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DARTMOUTH CONSERVATION COMMISSION
DARTMOUTH TOWN HALL- ROOM 103
DARTMOUTH TOWN CLERK

MEETING MINUTES - TUESDAY, April 8, 2014, 2014

Next scheduled Dartmouth Conservation Commission meeting: Tuesday, April 22, 2014 at 7 p.m. - in Room 103

ATTENDANCE

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

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

RECEIVE the minutes of March 25, 2014 meeting

- ❖ *After a motion was made by Jennifer Brindisi and seconded by Richard Golen, it was unanimously voted (4-0) to receive the minutes of March 25, 2014.*

APPROVAL of the field trip report of March 25, 2014 meeting

- ❖ *After a motion was made by Jennifer Brindisi and seconded by Kyle Ross, it was unanimously voted (4-0) to approve the Field Trip Report of March 25, 2014.*

FIELD TRIP REPORTS

1. A Request for Determination of Applicability from Ralph Martin & Deborah Scott re: Map 28 Lot 72 on 842 Rock O'Dundee Road. (Demolish garage, construct two story structure and construct an enclosed bridge) (Finespaces Architecture LLC)

Motion to Waive the Reading: 1st: Richard Golen, 2nd: Jennifer Brindisi

- Demolition of existing garage.
- Construction of two story structure.
- Construct an enclosed bridge.
- Removing the structure further from the coastal bank, this is an improvement to the area.
- Mike O'Reilly recommends a negative determination.
- *After a motion was made by Jennifer Brindisi and seconded by Richard Golen, it was unanimously voted (4-0) to approve a negative determination for the Request for Determination of Applicability from Ralph Martin & Deborah Scott re: Map 28 Lot 72 on 842 Rock O'Dundee Road.*

2. A Request for Determination of Applicability from Edward J. Pires, Jr re: Map 79 Lot 58-7 on Collins Corner Road. (Wetland Delineation) (Sitec, Inc.)

Motion to Waive the Reading: 1st: Kyle Ross, 2nd: Richard Golen

- Wetland delineation verification.
- Corrections need to be made to the plan.
- The majority of the delineation was fine.



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- Mike O'Reilly recommends a positive determination.
- Continuance until new plan is received.
- *After a motion was made by Richard Golen and seconded by Kyle Ross, it was unanimously voted (4-0) to continue the Public Hearing. (April 22, 2014)*

3. A Request of Determination of Applicability from Dartmouth Business Park Solar, LLC, re: Map 84 Lot 8/14 on 420 Samuel Barnet Blvd. (Overstory tree cutting) (Field Engineering Co. Inc.)

Motion to Waive the Reading: 1st: Jennifer Brindisi, 2nd: Richard Golen

- No alterations within 50ft. of the wetlands.
- Shading issues remains on the south side.
- Majority of the work is outside of the buffer zone.
- 35ft. no activity off of the wetlands.
- Mike O'Reilly recommends a negative determination.
- *After a motion was made by Jennifer Brindisi and seconded by Richard Golen, it was unanimously voted (4-0), to issue a negative determination for the Request of Determination of Applicability from Dartmouth Business Park Solar, LLC. re: Map 84 Lot 8/14 on 420 Samuel Barnet Blvd.*

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.)
- Proof of abutter's notification was received.
 - Received the new plan displaying the buffer zone.
 - Richard Golen could not vote on this Notice of Intent because he was not present for prior discussions that took place. This resulted in a continuance of the hearing.

Motion to Close the Public Hearing: 1st: Kyle Ross, 2nd: Jennifer Brindisi

- *After a motion was made by Kyle Ross and seconded by Jennifer Brindisi, it was unanimously voted (4-0) to continue the Public Hearing. (April 22, 2014)*



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2. **CONTINUED PUBLIC HEARING** - Michael & Jeralyn Fernandes re: Map 105 Lot 86 on 47 East Avenue File 15-2160 (pier, gangway & float) (Boucher & Heureux, Inc.)
 - A 4 month request was received from the applicant.
 - *After a motion was mad Kyle Ross and seconded by Jennifer Brindisi, it was unanimously voted (4-0) to continue the Public Hearing. (June 10, 2014)*
3. **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)
 - The applicant has requested a continuance until April 22, 2014.
 - The applicant wants to ensure that they have time to comply with time frames given to the Commission.
 - The Commission does not want to lose the next planting season (6/15/2014)
 - The Enforcement on this file is separate from the Notice of Intent.
 - *After a motion was made Jennifer Brindisi and seconded by Kyle Ross, it was unanimously voted (4-0) to continue the Public Hearing. (April 22, 2014)*
4. **CONTINUED 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
 - Richard Rheume was present on behalf of the applicants.
 - A revised application including both Madeleine Perry and the Bayview Association as applicants was provided to the Conservation Commission per the Commission's request.

Motion to Close the Hearing: 1st: Richard Golen, 2nd: Jennifer Brindisi

- *After a motion was made by Jennifer Brindisi and seconded by Richard Golen, it was unanimously voted (4-0) to issue a Standard Order of Conditions for Map 105 Lots 46, 47 and 48 - Seawall at the end of Bayview Ave., Dartmouth, MA. File 15-2220*

5. **CONTINUED 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:

- Richard Rheume was present on behalf of the applicant.
- There still needs to be verification if the bank is armored.



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- Inspection review is needed.
- There will be a site walk with Mike O'Reilly next week. (4/16/2014)
- Continue to 4/22/2014
- *After a motion was made by Jennifer Brindisi and seconded by Richard Golen, it was unanimously voted (4-0) to continue the Public Hearing. (April 22, 2014)*

6. **CONTINUED 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

- The Commission was awaiting file # from DEP, the file # was issued.

Motion to Close the Hearing: 1st: Jennifer Brindisi, 2nd: Richard Golen

- *After a motion was made by Kyle Ross and seconded by Richard Golen, it was unanimously voted (4-0) to approve the issuance of a Standard Order of Conditions for Round Hill Community Corp. re: Map 91 Lot 1 at Round Hill East Beach, Dartmouth, MA. File 15-2221*

ITEMS FOR DISCUSSION:

- A) In the Matter of Margaret Reichenbach: Pre-filed testimony of Barbara Moss. (S15-2058)
- The adjudicatory hearing is scheduled for April 29, 2014.
- B) M.G.L. c. 61A § 14 -Notice of Intent to Sell Land Map 19, Lot 20-1 on Potomska Road
- This request is a Chapter 61A release.
 - There is a Purchase and Sale Agreement.
 - A recommendation was made to assign the Right of First Refusal over to DNRT.
 - *After a motion was made by Richard Golen and seconded by Kyle Ross, it was voted (3-0, with 1 abstention -Brindisi) to recommend the Select Board to assign the Right of First Refusal over to DNRT re: Notice of Intent to Sell Land Map 19, Lot 20-1 Potomska Rd.*
- C) Town Counsel's opinion regarding the Applicability of Article 97 to the Padanaram Causeway Reconstruction Project.
- The DPW has money to reconstruct the causeway.
 - Installation of a culvert.
 - This installation is not going to affect the use of the property, it is strictly an enhancement to the property.



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- *After a motion was made by Jennifer Brindisi and seconded by Richard Golen, it was unanimously voted (4-0) to concur with Town Counsel's opinion regarding the Applicability of Article 97 to the Padanaram Causeway Reconstruction Project.*
- D) **New Business** - This time is being reserved for topics that the chair did not reasonably anticipate would be discussed.
 - ❖ Mike O'Reilly- Conference in Salem, MA.
 - ❖ Food and Lodging for the conference.
 - ◆ *After a motion was made by Richard Golen and seconded by Jennifer Brindisi, it was unanimously voted (4-0) to approve the expenditure of funds for Mike O'Reilly's conference in Salem, MA for food and lodging overnight.*


Stephaney L. Santiago
Conservation Commission Aide

Transcribed by: Stephaney L. Santiago