

DARTMOUTH CONSERVATION COMMISSION
DARTMOUTH MIDDLE SCHOOL – 7:00 P.M. in AUDITORIUM
AGENDA – TUESDAY, APRIL 9, 2013

Next scheduled Dartmouth Conservation Commission meeting: Wednesday, April 24, 2013 at 7 p.m.
– in Room 304

APPROVAL of the minutes of March 12, 2013 meeting

RECEIVE the minutes of March 26, 2013 meeting

APPROVAL of the field trip report of the March 26, 2013 meeting

FIELD TRIP REPORTS

1. A Request for Determination of Applicability from Not Your Average Joe's re: Map 169, Lot 245, 246, & 248 on 61 State Road (Demo and parking) (Boucher and Heureux)
2. A continued Request for Determination of Applicability from Vision Development re: Map 48 Lot 28 and 29 on Old Westport Road (delineation) (Prime Engineering)
3. A continued Request for Determination of Applicability from Summit Smith Healthcare Facilities re: Map 66, Lot 31 & 32 on Faunce Corner Road (delineation) (Sitec)
4. A Request for Determination of Applicability from Dana S Gillum c/o Amelia Leontire re: Map 19, Lot 40, on 573 Potomska Road (upgrade sewage disposal system) (Ferreira Engineering)
5. A Request for a Certificate of Compliance from Chris Gallagher re: Map 73 Lot 9 on 798 Faunce Corner Road File 15-1984(SFH) (Sitec, Inc)
6. A Request for a Certificate of Compliance from Michael Hughes re: Map 171 Lot 16 on 34 Lakewood File 15-1497 (Single family home) (N. Douglas Schneider & Associates, Inc.)
7. A Request for a Certificate of Compliance from Ricardo M Raposo re: Map 44 Lot 29-4 on 21 Cedar Crest Road File 15-1855 (Single family home) (Ferreira Engineering)

PUBLIC HEARINGS

1. **CONTINUED PUBLIC HEARING** – A&A Jewelers re: Map 167 Lot 102 on 279 State Road file 15-2180(parking lot improvements and stormwater infiltration) (Sitec, Inc) (**continuance until April 24, 2013 requested**)
2. **CONTINUED PUBLIC HEARING** – Stephen Sullivan re: Map 129 Lot 28-25 on 16 Spinnaker Lane File 15-2184 (addition) (Prime Engineering)
3. **CONTINUED PUBLIC HEARING-** Saladar Nominee Trust re: Map 104, Lot 6-7 on Smith Neck Road File 15-2182 (expand kayak storage building) (Prime Engineering) (**continuance until April 24, 2013 requested**)
4. **PUBLIC HEARING-** John J Amaral re: Map 25 Lot 10 on 125 Rock O'Dundee Road File 15-2187 (upgrade sewage disposal system) (Ferreira Engineering)
5. **PUBLIC HEARING ON AMENDED ORDER OF CONDITIONS-** BayCoast Bank re: Map 167, Lots 36 & 37 on 299 State Road File 15-2161(propose bank) (Boucher and Heureux)

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6. **PUBLIC HEARING-** Gerald Jordan, Jr re: Map 7 Lot 16 on 192 Mishaum Point Road **File 15-2188** (repair of stone revetment) (Boucher & Heureux) (**continuance until April 24, 2013 requested**)
7. **PUBLIC HEARING –** Dartmouth Natural Resource Trust re Map 19, Lot 45, Map 20, Lots 15,16 & 19 off Smith Neck Road & Rock O’Dundee Road (construct a boardwalk across a salt marsh including the crossing of 2 tidal streams, one considered navigable and a hand cleared wood trail) (Azor Land Sciences Inc.)
8. **CONTINUED PUBLIC HEARING-** Boston Environmental Corporation re: Map 72 Lot 6 & 9 on 452 Old Fall River Rd **File 15-2186**(Capping and Final Closure of the Former Cecil Smith Landfill) (Sitec Environmental Inc)

ITEMS FOR DISCUSSION:

- A. Violation - Gorham Street/Map 138 Lot 182 – Adelino Cordeiro
- B. Superseding Determination of Applicability – 150 Horseneck Road
- C. **New Business** – This time is being reserved for topics that the chair did not reasonably anticipate would be discussed.

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

**DARTMOUTH CONSERVATION COMMISSION
DARTMOUTH MIDDLE SCHOOL AUDITORIUM - 7:00 P.M.
MINUTES - TUESDAY, APRIL 09, 2013**

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

ABSENT: Richard Golen

Mr. Kehoe, Chair convened the meeting at 7:05 PM.

Approval of the minutes of March 12, 2013 was unanimously accepted by those Commissioners present.

Minutes of the March 26, 2013 meeting received for reading.

Approval of the field trip report of the March 26, 2013 meeting was unanimously accepted by those Commissioners present.

Discussion regarding Violation - Gorham Street/Map 138 Lot 182 - Adelino Cordeiro-

Mr. O'Reilly explained there was a violation back in October 2012. The Commission had asked for the Department of Environmental Protection to step in. The DEP felt this should be dealt with at the local level. Mr. O'Reilly is still receiving complaints about the animals and the cutting of trees. The trees that have been cut had fallen due to the storm. The Commission required Mr. Cordeiro to have the wetlands delineated, which have not been done to date. Mr. O'Reilly has been to the site and flags have been hung. The Board of Health did take action against Mr. Cordeiro at their last meeting. Ferreira Engineering has submitted a plan showing the location of the animal enclosures and wetland flags. Some of the animal enclosures are on abutting lots. Mr. O'Reilly feels the Commission should proceed with an additional enforcement to make sure the wetlands are verified.

Ms. McDonald motioned to issue an enforcement order to Mr. Cordeiro with Mr. Mallen seconding the motion. It was an unanimous decision of the Commission present.

Discussion regarding Superseding Determination of Applicability - 150 Horseneck Road-

Mr. O'Reilly explained the Commission had issued enforcement for the stairs in the coastal bank. The abutter filed a Request for Determination which he appealed the Commission's decision to the Department of Environmental Protection. Mr. O'Reilly explained the Commission didn't pursue active enforcement because the owner had passed away. Mr. O'Reilly read into the record the Department of Environmental Protections letter issuing a superseding Determination of Applicability. Mr. O'Reilly explained he has been in touch with Site Design and they will be submitting a Notice of Intent shortly. No further action was taken by the Commission.

With nothing further to be discussed, Mr. Kehoe entertained a motion to adjourn the public meeting. Ms. McDonald motioned to adjourn the public hearing at 10:20 with Ms. Sweriduk seconding. It was an unanimous decision of those present.

Respectfully submitted,

Donna Farias
Administrative Clerk

DARTMOUTH CONSERVATION COMMISSION
PUBLIC HEARING MINUTES OF
A&A JEWELERS
15-2180

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 A&A Jewelers who wishes to do parking lot improvements and stormwater infiltration on land located at Map 167 Lot 102 on 279 State Road in Dartmouth. The hearing was held on Tuesday, April 09, 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.

ABSENT: Richard Golen

Mr. Kehoe, chair convened the hearing at 7:10 p.m. It was voted to waive the reading of the public hearing notice.

An email had been received by Jeff Tallman from Sitec, Inc. asked for a two week continuance on behalf of his client.

Ms. McDonald motioned to continue the public hearing until Wednesday, April 24, 2013 with Ms. Sweriduk seconding the motion.

With nothing further to be added, the public hearing was continued until Wednesday, April 24, 2013 at 7PM in the Selectmen's meeting room.

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, April 09, 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. Sweriduk, convened the hearing at 7:13 p.m. It was voted to waive the reading of the public hearing notice. Plan file number 08490102 dated March 25, 2013.

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

ABSENT: Richard Golen

Richard Rheume from Prime Engineering was present for the applicant. Mr. Rheume explained there was a minor revision to the plan, and they needed a five day review period. Mr. O'Reilly stated this was all the Commission was waiting on and it meets the performance standards.

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

With nothing further to be added, Mr. Mallen motioned to issue a Standard Order of Conditions according to the plan submitted with Ms. Brindisi seconding the motion.

Respectfully submitted,

Donna Farias
Administrative Clerk

DARTMOUTH CONSERVATION COMMISSION
PUBLIC HEARING MINUTES OF
SALADAR NOMINEE TRUST
15-2182

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 Saladar Nominee Trust who wishes to construct expand kayak storage shed on land located at Map 104 Lot 6-7 on Smith Neck Road in Dartmouth. The hearing was held on Tuesday, April 09, 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.

ABSENT: Richard Golen

Ms. Brindisi recused herself from any discussion and voting on the matter.

Mr. Kehoe, chair convened the hearing at 7:15 p.m. It was voted to waive the reading of the public hearing notice.

Mr. O'Reilly explained the applicant's representative is still waiting to hear from DNRT.

Ms. McDonald motioned to continue the public hearing until Wednesday, April 24, 2013 with Mr. Mallen seconding the motion.

With nothing further to be added, the public hearing was continued until Wednesday, April 24, 2013 at 7PM in the Selectmen's meeting room.

Respectfully submitted,

Donna Farias
Administrative Clerk

DARTMOUTH CONSERVATION COMMISSION
PUBLIC HEARING MINUTES OF
JOHN AMARAL
15-2187

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 John Amaral who wishes to upgrade their sewage disposal system on land located at Map 25 Lot 10 on 125 Rock O'Dundee Road in Dartmouth. The hearing was held on Tuesday, April 9, 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.

ABSENT: Richard Golen

Mr. Kehoe, Chair convened the hearing at 7:16 p.m. It was voted to waive the reading of the public hearing notice. Plan file number FE 3344 dated January 15, 2013 of site were displayed. Certified mail receipts showing proof of abutter notification were submitted for the file.

Kenneth Ferreira from Ferreira Engineering was present to represent the applicant. Mr. Ferreira explained this permit is to upgrade an existing sewage disposal system. The lot is approximately one acre, but most of the lot is wetlands and a variance to Title V will be need from the Board of Health. This house is currently on the market. Mr. O'Reilly explained he had conducted the wetland site inspection for this site. This is an upgrade to a substandard sewage disposal system which he agrees the lot is small and this is the only place for the sewage disposal system. Mr. O'Reilly feels this meets the performance standards.

Ms. Brindisi asked if the system was raised and required a pump. Mr. Ferreira explained the system is raised but would not require a pump.

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

With nothing further to added, Ms. Sweriduk motioned to issue a Standard Order of Conditions according to the plan with Mr. Mallen seconding the motion.

Respectfully submitted,

Donna Farias
Administrative Clerk

DARTMOUTH CONSERVATION COMMISSION
PUBLIC HEARING OF
BAYCOAST BANK
FILE 15-2161

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 request from Bay Coast Bank who wishes to AMEND an Order of Conditions, **File 15-2161**, on land located at Map 167, Lots 36 & 37 on State Road in Dartmouth. The hearing was held on Tuesday, April 9, 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.

ABSENT: Richard Golen

Mr. Kehoe, Chair convened the hearing at 7:20 p.m. It was voted to waive the reading of the public hearing notice. Plan project number 2079-01 dated March 21, 2013. Certified mail receipts showing proof of abutter notification were submitted for the file.

Alan Heureux from Boucher and Heureux was present to represent the applicant. Mr. Heureux explained this had previously been before the Commission for a restaurant. The proposal is to put a bank with drive thru teller lanes. Mr. Heureux read into the record a letter from DPW from March 26, 2013, that the DPW is fine with the propose change. The site had been approved by a number of departments because it is situated in an aquifer protection district. Mr. Heureux explained a small portion of the south east corner of the property is within 200 feet of the Paskamansett River. This is the only reason for an Order of Conditions. They are proposing less impervious cover, and proposing the same stormwater management system.

Mr. O'Reilly agrees the only reason this is in front of the Conservation Commission is a very small portion of the property is within 200 feet of the Paskamansett River. Mr. O'Reilly stated it does meet the standards for stormwater, aquifer protection district, and meets the performance standards.

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

With nothing further to be added, Ms. McDonald motioned to issue an Amended Order of Conditions according to the plan submitted with Mr. Mallen seconding the motion.

Respectfully submitted,

Donna Farias
Administrative Clerk

DARTMOUTH CONSERVATION COMMISSION
PUBLIC HEARING MINUTES OF
GERALD JORDAN
15-2188

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 Gerald Jordan who wishes to construct a repair a stone revetment on land located at Map 7 Lot 16 on Mishaum Point Road in Dartmouth. The hearing was held on Tuesday, April 9, 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.

ABSENT: Richard Golen

Mr. Kehoe, Chair convened the hearing at 7:24 p.m. It was voted to waive the reading of the public hearing notice.

At the applicant's request they would like a continuance until Wednesday, April 24, 2013.

Ms. McDonald motioned to continue the public hearing until Wednesday, April 24, 2013 with Ms. Sweriduk seconding the motion.

With nothing further to be added, the public hearing was continued until Wednesday, April 24, 2013 at 7PM in the Selectmen's meeting room.

Respectfully submitted,

Donna Farias
Administrative Clerk

DARTMOUTH CONSERVATION COMMISSION
PUBLIC HEARING MINUTES OF
DARTMOUTH NATURAL RESOURCE TRUST

15-

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 DNRT who wishes to construct a boardwalk across a saltmarsh on land located at Map 19 Lot 45 and Map 20 Lot 15, 16, and 19 off Smith Neck and Rock O'Dundee Rd in Dartmouth. The hearing was held on Tuesday, April 9, 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.

ABSENT: Richard Golen

Mr. Kehoe convened the hearing at 10:05 p.m. It was voted to waive the reading of the public hearing notice. Plan file number 213-106 dated March 18, 2013 of site were displayed. Certified mail receipts showing proof of abutter notification were submitted for the file.

This was table until after the next public hearing. Ms. Brindisi recused herself from all discussion and voting on this matter.

John Pink from Azor Land Sciences was present to represent the applicant. Mr. Pink explained this boardwalk will connect the Cornell Farm to DNRT property. The proposed boardwalk is three feet wide and three feet above the marsh. Michael Silva will be doing the construction. The construction will be done by hand with the exception of a gas power auger. The work is within the riverfront, saltmarsh and land subject to flooding. They haven't had any response from Heritage and there is no file number, so this will need to be continued.

Mr. O'Reilly is aware of this project. He has worked with DNRT to help develop some open space on this site. Mr. O'Reilly wanted the construction scenario and how the Commission can be assured there won't be any negative impact due to storm damage.

Mr. Pink explained this will be 3 feet above mean high water. He doesn't believe it would be in a position to freeze over. Mr. O'Reilly tends to agree because it is pretty high up in the marsh. If there is a real deep freeze then it's possible to get ice flow.

Mr. O'Reilly asked about the type of post. Mr. Pink stated 4x4. Mr. O'Reilly asked Mr. Silva if he had done this type of construction before. Mr. Silva stated he has done work for Mass Audubon and the Trustee of Reservation.

Mr. O'Reilly stated projects like this have been approved in the past. He feels this is an approvable project. Mr. O'Reilly is a firm believer in open space and trail development.

Ms. McDonald motioned to continue this public hearing until Tuesday, May 7, 2013 with Mr. Mallen seconding the motion.

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

Respectful submitted,

Donna Farias
Administrative Clerk

DARTMOUTH CONSERVATION COMMISSION
PUBLIC HEARING MINUTES OF
BOSTON ENVIRONMENTAL CORPORATION
15-2186

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 Boston Environmental Corporation who wishes to construct a cap and final closure of the former Cecil Smith Landfill on land located at Map 72 Lots 6 & 9 on 452 Old Fall River 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, Richard Mallen, Jennifer Brindisi, Kyle Ross, Michael O'Reilly, Environmental Affairs Coordinator, and Donna Farias, Administrative Clerk.

ABSENT: Richard Golen

Mr. Kehoe, chair convened the hearing at 7:27 p.m. It was voted to waive the reading of the public hearing notice. Drawing title: Final Closure Construction Sequence Plan Phase I, II, and III, Wetland Replication Areas Plan, Compensatory Floodplain Storage, Erosion Control Plan, Site Preparation Grading Plan, Final Design Grading Plan and Construction Details dated April 3, 2013 of site were displayed.

Mr. Quatromoni stated that Sitec has been retained by BEC for doing the permitting, design and the environmental assessment work associated with the closure of the Cecil Smith Landfill. Mr. Quatromoni went over a power point presentation with the Commission and residents which was in response to comments made by DEP, the Conservation Commission and from the Town's Consultant. DEP's comment was they wanted a more detailed wetlands replication plan. The project does include removal of existing waste within the wetland area, and there has been a replication in those areas shown on the plan. A 401 Water Quality application has also been submitted to DEP because they are proposing 5,000 square feet of wetlands alteration. Mr. Quatromoni stated this is temporary because this is the removal of the buried waste within the wetland. There is a twenty-one day public comment period for this 401 Water Quality application, which was submitted on April 5, 2013. They also had to file an Environmental Notification Form with the Executive Office of Energy and Environmental Affairs due to the 5,000 square feet of alteration. There will also be a submittal to MEPA which is due by April 15, 2013, and they haven't received any comments from Natural Heritage at this time.

Mr. Quatromoni showed the wetlands replication plan that was resubmitted. The locations are the same but this plan shows large views and more detail. The limit of waste is shown in a darker green area which was determined by test pits. The inside edge of the darker green is the limit of the BVW. The lighter shade is upland and up gradient to this is where the site preparation work which includes the earth and berm to control run off. The Northwest corner is the largest replication area of the landfill where they have found the most waste. There was waste also found in the North and South ends of the site. The replication work will involve removal of buried waste and testing of the subgrade. There will be a chemical analysis to make sure there were no residual impacts. They plan on backfilling with clean material and restoring with supplemental plantings. They are proposing temporary alteration of 6,100 square feet and proposing 8,500 square feet of wetland replications.

Mr. Quatromoni went over the technical review comment from Mr. Raposo the consultant for the Conservation Commission. Mr. Raposo suggested compiling a final construction document. Mr. Quatromoni stated they would do this once they have obtained all the necessary permits. Mr. Raposo suggested a construction sequence plan showing what this might look like. Mr. Quatromoni stated as part of the submittal they have included those plans. Mr. Raposo commented on the culvert needing to be replaced. Mr. Quatromoni said his client has agreed to replace the culvert and some additional details

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on the culvert were submitted. Mr. Raposo mentioned the drainage report. Mr. Quatromoni stated there was some typographical errors, and a missing page regarding the 100 year storm. Mr. Raposo suggested frequent inspections. Mr. Quatromoni stated this has since been submitted. Mr. Raposo commented on the erosion control plan, site plan, grading and detail plan. Mr. Quatromoni went over the phases of construction. Phase I includes grading, shaping material in the north part of the site which is approximately 6 acres, phase II includes work in the southwest corner establishing final grade, creation of a portion of basin 1, Phase III includes site preparation of the 2 ½ acre portion and completion of basin 1 and the final access road and the completion of the capping. Mr. Raposo wanted more detail on the anti-tracking pad at the entrance. Mr. Quatromoni explained there will be a crushed stone apron to prevent off tracking of mud. The crushed stone apron will be 24 feet wide and extending it 150 feet. There will be a wheel wash station, and a street sweeper on sight maintaining the roadway and any adjacent streets. On the overall site plan Mr. Raposo wanted the limits of phase construction, which has been added. Mr. Raposo wanted notations on the grading plan. Mr. Quatromoni stated that grades will be established and maintained by survey methods which have also been done.

Mr. Quatromoni went through Conservation Commission comments. At the Commission's request, they have modified the stream crossing to conform to DEP's guidelines for stream crossings. They have increased the size pipe. Another issue was the 100 year flood plain and the flood plain does extend on the westerly and northerly side of the landfill. This is associated with the Shingle Island River and the perennial stream that runs around the landfill. They have now included a compensatory storage plan. They have taken a closer look at the flood plain issues and found some discrepancies with the FEMA map and how it applies with the landfill. Some additional field work is needed. There is no elevation in this area and this was based on contours. The 100 year Flood Plain overlay maybe skewed and needs further investigation to see how it impacts this project.

Mr. Quatromoni commented they had filed under a limited project status because it is a landfill closure. One requirement for limited projects is to provide an alternative analysis. Mr. Quatromoni introduced Raymond Quinn a Registered Engineer with Sitec Environmental.

Mr. Quinn explained the alternatives analysis is conducted in accordance with the limited project requirement to the Wetland Protection regulation which refers to the analysis to be conducted in accordance with the solid waste regulations. Mr. Quinn stated there are corrective action objectives which eliminate, reduce or other mitigate the release of contaminants from the landfill. The corrective action objectives minimize infiltration through the groundwater, protect surface water quality, and protect wetlands. Mr. Quinn also mentioned potential mitigation of landfill gas. There is technology to implement the corrective action. The technology used is standard Landfill cap, Landfill mining or reclamation, stormwater and sediment controls, wetland replication and restoration, and passive gas ventilation.

Mr. Quinn explained the four alternatives. Alternative 1 is a no action, Alteration 2 Standard Landfill cap with minimal site grading, Alternative 3 Standard landfill cap to propose grading that was presented to the Commission and is part of the Notice of Intent, and Alteration 4 Landfill reclamation a mining alternative. There was a selection criteria for review of effectiveness, protectiveness, compliance, implement ability and overall ranking. Alternative 1 is low, Alternative 2 & 3 is high and Alternative 4 moderate. The final analysis is the cost analysis. Alternative 2 the cost to design and construct the landfill closure, and the cost to maintain and monitor the landfill for 30 years can only partial fund itself. Alternative 3 would be able to support itself financial, alternative 4 is the most expensive, and the cost would be 18 to 20 million dollars. Mr. Quinn stated that Alternative 3 is the recommended alternative based on its financial feasibility.

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Mr. O'Reilly explained what a limited project is and its requirements. The land cap enclosure is covered under 310 CMR 10.53(3)(P). There are specific requirements that need to be met, Mr. O'Reilly stated. The alternative analysis is required under 310 CMR 19.105 and the alternatives analysis has been submitted. There are four other requirements that are specific to this project. The hydrologic change to the resource area have to be minimized, erosion siltation impacts avoided, and the project has to contribute to the act according to Mr. O'Reilly. Mr. O'Reilly stated that all three of the items he listed have been addressed. Mr. O'Reilly stated the Commission did receive the alternative analysis. The alternatives analysis consists of three phases: correction objective, how impacts are minimized, and alternative analysis

Mr. O'Reilly commented on the four alternatives. Alternative 1 is almost always done as a baseline and is not viable. The problem with this site is we aren't sure if the no action alternative is preferable. There has been no additional testing and sampling to make a determination. Alternative 4 mining is probably not economically feasible. Alternative 2 which is a minimal landfill cap which brings in just enough capping material to be able to have positive drainage on this site. Alternative 3 is a Standard landfill cap with grading and this is what is essentially being proposed. In Mr. O'Reilly's opinion, the standard landfill cap would be the preferred alternative if the economics work out. Mr. O'Reilly mentioned there maybe another alternative that wasn't addressed and that would be an intermediate. This would be somewhere between alternative 2 and 3. There could be an alternative analysis done on a smaller scope. Mr. O'Reilly stated these are economic factors and isn't the purview of the Commission. This is Mr. O'Reilly's opinion there could be a fifth option.

Mr. O'Reilly explained there is a requirement under limited projects that compensatory storage needs to be provided. Mr. O'Reilly read for the record an email he sent out to Sitec Environmental on Friday after the revisions had been received. Mr. O'Reilly did his own analysis of the Flood Plain. Mr. O'Reilly utilized Laser Elevation Data and the GIS system. Mr. O'Reilly feels it is fairly accurate but discussion of what is the proper elevation is warranted. This is a detail that needs to be worked out and to get the proper compensatory storage.

Mr. O'Reilly mentioned the Final Closure Sequence Plan has been received. Mr. O'Reilly commented on the erosion control plan. There is a perimeter berm that goes around the entire area. This is intended during the construction sequencing to act as a dam. The left side of the site is a stream. Mr. O'Reilly would like to see an analysis of whether or not the berm is adequately constructed to contain a 100 year storm runoff during sequencing. Mr. O'Reilly would like to make sure this perimeter berm is adequate enough to hold off runoff into the wetlands and stream. Mr. O'Reilly mentioned if this berm isn't adequate enough and blows out there will be a big problem of siltation runoff.

Mr. O'Reilly stated additional replication plans have been received, and are adequate now showing the supplemental plantings.

Mr. O'Reilly commented on the culvert crossing. Any culvert replacement needs to meet the standards to the maximum extent practicable. The details showing the stream crossings were met and put on the detail plan. There are two additional calculations that need to be submitted. One is the open ratio and the other is the bank flow consideration ration.

Mr. O'Reilly went over some of the concern from the previous public hearing. Mr. O'Reilly has some concerns regarding the logic of the sequence. The standard procedure is to submit a CSA. Mr. O'Reilly feels this doesn't make sense. There is additional information that would need to be acquired during the CSA. This would get the Commission the additional data to evaluate whether or not there has been any negative impact on the wetland or whether closure activities could have a potential impact. There is no solid information on what is out there right now and what effect it will have on the wetlands.

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15-2186

It's Mr. O'Reilly's opinion, we need some additional information as far as testing to adequately evaluate the proposal in front of the Commission.

Mr. O'Reilly stated he will be working on a list of special conditions to recommend to the Commission.

Mr. Kehoe stated in his view the Conservation Commission doesn't normally take into account economic issues, and speaking for himself the applicant has put it into play. Mr. Kehoe further stated if he heard correctly the applicant needed alternative 3 because of economic reasons. Mr. Kehoe explained economics is in place brought in by the applicant. Mr. Kehoe commented that even though Mr. O'Reilly will be formulating conditions, it's in the event the Commission grants an Order of Conditions. Mr. Kehoe stated they are going to listen to what everyone says and review carefully what has been submitted.

Mr. Mallen agreed there are many issues here. Mr. Mallen is concerned with the maintenance issues now and years to come. Who will maintain this area in the event there is a problem? If there is a problem whose responsibility will it be to fix it or whose responsibility will it be financially. Mr. Mallen doesn't think it should be the Town. Mr. Mallen wanted to know who would bear the responsibility if the berm was to break? Who is going to bear the responsibility to the neighbors that could be affected by the leaching? Mr. Mallen stated the Town isn't going to bear the burden. Mr. Mallen suggested there should be the appropriate performance bonds filed by BEC and appropriate insurance policies. Mr. Mallen suggested there should be certain criteria if policies have been cancelled. In the event a premium for these policies isn't paid there should be the appropriate insurance bond to protect the Town and the residents in the area. If there is leaching into the water system and the wells are affect. Mr. Mallen feels it shouldn't be at the expense of Town or the residents. There should be an emergency plan. Mr. Mallen stated that BEC is quite confident this will not happen then they shouldn't have a problem preparing an emergency plan. No one should be affected by this at all. Mr. Mallen agrees with Mr. O'Reilly about the alternatives that have been mentioned. The driving force is the money and the profitability. Mr. Mallen doesn't have an issue with alternative 2 or 3 as long as it does what it's supposed to do. Mr. Mallen stated if the appropriate performance bonds and insurance are in place, and emergency and maintenance plans are in place these problems if they should arise, can be addressed without it being restrictive to the residents.

The following residents spoke on this issue:

John George - Tucker Road - A couple of things concerned Mr. George. One thing was money and cost. Mr. George feels it's about public health and safety. Mr. George asked if alternative 2 was chosen what would be the elevation?

Mr. Quatromoni answered 20 feet high

John George wanted to know how the site would be prepared and how many feet would you put the cover?

Mr. Quatromoni the landfill would be graded from the outside in. Bringing it up to a 5% grade. The ridge line would be 20 feet above current grade.

John George how many feet of gravel before they put the cover on?

Mr. Quatromoni stated 2 ½ feet

John George asked why 65 feet

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Mr. Quatromoni economics

John George - it's not about public health or safety it's about money - Mr. George asked what the total cost of the project for alternative 3? Mr. George has asked this three times at previous meetings.

Mr. Quatromoni stated he didn't have that information.

John George asked how much is BEC being paid a yard?

Andrew Daniels who is an advisor to BEC stated that what is required for permitting, infrastructure and financial insurance mechanisms in terms of 30 year operation and maintenance - essentially saving the difference is the shaping and grading of the additional material - at the 5% slope is just not enough revenue to cure the existing environmental problem. DEP policy is specifically designed to facilitate this closure. This closure permitted under the enforcement action by DEP. So under the 5% slope alternative, they can't give exact numbers because number one it's not permitted. Mr. Daniels can say at the 65 feet, BEC is willing to proceed to cure this environmental issue that currently existing. Their under an enforcement action to cap this landfill by DEP, and at the 5% level it not financial feasible.

John George clarified they won't do it at the 5% level because they aren't going to make money.

Mr. Daniels stated Mr. George can make whatever conclusions he wants, but at the 5% level there isn't enough revenue to cover the permitting. Mr. Daniel stated the revenue isn't there to be generated to accomplishment those things that will cure what currently existing.

John George asked how much money do you get in a yard?

Mr. Daniels stated he didn't know. Mr. Daniels addressed the chair this wasn't a wetland issue.

Mr. Kehoe stated give the fact they are promulgating alterative 3 that's something that was brought up in the application and doesn't feel the question is out of line. Mr. Kehoe stated he heard during the presentation that alternative 2 would work just as well as alternative 3 but the cost.

Mr. Daniels stated per DEP policy actually allows for economic feasibility.

John George - alternative 4 is 18-20 million dollars but we don't know what the cost of alternative 3 or alternative 2 - Mr. George asked if DEP was to choose alternative 2 is BEC going to participant in this project.

Mr. Daniels responded they have evaluated this. Mr. Daniels stated that BEC is not in it to lose money at a 5% slope.

John George stated based on Mr. Daniels response BEC isn't going to participate because it's not economically feasible - Mr. George - again what are they going to be paid a yard to bring this material in

Mr. Daniels - they don't have any contracts

John George - when was the last contract they had and how much did they pay them

Mr. Daniels is not aware of the figure right now

John George is the material stockpile anywhere

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Mr. Daniels - the site isn't permitted and they don't know where they will get the material

John George commented on bidding.

Mr. Daniels - agrees there is a significant amount of risk with this project that's why there has to be a certain amount of economic feasibility

John George - asked about the wash station

Michael Quatromoni detail was submitted. A fully self-contained unit truck drive on unit and there is pressure nozzles and the water is contained. There will be zero discharge.

John George - if it did the whole under carriage and what happens to the water

Michael Quatromoni - it would do the whole under carriage. The water will be pumped and trucked off site.

John George - this is a quality of life issue. It's a health, environmental issue. The best way to solve this is not bring this low level contaminated soil in to cap the landfill. They could get clean gravel to cap it and it would save money and it would be clean. It's all about making money, and no one cares about the environment or residents. Mr. George stated they will create a disaster like you never saw before in this town.

Jim Murnane - the road and the trucks going over six days a week and the impact - who will pay for the roads

Mr. Daniels - this issue was brought up at the public meeting and isn't sure it's a wetland issue.

Mr. Kehoe stated the Town will not be paying for the roads

Robert Michaud 40 Alice Street - explained about the EPA report and how the Commission should review this document - would like to know how much contaminate this there - Global GRJ service out of Canada. They do a noninvasive x-ray of the soil to be able to see if there is anything below the surface. Mr. Michaud stated if they are going to increase the surface of the landfill; there's a possibility you could rupture something. Mr. Michaud feels we have an opportunity here to do this right. See if this site is as big as they say it is. They didn't do soil testing of the whole site. Mr. Michaud asked that the Commission not rush through this.

Mr. O'Reilly informed the Commission about the document Mr. Michaud was referring to. A resident had put together a list of things that have been found out during a previous testing. The consultant does have a copy and Mr. O'Reilly would be forwarding the Commission a copy.

Mr. Daniels - DEP and BEC is aware of what is out there. They are aware of these reports. This is why they are here. There is an environmental issue out there. Mr. Daniel - explained DEP has a more stringent protocol financial insurance mechanisms and it is more stringent than a construction bond. Under the financial insurance mechanisms BEC doesn't have that ability. BEC has to post bond or put money in trust. BEC doesn't have the ability to control if something goes wrong. DEP steps in. Before the project even starts the operation and maintenance has to be funded for thirty year up front.

Mr. Mallen thanked Mr. Daniels for his response, but what the purpose of what he said was to protect the community and resident thirty years later. Mr. Mallen stated if it can go wrong, it will go wrong.

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Mr. O'Reilly stated it was his understanding the operation and maintenance didn't include sampling or remediation cost.

Mr. Daniels stated he believes it does include sampling but not the remediation cost.

Mr. Mallen stated it can be addressed with the appropriate insurances. This needs to be addressed now.

Timothy Bancroft - Collins Corner Road - commented on the 100 year storm - anyone taken survey of the bridge

Mr. O'Reilly stated they have reached out to New Bedford. The bridge at Turners pond is actually in New Bedford.

Robert Gosselin - 460 Old Fall River Rd - concern the trucks will come within 50 feet of his well

Mr. Daniels - They are entertaining all public comment. They are complying with the regulations to protect the public health and safety.

Robert Gosselin- What will happen if the dirt spills near his well

Mr. Daniels - There is a lot of scenarios they will take every precaution. DEP has said the materials being brought in are appropriate for the use they are using them for. They will use the best management practice

Robert Gosselin - What will be put up along the lot line

Mr. Daniels stated of fencing and plantings

Robert Gosselin will not be happy with a 6 foot high chain link fence; he will feel like he is in jail

Gloria Bancroft Collin Corner Rd - She thank BEC for bring this disaster to her attention. She made a summary and hopes the Commission will take a look at. She doesn't feel comfortable bring in a great low lying contaminates to make it worse. It makes us as a community say let's do a CSA first. Ms. Bancroft asked if the Town could hire an engineer to do an alternative analysis that is right for us. Ms. Bancroft doesn't feel a bond or insurance would make her feel better seeing this project go forward. Ms. Bancroft asked the Commission not to consider those options and put a stop here until another alternative that is best for our community is in place

Linda Chounard - Ranger Rd - she blames the Town, DEP and BEC for this. This woman was asked to clean this up a long time ago. It needs to go back to her. She commented on the roads.

John George - questions have been asked and have not been answer, and as a member of the Board of Selectmen he requested a full and open disclosure at the next meeting because they are important and they want to know

Joseph Toomey - Planning Board member - original owner still around - there were barges at the N.B harbor and trucked into this area - asked if BEC has a plan and how much would they charge us if we had to fix this

Mr. Daniel - if there is a liner failure it's the responsibility of those people constructing the cap.

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Joseph Toomey - what would it cost to remove the material if there is a failure

Mr. Daniel - you don't have to remove the whole column. The membrane is only 2 ½ feet below

Joseph Toomey- BEC is being represented by Sitec Environmental but BEC and Sitec are taking their order from the State

Mr. Quinn - they put an application with Conservation Commission and DEP

Joseph Toomey - wanted to know if Ms. Robinson is still the legal owner and has veto power

Mr. Daniel - BEC has the power of attorney to permit resolution for the current inactive landfill

Joseph Toomey - BEC can represent Ms. Robinson

Mr. Daniels - yes

Mr. Kehoe stated what is before the Commission is the issue with the alternatives which may have an impact on the Commission decision to grant the relief sought or deny it.

Mr. Toomey - who is the applicant and if there is a break down in their agreement who is left holding the bag

In Mr. Kehoe's view, the applicant is Mary Robinson by her attorney in fact BEC. They are acting as her agent. Ms. Robinson is still the owner of the property. She is still subject to any enforcement. BEC is a for-profit business and Mary Robinson is the one with the problem. Mr. Kehoe explained it would be Mary Robinson who would have the problem because there is an enforcement action on the real estate she owns.

Mr. Toomey - then the bonding would need to be in Ms. Robinson's name. Mr. Toomey feels there is some material in there that could offset some of the cost. Mr. Toomey can't see why this can't be brought back to the original swamp area/wetlands for the long term for the Town. DEP stated at the last meeting they reserve the right to add more things to the list of Com 97 soil.

Mr. Kehoe felt that would be correct through her attorney.

Jean Couto - Cold Brook Lane - what is their air quality management plan

Mr. Quinn - to control dust, emissions from the delivery of the soil and the handling of the material on site. They plan on controlling the dust on the trucks by using the wheel wash station.

Jean Couto - how they plan on measuring the air quality

Mr. Quinn - control onsite

Jean Couto - if there is any equipment to be used to test the air quality

Mr. Quinn state no. They aren't expecting the volatile gases that would lend them self to need metering.

Jean Couto - where do they plan on getting the water for the wheel wash

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Mr. Quinn - there is an on-site well

Jean Couto - if this water is contaminated

Mr. Quinn - we have to get it tested first

Jean Couto - how have they planned on controlling the dust on the seventh day

Mr. Quinn - it should be moist enough from the 6th day and be able to stay on the ground and if there is dust on the 7th then they would water it down

Jean Couto - the dust on the bed of the trucks and controlling the dust that flies around

Mr. Quinn - that is the point of the wheel wash station

Jean Couto - he didn't answer her question about the bed of the trucks

Mr. Quinn - the point is to get all of the dirt out of the bed of the truck. Mr. Quatromoni stated they will be putting tarps of the bed of the trucks

262 Old Fall River Rd - the cows, corn and hay in the area and what about the milk

Mr. Kehoe stated the gentlemen's comment was well taken but this is limited to the wetlands

Terry Murnane - the Commission consider what the people have to endure. The deforestation

Robert Michaud Alice Street - clarified a comment he made about the EPA

Mr. Kehoe stated every citizen should write a letter to DEP, to the Commissioner. Give them the list of those chemicals. Mr. Kehoe explained the issue here tonight is the wetlands and the applicants is attempting to get the permission to work within the buffer zone or resource area. DEP is working with BEC on a consent decree.

Ms. McDonald asked since this property is on an aquifer would they need to go through the Zoning Board of Appeals

Mr. O'Reilly explained Town Counsel is working on some opinions and it's not finalized if a portion of the site would need a special permit. Mr. O'Reilly explained this Zone 3 aquifer is not recognized by DEP, it is strictly aquifer the Town delineated.

Ms. McDonald's concern is with the whole property. Ms. McDonald stated the Commission years ago had issued a cease and desist order because of the violations. This cease and desist was issued on the whole property and not just this area. She thinks excavation of the whole site should be done to determine what is there. She is concerned for the groundwater, the water supply, neighbor's wells and property values, as well as, the 65 foot mountain that is proposed and the wetlands. Ms. McDonald has read this company has had issues in other Towns with violations of the wetlands. Someone has to convince her that alternative 3 is the best way to go.

Joseph Toomey would like to know by Town Counsel if the Soils Board would need to be involved

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Mr. Kehoe stated this was a pertinent question and maybe we could get an opinion of Town Counsel

569 Old Fall River - the 100 year storm - he has been there 45 years and had five floods - He wanted to know how close to this stream is this going to be

Mr. O'Reilly explained one standard that is not waived is the compensatory storage. This goes directly to the gentlemen's concern. The issue of delineation of the flood plan and how many 100 year storms is entirely separate issue.

569 Old Fall River Road - asked what determines the 100 year flood plan

Mr. O'Reilly explained maps used are prepared by FEMA. They are Firm maps. The Town doesn't produce these maps. The Town doesn't have any direct control over those maps, they come directly from FEMA

569 Old Fall River Rd -asked about the elevation and doesn't want the Town to go through with this project

Mr. O'Reilly explained this project is in the A zone with an undetermined elevation. There are methods for determining the flood elevation. There will be further discussion on the appropriate flood plan elevation in this area.

Ms. McDonald motioned to continue the public hearing until Wednesday, April 24, 2013, in the Selectmen's meeting room with Mr. Mallen seconding the motion.

With nothing further to be added, the public hearing was continued until Wednesday, April 24, 2013 at 7PM in the Selectmen's meeting room.

Respectfully submitted

Donna Farias
Administrative Clerk

DARTMOUTH CONSERVATION COMMISSION

April 09, 2013

Field Trip Report

1. A Request for Determination of Applicability from Not Your Average Joe's re: Map 169, Lot 245, 246, & 248 on 61 State Road (Demo and parking) (Boucher and Heureux)

ABSENT: Richard Golen

Ms. McDonald motioned to waive the reading of the public meeting notice with Mr. Mallen seconding the motion.

Mr. O'Reilly explained this filing is to demolish an existing building within the buffer zone. There will be decrease impervious area after construction. Mr. O'Reilly feels there will be no negative impacts but would ask the Commission to condition that prior to the start of construction the detention pond shall be mowed, cleared out and brought into compliance with the approved plan.

DECISION: Ms. Sweriduk motioned to issue a **NEGATIVE 3** determination with the condition the detention pond is brought into compliance and maintained with Ms. Brindisi seconding.

2. A continued Request for Determination of Applicability from Vision Development re: Map 48 Lot 28 and 29 on Old Westport Road (delineation) (Prime Engineering)

ABSENT: Richard Golen

Ms. McDonald motioned to waive the reading of the public meeting notice with Mr. Mallen seconding the motion.

Mr. O'Reilly explained this application is for the purpose of a wetland delineation. Mr. O'Reilly will be meeting the engineer on site and would like to continue this for two weeks.

DECISION: Ms. McDonald motioned to continue this for two more weeks with Mr. Mallen seconding the motion.

3. A continued Request for Determination of Applicability from Summit Smith Healthcare Facilities re: Map 66, Lot 31 & 32 on Faunce Corner Road (delineation) (Sitec)

ABSENT: Richard Golen

Ms. McDonald motioned to waive the reading of the public meeting notice with Mr. Mallen seconding the motion.

Mr. O'Reilly explained this application is for the purpose of a wetland delineation. Mr. O'Reilly will be meeting the Town's consultant on site tomorrow afternoon, and would like to continue this for two weeks.

DECISION: Ms. McDonald motioned to continue this for two more weeks with Mr. Mallen seconding the motion.

DARTMOUTH CONSERVATION COMMISSION

April 09, 2013

Field Trip Report

4. A Request for Determination of Applicability from Dana S Gillum c/o Amelia Leontire re: Map 19, Lot 40, on 573 Potomska Road (upgrade sewage disposal system) (Ferreira Engineering)

ABSENT: Richard Golen

Ms. McDonald motioned to waive the reading of the public meeting notice with Mr. Mallen seconding the motion.

Mr. O'Reilly explained this filing is to upgrade a substandard sewage disposal system. Mr. O'Reilly had been to the site to delineate the wetland. The grading will be within the buffer zone. This will be an improvement to an existing condition according to Mr. O'Reilly.

DECISION: Ms. McDonald motioned to issue a **NEGATIVE 3** with Mr. Mallen seconding the motion.

5. A Request for a Certificate of Compliance from Chris Gallagher re: Map 73 Lot 9 on 798 Faunce Corner Road **File 15-1984(SFH)** (Sitec, Inc)

ABSENT: Richard Golen

Mr. O'Reilly explained a letter had been received by an engineer. Mr. O'Reilly did conduct a site visit and found it to be in compliance. Mr. O'Reilly would recommend the issuance of a Certificate of Compliance.

DECISION: Ms. McDonald motioned to **GRANT** a Certificate of Compliance with Mr. Mallen seconding the motion.

6. A Request for a Certificate of Compliance from Michael Hughes re: Map 171 Lot 16 on 34 Lakewood **File 15-1497** (Single family home) (N. Douglas Schneider & Associates, Inc.)

ABSENT: Richard Golen

Mr. O'Reilly explained a letter had been received by an engineer. Mr. O'Reilly did conduct a site visit and found it to be in compliance. Mr. O'Reilly would recommend the issuance of a Certificate of Compliance.

DECISION: Ms. McDonald motioned to **GRANT** a Certificate of Compliance with Mr. Mallen seconding the motion.

DARTMOUTH CONSERVATION COMMISSION

April 09, 2013

Field Trip Report

7. A Request for a Certificate of Compliance from Ricardo M Raposo re: Map 44 Lot 29-4 on 21 Cedar Crest Road File 15-1855 (Single family home) (Ferreira Engineering)

ABSENT: Richard Golen

Mr. O'Reilly explained a letter had been received by an engineer. Mr. O'Reilly did conduct a site visit and found it to be in compliance. Mr. O'Reilly would recommend the issuance of a Certificate of Compliance.

DECISION: Ms. McDonald motioned to **GRANT** a Certificate of Compliance with Mr. Mallen seconding the motion.