



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

Robert Rocha, Chairman
Everett Philla, Vice- Chairman
Heidi Pelletier
Evelyn Bouley
Paul Valente
Richard Pimentel
Ryan Rezendes

Merilee Kelly, Conservation Agent
Joann DeMello, Senior Clerk

**MINUTES OF JULY 30, 2020
CONSERVATION COMMISSION MEETING**

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Present: Robert Rocha
Everett Philla
Evelyn Bouley
Heidi Pelletier
Paul Valente
Richard Pimentel
Ryan Rezendes

Merilee Kelly, Agent
Joann DeMello

Patrick Hannon, Assistant Health Agent
Doug Vigneau, Environmental Compliance Manager

I. Meeting called to order at 6:05 p.m. held at the Ford Middle School due to Covid-19.

II. Minutes for approval:

A motion was made by E. Philla to approve the minutes of July 14, 2020. E. Bouley seconded the motion. Motion passed 7-0.

III. Meeting Mail: None.

IV. Appointments: None.

V. Old Business:

VI. New Business:

Commission will vote to ratify the Enforcement Orders at P.J. Keating Co.

Patrick Hannon, Assistant Health Agent & Soil Board Enforcement Officer was present to discuss the orders. A site visit was conducted on July 25, 2020. EPA contractor granted permission to access the site. Discharge was going into the salt marsh out to the river. Mr. Hannon said the Commission has jurisdiction and should ask for wetland studies due to most information is 80 years old regarding the site. Mr. Hannon said basin work was done with no filing of a Notice of Intent. Agent Kelly issued a stop work order and told PJK to hold off until the Commission arrives for the site visit on Saturday the 25th...they did not wait; they went ahead and fixed the area with unwashed stone. Mr. Hannon suggested to the Commission the following items:

- Retain a qualified soil inspector (for sediment control and stormwater evaluation)
- Perform a wetland habitat delineation.
- Submit stormwater report to Conservation Agent after one tenth of an inch of rain – report submitted within 72 hours.
- Wetland restoration plan be provided – bordering vegetated wetlands, bank and stream habitat and buffer zone areas.
- Board of Health and Soil Board to monitor outfall.
- Require PJK to remove all materials from buffer zone.

Chairman Rocha asked where specifically is the area located? Mr. Hannon said near the rear of the property – beyond the power lines. Chairman Rocha asked Agent Kelly if she had anything to add - the salt marsh is hurt from the silt.

Doug Vigneau – Environmental Compliance Manager for P.J. Keating Co. was present to discuss the enforcement orders. Mr. Vigneau commented on the stone line channel – PJK allowed the town to build it and PJK provided the materials. PJK is permitted by the EPA and holds a discharge permit. PJK is not self-monitoring. Mr. Vigneau stated that the sample is sent to labs in Rhode Island. Monitoring for pH is done on their own. Monitoring is done twice a month during dry conditions. The settling basin includes the maintenance building and the office building. Mr. Vigneau stated that he believes PJK property is not in violation – it is zoned industrial and grandfathered in. Mr. Valente asked what year was the settling basin approved? Mr. Vigneau said it predated EPA. Mr. Hannon suggested that a wetlands scientist should be hired to review the area – it's been far too long regarding a wetland delineation.

Christian Desousa 46 Laura Keene Avenue – commented on the quarry and just because something is going on for 100 years doesn't mean it makes it O.K. Oil and silt are flowing in to the river, we are spending lots of money to revitalize the river – he says he has witnessed this going on for many years.

Mr. Hannon said the sound barriers are in the buffer zone – this area needs delineation.

Mr. Vigneau said there is no habitat value and no turtles found.

Mr. Hannon suggested a 3rd party to come in and research it at PJK expense.

Evelyn Bouley exited the meeting at 7:05 p.m.

Chairman Rocha read aloud the Enforcement Order – Alteration of a wetland. Chairman Rocha asks Mr. Vigneau to point out the asphalt plant. P. Valente stated the area has not been delineated, making voting an issue. Mr. Hannon said that an after the fact NOI should be filed. R. Rezendes asked if the Northwest corner near the powerlines is deemed a wetland? Beals and Thomas are suggested as a consultant.

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David Desrosches 1399 Main Street – also Board of Selectmen member provided the Commission with a website regarding the violations the quarry was issued – <https://echo.epa.gov>.

P. Hannon asked the commission to ratify the vote. R. Rezendes, and R. Pimentel - Yes. Chairman Rocha, E. Philla – No. H. Pelletier and P. Valente abstained. Final vote: 2-2-2. Motion fails.

Chairman Rocha read aloud the Enforcement Order – Alteration of a resource area (salt marsh). D. Vigneau stated PJK possess a federal discharge permit. R. Rezendes noted the turbidity curtain contained a lot of silt. D. Desrosches noted the consistent pattern of violations received by EPA. Mr. Vigneau stated the water quality fine was paid. Chairman Rocha asks the commission to vote to ratify the Enforcement Order. E. Philla, Chairman Rocha, R. Pimentel, R. Rezendes in favor. H. Pelletier and P. Valente abstained. Motion passes 4-0-2.

VII. Agent Updates:

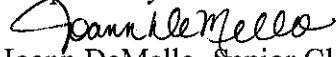
Agent Kelly had the following updates:

- Everett – MACC training.

Meeting adjourned at 7:52 P.M.

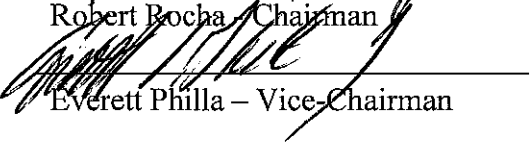
A motion to adjourn was made by E. Philla. The motion was seconded by R. Rezendes. Motion passed 6-0.

Respectfully submitted:



Joann DeMello, Senior Clerk
Acushnet Conservation Commission

Minutes Approved:


 CHAIR
Robert Rocha, Chairman


Everett Philla – Vice-Chairman

Evelyn Bouley


Heidi Pelletier

Richard Pimentel


Ryan Rezendes

Paul Valente

Date signed: August 18, 2020

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