

## 10.19.15 Conservation Commission Minutes

### Minutes of the Taunton Conservation Commission October 19, 2015

Present: Chair Steven Turner, Vice Chair Neil Kelly, Commissioners Ernest Enos, Marla Isaac, Luis Freitas, Renwick Chapman, and Debra Botellio.

Motion to approve the minutes of the September meeting, NK, second RC, so voted.

#### Continued Certificate of Compliance

- **507 County Street, Wells, (COC), SE73-2324** Field report states that this project was for to remove an existing shed and salon building and to construct an office/retail building within 100 feet of a BVW. All work has been completed in significant compliance to the order of conditions issued on 4/17/08.

\*the dumpster must have a stockade fence around it per Board of Health requirements (the Board of Health has been notified of this infraction). This is not a TCC issue, and will be handled by the Board of Health.

The following issues have been resolved:

- \*there is a large pile of yard waste within seven feet of the BVW behind Unit A (northwest corner);
- \*there is a pile of trash just to the left of this pile within five feet of the BVW;
- \*two large concrete slabs are to the right of the propane tank and behind Unit B; and
- \*there is a pile of trash in the southwest corner behind Unit C.

MR recommends that the TCC issue a COC for this project. Motion to approve, RC, second NK, so voted.

#### Certificate of Compliance

- **Charles F. Colton Road (formerly Bassett Street), Taunton Dev/Mass Dev, Corp, (COC), SE73-2494** Field report states that this filing is for the construction of approximately 2,508 linear feet of new access road (Charles F. Colton Road) off Bassett Street and Constitution Drive. This project also included utilities, associated grading, and stormwater management structures to service a 220 acre, 6-lot subdivision. The roadway has been completed and has been top-coated. The sidewalk shoulders and catch basins have been constructed and the basins have been cleaned of debris prior to this filing. The detention basin at the end of the cul-de-sac is complete and vegetated. The detention basin on Lot 5 is also designed to specifications. The infiltration/detention Basin #1 has now been completed, thus fulfilling the requirements to receive a full COC. All areas are stable and are in significant compliance to the order of conditions issued on 4/25/12. MR recommends that the TCC issue a full COC for this project. Motion to approve, RC, second LF, so voted.
- **132 Field Street, Correia, (COC), SE73-2355** Field report states that this project was for the construction of a single family home with associated driveway, grading and septic system. An order of conditions was issued on 8/26/08 and later amended on 11/19/09. All work has been completed in significant compliance to the orders and lawn areas are stable. The wetlands remain undisturbed. MR recommends that the TCC issue a COC for this project. Motion to approve, RC, second LF, so voted.
- **28 Bayberry Lane, Faria, (COC), SE73-2618** Field report stated that this project was for a septic system replacement to meet Title V standards, and to abandon the old system and laundry pit in accordance with the Board of Health

regulations. All work has been completed in significant compliance to the order of conditions issued on 7/29/15. All lawn areas are stable and there is no indication of siltation toward the wetland area. MR recommends that the TCC issue a COC for this project. Motion to approve, RC, second MI, so voted.

- **125 Juniper Lane, Maclean, (COC), SE73-2331** Field report states that this project was for a septic system upgrade (system failed) within 100 feet of a BVW. Additional work included a two car garage and breezeway. Both the shed and stone firepit area existed prior to this filing as seen from historical photos. All work has been done in significant compliance to the order of conditions issued on 4/30/08. There is no indication of any siltation into the wetlands and all disturbed areas are stable. MR recommends that the TCC issue a COC for this project. Motion to approve RC, second MI, so voted.

#### **DB arrived**

- **74 Blueberry Lane, Stallings, (COC), SE73-2334** Field report states that this filing was to remove an existing retaining wall and to construct an addition, porch and deck, and associated grading within the 100 foot buffer zone of a BVW. No work was done regarding this filing and the owner wishes to close the filing. MR visited the location to verify work was not done. MR recommends that the TCC issue a COC to close out this file. Motion to approve, RC, second MI, so voted
- **18 Bluegrass Circle, T.L.C. Development, (COC), SE73-2509** Field report states that this project was for the construction of a single family home with driveway, septic system, utilities, and associated grading. The subdivision, of which this lot is part of, was issued an order of conditions on 4/28/10 under. All work on the detention basin located on this lot, noted as Detention Basin #1, has been approved under the order of conditions for DEP SE 73-2429. There were a few minor changes from the original design such as a smaller deck, the addition of a patio, and stone walls along the driveway and the northern property line which cut down on the grading originally proposed. The house is also a few feet farther from the wetland. Overall, the work has been completed in significant compliance to the order of conditions issued on 7/17/12; therefore MR recommends that the TCC issue a COC for this project. Motion to approve DB, second LF, so voted.

#### **Extension**

#### **RC out**

- **480 John Hancock Rd., Martignetti Companies/BSC Group, (ANRAD EXT), SE73-2520** Field report states that this filing was for the approval of wetland resource areas at John Hancock Road, Map 23, Lot 90. The ORAD was issued on 10/4/12. The Applicant is requesting a three year Extension to the ORAD. There is no issue regarding this request, therefore MR recommends that the TCC issue a three year extension to the ORAD to expire 10/4/18. Motion to approve extension DB, second MI, so voted.

#### **RC in**

- **295 Broadway, Tucan, (EXT), SE73-2358** Field report states that the applicant is requesting a three year Extension of the order of conditions issued on 10/27/08 and valid through 10/27/15 (per Tolling Period Law). This request is mad as the owner suffered major health issues and was unable to work on the project which consists of: construction of a garage/office building, detention basin, and a parking area within 100 feet of a BVW. This project is located at the site of an existing used car dealership and tattoo parlor along Broadway, with a driveway leading to a lower level with a taxi office that will be removed. The wetlands are located along the rear of the property on the lower level with a noticeable 10 foot drop along the southwest corner. Work that has been completed includes the garage/office building and the parking area to the south. The detention basin has not been constructed, nor has the landscaping required through Zoning. **The detention basin MUST be constructed before any further construction takes place. This should have been put in first per the Order of Conditions!** MR recommends that the TCC grant the three year Extension and that the applicant call the office to inform the CA when work on the basin will commence. All special conditions remain in effect. Siltation barriers and the DEP sign must be put up prior to any more work and the Agent should be called to inspect the

barrier. Motion to approve based on MR's field report and her recommendations are to be followed as stated, DB, second RC, so voted.

#### Public Meeting

- **63 Short Street, Machado, (RDA), DSE-1117** Field report states that this project is to abandon the failed sewage disposal system in accordance with 310 CMR 15.354 and replace with an approved Title V system. The wetland was approved and an ORAD issued in 2009 and valid to 3/26/16 per the Tolling Period Extension Act. A siltation barrier is depicted on the plan at least 44 feet from the wetland and designed as the limit of work. No work will occur within the 25 foot WPZ. Grading will be 61 feet from the wetland at the closest point while the leaching field will be 72 feet away. The work as proposed will not negatively impact the adjacent wetland, therefore MR recommends that the TCC approve the project and issue a negative determination to include the attached special conditions. Daniel Machado owner present. Motion to issue a negative determination with conditions 1, 2, 3, 4, 7, 8, 14, 18, and 19, RC, second DB, so voted.
- **Briggs Street (77-361 & 77-362), St. Germain, (RDA), DSE-1118** Field report states that this project is to remove an existing retaining wall that is collapsing and stabilizing the area by eliminating the retaining wall and grade the area to existing boulder line. A filter sock will be laid along the front face of the boulders, with grading falling within 11 feet of the wetland. The wetland line was approved under SE73-2427 on 3/3/10. The existing wall is made from railroad ties which are deteriorating, causing the wall to collapse and create an unstable slope behind it. The proposal to eliminate the wall and re-grade the area will create a more stable slope, thus eliminating the threat of siltation into the wetland. The work as presented will not negatively impact the wetland or Cobb Brook, but will improve the overall integrity of the slope. MR recommends that the TCC issue a negative determination to include the attached special conditions. Karen Patnaude present for the owner. Motion to issue a negative determination with special conditions 1, 2, 3, 4, 14, 18, and 19, RC, second LF, so voted.
- **193 Tremont Street, Rocky Knoll MHC, LLC, (RDA), DSE-1119** Motion to issue a negative determination with conditions 1, 2, 3, 4, 14, 18, and 19, RC, second DB, so voted.

#### Public Hearing

- **17 Park & 50 Washington Street, Carter/50Washington Street Associates, LLC, (NOI), SE73-** Motion to remove without prejudice, DB, second RC, so voted. Removing this after the ad was placed because they have gone no further with the application.
- **Paige Way (Lot 1), Conway, (NOI), SE73-** Field report states that this project is for the construction of a single family home with garage, utilities, and associated grading. The wetlands were previously approved, and an ORAD issued, under DEP SE73-2252. This project is subject to NHESP review and we are awaiting the letter, after which the Order can be released. The plan shows a siltation barrier at least 25 feet from the wetland, thus staying outside the WPZ. The house will be 76 feet from the edge of the BVW at its closest point, while grading will fall within 30 feet. A concrete washout area and dewatering are located outside the 100 foot buffer zone. The work as proposed will not negatively impact the adjacent BVW therefore MR recommends that the TCC issue an order of conditions to include the attached special conditions. At this time DEP has not cashed the check so we do not have a file number. They said that the plan can be approved but release of the order will need to wait for the file number. Once we receive the DEP file number and the letter from natural heritage, the order will be released. Karen Patnaude present for the owner. Motion to approve subject to any conditions made by Natural Heritage with special conditions 1, 2, 3, 4, 5, 16, 17, 19, 21, 25, 26, and 27 RC, second EE, so voted.
- **Mello's Farm Road (Lot 3), Bairos, (NOI), SE73-** Field report states that this project is for the construction of a single family home with utilities, driveway, and associated grading. The wetlands were delineated and approved under DEP file number SE73-2085 and MR re-verified the line during her site visit on 10/16/15. A siltation barrier is already in place and is at least 26 feet from the edge of the BVW. A walkway around the west side of the house will be within 45 feet of the wetland while the patio will be 64 feet away. The majority of the grading will be in the front of the lot. A concrete washout area and dewatering area are located outside the 100 foot buffer zone. The work as presented will not

negatively impact the adjacent wetland, therefore MR recommends that the TCC approve this project and issue an order of conditions to include the attached special conditions. A DEP number has not been issued as the Boston office has not cashed the checks. DEP said we can approve the filing but that the order should be held until a number is issued. Karen Patnaude present for the owner. Motion to approve, hold the order until DEP# is issued, with special conditions 1, 2, 3, 4, 5, 8, 16, 17, 18, 19, 21, 24, 25, 26, 27, RC, second DB, so voted.

- **Mello's Farm Road (Lot 4), Bairos, (NOI), SE73-** The field report states that this project is for the construction of a single family home with utilities, driveway, and associated grading. The wetlands were delineated and approved under DEP file number SE 73-2085 and MR re-verified the line during her site visit on 10/16/15. A siltation barrier is already in place and is at least 29 feet from the edge of the BVW. A walkway around the west side of the house running to the patio will be 65 feet from the wetland while the deck will be 33 feet from the BVW. The majority of the grading will be in the front of the lot. Grading in the rear of the lot will be 55 feet from the BVW. A concrete washout area and dewatering area are located outside the 100 foot buffer zone. The work as presented will not negatively impact the adjacent wetland, therefore MR recommends that the TCC approve this project and issue an order of conditions to include the attached special conditions. A DEP number has not been issued as the Boston office has not cashed the checks. DEP said we can approve the filing but that the order should be held until a number is issued. Karen Patnaude present for the owner. Motion to approve, hold the order until the DEP# is issued with special conditions 1, 2, 3, 4, 5, 8, 15, 16, 19, 21, 23, 24, 25, 26, 27, RC, second DB, so voted.

#### Violations

- **1601 Bay Street, Melo.** Motion to remove the violation, DB, second MI, so voted.

#### Other Business

- All Commission members should look over dates for next year and decide what works best for the 2016 meeting schedule.
- Conservation Agent's Report.
  - Westville Conservation Area-no deer baiting and trash is very old
  - Downing Drive letter re: wetland filling. MR went out, re-seeding lawn, no intrusion into the wetlands. Motion to put letter on file, DB, second MI, so voted.
  - Boyden. MR meeting with Park & Rec re: issues with gate being closed and checking out the homeless shelter in the woods. MR will be walking the property.
  - Commissioner Terms. A reminder to those whose terms are expiring.
- Don Greg for the Bent Award.

**Motion to adjourn, LF, second EE, so voted. Meeting ended at 7:30pm**