



The Commonwealth of Massachusetts

Town of Acushnet

Conservation Commission

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2018 JUN 27 AM 10:17

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

Merilee Kelly, Conservation Agent
Christine Lagasse, Senior Clerk

MINUTES OF June 12, 2018 CONSERVATION COMMISSION MEETING

Present: Robert Rocha
Everett Philla
Heidi Pelletier
Evelyn Bouley

Absent:
Marc Brodeur
Paul Valente
Ted Cioper

Christine Lagasse, Senior Clerk
Merilee Kelly, Agent

I. Meeting called to Order at 6:00 P.M.

II. Minutes for approval:

May 22, 2018

A motion was made by Everett Philla to approve the minutes of May 22. The motion was seconded by Heidi Pelletier. Motion passed 4-0.

III. Meeting Mail:

Eversource Energy letter regarding application of herbicides

IV. **Appointments:** (none)

V. **Old Business:**

NOI – Ferreira / 188 Leonard Street (SE001-0528) – A Notice of Intent was filed by Jeff Ferreira for property located at 188 Leonard Street, Map 20, Lot 7B.7F. The applicant proposes to install a 10.8 KW ground solar system located within the 100 ft. buffer zone of a bordering vegetated wetland. The applicant is represented by Isaksen Solar. The plan name is “The Jeffrey Ferreira Residence”. Plan dated 5/14/18.

The filing was continued from May 22, 2018 as the D.E.P. file number had not been assigned yet. The Commission had discussed the filing at the May 22nd meeting.

Agent Kelly informed the Commission that nothing had changed on the plan as of the last meeting. A motion to issue a positive Order of Conditions with no special conditions was made by Heidi Pelletier and was seconded by Evelyn Bouley. Motion passed 4-0.

VI. **New Business:**

RDA – Fernandes / 84 Mattapoissett Road – A Request for Determination of Applicability was filed by Derek J. Fernandes for property located at 84 Mattapoissett Road, Acushnet, MA. Map 10, Lot 20.23B. The applicant proposes to do a septic repair which includes new septic tank, pump chamber, and raised contactor leaching field within the 100 foot buffer zone of a bordering vegetated wetland. The applicant is represented by Alan Ewing Engineering, Inc. Plan name is “Sewage Disposal Plan of Land at 84 Mattapoissett Road”. Plan date is 5/1/2018.

Alan Ewing from Alan Ewing Engineering, Inc. explained the proposed project to the Commission. He stated the property had just changed hands and the new owner knew the system had failed Title V and needed to be repaired. Steve Chmiel did the wetlands flagging. Agent Kelly commented to the Commission where the project is being done the surface is flat. Robert Rocha asked if any erosion control would be needed. Mr. Ewing said it would not be need for the surface is very flat, with only a few trees.

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

RDA – Oliveira / 67 Lawson Avenue – A Request for Determination of Applicability was filed by Ronald Oliveira for property located at 67 Lawson Avenue, Acushnet, MA. Map 25, Lot 313. The applicant proposes to do a septic repair with new septic tank, Advantex Treatment System then bottomless sand filler within the 100 foot buffer zone of a bordering vegetated wetland. The applicant is represented by Alan Ewing Engineering, Inc. Plan name is “Sewage Disposal Repair Plan of Land at 67 Lawson Avenue”. Plan date is 5/1/2018.

Alan Ewing of Alan Ewing Engineering, Inc. said the property had just changed hand and the septic system failed Title V. He proceeded to explain where the new septic system will be located on the property. Mr. Ewing said the type of system being used is for small areas like where it will need to be placed. He then proceeded to explained to the Commission the system being installed is approved by the Commonwealth of Massachusetts. Hay bales and silt fencing will be installed while the project is being done.

Agent Kelly asked Mr. Ewing if the Advantex system was for aeration purposes. Mr. Ewing said it was to circulate the filter. She also asked if this particular system being installed was for a 3 bedroom dwelling, and if it could handle a 4th bedroom if one was added on. Mr. Ewing said it could only handle a 3 bedroom dwelling. He also stated the Board of Health is ready to approve the project on the 19th of June.

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

ATF/RDA – Opozda / After the Fact 142 Peckham Road – A Request for Determination of Applicability was filed by Ethan & Rebecca Lynn Opozda for property located 142 Peckham Road, Acushnet, MA. Map 16, Lot 7A. The applicant proposes to abandon the existing septic system and install a new system within the 100 foot buffer zone of a bordering vegetated wetland. The applicant is represented by Stephen Chmiel. Plan name is “Ethan & Rebecca Lynn Opozda”. Plan date is 5/2/2018.

Agent Kelly explained to the Commission the new septic system being installed is a straight forward project. She also said the project has not started yet. The reason the filing was filed as an After-the-Fact is the system was backing up into the basement. Everett Philla mentioned the septic system that is being used is partially on an abutter’s property and they could not get access from the abutter to get onto their property to fix the existing system. Mr. Rocha confirmed with Agent Kelly that the plan was approved by the Board of Health. Agent Kelly also commented the silt fencing has already been installed.

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

RDA – Sousa / 24 Davis Farm Lane – A Request for Determination of Applicability was filed by Ryan & Alicia Sousa for property located 24 Davis Farm Lane, Acushnet, MA. Map 6, Lot 4G. The applicant proposes to install an 18' above ground pool within the 100 foot buffer zone of a bordering vegetated wetland. Plan date is 11/10/1997.

Robert Rocha confirmed the pool is being located behind the house. Agent Kelly said the area is all fenced in and the pool is near the house. No digging will be done, so no erosion control will be needed. Ryan Sousa told the Commission the pool will have a cartridge filter system.

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

RDA – Figueiredo / 12 Wood Duck Road – A Request for Determination of Applicability was filed by David Figueiredo for property located at 12 Wood Duck Road, Acushnet, MA. Map 1, Lot 27C. The applicant proposes to install an in-ground pool 16' X 32' with a surrounding patio within the 100 foot buffer zone of a bordering vegetated wetland. Plan name is "Septic System As-built plan". Plan date is 8/18/2005.

Agent Kelly explained the in-ground pool will be installed near the house and approximately 50 feet away from the wetlands. The pool will be surrounded by a fence. Agent Kelly informed the Commission that wetlands will be safe and no erosion control will be needed.

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

RDA – Fernandes / Evergreen Drive – A Request for Determination of Applicability was filed by Helder & Susan Fernandes for property located at Evergreen Drive, Acushnet, MA. Map 21, Lot 20J. The applicant proposes to build a new 3 bedroom dwelling, 3 car garage, septic system & driveway within the 100 foot buffer zone of a bordering vegetated wetland. The applicant is represented by Michael J. Koska & Associates, Inc. Plan name is "Soil Absorption System Plan". Plan date is 4/18/2018.

Mr. Koska was not in attendance to speak on the filing. Agent Kelly explained there is an area on the property that the engineer believes is isolated land subject to flooding. She explained the diagram for the project to the Commission and pointed out where on the plan there was a big hole. Susan Fernandes said she and her husband purchased the property 10 years ago. Mrs. Fernandes said that rainwater in certain areas just sits there and the golf course is directly behind her property. She did not realize there were wetlands between her property and the golf course. Agent Kelly said the big hole in the backyard is not safe. Mrs. Fernandes said she did not notice the big hole until the property had been cleared of the trees.

Everett Philla explained what he saw when he went in May 2018 for a site visit. He said that there were things breathing in the water as there were air bubbles coming up. Mr. Philla would like to see a scientist to go out and confirm if the pool is vernal. Mr. Rocha said he was unable to go to the site visit on June 9, 2018 and said he would go on June 16, 2018. Heidi Pelletier stated she would also go with Mr. Rocha for a site visit.

Susan Fernandes told the Commission Mr. Koska had suggested the house be moved back, so as, not to be so close to the hole. Agent Kelly did confirm there is a steep drop where the hole is and it is a very rocky site. Mr. Rocha also commented that on the plan the erosion control was behind the flag line.

The Commission did not want to make a determination until Mr. Rocha and Heidi Pelletier go for a site visit.

A motion to continue until the next meeting, Tuesday, June 26, 2018 was made by Everett Philla and was seconded by Evelyn Bouley. Motion passed 4-0.

RDA – Desrosiers / 3 Blacksmith Drive – A Request for Determination of Applicability was filed by Tim Desrosiers for property located at 3 Blacksmith Drive, Acushnet, MA. Map 5, Lot 7B. The applicant proposes to install a pre-made shed within the 100 foot buffer zone of a bordering vegetated wetland. Plan name is “Site Plan for 3 Blacksmith Drive”. Plan date is 7/18/2017.

Agent Kelly commented the shed to be installed is a pre-fabricated one. The shed will sit-up on concrete blocks. The approximate size of the shed is 10' X 13'. Tim Desrosiers said no poured pad will be needed.

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

Agent Updates:

- Coalition Stewardship coordinator gave us a map with the proposed trails on Hamlin Street.
- The solar field on Wing Lane is being sold to another solar company
- Review of regulations regarding filings for minor activities, Agent Kelly asked the Commission for permission to sign off on pools & sheds more than 50 feet from the wetlands. Mr. Rocha and the Commission approved these sign-offs with Agent Kelly updating them on the ones she signs off on.
- Veterans Memorial dedication will be held on June 24, 2018 at 11am.
- Leonard Street: Mr. DaCosta has constructed a retaining wall that was not in the filing. Agent Kelly to send him a letter for an After-the-Fact filing.
- Agent Kelly to do a site visit on Peckham Road pertaining to the dirt piles.

VII. Future Business:

- The next meeting of the Conservation Commission will be on Tuesday , June 26, 2018

VIII. Meeting adjourned at 6:50 P.M.

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

Respectfully submitted:

Christine Lagasse, Senior Clerk
Acushnet Conservation Commission

Minutes Approved:

Everett Bailey
Robert C. Bailey CHAIR
Heidi Pelletier

Date: 6-26-18