

RECEIVED

Town Clerk-Dighton, MA

MAY 16 2023

Time: 10:13 am

By: *[Signature]*

Dighton Conservation Commission

Public Meeting Agenda

Thursday 5/18/2023

Amended Agenda

*Original
Posted
5/16/23
3:43 pm*

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**

Minutes: Approve minutes of previous meetings.
Revise Minutes of April 20th, 2023 meeting

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 6/22/2023.*

Continued Hearing -- Reed Brothers Farm Limited Liability Partnership, DEP File # SE 017-0447.

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 6/22/2023.*

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.*

Continued Hearing – Brook Street Solar – Request for Amended Order by Level Design on behalf of GHTJA03, LLC (Grasshopper Energy) and the owner, The Manual & Louise Andres Trust, File # SE 017-0404. The request includes expansion of work to include site plan modifications to expand the approved limit of clearing, new 14’ wide gravel driveway extension and 15” RCP drainage culvert. Additional work includes: additional tree trimming within the 100’ wetland buffer zone.

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.

Continued Hearing – Notice of Intent Application by Kevin Prarie at 2192 Maple Swamp Road, Map 1, Lot 4-1 for construction of a single family, 5-bebroom house with associated grading, septic system and well within jurisdictional resource areas. A portion of the work is within the regulated 200’ vernal pool buffer zone.

Continued Hearing – Notice of Intent Application by Robert Martin at 1035 Williams Street for after the fact permit for garage, site improvements including a driveway, landscaping, above ground pool, clearing and grading of dead trees as well as some invasives, a new fence and

restoration plantings. A portion of the proposed work is within the regulated wetland buffer zone. Dep File # SE 017-0480.

New Hearing –Notice of Intent by Charles Rudolph 2696 Pleasant Street (Map 24, Lot 22-4) for a septic upgrade within the buffer zone of a bordering vegetated wetland as well as land subject to coastal storm flowage.

New Hearing – Request for Determination of Applicability 1551 Somerset Avenue for improvements at the park. Work includes: resurface existing parking area with new pervious asphalt paving, reconfigure existing pick area to increase buffer to the wetland area, implement additional stormwater BMPs. Work is proposed within the buffer zone to a bordering vegetated Wetland and within land subject to coastal storm flowage.

Request by Joseph Baptista for a 1- year Extension Amended Order of Conditions at 2162 Horton Street DEP file # 017-0433. Request previously submitted 3/16/2023

Request by John-Paul Thomas for a Certificate of Compliance at 0 Old Somerset Avenue (Map 9, Lot 21-3), MADEP File # SE017-0293. The Order of Conditions has lapsed and is therefore no longer valid, and the work regulated by it was never started.

Bills Payable –

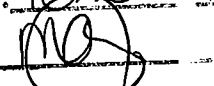
- Gay & Gay Invoice # 74363 in the amount \$400
- Nover Environmental Consulting, LLC Invoice # 1032 in the amount \$1,423.36
- LMB Constable Service Invoice # 701 in the amount \$60

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Commission - Agent updates and Discussion Section

1566 Cedar Street (Map 15, Lot 4-1 & 2) Enforcement Order Issued 12/7/2022 -

Time: 10:13am
By: 

Restoration of Freshwater Wetland and the 0-50' No Build Zone. All work shall be done in accordance with the DCC approval of the restoration plan and conditions issued by DCC (Dighton Conservation Commission). The restoration plan must comply with the Wetlands Protection Act 310 CMR Bordering Vegetated Wetland General Performance Standards 10.55 (4) (B) 1-7. The 25' No Touch and the 50' No Build must be staked in the field. The wetland flagging by the Wetland Scientist as flagged in June, 2021 must be present and legible. The restoration plan must also comply with the DCC Bylaw by removing unpermitted structures and to outside of the 50' No Build Area and revegetating areas within the 25' No Touch Area. The restoration plan must be approved by the DCC and no work shall commence on this restoration project until it is approved and conditioned by the DCC – after nothing was received by the DCC– Certified Letter Sent 2/23/23 required response by 3/13/23 & attendance at March meeting. No response, therefore per DCC, we issued fine letter on 3/23/23 notifying them of fining to begin on 4/24/2023. Fines began on 4/24/2023.- Incomplete Plan received from Northcounty Group, Inc. on 5/3/2023. Plan not complete and does not meet the performance standards of Bordering Vegetated Wetlands under the WPA. Per the DCC. the fines have been

issued by the Conservation Agent and must be ratified by a vote by the Conservation Commission at the next scheduled meeting.

0 Horton St. (Map 10 Lot 53) Enforcement Order issued 11/28/2022 – Site has been flagged. Expect restoration plan asap. Site visit 3/9 -*No New Update*

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 4/26/2023 - *Update*

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*

0 Horton St. (Map 7, Lot 26) Enforcement Order/Restoration. - *No New Update*

2050 Horton St. (Map 7, Lot 26-2) Enforcement Order Issued 3/24/2022 – Site is flagged, communications with Oakhill Engineering – *No New Update*

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 – *No new Update*

1861 Somerset Ave (Map 17, Lot 27-2) – Met on-site with owner and Lighthouse Engineering on 2/15- *No new Update*

771 Hart Street (Map 23, Lot 7-2) – Notice of Violation Letter sent 1/5/2023, site visit 3/23 – Erosion Controls in place as requested, removal of fill, grading and seeding complete. *Update*

1940 County Street - 508 Customs (Map 17, Lot 79) –*letter sent on 3/23/23. Outback is preparing a site plan.*

880 Hart Street (Map 19, Lot 2) – Notice of Violation letter sent 2/1/23 & Site Visit 2/15/23 & 4/11/2023- *No New Update*

700 Main Street – (Map 17, Lot 300) New Complaint of Wetland/Bank Alterations - *Certified Notice of Violation Sent 2/22/23. Returned to us as unclaimed. 2nd Letter sent on 3/30, requiring response by 3/10 and attendance at our 4/20 meeting. Site visit 4/18. No New Update*

670 Main Street (Map 17, Lot 133) & 0 Main Street (Map 17, Lot 130) – Complaint received involving bank and land under water to Muddy Cove Brook. Letter sent on 3/8/22. Requested response by 3/18 & attendance at April meeting. *Site visit 3/1 /23. No New Update*

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. Requested response by 3/18 & attendance at April meeting. *Site visit 3/6/23. No New Update*

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Time: 10:30am

By: 

Public Input:

Correspondence:

Adjournment:

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