

Minutes of the Taunton Conservation Commission August 21, 2023

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

Motion to approve the minutes of July 17, 2023 JB, second JR, so voted. DB, LF withhold voting, not present at July meeting.

CERTIFICATE OF COMPLIANCE:

- 1. 0 Burt Street (Assessor's Lot 61-11), Coung, COC, SE73-2712** -to close out Order of Conditions – No Work Done. Motion to approve Certificate of Compliance, No Work Done, MH, second JB, so voted.
- 2. 6 W. Summer Street, Fils, COC, SE73-2860** -to close out Order of Conditions. Motion to approve Certificate of Compliance, JR, second DB, so voted.
- 3. 135 Leona's Lane, Bairos/ALE Realty Trust, COC, SE73-2883** -to close out Order of Conditions. Motion to approve Certificate of Compliance, DB, second JB, so voted.
- 4. 145 Leona's Lane, Bairos/ALE Realty Trust, COC, SE73-2884** -to close out Order of Conditions. Motion to issue Certificate of Compliance DB, second JB, so voted.
- 5. 155 Leona's Lane, Bairos/ALE Realty Trust, COC, SE73-2829** -to close out Order of Conditions. Motion to issue Certificate of Compliance JB, second JR, so voted.

PUBLIC MEETING:

- 1. 255 Harvey Street. Sylvia, RDA, DSE-1326**-portion of driveway for a SFH with associated grading. Michael Sylvia, Owner present. MS: Divided the lot to give each of his daughters a house lot. Motion to issue a Negative Determination with Special Conditions 1-5, & 18 JB, second RE, so voted.

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

Bunk Pond Discussion:

Arsenio Chaves & Nathan Matos, Taunton Police Department, present.

NM: Reports of larceny of neighbor's property. Canoe, kayak and patio furniture has been reported stolen and found that it was brought down to the camp. There is a lot of drinking, smoking taking place. The Police have spoken with the offenders. Definitely a quality of life issue for the neighborhood and would like to help out get this under control. ST: This has been on our plate for several years, we've had items removed from the site, the neighbors are concerned. Any thoughts on how to fix this? DB: Any suggestions you might have to get this under control? NM: It has been a bit better. I leave and come back to 20 cars parked there. DB: Should we work with Raynham on this? NM: Might be an option. DB: Maybe volunteers to go and work with Raynham? AC: Raynham has no problem with no parking on either side of the street. ST: There seems to be some confusion who owns what? AC: We own the whole street and will be putting up No Parking signs. Motion to send letter to City Council to make it a tow zone, MH, second DB, so voted. LF: they have been cutting the State owned fence and coming in that way also. You could close it off solid or put a gate up? MR: Currently getting quotes for the fencing. ST: We can use wetland fees for the fence if needed. Motion to authorize MR to get 3 quotes for 6' high chain link fencing to go from State Highway to first house and for signs to be placed stating no access from dusk till dawn, JB, second LF, so voted. DB: Do we need a fire access? NM: there is a fire road MR: State is already involved and will be putting up trail cams. NM: 274 Prospect Hill Street has been letting the kids cut thru their property with their permission. AC: There needs to be no trespass from dusk to dawn. RE: What's the fine for parking? AC: mostly \$20 DB: \$20 is nothing. We need to ask the Council to raise those fees for fines. Motion to ask City Council to substantially increase parking fines at Bunk Pond, DB, second JB, so voted. ST: Would like an update at our next meeting, 9/18/23 and request that AC & NM attend.

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

PUBLIC HEARING:

1. 225 West Britannia Street, Mason/Eastside Property Developments, LLC, NOI, SE73-3054 -for the construction of one of two duplex buildings, site development, driveways, and utilities. Brian Dunn & Tracy Duarte, MBL present.

TD gave presentation of the project. BD states all DEP regulations have been met. DB: how many lots away from the Church? MH: 2 lots. Public Input: Jordan McLaughlin, 9 Rockland Street stated there is a significant amount of wildlife there. DB: any protected species? JM: not that I am aware of DB: any nests for hawks? JM: can't say for sure DB: unfortunately unless it's a protected species... Malcolm Anslow, 234 W. Britannia Street has personally seen herds of deer. Has no objection to a SFH or a duplex but not two duplexes. MR we don't have jurisdiction over house lots, what can be built, lot sizes and subdivision of property. BD: lots have been subdivided to meet all zoning requirements by right. JB: the property is zoned Urban Residential so they could do a triplex by right. BD: it's limited because of the Riverfront. MH: anything planned for the backside for cutting? BD: the proposed tree line is on the plan. TD: there is just a small amount of tree area to be cleared. Motion to add Special Condition 48: no further tree cutting 10' from rear edge of driveway on Lot B in perpetuity, Lot C none 10' after wetland buffer zone. Record on deed. DB, second JB, so voted. Motion to approve the Order of Conditions with Special Conditions 1-9, 17, 19, 21, 24-27, & 48 DB, second MH, so voted.

2. 104 Dean Street, Emond/Emond Plumbing & Heating, NOI, SE73-3055

-construct underground detention basin, reconfigure, repave & stripe parking lot. Bill Doyle, C1.0 Engineering, Don Emond, Owner, & Jen Heeney, Building Manager present. BD gave a presentation of the project that is being triggered by Mass Highway doing work on Dean Street and taking land by eminent domain therefore reducing the parking that DE has committed to his tenants. This project will give the parking that is needed to satisfy the tenants by putting 12 parking spots in the rear. Have worked with DEP to meet all their conditions as requested. DB: how many spaces will you lose? DE: 12 in the front and two on each side. DB: Supports this project and feels terrible that you have to go thru this. MH: Applauds the applicant for willing to work with the State & being thoughtful about the project. This building is critical for this area and is a big supporter of this project. Motion to approve the Order of Conditions with Special Conditions 1-9, 19, 21, & 25-27 DB, second JB, so voted.

3. Krijo Lane Roadway & Drainage, DeMello/Krista Realty Trust, NOI, SE73-

-construction of two drainage basins & associated grading for a roadway improvement project. Attorney Joseph DeMello & John DeSousa, Northcounty

present. Motion made by JB, no DEP # received, send out for peer review and continue to 10/23/23 meeting, second DB, so voted. This second to the motion was later withdrawn by DB. ST: No DEP number? JD: No ST: Can we hear from the neighbors as part of the motion? JB: I have no problem with that. ST: read letter from City Engineer JD: Everything is the same as presented in 2004 except for some neighbors dumping on the property. Same conditions then as now. In 2007 the OC was extended. Not sure there was a peer review for this before and was approved back then. JB: I am going on the recommendation of MR, our Conservation Agent and the City Engineer, Mike Patneau. I respect their integrity and what our City Officials are asking for. DB: is this a valid one and expired in 2009? MR: invalid Order of Conditions. LF: MR & MP have requested a peer review. We've had some tough projects that have not had peer reviews. DB: we have no DEP # and I want to look at plans from the old filing. I'm willing to listen but not to vote. DB withdrawing second to the motion earlier presented. MH: not familiar with what should be the requirements for asking for a peer review but not opposed to it without hearing from the project engineers DB: plus there is no DEP #. Motion to continue to 9/18/23 meeting and if no DEP number is received by 9/13/23 then it will be continued to the October meeting. DB, second JB, so voted. Public Input allowed for informational purposes only. Lisa LaBelle, 5 Brookside Avenue passed out pictures from her yard. She has water table concerns. Has 2-3 sump pumps constantly pumping water. John DeSousa came out on Friday to meet with neighbors and speak about the drainage. Neighbors don't feel that it is sufficient and that if you take out trees there will be more water. Feels that having no vegetation will only make it worse than it is. Greg Rico, 17 Liberty Street passed out pictures. His concerns are lot size, traffic, water concerns, drainage, and this is a wildlife corridor. He feels the best use for this land is to leave it as is. Standing water that isn't draining is also an issue. Regina Brown, 32 Liberty Street also has water concerns. The water almost comes up to her slider. It's real mess. We do have box turtles in this area. My son lives next door and he has water problems too. Atty. JD: It will not make any of the areas any worse than they already are. It's designed to make it better. We will do what the law requires. DB: not willing to vote on what another Commission has done. Will want to see the old files. ST: has the utmost respect of Neil Kelly and his work. (was the Engineering Company on

the older filing for this project). MR: you need to prove it's a perennial stream to DEP.

CONTINUED VIOLATION:

1. 155 Field Street – with restoration plan – Linda Mackinaw, Trustee present, LM: landscapers are starting work on Saturday 8/26/23. MR: they will be adding a wetland mix and bushes, no trees. This should fix the issue. Motion to continue to 9/18/23 hearing, Linda does not need to be present at this hearing, and MR to visit the site prior to the meeting JB, second RE, so voted.

OTHER BUSINESS:

1. Executive Session Business: LF would like to have an Executive Session at the 9/18/23 meeting to discuss pending litigation and correspondence from our Legal Department. Motion to hold Executive Session 9/18/23 and invite City Solicitor, Matthew Costa to attend, JB, second DB, so voted.

2. Passing of Wayne Berube: ST would like to take a moment of silence for the passing of Zoning Board Member, Wayne Berube.

Motion to adjourn 8:00 pm pending all signatures on paperwork JB, second DB, so voted.