



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

Merilee Kelly, Conservation Agent
Christine Lagasse, Senior Clerk

MINUTES OF April 12, 2017 CONSERVATION COMMISSION MEETING

Present: Robert Rocha
Ted Cioper
Everett Philla
Heidi Pelletier
Marc Brodeur
Evelyn Bouley

Absent:

Merilee Kelly, Agent
Christine Lagasse, Senior Clerk

I. Meeting called to Order at 7:05 P.M.

II. Minutes for approval:

March 8, 2017 - A motion was made by Everett Philla to approve the minutes of March 8. The motion was seconded by Heidi Pelletier. Motion passed 6-0.

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:

NOI – Nichols / 96 Ward Street (SE001-0516) – A Notice of Intent was filed by Gary & Catherine Nichols for property located at 96 Ward Street, Map 24, Lot(s) 416 & 417. The applicant proposes to construct a single family dwelling, garage, driveways, fill and grade, install a septic system, water service and other utilities, within the 100 foot buffer zone to a bordering vegetated wetland. The applicant is represented by Alan Ewing Engineering, Inc. Plan name “Sewage Disposal Plan of Land”. Revised plan dated 3-30-2017.

Al Ewing of Alan Ewing Engineering, Inc. explained the project to the Commission. He stated that the owners Gary & Catherine Nichols own the property at 96 Ward Street. Originally it was two (2) parcels of land, lots 416 & 417. After the Nichols spoke with the Building Inspector they were told for technical reasons they could not build two (2) houses. The Nichols went to a surveyor and had an 81X plan drawn up. The plan has been recorded at the Registry of Deeds and the two (2) parcels have been combined and are now considered one parcel. The one (1) parcel is now 3,254 square feet. Wetlands specialist Steve Chmiel flagged the wetlands on the property. Mr. Ewing explained that currently on the land are an existing garage, a two (2) bedroom trailer, and septic system. The trailer and septic will be eliminated, the garage will remain. Mr. Ewing pointed out on the plan where perk tests were done. He also stated that Mr. Nichols has decided to utilize the entire lot and build a three (3) bedroom dwelling with a three (3) car garage, sidewalk and driveway on the property with water service, septic tank and leaching field. Mr. Ewing explained that due to the high water table a raised septic system will need to be installed. He also mentioned that because the lot drops fill will be used and a retaining wall will be utilized.

Robert Rocha questioned Mr. Ewing if this was the last lot on the street. Mr. Ewing responded by saying at the bottom of the street there is another garage and trailer accessed by Ward Street. On the plan there is also a paper street named Charles Street.

Agent Kelly questioned Mr. Ewing on the left side of the property as it was not flagged and it was very wet. Mr. Ewing stated that Steve Chmiel should have walked the property and flagged the wetlands. Agent Kelly said she would go back out to the property and look at it again as there had been a lot of rainfall recently.

Agent Kelly mentioned what really concerned her was the amount of fill that had already been brought in and the differentiation between what the Commission drove in on, which is basically what would be the driveway and parking, and the bottom of the lot. Agent Kelly asked Mr. Ewing to explain why it looked like construction had already begun. Mr. Ewing responded by saying that perhaps Mr. Nichols had some fill available to him, or he allowed fill to be brought in. The Commission explained that there was a big hole in the ground. Agent Kelly asked Mr. Ewing if any construction will be going on Charles Street. Mr. Ewing stated that he did not think so, that it was just a paper street. Everett Philla mentioned that there was a house on Charles Street but everything else on Charles Street is wetlands after the house. Ted Cioper suggested to the Commission they go back out to re-look at the property before making any determination. A motion to continue until the next meeting April 26, 2017 was made by Marc Brodeur and was second by Ted Cioper. Motion passes 6-0.

RDA – Eversource Energy / off Mendall Road – A Request for Determination of Applicability was filed by Eversource Energy for property located off Mendall Road, Map 12, Lot(s) 18B. The applicant proposes to improve the existing “important Wildlife Habitat Functions” (310 CMR 10.04), specifically for the benefit of a population of Eastern Box Turtle (*Terrapin c Carolina*), a species listed as “Special Concern” by the Massachusetts Division of Fisheries and Wildlife. 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 Oxbow Associates, Inc. Plan dated 3-03-2017.

Brian Butler of Oxbow Associates was looking for a negative determination on the project. He explained the project and purpose of it to the Commission. Mr. Butler stated that he hoped the project would make a successful Eastern Box Turtle habitat. Mr. Butler stated Eversource has done several of these projects in neighboring towns. The area would be improved for nesting purposes by laying sand in the upland area in order to improve the nesting which usually takes place in the month of June. Mr. Butler stated there was an ATV road in the property and that will not be disturbed. A sand belt will be laid around the perimeter of the area and twelve (12) inch waddles will also be installed in order to protect the wetlands area. Commission members questioned the flag line and buffer zone indicated on the plan.

Mr. Butler stated that he would like to begin the project as soon as possible for the box turtle nesting period is in the month of June. Agent Kelly asked about how the sand will be arranged on the property. Mr. Butler stated that it will just be on the edges. Mr. Rocha asked if the sand will be tracking the footprints of the turtles. Mr. Butler explained the process of the nesting of the box turtles to the Commission. Agent Kelly asked how long the waddles will be up, and Mr. Butler stated just until after the box turtle nesting period has ended sometime in the summer.

A motion for a negative determination was made by Marc Brodeur and was second by Everett Philla. Motion passes 6-0.

RDA – Oliveira/ North Main Street – A Request for Determination of Applicability was filed by Ronald Oliveira for property located on North Main Street, Map 4, Lot(s) 39H. The applicant proposes to construct a new septic system and dwelling on an existing retreat lot. 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 Romanelli Associates, Inc./S&K Engineering, LLC. Plan dated 3-27-2017.

John Romanelli from Romanelli Associates stated that he did all the field work for the plan and Kevin Silva from S&K Engineering did the design plan. Mr. Romanelli questioned the Commission on the site visit that was done on April 8, 2017, to see if they had found all the flags. Agent Kelly explained that the Commission found some flags but not a lot of them.

Mr. Romanelli thinks that some of the flags may have fallen as they were placed sometime in January 2017; he will take care of replacing the flags that were not there or had fallen. Mr. Romanelli stated what was being proposed was a single family dwelling on the lower part of the lot. Mr. Romanelli also indicated on the plan where the proposed leaching field and septic will be placed.

It was also mentioned by Mr. Romanelli there is a prospective buyer for the property. At this time no garage is to be built, but possibly in the future. All the grading to be done is fifty (50) feet away from the wetlands. There is a proposed siltation fence to be installed around the property where the dwelling will be. The dwelling will have a walk-out basement so there would be a lot of fill in the back of the house.

Marc Brodeur questioned what type of driveway will be installed, would it be paved or crushed stone because there was a lot of road erosion. Mr. Brodeur had several concerns with water running down such a steep road, especially in the winter months when the road would freeze over and be slippery. The Commission was concerned that with heavy rain sediment and vehicular pollution would wash down into the wetlands. Mr. Brodeur feels that a retention pond would need to be established. Agent Kelly had major concerns with building a home at the bottom of the hill (driveway) for the run-off going into the wetlands.

The Commission would like to see a revised plan and the property re-flagged.

A motion to continue in two (2) weeks was made by Marc Brodeur and was second by Heidi Pelletier. Motion passes 6-0.

Agent Updates:

A notice from Mosquito Control that they will be digging to restore the ditch at 937 Main Street on May 8, 2017. Also Mosquito Control will be starting a project in July 2017 along Lantern Lane for mosquito control.

Annual Town Clean-up day is Saturday, April 22, 2017. Agent Kelly asked permission from the Commission to purchase gloves and refreshments for the clean-up day. The Commission unanimously agreed to the purchase.

BBAC and the Town of Acushnet have teamed up to provide a Rain Barrel program. If anyone wants to purchase a rain barrel you can go online to WWW.GREATAMERICANRAINBARREL.COM then look for programs and select Acushnet/BBAC. The pick-up date for the rain barrels is May 20, 2017. You will pick them up at the Acushnet DPW recycling center on Middle Road between 9-11am. If anyone has difficulties ordering them just call Agent Kelly at the Town Hall at 508-998-0202.

Agent Kelly updated the Commission on the Arruda project at 148 Peckham Road. Ted Cioper interjected to inform Agent Kelly that there are two (2) piles of fill in the front of the property. Agent Kelly will drive by the property to view the piles of fill. Marc Brodeur also wanted to know if the drilling of the well had begun yet, for he wanted to see the new type of machinery that is being used. Agent Kelly stated that work had not yet begun on the site.

VII. Future Business:

- The next meeting of the Conservation Commission will be on Wednesday, April 26, 2017



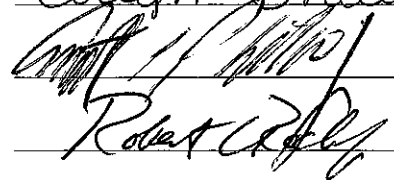
VIII. Meeting adjourned at 7:55 P.M.

A motion to adjourn was made by Ted Cioper. The motion was seconded by Evelyn Bouley. Motion passed 6-0.

Respectfully submitted:

Christine Lagasse, Senior Clerk
Acushnet Conservation Commission

Minutes Approved:

Date: 4-26-17