



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

Patrick Hannon, Conservation Agent
Joann DeMello, Senior Clerk

**MINUTES OF APRIL 27, 2022
CONSERVATION COMMISSION MEETING**

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

Absent: Paul Valente
Evelyn Bouley

Patrick Hannon, Agent

Joann DeMello

Douglas Thomas, resident
Christian Desousa, resident
David M. Davignon, Engineer
Eric James, C.S. Energy – Asst. Project Manager
Wyster Desir, Construction Project Manager

Meeting called to order at 6:00 p.m. held in the Town Meeting Room - 122 Main Street

Minutes for approval: None.

Meeting Mail: None.

Old Business:

P.J. Keating Co. – 72 South Main Street – Discussion on effect of Article VI Soil By-law on compliance with silt piles/mining waste removal from buffer zone – not a public hearing no votes will be taken. Agent Hannon discussed the soil removal process and Soil by-law changes that occurred in 2021. PJK will need a soil permit to remove the soil and the Soil Board is waiting for the application. Members discussed the removal and stabilization of the piles, Agent Hannon said nothing prevents them from stabilizing the piles. Douglas Thomas asked about the timeline on removal of the pile, Agent Hannon said it's now August. Mr. Thomas stated his concerns regarding noise/odor and said PJK

continues to not be good neighbors. Christian Desousa asked about the date to remove the pile. Chairman Rocha stated the Order of Conditions did not include a date certain for the removal, all Orders are valid for a period of 3 years. Mr. Desousa asked when does the Order expire? R. Rezendes said July 2024. Mr. Desousa asked about stabilizing the area; Agent Hannon explained the next steps that can be taken.

New Business:

BBAC yearly payment due, \$1493.00. Agent Hannon stated that Town Administrator James Kelley has been appointed as the representative to BBAC. Chairman Rocha asked that Mr. Kelley check into the agreement of storage of BBAC files at Town Hall, if so, the fee was waived. R. Pimentel made a motion to pay the fee if needed out of the Wetlands Protection Act fund. E. Philla seconded the motion. Motion passed 5-0.

R. Rezendes made a motion to open the public hearing. E. Philla seconded the motion. Motion passed 5-0.

RDA – Frank Joseph, Jr., 352 Main Street, Map 11, Lot 28. The proposed work is for test pits in the buffer zone to a bordering vegetated wetland. The purpose of the test pits is for percolation testing for replacement of a failed septic system. The applicant is represented by David Fredette, Fredette Engineering Services. Mr. Fredette said there is a tight tank on the property. The Board of Health is requesting a denitrification system due to the proximity to the stream on the property. Wetlands will be flagged, straw wattles will be placed around each test pit. Agent Hannon would like to be notified when the test pits are scheduled, give 1 week notice. Wetlands will be flagged for anticipation for a Notice of Intent filing. RDA sign to be placed on property RDA-ACU 001. H. Pelletier made a motion to issue a negative determination with the following conditions – a sign shall be posted on-site with the following information RDA-ACU 001, no equipment, fuel or stockpiling of materials in the buffer zone and call the office for a final inspection when work has been completed. R. Pimentel seconded the motion. Motion passed 5-0. E. Philla made a motion to close the hearing. R. Rezendes seconded the motion. Motion passed 5-0.

Discussion:

- Wetlands Enforcement Team – Agent Hannon suggested a team of 3 members to view the Town on a weekly or monthly schedule and this would help residents to avoid a possible violation.

Stormwater:

- Stormwater regulation revisions. Agent Hannon would like the Commission members to review the revised regulation.
- 98 Robinson Road – Agent Hannon met the owner at the property. The work was not completed, Agent Hannon will follow up.
- 39 Nye's Lane – Agent Hannon said he has hired Farland Corp.
- 135 Mattapoisett Road – Waiting to hear back from owner, Agent Hannon didn't know Monday the 18th was a Holiday.

- Rep-Weld – 734 Main Street – David Davignon was present to discuss the stormwater permit process – criteria is not clear regarding abutter notification and public ads. Agent Hannon spoke with the Town Clerk regarding the public hearing, Ms. Labonte did recommend running the ad notification, but it is not included in the stormwater criteria. Chairman Rocha stated this is an informational meeting. Mr. Davignon did a presentation on the project and gave the Commission history of the business before Mr. Cenerizios' purchase of the property. EPA is involved and a Stormwater Prevention Pollution Plan (SWPPP) has been filed. Mr. Davignon discussed details of the plan, not proposing more than 5,000 sq. foot disturbance. The plan is to reduce the area of storage of vehicles, use the existing pavement. Mr. Cenerizio spoke on the purchase and proposal for the business. Mr. Davignon is requesting a waiver on the stormwater permit fee. Chairman Rocha made a recommendation to waive the hearing notification fee. R. Rezendes made a motion to waive the hearing notification fee. H. Pelletier seconded the motion. Motion passed 5-0. R. Rezendes made a motion to accept the plan as read. H. Pelletier seconded the motion. Motion passed 5-0.
- Deep Brook Estates – off Park Drive - Mr. Castelo and Agent Hannon will meet in the office on April 28, 2022.
- CVE North America 88 Wing Lane – Eric James and Wyter Desir are present to update the Commission on the project. Agent Hannon has received a report from Beals and Thomas for corrective action. Agent Hannon recommends CVE file a Notice of Intent, thus the Commission will have more control over the site vs. the RDA filing. Mr. James proposed adding 3 small trenches, light grading and extending the swale and adding rip rap. Mr. James and Mr. Desir would like to finish the project under the RDA. Chairman Rocha asked about the finding from Beals & Thomas. Agent Hannon said the corrections are not small matters and recommends filing the Notice of Intent, under the RDA the invasive species and basins will not be followed up on. Mr. Desir is not in favor of filing a NOI. Mr. James would like Beals & Thomas to review the improvements under the RDA. Chairman Rocha suggested the filing of a Notice of Intent – infiltration tests have failed and the Commission will have more control with an NOI filing. R. Pimentel made a motion to have CVE file a Notice of Intent. R. Rezendes seconded the motion. Motion passed 5-0.

Agent Updates

- Agent Hannon said he received 2 stormwater applications, they were rejected due to incomplete applications.
- Agent Hannon was unable to visit 1309 Main Street – will get out to the site with the BOH Agent.
- Everett also noticed a backhoe up against the wetland area just past 1309 Main Street. Agent Hannon also noticed 5 piles of dirt at the same location.
- Joann will return on May 2nd part time. Full time starting on May 9th.

Public Meeting adjourned at 7:38: p.m.

A motion to adjourn the public meeting was made by R. Rezendes . The motion was seconded by R. Pimentel. Motion passed 5-0

Respectfully submitted:

Acushnet Conservation Commission

Minutes Approved:

Robert C Rocha CHAIR
Robert Rocha

Everett Philla

absent

Evelyn Bouley

Heidi Pelletier

Richard Pimentel

Richard Pimentel

Ryan Rezendes

absent

Paul Valente

Date signed: June 22, 2022