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DARTMOUTH CONSERVATION COMMISSION DARTMOUTH TOWN CLERK  
DARTMOUTH TOWN HALL- ROOM 103 - 7:00 P.M.

### MEETING MINUTES - TUESDAY, March 25, 2014

Next scheduled Dartmouth Conservation Commission meeting: Tuesday, April 8, 2014 at 7 p.m. - in Room 103

#### ATTENDANCE

- PRESENT- Jacquelyn McDonald, Patricia Sweriduk, Richard Mallen, Kyle Ross, Michael Kehoe, Jennifer Brindisi
- ABSENT- Richard Golen

#### APPROVAL of the minutes of February 25, 2014

- After a motion was made by Jacquelyn McDonald and seconded by Kyle Ross, it was unanimously voted to approve the minutes of February 25, 2014.

RECEIVE the minutes of March 11, 2014 meeting (Meeting Cancelled, no minutes)

APPROVAL of the field trip report of March 11, 2014 meeting (Meeting Cancelled, no Field Trip Report)

#### APPOINTMENTS

- Gloria Bancroft & Kathy Costa re: Land Donation of Demoranville on Chase Road.  
(Continue appointment until 4/8/2014)
- Steve Gioiosa (Sitec, Inc.) Potential Solar Field Development Parcel B on Portion of lots 17, 17-20, Assessors Map 56 Hixville Road
  - The site is 45 acres in size and is separated from Hixville Road by wetlands.
  - This project will fall under the Limited Industrial guidelines.
  - There have been exploratory talks with developers in regards to a potential solar farm at the site.
  - The development period was recently changed by the Zoning Board of Appeals to 25 years.
  - The site will be developed into a solar farm project or donated to the Town.
  - There would need to be three wetland crossings for the project.
  - The driveway needed would be a maximum of 16 feet.
  - This project would be a limited project because there would need to be 11,000 square feet of wetland alteration.
  - The site needs an updated wetland delineation.
  - The only entrance for the site would be by using Hixville Road.
  - There will be regulatory hurdles to adhere to.
  - The solar panels proposed for use are 100% recyclable and are not hazardous.



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- Both Robert Michaud and Richard Rheume spoke in regards to the proposed project.

**FIELD TRIP REPORTS**

1. A Request for Determination of Applicability from Little John Engineering Associates re: Map 68 Lot 28 & 29 on 581 Faunce Corner Road. (Wetlands Delineation) (Sitec, Inc.)  
**Motion to Waive the Reading: 1<sup>st</sup>: Jacquelyn McDonald, 2<sup>nd</sup>: Patricia Sweriduk**
  - A positive 2A determination was recommended by Mike O'Reilly for wetland flags A-28 through A-50 and B-1 through B-18.
  - A positive 2B determination was recommended by Mike O'Reilly for wetland flags A-1 through A-27.
  - After a motion was made by Jacquelyn McDonald and seconded by Patricia Sweriduk, it was unanimously voted to approve a positive 2A and 2B determination for the Request for Determination of Applicability from Little John Engineering Associates re: Map 68 Lot 28 & 29 on 581 Faunce Corner Road.
  
2. A Request for Determination of Applicability from DNRT re: Map 20 Lot 55 & 55-1 on Smith Neck Road. (vegetation maintenance) (DNRT)  
**Motion to Waive the Reading: 1<sup>st</sup>: Jacquelyn McDonald, 2<sup>nd</sup>: Kyle Ross**
  - Tree trimming of trail system.
  - No removal of trees will occur.
  - This will open up the space for viewing.
  - Jennifer Brindisi abstained from voting on this RDA.
  - After a motion was made Jacquelyn McDonald and seconded by Richard Mallen, it was voted (5-0) to approve a negative determination for the Request for Determination of Applicability from DNRT re: Map 20 Lot 55 & 55-1 on Smith Neck Road.



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3. A Request for Determination of Applicability from Patrick & Ute Prevost re: Map 97 Lot 57 on 59 Nonquitt Avenue. (Construct a garage and new septic leaching bed) (Alan Heurreux, P.E.)

**Motion to Waive the Reading: 1<sup>st</sup>: Jacquelyn McDonald, 2<sup>nd</sup>: Richard Mallen**

- Construct a new garage. (in flood plain)
- Septic Repair that was necessary.
- Construct a new septic leaching bed
- Improvement to the existing conditions.
- **After a motion was made by Jacquelyn McDonald and seconded by Jennifer Brindisi, it was unanimously voted to approve a negative determination for the Request for Determination of Applicability from Patrick & Ute Prevost re: Map 97 Lot 57 on 59 Nonquitt Avenue.**

4. A Request for a Certificate of Compliance from Delgado Development Corp. re: Map 173 Lot 7 on 35 Maine Avenue File 15-1641

- Work was done in compliance. (Letter received)
- Mike O'Reilly performed a site inspection and everything was done according to plan.
- **After a motion was made by Jacquelyn McDonald and seconded by Jennifer Brindisi, it was voted unanimously to approve a Certificate of Compliance for Delgado Development Corporation re: Map 173 Lot 7 on 35 Maine Avenue File 15-1641.**

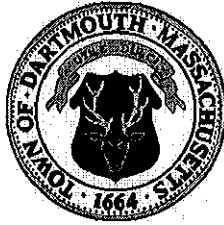
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**PUBLIC HEARINGS**

1. CONTINUED PUBLIC HEARING- Notice of Intent from Tekeyla Atkinson re: Map 177 Lot 16 on 11 Tolland Path, Dartmouth, MA. File 15-2218 (Utility Tie-In) (Thompson Farland Inc.)

**Motion to Waive the Reading: 1<sup>st</sup>: Jacquelyn McDonald, 2<sup>nd</sup>: Patricia Sweriduk**

- Awaiting green cards
- **After a motion was made by Jacquelyn McDonald and seconded by Richard Mallen, it was unanimously voted to continue the hearing until 4/8/2014.**



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2. **CONTINUED PUBLIC HEARING** - Reis Asphalt re: Map 62 Lot 10, 12, 13 and 16 on Hixville Road File 15-2212 (After-the-fact alteration of BVW and Buffer zone) (Scott Goddard)

**Motion to Waive the Reading: 1<sup>st</sup>: Jacquelyn McDonald, 2<sup>nd</sup>: Jennifer Brindisi**

- This is a large violation with approximately one acre of fill.
- The restoration needs to be handled under the enforcement order.
- One replication with all restoration.
- Waiting for the completion of storm water. (Detailed storm water management plan)
- The Conservation Commission will go out to visit the site.
- The completed restoration plan should be received 5 days prior to 4/8/2014.
- There is federal jurisdiction because the size of the violation.
- Wildlife habitat has been altered due to this violation and Natural Habitat is involved.
- **After a motion was made by Jacquelyn McDonald and seconded by Jenifer Brindisi, it was unanimously voted to continue the hearing until 4/8/2014.**

3. **PUBLIC HEARING**- Notice of Intent from Madeleine Perry, Trustee re: Map 105 Lots 46, 47 and 48 - Seawall at the end of Bayview Ave., Dartmouth, MA. (Repair existing seawall) (Prime Engineering, Inc.-Richard Rheume) File 15-2220

**Motion to Waive the Reading: 1<sup>st</sup>: Patricia Sweriduk 2<sup>nd</sup>: Kyle Ross**

- There is structural damage and the repairs to the seawall are necessary.
- The east facing side needs repair and also some re-facing needs to be completed.
- Some part of the wall has been washed out and is in danger of collapsing.
- A portion of the wall is owned by the Bayview Association and they will need to be added to the application in order to move forward.
- **After a motion was made by Patricia Sweriduk and seconded by Richard Mallen, it was unanimously voted to continue this hearing until 4/8/2014.**

4. **PUBLIC HEARING**- Notice of Intent from G. Bourne Knowles III re: Map 107 Lot 22 at Smith Neck Rd. Dartmouth, MA (Reconstruction of an existing stone-armored coastal bank) (Prime Engineering, Inc.- Richard Rheume) File 15-2219

**Motion to Waive the Reading: 1<sup>st</sup>: Jacquelyn McDonald 2<sup>nd</sup>: Richard Mallen**

- Rebuilding of the stone armored coastal bank.
- Additional information is required.

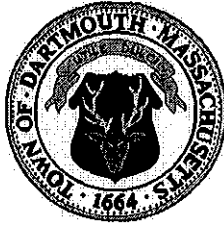


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- **After a motion was made by Jacquelyn McDonald and seconded by Richard Mallen, it was unanimously voted to continue the hearing until 4/8/2014.**
  
- 5. **PUBLIC HEARING-** Notice of Intent from Round Hill Community Corp. re: Map 91 Lot 1 at Round Hill East Beach, Dartmouth, MA. (Upgrade existing revetment and construction of a new stone revetment) (CLE Engineering) File- 15-2221  
**Motion to Waive the Reading: 1<sup>st</sup>: Jacquelyn McDonald 2<sup>nd</sup>: Patricia Sweriduk**
  - Upgrade of existing revetment.
  - Construction of a new revetment.
  - Cannot encroach on the beach.**Motion to Close the Hearing: 1<sup>st</sup>: Jacquelyn McDonald 2<sup>nd</sup>: Jennifer Brindisi**
  - **After a motion was made by Patricia Sweriduk and seconded by Jacquelyn McDonald, it was unanimously voted to issue a Standard Order of Conditions to Round Hill Community Corp. re: Map 91 Lot 1 at Round Hill East Beach, Dartmouth, MA.**
  
- 6. **PUBLIC HEARING-** A Request for an Amended Order of Conditions from Midway Realty, LLC. re: Map 51 Lot 1 & 26 on State Rd. @ Beeden and Reed Rds. File 15-2022 (Boucher & Heureux)  
**Motion to Waive the Reading: 1<sup>st</sup>: Patricia Sweriduk 2<sup>nd</sup>: Richard Mallen**
  - 40R mixed use development
  - 57 single family homes
  - Three apartment buildings (Two- 36 unit buildings and One- 48 unit)
  - 48 Unit apartment building (age restrictive)
  - There will also be some commercial use.
  - Drainage will remain relatively the same. (Complex drainage system)
  - Twice as many catch basins are being installed.
  - Gus Raposo has given his approval on this proposal.
  - This proposal is an improvement to the original plan.
  - Richard Michaud and Chuck Michaud spoke in regards to this proposal.**Motion to Close the Hearing: 1<sup>st</sup>: Richard Mallen 2<sup>nd</sup>: Patricia Sweriduk**
  - **After a motion was made by Jacquelyn McDonald and seconded by Jennifer Brindisi it was unanimously voted to issue a Standard Order of Conditions to Midway Realty, LLC. re: Map 51 Lot 1 & 26 on State Rd. @ Beeden and Reed Rds.**



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7. **PUBLIC HEARING-** A Request for an Amended Order of Conditions from Blue Wave Capital re: Map 84 Lot 7, 8 & 8-18 on Castaldi Drive File 15-2196 (Field Engineering Co. Inc.)

**Motion to Waive the Reading: 1<sup>st</sup>: Jacquelyn McDonald 2<sup>nd</sup>: Patricia Sweriduk**

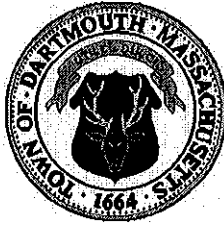
- No construction has started to date.
- The open space and wildlife habitat will remain the same.
- The island is eliminated. (Good location for Wildlife Habitat)
- Removed the permanent wetland crossing.
- Adding 15 additional trees. (6ft. tall, different species)
- Reduction of the removal of trees.
- More efficient solar panels will be used now since becoming available.
- This is an improvement to the original proposal.
- Michael Guilmette and Aidyn Foley spoke on the issue.

**Motion to Close the Hearing: 1<sup>st</sup>: Richard Mallen 2<sup>nd</sup>: Kyle Ross**

- After a motion was made by Jacquelyn McDonald and seconded by Patricia Sweriduk, it was unanimously voted to approve a Standard Order of Conditions to Blue Wave Capital re: Map 84 Lot 7, 8 & 8-18 on Castaldi Drive.

**ITEMS FOR DISCUSSION:**

- A) Budget discussion and reinstatement of the conservation officer position.
- The Conservation Commission will get a 16hr. position for the reinstatement of a Conservation Officer added back into the budget. (Two-8 hour days)
  - The Conservation Officer will help assist the Director with wetland delineations and conservation restriction work.
  - The Conservation Commission will hire for the position.
  - After a motion was made by Jacquelyn McDonald and seconded by Patricia Sweriduk, it was unanimously voted to approve the Conservation Officer position.
- B) Update on construction of rifle range in wetland and on Conservation Commission property
- Sitec has to submit a supplemental restoration plan for the site.
  - A NOI will be filed in the near future.
  - The work is almost complete.

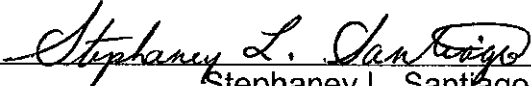


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- C) NStar will maintain the power lines near friends Academy that supply the pump station.
- Transfer of maintenance from the Town to NStar.
  - NStar will need a maintenance roadway. (In buffer zone, but no wetlands)
  - The DPW will do the work this is a exempt utility project.
- D) **New Business** - This time is being reserved for topics that the chair did not reasonably anticipate would be discussed.

  
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Stephaney L. Santiago  
Conservation Commission Aide

Transcribed by: Stephaney L. Santiago