

RECEIVED
001 20 PM 12:07
DARTMOUTH TOWN CLERK

Area reserved for town clerk stamp →

MEETING CONVENED AT 7:00 P.M.

ATTENDANCE:

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

ADMINISTRATIVE:

- Approval of the minutes of August 11, 2015 was unanimously accepted by those Commissioners present.
- Approval of the field trip reports of the August 25, 2015 meeting was unanimously accepted by those Commissioners present.
- Minutes of August 25, 2015 received for reading.

FIELD TRIP REPORTS:

1. A Request for Determination of Applicability from Cheryl Sylvia who wishes to install a 16x34 in-ground swimming pool with concrete patio around perimeter of pool on land located at Map 137, Lot 81 at 16 Holly Drive in Dartmouth. (Aaron Pools and Spas)

Ms. McDonald motioned to waive the reading of the public notice, with Mr. Mallen 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 would recommend a negative determination.

With nothing further to be added, Ms. McDonald motioned to issue a negative determination, with Mr. Mallen seconding the motion. The permit was passed for signatures by those Commissioners present.

2. A Request for Determination from James Cariani who wishes to trim with hand tools the top 6' of pussy-willow and maple saplings which are in the view easement on land located at Map 134/Block 42, Lots 2&8 at 83 Hidden Bay Drive (Prime Engineering, Inc.)

Ms. McDonald motioned to waive the reading of the public notice, with Mr. Mallen 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 would recommend a negative determination.

With nothing further to be added, Ms. McDonald motioned to issue a negative determination, with Mr. Mallen seconding the motion. The permit was passed for signatures by those Commissioners present.

3. Request for a Certificate of Compliance from David H. Bor & Henrietta N. Barnes on File#15-1644 for land located at Map 19, Lot 19-3 at 576 Potomska Road (maintain fixed pier, gangway and float) (Boucher & Heures)

Mr. Kehoe invited Mr. O'Reilly to comment on this request. Mr. O'Reilly commented that he needs to meet with the engineer at this site and would recommend a continuance in this matter to the next meeting date in order that he have a chance to speak with the engineer.

With nothing further to be added, Ms. McDonald motioned to continue this matter to Tuesday, September 22, 2015 at 7:00 p.m., with Mr. Mallen seconding the motion.

TOWN OF DARTMOUTH - CONSERVATION MINUTES - Tuesday, September 8, 2015

4. Request for Certificate of Compliance from Joel Brenner and Victoria Pope for File#15-2233 on land located at Map 23, Lot 39 at 802 Rock O'Dundee Road (Boucher & Heureux)

Mr. Kehoe invited Mr. O'Reilly to comment on this request. Mr. O'Reilly commented that he needs to meet with the engineer at this site and would recommend a continuance in this matter to the next meeting date in order that he have a chance to speak with the engineer.

With nothing further to be added, Ms. McDonald motioned to continue this matter to Tuesday, September 22, 2015 at 7:00 p.m., with Mr. Mallen seconding the motion.

5. Request for Determination of Applicability from Town of Dartmouth who wishes to verify a wetlands delineation on land located at Map 137, Lot 4-1 on 101 Slocum Road (Town of Dartmouth)

Ms. McDonald motioned to waive the reading of the public notice, with Mr. Mallen seconding the motion. Mr. Kehoe invited Mr. O'Reilly to comment on this request. Mr. O'Reilly briefed the Commission that this request is from the Town of Dartmouth to the purposes of verifying a wetlands delineation and activity within the 100' buffer zone of a bordering vegetated wetland and within 100' of an isolated wetland pursuant to the Dartmouth Wetlands Protection Bylaw. Mr. O'Reilly has made a series of observations to document the conditions of the stream. Mr. O'Reilly recommends the issuance of a positive determination to confirm the wetland boundary as shown on the submitted plan, confirm the stream as intermittent and issue a negative determination for the work depicted on the submitted plan.

With nothing further to be added, Ms. McDonald motioned to issue a positive determination to confirm the wetland boundary and a negative determination for the work depicted on the submitted plan, with Mr. Mallen seconding the motion. The permit was passed for signatures by those Commissioners present.

6. Request for an Extension Permit from 331 State Road-File#15-2016 on land located on Map 63, Lot 19-3 (sub-lot 2) on Faunce Corner Road (roadway crossing) (Site Design Engineering, LLC)

Mr. O'Reilly briefed the Commission that he received a letter from the engineer requesting to extend the time for expiration of the current order of conditions. This request has been necessitated as a result of the downturn in the economy immediately after the original order was issued.

The Commissioners signed the Extension Permit for File#15-2016 with the condition that the Order of Conditions be recorded at the Bristol County S.D. Registry of Deeds.

7. Request for an Extension Permit from 331 State Road-File#15-2029 on land located on Map 63, Lot 19-3 on Faunce Corner Road (construct commercial building) (Site Design Engineering, LLC)

Mr. O'Reilly briefed the Commission that he received a letter from the engineer requesting to extend the time for expiration of the current order of conditions. This request has been necessitated as a result of the downturn in the economy immediately after the original order was issued.

The Commissioners signed the Extension Permit for File#15-2029 with the condition that the Order of Conditions be recorded at the Bristol County S.D. Registry of Deeds.

Respectfully submitted,
For the Commission,
Tina Cabral, Administrative Clerk

DARTMOUTH CONSERVATION COMMISSION
CONTINUED PUBLIC HEARING MINUTES OF
DECHERT REALTY TRUST
NOTICE OF INTENT
FILE 15-2273

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 Dechert Realty Trust on land located at Map 95, Lot 4 at Featherbed Lane in Dartmouth. The hearing was held on Tuesday, September 8, 2015 in Room 103 in the Dartmouth Town Hall at 400 Slocum Road in Dartmouth.

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

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 project.

Thomas W. Hardman of Site Design Engineering: Briefed the Commission that this matter was continued in order that he provides data sheets and a revised plan which has been submitted to Mr. O'Reilly.

Mr. Kehoe invited Mr. O'Reilly to comment. Mr. O'Reilly stated that he has received all information requested by Mr. Hardman and the project looks in order.

Mr. Kehoe invited public comment. 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 a standard order of conditions, with Mr. Mallen seconding the motion.

Respectfully submitted,
For The Commission,
Tina Cabral, Administrative Clerk

DARTMOUTH CONSERVATION COMMISSION
CONTINUED PUBLIC HEARING MINUTES OF
MICHAEL DEALMEIDA
NOTICE OF INTENT
FILE 15-2274

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 Michael DeAlmeida on land located at Map 134, Lots 27 & 28 at 6 Mariana Street in Dartmouth. The hearing was held on Tuesday, August 25, 2015 in Room 103 in the Dartmouth Town Hall at 400 Slocum Road in Dartmouth.

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

Mr. Kehoe convened the hearing. Mr. Kehoe invited Mr. O'Reilly to comment. Mr. O'Reilly stated that he received a telephone call from the engineer who requested a continuance to the next meeting.

The public hearing remained open.

With nothing further to be added, Ms. McDonald motioned to continue this public hearing to Tuesday, September 22, 2015 at 7:00 p.m., with Mr. Mallen seconding motion.

Respectfully submitted,
For The Commission,
Tina Cabral, Administrative Clerk

TOWN OF DARTMOUTH - CONSERVATION MINUTES - Tuesday, September 8, 2015

ITEMS FOR DISCUSSION:

- A) Letter dated August 31, 2015, from Sitec, Inc. regarding Vincent Realty Trust enforcement for land located at Map 28, Lots 70, 71 and Map 24, Lot 13. *The Commission unanimously voted to extend Sitec, Inc.'s request to September 18, 2015.*
- B) DNRT- "VonErtfelda Conservation Restriction" for signatures. *The Conservation Restriction was signed by all Commissioners present.*
- C) Letter dated August 28, 2015, Chapter 61A Sec.14-Notice of Sale regarding David A. Brownell and Judith C. Brownell for land located on Map 20, Lots 12 and 19-1 on Smith Neck Road. *This letter was to notify the Commission that the Brownells are selling the property to the Ferrys for agricultural use. The Buyers intend to maintain the property in agricultural use. The Town does not have a right of first refusal under Section 14 because the land is not being sold for or converted to "residential, industrial, or commercial use". This letter was sent as a courtesy to the Town of Dartmouth.*
- D) New Business: No New Business.

MEETING ADJOURNED: 7:30 P.M.