

## **Minutes of the Taunton Conservation Commission April 11, 2022**

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

**Motion to table the minutes of February for revisions. DB, second JB, so voted.**

**Motion to approve March minutes with revisions in regards to Arabian Drive. JB, second DB, so voted.**

**The following are to be continued:**

### **Continued Certificate of Compliance:**

**1. 60 Crystal Lane, Taunton Land Co., COC, SE73-2896** – to close out Order of Conditions. Motion to continue to 6/13/22 meeting JB, second DB, so voted.

### **Continued Public Hearing:**

**1. 147 Winthrop Street, McClean, NOI, SE73-2912** - removal of concrete patio, rebuild porch, parking. Motion to continue to 6/13/22 meeting JB, second DB, so voted.

**2. 175 S. Walker Street, Andrade/175 S. Walker Street, LLC, NOI, SE73 -2960** – for construction of four mixed-use buildings for residential townhouses & commercial office space. Motion to continue to 6/13/22 meeting JB, second DB, so voted.

### **Friends of Boyden Discussion:**

AJ Marshall, Park & Rec, Dan Rezendes & Margaret Travis, Friends of Boyden present. In regards to the rear of the picnic area a new three rail post and rail fence with welded wire will be installed, 10' away from the decline for safety reasons and will extend for an additional 40' than the current fence. This fencing will be funded thru the Park & Rec department budget and should be completed by the end of June. The existing fencing will be removed and re-used throughout the Boyden Refuge. A new sign for the Refuge will be funded by the Friends of Boyden.

**Bent Awards** to be held at the 5/16/22 at 5:30 pm DB, JB second, so voted. MR to send invites to recipients and do certificates.

DR thanked AJM for all his help. AJM also stated that he will be filing again for federal grants to rehab the trails.

**Weir Riverfront Park Discussion:** AJ Marshall, Park & Rec present. Will be making ADA improvements by removing the walkways, tables and benches and replacing with ones that are ADA compliant. AJ applied for a grant and was awarded a \$50,000 match grant. Asking to install a fresh water, motion activated splash pad. DB asks if there will be any chemicals? – AJM, No drinking water only. MH states he feels it is a great project and asked if it will be big enough to handle the number of people? – AJM, Yes because the numbers will be split between the other splash pad in the City. Motion to approve to move forward and to keep the Commission informed DB, second MH, so voted.

**Walker Park Discussion:** AJ Marshall, Park & Rec present. Walker Park will be renovated as well and fully funded. The bandstand will be removed and replaced with a gazebo. There will also be walking trails and seating that will all be ADA compliant.

**Certificate of Compliance:**

- 1. 25 Exeter Street, Andrade, COC, SE 73-2806**-to close out Order of Conditions, Motion to approve JB, second DB, so voted.
- 2. 117 Summer Street, Cambra, COC, SE 73-2745** -to close out Order of Conditions, Motion to approve DB, second JB, so voted.
- 3. 200 Winthrop Street, Argrew, COC, N-1231 (Local only)**-to close out Order of Conditions, Motion to approve DB, second JB, so voted.
- 4. 108 Field Street, Coute, COC, SE 73-2802**-to close out Order of Conditions, Motion to approve JB, second DB, so voted.
- 5. 110 Field Street, Taylor, COC, SE 73-2801**-to close out Order of Conditions, Motion to approve JB, second MH, so voted.
- 6. Field Street, Taylor, COC, SE 73-2361**-to close out Order of Conditions, Motion to approve JB, second DB, so voted.
- 7. 383 Burt Street, Cabral, COC, SE 73-2786**-to close out Order of Conditions, Motion to approve JB, second DB, so voted.

### **PUBLIC MEETING:**

**1. 0 North Walker Street, Lima, RDA, DSE-1294**-construct a SFH w/septic system, driveway, utilities & grading within 100 ft of an Isolated Land Subject to Flooding (ILSF). Brad Fitzgerald, SFG Associates present. DB – won't plow snow close to the ILSF? – no it will go straight off the driveway. Motion to issue a Negative Determination with Special Conditions 1-5, 7, 8, 13, 14, 18, 19. DB, second LF, so voted.

Motion to go out of order JB, second DB, so voted.

### **PUBLIC HEARING:**

**1. 0 Rocky Woods Street (87-118), Ferreira, NOI, SE 73-2980**-SFH w/septic system, well, driveway, & associated grading. Brad Fitzgerald, SFG Associates present. DB asks was there ever a house on the property? – No. Motion to approve the Order of Conditions with Special Conditions 1-5, 8, 9, 16, 17, 19, 21, 25-27 RE, second JB, DB votes no, so voted.

**2. 965 Rocky Woods Street, Myette, NOI, SE 73-2981**-deep drilled well Brad Fitzgerald, SFG Associates present. DB asks if this is for an existing home? – Yes. Motion to approve the Order of Conditions with Special Conditions 1-5, 8, 9, 19, 21, 25-27 JR, second JB, DB votes no, so voted.

Revert back to order of business

### **EXTENSION:**

**1. West Water Street (106-5), COT/DPW, EXT, SE 73-2721** -3-year extension request. Alan Gunnerson, BETA Group present. Motion to approve a three year extension that will expire on 12/27/2024. DB, second JR, so voted.

Motion to go out of order JB, second DB, so voted.

### **PUBLIC HEARING:**

**1. 50 Princess Kate Circle, Perkins, NOI, SE 73-2987**-construct a 26' x 32' garage. Dennis Perkins present. DB will vote no because it goes to far into the wetland.

JB has no issue but DEP does. City Engineer also needs to review this. Nyles Zager, Zenith Consulting will need to get in touch with MR. A revised plan to show the required compensatory storage is needed. Motion to approve the Order of Conditions with Special Conditions 1-5, 19, 21, 25-27, 53. JR, second LF, DB votes no, so voted.

**2. 23 Kalman Place, Jordan, NOI, SE 73-2984**-construct a 24' x 24' garage. Craig Jordan present. DB you will not store snow near the wetlands? – No. Motion to approve the Order of Conditions with Special Conditions 1-5, 19, 21, 25-27. JB, second MH, so voted.

**3. 200 Round Street, Babineau, NOI, SE 73-2989**-construct a 30' x 30' detached garage. Roger & Elena Babineau present. DB asks if any chemicals will be stored in the garage? – No. Motion to approve Order of Conditions with Special Conditions 1-5, 19, 21, 25-27. DB, second RE, so voted.

**4. 1133 County Street, NE Facility Solutions Corp., NOI, SE 73-2988**-trailer storage parking lot & stormwater management. James Knight, Equity Industrial Partners, Brandon Li, Kelly Engineering Group present. Test pits will be done prior to construction. Southeast basin will convert to water quality basin. MR asks if the SE basis will be in Phase 2? – No, Phase 1. RE asks if any hazardous materials will be stored in the trailers? – No. The trailers are just empty boxes to go on the road. DB asks how long the trailers will be stored there? – The intent is they stay until they are needed and returned after the delivery is made. DB asks if tractors will be stored there too? – No just the trailers. JR asks if this is the old Rand McNally site? – yes. BL states this is Phase 1 of the project and they will come back to the Commission for Phase 2. RE asks if there is a hazard truck if they leak diesel? – No team but protocol in place. DB asks how close are the trailers to the wetland? MR states at least 50'. MR will need revised plans showing test pits/data, snow removal area prior to issuance of the Order of Conditions. BL states test pits will be done in 1-2 weeks. Motion to approve the Order of Conditions with Special Conditions 1-7, 11, 19-21, 25-27, 29, 52, 53-safety action plan in place, 54- show snow removal area on plan, 55 – revised plans all information requested. JB, second JR, DB votes no, so voted.

**5. Kylee's Way, Lot 1 (75-22), Rich, NOI, SE 73-2975**-SFH w/septic system. John DeSousa, Northcounty Group present. DB requests that copy of homeowner's association agreement to be submitted for file to follow deed in perpetuity.

(Change to Special Condition #35). Motion to approve Order of Conditions with Special Conditions 1-5, 18-21, 25-29, 35, 40, 51 DB, second JR, so voted.

**6. Kylee's Way, Lot 2 (75-22), Rich, NOI, SE 73-2976**-SFH w/septic system. John DeSousa, Northcounty Group present. DB requests that copy of homeowner's association agreement to be submitted for file to follow deed in perpetuity.

(Change to Special Condition #35). Motion to approve Order of Conditions with Special Conditions 1-5, 11, 17-21, 25-29, 35, 40, 51 DB, second JB, so voted.

**7. Kylee's Way, Lot 3 (75-22), Rich, NOI, SE 73-2977**-SFH w/septic system. John DeSousa, Northcounty Group present. DB requests that copy of homeowner's association agreement to be submitted for file to follow deed in perpetuity.

(Change to Special Condition #35). Motion to approve Order of Conditions with Special Conditions 1-5, 17-21, 25-29, 35 DB, second JB, so voted.

**8. Kylee's Way, Lot 4 (75-22), Rich, NOI, SE 73-2978**-SFH w/septic system. John DeSousa, Northcounty Group present. DB requests that copy of homeowner's association agreement to be submitted for file to follow deed in perpetuity.

(Change to Special Condition #35). Motion to approve Order of Conditions with Special Conditions 1-5, 17-21, 25-29, 35, 40. JB, second DB, so voted.

**9. Kylee's Way, Lot 5 (75-22), Rich, NOI, SE 73-2979**-SFH w/septic system. John DeSousa, Northcounty Group present. DB requests that copy of homeowner's association agreement to be submitted for file to follow deed in perpetuity.

(Change to Special Condition #35). Motion to approve Order of Conditions with Special Conditions 1-5, 17-21, 25-29, 35, 40, 51 DB, second JB, so voted.

Public Input: Patricia Wilber 102 N. Walker Street. Wants to make sure that the water doesn't run into her property. JD state the septic flows away from her property and that there will be no changes.

**10. 38 Winthrop Street, Bastis, NOI, SE 73-2982**

-vegetation control, & rebuilding of exterior stairs & timber retaining walls. Clean up riverfront area, John DeSousa, Northcounty Group present. DB asks when removing trees from the river area how will you get them out? JD states they will use a crane. DB how close to the bank? JD will use a long boom. Motion to approve the Order of Conditions with Special Conditions 1-5, 19, 21, 25-27, 36. JR, second DB so voted.

**11. off Tremont St. Lot 1, Melton, NOI, SE 73-2982** -SFH, asphalt driveway. John DeSousa, Northcounty Group present. JB voices concerns that 12' wide driveway

is wide enough for public safety vehicles. Doesn't want to have wetlands filled to make it work and requests that the Fire Dept. review. MH feels this falls outside of the Commission's scope. JB still would like Fire Dept. and Safety Officer input. LF agrees with the Commissioners. Aren't other departments already notified of this? JD states Planning Board approved the Form J and the minimum DOT standard is 10 ½ ft. These driveways are wider than the standard. LF states if they were previously before another board why weren't comments shared. MR states possibly overlooked in error. ST states that the Commission needs to receive comments from the other boards. Public Input: Eric Pierson 594 ½ Tremont Street. He doesn't oppose the project. His concerns are the driveway that is really a culvert and will it be able to take the weight of the vehicles. JD: yes, EP: will it be paved before or after construction starts or completed? JD: during construction phase it will be crushed stone and then when framing is up then it will be asphalt, crushed stone and hard pack. DB: what do you classify as hardpack? JD: crushed stone and sand which is used under roadways. EP: will this handle an 80 ton cement mixer? JD: yes ST states that the culvert should be inspected by the City once the work has been completed. Motion to approve the Order of Conditions with Special Conditions JB, second DB, so voted.

**12. off Tremont St. Lot 2, Palagi, NOI, SE 73-2986** -convert gravel path to asphalt driveway. John DeSousa, Northcounty Group present. ST: any blasting on either of these lots? JD: No. RE: in regards to the snow, road won't be treated? JD: No and will take it thru the wetland crossing to the upland. JD: this project fronts off of Glebe Street. DB: the driveway is up to the wetlands? JD: wetland crossing, plenty of room to plow without going into the wetland. JD: driveway is next to the cart path. DB: any chemicals going to be used? JD: No, maybe just sand. DB: has a concern with this – it's so far back we wouldn't know. ST: add Special Condition 51- no further building and recording of deed in perpetuity. (per MR this had already been included in the field report conditions) Motion to approve Order of Conditions with Special Conditions 1-6, 8, 9 , 16, 17, 19, 21,25-27, 31, 33, 45-50. RE, second LF, DB votes no.

**13. 122 Winter St., Peixoto, NOI, SE 73-2983** -construct 3-story mixed use building for residential & commercial use w/drainage & parking lot. LF has conflict and steps down. John DeSousa , Northcounty Group present. DB: how much of existing footprint of building are you using? JD: building is being taken down. DB:

how much invasion to the 25' buffer zone. JD: will be putting it further away. DB: building is bigger than the original one? JD: yes DB: you will be going into more of the wetland? JD: less of the area to be utilized. Moving it 9' from the wetland line. It was 5'. MR states you are adding more impervious area within the wetland. DB: Where will you put the snow? JD: piling up on back corner and front part to go thru basins as well. DB: use any chemicals? JD: No, all parking is underground. JB: Mixed use? JD: 600sf office and rest is residential, 36 units. ST: septic? JD no, city sewer. MH: do you have the architect plans having trouble visualizing. JD: it's similar to the old Baron Bros. project. MH: so will be same level as Winer Street? JD: yes – street level. ST: how many feet are added for the sewer? JD: 300 feet. ST: anyone else tying in? JD: there will be stubs available. JB: in regards to the DEP technical comments need to provide stormwater standards. Can you provide to DEP? JD: yes DB: was this originally an oil place? JD: not sure. DB: any testing been done? JD: a 21E was done and came back clean. Another 21E will have to be performed. JR: MR do you have all you need? MR yes, but would still like to see a smaller building and the NPDES report will be made part of the record. Motion to approve Order of Conditions with Special Conditions 1-7, 17-21, 25-27,29, 52 (copy of NPDES permit), 53 (meet DEP stormwater), 54 (21E permit). JB, second RE, DB votes no, so voted. Public Input: Sal Emma present. He is concerned about the parking. JD: states residential parking only. SE: Will it create more water going towards my land? JD: it will be a more controlled flow so it won't add anything to what is already happening.

**LF steps back in.**

**14. 4 Spring Lane, Bairos, ANRAD, SE 73-XXXX** -for approval of a delineation of the Mill River. DEP # has not been received as yet. John DeSousa, Northcounty Group, present. Motion to approve ANRAD pending receipt of the DEP number. JR, second JB, so voted.

**CONTINUED PUBLIC HEARING:**

**1. 43 Chandler Avenue (Assessor's Lot 54-459), Rodriques, NOI, SE73-2965** – construction of a four unit multi-family building. John DeSousa, Northcounty Group, present. MH: this is the vegetated lot between the two buildings? JD: yes

JD: WPA defines lawn as altered area. MR: not for redevelopment. MH: asks MR to explain. MR: lot is within the riverfront area and only 5,000 sf is allowed. JB: if you lost one unit and make it a three family along with 2 less parking spaces might get you to the 5,000 sf requirement. MR: that could work but would need to see a revised plan. JD: we can make parking underneath and still fall within the height requirement. ST: feels that it's tight and that 3 units would be better than 4. MR: give a revised plan to meet the standard showing less disturbance.

Motion to continue to 5/16/22 meeting with revised plan to the Commission by 5/9/22. JB, second DB, so voted.

#### **OTHER BUSINESS:**

- 1. Bent Awards for 2021** – Motion made to nominate Margaret Travis DB, second MH, so voted.
- 2.** JR requests that a copy of the zoning map be sent to the Commissioners.
- 3.** ST requests copy of reasons to deny a project be sent to the Commissioners.
- 4.** JB asks if updated by laws are ready for June meeting? MR states they need to be reviewed one more time and then advertised.

Motion to adjourn 9:33 pm RE, second JB, so voted.