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**Dighton Conservation Commission
Public Meeting Agenda
Thursday 11/16/2023
AMENDED**

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 YouTube.

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.

Review/Discuss/Act: **Continued Hearing** – Reed Brothers Farm Limited Liability Partnership, DEP File# SE 017-0447.

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.

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.

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.

Review/Discuss/Act **Continued 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# SE017-0489.

Review/Discuss/Act **Continued Hearing** - Notice of Intent at 0 Elm Street (Map 20, lot 84-4) from Zero Elm Street for construction of a stormwater basin along with pavement and grading associated with a storage building. A portion of the work falls within the buffer zone to a bordering vegetated wetland. DEP File# SE017-0491. Proposal/Cost Estimate requested from Weston & Sampson.

Review/Discuss/Act **Continued Hearing** - from Ahmed Hafez of Grasshopper Energy at 0 Brook Street, Dighton, MA 02715. Work includes clearing of twenty-eight (28) trees within the 25-100' buffer zone to jurisdictional wetlands. File # SE017-0492.

Review/Discuss/Act: Request for a Certificate of Compliance from Richard Feodoroff, Stonegate Landing, LLC for property at 983 Stonegate Landing (Map 9, Lot 2S) DEP File# SE017-0445.

Review/Discuss/Act 2024 Regular Meeting Calendar

Bills Payable – Review Bills Payable since last meeting

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 to expect restoration plans 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. Plan received from Zenith Consulting Engineers. Site visit conducted on 9/27/23. Report received from Goddard consulting and will continue for the next 2 years.

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. Daily fines began on 9/22/23 at \$300/day issued weekly. Weekly fines are still being issued.

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/Act Enforcement Order issued and signed by agent on 10/26/2023 (sent via certified mail).

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. Agent conducted site visit on 9/26- recommended restoration/planting be done next growing season due to the site being fairly stable at this time.

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 the owner previously. Agent conducted site visit with owner on-site 8/16/2023. Pro-Line revising plan for our review. Awaiting approvable restoration plan and NOI of possible home.

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 the Conservation Commission (see above). Agent received email on 9/27 – Review, discuss and act on possible fines on 10/19/2023. Site visit to measure wetlands/jurisdictional wetlands to area of work on 11/8/2023.

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. Reached out for status update on 10/11/2023- no 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. Site visit w/ owner on 8/23/23. Notice of Non-Compliance letter received from the Massachusetts Endangered Species Act 9/13/2023. Need wetland scientist report and surveyor plan

review/discuss/act on a set time frame for this. Agent requested mitigation for work done in jurisdictional area. Owner is also working with Natural Heritage.

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 attend this meeting on 9/17. Spoke with Lawyer 10/10/2023- filing after the fact NOI- Agent will check back in 60 days (11/20/2023)- Mr. Cook has reached out to some companies about filing his after the fact NOI- Agent will check in

1 Maris Lane (Map 9, Lot 57-1)–violation (encroachment and cutting) on the CR land observed on 8/2/23. Spoke with the owner. Letter sent 9/13/23 requested that the owner attend this meeting. Site visit conducted 11/8/2023.

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 the owner on 9/13/23 and requested the owner attend this meeting. Reached out to the agent on 9/26 to cancel his visit - owner has hired a lawyer. A wetland scientist needs to be hired to mark the wetlands and submit a sketch. Once wetlands are delineated, a NOI can be filed. Agent will check in monthly with Mr. Pimental. Agent received call from Wetland Scientist. Wetlands have been flagged. Owner to file an RDA for shed. Mitigation necessary for altered jurisdictional area.

Review/Discuss/Act- WPA FEE Revolving Fund

Public Input:

Correspondence:

Adjournment: