

**DARTMOUTH CONSERVATION COMMISSION
DARTMOUTH TOWN HALL - 7:00 P.M. in Room 103
AGENDA - TUESDAY, MARCH 26, 2013**

Next scheduled Dartmouth Conservation Commission meeting: Tuesday, April 9, 2013 at 7 p.m. - in Room 103

APPROVAL of the minutes of February 12, 2013 meeting

RECEIVE the minutes of March 12, 2013 meeting

APPROVAL of the field trip report of the March 12, 2013 meeting

FIELD TRIP REPORTS

1. A continued Request for Determination of Applicability from Vision Development re: Map 48 Lot 28 and 29 on Old Westport Road (delineation) (Prime Engineering)
2. A continued Request for Determination of Applicability from Summit Smith Healthcare Facilities re: Map 66, Lot 31 & 32 on Faunce Corner Road (delineation) (Sitec)
3. A Request for Determination of Applicability from Ana Reis Trustee re: Map 123, Lot 152-9 on 27 Clarks Cove Drive (addition, utilities, paved driveway) (Existing Grade Inc)

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1. **CONTINUED PUBLIC HEARING-** MaDOT re: Faunce Corner Rd and I 195 **File 15-2181** (reconstruct Faunce Corner with I195) GPI/Greenman-Pedersen, Inc
 2. **CONTINUED PUBLIC HEARING-** Robert Gates re: Map 14 Lot 7 on 452 Potomska Road **File 15-2183** (Boathouse reconstruction) (Prime Engineering)
 3. **CONTINUED PUBLIC HEARING -** Stephen Sullivan re: Map 129 Lot 28-25 on 16 Spinnaker Lane **File 15-2184** (addition) (Prime Engineering)
 4. **PUBLIC HEARING-** Saladar Nominee Trust re: Map 104, Lot 6-7 on Smith Neck Road **File 15-2182** (expand kayak storage building) (Prime Engineering)
 5. **PUBLIC HEARING -** Matthew Parsons re: Map 66 Lot 2-4 on 1306 Reed Road **File 15-2185** (addition with grading, utilities and driveway alterations) (Prime Engineering)
 6. **PUBLIC HEARING-** Boston Environmental Corporation re: Map 72 Lot 6 & 9 on 452 Old Fall River Rd (Capping and Final Closure of the Former Cecil Smith Landfill) (Sitec Environmental Inc)

ITEMS FOR DISCUSSION:

- A) Department of Public Works re: The Village at Lincoln Park - stormwater basin 1 - Siphon Inlet System
- B) Permitting of work due to storm damage (DEP Emergency Certification timelines expired)
- C) Ratification of hiring Eco System Solutions as a consultant for the Conservation Commission
- D) Reminder about meeting on March 28, 2013 at 6:30 p.m. for Boston Environmental Landfill Cap on Old Fall River Rd

New Business - This time is being reserved for topics that the chair did not reasonably anticipate would be discussed.

DARTMOUTH TOWN CLERK
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DARTMOUTH CONSERVATION COMMISSION
PUBLIC HEARING MINUTES OF
MA DOT
15-2181

There was a Conservation Commission hearing held in accordance with the provisions of the Dartmouth Wetlands Protection Bylaw and M.G.L., 131, § 40, the Wetlands Protection Act, on the Notice of Intent of MA DOT who wishes to reconstruct Faunce Corner Road and I195 in Dartmouth. The hearing was held on Tuesday, March 26, 2013 in Room 103 in the Dartmouth town Hall at 400 Slocum Road in Dartmouth.

Present were Michael Kehoe, Chairperson, Jacquelyn McDonald, Vice Chairperson, Patricia Sweriduk, Jennifer Brindisi, Kyle Ross, Michael O'Reilly, Environmental Affairs Coordinator, and Donna Farias, Administrative Clerk.

Mr. Kehoe, Chair convened the hearing at 7:10 p.m. It was voted to waive the reading of the public hearing notice. Plan file number 600496 dated June 15, 2012.

ABSENT: Richard Mallen, Richard Golen

Mr. O'Reilly explained this application was heard at the previous Commission meeting. The Commission was waiting on a file number. In Mr. O'Reilly's opinion this filing meets the performance standards.

Ms. McDonald motioned to close the public hearing with Ms. Brindisi seconding the motion.

With nothing further to be added, Ms. McDonald motioned to issue a Standard Order of Conditions according to the plan that was submitted and Ms. Brindisi seconding the motion. It was an unanimous decision of those present.

Respectfully submitted,

Donna Farias
Administrative Clerk

DARTMOUTH CONSERVATION COMMISSION
PUBLIC HEARING MINUTES OF
STEPHEN SULLIVAN
15-2184

There was a Conservation Commission hearing held in accordance with the provisions of the Dartmouth Wetlands Protection Bylaw and M.G.L., 131, § 40, the Wetlands Protection Act, on the Notice of Intent of Stephen Sullivan who wishes to construct an addition on land located at Map 129 Lot 28-25 on 16 Spinnaker Lane in Dartmouth. The hearing was held on Tuesday, March 12, 2013 in Room 103 in the Dartmouth town Hall at 400 Slocum Road in Dartmouth.

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

Ms. Brindisi, convened the hearing at 7:15 p.m. It was voted to waive the reading of the public hearing notice. Plan file number 08490102 dated February 28, 2013.

Mr. Kehoe and Ms. McDonald both recused themselves from both discussion and voting on this matter.

ABSENT: Richard Mallen, Richard Golen

Richard Rheume from Prime Engineering was present for the applicant. Mr. Rheume explained there has been a minor revision to the plan. The applicant would like to make the area all patio. Mr. Rheume would need to have a continuance since the plan wasn't submitted within the five day review period.

Ms. Brindisi motioned to continue the public hearing with Ms. Sweriduk seconding the motion.

With nothing further to be added, the public hearing was continued until Tuesday, April 9, 2013 at 7 PM.

Respectfully submitted,

Donna Farias
Administrative Clerk

DARTMOUTH CONSERVATION COMMISSION
PUBLIC HEARING MINUTES OF
MATTHEW PARSONS
15-2185

There was a Conservation Commission hearing held in accordance with the provisions of the Dartmouth Wetlands Protection Bylaw and M.G.L., 131, § 40, the Wetlands Protection Act, on the Notice of Intent of Matthew Parsons who wishes to construct an addition on land located at Map 66 Lot 2-4 on 1306 Reed Road in Dartmouth. The hearing was held on Tuesday, March 26, 2013 in Room 103 in the Dartmouth town Hall at 400 Slocum Road in Dartmouth.

Present were Michael Kehoe, Chairperson, Jacquelyn McDonald, Vice Chairperson, Patricia Sweriduk, Jennifer Brindisi, Kyle Ross, Michael O'Reilly, Environmental Affairs Coordinator, and Donna Farias, Administrative Clerk.

ABSENT: Richard Mallen, Richard Golen

Mr. Kehoe, chair convened the hearing at 7:25 p.m. It was voted to waive the reading of the public hearing notice. Plan file number 1777-01-01 dated March 6, 2013 of site were displayed. Certified mail receipts showing proof of abutter notification were submitted for the file.

Richard Rheume from Prime Engineering was present to represent the applicant. Mr. Rheume explained this was for a garage addition. There will be silt fence along the trees and some minor grading will be involved. Mr. Kehoe asked how close they will be to the resource area. Mr. Rheume state approximately twenty-four feet. Mr. O'Reilly commented that the addition will be over the existing lawn area and driveway. Mr. O'Reilly doesn't see any negative impacts.

Ms. Brindisi motioned to close the public hearing with Ms. Sweriduk seconding the motion.

With nothing further to be added, Ms. Sweriduk motion to issue a Standard Order of Conditions according to the plan submitted with Ms. McDonald seconding the motion. It was an unanimous decision of those Commissioners present.

Respectfully submitted,

Donna Farias
Administrative Clerk

calculated to be approximately 22 acres and a small landfill to be 2 ½ acres of buried waste. BEC found waste in the bordering vegetated wetlands in the North West and top of the landfill on the northerly side. The plan is to pull the waste where ever it is in the wetlands and consolidate it into the landfill. As well as, anything within ten feet of the wetlands line will be pulled and consolidated into the landfill. Mr. Quatromoni feels they have a good handle on how they will replicate the area. There will be no permanent alteration only at the entrance. The entrance will be widened approximately ten feet on either side for the truck traffic.

Mr. Quatromoni went over the construction scenario with the Commission. There will be an office trailer; truck scale, sweeper, and a wheel wash station. This will help with off-site tracking of mud as well as, a tracking pad at the end of the roadway. The water at the wheel wash station is a fully contained unit that gets pumped out. There will be a person at the office trailer who makes sure the material that is coming in has been fully tested and has all the documentation.

Mr. Quatromoni explained erosion control plan has been developed. There will be hay bales and silt fencing or silt stocking placed around the landfill. The erosion control barriers will stay in place until the vegetation grows. This project will be done in phases. There will be a stormwater plan to address some of the inspection requirements.

Mr. Quatromoni explained the site preparation for this project. Part of this preparation includes a berm to be installed all around the work area which will define the edge of where the grading and shaping material. This berm will help with the runoff to the wetlands. Any flow will be controlled by this berm and directed to a basin #2. The berm will be built in phases as the project moves along. The catch basin #2 will be constructed as the initial site preparation. A roadway will be constructed to access the back portion where the 2 ½ acre landfill is located creating an additional buffer to the wetlands.

The replication plan was explained by Mr. Quatromoni. The plan shows that they will be replicating where the disturbance had taken place. There will be three spots for replication to be done. There will be samples of soil taken once down to the natural subgrade to make sure there aren't any residual impacts. Once the removal is complete wetland seed mix will be used for replication area. There will be approximately 6,100 square feet of impact area and 8,600 square feet of replication area.

The final grading plan was discussed. This will be the plan they will bring to DEP. Approved grading material will be brought in with heavy equipment. The grading will be a 3:1 slope on the outside and a 5% slope across the top which is about 5 acres in size. There will be an access roadway for maintenance purposes. The main landfill will be graded to an average height of 65 feet above the existing landfill surface.

The landfill cap detail includes immediate layer, gas vent 6", textured HDPE, GEO membrane 40 mil, 12" and drainage layer, and 12" vegetative support layer. A diversion berm will be built to intercept runoff to storm let down channel used to get run-off, off the grass and into the drainage structures to prevent erosion. Basin #1 on the southerly side and basin #3 in the small landfill will not increase runoff to the wetlands.

Grading and shaping material was discussed and explained. BEC will only use materials determined by DEP that are safe to use on this location. DEP lists types of material and criteria of material that can be used. BEC will have to submit a material acceptance plan to DEP. The soils will be subject to certain reviews by a Licensed Site Professional (LSP). An Environment assessment has not been submitted to DEP. DEP will require a landfill assessment. There are two components to this process one is the initial site assessments is done concurrent with the grading and shaping closure process. A scope of work will be prepared and sent to DEP telling them what they found during this initial site assessment. Comprehensive site assessment (CSA) data will be available to the town.

Mr. Quatromoni explained maintenance and monitoring will be required once the landfill is capped. The groundwater monitoring will probably be semiannually for the full 30 year period. The

Mr. O'Reilly asked what happens after the start of work and Comprehensive site bring in additional material. Mr. O'Reilly feels there should be a complete picture of what is out there.

Mr. Quatromoni explained if something is found then a corrective action which is part of the process would need to be taken. The CAA is the final process. Mr. O'Reilly mentioned one thing the sample doesn't include is testing for PCB. The town should recommend to DEP and the Conservation Commission should condition that the comprehensive site assessment includes types of testing like PCB's and also there are EPA protocols for testing.

Mr. O'Reilly met with the stormwater consultant Gustavo Raposo. There is a review letter from Mr. Raposo that has been forwarded to the engineers.

Mr. O'Reilly spoke on section 7 of the notice of intent regarding the grading and shaping. There is a bulleted list which DEP requires compliance which should be documented. Mr. O'Reilly didn't see any documentation. Mr. Quatromoni explained it is in the package that gets submitted for pre-approval. Mr. O'Reilly explained it was discussed the Town could hire a LSP to review of this project which Mr. O'Reilly feels is a good idea. Mr. O'Reilly and Mr. Raposo noticed the Commission really needs a phasing plan.

Mr. O'Reilly commented on section 9 the final cover design and construction plan. Mr. O'Reilly commented on the passive ventilation and would there be a potential for odor. Mr. Quatromoni stated this was a requirement for DEP. Mr. O'Reilly commented the geo membrane is a plastic cap which has low permeability. Mr. O'Reilly's concern is there is some potential of leachate below the cap. Mr. Quatromoni explained there could have been a clay cap. The geo membrane cap will have extensive quality control measures during construction. They make sure all seams are tight and every inch of the seam will be tested and monitored for a period of time. Mr. O'Reilly asked if there have been failures. Mr. Quatromoni stated on occasions. There are procedures in place. Mr. O'Reilly questioned the foundation for the landfill. There will be 1.5 or 1.7 million tons of material being brought and the base will support the shaping of the landfill. Mr. Quatromoni stated there will be some compacting and grading to get good density.

Mr. O'Reilly asked about the entrance roadway. Anytime there is a culvert being replaced there are DEP stream crossing standards. The notice of intent didn't go into detail about the stream crossing which will need to be complete, so the Commission knows that the culvert conforms to the stream crossing standards. Mr. O'Reilly commented on the wheel wash unit which is a self-contained unit and there will be a certain amount of contaminated in the water. Mr. O'Reilly asked if it would need to be tested and the disposal process for the wash water. Mr. Quatromoni believes it would be pumped out and brought off-site. Mr. Quatromoni stated it would need to be tested depending where the water was going to be taken. Mr. O'Reilly would like some detail on the wheel wash station and the entrance section for the stone pad. Mr. O'Reilly suggested shrub plantings and some details of the planting, as well as, the number of plantings. Mr. O'Reilly would like the plan to show construction of the bulkhead or slurry wall present so no lateral leaching.

Mr. Quatromoni explained a membrane cap will be secure. The slurry wall will probably be an expensive proposition. Mr. O'Reilly would like to see anything we can do to isolate the residual contamination.

Ms. Brandisi asked if the membrane was lifetime expectancy. Mr. Quatromoni explained the biggest detriment is exposing it to sunlight. Ms. Brandisi asked if there was an end date to when it wasn't going to be observed. Mr. Quatromoni stated 30 years. This is what the state establishes. Mr. Kehoe asked how long it should take to finish. Mr. Quatromoni stated approximately 3 years. Ms. Brandisi asked how much soil. Mr. Quatromoni stated 1.5 million cubic yards will be brought in.

Ms. McDonald commented the Commission issued a ceased and desist. There was a court order because of the violations. Ms. McDonald asked if anyone has checked to see if it is still in existence. Mr. O'Reilly explained there were a couple of court orders. Town Counsel has been contacted to look into the

Mr. Toomey explained 25 yards in a truck; approximately 32 tons

John George Tucker Road - how many pounds in a yard and how much will it cost per yard

Mr. Quatromoni stated about a ton and a half. Mr. Toomey didn't have the figure readily available

John George Tucker Road - what is the alternative beside this and how much contaminated soil is on the property right now

Mr. Quatromoni explained they haven't. They have only determined the lateral extent.

John George Tucker Road - what is the lateral extend

Mr. Quatromoni explained 2 ½ acres and 2 ½ acres

John George Tucker Road - how deep would you have to go down to get rid of it

Mr. Quatromoni estimated 15 feet to 20 feet deep; test pits were not done in the center of the landfill they were conducted to find the extent of the landfill

John George Tucker Road - wouldn't it be feasible to test the center to know what the extent of the contaminates; feels this is important

John Costa Old Fall River Rd - how much fill will need to be brought right now to cap the landfill

Mr. Quatromoni explained a grading plan would need to be done. He figured approximately 2 ½ feet.

Gloria Bancroft- Collins Corner Rd - don't know the current contamination levels; last inspection by EPA 2005 and don't know what other dumping since 2005 has occurred; con 97 don't know what contaminates are coming in; some significant unknowns; look at other options

John George - Tucker Rd feels that we are being rushed into this

Jean Couto 11 Coldbrook Lane - dust control measures; truck inspections; read her notes into the record

Mr. Quatromoni explained there will be dust control as part of the operational and maintenance plan. Mr. Quatromoni didn't think each truck load would be inspected. Mr. Toomey explained each truck would have documentation. Mr. Quatromoni stated the truck count could be provided for Thursday meeting.

Joseph Toomey 837 Tradewind St- what is the percentage of contaminated soil will be mixed in

Mr. Quatromoni stated there wouldn't be hazardous waste as part of the loads.

Joseph Toomey 837 Tradewind St- stated at the Selectmen's meeting the consultant stated the Comm 97 soils would be 10% hazardous waste mixed in with natural soils

Mr. Quatromoni stated he didn't believe there would be hazardous materials.

Joseph Toomey 837 Tradewind St - if con 97 soils has a standard that DEP excepts that you can bring in; how do you maintain the ratio; is there a mixing area; if the Conservation Commission doesn't agree with your plan does DEP have the veto power

Michael Toomey from BEC responded it will be done at the active area

Mr. Quatromoni stated the question on DEP would be a good question for Thursday night.

Mr. Quatromoni there will be there someone there watering the site. BEC has their own water trucks. If they need to use Town water then they will have to pay for it.

Joseph Toomey 837 Tradewind - single family home going to be moved; other buildings being moved too

Mr. Quatromoni the house will be moved. The other building would stay on site

Mark Chouinard Ranger Rd - hold owner responsible

Chuck Michaud Beeden Rd - why not clean up the whole lot

Elizabeth Jacobsen Skyline Drive - has anyone done an investigation on company to see what other projects they have done

Mr. Kehoe agreed the Town should do their due diligence.

Ms. McDonald motioned to continue this meeting until Tuesday, April 9, 2013 with Ms. Sweriduk seconding the motion

With nothing further to discuss, the public hearing was continued until Tuesday, April 9, 2013 at 7 PM.

Respectfully submitted,

Donna Farias
Administrative Clerk

DARTMOUTH TOWN CLERK
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RECEIVED