



**Town of Dighton**  
**Stormwater Committee Minutes**  
Regular Meeting  
Wednesday, May 17, 2023  
Old Town Hall  
Upper-Level Meeting Room  
Dighton, MA 02715

**RECEIVED**  
Town Clerk-Dighton, MA  
JUL 26 2023  
Time: 1:03 AM  
By: RE

The meeting was called to order by Nancy Goulart, Chairman, at 1:06 p.m. She read the following statement. "This is a public meeting being audio recorded for cable broadcast and internet posting on YouTube."

The Pledge of Allegiance was recited.

**Attendance - Roll Call**

**Present:** Todd Pilling (via Zoom), Thomas Ferry, Robert Woods Jr., Nancy Goulart, Lisa Caledonia

**Absent:** Charles Mello and James Aguiar

Also Present: Mrs. Lauren Beausoleil, 1680 Pine Street  
Francis Crisafulli, 1730 Wellington Street

**4. Committee Business**

**Agenda 4.a.) Review/ Discuss - FY 24 Finance Committee Budget Meeting April 27, 2023**

Mr. Ferry attended this meeting in the place of Nancy Goulart. Mr. Ferry explained that he and the town administrator as well as the town accountant discussed the article on the upcoming town meeting warrant for assistance with additional hours for support staff for our committee, the conservation agent, and the highway department.

**Agenda 4.b.) Professional Assistance for Testing, Bylaw and Regulations Revisions**

Chairman Goulart explained that Weston & Sampson has been consulted to help bring the town into compliance with changes that need to be made to update/revise the town's post construction regulations. The state did not revise its post construction regulations upon which our regulations were based. Therefore, over fifty percent of the communities whose regulations relied on the state regulations have to make updates. Newton Tedder, Senior Permit Writer at the Environmental Protection Agency (EPA), advised her that a letter will be sent to all communities who are not in compliance.

**Agenda 4.c.) Follow up - Wellington Acres Site Visit**

Mr. Pilling attended the site visit remotely with the assistance of Mrs. Caledonia using her phone as a camera so that Mr. Pilling could see the areas of concern. He explained that all of the stormwater issues were taken care of including fencing around a stormwater basin that had been

down, a gate that did not latch properly, and the need to mow the large leaching area. The Homeowner's Association documents included maintenance of the stormwater basin and that everything seemed to be in place from a stormwater perspective. Both Mr. Ferry and Mrs. Caledonia were present at the site visit. They made no additional comments. Mr. Ferry read a letter to be sent to Attorney Mitchell, Attorney Zajac and Mr. Crowley from the Lopes Companies as a follow-up to the site visit. Mr. Pilling reminded everyone that the reason for this letter is that the residents are taking over the responsibility for maintenance of the stormwater drainage and septic systems from the developer.

It was moved by Todd Pilling, seconded by Robert Woods, Jr. and **VOTED UNANIMOUSLY ON A ROLL CALL VOTE** to accept the letter as read.

**Agenda 4.d.) Stormwater Coordination with Town Boards, Commissions, Committees**

Mr. Pilling explained that this topic is the result of the Permitting and Compliance Team (PACT) meetings. Chairman Goulart said that there were procedures put in place when the Stormwater Committee (SWC) was formed to keep every board aware of what was going on with each other. Mr. Pilling stated that coordination among departments is necessary and that, in the past, people have come to the SWC a year or two after Planning Board approval in order to get a Stormwater Permit. They have had to go back to the Planning Board because the stormwater bylaw and regulations were not enforced during and after construction.

**5. Active Project Updates**

**Agenda Item 5.a.) Brook Street Solar Project**

Brook Street Solar (BSS) went to the Conservation Commission and requested an amended Order of Conditions. The Commission asked for some additional information from BSS. The site visit was performed by Thomas. Ferry, Lisa Caledonia, and David Phillips this morning. Mr. Pilling explained that the as-built plan is still being reviewed by our third-party reviewer. Chairman Goulart explained that the initial proposal from BSS only requested permission to lower the height of the trees to allow more sun in. If BSS is going to cut down entire trees instead of just topping them and those cuttings were not part of the original plan approved by the Planning Board, she felt that BSS would have to go back to the Planning Board. Mr. Pilling would like the SWC to come up with a definition/interpretation of 'area of disturbance'. Chairman Goulart stated that, if BSS gets permission to cut down some additional trees located on the original property they are leasing, whatever area of disturbance will then be included in the original stormwater permit. Mr. Woods explained that BSS has not come before the Planning Board

Mrs. Lauren Beausoleil, an abutter, expressed concerns about the trees that are part of the screen and whether or not they will grow back or be replaced. She also questioned where chipping would take place when trees are cut down due to concerns about noise. She wants water trucks in place to curtail the dust. She stated that there is still water in the basin from two and one-half weeks ago.

**Agenda Item 5.b.) Clearway Solar – Araujo Farms**

Mr. Pilling explained that Clearway has resumed work. They have cut in the swale along the southern property line at the edge of the tree clearing which is now going to direct the water into

the woods. They installed the drainage basin. They are in the process of bringing in large quantities of fill in order to get the water to go in the direction they want it to go. There has been a dust issue. Due to a problem with the hook up with the Dighton Water Department, they are trying to get water trucked in there today for dust control. Mr. Woods confirmed that there is a big dust problem.

Mr. Francis Crisafulli, 1730 Wellington Street, said they have been moving fill for the last two weeks. There have been over 70 trucks bringing in fill all this week. There is a dust situation. They are starting as early as 6:30 a.m. Mr. Pilling said they may be arriving around 6:30 a.m. but they are not starting work before 7:00 a.m.

Mr. Crisafulli did not understand why they were not prepared to control dust given the terrible problem last summer. He said he was trying to meet with Clearway. It is affecting the enjoyment he gets from his outdoor area and the liner in his pool needs to be replaced prematurely. He asked that the town hold them to the bylaws. As of May 1, there is still water migrating over to his property and he is hoping that will be mitigated. He asked if Clearway is sending any weekly updates. Mrs. Caledonia explained that she and Mrs. Goulart get updates every week. Mr. Woods plans to visit the site once per week. The stormwater bylaw and regulations are being enforced.

#### **Agenda Item 5.c.) Tremont and Middle Streets – Solar Projects**

Mr. Pilling explained that they have cut the trees and got the road in up to 624 Middle Street. They are in the process of hauling trees out of there.

Chairman Goulart asked if there are any other active project updates. Mr. Pilling stated that he just heard from the site manager at Clearway (Araujo's) and he "has already put in 12,000 gallons of water today but the wind is drying it up as fast as he can put it down". They are trying to control the dust.

#### **6. Agent Reports:**

##### **6.a.) 508 Customs - Conservation Commission Update**

Ms. Caledonia has an update from Outback saying that they have completed the wetland delineation and are working on the site plan and submission for the Conservation Commission (Con. Com.).

##### **6.b.) 210 Williams Street**

Chairman Goulart stated there was some question about the area of disturbance. She asked if there is a site plan and does the SWC need to review it to determine if a stormwater permit is needed. In order to discuss this site, we will need to notify the owner. Mr. Pilling stated that he believes they already have site plan approval from the Planning Board. He believes it is not under jurisdiction of the Cons. Com. As far as stormwater concerns, this was a predeveloped site and he feels that we need to work out a definition of 'area of disturbance'. Chairman Goulart will check to see whether or not this should be on the agenda for next meeting.

##### **6.c.) 2371 County Street – Response from State, if any**

Mrs. Caledonia stated that Michael Mullen, Town Administrator, did get in touch with the Department of Environmental Protection (DEP). They confirmed that Gary Makuch, Environmental Engineer, retired. Mr. Mullen advised them that he would be interested in receiving a return call that would include Mrs. Caledonia.

**6.d.) 0 Main Street – Report of Potential Runoff into Brook**

Chairman Goulart reported that the Zoning Board of Appeals (ZBA) had gotten a request to release the bond for the Dighton Woods housing development that is a distance behind this area. Greg Logan from the ZBA was concerned about a report of potential run-off into the Sally Richmond Brook and wanted to know if it was a stormwater issue. Mrs. Goulart sent a letter to the Zoning Board asking them to hold off on releasing the bond until the SWC has a chance to look into the matter. The area mentioned is approximately behind 700 Main Street. The owners of the property have not been contacted. Mr. Ferry explained that even if there is runoff into the brook, there is no pipe from Dighton Woods to the brook. If there is run-off, it would not be coming from the Dighton Woods area. After reviewing maps, Mrs. Goulart asked if the consensus of the committee was that Dighton Woods is not connected to this *per se*, and therefore, the SWC does not object to the release of the bond. Mr. Pilling agreed that the Dighton Woods' bond should not be held up. There was committee consensus after reviewing the maps. Chairman Goulart will send a letter to the Zoning Board advising it that there was discussion and after looking at the maps, we did not see that Dighton Woods has a connection that could cause a run-off problem into the Sally Richmond Brook. The SWC will look into this complaint to see if there is run off into the brook from other sources.

**6.e.) Report on Statewide Stormwater Meeting - May 11, 2023**

Chairman Goulart attended this meeting by zoom. The discussion centered around what we are going to be required to do by the EPA regarding not being in compliance with the Post Construction requirements contained in our stormwater regulations. The template for the 2023 Municipal Separate Storm Sewer System (MS4) Report is going to be out by June 30 according to Newton Tedder at the EPA. The MS-4 report is due at the end of September. There was a lot of discussion about nitrogen and phosphorus testing. There will be a quarterly meeting in August just before the MS-4 is due. Also coming out are the new requirements from the EPA relative to updating the 5-year plan. We are in the fifth reporting year of our Notice of Intent (NOI) and there will be changes related to that.

**6.f.) 0 Horton Street (Map 10, Lot 53) - Conservation Commission Update**

Mrs. Caledonia had been promised a plan at the Con. Com. meeting starting in December 2022 and has not received anything yet. She did reach out to the wetlands scientist letting him know that they are on the Con. Com. agenda. This is a family clearing land to have a farm. It is a wetland. She believes that the area of disturbance is greater than 35,000 sq. ft. which would require a stormwater permit. Mr. Pilling stated that they have stopped work and are getting a survey done before they do more work. The Con. Com. is taking the lead on this until we know whether or not the SWC will get involved.

**7. Public Input:**

Mr. Ferry reported that street sweeping has been finished. Mrs. Caledonia reported that James Digits, Chairman of the Con. Com., received seventy-five (75) chestnut trees that were donated for planting around town.

**8. Correspondence** – None

**9. Approval of Minutes:**

**a.) Minutes for March 15 and April 19, 2023**

The minutes for March 15 were not available.

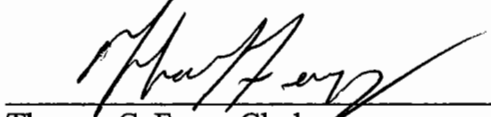
It was moved by Robert Woods, Jr., seconded by Todd Pilling and **VOTED UNANIMOUSLY ON A ROLL CALL VOTE** to accept the minutes for April 19, 2023 as amended.

**Agenda Item 10. Adjournment**

It was moved by Todd Pilling, seconded by Robert Woods, Jr. and **VOTED UNANIMOUSLY ON A ROLL CALL VOTE** to adjourn the meeting at 2:34 p.m.

Respectfully Submitted,

  
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Nancy J. Goulart, Chairman

  
\_\_\_\_\_  
Thomas C. Ferry, Clerk

Documents:

Letter to Atty. Mitchell and Atty. Zajac

Minutes for April 19, 2023