

Minutes of the Taunton Conservation Commission July 17, 2023

Present: Chair Steven Turner, Commissioners Joshua Borden, Richard Enos, Matthew Haggerty & Jan Rego. Commissioners Debra Botellio & Luis Freitas absent. Conservation Agent, Michele Restino & Recording Secretary, Denise Irving also present.

Motion to approve the minutes of June 12, 2023 RE, second JR, so voted.

CERTIFICATE OF COMPLIANCE:

- 1. 789 Whittenton Street, Taylor, COC, SE73-2840** -to close out Order of Conditions. Motion to issue the Certificate of Compliance JB, second RE, so voted.
- 2. 113 Dean Street, PB & C, COC, SE73-2823** -to close out Order of Conditions. Motion to issue the Certificate of Compliance JB, second JR, so voted.
- 3. 48 Sydney's Way, Deserres, COC, SE73-2258** -to close out Order of Conditions. Motion to issue the Certificate of Compliance JB, second JR, so voted.
- 4. 405 Norton Ave. (formerly 70 Malibu Drive), Binda, COC, SE73-2901** -to close out Order of Conditions. Motion to issue the Certificate of Compliance JB, second MH, so voted.
- 5. 183 Caswell Street (formerly 167 Caswell Street), Superior Homes, LLC, COC, SE73-2937** -to close out Order of Conditions. Motion to issue the Certificate of Compliance JB, second RE, so voted.

PUBLIC MEETING:

- 1. 47 Wayland Avenue, Schubert, RDA, DSE-1323** -installation of a septic system with associated grading. Brad Fitzgerald, SFG Associates present. Motion to issue a Negative Determination with Special Conditions 1-4, 7, 8, 14, 18 & 19 JB, second RE, so voted.

Motion to go out of order JB, second RE, so voted.

- 2. 74 Cortland Place, Burton, RDA, DSE-1325** -construction of a breezeway, garage addition, and driveway expansion with associated site grading. Brad Fitzgerald, SFG Associates present. Motion to issue a Negative Determination with Special Conditions 1-4, 18 & 19 JR, second JB, so voted.

Motion to go out of order JB, second RE, so voted.

PUBLIC HEARING:

1. 0 Marvel Street (Assessor's Lot 91-170 & 192), Almeida, NOI, SE73-3051
-construction of a duplex dwelling with utilities, driveway, and associated site grading. Brad Fitzgerald, SFG Associates present. RE: any equipment by the BVW? BF: no will be on more level ground near the front. Public Input: Jonathan Michael 28 Godfrey Street would like some hedges to block the view. Their grade will be even with our house. BF: would arborvitaes work? The owner is here can we invite him up to speak? Eduardo Almeida, owner, agrees to plant 10-12 arborvitaes. This will be included as Special Condition #48. Motion to issue an Order of Conditions with the following Special Conditions 1-6, 17, 19, 21, 25-27, 47, & 48 JR, second JB, so voted.

Motion to return to regular order of business JB, second JR, so voted.

PUBLIC MEETING:

1. 146 Segreganset Road, Lima, RDA, DSE-1324 -installation of a 16' x 32' above ground pool. Karon Catrone, Wetland Consultant, 63 Gilbert Drive, Stoughton, MA and Keith Lima, owner, present. Motion to issue a Negative Determination with Special Conditions 1-5 JB, second RE, so voted.

Motion to take a short recess JB, second JR, so voted.

Motion to come out of recess RE, second JR, so voted.

CONTINUED PULIC HEARING:

1. Off Williams Street (Assessor's Lot 80-67), Mason/Eastside Development, LLC, NOI, SE 73-3037-proposed construction of a detention basin to capture stormwater from Maynard & Hunter Streets. John DeSousa, Northcounty Group & Marc Mason, Eastside Properties present. JD gave an update of information that had been requested by the Commission. RE: rain gardens be on the HOA? MR: yes the HOA agrees to as a Special Condition to be on the deed. RE: any temporary fencing? JD: no will be doing vegetation.MR: please discuss drainage. JD: Water will still flow into our property. MR: not going to make it any worse

than it is now. Public Input: Dennis Bartel, 133 Williams Street regarding the basin does that flow across Steve Drive? JD: crosses the culvert into a manhole, another manhole and then out. DB: seems like everything has been addressed and is great. Motion to approve Order of Conditions with Special Conditions 1-9, 11, 18-21, 25-29, & 36 JR, second RE, so voted.

2. 1141 County Street, Henry/Alliance Residential Co., NOI, SE73-3050-proposed site improvements including the construction of four detached multi-story residential buildings, one retail building, surface parking, landscaping & underground utilities servicing the site. A new driveway that will require a stream crossing in which a proposed three sided (open bottom) box culvert. Sean Henry, Alliance, Andrew Thibeault, Goddard Consulting, Carlton Quinn, A & M, John Gwozdz & Mike Boujoulian, present. CQ: We met with 6 abutters on site. Over 30 trees and 6' buffer fence has been added to the plan to address the neighbor's concerns. ST: Appreciate that you made the effort. RE: who cleans the culvert? CQ: Will be part of the agreement with the owner JB: usually a there is a maintenance/management company on site that will maintain the culvert & clean as part of their responsibilities. Public Input: Cheryl Monteiro, 55 Debra Drive We met with Sean Henry and discussed the trees, 5'-6' evergreens and 10' tall deciduous trees. The tree growth will be approximate 1- 1½ feet per year. That is going to take a really long time for them to grow. They did agree to a mix of fast and slow growing trees to fill the gaps. 40'-60' will take about 20 years to grow so not really satisfying to us as neighbors. JG: the solid screen wood fence with the combination of trees should help. They can only plant on their own property and cannot plant on MBTA property. CM: There will be balconies facing us. Are you able to make the buildings shorter? SH: no it's not really feasible to do a 4 story and then a 5 story building. ST: this is a big disturbance to the area. MB: this is the best we can do for a number of reasons, this is the best layout. CM: vernal pools? CQ: they have been addressed. MR: the wetlands have already been approved and with a peer review. Motion to close Public Input JB, second JR, so voted. ST: I am going against this project. I just can't support it at this time. RE: The Planning Board can make decisions in regards to the heights of the buildings. JB: would you be happier if there were less number of units? ST: no, it's the view for the neighborhood. MH: are there bigger trees that could be brought in? MB: We've done this before, the stress on the trees is just too much & don't feel it

would benefit the situation. We could do the plantings first before construction starts. JB: there's DIRB tomorrow and PB in August. Maybe continue for a month and come back with a heavier landscape plan. MB: We don't have a lot of space to put more trees. We can only plant on our property and not on the MBTA's property. We don't want to make any promises we can't keep. CQ: did MBTA provide a planting plan? MR: I think they might have. JR: has the MBTA reached out to you in regards to a sound barrier? CM: Anything that can be done to help? We've been there 30 years. Those trees are going to take a long time to grow. Balconies and windows are going to be our view for a very long time. JG: We can't fit more trees. They need room to grow. ST: maybe find a solution by putting trees and fencing on the neighbor's property also? JG: are we allowed to take a five minute recess to discuss? ST: yes, All in favor – 0 opposed, so voted.

Return from recess. JG: We weren't able to come to an agreement which I was surprised at. MH: I don't feel we have the grounds to go against this project for Conservation reasons. I feel for the abutters but our vote must be based on our jurisdiction. JB: I agree with MH. I urge the abutters to attend the PB meeting and voice their concerns. This is really out of our jurisdiction and don't feel we can deny. I do feel for the abutters. RE: I will also be supporting this project. JR: no comment. Motion to approve the Order of Conditions with Special Conditions 1-9, 11, 14, 19-21, 25-27, & 29 JB, second MH, so voted. ST calls for roll call vote: MH, JB, RE, JR all vote yes, motion carries.

PUBLIC HEARING:

1. 0 Burt Street (Assessor's Lot 61-11), Mason/Eastside Properties, NOI, SE73-3053 -construction of a common driveway servicing three sites with utilities. Peter Lavoie, D & L Design Group, Marc Mason, Eastside Properties, present. PL: snow storage will be plowed onto the site, there will be no storage on Burt Street. Add Special Condition #31 no chemicals to be used. Public Input: Bruce Lafleur, 277 Burt Street not here to complain, he used to own this property. His concern is the wildlife. They have been squeezed in by houses, not against the project just speaking on behalf of the wildlife. Motion to approve the Order of Conditions with Special Conditions 1-6, 8, 9, 17, 19, 21, 25-27, 31, 38, & 47 JB, second RE, so voted.

2. 242 School Street (Assessor's Lot 47-226 & 227), Dooley, NOI, SE73-3052- construction of a new duplex with associated driveway and utilities. Evan Watson, W Engineering present. RE: any vernal pools? MR: none that I saw. Public Input: Jason Fagerberg, 15 Oaklawn Ave. new to the area and had some questions about the area and Oaklawn Park? EW: It may have been on plans in the past. This information is from the City's GIS. Motion to approve Order of Conditions with Special Conditions 1-6, 8, 9, 17, 19, 21, & 25-27 JB, second RE, so voted.

CONTINUED VIOLATION:

1. 155 Field Street – with restoration plan. Gary Mackinaw requested continuance requested so that he can meet with MR and a landscaper to get this started. Motion to continue until 8/21/23 meeting and MR to schedule a meeting with Gary RE, second JB, so voted.

OTHER BUSINESS:

1. Bunk Pond Update: MR met with MA DOT and we have permission to install a game camera. DPW will pick up the trash and any large movable items. ST: there has been more stuff added. It's out of control. MR: put up a locked fence? ST: is concerned with the drinking going on and could be accidents. Motion made to put camera up and for MR to reach out to Police, Fire, Mayor on how we can alleviate these issues along with putting up a fence, with an update at 8/12/23 meeting JB, second RE, so voted.

2. Use of Boyden building: Letter from Ligia Madeira, Chief of Staff, in regards to the use of the Boyden building. Access will be allowed in the main room of the building. Friends of Boyden will have use of the building but will still inform the Commission with dates of use. MR will send the application form to the Commissioners when it is prepared for their review. ST: Commission still has the right to say no. RE: It will be nice if the Boy & Girl Scouts can utilize the building. ST: It will be good to have a presence again in the park. RE: Will there be a rental fee? MR: not at this time.

Motion to adjourn 8:13pm pending all signatures on paperwork JB, second RE, so voted.