

**DARTMOUTH CONSERVATION COMMISSION  
DARTMOUTH TOWN HALL - 7:00 P.M. in ROOM 103  
AGENDA - TUESDAY, MARCH 22, 2011**

Next scheduled Dartmouth Conservation meeting: **Wednesday, April 13, 2011 at  
7 p.m. - Room 103**

(Please be advise this agenda is subject to change. We advise you to call that afternoon of the  
schedule meeting for any updates to this agenda.)

**APPROVAL** of the minutes of February 22, 2011

**RECEIVE** the Minutes of the March 8, 2011 meeting

**APPROVAL** of the field trip report of the March 8, 2011 meeting

**APPOINTMENT** Con Edison re: Map 84 Lot 8-14 on Samuel Barnet Blvd (wind turbine) **File 15-2087**

**FIELD TRIP REPORTS**

1. A request for a Certificate of Compliance from Town of Dartmouth Community Nurse Building **File 15-1986** (nurses building) (Town of Dartmouth)
2. A request for Determination of Applicability from TEC Associates for the Bay Colony and Massachusetts Coastal Railroad's (right-of-way, vegetation management) (TEC Associates)

**CONTINUED PUBLIC HEARINGS:**

1. **CONTINUED PUBLIC HEARING -** Gerald Jordan re: Map 7, Lot 16 on 192 Mishaum Point Road **File 15-2093** (after the fact filing) (Boucher & Heureux, Inc)
2. **CONTINUED PUBLIC HEARING -** 238 Little River Road Nominee Trust re: Map 87 Lots 1, 2, & 6 on Beach Lane **File 15-2111** (construct shoreline defense and stabilize the eroding salt marsh channel) (Sitec, Inc)

**PUBLIC HEARINGS**

1. **PUBLIC HEARING -** Isidro Fonseca re: Map 24 Lots 76-1, 76-2, and 76-8 on Fieldstone Farm Drive (sfh, pool, fence, and garden) (Sitec, Inc.)

**ITEMS FOR DISCUSSION:**

- Violation - Construction of stairs on Coastal Bank - Map 94, Lot 24 on 30 Mattarest Lane

**CORRESPONDENCE FOR FILE**

- Letter from Cullinan Engineering re: Reichenbach, John and Margaret Map 94, Lot 25 at 29 Mattarest Lane **File 15-2058**
- Letter from Samuel R Haydock to the Department of Environmental Protection re: Reichenbach, John and Margaret Map 94, Lot 25 at 29 Mattarest Lane **File 15-2058**

- Letter from Kenneth R Teebagy, P.E. to Samuel R Haydock re: Reichenbach, John and Margaret Map 94, Lot 25 at 29 Mattarest Lane **File 15-2058**

**CORRESPONDENCE FOR FILE**- continued

- Letter from Attorney Robert B Feingold & Associates, P.C. re: Reichenbach, John and Margaret Map 94, Lot 25 at 29 Mattarest Lane File 15-2058
- Letter from Partridge Snow & Hahn re: relocation of right-of-way/ Paula Hemingway re: Map 88 Lot 19 & 19-1 at One Meadow Shores **File 15-2101**
- Letter from NSTAR re: upcoming maintenance activities to begin in August
- RE: Open Meeting Law Complaint - Freetown Soil Conservation Board
- MassWildlife News
- Board of Appeals Notice of Public Hearings notices
  - \*Joseph Hosford re: Map 8 , Lot 5 on 715 Horseneck Road
  - \*Timothy haydock, Sam Haydock, and Ulla Sullivan re: Map 94, Lot 25 on 29 Mattarest Lane - owned by Margaret J Reichenbach

**Next scheduled Dartmouth Conservation meeting: Wednesday, April 13, 2011 at 7 p.m. - Room 103**

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**DARTMOUTH CONSERVATION COMMISSION  
DARTMOUTH TOWN HALL - ROOM 103  
MINUTES –MARCH 22, 2011**

**Present:** Jacquelyn McDonald, Chairperson, Patricia Sweriduk, Richard Mallen, Jennifer Brindisi, Richard Golen, David Faria, Michael O'Reilly, Environmental Affairs Coordinator, Donna Farias, Administrative Clerk

**ABSENT:** Michael Kehoe, Vice-chair

XXX convened the meeting at XX p.m.

**APPROVAL** of the minutes February 22, 2011 was unanimously accepted by those Commissioners present.

**RECEIVE** the minutes of the March 8, 2011 meeting was received for reading.

**APPROVAL** of the field trip report of the March 8, 2011 meeting was unanimously accepted by those Commissioners present.

**APPOINTMENT** Con Edison re: Map 84 Lot 8-14 on Samuel Barnet Blvd (wind turbine) **File 15-2087**

**ITEMS FOR DISCUSSION:**

Discussion regarding the violation - Construction of stairs on Coastal Bank - Map 94, Lot 24 on 30 Mattarest Lane -

**CORRESPONDENCE FOR FILE**

- Letter from Cullinan Engineering re: Reichenbach, John and Margaret Map 94, Lot 25 at 29 Mattarest Lane **File 15-2058**
- Letter from Samuel R Haydock to the Department of Environmental Protection re: Reichenbach, John and Margaret Map 94, Lot 25 at 29 Mattarest Lane **File 15-2058**
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**DARTMOUTH CONSERVATION COMMISSION**

**CONTINUED PUBLIC HEARING MINUTES OF**  
**GERALD JORDAN**  
**FILE 15-2093**

There was a Conservation Commission hearing held in accordance with the provisions of the Dartmouth Wetlands Protection Bylaw and M.G.L., Ch. 131, §40, the Wetlands Protection Act, on the Notice of Intent of Gerald Jordan who wishes to file an after-the-fact filing on a pier on land located at Map 7, Lot 16 at 192 Mishaum Point Road in Dartmouth. The hearing was held on Tuesday, March 22, 2011 in Room 103 in the Dartmouth Town Hall at 400 Slocum Road in Dartmouth.

Present were Jacquelyn McDonald, Chairperson, Patricia Sweriduk, Richard Mallen, Jennifer Brindisi, David Faria, Michael O'Reilly, Environmental Affairs Coordinator, and Donna Farias, Administrative Clerk.

**ABSENT:** Michael Kehoe, Vice-Chairperson, Richard Golen

XXX convened the hearing at XXX p.m. It was voted to waive the reading of the public hearing notice. Plan project number DWG#:1179-01-EX revised dated 10/5/2010 and Supplemental Information letter and associated documents from LEC File #JorG\09-129.01.

Respectfully submitted,

Donna Farias  
Administrative Clerk

**DARTMOUTH CONSERVATION COMMISSION**

**PUBLIC HEARING MINUTES OF  
238 LITTLE RIVER ROAD  
FILE 15-2111**

There was a Conservation Commission hearing held in accordance with the provisions of the Dartmouth Wetlands Protection Bylaw and M.G.L., Ch. 131, §40, the Wetlands Protection Act, on the Notice of Intent of 238 Little River Road who wishes to construct shoreline defense and stabilize the eroding slat marsh channel on land located at Map 87 Lots 1, 2, & 6 on Beach Avenue in Dartmouth. The hearing was held on Tuesday, March 22, 2011 in Room 103 in the Dartmouth Town Hall at 400 Slocum Road in Dartmouth.

Present were Jacquelyn McDonald, Chairperson, Patricia Sweriduk, Richard Mallen, Jennifer Brindisi, David Faria, Michael O'Reilly, Environmental Affairs Coordinator, and Donna Farias, Administrative Clerk.

**ABSENT:** Michael Kehoe, Vice-Chairperson, Richard Golen

XXX convened the hearing at XXX p.m. It was voted to waive the reading of the public hearing notice. Plan project file number 10-4587 dated November 3, 2010. Plans of the site were displayed.

Steven Gioiosa from Sitec, Inc was present, Attorney Shep Johnson, and Brian Porter were represent the applicant.

**DARTMOUTH CONSERVATION COMMISSION**

**PUBLIC HEARING MINUTES OF**  
**PAUL & ISIDRO FONSECA**  
**FILE 15-**

There was a Conservation Commission hearing held in accordance with the provisions of the Dartmouth Wetlands Protection Bylaw and M.G.L., Ch. 131, §40, the Wetlands Protection Act, on the Notice of Intent of Paul & Isidro Fonseca who wishes to construct pool, site grading, installation of fence and construct a garden on land located at Map 24 Lots 76-1, 76-2, and 76-8 on Fieldstone Farm Drive in Dartmouth. The hearing was held on Tuesday, March 22, 2011 in Room 103 in the Dartmouth Town Hall at 400 Slocum Road in Dartmouth.

Present were Jacquelyn McDonald, Chairperson, Patricia Sweriduk, Richard Mallen, Jennifer Brindisi, David Faria, Michael O'Reilly, Environmental Affairs Coordinator, and Donna Farias, Administrative Clerk.

**ABSENT:** Michael Kehoe, Vice-Chairperson, Richard Golen

XXX convened the hearing at XXX p.m. It was voted to waive the reading of the public hearing notice. Plan drawing number 11-4683 dated February 2, 2011. Plans of the site were displayed. Certified mail receipts showing proof of abutter notification were submitted for the file.

Steven Gioiosa from Sitec, Inc was present to represent the applicant.

## **FIELD TRIP REPORTS**

1. A request for a Certificate of Compliance from Town of Dartmouth Community Nurse Building **File 15-1986** (nurses building) (Town of Dartmouth)

**ABSENT:** Michael Kehoe, Vice-Chairperson, Richard Golen

Mr. O'Reilly stated

**DECISION:** XX motioned to **GRANT** the issuance of a Certificate of Compliance with XXX seconding. It was an unanimous decision of the Commission present.

2. A request for Determination of Applicability from TEC Associates for the Bay Colony and Massachusetts Coastal Railroad's (right-of-way, vegetation management) (TEC Associates)

**ABSENT:** Michael Kehoe, Vice-Chairperson, Richard Golen

Xxx motioned to waive the reading of the public hearing notice with XXX seconding the motion.

Mr. O'Reilly explained

Mr. O'Reilly doesn't feel there would be any negative impact and would recommend a negative determination.

**DECISION:** XXXX motioned to issue a **XXXXX** determination with XXXX seconding. It was an unanimous decision of the Commission present.