

DARTMOUTH CONSERVATION COMMISSION MINUTES – MAY 19, 2020

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DARTMOUTH TOWN CLERK

THESE MINUTES WERE APPROVED BY THE COMMISSION ON:

ATTENDANCE:

Present: Michael Kehoe, Patricia Sweriduk, Richard Golen, Joseph Burke, Richard Mallen, Kyle Ross, Kelly Wilbur

Absent: None

Michael O'Reilly, Environmental Affairs Coordinator

Due to the COVID-19 outbreak and in conformance with the emergency order of the Governor of Massachusetts banning public gatherings the Town of Dartmouth office building is closed. This meeting was be held remotely. Public Hearings was accessible for live interactions by the public using the following information:

Meeting ID: 870 5352 8779

Password: 480414

Direct Link:

<https://us02web.zoom.us/j/87053528779?pwd=ZWNkcUU2OGVDdm1UTVMzTU1yYnhVUT09>

Phone: 1 646 876 9923

Michael Kehoe opened the hearing of Tuesday, May 19, 2020 at 7:03 p.m.

Mr. Kehoe read the following statement:

Statement Read for Remotely Conducted Conservation Commission Meeting

Confirming Member Access:

As a preliminary matter, this is Michael Kehoe, Chair of the Dartmouth Conservation Commission. Permit me to confirm that all members and persons anticipated on the agenda are present and can hear me.

- Members, when I call your name, please respond in the affirmative. *Names of members.*
- Staff, when I call your name, please respond in the affirmative. *Name(s) of staff*
- Anticipated speakers on the agenda, please respond in the affirmative. *Names of applicants/representatives.*

Remote participation by Commission members, staff and applicants representatives was confirmed by voice.

Introduction to Remote Meeting:

Good evening. This Open Meeting of the Conservation Commission is being conducted remotely, consistent with Governor Baker's Executive order of March 12, 2020, due to the current State of Emergency in the Commonwealth due to the outbreak of COVID-19.

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In order to mitigate the transmission of the virus, we have been advised and directed by the Commonwealth to suspend public gatherings, and as such, the Governor's Order suspended the requirement of Open Meeting Law to have all meetings in a publicly accessible physical location. Further, all members of public bodies are allowed and encouraged to participate remotely.

The Order allows public bodies to meet entirely remotely so long as reasonable public access is afforded so that the public can follow along with the deliberations of the meeting.

Ensuring public access does not ensure public participation unless such participation is required by law. This meeting will feature public comment.

For this meeting, the Conservation Commission is convening by telephone and video conference via Zoom with login information posted on the Conservation Commission agenda located on the Conservation Commission portion of the Town's website.

Please note that this meeting is being recorded and that attendees are participating by video conference.

Accordingly, please be aware that other participants or viewers may be able to see and hear you, and anything that you broadcast may be captured by the recording. You have the option to turn off your video if you are participating via computer. All participants should keep their microphones or phones muted unless recognized by the Chair to reduce background noise and feedback.

Meeting Ground Rules

We are now turning to the first item on the agenda. Before we do so, permit me to cover some ground rules for effective and clear conduct of our business and to ensure accurate meeting minutes.

- The Chair will recognize Conservation Commission staff for comment as necessary.
- The Chair will introduce each speaker on the agenda. After they conclude their remarks, the Chair will go down the line of Members, inviting each by name to provide any comment, questions, or motions.
 - Please hold until your name is called.
 - Please remember to mute your phone or computer when you are not speaking.
 - Please remember to speak clearly and in a way that helps generate accurate minutes.
- For any response, please wait until the Chair yields the floor to you, and state your name before speaking.
- If members wish to engage in discussion with other members, please do so through the Chair, taking care to identify yourself.
- For items with public comment:
 - After applicants representatives and members have spoken, the Chair will afford public comment as follows:
 - The Chair will first ask members of the public who wish to speak to indicate their desire to do so using the "raise Hand" function of Zoom. Which I will described shortly. Anyone participating should identify themselves using their names and addresses only;
- For those individuals who present, please take care to speak loudly and clearly so the microphone associated with the webcam can effectively broadcast your comments to those participating remotely.
- **Finally, each vote taken in this meeting will be conducted by a roll call vote.**

How to raise your hand in Zoom:

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During a meeting, click on the icon labeled "Participants" at the bottom center of your PC or Mac screen. A list of participants will pop up. You may have to roll your cursor to the bottom of your screen to find it.

At the bottom of the window on the right side of the screen, click the button labeled "Raise Hand." The Chair will unmute your microphone to allow you to talk.

You can lower it by clicking the same button, now labeled "Lower Hand."

ADMINISTRATIVE:

MINUTES of the April 8, 2020 meeting were unanimously approved by the Commissioners present.

Approval of the FIELD TRIP REPORTS of April 8, 2020 meeting was unanimously accepted by those Commissioners present.

Receipt of the Minutes of May 5, 2020 meeting.

FIELD TRIP REPORTS:

- 1 Request for a Determination of Applicability from Stephen & Kathleen Meeker to relocate portions of an existing stone wall which encroaches onto an abutting property and the work will occur within Land Subject to Coastal Storm Flowage and no other resources, on land located at Map 96, Lot 13 or 8 Washburn Lane. (Site Design Engineering)*

Mr. O'Reilly explained that that is a relocation of a stone wall that encroaches on the neighbor's property. The work is located in Land Subject to Coastal Storm Flowage and Buffer Zone. It is a very minor project and he does not anticipate a negative impact.

Patricia Sweriduk motioned for a negative determination, Kyle Ross seconded, unanimously voted.

END OF FIELD TRIP REPORT

PUBLIC HEARINGS:

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**CONTINUED PUBLIC HEARING
NOTICE OF INTENT
JASON & GISELE HUTCHENS
MAP 107, LOT 19
SMITH NECK RD.
DEP FILE #15-2510**

There was a Conservation Commission hearing held in accordance with the provisions of M.G.L.ch. 131§ 40, the Wetlands Protection Act and the Dartmouth Wetlands Protection Bylaw on a Notice of Intent for A Notice of Intent for Jason & Gisele Hutchens who wish to construct a timber pier on land located at Map 107, Lot 19 on Smith Neck Road. The public hearing was held on May 19, 2020. The public hearing was held by publically accessible teleconference as described in opening section of the meeting minutes of the date of this Hearing.

Present: Michael Kehoe, Patricia Sweriduk, Richard Golen, Joseph Burke, Kyle Ross and Richard Mallen, Kelly Wilbur

Absent: None

Michael O'Reilly, Environmental Affairs Coordinator

It was voted to waive the reading of the public notice.

The applicant has requested a continuance to June 9, 2020.

Patricia Sweriduk motioned to continue the Public Hearing until May 19, 2020, Richard Mallen seconded the motion

It was unanimously voted.

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**CONTINUED PUBLIC HEARING
NOTICE OF INTENT
ARNOLDIS & JEANETTE GIEDRIMAS
MAP 124, LOT 7
41 MOSHER ST.
DEP FILE 15-2512**

There was a Conservation Commission hearing held in accordance with the provisions of M.G.L. ch.131§ 40, the Wetlands Protection Act and the Dartmouth Wetlands Protection Bylaw, on a Notice of Intent of Arnoldis & Jeanette Giedrimas who wishes to construct an in-ground pool, roof drain and underdrain system within the existing yard area as well as Land Subject to Coastal Storm Flowage and Buffers Zones to Coastal Beach and Land Under the Ocean on land located at Map 124, Lot 7 at 41 Mosher Street in Dartmouth.. The public hearing was held on May 19, 2020. The public hearing was held by publically accessible teleconference as described in opening section of the meeting minutes of the date of this Hearing.

Present: Michael Kehoe, Patricia Sweriduk, Richard Golen, Joseph Burke, Kyle Ross and Richard Mallen, Kelly Wilbur

Absent: None

Michael O'Reilly, Environmental Affairs Coordinator

It was voted to waive the reading of the public notice.

The applicant has requested a continuance to June 9, 2020.

Richard Golen recused himself.

Patricia Sweriduk motioned to continue the Public Hearing until May 19, 2020, Richard Mallen seconded the motion.

It was unanimously voted.

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**CONTINUED PUBLIC HEARING
NOTICE OF INTENT
BRIAN STORER, WINDSONG, LLC
MAP 125, LOTS 19, 19-1 THRU 19-7
OFF JASON DRIVE
DEP FILE 15-2491**

There was a Conservation Commission hearing held in accordance with the provisions of M.G.L. ch.131§ 40, the Wetlands Protection Act and the Dartmouth Wetlands Protection Bylaw, on a Notice of Intent for Brian Storer, Windsong LLC, who proposes a five lot open space residential development on land located at Map 125, Lots 19, 19-1 through 19-7 Off Jason Drive. The public hearing was held on May 19, 2020. The public hearing was held by publically accessible teleconference as described in opening section of the meeting minutes of the date of this Hearing.

Present: Michael Kehoe, Patricia Sweriduk, Richard Golen, Joseph Burke, Kyle Ross and Richard Mallen, Kelly Wilbur

Absent: None

Michael O'Reilly, Environmental Affairs Coordinator

It was voted to waive the reading of the public notice.

The applicant has requested a continuance to June 9, 2020.

Patricia Sweriduk motioned to continue the Public Hearing until June 9, 2020, Richard Mallen seconded the motion

It was unanimously voted.

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ITEMS FOR DISCUSSION:

A. Bills:

None

B. Other Items not Reasonably Anticipated by the Chair

None

C. This time is reserved for discussion on any topic(s) by commissioners

These minutes were transcribed from the video recording and are stored digitally in the Town of Dartmouth network folder: G:\CONCOM\MINUTES\2020\May 19, 2020 Conservation Minutes.

Transcribed By,

Michael O'Reilly, Environmental Affairs Coordinator

For the Commission