



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 SEPTEMBER 28, 2022
CONSERVATION COMMISSION MEETING**

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

Absent:

Patrick Hannon
Joann DeMello

Alan Heures, Engineer
David Pichette, Consultant for Paul Boucher
Paul Boucher/Nancy Durfee 7 Morton Lane
Steve Tibbels, Golf Superintendent
Heather Dionne, Boy Scout leader

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

R. Pimentel made a motion to move the agenda items – appointment Heather Dionne first. E. Philla seconded the motion. Motion passed 6-0.

Minutes for approval: H. Pelletier made a motion to approve the May 25, 2022 minutes. E. Bouley seconded the motion. Motion passed 6-0. R. Rezendes made a motion to approve the July 27, 2022 minutes. E. Philla seconded the motion. Motion passed 4-0. R. Pimentel and E. Bouley not present at said meeting.

Appointments:

- Heather Dionne – Eagle Scout Project – Pollinator Garden. Ms. Dionne's grandson Noah was planning on speaking tonight, but he is ill. Ms. Dionne read a letter from Noah regarding an Eagle project he would like to do at the Pollinator garden. His ideas are a picnic area, story telling area, sitting area, solar powered fountain and small raised garden beds. Noah will draft a plan up and come to the next meeting.
- Steve Tibbels – Golf Superintendent – Pollinator Garden. Mr. Tibbels is present via Zoom. The shed was removed from the garden location and the Commission would like better communication regarding the garden. Agent Hannon said he objected to the removal of the shed, Mr. Tibbels stated it was falling apart and a tree was growing up thru the side of it. Mr. Tibbels said the area has been unkept, he would like it to be maintained continually, he doesn't have the staff or time to work on the garden. R. Rezendes also inquired if the beautification committee could spend some time on the grounds? Agent Hannon said we have a few hundred dollars in the filing fee account that can be used for garden items. Ms. Dionne said the Eagle Scouts raise their own money for this project. She would also like to do some community outreach. Commission will hear more details at their next meeting.

Meeting Mail:

Email to Allan Decker, Buzzards Bay Coalition. Agent Hannon said this is a groundwater project. Community Preservation Committee voted to approve the project money. Mr. Decker and Town Administrator, Jamie Kelley had a meeting prior to September 23rd. The Board of Selectmen and the Finance Committee did not recommend this article. Agent Hannon suggested the Commission follow up – no correspondence from Board of Selectmen's office.

Letter from Whelden Lane residents regarding traffic and heavy equipment using the Whelden Lane trail. Chairman Rocha read the letter aloud. Agent Hannon has been to the area and met with Eversource official last year, wetland lines were good. Agent Hannon suggested that a possible entry point could be accessed from Middle Road. R. Rezendes described the roadway leading up to the trail. Joann will contact the Assessor's Office and send out certified letters for a public hearing to be held on October 26, 2022.

New Business:

Enforcement Order – Paul Boucher / 7 Morton Lane – SE 001-0566 Failure to follow the Order of Conditions as approved for the project. Agent Hannon stated the erosion control was still not installed properly as of today, Sept. 28, 2022. Roof drain system was not installed, sediment forebays have not been constructed. Grading changes were made in the field, but not brought back to the Commission. Agent Hannon read aloud the Stormwater requirements. Agent Hannon has spoken with Dan Menard - DPW Superintendent, Joseph Correia – Health Agent and Doug Pimentel – Town Planner regarding this project. Dave Pichette, Wetland Consultant was present and stated he agrees that the erosion control was not installed according to the plan and added the roof drain will be done. Alan Heureux, P.E. stated the Order of Conditions incorrectly had the Stormwater box checked off. Mr. Heureux said it is not subject to

Stormwater standards it's a single family dwelling. Paul Boucher stated that Nancy Durfee can speak on his behalf. Mr. Heureux asked if the E.O. discussion could be tabled to the public hearing section of Stormwater on the agenda. Discussion ensued. The Enforcement Order will be revised for erosion controls and roadway improvements as approved by the plan on file. H. Pelletier made a motion to revise the Enforcement Order. Installation of erosion control around the construction area excluding the large basin area. Complete the road as approved on the August 9, 2021 plan. Installation of the proposed basin is stayed pending peer review of revised stormwater calculations. E. Bouley seconded the motion. R. Rezendes abstained. Motion passed 5-0-1.

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

(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 was present to discuss this project. Green cards were received. An RDA was filed for the percolation tests and they are complete, the system required will be a denitrification system. Mr. Joseph inquired about preserving the blueberry patches that are present. Mr. Fredette will include that on the plan. Board of Health needs to approve the plan before the Commission will vote. E. Philla made a motion to continue to next meeting. R. Rezendes seconded the motion. Motion passed 6-0.

Discussion:

- 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.

Motion from R. Rezendes to open a continued public hearing for 7 Morton Lane / Stormwater, seconded by H. Pelletier. Motion passed 6-0.

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. The applicant requests review of the Stormwater management calculations submitted by Heureux Engineering, LLC. Mr. Heureux introduced himself and read aloud a letter from himself regarding the NOI file # 0566 - stormwater calculations. Mr. Heureux also read a letter aloud from Sara Quintal. Mr. Heureux stated this is not a subdivision project, he would like to amend the Order of Conditions in reference to his submittal calculations, he stated he recently worked in Dartmouth and those projects did not require stormwater permits. Agent Hannon advised Mr. Heureux that the Town of Acushnet has a different stormwater by-law and regulation than the Town of Dartmouth and Mr. Heureux stated that he did not read the entire Acushnet stormwater and by-law regulations. Agent Hannon also read exemptions from the Stormwater requirements for certain projects, section 5.0

Applicability. Agent Hannon directed Mr. Heureux to section 5.0C Administrative review of certain exempt projects. The Commission discussed getting two estimates for peer review. Commission to use Beals and Thomas and GCG Associates for peer review. Mr. Boucher agreed to these engineers for peer review. R. Rezendes made a motion to continue to next meeting. E. Bouley seconded the motion. Motion passed 6-0.

- Deep Brook Estates update – Agent Hannon said that Mr. Castelo has now applied for the NPDES (National Pollution Discharge Elimination System) Permit, although it is not approved, Agent Hannon said he could continue to work on the road. Engineering documents were not passed down through the purchase. Mr. Castelo needs to apply for a stormwater permit. R. Rezendes said trucks were bringing in fill for the last 2 weeks. E. Bouley said the neighbors are voicing their concerns to her. Agent Hannon said he goes there several times a week and will be back out there.
- Moniz Estates update – Agent Hannon will meet with Mr. Moniz and SITEC to go over paperwork etc. that is needed for their project. This project does not yet have a NPDES Permit.
- Acushnet Co. – 115 Manchester Lane – Agent Hannon said the peer review is getting close to being worked out – basin is 5 feet from the wetland area. Commission to vote at next meeting.
- Senior work off program – Agent Hannon to call Heather –Council on Aging Director regarding files that be purged.
- Stormwater Revolving Fund – Agent Hannon suggested placing an article on the Spring Town Meeting.
- Stormwater By-law discussion – Agent Hannon said the correct document was in question and BOS did not send it to him. Everett and Pat attended the Board of Selectmen meeting Friday morning. A public hearing needs to be held closer to the spring town meeting date for compliance with placing the by-law on the warrant. Commission has requested Agent Hannon provide a highlighted, side by side comparison of the current by-law and the proposed by-law for compliance.
- Ryan would like to have another Engineer for Stormwater he feels Coneco Engineers and Scientists has a conflict with the Agent. Chairman Rocha would like to place on next agenda for a formal vote.

Agent Updates:

- 6 Blacksmith Drive – Agent Hannon said the project looks great, owners should request a Certificate of Compliance.

Public Meeting adjourned at 8:30 p.m.

A motion to adjourn the public meeting was made by R. Rezendes. The motion was seconded by R. Pimentel. Motion passed 6-0.

Respectfully submitted:



Acushnet Conservation Commission

Minutes Approved:

 CHAIR

Robert Rocha - Chairman



Everett Philla

 Evelyn Bouley

Heidi Pelletier



Richard Pimentel



Ryan Rezendes

Date signed: October 26, 2022