



The Commonwealth of Massachusetts  
Town of Acushnet  
Conservation Commission  
122 Main Street, Acushnet MA 02743  
Tel: 508.998.0202 Fax: 508.998.0203

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

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**MINUTES OF June 26, 2018 CONSERVATION COMMISSION MEETING**

**Present:** Robert Rocha  
Everett Philla  
Ted Cioper  
Paul Valente  
Evelyn Bouley

**Absent:**  
Marc Brodeur  
Heidi Pelletier

Christine Lagasse, Senior Clerk  
Merilee Kelly, Agent

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

**II. Minutes for approval:**

June 12, 2018

A motion was made by Everett Philla to approve the minutes of June 12. The motion was seconded by Evelyn Bouley. Motion passed 3-0.

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

**IV. Appointments: (none)**

V. **Old Business:**

**RDA – Fernandes / Evergreen Drive** – A Request for Determination of Applicability was filed by Helder and 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 and 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.

Robert Rocha summarized what was discussed at the meeting that was heard on June 12, 2018. Mr. Rocha and Heidi Pelletier went on a site visit on Saturday June 16, 2018 to view the isolated land subject to flooding on the property. Mr. Rocha said they looked at some of the creatures that were living in the water. They saw larvae of several species, including spotted salamander, and what are most likely wood frog and green frog (there were green frogs there). Mr. Rocha concluded it was a vernal pool area. Mr. Rocha asked if Agent Kelly had any info on BVW from the surrounding area, including the golf course. Agent Kelly said no information could be located. Mr. Rocha had looked at the regulations on vernal pools and said they automatically get protection if they are: in a bordering vegetated wetland and if they have already been certified.

Mr. Rocha acknowledged they could not move the house away from the back of the property due to large stones in the front. Agent Kelly asked Mr. Rocha if he wanted to see a new plan. Mr. Rocha stated he did not want the Fernandes to have their engineer design a new plan; but to see if the engineer could draw in something to show a change to the back of the property starting at the retaining wall and showing the vernal pool “adjusted” there. An area towards the front will be filled and one towards the back being dug out; he would like a 1:1 replication. Agent Kelly asked the Fernandes to give her a call when the work is being done so she can monitor it as the construction process is in progress. The Fernandes said they would bring the new plans in after the corrections have been made by the engineer. Mr. Rocha asked the Fernandes, if once the work has been done, they would allow him to go back to get the vernal pools certified so if anyone else wants to build on the property or the Fernandes sell the property it would be documented the pool is vernal.

A motion was made by Everett Philla to issue a negative determination with the following conditions and stipulations:

- The engineer come up with a 1:1 plan to keep the vernal pool functional but just move the wet part of it north and fill in the southern part closest to the house and retaining wall.
- Once the revised plan comes to the Commission then the work can begin.
- Mr. Rocha to certify the vernal pool.

The motion was seconded by Paul Valente. Motion passes 5-0.

## **VI. New Business:**

**RDA – Acushnet Company / 115 Manchester Lane** – A Request for Determination of Applicability was filed by Acushnet Company for property located at 115 Manchester Lane, Acushnet, MA. Map 11, Lot 25C.34. The applicant proposes to remove an existing guard shack and construct a new 12' X 14' guard shack within the 100 foot buffer zone of a bordering vegetated wetland. The applicant is represented by G.A.F. Engineering, Inc. Plan date is 6/13/2018.

Bill Madden from G.A.F. Engineering, Inc. explained the project to the Commission. He said they will be grading crushed stone in the nearby parking area, and will put a new utility pole in, adjacent to the new building so as to add power to that building. The sequence of events would go as follows:

- Utility pole to be installed
- Holes to be dug for new footings for the new guard shack
- Place new guard shack on the footings
- Abandon the old guard shack
- Connect power to the new shack
- Any disturbed areas as a result of construction will be top soiled and seeded.

Mr. Rocha commented this is a very simple project. Everett Philla concurred, this is a straight forward project. Mr. Philla said since he has been on the board any projects from Acushnet Company have always been done well with no problems.

A motion to issue with a negative determination was made by Everett Philla and was seconded by Paul Valente. Motion passes 5-0.

### **Agent Updates:**

Agent Kelly distributed packets to Commission members.

Received letter from MACC asking for the annual dues, included was the education calendar for 2019 also showed the webinar classes; a lot of them are free. A sheet was also included labeled MACC member benefits guide for Conservation Commissions. Agent Kelly directed the Commission to a page labeled non-criminal disposition. Agent Kelly's concern was the section on non-criminal disposition. She asked the board to adopt this by-law and she will come up with a schedule of fines. A vote was taken to adopt it (unanimous).

Evelyn Bouley made a motion to adopt the language of the non-criminal disposition for the Town of Acushnet as proposed June 9, 2003; Attorney General approved on September 11, 2003. The motion was seconded by Everett Philla. Motion passes 5-0.

**VII. Future Business:**

- The next meeting of the Conservation Commission will be on Tuesday , July 10, 2018

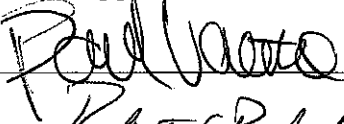
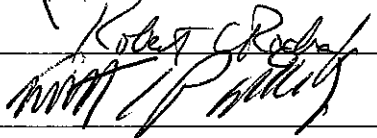
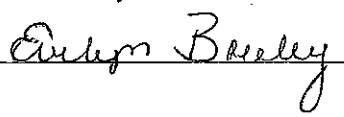
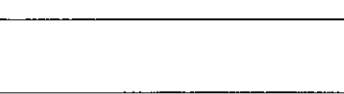
**VIII. Meeting adjourned at 6:26 P.M.**

A motion to adjourn was made by Ted Cioper. The motion was seconded by Everett Philla.  
Motion passed 5-0.

Respectfully submitted:

Christine Lagasse, Senior Clerk  
Acushnet Conservation Commission

Minutes Approved:

Date: August 14, 2018