

## **Minutes of the Taunton Conservation Commission October 2, 2023**

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

**Motion to approve the minutes of September 18, 2023 DB, second JR, so voted.**

**Moment of Silence for Dr. Gerald Croteau who passed on 9/30/23.**

**ST steps down**

**DB steps up as Chair**

### **CERTIFICATE OF COMPLIANCE:**

**1. Westcoat Drive (Assessor's Lot 110-124), Taunton Municipal Airport, COC, SE73-2799**-to close out Order of Conditions. Motion to approve the Certificate of Compliance JB, second RE, so voted.

Documents: Field Report, Plan

**ST back in as Chair**

**DB steps down as Chair**

**2. 1314 Somerset Ave., TMLP, COC, SE73-2704** -to close out Order of Conditions. Motion to approve the Certificate of Compliance DB, second JB, so voted.

Documents: Field Report, Plan

### **PUBLIC MEETING:**

**1. 166 Worcester Street, Santos, RDA, DSE-1327** -for clearing of trees to build a 26'x 46' garage. Peter Santos, homeowner present. DB: can you move this out of the 25' buffer zone. PS: Line of sight would be impaired. DB: make it smaller? PB: I'd like to make it bigger not smaller. DB: I won't be able to vote for this. He is 5' from the wetland edge and can't replicate. ST: Would like it to be 25' from the wetland. 5' is too close. 12' would be my proposal. JB: struggling with the wetlands not being marked. I want to see a surveyed plan, can't support this. JR:

this is too close, maybe make some changes and continue? RE: have you started yet? PS: no I was stopped. There was discussion that he had cut trees down without Conservation permission and instead of doing a violation he came before us with this filing. Also the Commission tried to work with him but he doesn't want to make the garage smaller or move it away from the wetlands. ST: asks again will you move it 12'? PS: yes but I don't want to. JR makes a motion to approve if moved 12' from wetlands. There was no second. New motion made by JB to issue a Positive Determination, must file a Notice of Intent and have a surveyed plan with the wetlands marked and all buildings on plan, second DB, ST votes No, so voted.

Documents: Legal Ad, Field Report, Plan

**2. 77 Colony Lane, Boughner, RDA, DSE-1329** -septic system repair with associated site grading. Motion to issue a Negative Determination with Special Conditions 1-4, 7, 8, 14, 18, & 19 JR, second DB, so voted.

Documents: Legal Ad, Field Report, Plan

**3. 88 Jaclyn Circle, Cohan, RDA, DSE-1328** -removal of existing shed and replace with new 10'x16' shed. ST: will this be on blocks? KC: crushed stone. DB: Any chemicals to be stored in the shed? KC: no Motion to issue a Negative Determination with Special Conditions 1-3, & 18 DB, second RE, so voted.

Documents: Legal Ad, Field Report, Plan

### **CONTINUED PUBLIC HEARING:**

**1. 280 Winthrop Street, UHC of RI/Sandra Gardner, NOI, SE73-3059** - construction of one (1) 18,200 sf storage facility (as well as two other storage facilities outside of jurisdiction). Sandy Garner, UHC of RI and John Marchand, Farland Corp., present. JM: located in the existing parking area, ST: the old Shaw's plaza? JM: yes ST: who owns the lot? SG: Americo owns, we rent but we are one in the same. ST: Will there be enough parking? SG: yes DB: is this personal storage? SG: storage boxes like Pods. DB: will you know if chemicals are stored in them? SG: we are not privy to what is being stored, it states in the contract no chemicals but we don't see what is inside. ST: these boxes are enclosed in a building? SG: yes RE: is each pod insured? SG: we are insured for the building but

not the contents of the pods. Each person who rents can get their own insurance for the contents. RE: who would pay for damage if oil or gas goes into the wetland. SG: If it's outside of the building it would be caused by our staff and we would be responsible. Motion to issue the Order of Conditions with Special Conditions 1-9, 15, 19, 21, 24-27, 29, 30, & 40 DB, second, JB, so voted. Documents: Legal Ad, Field Report, Plan

**2. Warren Street Lot 5 (Assessor's Lot 38-11), ASW Group, LLC/Whitney, NOI, SE73-3060** -construction of a duplex residential structure with associated driveway and utilities. Justin Whitney, ASW Group & Karlis Skulte, CEC, present. JW: We have reduced the project as per your request. 41% reduced wetlands and increased replication, repositioned building and increased the setback to the Costa's property another 12' to help with the drainage and maintain the trees. We have reduced the back yard, made grade steeper. It's able to be mowed but steep enough to keep them out of the wetlands. Would like to just post the wetlands instead of a fence. Johnny Mac Way has a Homeowner's Association so we could pull this house into it. They will mow the lawn and maintain so a better overall solution. ST: appreciate the changes you have made. DB: thanks for redoing. What is the furthest point away from the wetland? KS: 48' DB: would you be adverse to no further buildings, pools, sheds? People don't follow signs. JW: no problem with that. DB: snow will be removed? JW: shoveled and plowed DB: will it be put in the wetlands? JW: no ST: Make sure whoever you hire knows not to put the snow in the wetlands. Add to Special Conditions #45- no pools, sheds, playgrounds, or any other buildings or structures in perpetuity. #48- no snow to be put in the wetland. Public Input: Frank Costa, 536 Whittenton Street, abutter. FC: how wide is the swale? KS: 2' wide at bottom FC: Who will maintain? KS: the Homeowner's Association FC: we would like more trees planted for privacy and help with the water. JW: we want to leave as much vegetation as possible but it's not in the budget to plant more trees. I commit to making it beneficial for all parties but will not put that in writing at this time. Mariann Costa, 536 Whittenton Street, abutter. MC: would like more trees made part of the proposal. JW: not willing to put in writing but again he is committed to leaving as much as possible. I'll do what makes the most sense. DB: are you satisfied as a whole to the changes that have been made? MC: we are just concerned about

the privacy. DB: don't think this board can make him plant more trees ST: we are asking you to trust JW: we will be as considerate as we can. We will do the right thing. MC: then we are pretty well satisfied. FC: we are satisfied Motion to approve the Order of Conditions with Special Conditions 1-5, 7, 8, 10, 14, 17, 19, 21, 24-27, 42, 45, & 48 DB, second JR, so voted.

Documents: Legal Ad, Field Report, Plan

### **PUBLIC HEARING:**

**1. 1095 County Street, Kayrouz/Kayrouz Realty, LLC, NOI, SE73-3061** - Demo of existing buildings, fuel pumps, billboard, and removal of existing underground tanks to construct new convenience store, new fueling area with canopy and install double walled fiberglass underground fuel tanks. Hal Chouba, CEG, present.

**HC:** Everything is to be demoed. It's been a gas station for about 40 years. It will have a 3,780 sf convenience store with drive thru that has been approved by the Planning Board. The car wash and billboard will be eliminated. New tanks will be in-ground. DB: are the new tanks closer to the wetland? HC: maybe 20' closer but all will be double walled fiberglass and 24 hour monitoring. ST: looks like 10-15' closer HC: it will be 3<sup>rd</sup> party monitoring, his client is not new to this business. There will be no increase in storm water or any new disturbance. JB: has your client ever had any past problems with his tanks? HC: no Motion to approve the Order of Conditions with Special Conditions 1-9, 19-21, 25-27, & 29 DB, second JB, so voted.

Documents: Legal Ad, Field Report, Plan

### **OTHER BUSINESS:**

**1. 90 County St. discussion – Bill Murray, Places Associates, present.** BM: Has submitted NOI filing and will be heard at the 10/23/23 Conservation meeting. Would like to get this project out to bid by Nov/Dec. The ORAD has been approved. Will be crossing a wetland to get to Gordon Owen Riverway. Would like to invite members of the Commission to do a site visit. There will be a meeting in regards to drainage with MR and the City Engineer on Wednesday. It's a complicated project. Anyone like to do a site walk? DB: yes would like to visit the site. ST: I'm all good. The rest of the Commission is all set at this time. ST: if

you come up with a date maybe others will be able to jump in. BM: if you set a date we will be there. MR: will coordinate a time to meet with BM & DB.

**2. 2024 Meeting Schedule** – ST: asks the Commission to take a look at the schedule and be ready to vote at the 10/23/23 meeting. ST will email this to the Commissioners and ask their thoughts. JB & DB can't make the tentative 1/29/24 date.

Documents: Tentative Schedule Listing

**Motion to adjourn 7:30 pm pending all signatures on paperwork JB, second DB, so voted.**