



**DARTMOUTH CONSERVATION COMMISSION
DARTMOUTH TOWN HALL - ROOM 103 - 7:00 P.M.
MINUTES - Tuesday, May 12, 2015**

ATTENDANCE:

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

Absent: Chairman Michael Kehoe

Ms. McDonald convened the meeting at 7:05 P.M.

MINUTES:

- Approval of the minutes of April 14, 2015 was unanimously accepted by those Commissioners present.
- Minutes of the April 28, 2015 meeting received for reading.
- Approval of the field trip report of the April 28, 2015 meeting was unanimously accepted by those Commissioners present.

FIELD TRIP REPORTS:

1. A Request for Determination of Applicability from DSDRT c/o Janice McDonough on vacant, wooded land located off of Reed Road and Old Reed Road on land located at Map 61, Lots 5, 5-3, 5-4 & 5-5 on Old Reed Road (Prime Engineering, Inc.)

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

Mr. O'Reilly commented that this request is for wetland delineation and that he did not have an opportunity to perform a site visit on this property and suggests to the Commission that this request be continued to the next meeting.

With nothing further to be added, Mr. Mallen motioned to continue this Request for Determination to May 26, 2015 at 7:00 p.m., with Mr. Golen seconding the motion.

Respectfully Submitted,
For the Commission,
Tina Cabral

RECEIVED
2015 JUN 10 PM 3 15
DARTMOUTH TOWN CLERK

DARTMOUTH CONSERVATION COMMISSION
PUBLIC HEARING MINUTES OF
MIDWAY REALTY LLC
NOTICE OF INTENT
FILE 15-2260

RECEIVED

2015 JUN 10 PM 3 15

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 for Midway Realty LLC on land located at Maps 28 & 33 in Westport, MA and Maps 51 & 162 in Dartmouth, MA located on State Road, American Legion Highway and Beeden Road. The hearing was held on Tuesday, May 12, 2015 in Room 103 in the Dartmouth Town Hall at 400 Slocum Road in Dartmouth.

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

ABSENT: Chairman Michael Kehoe

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

Present were Deborah Kelleher of McKenzie Engineering Group, Inc. and Steve Boudreau PE of Vanasse Associates: Ms. Kelleher presented the Commission with a revised set of Plans for the project and certified abutter return receipt cards for the file. The purpose of the project is to make improvements to the intersection of State Road (Route 6), American Legion Highway (Route 177) and Beeden Road in the Towns of Dartmouth and Westport to enhance traffic safety and accommodate development of The Village at Lincoln Park mixed-use project. The geometry of the existing intersection causes the turning movements onto and off of Route 6 to be unsafe. Route 6 is a divided highway with two eastbound lanes and two westbound lanes separated by a grassed median. In its current configuration, the intersection of Route 6 and Route 177/Beeden Road consists of two slip ramps which direct traffic at a shallow angle to and from the southerly side of Route 6 onto Route 177/Beeden Road. The drives of vehicles entering onto the eastbound lane of Route 6 from Route 177/Beeden Road must turn their heads to an extreme angle to the left to see oncoming eastbound traffic. Vehicles entering onto the westbound land of Route 6 from Route 177/Beeden Road must make a turn of approximately 160 degrees. Vehicles turning onto the slip ramp for Route 177/Beeden Road from the westbound land of Route 6 are required to make a turn of approximately 160 degrees as well. Given the volume and speed of traffic, all of the above maneuvers are dangerous. The intersection has been the subject of several studies aimed at improving safety. The proposed traffic improvements will drastically improve safety by creating a right angle intersection between Route 6 and Route 177 which will further improve when signalized in the future. Along with the traffic safety, the roadway infrastructure will also be upgraded. The intersection and roadway improvements proposed by this application will include realignment of the roadway geometry at the intersection, addition of turning lanes, upgrading of the closed drainage system and construction of a stormwater management basin. The proposed Pocket Wetland (constructed stormwater wetland) will provide treatment of runoff from the roadway surface where currently there is none. The stormwater management system has been designed to be in full compliance with the DEP Stormwater Management Policy. Silt sock erosion control barriers shall be placed where indicated on the plans prior to the commencement of any construction activity. The site development is designed so that new stormwater conveyances do not discharge untreated pavement runoff into, or cause erosion to, wetlands. Because the watershed area is dramatically reduced, including the amount of impervious area, the need for discharge within the proposed watershed area is negated. The water quality treatment volume provided is 8,211 cubic feet, which equates to 79% of the water quality volume necessary for full compliance. The proposed project does not include land uses with higher potential pollutant loads. The proposed project does not discharge to any critical areas and it is a redevelopment project. Soil information was obtained from the Natural Resources Conservation Service. The soils on the site are classified as Gloucester-Hinkley complex, very stony undulating, and Urban land. During construction activities at the site, some water from the site will be suitable for discharge to the detention areas and/or temporary sediment basin areas. Topsoil and subsoil from roadway grading will be stockpiled in locations shown on the plans. Estimated time before final stabilization is 12 months for development.

The documents on file are:

- Site Plan "Transportation Improvement Project", dated May 12, 2015
- Construction Phase Pollution Prevention and Erosion and Sedimentation Control Plan

- Post-Development Phase Best Management Practices Operation and Maintenance Plan/Long-term Pollution Prevention Plan
- Drainage Calculation & Stormwater Management Plan

Ms. McDonald invited Mr. O'Reilly to comment on the proposed project. Mr. O'Reilly informed the Commission that we received comment from Mr. Gus Raposo, Town's Consultant listing several comments which the applicant has addressed in their revised Plans dated May 12, 2015. This filing is primarily a stormwater issue with some riverfront alteration. There are no wetlands on the Dartmouth side and this project will be an improvement to the existing condition. Mr. O'Reilly commented that there will be significant improvements in the water quality and rate attenuation and suggests that this proposed project conforms with the standards and recommends the issuance of a standard order of conditions.

Ms. McDonald invited public comment on this project.

a) Cecilia Wood of 1031 Old Fall River Road-Questioned whether the existing left u-turn from State Road onto Beeden Road will be redirected.

Mr. Boudreau answered that yes the proposal does include removing the existing u-turn and the project will consist of a three-way signaled intersection.

b) Pauline of China Belle Restaurant of 929 State Road-Questioned whether crosswalks and sidewalks will be installed on Route 6 (State Road) or just on Route 177 (American Legion Highway).

Mr. Boudreau answered that yes new crosswalks and sidewalks will be constructed at the three-way intersection proposed.

c) Eric Medeiros of 900 State Road-Questioned when is the project proposed to begin.

Mr. Boudreau answered that as soon as the permit is issued from MassDOT, bids will then begin in June 2015 and construction could begin in late July 2015.

No further 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 Mr. Mallen seconding the motion.

Respectfully Submitted,
For The Commission,
Tina Cabral

RECEIVED
2015 JUN 10 PM 3 15
DARTMOUTH TOWN CLERK

DARTMOUTH CONSERVATION COMMISSION
CONTINUED PUBLIC HEARING MINUTES OF
REIS ASPHALT
AFTER-THE-FACT ALTERATION OF BVW AND BUFFER ZONE
FILE 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 an 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, May 12, 2015 in Room 103 in the Dartmouth Town Hall at 400 Slocum Road in Dartmouth.

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

ABSENT: Chairman Michael Kehoe

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

Thomas Hardman of Site Design Engineering: Mr. Hardman briefed the Commission on this project. Mr. Hardman submitted on April 8, 2015 a revised drainage report; a hydrocad stormwater calculations for the 25 and 100 year design storms; MA DEP stormwater checklist; a suggested construction sequence has been added to sheet 5; the requested note regarding to the stormwater operation and maintenance has been added to sheet 5; the requested notes on the erosion and sedimentation control notes have been added to sheet 5; the location of the temporary crushed stone entrance pad is indicated on sheet 2 and a construction detail was added to sheet 5 of the plan set; a construction detail of required catch basin silt protection methods has been added to sheet 5 of the plan set.

Ms. McDonald invited Mr. O'Reilly to comment on this project.

Mr. O'Reilly indicated to the Commission that excavation work has begun on this site and work is coming along. Mr. O'Reilly further indicated that he has not heard from Goddard and does not know the current status of the construction timeline.

Ms. McDonald questioned Mr. Hardman whether this project is on schedule. Mr. Hardman answered that he is not involved in the construction portion of the project as Goddard Consultants have not been in contact with him.

Ms. McDonald invited public comment. No public comment. It was voted to close the public hearing.

With nothing further to be added, Mr. Mallen motioned to CONTINUE the public hearing in order to draft special conditions, with Mr. Golen seconding motion.

Respectfully submitted,
For The Commission,
Tina Cabral

RECEIVED
2015 JUN 10 PM 3 15
DARTMOUTH TOWN CLERK

DARTMOUTH CONSERVATION COMMISSION
PUBLIC HEARING MINUTES OF
ANTHONY CHRIS & LORI STEVENS
NOTICE OF INTENT
FILE 15-2261

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 from Anthony Chris & Lori Stevens on land located at Map 102, Lot 24 on 43 East Avenue in Dartmouth. The hearing was held on Tuesday, May 12, 2015 in Room 103 in the Dartmouth Town Hall at 400 Slocum Road in Dartmouth.

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

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

Richard Rheume of Prime Engineering, Inc. Mr. Rheume briefed the Commission on proposed renovations to the residential dwelling including foundation modifications, building modifications, associated septic system upgrade, grading, retaining walls, utilities and landscaping features.

Ms. McDonald invited Mr. O'Reilly to comment on this project.

Mr. O'Reilly commented that all proposed work is outside of the buffer zone and all associated septic system upgrade is in conformance with the performance standards.

Ms. McDonald invited public comment. 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 Mr. Golen seconding motion.

Respectfully submitted,
For The Commission,
Tina Cabral

RECEIVED
2015 JUN 10 PM 3 15
DARTMOUTH TOWN CLERK

DARTMOUTH CONSERVATION COMMISSION
PUBLIC HEARING MINUTES OF
PADANARAM ACRES COMMUNITY CORPORATION
NOTICE OF INTENT
FILE 15-2263

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 from Padanaram Acres Community Corporation on land located at Map 125, Lot 56 on Country Way in Dartmouth. The hearing was held on Tuesday, May 12, 2015 in Room 103 in the Dartmouth Town Hall at 400 Slocum Road in Dartmouth.

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

ABSENT: Chair Michael Kehoe

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

Prime Engineering, Inc. The representative briefed the Commission on this project. The proposed project is to drain the back yards of three buildings in Phase 1 of Padanaram Acres and catch basins will be installed and the flow will be piped to an unnamed brook.

Ms. McDonald invited Mr. O'Reilly to comment on this project.

Mr. O'Reilly questioned Mr. Rheaume if the stream is the low point and what about the swimming pool. Mr. Rheaume answered that yes it is the low point and the existing culvert is parallel and there will be two drains in the area an pointed out that the swimming pool is not close to these proposed drains. Mr. O'Reilly commented that there is no wetland alteration being proposed and there has been continuing flooding problems in this area. Mr. O'Reilly further suggests that this project conforms to the performance standards.

Ms. McDonald invited public comment. No public comment. It was voted to close the public hearing.

With nothing further to be added, Mr. Mallen motioned to GRANT the notice of intent with the standard order of conditions, with Mr. Golen seconding motion.

Respectfully submitted,
For The Commission,
Tina Cabral

DARTMOUTH CONSERVATION COMMISSION
PUBLIC HEARING MINUTES OF
NEW ENGLAND AMALGAMATED CLOTHING AND TEXTILE CLOTHING AND TEXTILE WORKERS
BUILDING CORP.
NOTICE OF INTENT
FILE 15-2264

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 from New England Amalgamated Clothing and Textile Clothing and Textile Workers Building Corp. on land located at Map 162, Lot 3-1 on Reed Road in Dartmouth. The hearing was held on Tuesday, May 12, 2015 in Room 103 in the Dartmouth Town Hall at 400 Slocum Road in Dartmouth.

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

ABSENT: Chairman Michael Kehoe

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

Steven Gioiosa of Sitec, Inc: The applicant is proposing to construct a single family dwelling with associated utilities, driveway and lawn area. As depicted on the Plot Plan dated April 13, 2015 filed with this application, silt fencing will be placed prior to the start of an until disturbed areas have been stabilized. Mr. Gioiosa informed the Commission that a Variance has been issued by the Board of Appeals for the use of this parcel of land as a single family residential dwelling.

Ms. McDonald invited Mr. O'Reilly to comment on this project.

Mr. O'Reilly commented that there will be minimal impact and wetland delineation has been performed and that this project conforms with the performance standards.

Ms. McDonald invited public comment. No public comment. It was voted to close the public hearing.

With nothing further to be added, Mr. Mallen motioned to GRANT the notice of intent with the standard order of conditions, with Mr. Golen seconding motion.

Respectfully submitted,
For The Commission,
Tina Cabral

ITEMS FOR DISCUSSION

A) FILE#15-2250 for 78 Brandt Ave-VIOLATION OF ORDER OF CONDITIONS. Mr. O'Reilly briefed the Commission that he received a call that all trees had been cleared on this site including a small wetland replication area. Mr. O'Reilly went out to the site to view it and did not know that the site had been cleared as he was never notified. All trees had been removed on the small wetland area at the back of the site. The Plan approved by the Commission specifically outlined the hay bale line. The hay bales were never installed on the site. Mr. O'Reilly then phoned Christian Farland who came out to the site to meet with him. Mr. O'Reilly advised Mr. Farland that a restoration plan must be prepared and submitted for the site which is before the Commission tonight.

Mr. Farland submitted a photo for the record before the Commission showing the clearing of the site. He further commented that he met with Mr. O'Reilly at the site relative to the clearing. Construction is not scheduled to start until three weeks from tonight, but the entire site was cleared. Most of the clearing was mixed invasives and underbrush. An additional hay bale line will be installed per the new Restoration Plan. Mr. Farland explained to the Commission that the applicant is adamant to begin construction in three weeks.

The Commission unanimously motioned to approve the Restoration Plan dated May 11, 2015; to commence plantings immediately in the wetland replication area; to remove any leftover invasives; no construction is to be started until a pre-construction conference is scheduled with Mr. O'Reilly.

B) Appreciation Letter. Letter of appreciation for Jennifer Brindisi was signed by all Commissioners and will be mailed out to Ms. Brindisi.

C) Mileage Record for Michael O'Reilly for approval and signature by the Commission. It was unanimously voted by the Commission to approve the Mileage Reimbursement Record which was signed by Ms. McDonald.

C) New Business: An application to CPC for a land acquisition to be established and maps were put together for prioritization of properties for open space, agriculture and for housing as well. Due to minor technical issues, that application was withdrawn and is being resubmitted. It was unanimously voted to submit a letter of resubmittal of the CPC application.

D) MEETING ADJOURNED: 8:05 P.M.