



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

RECEIVED  
JUL -2 A 8 14

**MINUTES OF MAY 11, 2021  
CONSERVATION COMMISSION MEETING**

**Present:**

Everett Philla, Chairman  
Ryan Rezendes  
Richard Pimentel  
Heidi Pelletier  
Evelyn Bouley 6:15 p.m.

Merilee Kelly, Agent  
Joann DeMello

**Absent:**

Robert Rocha  
Paul Valente

Luke Legere, PJK Counsel  
James Tetreault, Thompson-Liston Associates, Inc.  
Douglas Vigneau, PJK Environmental Compliance Manager  
Robert Robinson, PJK Vice President Aggregates  
Michael Warner, PJK Site Manager  
Charles Caron, Caron Environmental  
Devan Braun, Town Counsel  
Jon Connell, SITEC / CEC, Inc.  
Kory Medeiros, SITEC / CEC, Inc.  
Alan Clapp, Nexamp, Inc.  
Patrick Hannon, Asst. Health Agent  
Robert Gilmore, resident  
Sue Fernandes, resident

**I. Meeting called to order at 6:01 p.m. held via zoom.**

**II. Minutes for approval:**

A motion was made by R. Rezendes to approve the minutes of April 27, 2021. H. Pelletier seconded the motion. Motion passed 4-0.

**III. Meeting Mail: US Army Corps of Engineers – Description of work anticipated at the New Bedford Harbor Superfund Site located in New Bedford, MA.**

**IV. Appointments: None.**

**V. Old Business:**

**NOI – P.J. Keating Company / 72 South Main Street SE 001-0558** - A Notice of Intent was filed by P.J. Keating Company for property located at 72 South Main Street, Map 15, Lots 15 – 18. The applicant proposes to grade the eastern slopes of the existing silt piles located at the rear of the P.J. Keating quarry property. Applicant is represented by Douglas Vigneau of P.J. Keating Company. Plan name is Site Plan of Land at 72 South Main Street in Acushnet, MA, dated December 21, 2020. Luke Legere, Attorney for PJK spoke about the Mullin Rule, specifically where Mr. Rezendes – had missed the last meeting. Deven Braun, Town Counsel and Mr. Legere in discussion concluded that research will be done to see if the Town voted to accept the Mullin Rule. Ms. Braun requested PJK to consent to a continuance in writing. Mr. Legere agreed. R. Pimentel made a motion to continue until May 25, 2021. H. Pelletier seconded the motion. Roll call vote: Heidi, Rick, Everett – Yes. Ryan abstained. Evelyn abstained. Motion passed 3-2.

**VI. New Business:**

**NOI – Alan Clapp – Robinson Road Solar, LLC / Robinson Road – Map 7, Lot 7 SE 001-0564 Property owner: Robert Gilmore, Jr.**

A Notice of Intent was filed by Alan Clapp – Robinson Road Solar, LLC for property located on Robinson Road, Map 7, lot 7. The applicant proposes to construct a 1 MW solar array within an existing open field along with battery storage, fencing, access drive and temporary erosion control measures within the 100' buffer zone to a bordering vegetated wetland. The applicant is represented by Jon Connell of SITEC/CEC, Inc. Plan name is Robinson Road Solar, LLC – 1 MW – AC Solar Array – in Acushnet, Massachusetts dated April 26, 2021. The Commission conducted a site visit on Saturday. Green cards were received via email from Jon Connell. Jon Connell was present on zoom to discuss this project. R. Pimentel asked about the large stone blocks that created an obstruction in the culvert. Mr. Connell stated he would clean out both sides of the culvert, especially the westerly side. Also, some clearing of small trees is requested. R. Rezendes made a motion to issue a positive order of conditions. R. Pimentel seconded the motion. Roll call vote: Heidi, Evelyn, Ryan, Rick and Chairman Philla – Yes. Motion passed 5-0.

**RDA – Christopher Ciano / 52 Morse's Lane** A Request for Determination was filed by Christopher Ciano for property located at 52 Morse's Lane, Map 17, lot 24. The applicant proposes to construct an accessory apartment and associated septic system improvements within the 100' buffer zone to a bordering vegetated wetland. The applicant is represented by Kory Medeiros of SITEC/CEC, Inc. Plan name is Site Plan for 52 Morse's Lane dated April 23, 2021. The Commission conducted a site visit on Saturday. Kory Medeiros of SITEC/CEC, Inc. was present on zoom to discuss this project. Mr. Medeiros stated the drainage flow will not change, silt fencing will be in place. Mr. Medeiros also gave an overview of the septic system, it will be expanded. Agent Kelly asked if the carriage house will have a basement. Mr. Medeiros said No. R. Rezendes made a motion to issue a negative determination. E. Bouley seconded the motion. Roll call vote: Heidi, Ryan, Evelyn, Rick and Chairman Philla – Yes. Motion passed 5-0.

**VII. Discussion:** Ryan would like more information on the Mullin Rule. Agent Kelly to research it. Ryan stated that he has updated himself with all the Conservation Commission meetings. Rick has also done this. The meetings are available online on YouTube for viewing.

**VIII. Agent Updates:**

- **4 Wilfred Lane** – Enforcement Order follow up. Chairman Philla noticed some loam had been spread out and some shrubs had been planted. Agent Kelly suggested Town Counsel needs to get involved. E. Bouley made a motion to have Agent Kelly contact the Town Administrator regarding use of Town Counsel. R. Pimentel seconded the motion. Roll call vote: Heidi, Ryan, Evelyn, Rick and Chairman Philla - Yes. Motion passed 5-0.
- **Fernandes – 21 Evergreen Drive** – Vernal pool has been destroyed, cease and desist order has been sent. H. Pelletier suggested the need for an engineer to get involved. Mrs. Fernandes said they are working with an engineer and wetland specialist – they are waiting to hear back from them, they also will provide her with a report. Mrs. Fernandes also brought up that there is an issue with drainage from the neighbor's property – how do they remedy this? She is frustrated and looking for suggestions to solve this problem. Agent Kelly said it's not legal for the neighbor to discharge onto your property. Agent Kelly will follow up with the neighbor. R. Rezendes discussed drainage and isolated land subject to flooding. H. Pelletier said discussion took place about the placement of the dwelling to minimize the disruption to the vernal pool. Chairman Philla said the engineers are the best individuals to propose a plan.

**Meeting adjourned at 6:49 p.m.**

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

Respectfully submitted:

Joann DeMello, Senior Clerk  
Acushnet Conservation Commission

Minutes Approved:

absent  
Robert Rocha

Everett Philla – Chairman

Evelyn Bouley  
Evelyn Bouley

Heidi Pelletier  
Heidi Pelletier

Richard Pimentel  
Richard Pimentel

Ryan Rezendes  
Ryan Rezendes

absent

Paul Valente  
Paul Valente

Date signed: June 8, 2021

1001 JUN -2 A 9 14  
RECEIVED