

Conservation Commission Meeting 3.07.2022

Present: Chair Steven Turner, Vice Chair Debra Botellio, Commissioners Joshua Borden, Richard Enos, Luis Freitas, Matthew Haggerty, Jan Rego. Conservation Agent Michele Restino also present.

Motion to table minutes to the April 11th hearing date, DB, second JB, so voted.

Motion to go out of order and take the Sabbatia Lake NOI, JB, second DB, so voted.

PUBLIC HEARING:

1. Sabbatia Lake, COT, NOI, SE 73-2974 – for invasive & nuisance vegetation management. Present: John McCaul, Councilman, residents Pegi Conte, Lisa Potter, & Craig DeMoura. ST and MR discussed the project and ST opened up the discussion to abutters. JM: thanks to ConComm. Discussed the history and met w/residents and toured the lake and saw all the issues. Team developed and met a number of times to get the project moving. LP talked about the process with petitions and talking w/residents. Funded a drone. Had a conversation w/Sheriff Hodgson and he has offered his assistance w/the inmate work program to help with cleanup in the lake and parking lot. CD thanked everyone and asked for the help of abutters to take out the water chestnut. ST: we will put up information on our page, etc. CD got the gates to work. PUBLIC INPUT: Paul Malone: real important to do this multiple years. Sharon Faust: where will the vegetation go? CD: Right now Taunton St. Hosp. will take the dry compost that results from the drying and grinding process. Motion to approve project, JB, second DB, so voted.

Back to original order.

CERTIFICATE OF COMPLIANCE

1. 4 Couch St., COC, SE 73-2879 – to close out Order of Conditions. Motion to issue Certificate of Compliance DB, second JR, so voted.

2. 569 & 571 Winthrop St., COC, SE 73-2927 – to close out Order of Conditions. Motion to issue Certificate of Compliance DB, second JB, so voted.

PUBLIC MEETING:

1. 239 Alfred Lord Blvd., RDA, DSE-1293 – construction of an 8' x 8' deck with stairway & landing. Mohamed Hamie, owner, present. JB steps down. ST read field report. Motion to issue Negative Determination JR, second LF, so voted.

JB back.

CONTINUED PUBLIC HEARING:

1. Winthrop St. (103-28), NOI, SE 73-2921 – for one infiltration basin in association with a proposed 135 SFH lot subdivision on parcels in Dighton. Joshua Glass present. JG said that there will be a site walk with the Dighton ConComm on Thursday, 3.17.22. Requested that this be continued to May. Motion to continue to May 16th DB, second RE, so voted.

2. 175 S. Walker St., NOI, SE 73-2960 – construction of 4 mixed use buildings for residential townhouses & commercial office space. Request to continue. Motion to continue to April 11th.

3. 147 Winthrop St., NOI, SE 73-2912 – reconfigure parking & removal of concrete pad.

Present: Ben Dowling, atty., Gary McClean, owner, Rob Marini, eng. Discussed the project. RM revised the plan as requested. DB which plan #? Plan 6. RM: showed changes on the plan – no pavement now as requested. MR the plan also showed the dimensions of the deck as requested. Where previously marked as new bituminous concrete it is now grass. DB: what are you going to do with the easement area? Just gravel. Intent is to use as access. Just 12 feet. ST: parking is the big concern. Issue w/compact cars in the garage. Explain how you are going to access and where cars will park. BD: size of car will be in the lease. Cannot ensure that that will happen. Discussion on parking continues. DB has concerns about this project. JB: can the police tow a car parked on City easement? No. DB: City will not tow. Continued discussion regarding parking. BD: could put a restriction on parking within the lease. ST: worried about people parking on the easement and in the wetland. MH: asks if there has been any further conversation with the City legal department about taking the property for flood control purposes? BD: the City had the property appraised on Saturday. We are trying to meet your concerns. JR: the City went out and did an evaluation? BD: that's what I believe. LF: trying to work with you. We are putting restrictions, the fencing,... having the City go out there and appraise the property it means that they are really serious. Don't you think it is better to wait and see what comes? JB: we should not be discussing this at all. This is more a City Council thing about taking a property. Let's move on with this. MH: what are the 8 categories regarding denying a project? MR: protection of water supply, ground water, flood control, storm damage, wildlife habitat,... ST: not sure where this motion will go. If it is denied, it's denied. Do you want to ask for a continuance before our closing this hearing. BD: we would request a continuance to add to the plan to make the Commission more comfortable. JB: motion to continue this hearing to the April 11th hearing date. I would like to have a communication from the Law Department about the easement, talking about the City's right to tow or not tow, and how to legally condition something saying they could not park on the easement. Refer to the City Planner for his comment on whether or not they can come back to us with only 3 parking spaces with a deed restriction and leases with one saying they could only have 1 parking space. Would also like a letter from DPW saying they are okay with gravelling the ROW easement, second DB, so voted.

Public Comments: Juanita Gallagher. Talked about issues, can't have a fence, patio area flooded a lot.

4. Dora Drive (101-27), NOI, SE 73-2961 – construction of a 3-unit residential building.

Present Jeff Tallman, eng., Nancy Goulart & Todd Pilling, Dighton. Project has met the satisfaction of Dighton. Motion to issue Order of Conditions with Special Conditions 1-9, 11, 17, 19-21, 24-27, 31, 34, 42-44, DB, second MH, so voted.

5. 43 Chandler Ave., NOI, SE 73-2965 – construction of a 4-unit multi-family building.

Present: John DeSousa. JD discussed the project. DB: were there any buildings on this project before. JD: No, just lawn. ST read field report. Motion to continue to April 11th DB, second RE, so voted.

6. Lot 2 Caswell St. (110-84), NOI, SE 73-2967 – construct a SFH w/ clearing, grading, utilities, & landscaping. Frank Gallagher, present. Made corrections to the plan – took out incorrect note regarding wetlands, and added siltation barriers along the driveway and in the rear of the property. ST: Long driveway. Where will snow removal go? What about fire trucks? ST read field report. Motion to issue Order of Conditions w/Special Conditions 1-6, 8, 9, 17, 19, 21, 25-27, 33, 43, 44, 45 MH, second JB, so voted.

PUBLIC HEARING:

2. 37 Arabian Dr., NOI, SE 73-2971 – construct a 28’ x 32’ attached garage & 8’ x 10’ shed. Present Kenneth Westberg, owner. Motion to issue Order of Conditions w/Special Conditions 21-5, 19, 21, 25-27, JB, second RE, DB: no, passed 5:1.

3. Titus Way Lot 1 (93-207), NOI, SE 73-2972 – construct a residential duplex w/grading, utilities, clearing & landscaping. Present: Will Connolly, Zenith Engineers. Discussed project. ST read field report. Motion to issue Order of Conditions w/Special Conditions 1-5,19, 21, 25-27 JB, second DB, so voted.

4. Titus Way Lot 2 (93-207), NOI, SE 73-2973 - construct a residential duplex w/grading, utilities, clearing & landscaping. Present: Will Connolly, Zenith Engineers. Discussed project. ST read field report. Motion to issue Order of Conditions w/Special Conditions 1-5, 9, 17, 19, 21, 25-27 DB, second MH, so voted.

ENFORCEMENT ORDER:

1. 167 Caswell St., NOI, SE 73-2937. Cease and desist Order was issued due to the following infractions: no DEP sign at entrance, no plan on site, work beyond approved plan, no siltation barrier, no copy of Order of Conditions on site. Mario DiBona & Scott Faria present. SF discussed the two lots involved. MR explained the violation – disturbance near the drainage area without a siltation barrier. Recommends siltation barrier to protect from the construction. Motion to remove the enforcement order DB, second JB. So voted.

OTHER BUSINESS

1. Boyden – FOB and AJ meeting about the fence at Boyden. DB recommends that there be a space 6-8 inches at the bottom.

2. Bike event that was postponed is on again. ST will make sure fence at Hutt forest is unlocked April 10, 2022.

Motion to adjourn DB, second JB, so voted.