unclear as to why he had to go through the process of upgrading his septic system. He told the Commission that Mr. Santos was convinced that the system he had would pass Title V. Mr. Michaelis told the Commission that Agent Kelly explained to Mr. Santos that no matter what report was previously turned in, that system would not pass inspection for Title V. Mr. Michaelis also stated he explained to Mr. Santos this would be the only system that would be approved. Mr. Michaelis said after the meeting, all was understood by Mr. Santos.

Mr. Rocha said to Mr. Michaelis during the site inspection there was a comment made that the system had passed in 2011. Mr. Michaelis explained what happens in Title V is there is not always data available for the engineers to determine ground water table. So what he needed to go by was what is on record at the Board of Health. Mr. Rocha said based on what was showing on the plan the system will be slightly raised. Mr. Michaelis said it would be by only 2 ½ feet. He also mentioned the neighbor (Roger Daniels) of 18 Brookside Drive was concerned about water heading to his foundation. Mr. Michaelis said Mr. Daniels property was higher than 16 Brookside Drive. Mr. Michaelis said he had a great dip in the backyard to work with that would stop water flow to the neighbor. The installers of the septic will be made aware that water needs to stay on 16 Brookside Drive, also if needed a small swale would be dug in.

Roger Daniels of 18 Brookside Drive voiced his concern of water drainage coming onto his property. Mr. Michaelis address these issues with Mr. Daniels to clarify how the drainage/water flow will be going between 16 & 14 Brookside Drive. Mr. Daniels questioned if a retaining wall would be built. Mr. Michaelis said there is no retaining wall required.

Mr. Rocha explained to Mr. Daniels no project can add drainage to a neighbor's yard. He also said the Commission will be asking as part of the Order of Conditions is the swale to be placed right on the property line. There was also a concern Agent Kelly had regarding brush in the back of the property. Mr. Rocha commented the brush should not be in the wetland. Mr. Michaelis stated the removal of the brush could be added in the Order of Conditions.

A motion was made by Marc Brodeur to approve with a positive Order of Conditions with the following conditions:

1. Use dewatering pit with hay bales if needed
2. Create swale between properties
3. Remove brush from wetland
4. Contact Conservation Agent before any work is performed

The motion was seconded by Everett Philla. Motion passes 4-0.

**COC -- Carvalho/ 2 Tillie Way (SE001-0495)** – A Request for a Certificate of Compliance was filed by Aaron Carvalho for property located at 2 Tillie Way, Map 14, Lot 4J. The applicant proposed to raze an existing trailer and shed, and construct a 2 bedroom dwelling with garage, septic system, driveway, associated filling and utilities within the 100 foot buffer zone of a bordering vegetated wetland. Plan name "Sewage Disposal Repair Plan of Land", plan dated 04/24/17.

Agent Kelly commented on the property that it is large house, and also has a lot of stuff around the wetland area which was concerning. She also said the project was complete and the septic system was installed. Evelyn Bouley commented she would like to see some of the stuff near the wetland area removed.

Mr. Rocha said the Certificate of Compliance could be approved and would like to see Agent Kelly periodically checking on the property to make sure nothing is encroaching on the wetlands.

A motion to approve a Certificate of Compliance was made by Everett Philla and was seconded by Evelyn Bouley. Motion passes 4-0.

**Agent Updates:**

Presented to the Commission the Land Trust Congregation flier for the Commission to look at.

MACC Annual Environmental Conference 2018 group registration for Saturday, March 3, 2018. The Commission to select workshop choices.

January 23, 2018

Letter dated January 5, 2018 received from Tylin International regarding: Hamlin Street over Acushnet River Bridge Replacement Project MassDOT project number 600645 – Early Environmental Coordination. There are 2 graphic printouts of the area for the project.

Agent Kelly updated the Commission with current town discussions now going on: P.J. Keating update, recreational marijuana referendum, Deep Brook project

**VII. Future Business:**

- The next meeting of the Conservation Commission will be on Tuesday , February 13, 2018

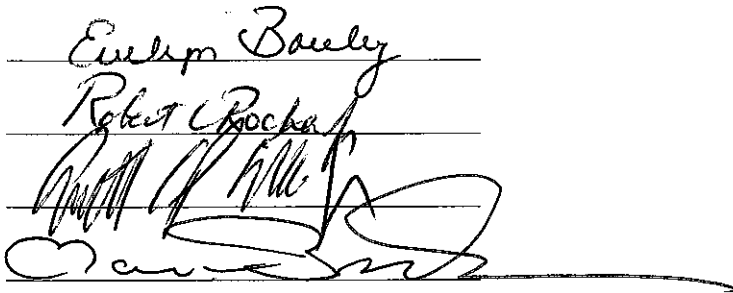
**VIII. Meeting adjourned at 6:48 P.M.**

A motion to adjourn was made by Everett Philla. The motion was seconded by Evelyn Bouley. Motion passed 4-0.

Respectfully submitted:

Christine Lagasse, Senior Clerk  
Acushnet Conservation Commission

Minutes Approved:



Date: 2-13-18