



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

ACUSHNET  
MASS  
AUG 24 2022

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 AUGUST 24, 2022  
CONSERVATION COMMISSION MEETING**

**Present:** Robert Rocha, Chairman  
Everett Philla, Vice Chair  
Ryan Rezendes  
Richard Pimentel

**Absent:** Evelyn Bouley  
Heidi Pelletier

Patrick Hannon

Joann DeMello

Rick Charon, Charon Engineers, Inc.  
Eric James, CS Energy LLC  
Bryant Bernier, 186 Hathaway Road

**Meeting called to order at 6:00 p.m.** Cable Committee experiencing technical difficulties.

**Minutes for approval:** None.

**Meeting Mail:** None.

**Open Space:**

Buzzards Bay Coalition – Open Space and Groundwater Protection proposal.

**Old Business:**

COC – Richard Pacheco / 10 Blacksmith Drive SE 001-0507 A Certificate of Compliance was filed by Richard Pacheco for property located at 10 Blacksmith Drive, Map 5, lot 7J. The applicant proposed to construct a single family dwelling, pool, deck, well and landscaping within the 100-foot buffer zone to a bordering vegetated wetland. Site visit on Saturday, property looks great. Joann to file release at Registry of Deeds.

### **New Business:**

Chairman Rocha opened the public hearing in accordance with the Open Meeting Laws during a short period of technical difficulties with video and audio failure. Video and audio quickly resumed.

#### **(Public Hearing) NOI – Ruben & Morgan Rodrigues / 105 Porter Street SE 001-0575**

A Notice of Intent was filed by Ruben & Morgan Rodrigues for property located at 105 Porter Street, Map 25, Lot 326. The applicant proposes to construct a 2.5 ft. high retaining wall and fill 700 S.F. of bordering wetland on the side and rear of existing house located on easterly side of an intermittent stream and replicate 1500 S.F. of bordering wetland on westerly side of the intermittent stream. The applicant is represented by Richard Charon of Charon Associates, Inc, Engineers. Plan name is "Plan of Site Remediation Prepared for Ruben & Morgan Rodrigues" dated July 14, 2022. Commission members conducted a site visit on Saturday. Rick Charon of Charon Associates, Inc. Engineers was present to discuss this project. Mr. Charon reviewed the project plans and some detail about the replication area. Chairman Rocha asked about the project timeline. Mr. Charon said they would like to work during the dry season and obtain the permit for work within the 3 years if needed. Agent Hannon suggested monitoring of invasive species. R. Pimentel made a motion to issue a positive order of conditions with the applicant to provide monitoring of invasive species in the replication area for 2 years. E. Philla seconded the motion. Motion passed 4-0. E. Philla made a motion to close the public hearing seconded by R. Rezendes. Motion passed 4-0.

**(Public Hearing) NOI – CS Energy / 88 Wing Lane SE 001-0576** An After the Fact Notice of Intent was filed by CS Energy for property located at 88 Wing Lane, Map 14, Lot 21. The applicant proposes grading adjustments and the installation of four drainage stone trenches to an existing solar array to meet Stormwater compliance. The applicant is represented by Russell McFall of Colliers Engineering & Design. Plan name is "As Built Stormwater Exhibit" dated May 9, 2022. Eric James of CS Energy LLC was present to discuss this project. Agent Hannon stated the project has been built, discussion is regarding the Stormwater issues. The Stormwater has been peer reviewed with concerns reviewed and commented on several times. Mr. James would like to begin work on the stone trenches, extension of the swale etc. and then re-seed. Bryant Bernier, abutter, questioned water run off onto his property, he was in the office to view the plan. Agent Hannon said there is confusion about the run off direction details on the plan. This will be addressed in the revised plan, no run off to Mr. Berniers' property. R. Rezendes made a motion to issue a positive order of conditions with the standard Commission orders along with the recommendations from Beals & Thomas. R. Pimentel seconded the motion. Motion passed 4-0. E. Philla made a motion to close the hearing, seconded by R. Rezendes. Motion passed 4-0.

R. Rezendes made a motion to open the public hearing, seconded by R. Pimentel. Motion passed 4-0.

#### **(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. The applicant requests review of the Stormwater management calculations submitted by Heureux Engineering, LLC. Plan sketch submitted on

July 22, 2022 by Heureux Engineering, LLC. Agent Hannon gave an update on the conditions at the site- erosion controls not properly installed and roadway plan. Mr. Boucher and Ms. Durfee spoke about the stormwater calculations submitted by Alan Heureux, Engineer. Original stormwater calculations were submitted by Zenith Consulting Engineers. Ms. Durfee would like to have Mr. Heureux come to the next meeting to do a presentation on his calculations. E. Philla made a motion to continue to next meeting for more information. R. Pimentel seconded the motion. Motion passed 4-0.

### **Discussion:**

- 1094 Main St. – Ms. Perry 1122 Main Street called the office regarding clearing near the stream. Chairman Rocha and Everett went to the site and noted some tree clearing within 100 feet of the stream – minimal amount – Bob noted the stream at the time was dry. Ms. Perry should call the office again if clearing continues.
- 47 Victor St. – complaint received, Agent Hannon has been to the property 3 times, issues are zoning related – no issues with wetlands, he noticed a gas pump on the property and questions possible underground storage tanks. The property owner said they are decorative, Agent Hannon will follow up with the Fire Chief.
- Morse's Lane – complaint received about trash in the wetlands and littering the street. Neighbor is tired of picking up the trash. Agent Hannon said possibly animals are getting into the trash, but it's a DPW issue.
- 415 Middle Road – Neighbor called again regarding work and sawing going on. Agent Hannon spoke with her on the phone and she is now happy that her concerns were addressed.

### **Stormwater:**

- Deep Brook Estates – Provisional Approval. Agent Hannon gave the Commission the background of the project purchase. At this time the project does not have a NPDES permit nor a Stormwater permit. Mr. Castelo has met with the Town Planner and also the Town Administrator. Agent Hannon has met with the contractor for Mr. Castelo- Nathanyl Gomes. They discussed work would be able to continue on the road only. Agent Hannon issued a provisional approval for work on the water supply utilities to be installed in the pre-existing roadway system – no work in any undisturbed areas until the stormwater application process has been completed.
- Moniz project – Alison Lane – Compliance inspections required.
- Stormwater By-law presentation. R. Rezendes asked what is in the by-law that is not up to date for compliance? Agent Hannon gave a slideshow presentation of MS4 requirements and by-law overview. Chairman Rocha would like to see the comparison of the current by-law to what was proposed at the April Town Meeting 2022.

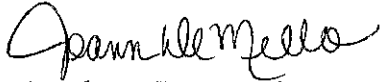
### **Agent Updates:**

Agent Hannon and other department heads signed cards to be represented by the United Steel Workers Union.

**Public Meeting adjourned at 8:24 p.m.**

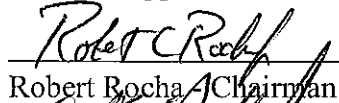
A motion to adjourn the public meeting was made by R. Rezendes. The motion was seconded by R. Pimentel. Motion passed 4-0.

Respectfully submitted:



Acushnet Conservation Commission

Minutes Approved:

  
Robert Rocha, Chairman

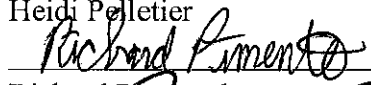
  
Everett Philla

absent

Evelyn Bouley

absent

Heidi Pelletier

  
Richard Pimentel

  
Ryan Rezendes

Date signed: November 9, 2022