



**DARTMOUTH CONSERVATION COMMISSION
 DARTMOUTH TOWN HALL - ROOM 103 - 7:00 P.M.
 MINUTES - Tuesday, October 14, 2014**

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 DARTMOUTH TOWN CLERK

ATTENDANCE:

Present: Michael Kehoe, Chair, Jacquelyn McDonald, Vice-Chair, Jennifer Brindisi, Richard Golen, Kyle Ross, Michael O'Reilly, Environmental Affairs Coordinator, and Tina Cabral, Administrative Clerk
Absent: Patricia Sweriduk, and Richard Mallen

Mr. Kehoe convened the meeting at 7:15 PM.

Approval of the minutes of September 9, 2014 was unanimously accepted by those Commissioners present.

Minutes of the September 23, 2014 meeting received for reading.

Approval of the field trip report of the September 23, 2014 meeting was unanimously accepted by those Commissioners present.

Approval of Bill Re: dues and membership for M.A.C.C. in the amount of \$516.00.

APPOINTMENT:

1. The Enclave at The Reservoir off of Faunce Corner Road (to discuss the open space to be donated to the Conservation Commission)

Mr. Kehoe invited the applicant/representative to present the discussion.

Richard Rheume of Prime Engineering: Mr. Rheume explained that this is an approved 25 lot subdivision and requesting that the Commission take ownership of certain open space parcels which would be conveyed with a declaration of restriction in order to assure protection of wildlife habitat. Parcels A-1, A-2 and B-1 are dedicated to the public for the sole purpose of conservation of natural resources. The conservation of species shall be considered the most important conservation purpose for which this land is to be protected in perpetuity and held under the care and custody of the Commission. Said Parcels are to remain undeveloped and protected as habitat for both common and rare plants and animals including the state listed Eastern Box Turtle. Mr. Rheume further explained that any future work on said Parcels with the exception of maintaining boundary markers, trails and utility easements in existence at the time of the conveyance, including but not limited to vegetation clearing, soil disturbance, new trail construction, and forestry, including periodic habitat management, shall require prior written approval from the Natural Heritage & Endangered Species Program of the Massachusetts Division of Fisheries & Wildlife.

Lee Castignetti, Jr. of Long Built Homes: Mr. Castignetti explained that the parcels owned by the homeowner's association house all the drainage facilities and need to be active in maintenance. All the trails are passive open space other than the restricted areas.

Mr. Kehoe invited comment from Mr. O'Reilly.

Mr. O'Reilly commented that he had an opportunity to review all materials submitted and has met with Mr. Rheume and Mr. Castignetti regarding this matter. There is a history with this subdivision and was permitted a couple of years ago. At the time it was permitted, there was a different configuration/strategy for the protection of parcels but has since changed. Mr. O'Reilly expressed a few concerns to Mr. Rheume and Mr. Castignetti at their meeting a couple of weeks ago. The original open space was to be deeded under a conservation restriction to be held by the conservation, but that has changed. This change was due to the changes made by Natural Heritage and this change is in keeping now. Given the changes to this subdivision, Mr. O'Reilly suggests that it is contiguous with the Town's park property and also places the extra layer of protection on the 83 acres and protected under Article 97. Mr. O'Reilly suggests this to be a good idea especially now that there is separation from the lots.

Mr. Kehoe suggested to the applicants that when they present their formal presentation to submit a specimen of what they have from the homeowner's association.

Mr. Castignetti commented that all pertinent documents are in place with the Natural Association.

With nothing further to be added, Mr. Kehoe thanked the applicants for their discussion.

FIELD TRIP REPORTS:

1. A Request for Determination of Applicability from DNRT Re: Map 28 Lot 80 on Horseneck Road (trail maintenance) (DNRT)

Recused-Jennifer Brindisi

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

Mr. O'Reilly reported that this is for a connector trail off the daffodil farm which is located in the buffer zone and also within the Riverfront Area and the proposal is also to remove some invasive species such as bittersweet within this area. The trail is 5' wide. Mr. O'Reilly feels this is a great project for the reserve and creating a nice loop trail. Mr. O'Reilly doesn't anticipate any negative impact and would recommend a negative determination.

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

2. A Request for Determination of Applicability from Vermette Development and Real Estate Corporation Re: Map 25 Lot 1-4 on Lot 2 Ledgemont Lane (to construct a single family home with grading and utilities).

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

Mr. O'Reilly reported that this request is for a single family house on Lot 2 on Ledgemont Lane. All work being proposed is located outside of the buffer zone with the exception of a small amount of work located within the buffer zone. Given that most of the proposed work will be

done outside of the buffer zone, Mr. O'Reilly doesn't anticipate any negative impact and would recommend a negative determination.

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

3. A Request for Determination of Applicability from Stanley & Dawn Stopka Re: Map 8 Lot 1 on 892 Division Road (to verify limit of bordering vegetated wetland on the property)

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

Mr. O'Reilly reported that this request is for the delineation verification for the bordering vegetated wetland on the property. Mr. O'Reilly performed a site visit and suggested that he meet with the consultant at the site. For reasons being there may be some additional upland at front of the site that wasn't identified. Mr. O'Reilly suggested that the matter be continued for two weeks in order that he has the opportunity to meet with the wetland consultant at the site to perform a clearer delineation.

Stanley Stopka: Mr. Stopka agreed to the continuance.

With nothing further to be added, Mr. Kehoe motioned to CONTINUE the public hearing until Tuesday, October 28, 2014 at 7 PM with Ms. McDonald seconding the motion.

4. Request for Determination of Applicability from Marc H. & Nancy P. Dodson Re: Map 101 Lot 16 on 726 Smith Neck Road (septic system repair on single family house lot)

Chair Kehoe recused himself.

Ms. Brindisi motioned to waive the reading of the public meeting notice with Mr. Golen seconding the motion.

Mr. O'Reilly reported that the request is for the improvement of a substandard septic system at 726 Smith Neck Road. The house failed the Title V inspection and is in need of repair. Mr. O'Reilly doesn't anticipate any negative impact and would recommend a negative determination.

DECISION: Ms. McDonald motioned to issue a NEGATIVE 3 determination with Ms. Brindisi seconding the motion.

5. Request for a Partial Certificate of Compliance from Jose Verissimo Re: Map 148 Lot 84-27 on 11 Elise Lane File#15-1901 (single family home)

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

Mr. O'Reilly explained this request for a Partial Certificate of Compliance from the original subdivision order of conditions. This request is for the release of this particular lot on that subdivision from the original order of conditions. Mr. O'Reilly doesn't anticipate any negative impact and would recommend the Request for a Partial Certificate of Compliance.

DECISION: Mr. Kehoe motioned to issue the Partial Certificate of Compliance with Ms. McDonald seconding the motion.

6. Request for Certificate of Compliance from Jayesh Patel Re: Map 164 Lot 52 and Map 165 Lot 1 on 92 Marion Road File #15-1888 (renovate commercial building, construct parking & walkways and detention basin)

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

Mr. O'Reilly explained this request is for a parcel out on State Road and that a letter has been received by the engineer stating that the work has been completed in compliance with the order of conditions. Mr. O'Reilly doesn't anticipate any negative impact and would recommend the Request for Certificate of Compliance.

DECISION: Mr. Kehoe motioned to issue the Request for Certificate of Compliance with Ms. McDonald seconding the motion.

Respectfully submitted,
Tina Cabral
Administrative Clerk

DARTMOUTH CONSERVATION COMMISSION
CONTINUED PUBLIC HEARING MINUTES OF
MICHAEL & JERALYN FERNANDES
15-2160

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, for Michael & Jeralyn Fernandes on land located at Map 105 Lot 86 on 47 East Avenue in Dartmouth. The hearing was held on Tuesday, October 14, 2014 in Room 103 in the Dartmouth Town Hall at 400 Slocum Road in Dartmouth.

Present were Chair Michael Kehoe, Vice-Chair Jacquelyn McDonald, Jennifer Brindisi, Richard Golen, Kyle Ross, Michael O'Reilly, Environmental Affairs Coordinator, and Tina Cabral Administrative Clerk.

ABSENT: Patricia Sweriduk and Richard Mallen

Mr. Kehoe convened the hearing at 7:22 p.m. It was voted to waive the reading of the public hearing notice.

The applicant's representative sent a request for a three-month continuance.

Mr. Kehoe invited Mr. O'Reilly to comment.

Mr. O'Reilly explained the applicant is requesting a continuance in order to obtain all signatures on pertinent documents.

With nothing further to be added, Mr. Kehoe motioned to CONTINUE the public hearing until the second meeting in January 2015 with Ms. McDonald seconding the motion.

Respectfully submitted,
Tina Cabral
Administrative Clerk

DARTMOUTH CONSERVATION COMMISSION
CONTINUED PUBLIC HEARING MINUTES OF
REIS ASPHALT
15-2212

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 After the Fact alteration of BVW and Buffer Zone Notice of Intent of Reis Asphalt on land located at Map 62 Lot 10, 12, 13, and 16 on Hixville Road in Dartmouth. The hearing was held on Tuesday, October 14, 2014 in Room 103 in the Dartmouth Town Hall at 400 Slocum Road in Dartmouth.

Present were Chair Michael Kehoe, Vice-Chair Jacquelyn McDonald, Jennifer Brindisi, Richard Golen, Kyle Ross, Michael O'Reilly, Environmental Affairs Coordinator, and Tina Cabral Administrative Clerk.

ABSENT: Patricia Sweriduk and Richard Mallen

Mr. Kehoe convened the hearing at 7:35 p.m. It was voted to waive the reading of the public hearing notice.

Mr. Kehoe invited Mr. O'Reilly to comment on the proposed project.

Mr. O'Reilly explained that he spoke with the surveyor this afternoon who advised that they are finalizing their plans relative to what they propose to do on the back portion of the property. The surveyor also informed Mr. O'Reilly that once the plans are finalized, a stormwater management plan will be put together. Mr. O'Reilly received a report from Goddard Consulting stating that work in one of the restoration areas has been completed and progress is progressing on the site. The applicant is requesting a continuance until the first meeting in November.

With nothing further to be added, Mr. Kehoe motioned to CONTINUE the public hearing until Tuesday, November 10, 2014 at 7:00 PM with Ms. McDonald seconding the motion.

Respectfully submitted,
Tina Cabral
Administrative Clerk

DARTMOUTH CONSERVATION COMMISSION
CONTINUED PUBLIC HEARING MINUTES OF
Abbreviated Notice of Resource Area Delineation
15-2229

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, for Abbreviated Notice of Resource Area Delineation-Quinary Irrevocable Trust and located at Map 57, Lot 1 on Hathaway Road in Dartmouth. The hearing was held on Tuesday, October 14, 2014 in Room 103 in the Dartmouth Town Hall at 400 Slocum Road in Dartmouth.

Present were Chair Michael Kehoe, Vice-Chair Jacquelyn McDonald, Jennifer Brindisi, Richard Golen, Kyle Ross, Michael O'Reilly, Environmental Affairs Coordinator, and Tina Cabral Administrative Clerk.

ABSENT: Patricia Sweriduk and Richard Mallen

Mr. Kehoe convened the hearing at 7:40 p.m. It was voted to waive the reading of the public hearing notice.

Mr. Kehoe invited the applicant to comment on the proposed project.

Rachel Wotsky of Goddard Consulting: A site inspection was done by Nicole of Goddard Consulting and Mr. O'Reilly and areas were flagged. The site is connected to the Paskamansett River and the bank line was not delineated as it was 200' away from the wetland line and was irrelevant to this filing. Goddard has agreed to the changes per the site inspection and has submitted revised plans.

Mr. O'Reilly stated that the applicant has submitted revised plans reflecting the changes recommended. There are isolated uplands on the back of the site which were not delineated and the Riverfront Area which is 1,000' back and are both irrelevant to this filing. Mr. O'Reilly is in compliance with the revised plans submitted.

With nothing further to be added, Mr. Kehoe motioned to close the public hearing with Ms. McDonald seconding the motion.

Mr. Kehoe motioned to APPROVE the Abbreviated Notice of Resource Area Delineation for the Quinary Irrevocable Trust located at Map 57, Lot 1 on Hathaway Road with Ms. McDonald seconding the motion.

Respectfully submitted,
Tina Cabral
Administrative Clerk

DARTMOUTH CONSERVATION COMMISSION
PUBLIC HEARING MINUTES OF
JOEL BRENNER and VICTORIA POPE
15-2233

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 Joel Brenner and Victoria Pope on land located at Map 23, Lot 39 on 802 Rock O' Dundee Road in Dartmouth. The hearing was held on Tuesday, October 14, 2014 in Room 103 in the Dartmouth Town Hall at 400 Slocum Road in Dartmouth.

Present were Chair Michael Kehoe, Vice-Chair Jacquelyn McDonald, Jennifer Brindisi, Richard Golen, Kyle Ross, Michael O'Reilly, Environmental Affairs Coordinator, and Tina Cabral Administrative Clerk.
ABSENT: Patricia Sweriduk and Richard Mallen

Mr. Kehoe convened the hearing at 7:50 p.m. It was voted to waive the reading of the public hearing notice.

Mr. Kehoe invited the representative to comment on the proposed project.

Alan Heureux of Boucher & Heureux: Mr. Heureux submitted certified return receipt cards from abutters for the record. The applicants own the property located at 802 Rock O'Dundee Road and is about 8 acres in size. The house is set on a hill overlooking the Slocum River and there is an existing foot path down the hill to the river where there is an existing canoe rack. This spot seems to be the best fit for an access. Mr. Heureux proposes a 41' long fixed pier with an 8' ramp to get onto the pier with a 16' gangway onto an 8'x16' float with a 30" minimum depth into the water. The length of the pier is required so that there is adequate depth to the float. The float will be anchored with two piles and float stops. Stairs will be installed as a state requirement as well as a kayak rack and 8' bench seat for storage. Mr. Heureux filed a Notice of License Application with the Waterways Regulation Program (#W14-4247) pursuant to M.G.L. Chapter 91 as well as plans dated August 18, 2014 relative to the licensing and maintenance of the proposed fixed pier, gangway and float. Mr. Heureux also received a letter dated October 10, 2014 from the Marine Fisheries who reviewed the project with respect to potential impacts to marine fisheries resources and habitat and indicate that it has no recommendations on the proposed scope of work at this time.

Mr. Kehoe invited Mr. O'Reilly to comment on the proposed project.

Mr. O'Reilly mentioned that he did meet with Mr. Heureux at the site and the most significant issue that concerns him with this dock is the length. It extends almost halfway across the river and navigation is a significant concern. Mr. O'Reilly has been communicating with the Harbormaster for the past few months in order to arrange their schedules so that they can both meet at the site. Due to scheduling conflicts, they have not been able to meet as of tonight. Mr. O'Reilly suggested a two week continuance in order that he meet with the Harbormaster for his comment to determine that this project will not impede with navigation due to the significant length of the proposed pier.

With nothing further to be added, Mr. Kehoe motioned to CONTINUE the public hearing until Tuesday, October 28, 2014 at 7:00 PM with Ms. McDonald seconding the motion.

Respectfully submitted,
Tina Cabral
Administrative Clerk

DARTMOUTH CONSERVATION COMMISSION
PUBLIC HEARING MINUTES OF
GREATER NEW BEDFORD REGIONAL REFUSE MANAGEMENT DISTRICT
15-2234

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 Greater New Bedford Regional Refuse Management District on land located at Map 84 Lot 25 at 300 Samuel Barnet Blvd in Dartmouth. The hearing was held on Tuesday, October 14, 2014 in Room 103 in the Dartmouth Town Hall at 400 Slocum Road in Dartmouth.

Present were Chair Michael Kehoe, Vice-Chair Jacquelyn McDonald, Jennifer Brindisi, Richard Golen, Kyle Ross, Michael O'Reilly, Environmental Affairs Coordinator, and Tina Cabral Administrative Clerk.
ABSENT: Patricia Sweriduk and Richard Mallen

Mr. Kehoe convened the hearing at 8:00 p.m. It was voted to waive the reading of the public hearing notice.

Mr. Kehoe invited the representative to comment on the proposed project.

Samuel G. Chapin of Brown & Caldwell: Mr. Chapin submitted certified return receipt cards from abutters for the record. The Greater New Bedford Regional Refuse Management District is a public agency that owns and operates the Crapo Hill Landfill, a fully lined municipal solid waste disposal facility that opened in 1995 to serve the waste disposal needs of the Dartmouth and New Bedford communities. The work proposed at this site is near wetlands resource areas protected by the Wetlands Protection Regulations and the Town's Wetland Protection bylaw and regulations. The work proposed is to install structures appurtenant to Phase 2 (Cells 5 and 6) of the Crapo Hill Landfill consisting of 1.76 acres and will be located outside of the buffer zone. Phase 1 has been capped and closed. All stormwater runoff from the facility goes to an infiltration basin. The basin is in 2 ½ acres and collects all the stormwater. Two new basins are also proposed for Cells 5 and 6. The entire landfill is lined with a composite clay and plastic liner. Phase 1 has a single liner of composite clay and plastic. Environmental Consulting & Restoration LLC performed a wetland delineation at the site and reports: that this portion of the site may be located within an area mapped as Priority Habitat & Estimated Habitat for Rare Species according to the Massachusetts Natural Heritage & Endangered Species Program; this portion of the site does not contain certified vernal pools; does not contain USGS mapped perennial streams; is not located within an area mapped as land subject to flooding and is not located within an area of critical environmental concern. The BVW area on the site extends beyond the delineation to the east, west and south. The BVW contains hydric soils, hydrology, and dominant wetland indicator plants. BVW flags were placed on and near the project site to mark the landward limit of the wetland resource area.

Mr. Kehoe invited Mr. O'Reilly to comment on the proposed project.

Mr. O'Reilly made the following comments: the plan is a very solid and put together very well; Phase 2 (Cells 5 and 6) is the final phase of the operation; the waste will be located outside of the buffer zone; there will be grading inside of the buffer zone but most of that grading is associated with the retention and detention facility; and there is no wetland alteration on the site. Mr. O'Reilly mentioned that the existing detention pond off to the west side has very good soil and asked Mr. Chapin if there are any test pits in that pond and have they been verified.

DARTMOUTH CONSERVATION COMMISSION
PUBLIC HEARING MINUTES OF
GREATER NEW BEDFORD REGIONAL REFUSE MANAGEMENT DISTRICT
15-2234

Mr. Chapin responded that they are not relying on the infiltration in that pond and, therefore, have not performed any test pits in that pond. It has been designed as a standard structure filtration facility. The detention pond will not be receiving bulk run off until the construction is 68% completed. The flow will be going to the existing basin.

With nothing further to be added, Mr. Kehoe motioned to close the public hearing with Ms. McDonald seconding the motion.

Mr. Kehoe motioned to APPROVE the Notice of Intent for the Greater New Bedford Regional Refuse Management District located at Map 84, Lot 25 at 300 Samuel Barnet Blvd with Ms. McDonald seconding the motion.

Respectfully submitted,
Jina Cabral
Administrative Clerk

DARTMOUTH CONSERVATION COMMISSION
PUBLIC HEARING MINUTES OF
LONG BUILT HOMES
SE15-1680

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 Amended Order of Conditions of Long Built Homes on land located at Map 133, Lot 42-1 on 127 Russells Mills Road in Dartmouth. The hearing was held on Tuesday, October 14, 2014 in Room 103 in the Dartmouth Town Hall at 400 Slocum Road in Dartmouth.

Present were Chair Michael Kehoe, Vice-Chair Jacquelyn McDonald, Jennifer Brindisi, Richard Golen, Kyle Ross, Michael O'Reilly, Environmental Affairs Coordinator, and Tina Cabral Administrative Clerk.
ABSENT: Patricia Sweriduk and Richard Mallen

Mr. Kehoe convened the hearing at 8:30 p.m. It was voted to waive the reading of the public hearing notice.

Mr. Kehoe invited the representative to comment on the proposed project.

Dan Gioiosa of Sitec, Inc.: Mr. Gioiosa submitted certified return receipt cards from abutters for the record. The applicant is filing an amended order of conditions to the existing order of conditions on the subject property. The applicant is proposing the construction of a new single family home consisting of a slab concrete foundation. The house is being constructed further to the north to have adequate room for the grading of a driveway. When this project originally came before the Commission it was mentioned that there was a drainage pipe somewhere on the property but never located. The applicant is requesting to amend the order of conditions to reflect to locate the pipe, if encountered and to have the pipe relocated and to allow for the development to extend beyond the Riverfront Area as shown on Plan dated 9/30/14 and to allow the applicant to construct a fence along the new development line.

A lengthy discussion ensued with regard to the type of pipe, possible location, drainage, excavation, relocation, etc.

Mr. Kehoe invited Mr. O'Reilly to comment on the proposed project.

Mr. O'Reilly mentioned there was quite of a bit of activity back in 2002 about this alleged pipe. An abutter in the neighborhood had mentioned the possibility of this tile drain pipe being on said property. There was concern if this pipe was disturbed in some way that it would cause flooding at either end. This pipe was never encountered. An analysis should be performed for functionality of this said pipe if it is located. Mr. O'Reilly suggested amending the order of conditions as follows: (a) the subsurface drainage pipe, if encountered, shall not be disturbed until its function and flow direction is evaluated. After analysis the pipe will be allowed to be relocated and must remain fully functional. The Conservation Commission's Agent shall be notified when the exploration of the pipe is to occur and shall be on site when the excavation occurs; and (b) a post and rail fence, or equivalent, shall be erected along the limit of work as shown on plans dated 9/30/14.

With nothing further to be added, Mr. Kehoe motioned to close the public hearing with Ms. McDonald seconding the motion.

DARTMOUTH CONSERVATION COMMISSION
PUBLIC HEARING MINUTES OF
LONG BUILT HOMES
SE15-1680

Mr. Kehoe motioned to APPROVE the Amended Order of Conditions for Long Built Homes located at Map 133, Lot 42-1 at 127 Russells Mills Road with Ms. McDonald seconding the motion.

Respectfully submitted,
Fina Cabral
Administrative Clerk

DARTMOUTH CONSERVATION COMMISSION
PUBLIC HEARING MINUTES OF
DARTMOUTH PRIDE, LLC
#15-2235

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 Order of Conditions of Dartmouth Pride, LLC on land located at Map 144, Lot 110 at 127 Sharp Street in Dartmouth. The hearing was held on Tuesday, October 14, 2014 in Room 103 in the Dartmouth Town Hall at 400 Slocum Road in Dartmouth.

Present were Chair Michael Kehoe, Vice-Chair Jacquelyn McDonald, Jennifer Brindisi, Richard Golen, Kyle Ross, Michael O'Reilly, Environmental Affairs Coordinator, and Tina Cabral Administrative Clerk.
ABSENT: Patricia Sweriduk and Richard Mallen

Mr. Kehoe convened the hearing at 8:55 p.m. It was voted to waive the reading of the public hearing notice.

Mr. Kehoe invited the representative to comment on the proposed project.

Dan Gioiosa of Sitec, Inc.: Mr. Gioiosa submitted certified return receipt cards from abutters for the record. The applicant is proposing the demo and construction of a new single family home. There currently exists a single family home on the property. The driveway will be relocated. The house is located in the wetlands as a river is located on the side of the property and the lot is approximately 9,000 s.f.

Mr. Kehoe invited Mr. O'Reilly to comment on the proposed project.

Mr. O'Reilly mentioned there is a wetland located on the Fern Street side of the property. This proposal is a redevelopment of an existing lot in the Riverfront Area. The only issue that is a concern is the issue of compensatory storage as it is located within the flood plain. There is exists 700 cubic ft. of flood plain. Technically, according to the regulations for bordering subject to flooding, there is displacement of flood plain compensatory storage must be provided for as part of the proposal. However, the Commission does have the ability to waive the compensatory storage requirement. This is a very small amount of compensatory storage or flood plain on this site.

With nothing further to be added, Mr. Kehoe motioned to close the public hearing with Ms. McDonald seconding the motion.

Mr. Kehoe motioned to APPROVE the Order of Conditions and to waive the compensatory storage requirement for Dartmouth Pride, LLC located at Map 144 Lot 110 at 127 Sharp Street with Ms. McDonald seconding the motion.

Respectfully submitted,
Tina Cabral
Administrative Clerk

DARTMOUTH CONSERVATION COMMISSION
PUBLIC HEARING MINUTES OF
MARY ROBINSON
#15-2236

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 Mary Robinson on land located at Map 67, Portion of Lot 8 at Lot 1-Mary's Way in Dartmouth. The hearing was held on Tuesday, October 14, 2014 in Room 103 in the Dartmouth Town Hall at 400 Slocum Road in Dartmouth.

Present were Chair Michael Kehoe, Vice-Chair Jacquelyn McDonald, Jennifer Brindisi, Richard Golen, Kyle Ross, Michael O'Reilly, Environmental Affairs Coordinator, and Tina Cabral Administrative Clerk.
ABSENT: Patricia Sweriduk and Richard Mallen

Mr. Kehoe convened the hearing at 9:05 p.m. It was voted to waive the reading of the public hearing notice.

Mr. Kehoe invited the representative to comment on the proposed project.

Dan Gioiosa of Sitec, Inc.: Mr. Gioiosa submitted certified return receipt cards from abutters for the record. The applicant is proposing to construct a 2-bedroom caretakers' residence. The proposed well along with the actual residence and the associated grading are within the 100' buffer zone to a bordering vegetated wetland. Silt fencing will be placed prior to the start of construction and maintained until disturbed areas have been stabilized.

Mr. Kehoe questioned Mr. Gioiosa why the proposed dwelling can't be moved to the other side of the property so that the proposed dwelling would not be close to the wetland.

Ms. Brindisi questioned Mr. Gioiosa if there was a particular reason why the proposed dwelling is being proposed at that particular location besides the reason to provide septic fuel and is the driveway at a high point. Ms. Brindisi also questioned if the dwelling could be placed at the end of the driveway.

Mr. Gioiosa answered that this particular location is the high point of the lot and the driveway is not. There will be some impact to fit this proposed dwelling in and this was the best possible proposed solution adding in all the mechanical components.

Mr. Kehoe invited public comment on the proposed project.

Attorney Chip Mulford: Represents Mary Robinson and is not aware of this particular project as he has been out of state for the past month. He will communicate with Ms. Robinson for feed back on this project.

Mr. Kehoe invited Mr. O'Reilly to comment on the proposed project.

Mr. O'Reilly mentioned that this is a violation and an after the fact filing due to clearing out the trees in a significant area of the buffer zone and not obtaining a proper permit. Mr. O'Reilly brought this to Sitec's attention. Mr. O'Reilly further explained that Sitec had been before the Commission on a prior order of conditions for the road way (Mary's Way) but not for the dwellings.

Mr. Kehoe expressed that the proposed caretakers' dwelling could be located on the other side of the residence in order that relief from the buffer zone could be avoided and suggested that Sitec come up with another plan for the location of the proposed caretakers' dwelling.

Mr. Gioiosa agreed to revise the plans and submit revised plans to the Commission.

Mr. Kehoe motioned to CONTINUE the Notice of Intent for Mary Robinson located at Map 67, Portion of Lot 8 at Lot 1-Mary's Way to Tuesday, October 28, 2014 at 7:00 p.m. with Ms. McDonald seconding the motion.

Respectfully submitted,
Tina Cabral
Administrative Clerk

DARTMOUTH CONSERVATION COMMISSION
PUBLIC HEARING MINUTES OF
J&T HOME BUILDERS
#15-2232

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 J&T Home Builders on land located at Map 131, Lot 61 on Sagamore Drive in Dartmouth. The hearing was held on Tuesday, October 14, 2014 in Room 103 in the Dartmouth Town Hall at 400 Slocum Road in Dartmouth.

Present were Chair Michael Kehoe, Vice-Chair Jacquelyn McDonald, Jennifer Brindisi, Richard Golen, Kyle Ross, Michael O'Reilly, Environmental Affairs Coordinator, and Tina Cabral Administrative Clerk.
ABSENT: Patricia Sweriduk and Richard Mallen

Mr. Kehoe convened the hearing at 9:20 p.m. It was voted to waive the reading of the public hearing notice.

Mr. Kehoe invited Mr. O'Reilly to comment on the proposed project.

Mr. O'Reilly mentioned that the applicant has requested a continuance to October 28, 2014 as site inspections have not been completed.

Mr. Kehoe motioned to CONTINUE the Notice of Intent to Tuesday, October 28, 2014 at 7:00 p.m. with Ms. McDonald seconding the motion.

Respectfully submitted,
Tina Cabral
Administrative Clerk

ITEMS FOR DISCUSSION:

- A. CPC FY16 Assessment: Each year the Community Preservation Committee (CPC) solicits input on the annual assessment of needs and statement of objectives, priorities, and strategies for the use of CPA funds. This annual assessment provides guidance to applicants seeking CPA funding for projects. The CPC welcomes comments from the Conservation Commission on its annual assessments needs.
- B. Discussion of Agricultural Fee to Conservation Fee Schedule: There was no fee for the issue of agricultural and aquaculture operations. A particular case was recently brought before Mr. O'Reilly which prompted him to adjust the fee schedule under both the wetland site inspections, Site A-1 Form and Request for Determination, and added in some nominal fees for wetland delineation verification. Under the agricultural fee schedule, fees were split up for parcel sizes of small, medium and large. Mr. Kehoe suggested to add the wording "ACTIVE (currently operating)"
- C. Discussion of Scheduling future meeting dates: The following dates were scheduled or upcoming Commission meetings: November 10, 2014 at 7:00 p.m., November 24, 2014 at 7:00 p.m., December 9, 2014 at 7:00 p.m. and December 22, 2014 at 7:00 p.m.

9:40 p.m. Meeting Adjourned