

Minutes of the Taunton Conservation Commission July 18, 2022

EXECUTIVE SESSION: MEET WITH LAW DEPARTMENT REGARDING LITIGATION

ST states no votes were taken in the Executive Session.

Motion to open the hearing for regular order of business JB, second LF so voted.

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

ST moves Approval of Minutes until the end of the meeting.

CONTINUED CERTIFICATE OF COMPLIANCE:

1. 34 Railroad Ave., Malloch Group, COC, SE73-2798 -to close out Order of Conditions. The applicant has not filed for an Amendment for the accessory structure (shed). Send certified letter stating the owner or representative must be present at the next meeting. Motion to continue to August 15, 2022 JB, second DB, so voted.

CONTINUED PUBLIC MEETING:

1. 70 Blue Grass Circle, Gagne, RDA, DSE-1300-installation of a 10'x 20' in-ground pool. Nathaniel Gagne, owner present. ST: Who is doing the work? NG: Aqua Med Pools. DB: Are you aware of the City's water restrictions? NG: yes Motion to issue a Negative Determination with Special Conditions 1-4, 8, 14, 18, & 19 DB, second MH, so voted.

JB steps down.

PUBLIC MEETING:

1. 75 Guernsey Avenue, Mc Mullin, RDA, DSE-1303 – installation of an above ground pool. Brian McMullin, owner present. ST: Who is doing the work? BM: Tom Gaudette. ST: This is an after the fact filing. No Special Conditions apply. Motion to issue a Negative Determination RE, second JR, DB votes no, motion carries, so voted.

JB steps back in.

2. 84 Dexter Farms Road, Silva, RDA, DSE-1304 – installation of a 10'x 14' shed. Annabela & Mariano Silva, owners present. ST: what will you be storing in the shed? AS: riding mower, snow blower & garden tools. Motion to issue a Negative Determination with Special Conditions 1-4, 18 JB, second RE, so voted.

CONTINUED PUBLIC HEARING:

1. 43 Chandler Avenue, Rodrigues, NOI, SE 73-2965 -construction of a triplex (originally a four unit multi-family building). John DeSousa, Northcounty Group present. JD: tried to get a conference call with DEP but had to go out of town. JB: Road is owned by the City and cannot be included. MR: just the property is under 5,000. The riverfront area by roadway is still a concern. If it's just the property then it would be approvable but with the roadway it's not. ST: We still don't have the info we need. MR: We were waiting for DEP to respond. JB: Would like to see a letter from DEP. Frustrated that it will need to be continued again. ST: A waste of our time. LF: This has been going on too long. Let's take a vote and let DEP issue a superseding order. MR: I'm leaning towards what John is saying but doesn't want DEP to appeal the decision. She also is frustrated that she can't get a straight answer. Motion to approve with Special Conditions that MR will write up and be emailed to the Commission LF, second JB, DB votes no, Motion carries, so voted.

LF steps down.

2. Lydia Lane (26-5), Freitas, NOI, SE73-2999 – construction of a single family with utilities and associated grading. Brad Fitzgerald, SFG Associates, Inc. present. DB: Is it outside the 25' zone? BF: yes RE: Is this the corner lot? BF: last one on the left. Motion to approve with Special Conditions 1-5, 8, 9, 17, 19, 21, 25-27 DB, second MH, so voted.

LF steps back in.

PUBLIC HEARING:

1. Crane Ave South (29-1), Gibbs, NOI, SE73-2997 – construction of a single family home with septic, shed, two garages, inground pool, utilities, well, driveway & associated grading. John Gibbs, 1185 Norton Ave. & Evan Watson, W

Engineering present. There is no work in the 25' buffer zone. Motion to approve the wetland delineation JB, MH second, so voted. Motion to approve with Special Conditions 1-5, 17, 19, 21, 25-27 JB, second RE, so voted. DB: Was this an existing path? Has it been there a long time? – yes MH states that the path has been there forever. It was there when he was growing up.

2. 82 Cavalier Avenue, Viquez, NOI, SE73-3000 – septic system repair. Brad Fitzgerald, SFG Associates present. DB: has no problem with this project. Motion to approve with Special Conditions 1-5, 8, 9, 17, 19, 21, 25-27 DB, second MH, so voted.

3. 655 West Water Street, One Way Recycling, NOI, SE73-3001 – redevelopment of recycling center. Attorney Brianna Correia, Correia Law Office & Evan Watson, W Engineering present. BC gave a background history of the former Old Colony Scrap. BC passed out to the Commission a letter dated 7/18/22 from Evan Watson that will be made part of the record. EW gave a presentation to explain the plan. DB concerned about emergency spill containment area and how far away is it from the wetlands. EW: about 30 feet and it's in an area away from the normal site. DB: what would be in that area? BC: they have never had an incident but want to be prepared. DB: not really hazardous materials? BC: correct but someone might possibly leave something after hours that isn't recyclable. RE: do you get inspected every few years? BC: no EW: this is just for the proposed work. RE: do you need to report to DPW? EW: Only if there's a spill. That shouldn't happen as they only accept metals. BC: Planning Board decision says no vehicles or air conditioners are accepted. Motion made to add Special Condition #47: Conservation Agent to do a site inspection every two years with a 2 week notice to the applicant. RE, DB second, so voted. Roll call vote LF, RE, DB, & ST yes, JR, JB, & MH no, Motion carries. Motion made to add Special Condition #48 : No items such as air conditioners or other items with liquids to be stored on the property. Roll call vote DB, MH, JR, LF, & RE yes, JB no, motion carries. MH is concerned do we have the capacity to do these inspections? MR will have to do a calendar. DB & MH glad to see a designated spill area if needed. Motion to approve with Special Conditions 1-5, 19, 21, 25-27, 36, 47, 48 DB, second MH so voted.

VIOLATION:

1. 25 Edgewater Lane – Daniel & Vivane Lopes present. MR states there is no permit for the accessory structure (pavilion), or a Chapter 91 for the dock and boat ramp (concrete). ST states that the Commission had approved the dock but will need an after the fact permit for the pavilion. MR: boat ramps are usually sand not concrete. DB: any wildlife effected by this? MR: doesn't think so. JB & DB feel that it would be more disturbance to remove the concrete boat ramp and should just be left as is. DB: did they file a COC for the dock? MR: not sure, will check when back at the office. ST recommends approve the dock, leave the boat ramp as is, file for COC for the dock filing if needed, & get an accessory structure permit for the 14x12 pavilion that has already been built. Motion to remove violation with ST recommendations DB, second RE, so voted.

OTHER BUSINESS:

1. Approval of revised By-Laws ST: Thanks to the committee for all their work on the by-laws. Motion to approve JR, second MH, so voted.

2. North Walker Street Discussion: ST: There is no surveyor on the City's Engineering staff. He would like to hire a surveyor and have them do concrete bounds. DB agrees with concrete bounds they are much more permanent. MR: this is not City property and we should not be surveying it. ST: yes it's a conservation easement. ST requests that bids be done within the next month. Motion to approve DB, second MH, JB voted present, so voted.

3. Reasons of Denials - ST would like a sheet listing the reasons for denial of a project. Requested that MR makes copies & laminate them for the Commissioners. MH asked if there are any other items we should have cheat sheets for? The list of Special Conditions should be included also. All members in favor.

4. Conservation Restriction on Short Street – ST wants to discuss and asks that Conservation hold the restriction on this. Motion to approve JB, second JR so voted. Motion giving Chairman the approval to sign the letter. JB, second DB, so voted.

5. General Discussion: DB: Has anyone heard anything about the Animal Shelter possibly going to Boyden? MR: Not to my knowledge. MH: Something should be written up how to monitor the inspections. MR will work it out. MH: How many

inspections do we currently do? MR: none. Motion to discuss this further at the August meeting MH, second RE, so voted.

Motion to approve the minutes of June 13, 2022. JB, second LF, so voted.

Motion to adjourn 8:08 pm JB, second RE, so voted.