

RECEIVED

Town Clerk-Dighton, MA

SEP 20 2023

Time: 11:51 am

By: Crane

Dighton Conservation Commission

Public Meeting Agenda

Thursday 9/21/2023

REVISED 9/20/2023

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.

Meeting starts with the **Pledge of Allegiance**

Review/Discuss/Act: minutes of previous meetings.

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. We are in receipt of a revised plan from Outback Engineering. BETA provided a Notice of Intent Peer Review – Forest Hills Estates File No. 21.10089.00 Scope & Fee Proposal – Amendment #2 in the amount \$5,500.

Review/Discuss/Act: **Continued Hearing** – Reed Brothers Farm Limited Liability Partnership, DEP File # SE 017-0447. *Outback Engineering has requested a continuance to 10/19/2023.*

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 10/19/2023.*

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 10/19/2023.*

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 # SE017-0481. *ADE, Inc. has requested a continuance to 10/19/2023.*

Review/Discuss/Act **Brook Street New Hearing** – Order of Conditions Amendment Request for a modification to existing solar project at 0 Brook Street (Map 16, Lot 28). This request is specific to a design change that would allow the applicant to cut additional trees outside of the approved limit of work. A portion of the proposed work is within the buffer zone to regulated wetland resources. DEP File # SE017-0404

Review/Discuss/Act **New Hearing** - Notice of Intent by the Town of Dighton for Drainage Improvements along the Hart Street roadway ROW. Work includes improvement of existing drainage ditch between #578 and #620 Hart Street through the creation of a grass swale, and the addition of check dams, roadside berming, and a BMP device to treat stormwater runoff. A portion of the project is within the buffer zone to regulated wetland resources. DEP File # SE017-0XXX.

Review/Discuss/Act **New Hearing** - Abbreviated Notice of Resource Area Delineation (ANRAD) from Carl Rebello, Bell Farm Estates seeking confirmation of wetland resources at 0 Milk Street (Map 17, lots 109, 135, & 208). DEP File # SE017-0XXX.

Review/Discuss/Act **New Hearing** - Notice of Intent at 2651 Pleasant Street (Map 25, lot 135) from Aaron Raposo for a proposed single level garage addition and corrective action plan to address previous encroachment to wetlands. A portion of the project is within the buffer zone to regulated wetland resources. DEP File # SE017-XXXX.

Review/Discuss/Act: Request for an Extension of an Order of Resource Area Delineation Request from D.I. Trust II Forest Street (Map 3, Lots 28, 33, and 78) DEP File # SE017-0419.

Review/Discuss/Act: Request for a Certificate of Compliance from Janice Munroe at 1155 Smith Street (Map 11, Lot 62) DEP File # SE017-0464.

Bills Payable –

BETA Invoice No: 7 under 53G Peer Review for Forest Hills in the amount \$6,436.89

Moniz & Latimer Constables Inc. Invoice # 60457 in the amount \$45

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Moniz & Latimer Constables Inc. Invoice # 60590 in the amount \$45

Moniz & Latimer Constables Inc. Invoice # 60594 in the amount \$45

WB Mason Invoice # 240957124 in the amount \$7.70

Review/Discuss/Act - 1940 County Street - 508 Customs (Map 17, Lot 79) – *Enforcement Order (EO) sent via certified mail on 8/29/23, signed by Agent. EO needs ratification by Conservation Commission.*

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 were put on “hold” at 8/17/23 meeting. We can expect to receive a Satisfactory Restoration Plan by 8/16/2023. Plan received from Zenith Consulting Engineers. Agent needs to review and conduct an on-site with the Wetlands Scientist.*

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 - *Warning letter sent on 8/22/2023 requesting a satisfactory plan by 9/22/2023.*

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 approved at 8/17/2023 meeting. Restoration in process. Awaiting monitoring report from consultant. Agent will conduct site visit.*

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. Draft Restoration plan received. Plan does not include restoration of the buffer zone. Agent had discussed this with owner previously. Agent conducted site visit with owner on-site 8/16/2023. Pro-Line revising plan for our review.

1940 County Street - 508 Customs (Map 17, Lot 79) –Unauthorized work in regulated wetland resources. *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. EO sent via certified mail on 8/29/23. EO needs ratification by Conservation Commission (see above).*

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 (agricultural portion) when conducting site visit at Clearway Solar. *Letter hand-delivered on 3/8/22. Site visit 3/6/23. Per Conversation with owner, consultant/engineer to visit the site soon. Work may fall under agricultural exemptions. Will be filing with the Conservation Commission if necessary.*

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. Owner sent photos - Tree has been cut. The contractor is scheduled to remove the shed and fill on 9/23.*

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. Site visit w/ owner on 8/23/23. Notice of Non-Compliance letter received from the Massachusetts Endangered Species Act 9/13/2023.*

1033 Oak Street (Map 7, Lot 20-2) – un-permitted/unauthorized by Conservation Commission large garage observed within regulated buffer zone. *Letter sent 8/10/23. Owner called on 8/23/23, Agent requested the owner attends this meeting.*

1 Maris Lane (Map 9, Lot 57-1) – violation (encroachment and cutting) on the CR land observed on 8/2/23. *Spoke with owner. Letter sent 9/13/23 requested owner attends this meeting.*

2097-Wheeler Street (Map 8, Lot 10-1) – unpermitted/unauthorized work - new home, fill, grading, hard-scaping, and landscaping in wetland resources observed on 9/6/2023. *New building permit application applied for new shed. Agent spoke with owner on 9/13/23 requested owner attends this meeting.*

Review/Discuss/Act - Building Permit Review Process

Public Input:

Correspondence:

Adjournment: