

Minutes of the Taunton Conservation Commission August 15, 2016

Present Chair Steven Turner, Vice Chair Neil Kelly, Commissioners Marla Isaac, Debra Botellio, and Luis Freitas.

Absent: Commissioner Ernest Enos

Motion to table the minutes of July until the 9/12/16 meeting, DB, second MI, so voted.

Certificate of Compliance

- 1. 84 Blue Grass Circle, GAF Engineering, (COC), SE73-2589 (CON'T)** Field report states that this project was for the construction of a single family home with deck, driveway, and associated grading. The rear of the house, deck and roof drain infiltration system fall within the 100 foot buffer zone of a BVW and 200 foot Riverfront Area which were delineated prior to the road build out. MR inspected this site for the third time on July 25th and found that the eroded areas are stable and that there does not seem to be any migration of soil further into the buffer zone. MR recommends that the TCC issue a COC for this filing. Motion to approve, DB, second MI, so voted
- 2. 580 Winthrop Street (101-18&19), Manheim New England, (COC), SE73-2077** Field report states that this filing was for a proposed sewer connection to Winthrop Street. This project was never started and the Applicant wishes to close the filing. MR recommends that the TCC issue a COC for this project. Motion to issue COC, DB, second NK, so voted.
- 3. 590 Somerset Ave, Heritage Operating, L.P. d/b/a Metro Lift Propane, (COC), SE73-2273** Field report states that this project was for the construction of a 24' x 48' modular building, sheds and storage tanks for propane, and associated parking, drainage, fencing, and utilities within 100 feet of a BVW and 200' of Cobb Brook. A Riverfront Enhancement Plan to manage the invasives along Cobb Brook was also included in the plan. MR visited the site on August 9th and found that the work has been completed in significant compliance to the order of conditions issued on 8/8/07 except for the riverfront improvements. The original plan was to remove the invasive species and plan wetland vegetation in order to improve the corridor along Cobb Brook. Japanese knotweed is persistent along the banks of Cobb Brook. There is a cleared area around the perimeter of the fence but there is no non-invasive wetland vegetation along the corridor of the river as originally proposed. MR recommends that the applicant review the plans created by the botanist and remove the invasives and replant native species

along the brook. MR recommends that this filing be continued to next June, date to be determined. Motion to continue to June 2017, date to be determined, DB, second MI, so voted.

Public Meeting

1. **14 Downing Drive, Martin, (RDA), DSE-1134** Field report states that this filing is for a proposed 12' x 16' deck to be attached to the left side of the existing home with two steps at the front and two steps to the backyard. The wetlands are located in the rear of the property and area clearly defined by a drop in elevation from the upland area. The steps and deck will be 29- and 32- feet from the wetland edge. All work will be done by hand. The work as proposed will not negatively impact the wetland, therefore MR recommends that the TCC approve the project and issue a negative determination to include the attached special conditions. Sandra Martin present, homeowner. DB all done by hand? Yes and sonar tubes with cement inside. Motion to issue a negative determination with conditions 1, 2, 3, 4, and 14, DB, second MI, so voted.
2. **852 Burt Street, Arruda, (RDA), DSE-1135** Field report states that this project is for a septic system repair to include removal of the existing system per Board of Health specifications, installation of the new septic tank and soil absorption system, and associated grading. The BVWs were flagged by SFG Associated, inc. on July 11, 2016. The BVW is located along the rear property line and flag series 1 through 5 were installed. MR is in agreement with the delineation. A siltation barrier is depicted at least 52 feet from the BVW. Grading and the new septic tank fall within 55 feet of the wetland. The new SAS will be on the south side (left) of the house and will be 72 feet from the wetland. The project as proposed will not negatively impact the BVW, therefore MR recommends that the TCC approve this project and issue a negative determination with the attached special conditions. Brad Fitzgerald present. Motion to issue a negative determination with conditions 1, 2, 3, 4, 14, 18, and 19, DB, second MI, so voted.

Continued Public Hearing

1. **Duffy Drive, TLC Development/Tutsch, (NOI), SE73-2645** Motion to continue to 9/12/16, DB, second MI, so voted.
2. **Phyllis Road, TLC Development/Tutsch, (NOI), SE73-2646** Motion to continue to 9/12/16, DB, second MI, so voted.

Amendment

- 1. Briggs Street (Lot 6), Clarewood Homes, Inc., (AMEND), SE73-2642** Field report states that this project is for the construction of a single family home with attached garage, deck, utilities, and associated grading, and is on the north side of Briggs Street with Silver Street (paper street) along the eastern property line. After starting work the contractor found that the soils could not support a foundation so an amended plan was submitted. The house will now be approximately 57 feet further back on the lot, closer to the wetland. The corner of the house will be 44 feet from the BVW with the deck and stairs 51 feet away. There will be no basement-the garage will be at elevation 31.5 and the top of foundation will be at 34.0. a siltation barrier is depicted 26 feet from the wetland with grading coming within 29 feet of the BVW. The swale remains the same-except that no catch basin is shown at the front of the property line per the City Engineer. The washout areas remain the same. The driveway is now on the right side of the house and the rear deck is on the left side. The contractor has spoken with abutters regarding the changes and the reasoning behind those changes. The amended work should not impact the wetland or adjacent properties. MR recommends that the TCC approve this project and issue an amended order of conditions to include the same conditions as the original order. Karen Patenaude present for the applicant. There is a basement, it is a raised ranch. When they began to dig for the foundation they encountered muck and it would not sustain a foundation so they moved it further back and found better soil. Motion to issue an amendment as per the most recent plan, NK, second LF, so voted.

Public Hearing

- 1. 27 Bennett Street Extension, Lopes, (NOI), SE73-2666** Field report states that this filing is for the construction of a 14' x 28' deck on a concrete slab and a 12' x 16' shed. The wetlands were originally approved under DEP# SE73-2397 and the flags were re-hung by Earth Services Corp. on July 20, 2016. A siltation barrier is depicted on the plan at least 26 feet from the BVW and will be the limit of work. No work will occur within the 25 foot WPZ. The concrete slab will be 43 feet from the BVW while the proposed shed will be 45 feet away. The work as proposed should not negatively impact the wetland or adjacent properties therefore MR recommends that the TCC approve the project and issue an order of conditions to include the attached special conditions. MR also recommends that the commission approve the wetland delineation as follows: flags

FL#4 – FL#5, with FL#1 – FL#3, and FL#6 – FL#7 for reference purposes only. David and Melissa Lopes present. Motion to approve with conditions 1, 2, 3, 4, 5, 19, 21, 25, 26, and 27, NK, second LF, so voted.

2. **1619 Somerset Ave. (Lot 79B), Malloch Group, Inc., (NOI), SE73-2666** Field report states that this filing is for the proposed construction of a single family home with attached garage, driveway, 12' x 16' shed, utilities, and associated grading. An existing shed will be razed in the construction process. The BVW located along the northerly property line were delineated by J. Avizinis of Natural Resource Service, Inc. in April of 2016. MR reviewed the line and is in agreement with the placement of the flags. This property was divided in May of this year. A siltation barrier is depicted on the plan at least 25 feet from the BVW and will be the limit of work. No work will occur within the 25 foot WPZ. The shed will be at least 45 feet from the BVW while the corner of the garage will be within 313 feet. Grading in the rear falls within 30 feet of the wetland line. The home will have a foundation elevation of 40, with the basement at 32.50. the proposed grades and location of the house should not negatively impact the existing home or other adjacent properties or the BVW. MR recommends that the TCC approve this project and issue an order of conditions to include the attached special conditions. MR also recommends that the TCC approve the wetland delineation as follows: Flags WFA-1 to WFA-9. Change plans to say Bristol County, not Plymouth County-DB. Motion to approve with change noted and conditions 1, 2, 3, 4, 5, 8, 17, 19, 21, 24, 25, 26, and 27, NK, second DB, so voted.

3. **207 Hart Street, Poelart/Bristol-Plymouth Regional Technical School District, (NOI), SE73-2669** Field report states that this filing is for the proposed expansion of two parking lots within the Bristol Plymouth Regional Technical High School campus. In addition, three stormwater management systems will be built, and an isolated wetland will be filled and replicated 2:1. The project will be within currently forested land. The wetlands were delineated by Environmental Consulting & Restoration, LLC (ECR) on 3/10/16. The flagged wetlands, Bordering and Isolated, are located in the southern section of the property that abuts 1000 County Street (Mass Highway). ECR had flagged wetlands within the property in 2014. The isolated wetland flags were reflagged from the earlier delineation. From east to west the wetland are as follows:

System H: Flags H-1 to H-11. This is an isolated wetland system outside any proposed construction on site.

System J: Flags J-1 to J-61. This system is the largest flagged system and is located in the southeast corner of the property. The proposed replication will be connected to this system between flags J-29 to J-38. Stormwater Basin C will be to the north of flags J-40 to J-52 and will receive stormwater flow from the proposed parking lot to its north.

System I: Flags I-1 to I-8. This isolated wetland, 1,165 square feet, is within the far west proposed parking lot and will be filled and replicated. The majority of the proposed Stormwater Basin B is within this wetland system. This stormwater system will receive discharge from the westerly proposed parking lot.

System K: Flags K-4 to K-18. This wetland is southwest of the first proposed parking lot and south of Stormwater Basin A. Basin A will receive stormwater sheet flow from the easterly parking lot via a paved swale that directs flow to a water quality swale prior to entering the Basin. There is a berm in front of the paved swale that should be eliminated.

System L: Flags L-1 to L-5. This is a small wetland connected to a larger system (M) and which does not seem to have a connection to system K.

System M: Flags M-1 to M-8. This wetland is located on the northwest side of the driveway and connects to System L through a culvert.

The plan shows straw wattles as the siltation barrier and will be the limit of work. Two versa-loc retaining walls will be constructed to the north of each new parking lot with landscaping per the Zoning Ordinance. In addition a retaining wall with chain link fence will be constructed along the westerly side of the far easterly lot. The majority of the proposed work is within the 100 foot buffer zone and a large portion falls with the 25 foot WPZ. The city engineer states that the aisle widths can be decreased from 24' to 22'. This would decrease the amount of impervious area and impacts on the resource areas. The city engineer also states that the current inlet grates will not be able to accommodate the proposed runoff and recommends multiple grates. Overall this project should not impact the resource areas, especially if the above recommendations are followed. MR recommends that the TCC approve the plan and issue an order of conditions to include the attached special conditions. MR also recommends that the TCC approve the wetland resource areas as outlined above. ST understands what city engineer says but what does the applicant want re: the aisles? They would like to remain at 24'. Agree to double grates for each inlet. Will remove berm. ST how many more parking spots now? They will be gaining 150 more spots. Motion to approve with the plan submitted and the addition of multiple grates, with special conditions 1, 2, 3, 4, 5, 6, 7, 9, 11, 14, 19, 21, 25, 26, and 27, and 28-snow storage to remain in the same spot as it has been stored, NK, second LF, vote taken 3-2, motion carries.

DB and MI stepped down

- 4. Route 24 & 140 Interchange, Mashpee Wampanoag Tribal Gaming Authority, (NOI), SE2668** Motion to continue to September 12, 2016, no quorum, NK, second LF, so voted.

DB and MI back

Motion to go out of order to hear #2 under Violations, NK, second, MI, so voted.

Violations

- 1. 383 & 387 Tremont Street.** Pile of loam is right at the edge of the wetlands at 383. Lots of work was done out there, MR did not approve all that work. At the time, 8 years ago when MR checked this site over online it showed no wetland, GIS wasn't working right. MR did speak with them last year. LF remove loam, ST grass to wetlands, MR take care of the wetlands. They did not come in with a plan, only have copy of septic and garage permit at home. MR they never came before TCC because GIS showed no wetlands, wasn't working properly at the time. ST stabilize slope, spread loam by hand, seed it and use no fertilizer or chemicals. DB vote to remove violation but does not want to see them here again. Motion to remove violation contingent upon them not being here for another violation, remove and spread loam by hand, no chemicals on the lawn, DB, second NK, so voted.

Motion to revert to the regular order of business to hear 165R Hart Street, DB, second MI, so voted.

- 2. 165R Hart Street.** MR met with Shawn, cleaned up the basins, siltation barriers are up, and tree has been removed. DPW and MR met with him last week. Today MR gets a call from Debbie Carr, she was with Fred Cornaglia, all work needs to stop immediately. DPW was not onsite for water, has no idea who did the work, no permits, was it done right? Now no work on Briarwood Drive. Motion to continue to 9/12/16, report from DPW explaining what is going on out there, Shawn is to be present at the meeting on September 12th, ST, second DB, so voted.

Motion to adjourn, DB, second NK, so voted. Meeting ended at 7:45p.m.