



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  
Richard Pimentel  
Ryan Rezendes

Patrick Hannon, Conservation Agent  
Joann DeMello, Senior Clerk

**MINUTES OF OCTOBER 26, 2022  
CONSERVATION COMMISSION MEETING**

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

**Absent:** Evelyn Bouley

Patrick Hannon  
Joann DeMello

William Madden, G.A.F. Engineering  
Kevin Kelly, Acushnet Company  
Robert Hinckley, resident & BOS member  
Pauline Teixeira, Historical Commission  
Dennis Pimentel, resident  
Cheryl Brine, resident

**Meeting called to order at 6:00 p.m.**

**Minutes for approval:** R. Rezendes made a motion to approve the September 28, 2022 minutes. H. Pelletier seconded the motion. Motion passed 5-0.

**Meeting Mail:**

Agent Hannon read aloud a letter from Coneco Engineers & Scientists, they will no longer provide MS4 Stormwater services to the Town.

Attorney for P.J. Keating, Luke Legere. Mr. Legere is awaiting a meeting to be scheduled with the Soil Board. Robert Hinckley, BOS member, spoke up and said Town Counsel was advised and both parties will work together to get this resolved. Agent Hannon asked if a public meeting will be held. Mr. Hinckley said yes.

**Appointments:**

- Noah Dionne – Eagle Scout Project – Pollinator Garden – Noah was not present tonight.

**Old Business:**

Discussion on Stormwater MS4 Engineering Services – Agent Hannon suggested a Request for Proposals and placing an ad on the MMA and MACC website / newspapers.

**Continued (Public Hearing) NOI – Frank P. Joseph, Jr. / 352 Main Street SE 001-0577** A Notice of Intent was filed by Frank P. Joseph, Jr for property located at 352 Main Street, Map 11, lot 28. The applicant proposes a septic system upgrade within the 100' buffer zone to a bordering vegetated wetland. The applicant is represented by David J. Fredette of Fredette Engineering Services. Plan name is "Site Plan for Septic System Upgrade" dated August 31, 2022. Mr. Fredette has requested a continuance for more information regarding the septic system design. R. Rezendes made a motion to continue to the next meeting for more information. E. Philla seconded the motion. Motion passed 5-0.

**New Business:**

E. Philla made a motion to open the public hearing. R. Pimentel seconded the motion.

**Public Hearing Whelden Lane – Historic Trail** A public hearing will be held to determine the rights of public access and use of the Whelden Lane Historic Trail. Agent Hannon spoke with Environmental Department at Eversource about the project and concerns of heavy equipment traffic. Agent Hannon discussed Eversource thru mitigation funds could improve the area and leave it in better condition than the found it. Chairman Rocha noted that the records indicated that the property is owned by the Park Commission. Pauline Teixeira said it is a historical trail, she had the Historical Commission vote to regulate motorized vehicles, but the Park Department is listed as the owner. Chairman Rocha suggested have Town Counsel look into this. Joann to research who is on the Park Department and Ms. Teixeira to bring Agent Hannon more information on the trail. Mr. Dennis Pimental - 7 Whelden Lane informed the Commission that large trucks were still working until 10 p.m. – could a gate be considered for that area? E. Philla said people will always find another access point even with the gate. H. Pelletier made a motion to continue to the next meeting. E. Philla seconded the motion. Motion passed 5-0.

**Certificate of Compliance** Lot 1 – 302 Perry Hill Road / Mark Francois SE 001-0567 review of matters presented; votes may be taken. Mr. Francois is selling the lot, buyer is concerned there is an Order of Conditions on the property and when necessary a partial certificate of compliance can be issued. Commission has issued partial certificates before, no issues.

## **Discussion:**

- Clerk Status – Agent Hannon would like to know why the PAF – Personnel Action Form did not get processed after the vote was taken by the Commission to issue the stipend to Joann. Agent Hannon said some town employees are getting raises for additional work / responsibilities why hasn't Joann received the stipend? Mr. Hinckley was present and discussed the money that Mr. Hannon mentioned is not for raises, it is a reserve when needed to hire the permanent replacements for the interim positions – Treasurer/Collector and Town Accountant because the pay is severely under market. Cheryl Brine resident said it's great to get new hires but also take care of the dedicated employees.
- Conservation Filing Fees – Filing Fee listed for Category 1 has not been collected. The February 1, 2013 fee schedule was voted to reflect an increase from \$67.50 to \$125.00. Further research is needed.
- Rene Street – possible wetlands violation and excursion onto Town owned Open Space. Agent Hannon showed the Commission aerial photos of Mr. Fredettes' property and stages of filling in the cranberry bog. On the phone, Mr. Fredette said he has an agricultural exemption, Agent Hannon checked with the Assessor – none issued for 16 Rene Street. Agent Hannon would like to issue a cease and desist, an ANRAD should be filed with the Commission. R. Rezendes would like to schedule a site visit. Joann to contact Mr. Fredette.

Motion from R. Rezendes to open a continued public hearing for 7 Morton Lane / Stormwater, seconded by H. Pelletier. Motion passed 5-0.

## **Stormwater:**

**Continued (Public Hearing) Stormwater** – Amendment to a previously approved Stormwater Plan / Paul Boucher and Nancy Durfee / 7 Morton Lane. A Request to amend a previously approved Stormwater Plan was filed by Paul Boucher and Nancy Durfee for property located at 7 Morton Lane, Map 14, Lots 15H & 17. Agent Hannon said erosion controls have not been installed. Agent Hannon met with Mr. Boucher, Ms. Durfee, Dan Menard DPW and their contractor on-site. The telephone poles were set in the forebay area, Agent Hannon said they can work around this, the roadway plan approved by the Commission needs to be followed. Agent Hannon to contact Dave Pichette on a timeline for the erosion control installation. Agent Hannon will speak with Jamie from Zenith Engineers and Alan Heureux to hopefully speed up the project. Discussion regarding the applicants using Beals and Thomas for peer review as they both are employed with local municipalities that use Beals and Thomas' services. Agent Hannon said he did not hire Beals and Thomas, the previous Con. Com. Agent did. Agent Hannon said it was a coincidence that Andrew Gorman from Beals and Thomas served on the Uxbridge Conservation Commission when he was the Chairman. E. Philla made a motion to continue for 1 month. R. Pimentel seconded the motion. Motion passed 5-0.

- Acushnet Company – 115 Manchester Lane – Peer review report. Alternative analysis shows basin cannot be relocated, it is in the best possible location. R. Rezendes made a motion to approve the stormwater permit. E. Philla seconded the motion. Motion passed 5-0.

- Deep Brook Estates update – Agent Hannon said Mr. Castelo has hired Zenith Consulting Engineers – Jamie Bissonnette is the contact. Agent Hannon said at this time the basin has been installed, but no erosion control in place.
- Moniz Estates update – Agent Hannon said no reply from Mr. Moniz, still working without a NPDES permit and a SWPPP plan. Agent Hannon will be issuing a cease and desist if there is no communication.
- Stormwater By-law discussion – Agent Hannon discussed writing the by-law and regulation – suggested a General Permit. Chairman Rocha said he would draft an RFQ / RFP for Stormwater Peer Review Contractors. Agent Hannon stated the Soil Board needs to post a meeting. Cheryl Brine- resident asked when did the Soil Board last meet? Agent Hannon said prior to Town Meeting and Election.

**Agent Updates:**

Covered under discussion items.

**Public Meeting adjourned at 7:23 p.m.**

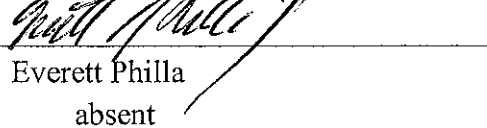
A motion to adjourn the public meeting was made by R. Rezendes. The motion was seconded by R. Pimentel. Motion passed 5-0.

Respectfully submitted:

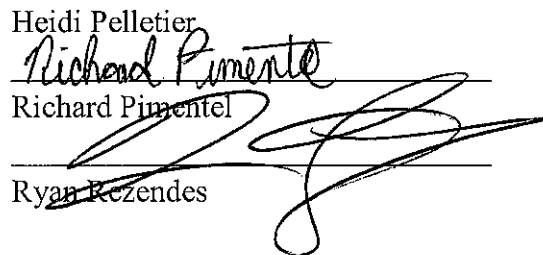

Acushnet Conservation Commission

Minutes Approved:

 - CHAIR  
Robert Rocha / Chairman

  
Everett Philla  
absent

Evelyn Bouley  
-

Heidi Pelletier  
  
Richard Pimentel  
  
Ryan Rezendes

Date signed: December 14, 2022