

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

**AGENDA -Tuesday, August 5, 2014**

Next scheduled Dartmouth Conservation Commission meeting: Tuesday, August 19, 2014 at 7 p.m. - in Room 103

**APPROVAL** of the minutes of July 8, 2014 meeting

**RECEIVE** the minutes of July 22, 2014, 2014 meeting

**APPROVAL** of the field trip report of July 22, 2014 meeting

**FIELD TRIP REPORTS**

1. A Request for Determination of Applicability from Antonio Soares re: Map 25, Lot 35 & 36 on 100 Rock O Dundee Road (connect to Town water) (Ferreira Engineering)
2. A Request for Determination of Applicability from John Brum re: Map 125, Lot 13-1 & 13-2 on 475 & 483 Russells Mills Road (removal fill from BVW and grading work) (Sitec, Inc.)

**RECEIVED  
2014 SEP 17 PM 4:29  
DARTMOUTH TOWN CLERK**

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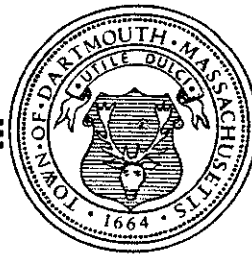
**PUBLIC HEARINGS**

1. **CONTINUED PUBLIC HEARING** - Michael & Jeralyn Fernandes re: Map 105 Lot 86 on 47 East Avenue File #15-2160 (pier, gangway & float) (Boucher & Heureux, Inc.)
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)
3. **CONTINUED PUBLIC HEARING** - Notice of Intent from Barbour Realty Trust re: Map 164 Lots 29, 30, and 31 on State Road (commercial retail building) (Sitec, Inc.) File #15-2228.

**ITEMS FOR DISCUSSION:**

- A) Duplicate original Order of Conditions for David Charpentier/Map 79, Lot 25, 75 Pine Island Road
- B) Duplicate original Order of Condition for Forest Park/Map 73, Lot 10, Faunce Corner Road
- C) **New Business** - This time is being reserved for topics that the chair did not reasonably anticipate would be discussed.

DARTMOUTH



MASSACHUSETTS

CONSERVATION COMMISSION

400 Slocum Road  
Dartmouth, MA 02747

MICHAEL O'REILLY

Environmental Affairs Coordinator  
TEL: 508-910-1822 \* FAX: 508 910-1897  
<http://www.town.dartmouth.ma.us>

RECEIVED  
2014 JUL 31 PM 12:00  
DARTMOUTH TOWN CLERK

TOWN OF DARTMOUTH  
NOTICE OF OPEN MEETING

THIS NOTICE SATISFIES THE REQUIREMENT OF GENERAL LAWS, CHAPTER 30A SECTION 12

To the Residents of the Town of Dartmouth:

Be advised that the following open meeting will take place as described below:

Public Body: Dartmouth Conservation Commission

Time: 7:00 PM

Date: Tuesday, August 5, 2014

Location: 400 Slocum Road, Town Hall Office Building in Rm 103, Dartmouth, MA 02747

List of topics that may be discussed (attached additional sheet(s) if necessary):

See attached

Continued on attached sheet(s)?  YES  NO

Print: Stephaney L. Santiago, Clerk

Signature: *Stephaney L. Santiago*

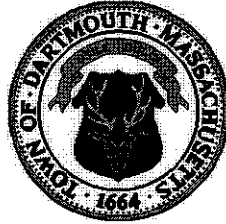
For Town Clerk's use only

Please sign one:

VS This notice has been posted at least forty-eight (48) hours in advance,  
Exclusive of Saturdays, Sundays, and legal holidays

\_\_\_\_\_ The Town Clerk has been informed by the relevant Chair that the above  
Meeting addresses an emergency that requires immediate action  
(as described in the list of topics), and that this notice has been posted as  
Soon as was reasonably possible

\_\_\_\_\_ This notice has been rejected as untimely, with no emergency basis given



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**MEETING MINUTES - Tuesday, August 5, 2014**

Next scheduled Dartmouth Conservation Commission meeting: Tuesday, August 19, 2014 at 7 p.m. - in Room 103

**PRESENT:** Jacquelyn McDonald, Jennifer Brindisi, Richard Golen, Kyle Ross

**ABSENT:** Richard Mallen, Patricia Sweriduk, Michael Kehoe

**APPROVAL** of the minutes of July 8, 2014 meeting

- *After a motion was made by Jennifer Brindisi and seconded by Richard Golen, it was unanimously voted (4-0) to approve the minutes of July 8, 2014.*

**RECEIVE** the minutes of July 22, 2014, 2014 meeting

- *After a motion was made by Jennifer Brindisi and seconded by Kyle Ross, it was unanimously voted (4-0) to receive the minutes of July 22, 2014.*

**APPROVAL** of the field trip report of July 22, 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 July 22, 2014.*

**FIELD TRIP REPORTS**

1. A Request for Determination of Applicability from Antonio Soares re: Map 25, Lot 35 & 36 on 100 Rock O Dundee Road (connect to Town water) (Ferreira Engineering)
  - **Motion to Waive the Reading: 1<sup>st</sup>: Jennifer Brindisi, 2<sup>nd</sup>: Richard Golen**
  - The Commission voted a negative determination on this RDA on July 22, 2014. However this RDA was advertised with the Chronicle for the August 5, 2014 meeting. The Commission needs to vote again on this RDA today.
  - *After a motion was made by Jennifer Brindisi and seconded by Kyle Ross, it was unanimously voted (4-0) to approve a negative determination for a Request for Determination of Applicability for Antonio Soares, 100 Rock O' Dundee Rd.*
2. A Request for Determination of Applicability from John Brum re: Map 125, Lot 13-1 & 13-2 on 475 & 483 Russells Mills Road (removal fill from BVW and grading work) (Sitec, Inc.)
  - **Motion to Waive the Reading: 1<sup>st</sup>: Jennifer Brindisi, 2<sup>nd</sup>: Kyle Ross**
  - This RDA involves the removal of fill from the BVW and also some grading work.
  - Some of the fill was located on abutter's property and the abutter would like time to review the plan.
  - The applicant has requested a two week continuance.



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- *After a motion was made by Jennifer Brindisi and seconded by Kyle Ross, it was unanimously voted (4-0) to continue the hearing until August 19, 2014.*

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## PUBLIC HEARINGS

1. **CONTINUED PUBLIC HEARING -** Michael & Jeralyn Fernandes re: Map 105 Lot 86 on 47 East Avenue File #15-2160 (pier, gangway & float) (Boucher & Heures, Inc.)
  - **Motion to Waive the Reading: 1<sup>st</sup>: Jennifer Brindisi, 2<sup>nd</sup>: Richard Golen**
  - The Commission had requested Michael Fernandes to be present at the meeting to explain why there were so many requests for continuances. Mr. Fernandes was present and informed the Commission that there had been a conflict amongst neighbors in regards to the pier and that they had recently come to a resolution. Mr. Fernandes is working with an attorney to establish an Association with his neighbors and has requested one last extension. Mr. Fernandes stated he would need at least a month to ensure that all the appropriate actions were taken and all paperwork completed.
  - *After a motion was made by Kyle Ross and seconded by Richard Golen, it was unanimously voted (4-0) to approve a continuance for Michael and Jeralyn Fernandes File# 15-2160 (pier, gangway & float) until October 7, 2014.*
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>: Jennifer Brindisi, 2<sup>nd</sup>: Kyle Ross**
  - The applicants provided the Commission with a revised narrative in regards to the restoration project. Michael O'Reilly reviewed the revised narrative and provided the Reis's with comments and revisions that needed to be made. This narrative included more depth on what was needed for the restoration. It also stated that explanations would be provided to the Commission if the work was delayed for any reason. All the shrub plantings would be doubled at minimum for all restoration areas. The narrative received by the Commission on 8/5/2014 stated a final completion date for September 2017, the Commission however informed the applicant that the final date that was set previously was for September 2016 and that was the agreed upon date and nothing later would be acceptable. The applicant informed the Commission that the removal of rock had been started. The Commission discussed a possible amendment to the NOI,



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referencing the Buffer Zone activity and the 5,000 sq. ft. of wetland fill that is being requested to remain.

- The commissioners would like to have time to review the revised restoration plan and will continue the hearing to the next scheduled meeting.
  - *After a motion was made by Jennifer Brindisi and seconded by Kyle Ross, it was unanimously voted (4-0) to approve a continuance until August 19, 2014.*
3. **CONTINUED PUBLIC HEARING** - Notice of Intent from Barbour Realty Trust re: Map 164 Lots 29, 30, and 31 on State Road (commercial retail building) (Sitec, Inc.) File #15-2228.
- **Motion to Waive the Reading:** 1<sup>st</sup>: Jennifer Brindisi, 2<sup>nd</sup>: Richard Golen
  - Neither applicant nor representative was present.
  - *After a motion was made by Jennifer Brindisi and seconded by Kyle Ross, it was unanimously voted (4-0) to approve a continuance for the hearing until August 19, 2014.*

**ITEMS FOR DISCUSSION:**

- A) Duplicate original Order of Conditions for David Charpentier/Map 79, Lot 25, 75 Pine Island Road
- B) Duplicate original Order of Condition for Forest Park/Map 73, Lot 10, Faunce Corner Road
- C) **New Business** - This time is being reserved for topics that the chair did not reasonably anticipate would be discussed.
- D) Richard Golen will be absent for the August 19, 2014 ConCom Meeting.