Minutes of the Taunton Conservation Commission July 20, 2020


Motion to approve the minutes of the June meeting, DB, second RE, so voted.

The TCC spoke of Marla Isaac and her years dedicated to the Taunton Conservation Commission. DB shared some kind words about Marla and her many contributions to the City of Taunton. She wrote “I have known former Conservation Commissioner Marla Isaac since 4th grade and she has been conservation minded since that time. Over her adult years, she continued her passion and love for conservation, the wildlife and the environment. She shared her passion with others through her job as a wildlife rehabilitator of raptors and reptiles, the president of the Friends of Boyden Refuge and as a certified conservation commissioner of the City of Taunton. She freely gave her time organizing and running conservation programs for the youth of Taunton and assisted people on conservation issues while upholding the Taunton Conservation Commission’s purpose and mission. These endeavors that I have mentioned, I know only scratch the service of her hard work. As a citizen of Taunton and a conservation commissioner, I would like to thank Marla Isaac for the sharing of her expertise, conservation education and time for everything she has done both for the conservation commission and privately. In my opinion, she has been an asset to the City of Taunton. Her presence will be missed not only by the Taunton Conservation Commission, and at annual Massachusetts Conservation Commissions Conference, but also by the people who she assisted with conservation issues. With this said, I feel that there is not a person more worthy of receiving the Arthur Cleveland Bent Award and all that it stands for than she. Therefore, I whole-heartedly make a motion to nominate Marla Isaac for this award. I would also like this testimonial to be saved in our records for this meeting.” Motion to nominate Marla Isaac for the Arthur Bent Award for 2020, DB, second JB, Commission decided this will be discussed in more detail at the end of the meeting.

Motion to change the August meeting from August 17, 2020, to August 24, 2020, DB, second JB, Roll Call vote-all voted yes.

Motion to continue 6 West Summer Street to August 24, 2020, DB, second JB, Roll Call vote- all voted yes. Evan Watson was present for the meeting.

Certificate of Compliance:

1. 83 First Street, Cabral, (COC) SE73-2398 See field report. Mike Cabral present for the meeting. Motion to approve, DB, second RE, Roll Call vote- all voted yes. Motion to go out of order to hear Public Hearing for 83 First Street, DB, second JB, Roll Call vote- all voted yes.
Public Hearing:

1. **83 First Street, Cabral, (NOI), SE73-** Motion to continue to August 24, 2020, DB, second JR, Roll Call vote- all voted yes.

Motion to go back to the regular order of business, DB, second JB, Roll Call vote- all voted yes.

Extension:

1. **1358 Cohannet Street, Foila, (EXT), SE73-2722** See field report. Motion to approve the extension to September 21, 2023, JR, second DB, Roll Call vote taken- all voted yes.

Public Meeting:

1. **159 Wisteria Place, Swain, (RDA), DSE-1235** See field report. Chris Swain is present for the meeting. Fence is 25 feet from the wetland and shed is 42 feet from the wetland. The shed will be used to store a golf cart, lawnmower, and garden tools. Motion to approve with special conditions 1, 2, 3, 4, 18, and 19, JR, second LF, Roll Call vote- all voted yes.

Continued Public Hearing:

1. **Bassett Street (24-64 & 30-71), Bassett Street Development (NOI), SE73-2841** See field report. Present Attorney Rounds, Brian Dunn, Bob Rego, Matt Falconeri, Tracie Duarte. Falconeri said he met with the abutters on the left of the entrance, but not on the right side. He also met with some Partridge Circle and Paula Drive residents. Abutter Carolyn George 4 Edgewater Lane called in. She wanted to bring attention to the historical marker where the proposed Bay Street entrance is proposed. She just wants to make sure it will not be disturbed. Rego from MBL did identify it on the plans and they have no plans to move or disturb it. ST put it on Falconeri to make sure that this historical marker is not disturbed. LF asked MR when she received the peer review? MR said last week and she sent it out. LF would prefer a hard copy and large plans, instead of just on the tablet. Motion to approve with special conditions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 17, 19, 20, 21, 25, 26, 27, 28- test pits in subsurface recharge area, 29- submit an Illicit Discharge Compliance Statement prior to issuance of the Certificate of Compliance, 30-cordon off historic monument. LF, second RE, Roll Call vote- JB cannot vote, DB voted no, all others voted yes, motion carries.

2. **60 Hodges Ave., Comm. of MA DMH, (NOI), SE73-2854** See field report. Present Eric Ford and Nick Nelson. Motion to approve with special conditions 1, 2, 3, 21, 25, 26, and 27, JB cannot vote, Roll Call Vote taken- all voted yes.

3. **Winthrop Street (101-6 & 31), Janet L. Terra Trust, (NOI), SE73-2857** See field report. Jeff Tallman present. Motion to approve with special conditions 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 14, 17, 19, 21, 23, 25, 26, and 27, JR, second RE, JB cannot vote, Roll Call vote taken- DB voted no, all others voted yes, 3-1 motion carries.
Public Hearing:

1. **565 Winthrop Street, Tutsch/New England Recycling Co., Inc., (NOI), SE73-2858**  
   See field report. Stuart Clark present. ST replication ratio? Stuart said they are moving the pond but not disturbing the wetland. Motion to approve with special conditions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 19, 20, 21, 24, 25, 26, and 27 DB, second LF, Roll Call vote taken- all voted yes.

2. **Lot 20, Run Brook Circle (49-122), Run Brook Dev., LLC, (NOI), SE73-2859**  
   See field report. Present Nick Dufresne. DB asked how many feet? Erosion control is 28 feet from BVW, the deck is 48 feet from the wetland, and the house is 59 feet from the wetland. Motion to approve with special conditions 1, 2, 3, 4, 5, 6, 7, 8, 9, 16, 17, 19, 21, 23, 24, 25, 26, and 27, DB, second RE, Roll Call vote taken- all voted yes.

Continued Violations:

1. **50 Partridge Circle**  
   Motion to continue to September 21, 2020, JB, second DB, Roll Call vote taken- all voted yes.

2. **208, 218, & 228 Berkley Street.** Present Lisa DaSilva, Alex and Brian Estrella. ST spoke with Tardanico and Fisher, with MR too. He drove by and it looks pretty good. Weather permitting, they will hydroseed tomorrow. MR went out this morning too. DB would prefer they add rip rap near the first siltation barrier. They will hydroseed, Mr. Estrella was told he will have to water it to make sure it takes. ST did ask them to keep yard as wide as possible and also reminded the Estrella’s to water after the hydroseeding. DB went out there and she has a little concern. The rocks look kind of thrown there, up against the barrier and she is worried water could move stuff and was everything away. ST said it is steep there. Alex Estrella said to be honest, this will all just wash away. Brian Estrella asked if they were going to cleant the siltation in the drain area or just going to blow that off? They’ve removed a lot, anymore disturbance could cause more issues. ST said they seem to want it both ways and it can’t be that way. MR is ok with the slope, it definitely needs to be more vegetated. Rocks against the silt fence, she is ok with that. It is holding it all there. Lisa DaSilva asked what about the hill? That is with the Law Office and the Earth Removal Board. It is not part of the Conservation issues and cannot be addressed by this board. She would need to check with the Earth Removal Board on the hill issues. DaSilva also had some issues with the road. ST told her contact Earth Removal Board for hill and DPW for road issues. (RE left the meeting) Motion to refer the hill issue to the Earth Removal Board and have a follow up when it is addressed and the condition of the street is to be referred to the DPW to be fixed, DB, second JB, Roll Call vote taken- all voted yes. Motion to continue this violation to 9/21/20 until the hydroseeding takes and the vegetation grows, DB, second JB, Roll Call vote taken- 3-1 does not carry yes DB, no JB, JR, LF. Motion to remove the violation JB, second LF, Roll Call vote taken- 3-1 motion carries no DB, yes LF, JB, JR.
3. **E. Whitehill Street & Brook Street.** MR went out with Don Wheaton from the Engineering Department. They surveyed and put in property line markers. They also installed no trespassing signs behind 10 Mineral Street and East Whitehill. None have been removed so far. Motion to continue to August 24, 2020 LF, JR, Roll Call vote taken- all voted yes.

**Violations:**

1. **Bunk Pond/Boyden.** Brandon Silva is in violation of the following: illegal structure on city property, cutting trees, etc. There was also a trespassing violation issued to him. Silva says he has no idea about the trespassing violation and knows nothing about a shed either. Silva said he was getting tickets so he started to park in a yard near the pond. Also on a couple of occasions there were EPA, State Police, and Fire Marshalls out there. EPA only mentioned that he needed a fishing license. The Fire Marshalls said nothing about the structure and told him he didn’t need a license. ST said you claim not to know who built the structures there but on your instagram page there are photos of you working on the structures. Humpty23 on Instagram has many photos and lots of comments that you did in fact do this. You comment that nobody can stop you. There are many violations here and the trespassing is a fine. DB asked MR if the structures at both sites had been taken down? The one at Bunk Pond is still there, MASS DOT fence is also still cut. The structure at Boyden was there, it was knocked down, they came back and started to rebuild and MR knocked it down again. DB said they should be made to take down all of the structures they put up and pay for any damage done. Brandon said he did not cut down any trees, they were dead. MR said over 60 were cut at Boyden and over 30 at Bunk Pond. ST said to Silva, you are 25 years old, social media doesn’t help you, it’s not your friend. It may have actually been 10 people who took part in building this but you are the only one bragging about it on there. ST give trespass order. JR can we have him take it all down? What would he do with the materials? ST asked if he could get his friends to go down there and help remove it? Could we continue this to August 24, 2020, have them check in with MR on what to do, not looking to fine his friends but get them out there, get ahold of MR and clean this up but within TCC jurisdiction. ST would be willing to give him a month to get it done? Is fence still down near highway? Yes. Bunk Pond, they would need to take down the structure and bring it out to the fence and TCC will do their best to get someone there to pick it up, DB agreed. Motion to continue to August 24, 2020, have Brandon and his friends go out there and remove everything, check in with MR, trespass order will stay in place for now but let MR know when they are all out there, DB, second JR, Roll Call vote taken- all voted yes.

2. **335 Hodges Street.** Jim Sullivan did admit to dumping fill on the other side of the road. He spoke with MR and agreed to remove it and plant a conservation mix. Motion to continue to August 24, 2020 JB, second DB, Roll Call vote taken- all voted yes.
Other Business:
1. MACC membership. Motion to have the fee of $573 approved by ST, DB, second JB, Roll Call vote taken- all voted yes.
2. Land Donation. Motion to refer this to the Law Department, DB, second JB, Roll Call vote taken- all voted yes.
3. Lake Sabbatia. The issue with the weeds growing out of control, needs to be addressed. MR has tried DEP and has not received any response. DB told her to contact Marc Pacheco.
4. Tablet Charging Cords. The commission needs 4 and asked MR to contact Paul in IT regarding this.
5. Plans. Applicants should be supplying large plans for the commission. Many on the commission prefer larger plans to look at, especially when it is a big project. MR said they are in the office, she cannot drive around delivering them. The TCC members said they will go to the ConComm office to pick them up. They currently require from applicants 2 large plans and 7 reduced. Motion that this discussion be placed in the minutes, DB, second LF, Roll Call vote taken- all voted yes.
6. Arthur Bent Award 2020. Motion to nominate Marla Isaac for the Arthur Bent Award for 2020, DB, no second, motion does not carry. MR was asked to gather the information regarding who was previously nominated to make sure we do not already have a 2020 nominee and get back to the TCC. Motion to continue this to August 24, 2020, LF, JB, Roll Call vote taken- all voted yes.

Motion to adjourn, DB, second JB, Roll Call vote- all voted yes. Meeting ended at 8:45pm.