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Town Clerk-Dighton, MA

AUG 16 2023

Time: 12:35 PM

By: RE

**Dighton Conservation Commission
Public Meeting Agenda
Thursday 8/17/2023**

Public Meeting Opens at 7:00 PM at the Old Town Hall at 1111 Somerset Ave. This meeting is video, and audio recorded for Cable Broadcast and Internet posting on "www.dighton-ma.gov", and You Tube.

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Meeting starts with the Pledge of Allegiance

Review/Discuss/Act: minutes of previous meetings.

Interviews for Position of At-Large Member, Conservation Commission

- Jason Lachance
- William Frenette
- Other

Review/Discuss/Act: recommendation of Position of At-Large Member to the Board of Selectman.

Interviews for Position of Office Assistant – Review/Discuss/Act: Appointment of Chairman Digits as interviewing hiring authority on behalf of the Conservation Commission.

Review/Discuss/Act: recommendation of removal of James Sousa as a member as he has missed 12+ meetings.

Review/Discuss/Act: letter to the Dighton USPO regarding Certified Letters.

Review/Discuss/Act: Bills Payable –

- Gay & Gay File Invoice # 74567 in the amount \$588.29 (Strawberry Fields Appeal)
- Gay & Gay File Invoice # 74700 in the amount \$2,027.73 (Strawberry Fields Appeal)
- Massachusetts Association of Conservation Commissions (MACC) Annual Dues in the amount \$305

Review/Discuss/Act: **Continued Hearing** – DI Trust Comprehensive Conservation Subdivision seeks to construct 135 single family homes and 13,137 linear feet of associated roadway off Forest Street DEP File # SE 017-0443. *D.I. Trust has requested a continuance to 9/21/2023.*

Review/Discuss/Act: **Continued Hearing** -- Reed Brothers Farm Limited Liability Partnership, DEP File # SE 017-0447. *Outback Engineering has requested a continuance to 9/21/2023.*

Review/Discuss/Act: **Continued Hearing** – ANRAD Application by Dean Smith of New Leaf, Dighton Energy Storage 1, LLC for 0 Maynard Lane, Map 1, Lots 82, 82-7, and 96. DEP File # SE017-0476. *New Leaf has requested a continuance to 9/21/2023.*

Review/Discuss/Act: **Continued Hearing** – ANRAD Application by RJR properties 0 Old Horton Street Map 7, Lots 36 & 36-1 DEP File # SE017-0475. Nover Environmental Submitted a Scope Amendment for the Peer Review. *ESI requested this be tabled until 9/21/2023.*

Review/Discuss/Act: **Continued Hearing** – Notice of Intent Application by Robert J. Russell III at 0 Old Horton Street, Map 7, Lot 36 for construction of a single-family house with septic system. A portion of the work is within the buffer zone to wetland resources. Dep File # SE 017-0481. *ADE, Inc. has requested a continuance to 9/21/2023.*

Review/Discuss/Act: **Continued Hearing** – Notice of Intent Application from Charles Roberts Federal National Mortgage Company at 1969 Horton Street, N Dighton, MA 02764. Work includes the upgrading of a failed septic system with septic tank, pump tank, retaining walls, leach field and associated grading. A portion of the work falls within the buffer zone to a bordering vegetated wetland and riverfront area to the Poppasquash River. The applicant also proposes to restore a portion of the riverfront area and buffer zone that was disturbed by the previous owner to its pre-existing state. Dep File # SE 017- 0487.

Review/Discuss/Act: **Continued Hearing** – Notice of Intent from Tom Ferry, Town of Dighton DPW Director for a Municipal Main Street Roadway project including the construction of a 5' wide sidewalk and drainage improvements along an existing 1.8 mile section of Main Street from the intersection of Williams Street to the intersection of Elm Street. A portion of this work falls within the buffer zone of a Bordering Vegetated Wetland, Riverfront Area to Sally Richmond Brook and Muddy Cove Brook, and within Bordering Land Subject to Flooding. Dep File # SE 017- 0485.

Commission - Agent updates and Discussion Section

0 Horton St. (Map 10 Lot 53) Enforcement Order issued 11/28/22 – Site has been flagged. Site visit 3/9 Were told expect restoration plan asap. Letter sent on 6/1/2023 sent via certified letter. *Update - Fines at a rate of \$300/day began on 7/15/23 and will continue until we receive a Satisfactory Restoration Plan.*

2371 County Street (Map 20, Lot 65) Enforcement Order issued 4/1/21, DEP visited site on 4/27/22- Request for letter to be sent by the BOS to DEP/Letter sent to DEP by TA Mr. Michael Mullen on 4/26/23 and on 7/17/23- *Agent recommends Commission review, discuss, act on enforcement action.*

1035 Williams St., letter issued 4/28/21 (previous File No. SE 017-04030) – Site Visit with Outback Engineering/owner on 3/15 – *Public hearing opened 4/20/2023 and closed with a denial on 7/20., Site visit conducted on 7/6/2023. Review, discuss, and act on enforcement action.*

0 Horton St. (Map 7, Lot 26) Enforcement Order/Restoration. – Agent spoke with Wetland Consultant on 7/11/23 & site visit on 7/19/23. *Restoration plan received for review. Review, discuss, and act on restoration plan.*

0 Williams St (Map 21, Lot 34-2) letter sent 6/2/22 – Notice of Violation – Met with owner and Stormwater Agent on 2/16. Restoration plan received for review. *Review, discuss, and act on restoration plan.*

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1940 County Street - 508 Customs (Map 17, Lot 79) –letter sent on 3/23/23. Outback is preparing a site plan. A second letter was sent via certified letter on 7/19/23. No response received. Review, discuss, and act on enforcement action.

880 Hart Street (Map 19, Lot 2) – Notice of Violation letter sent 2/1/23 & Site Visit 2/15/23 & 4/11/23- Agent spoke with Attorney Mitchell on 7/5/23 and provided him with the information. Agent will follow up with inspections through the fall and spring.

1420 Williams Street (Map 11, Lot 9) – New violation discovered on this property when conducting site visit at Clearway Solar. Letter hand-delivered on 3/8/22. Site visit 3/6/23. New Update.

981 Stonegate Landing North Dighton – owner contacted me before he proceeded with removal of a half dead tree. I conducted a site visit with Mr. Phillips and owner on 6/26/23. Shed and fill to be removed from 25' No Disturb Zone. Tree to be flush cut. New Update.

485 Tremont Street (Map 9, Lot 16) – extensive clearing. A portion may be in the buffer zone to a regulated wetland and in NHESP mapped priority habitat. Notice of violation letter sent on 8/3/2023. New Update.

1033 Oak Street (Map 7, Lot 20-2) – un-permitted large garage observed within regulated buffer zone. Letter sent 8/10/23.

Public Input:

Correspondence:

Adjournment:

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