



DARTMOUTH CONSERVATION COMMISSION
DARTMOUTH TOWN HALL - ROOM 103 - 7:00 P.M.
MINUTES - Tuesday, April 14, 2015

ATTENDANCE:

Present: Chairman Michael Kehoe, Vice-Chairman Jacquelyn McDonald, Patricia Sweriduk, Kyle Ross, Michael O'Reilly, Environmental Affairs Coordinator, and Tina Cabral, Administrative Clerk.

Absent: Richard Mallen and Richard Golen

Mr. Kehoe convened the meeting at 7:13 P.M.

- Approval of the minutes of February 10, 2015 was unanimously accepted by those Commissioners present.
- Minutes of the March 10, 2015 meeting received for reading.
- Approval of the field trip report of the March 10, 2015 meeting was unanimously accepted by those Commissioners present.

FIELD TRIP REPORTS:

1. A Request for Determination of Applicability from Peter Kavanaugh who wishes to construct a single family dwelling with the lowest structural member at elevation 18.1 with a garage under the dwelling on land located at Map 134, Lot 30 on Mariana Street (Richard J. Rheume/Prime Engineering)

Ms. McDonald motioned to waive the reading of the public meeting notice with Ms. Sweriduk seconding the motion. Mr. Kehoe invited Mr. O'Reilly to comment on this request.

Mr. O'Reilly commented that he doesn't anticipate any negative impact and as long as it complies with the Building codes, he would recommend a negative determination.

With nothing further to be added, Ms. McDonald motioned to issue a negative determination, with Ms. Sweriduk seconding the motion.

2. A Request for Partial Certificate of Compliance for File #15-771 on land located on Map 35/10/6 at 28 Gulf Hill Drive (Peter C. Bullard, Esq.)

Ms. McDonald motioned to waive the reading of the public meeting notice with Ms. Sweriduk seconding the motion. Mr. Kehoe invited Mr. O'Reilly to comment on this request.

Mr. O'Reilly commented that there are no wetlands near this lot and he would recommend an issuance of a Partial Certificate of Compliance.

With nothing further to be added, Ms. McDonald motioned to issue the Partial Certificate of Compliance, with Ms. Sweriduk seconding the motion.

3. A Request for an Extension Permit from Ronnie Oliveira-File # 15-1677 on land located on Map 175, Lot 3 (10-2) on Bellevue Street (single family home) (Ronnie Oliveira)

Ms. McDonald motioned to waive the reading of the public meeting notice with Ms. Sweriduk seconding the motion. Mr. Kehoe invited Mr. O'Reilly to comment on this request.

Mr. O'Reilly commented that this lot has been sitting vacant for quite a while and the order of conditions was set to expire in three weeks, therefore, he would recommend the issuance of this request for an Extension Permit.

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With nothing further to be added, Ms. McDonald motioned to issue the Request for an Extension Permit, with Ms. Sweriduk seconding the motion.

Respectfully Submitted,
For the Commission,
Tina Cabral

DARTMOUTH CONSERVATION COMMISSION
CONTINUED PUBLIC HEARING MINUTES OF
DOROTHY SHATTUCK
NOTICE OF INTENT
FILE 15-2252

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 a Notice of Intent of Dorothy Shattuck on land located at Map 6, Lot s 13, 13-3, 13-4, 13-5, 13-6, 14, 15, and 16 on Barneys Joy Road/Barneys Joy Point in Dartmouth. The hearing was held on Tuesday, April 14, 2015 in Room 103 in the Dartmouth Town Hall at 400 Slocum Road in Dartmouth.

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

ABSENT: Richard Mallen and Richard Golen

Mr. Kehoe convened the hearing. It was voted to waive the reading of the public hearing notice. Mr. Kehoe invited the applicant/representative to comment on this proposed project.

Mr. Kehoe invited Mr. O'Reilly to comment on the proposed project. Mr. O'Reilly informed the Commission that this matter was continued as the office was waiting for a file number to be issued by DEP which has been received.

Mr. Kehoe invited public comment on this project. No public comment. It was voted to close the public hearing.

With nothing further to be added, Ms. McDonald motioned to grant the notice of intent with the standard order of conditions, with Ms. Sweriduk seconding the motion.

Respectfully Submitted,
For The Commission,
Tina Cabral

DARTMOUTH CONSERVATION COMMISSION
CONTINUED PUBLIC HEARING MINUTES OF
REIS ASPHALT
AFTER THE FACT ALTERATION OF BVW AND BUFFER ZONE
FILE 15-2252

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 a After the Fact Alteration of BVW and Buffer Zone of Reis Asphalt on land located at Map 62, Lots 10, 12, 13 and 16 on Hixville Road in Dartmouth. The hearing was held on Tuesday, April 14, 2015 in Room 103 in the Dartmouth Town Hall at 400 Slocum Road in Dartmouth.

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

ABSENT: Richard Mallen and Richard Golen

Mr. Kehoe convened the hearing at 7:20 p.m.

Mr. O'Reilly pointed out that Mr. Hardman of Site Design contacted him and advised that he has a conflict in Lakeville and has requested to move this public hearing to the end of the public hearing list on the Agenda.

Ms. McDonald motioned to move public hearing #2 out of order on the Agenda to the end of the list on the Agenda, with Mr. Sweriduk seconding the motion.

Ms. McDonald re-convened the hearing at 8:45 p.m.

Ms. McDonald advised that there are not enough commissioners for a vote on this matter and said hearing should be continued to the next public meeting.

Mr. Hardman was present and was in compliance with the continuance.

With nothing further to be added, Ms. Sweriduk motioned to continue this public hearing to April 28, 2015 at 7:00 p.m., with Mr. Ross seconding the motion.

Respectfully Submitted,
For The Commission,
Tina Cabral

DARTMOUTH CONSERVATION COMMISSION
CONTINUED PUBLIC HEARING MINUTES OF
DARTMOUTH FARMS SOLAR, LLC
NOTICE OF INTENT
FILE 15-2240

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 Dartmouth Farms Solar, LLC on land located at Map 67, Lot 8-1 on Hixville Road in Dartmouth. The hearing was held on Tuesday, April 14, 2015 in Room 103 in the Dartmouth Town Hall at 400 Slocum Road in Dartmouth.

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

Mr. Kehoe convened the hearing at 7:30 p.m. It was voted to waive the reading of the public hearing notice. Mr. Kehoe invited the applicant/representative to comment on the project.

Steven Gioiosa of SITEC, INC.: Mr. Gioiosa briefed the Commission that Christopher Capone has set wetland flags and surveyed the flags near Old Fall River Rd along the drainage swale connecting to the Bordering Vegetated Wetland. An intermittent hydraulic connection exists between flags 106/107 and 42B. In order to address this seasonal flow, we have added a culvert under the existing driveway to allow the continued flow to the BVW; and Mr. Capone made a follow-up evaluation of the wetlands in the vicinity of the old gravel operation near flags 8-B and 7-B. He has set new flags which appear to have a hydraulic connection to flags 8-B and 9-B. This information has been added to the revised plan. Today, consultants as well as Mr. O'Reilly went out to the site and it was observed that a vernal pond was present on the site and any work must be away from this vernal pond which is very active. The vernal pond does not qualify as a resource area under conservation act. Additional survey and re-calculations will need to be performed. The applicant is under a financial timeline with the utility company and plans should be revised within the next week or so. Mr. Gioiosa requested a two week continuance.

Mr. Kehoe invited Mr. O'Reilly to comment and questioned him how long does he suggest Mr. Gioiosa will need. Mr. O'Reilly explained that changes to be made to the plans are minor. If the detention pond does get shifted it will be a very minor change. Mr. O'Reilly further pointed out that in fact after today's site visit a vernal pond was observed and very active with wood frogs, frog egg masts, breeding pairs, salamanders, dozens of eggs and American toads, etc. There are other areas of delineation that will need to be added. Mr. O'Reilly suggests that this matter be continued in order that plans can be modified to include further survey and calculations.

Mr. Kehoe invited public comment. No public comment at this time. The public hearing remained open until the next meeting.

With nothing further to be added, Ms. McDonald motioned to continue the public hearing to April 28, 2015 at 7:00 p.m., with Ms. Sweriduk seconding the motion.

Respectfully submitted,
For The Commission,
Tina Cabral

DARTMOUTH CONSERVATION COMMISSION
CONTINUED PUBLIC HEARING MINUTES OF
J&T HOME BUILDERS
NOTICE OF INTENT
FILE 15-2254

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 138, Lot 106 on 40 Potter Street in Dartmouth. The hearing was held on Tuesday, April 14, 2015 in Room 103 in the Dartmouth Town Hall at 400 Slocum Road in Dartmouth.

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

ABSENT: Richard Mallen and Richard Golen

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 applicant/representative to comment on the proposed project.

Steven D. Gioiosa of Sitec, Inc.: The proposed project is to replace the existing mobile home and two (2) sheds with a new single family dwelling. The new home will utilize the existing Town utility services for the property. The property is designated in a FEMA "A" Flood Zone. This lot is located in a single residence B zoning district and is not located in an aquifer zone. Lot coverage is 17.5% and will consist of a driveway for two vehicles. The Department of Public Works has requested that the section of the sidewalk be rebuilt after adding the new driveway. The Plan of record is: Site Plan for 40 Potter Street St, dated March 5, 2015, Sheet 1 of 1.

Mr. Kehoe invited Mr. O'Reilly to comment on the proposed project. Mr. O'Reilly indicated that the flood plain has a de minimous impact on this project and recommends the issuance of an order of conditions.

Mr. Kehoe invited public comment on the proposed project. No public comment. It was voted to close the public hearing.

With nothing further to be added, Ms. Sweriduk motioned to grant the notice of intent with the standard order of conditions and waive the requirement for compensatory storage, with Ms. McDonald seconding the motion.

Respectfully submitted,
For The Commission,
Tina Cabral

DARTMOUTH CONSERVATION COMMISSION
CONTINUED PUBLIC HEARING MINUTES OF
MICHAEL & JERALYN FERNANDES
NOTICE OF INTENT
FILE 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, on the Notice of Intent of Michael & Jeralyn Fernandes on land located at Map 105, Lot 86 at 47 East Avenue in Dartmouth. The hearing was held on Tuesday, April 14, 2015 in Room 103 in the Dartmouth Town Hall at 400 Slocum Road in Dartmouth.

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

ABSENT: Richard Mallen and Richard Golen

Mr. Kehoe convened the hearing at 8:00 p.m. Mr. Kehoe stated that the applicant has requested to withdraw this Notice of Intent without prejudice.

With nothing further to be added, Ms. McDonald motioned to withdraw the Notice of Intent without prejudice, with Ms. Sweriduk seconding the motion.

Respectfully submitted,
For The Commission,
Tina Cabral

DARTMOUTH CONSERVATION COMMISSION
PUBLIC HEARING MINUTES OF
PAMELA MURRAY
NOTICE OF INTENT
FILE 15-2253

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 Pamela Murray on land located at Map 23, Lot 59-4 at 180 Horseneck Road in Dartmouth. The hearing was held on Tuesday, April 14, 2015 in Room 103 in the Dartmouth Town Hall at 400 Slocum Road in Dartmouth.

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

ABSENT: Richard Golen and Richard Mallen

Mr. Kehoe convened the hearing. It was voted to waive the reading of the public hearing notice. Mr. Kehoe invited the applicant/representative to comment on the proposed project.

Alan Heureux, P.E. Mr. Heureux briefed the Commission that this project is to construct and fixed pier, gangway, and float on the Slocums River. Plan of record: Plan Accompanying the Petition of Pamela Murray, 180 Horseneck Road, Dartmouth, MA to License and Maintain A Fixed Pier, Gangway and Float on the Slocums River, dated February 23, 2015.

Mr. Kehoe invited Mr. O'Reilly to comment on the proposed project. Mr. O'Reilly questioned Mr. Heureux if all abutters in close proximity have been notified. Mr. Heureux answered that in deed they all have been notified and there were no concerns. Mr. O'Reilly reported that the project conforms with the standards in the bylaws.

Mr. Kehoe invited public comment on the proposed project. No public comment. It was voted to close the public hearing.

With nothing further to be added, Ms. Sweriduk motioned to grant the notice of intent with the standard order of conditions, with Ms. McDonald seconding the motion.

Respectfully submitted,
For The Commission,
Tina Cabral

DARTMOUTH CONSERVATION COMMISSION
PUBLIC HEARING MINUTES OF
WILLIAM & FRANCES KEENE
NOTICE OF INTENT
FILE 15-2257

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 William & Frances Keene on land located at Map 126, Lot 152-2 & 3 at 128 Star of the Sea Drive in Dartmouth. The hearing was held on Tuesday, April 14, 2015 in Room 103 in the Dartmouth Town Hall at 400 Slocum Road in Dartmouth.

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

Mr. Kehoe convened the hearing. It was voted to waive the reading of the public hearing notice. Mr. Kehoe invited the applicant/representative to comment on the proposed project.

Alan Heureux, P.E. briefed the Commission on this request. The proposal is to construct a circular driveway in the buffer zone to wetland to serve an existing single-family house. The driveway will be pitched away from the wetland area and down into the land of the existing driveway. Mr. Heureux also pointed out that the applicants have negotiated an easement with their neighbor to give the applicants the right to construct this portion of the driveway and allow the drainage to go into the hollow.

Mr. Kehoe invited Mr. O'Reilly to comment on the proposed project. Mr. O'Reilly informed the commission that he had flagged this property himself a few years back under an A1 and is familiar with the site. Mr. O'Reilly feels that this is an overall well designed plan as the proposed project will be on the existing lawn area and doesn't see a potential for a negative impact. The plan submitted shows proposed work on the neighbor's property and therefore, an easement should be obtained before proceeding with this project and suggests to the commission to continue the hearing in order to receive the easement document.

Mr. Kehoe invited public comment on the proposed project. No public comment at this time. The public hearing remained open until the next meeting.

Abutter, Dawn Franklin, questioned for more clarification on this project and asked how far away would this circular driveway be from her property line and if any trees will be cut. Mr. Heureux answered at least 50'-60' away from her property line and stated that no trees will be cut down as the driveway proposed will be constructed on the existing lawn area in front of the applicants' home.

With nothing further to be added, Ms. Sweriduk motioned to continue this public hearing to April 28, 2015 at 7:00 p.m., with Ms. McDonald seconding the motion.

Respectfully submitted,
For The Commission,
Tina Cabral

DARTMOUTH CONSERVATION COMMISSION
PUBLIC HEARING MINUTES OF
BRETT & ABIGAIL CASEY
NOTICE OF INTENT
FILE 15-2255

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 Brett & Abigail on land located at Map 171, Lots 26 & 27 on 41 and 43 Lakewood Road in Dartmouth. The hearing was held on Tuesday, April 14, 2015 in Room 103 in the Dartmouth Town Hall at 400 Slocum Road in Dartmouth.

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

ABSENT: Richard Mallen and Richard Golen

Mr. Kehoe convened the hearing. It was voted to waive the reading of the public hearing notice. Mr. Kehoe invited the applicant/representative to comment on the proposed project.

Alan Heureux, P.E. briefed the Commission on this request. The proposal is to demolish two existing houses (41 and 43 Lakewood Road) and to construct a new single-family house on the property further away from Lake Noquochoke. Two letters of Map Amendment was submitted to the file from Mr. Heureux. No proposed work is to be in the flood zone. All public utilities will be used for the new home (town water and sewer). The impervious area will be decreasing from apx. 4,000 s.f. to 2,000 s.f. Plan on file is entitled "Site Plan" prepared by Boucher & Heureux, dated March 9, 2015.

Mr. Kehoe invited Mr. O'Reilly to comment on the proposed project. Mr. O'Reilly suggests that this is an improvement to the existing neighborhood. Mr. O'Reilly further suggested that the erosion and sedimentation control barriers be installed before the demolition. Mr. O'Reilly commented that he doesn't anticipate any negative impact on this project.

Mr. Kehoe invited public comment on the proposed project. No public comment. It was voted to close the public hearing.

With nothing further to be added, Ms. Sweriduk motioned to grant the notice of intent with the standard order of conditions with the addition of the appropriate installation of the erosion and sedimentation control barriers, with Ms. Mc.Donald seconding the motion.

Respectfully submitted,
For The Commission,
Tina Cabral

DARTMOUTH CONSERVATION COMMISSION

PUBLIC HEARING MINUTES OF

MassDOT HIGHWAY DIVISION

NOTICE OF INTENT

FILE 15-2256

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 MassDOT Highway Division on land located at Gulf Road and Smith Neck Road in Dartmouth. The hearing was held on Tuesday, April 14, 2015 in Room 103 in the Dartmouth Town Hall at 400 Slocum Road in Dartmouth.

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

ABSENT: Richard Mallen and Richard Golen

Mr. Kehoe convened the hearing. It was voted to waive the reading of the public hearing notice. Mr. Kehoe invited the applicant/representative to comment on the proposed project.

Jeff Peterson, PE of VHB: The Town of Dartmouth DPW in conjunction with the Mass. Dept. of Transportation Highway Division proposes to rehabilitate the Padanaram Causeway which carries Gulf Road over Apponagansett Bay. The purpose of the project is to repair and stabilize the slope and subgrade of the Padanaram Causeway and provide for much needed improvements to the Padanaram Bridge. Coastal erosive forces within Apponagansett Bay have washed material out from the Causeway fill section, which has compromised the roadway subgrade and resulted in sinkhole and pothole formation within Gulf Road. This project is needed to address the structural and pothole formation within Gulf Road. This project is needed to address the structural and safety deficiencies of the Causeway and Swing Bridge within the project limits. Alternatives have been evaluated which, would minimize unavoidable impacts, and the proposed construction activities demonstrate the steps that have been taken to achieve this goal. Impacts to coastal wetland resource areas will be mitigated by the long term improvements in the marine fisheries resources, water quality and overall salt pond ecology by installing two culverts under the Causeway to enhance tidal exchange. Minor impacts to Land Under Salt Pond, Tidal Flat (Coastal Beach), and Land Containing Shellfish are necessary to install anti-scour pads below each opening of the two culverts to minimize erosion. The work is believed to be consistent with MA DEP Wetlands Program. The project consists of structural repairs to the causeway and improvements to the existing roadway, the drainage system and lighting along Gulf Road south for a distance of appx. 400 ft. This project also includes maintenance work on the Padanaram Swing Bridge which is an integral part of the Causeway. The proposed Causeway Rehabilitation Project is considered a redevelopment project and will be treated in accordance with this policy developed by the MA DEP and standards contained in the WPA regulations. A brief description of the work proposed for the project is as follows: excavating the causeway subgrade under the pavement and replacing it; refurbishment of the existing pavement in the project area; reconstruction of sidewalks and safety rails; wheelchair ramps will be added to the sidewalk along Gulf Road at the intersection with Smith Neck Rd; maintenance of the existing rip-rap along the causeway retaining walls as needed; clean and repoint stone masonry of the retaining walls; installation of two new box culverts to enhance tidal flushing in a salt pond; addition of decorative lighting; and select drainage system improvements to Gulf Road and Smith Neck Road. The Padanaram Swing Bridge will also be repaired and maintained as part of this project. Proposed work will include: secure corroded portions of the bridge piers by drilling and pinning; repairs to the concrete cores; clean and pressure grout around deteriorated mortar; construct a new concrete cap for the center pivot pier; repair or replace lighting; replace ladders; chip, clean and resurface spalling on the center pier walkway surface; and repair or replace pedestals, plates and the jack/lift machinery. Construction is expected to last one construction season. The project qualifies for "Limited Project" status according to the Wetlands Protection Act Regulations. The proposed work is located within an Estimated Habitat of Rare Wildlife. The entire project lies within an area that is subject to flooding during a 100-year storm event. Approximately 1.3 acres salt pond is located on the south side of the Causeway on the western side of the Bay. The project is not anticipated to have any significant permanent impact to Coast Wetland Resources as it is essentially a maintenance project and no expansion of structures is proposed. The Town of Dartmouth's Conservation Commission retained a consultant to prepare a Tidal Flushing Assessment Report with grant funding provided by the Buzzards Bay National Estuary Program to determine if this condition could be mitigated. The study found that installation of a new culvert would effectively increase tidal flushing in the salt pond and enhance marine fisheries as well as the overall environmental quality and the habitat it provides.

DARTMOUTH CONSERVATION COMMISSION
PUBLIC HEARING MINUTES OF
MassDOT HIGHWAY DIVISION
NOTICE OF INTENT
FILE 15-2256

Documents on file include: A letter from the Division of Fisheries & Wildlife dated March 27, 2015 states that this project "will not result in a prohibited take"; a Tidal Flushing Assessment Report, prepared by ESS Group, Inc., dated June 25, 2013; stormwater assessment; Project Plan: Site Plan 1 "Existing Conditions", Site Plan 2 "Proposed Flood Tide", Site Plan 3 "Proposed Ebb Tide" and Site Plan 4 "Profile View of Proposed Culvert and Plan entitled "Transportation Improvement Project Padanaram Causeway Rehabilitation Project", prepared by Vanasse Hangen Brustlin, Inc. The proposed project will impede one construction season to complete.

Mr. Kehoe invited Mr. O'Reilly to comment on the proposed project. Mr. O'Reilly briefed the commission that a number of years ago he received grant money to perform an alternative analysis to address the issue with the salt pond at the corner of Smith Neck Road and Gulf Road which is on conservation property. A number of studies were performed. This project was clearly the preferably alternative. When the Department of Public Works was proposing to reconstruct the causeway, this was the right time to do this proposed project. The issue before the commission is the tidal flat on the north side of the bridge and land under salt pond on the south side of the bridge. Marine Fisheries has identified that Apponagansett Bay as spawning habitat for winter flounder from January through May. This project qualifies to enhance Marine Fisheries. Mr. O'Reilly pointed out that a condition should be placed for a time of year restriction of January 15 and May 31 is recommended for all in-water silt-producing work to minimize impacts to winter flounder spawning, demersal egg survival, and juvenile development.

Mr. Kehoe invited public comment on the proposed project. No public comment. It was voted to close the public hearing.

With nothing further to be added, Ms. McDonald motioned to issue the notice of intent with the standard order of conditions and to add a special condition stating the following: "In order to minimize impacts to winter flounder spawning, demersal egg survival, and juvenile development, no in-water silt-producing work shall occur between January 15th to May 31st.", with Ms. Sweriduk seconding the motion.

Respectfully submitted,
For The Commission,
Tina Cabral

DARTMOUTH CONSERVATION COMMISSION
PUBLIC HEARING MINUTES OF
CHESTER GOTAUACO
NOTICE OF INTENT-AFTER-THE-FACT BVW AND BUFFER ZONE RESTORATION
FILE 15-2258

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 After-the-Fact-Filing of Chester Gotauaco on land located at Map 101, Lot 8 at 690 Smith Neck Road in Dartmouth. The hearing was held on Tuesday, April 14, 2015 in Room 103 in the Dartmouth Town Hall at 400 Slocum Road in Dartmouth.

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

ABSENT: Richard Mallen and Richard Golen

Mr. Kehoe convened the hearing. It was voted to waive the reading of the public hearing notice. Mr. Kehoe invited the applicant/representative to comment on the proposed project.

Mr. Shawn Ainsworth appeared on behalf of Timothy M. Santos, P.E.: The applicant has filed a Notice of Intent to install a new sewage disposal system, proposed addition, proposed studio, after the fact landscape stone walls, after the fact loaming and seeding the proposed wetland restoration work at said property. The property at 690 Smith Neck Road is a private, residentially developed parcel of land containing appx. 1.0+/- acres. There currently exists a single family home with attached deck, gravel driveway and landscaping. The entire property is located within Flood Hazard Zone X as indicated with FEMA. The proposed project includes restoration of the BVW, proposed addition to the existing house, after the fact approval of landscaping stone retaining walls, after the fact demolition of the old cottage, the proposed construction of a workshop/studio, the upgrade of the existing failed septic system and all associated grading with the project. All work will take place within existing developed areas of the lot. This project will have no adverse impacts on any wetland resource areas. The applicant and contractor at the time of the work already performed at the site were unaware that wetlands existed on the site. A survey of the wetland flags was then performed. Plan on record is entitled "Site Plan", prepared by TMS Engineering and dated March 30, 2015.

Mr. Kehoe invited Mr. O'Reilly to comment on the proposed project. Mr. O'Reilly stated that he flagged this site in preparation of the installation of a septic system on this site and was notified by the Board of Health of work being done in the restoration area. Upon returning to the site, Mr. O'Reilly observed that an old shed had been demolished as well as fill that had been pushed around. A restoration plan has been submitted for review and it is more than adequate. Ten shrubs will be planted in the restoration area. One identified problem noticed was there is work being done on the adjacent property. There is no permission from the neighbor for this work to be performed and suggested that the commission continue this hearing in order to receive the proper authorization from the adjacent neighbor before a vote can be made.

Mr. Kehoe invited public comment on the proposed project. No public comment at this time. The public hearing remained open until the next meeting.

With nothing further to be added, Ms. McDonald motioned to continue the public hearing to April 28, 2015 at 7:00 p.m., with Mr. Sweriduk seconding the motion.

Respectfully submitted,
For The Commission,
Tina Cabral

DARTMOUTH CONSERVATION COMMISSION
PUBLIC HEARING MINUTES OF
TENA COLEY
NOTICE OF INTENT
FILE 15-2259

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 Tena Coley on land located at Map 107, Lot 14 at 24 Bourne Place in Dartmouth. The hearing was held on Tuesday, April 14, 2015 in Room 103 in the Dartmouth Town Hall at 400 Slocum Road in Dartmouth.

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

Mr. Kehoe convened the hearing. It was voted to waive the reading of the public hearing notice. Mr. Kehoe invited the applicant/representative to comment on the proposed project.

Rick Charon, P.E. of Charon Associates, Inc.: The proposed project is to construct new masonry patios with front and rear porch additions to existing single-family residence. Proposed work is in an area within the buffer zone. No wetland resource areas but is situated in a flood zone. The Plan on record is entitled "Plan of Site and Proposed Additions to Residence", dated April 3, 2015, prepared by Charon Associates, Inc.

Mr. Kehoe invited Mr. O'Reilly to comment on the proposed project. Mr. O'Reilly doesn't see any negative impact on this propose project.

Mr. Kehoe invited public comment on the proposed project. No public comment. It was voted to close the public hearing.

With nothing further to be added, Ms. McDonald motioned to grant the notice of intent with the standard order of conditions, with Ms. Sweriduk seconding the motion.

Respectfully submitted,
For The Commission,
Tina Cabral

ITEMS FOR DISCUSSION:

- A. Appreciation Letter for Jennifer Brindisi's service to the Town. *The commission unanimously agreed to draft a letter for all commissioners to sign and to be forwarded to Ms. Brindisi.*
- B. Discussion of "additional applicants". *The commission unanimously agreed to interview the additional applicants at 6:00 p.m. on April 28, 2015.*
- C. Update on "potential candidates" for the part-time conservation commission officer position. *The commission unanimously agreed to notify the Personnel Director to submit "thank you" letters to applicants who were not chosen to continue in the interviewing process.*
- D. New Business-This time is being reserved for topics that the chair did not reasonably anticipate would be discussed. *No new business.*
- E. Meeting Adjourned at 9:00 P.M.

Respectfully submitted,
For The Commission,
Tina Cabral