



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

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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 AUGUST 18, 2020
CONSERVATION COMMISSION MEETING**

Present: Robert Rocha
Everett Philla
Heidi Pelletier
Richard Pimentel
Ryan Rezendes

Absent: Evelyn Bouley
Paul Valente

Merilee Kelly, Agent
Joann DeMello

Patrick Hannon, Assistant Health Agent
Doug Vigneau, Environmental Compliance Manager
Jeffrey Blake, Kopelman & Paige, P.C.
Luke Legere, McGregor & Legere, P.C.

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 30, 2020. H. Pelletier seconded the motion. Motion passed 5-0.

III. Meeting Mail: None.

IV. Appointments: None.

V. Old Business:

VI. New Business:

NOI – Manuel Almeida / 8 Wildrose Lane A Notice of Intent was filed by Manuel Almeida for property located at 8 Wildrose Lane, Map 18, Lot 13G. The applicant proposes to replace an existing soil absorption system with a 1500 gallon tank, distribution box and a 15' x 29.6' leaching field with related grading within the 100 foot buffer zone to a bordering vegetated wetland. The applicant is represented by Michael Koska of Michael J. Koska & Associates, Inc. Plan name is "Soil Absorption System Plan - 8 Wildrose Lane" dated July 22, 2020. Michael Koska was present to discuss this project, green cards were received. Commission members conducted a site visit on Saturday. Mr. Koska explained the soils were not very good during the percolation test. The septic system will utilize a pump system and for erosion control they will use straw wattles. Agent Kelly asked Mr. Koska to point out the pump station and septic tank. Chairman Rocha asked what will happen with the old tank and system? Mr. Koska stated the system will be abandoned and the tank crushed on-site. Agent Kelly asked about the pump running on electricity? Mr. Koska said yes it runs on electricity with an alarm backup system in place. H. Pelletier made a motion to issue a positive order of conditions. R. Rezendes seconded the motion. Motion passed 5-0.

Discussion:

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

An inspection of the P.J. Keating site was done on August 8, 2020 – huge piles of silt were present. P. Hannon presented the Commission with pictures to review of the priority habitat/wetland. Pictures include a large pile of silt which is eroding into the priority habitat. Silt and stone are piled in the buffer zone.

Luke Legere, Attorney for PJK - He is unclear what area the Commission is speaking about. He stressed this is a process and wished they could have more communication without jumping right to an enforcement order, would have liked to be given an opportunity or a chance to remedy the situation.

P. Hannon stated the enforcement orders have been used based on his concerns and the aerial photos and Mass GIS data.

Attorney Legere asked has the Commission been out to the site to view the stockpiles? Attorney Legere would rather avoid a contentious situation and work together – asking not to ratify the enforcement order.

Jeffrey Blake, Attorney for the town of Acushnet - These are some of the worst wetland violations I have seen. An inspection was conducted by the Assistant Health Agent, Patrick Hannon and Conservation Agent, Merilee Kelly. Attorney Blake suggested that the Commission ratify this order; if needed the order may be rescinded. PJK can request the photos shown tonight, they are a public record.

Christopher Hendricks, State Representative asked assuming everything in the report is true, how long would it take to remedy the potential violations?

Attorney Legere, I can't answer that until we fully understand what violations we are dealing with. PJK would like a better idea and map of the violations. Agent Kelly said that one area has priority habitat and it is stated in the Enforcement Order.

Chairman Rocha read aloud the Enforcement Order – stockpiling of stone, silt and quarry materials in the buffer zone to a bordering vegetated wetland. Mr. Vigneau said the area has been re-delineated by Natural Heritage in 2017; what species are out there? Agent Kelly said box turtles. Mr. Vigneau asked do you have the re-delineated plan? Agent Kelly said no.

Chairman Rocha invited Mr. Vigneau over along with the Attorneys to view the aerial photos, they still do not agree with the wetland line. Chairman Rocha still has a lot of questions he would like answered before voting and would like a site visit with the

Commission on a Saturday morning. Mr. Vigneau said to gain access you must have the proper PPE which includes steel toed shoes, hard hats, orange vests and safety glasses. Time will be 8:30 on August 29, 2020. E. Philla made a motion to continue this discussion to the next meeting. R. Pimentel seconded the motion. Motion passed 5-0.

VII. Agent Updates: None

Meeting adjourned at 7:00 P.M.

A motion to adjourn was made by E. Philla. The motion was seconded by H. Pelletier. Motion passed 5-0.

Respectfully submitted:



Joann DeMello, Senior Clerk
Acushnet Conservation Commission

Minutes Approved:



Robert Rocha - Chairman



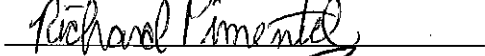
Everett Philla - Vice-Chairman

absent

Evelyn Bouley



Heidi Pelletier



Richard Pimentel



Ryan Rezendes

absent

Paul Valente

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