



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

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2017 FEB 23 AM 10:29

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 February 8, 2017 CONSERVATION COMMISSION MEETING**

**Present:** Robert Rocha  
 Everett Philla  
 Heidi Pelletier  
 Marc Brodeur

**Absent:**  
 Ted Cioper  
 Evelyn Bouley

Merilee Kelly, Agent  
 Christine Lagasse, Senior Clerk

**I. Meeting called to Order at 7:00 P.M.**

**II. Minutes for approval:**

January 11, 2017 - A motion was made by Everett Philla to approve the minutes of January 11. The motion was seconded by Marc Brodeur. Motion passed 4-0.

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

**IV. Appointments: (none)**

**V. Old Business: (none)**

**VI. New Business:** (none)

**COC – Dubois / 100 Perry Hill Road (SE001-0268)** – A request for a Certificate of Compliance was filed by Russell Dubois for property located at 100 Perry Hill Road, Map 18, Lot(s) 9. The applicant proposed to construct a single family dwelling, septic system and associated grading, within the 100 foot buffer zone of a bordering vegetated wetland. Plan name “Septic Location Plan”, plan dated 11/18/01.

Agent Kelly explained the original NOI was filed back in 2001 and the project now has been completed for sixteen (16) years. Agent Kelly stated everything has grown in fine and this filing is to take the lien off the property as all work had been completed. Mr. Rocha reviewed the “as built” plan and asked about the site visit. Agent Kelly and Everett Philla stated they went to the site visit on Saturday, February 4, 2017. Everett Philla explained that all work was done, but, the only thing that he did not like was there were a couple of fuel cans sitting in the front yard. Mr. Rocha questioned Mr. Philla if the fuel cans were out of the wetlands area and Mr. Philla stated they were.

A motion to issue a Certificate of Compliance was made by Everett Philla and second by Heidi Pelletier. Motion passes 4-0.

**RIGHT OF FIRST REFUSAL – (RFR) – Mattapoissett Rd. Map 10 Lot(s) 30, 34, 35**

Agent Kelly received a letter from the Town Administrator, Brian Noble asking the Acushnet Conservation Commission for a recommendation on property located on Mattapoissett Rd. Agent Kelly explained to the Commission this property is coming out of Chapter 61 forestry. She also did a site visit on Monday, February 6, 2017 and took pictures of the property which she shared with the Commission members. The lots are located between Mattapoissett Rd. and New Boston Road. Agent Kelly explained that the three (3) parcels total approximately 28 acres and are mostly flat and completely wooded. Agent Kelly made the assumption there are box turtles on the property based upon the fact that it is located between tow (2) areas of NHESP priority habitat. Mr. Rocha questioned if the parcels were upland. Agent Kelly responded that primarily the property were upland but does have some wetlands. Mr. Brodeur asked if the property borders Fairhaven and Agent Kelly stated that yes it does.

Agent Kelly explained that the property owner also has a lot in Fairhaven. The Purchase and Sales Agreement is for \$376,000.00 (Three Hundred Seventy-Six Thousand). Agent Kelly stated these lots were named as unprotected open space areas in the Open Space Plan. Agent Kelly stated what she saw in the woods was a good diversity of trees, such as Maple, Oak, American Holly, lots of Beech, Yellow Birch, Green Briar, etc. Agent Kelly pointed out to the Commission that the property is not so dense that you could not go through it. Mr. Rocha questioned where the access road was for the property, Agent Kelly showed on the map she provided where the access to the property was located. Agent Kelly informed the Commission that the Building Inspector told the owner, seeing he had the lot in Fairhaven that could be used as the frontage, seeing the other lot was in Fairhaven.

Agent Kelly thinks this property is important habitat. The Commission reviewed the pictures that Agent Kelly had taken during the site visit, and the printed plan she supplied. Mr. Rocha feels the property has important upland habitat, identified in the Open Space Plan as unprotected open space that would be worth protecting. It is a mix of habitats, something we would preserve for open space for the general public. Agent Kelly stated that there are no signs that anyone has been using the property and no signs of hunters on the property. Heidi Pelletier questioned Agent Kelly if there are any houses near this property. Agent Kelly indicated on the map where the houses are adjacent to the lots 30, 34, and 35. Everett Philla also commented that there were no indications that surveyors had been on the property, he also mentioned that the whole property was not walked during the site visit due to the coldness of the weather. Agent Kelly stated the lots had a few holes probably by someone who was trying to get it to perc.

Marc Brodeur addressed the Commission saying this property has been in Forestry Chapter 61 for some time and the owners did not want to take it out of Forestry until the property had a buyer. Mr. Rocha's recommendation to the Commission is that the Town of Acushnet purchases the property for the preservation of open space. Everett Philla also agrees with Mr. Rocha's recommendation.

Mr. Rocha asked if there was any further discussion. Marc Brodeur would like to add to the motion "for use by the town" he stated the Town Hall always puts a lot of restrictions on it for hunting use. Mr. Philla stated that from looking at the map supplied that  $\frac{3}{4}$  of the property is huntable. Mr. Brodeur stated that he would recommend purchasing the property as long as the property could be used by hunters.

Everett Philla made a motion to recommend the Town of Acushnet and Board of Selectmen consider purchasing the property for fair market value for use by the town, for the purpose of preserving open space, and consider making it available for hunting during hunting season. Heidi Pelletier second the motion. Motion passes 4-0.

**Agent Updates:**

Agent Kelly would like input from the Commission as to the classes each member would like to attend at the MACC Conference March 4, 2017.

Agent Kelly also stated that there is still an opening for a Commission Member.

**VII. Future Business:**

- The next meeting of the Conservation Commission will be on Wednesday, February 22, 2017

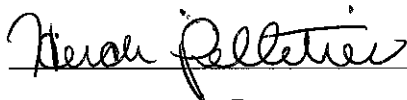
**VIII. Meeting adjourned at 7:20 P.M.**

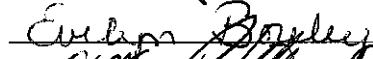
A motion to adjourn was made by Everett Philla. The motion was seconded by Heidi Pelletier. Motion passed 4-0.

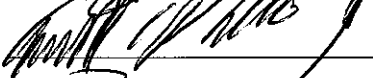
Respectfully submitted:

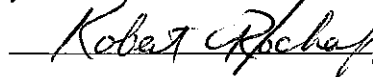
Christine Lagasse, Senior Clerk  
Acushnet Conservation Commission

Minutes Approved:









Date: 2-22-17