

DARTMOUTH CONSERVATION COMMISSION MINUTES – JUNE 23, 2020

Area reserved for town clerk stamp →

THESE MINUTES WERE APPROVED BY THE COMMISSION ON:

ATTENDANCE:

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

Absent: Michael Kehoe

Michael O'Reilly, Environmental Affairs Coordinator. Marc Garrett, Conservation Officer

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 held remotely. Public Hearings was accessible for live interactions by the public using the following information:

Direct Link:

<https://us02web.zoom.us/j/82028205721?pwd=TEhaTGJVckhpUXVmUElvNXc4dEJZOT09>

Meeting ID: 820 2820 5721

Password: 371667

Phone: 1 646 876 9923

Kyle Ross opened the hearing of Tuesday, June 9, 2020 at 7:04 p.m.

Mr. Ross 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.

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.

RECEIVED
2020 JUL 19 PM 3:25
DARTMOUTH TOWN CLERK

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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:

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.

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

ADMINISTRATIVE:

MINUTES of the May 19, 2020 meeting were unanimously approved by the Commissioners present.

Approval of the FIELD TRIP REPORTS of May 19, 2020 meeting was unanimously accepted by those Commissioners present.

Receipt of the Minutes of June 9, 2020 meeting.

FIELD TRIP REPORTS:

1. *Request for an Extension Permit Order of Resource Area Delineation, DEP File # SE15-2378, 0 State Road / Map 53, Lot 2*

Mr. O'Reilly explained that this Extension Permit is for an Order of Resource Area Delineation that was field verified and approved by the Commission in 2017. The Resource Areas delineation has not changed and he recommended the issuance of an Extension Permit.

Kelly Wilbur motioned to issue an Extension Permit, Richard Mallen seconded the motion, it was voted unanimously.

2. Request for Determination of Applicability from Lawrence Platt who wishes to do building renovations and put an addition onto an existing single-family home within Land Subject to Coastal Storm Flowage on land located at Map 97, Lot 32-BR03 or 11 King Phillip Street

Mr. Garrett explained that this proposal is for a small addition to a single family house. The current plan shows no work within Land Subject to Coastal Storm Flowage and is therefore outside Conservation Commission jurisdiction. He recommended a negative determination..

Patty Sweriduk motioned to issue a Negative Determination, Richard Golen seconded the motion, vote unanimously.

3. Request for Determination of Applicability from Alyson Shear regarding the installation of a new fencing to control goats and to selectively clear nuisance vegetation and replant native tree and shrub species within the 100-ft Buffer Zone to a Bordering Vegetated Wetland and in the Riverfront Area at Map 23, Lot 52 or 126 Horseneck Road

Mr. Garrett explained that this proposal is requesting permission to Install fencing and allow for goats to be allowed adjacent to the Slocums River to control vegetation. He expressed concerns regarding potential nitrogen inputs to the river from goat manure. There is no description regarding how nitrogen inputs to the nitrogen impaired river would be mitigated. The Commission voted to request more information from the applicant before making any determination.

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Kelly Wilbur motioned to continue this matter to the July 7, 2020 meeting., Patricia Sweriduk seconded the motion, vote unanimously.

END OF FIELD TRIP REPORT

PUBLIC HEARINGS:

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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 June 23, 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: Kyle Ross, Patricia Sweriduk, Richard Golen, Joseph Burke, Richard Mallen, Kelly Wilbur

Absent: Michael Kehoe

Michael O'Reilly, Environmental Affairs Coordinator. Marc Garrett, Conservation Officer

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

The applicant has requested a continuance to July 7, 2020.

Richard Golen recused himself.

Kelly Wilbur motioned to continue the Public Hearing until July 7, 2020, Kelly Wilbur seconded the motion.

It was unanimously voted.

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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 June 23, 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: Kyle Ross, Patricia Sweriduk, Richard Golen, Joseph Burke, Richard Mallen, Kelly Wilbur

Absent: Michael Kehoe

Michael O'Reilly, Environmental Affairs Coordinator. Marc Garrett, Conservation Officer

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

The applicant has requested a continuance to July 21, 2020.

Patricia Sweriduk motioned to continue the Public Hearing until July 21, 2020, Richard Mallen seconded the motion

It was unanimously voted.

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**CONTINUED PUBLIC HEARING
REQUEST FOR AN AMENDED ORDER OF CONDITIONS
PASKAMANSETT LAND CO., LLC
MAP 88, LOT 33, 34, 35 & MAP 63 LOTS 11, 11-4
479 FAUNCE CORNER RD.
DEP FILE 15-2478**

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 Paskamansett Land Co., LLC who proposes to demolish existing structures and infrastructure and re-develop several parcels for various commercial uses, a wetland road crossing, grading and utilities in the buffer zone on land located at Map 88, Lot 33, 34, 35 & Map 63 Lots 11, 11-4, 470 Faunce Corner Rd. The public hearing was held on June 23, 2020. It was held by publically accessible teleconference as described in opening section of the meeting minutes of the date of this Hearing.

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

Absent: Michael Kehoe

Michael O'Reilly, Environmental Affairs Coordinator. Marc Garrett, Conservation Officer

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

Jonathan Schuster of Oxbow Associates represented the applicant. He explained to the Commission the recently submitted wetlands replication plan to address wetland impacts as a result of the roadway crossing. He discussed the changes to the plantings that were requested by Conservation Commission staff. He acknowledged that the Conservation Commission drainage consultant review is pending and the any concerns or questions that result from the reviewer's comments will be address in subsequent plan changes. He reiterated that the amended Order of Conditions being requested with this filing is for the construction of the commercial development and that the stormwater for all four commercial lots that are located within this overall development will be handled by the stormwater facilities as part of this amended Order request.

There was nothing further to be added at this time.

Kelly Wilbur motioned to continue the Public Hearing to July 23, 2020, Richard Mallen seconded, unanimously 7voted.

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**PUBLIC HEARING
NOTICE OF INTENT
PASKAMANSETT LAND CO., LLC
MAP 68, LOT 33
479 FAUNCE CORNER RD.
DEP FILE 15-2515**

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 Paskamansett Land Co., LLC who proposes to demolish existing structures and infrastructure to construct a Recreational Marijuana Facility and Parking Lot, grading and utilities in the buffer zone on land located at map 68 lot 33, 479 Faunce Corner Rd. The public hearing was held on June 23, 2020. It was held by publically accessible teleconference as described in opening section of the meeting minutes of the date of this Hearing.

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

Absent: Michael Kehoe

Michael O'Reilly, Environmental Affairs Coordinator. Marc Garrett, Conservation Officer

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

Jonathan Schuster of Oxbow Associates represented the applicant. He stated that there are no changes to the plans as a result of the previous Conservation Commission meeting and that the drainage review is pending.

There was nothing further to be added at this Wilbur seconded, unanimously voted.

Richard Golen motioned to continue the Public Hearing to July 7, 2020, Kelly Wilbur seconded, unanimously voted.

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**CONTINUED PUBLIC HEARING
NOTICE OF INTENT
RAM FAUNCE CORNER DEVELOPMENT, LLC
MAP 68, LOT 33 & 34
461 - 479 FAUNCE CORNER RD.
DEP FILE 15-2515**

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 Paskamansett Land Co., LLC who proposes to construct a portion of a Parking Lot, grading and utilities in the buffer zone on land located at map 68 lot 33 & 34, 461 - 479 Faunce Corner Rd. The public hearing was held on June 23, 2020. It was held by publically accessible teleconference as described in opening section of the meeting minutes of the date of this Hearing.

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

Absent: Michael Kehoe

Michael O'Reilly, Environmental Affairs Coordinator. Marc Garrett, Conservation Officer

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

Jonathan Schuster of Oxbow Associates represented the applicant. He stated that there are no changes to the plans as a result of the previous Conservation Commission meeting and that the drainage review is pending.

There was nothing further to be added at this Wilbur seconded, unanimously voted.

Richard Golen motioned to continue the Public Hearing to July 7, 2020, Kelly Wilbur seconded, unanimously voted.

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**CONTINUED PUBLIC HEARING
NOTICE OF INTENT
PASKAMANSETT LAND CO, LLC
MAP 68, LOT 33 & 34
461 - 479 FAUNCE CORNER RD.
DEP FILE 15-2516**

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 Paskamansett Land Co., LLC who proposes to construct a portion of a Parking Lot, grading and utilities in the buffer zone on land located at map 68 lot 33 & 34, 461 - 479 Faunce Corner Rd. The public hearing was held on Jun 23, 2020. It was held by publically accessible teleconference as described in opening section of the meeting minutes of the date of this Hearing.

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

Absent: Michael Kehoe

Michael O'Reilly, Environmental Affairs Coordinator. Marc Garrett, Conservation Officer

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

Jonathan Schuster of Oxbow Associates represented the applicant. He described the site and the proposal. The wetlands delineation has been previously memorialized with an Abbreviated Notice of Resource Area Delineation and is currently valid. He explained that the proposal is to construct a portion of a Parking Lot, grading and utilities in the buffer zone. Setback from the adjacent Bordering Vegetated Wetland will be maintained and all stormwater will be directed to the stormwater management facilities located on lot #4 of the 4 lot commercial development.

Mr. O'Reilly stated that the Commission drainage consultant is in the process of reviewing the proposal.

Kelly Wilbur motioned to continue the Public Hearing to July 7, 2020, Richard Mallen seconded, unanimously voted.

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**PUBLIC HEARING
AMENDED ORDER OF RESOURCE AREA DELINEATION
MARTIN DARTMOUTH REALTY, LLC
MAP 53, LOTS 2
0 STATE RD.
DEP FILE 15-2478**

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 an Order of Resource Area Delineation for Martin Dartmouth. Realty, LLC who proposes amend an Order of Resource Area Delineation for property located at Map 53 lot2, 0State Rd. The public hearing was held on Jun 23, 2020. It was held by publically accessible teleconference as described in opening section of the meeting minutes of the date of this Hearing.

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

Absent: Michael Kehoe

Michael O'Reilly, Environmental Affairs Coordinator. Marc Garrett, Conservation Officer

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

Brandon Faneuf of Ecosystem Associates represented the applicant. He described the site and the proposal. The request is simply to change the name of the property owner. No other changes requested.

Kelly Wilbur motioned to issue an amended Order of Resource Area Delineation, Richard Mallen seconded, unanimously voted.

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PUBLIC HEARING NOTICE OF INTENT

**JON BOVARNICK D/B/A FIRST DARTMOUTH LLC
MAP 48, LOTS 11 AND 38, MAP 52, LOTS 8 AND 9, AND MAP 163, LOTS 56, 57 AND 58
769 STATE ROAD.
DEP FILE 15-2478**

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 an Notice of Intent for Jon Bovarnick D/B/A First Dartmouth LLC who proposes to construct residential apartment buildings along with the related clubhouse, maintenance building, driveway, parking areas, utilities, drainage system, and detention basins on land located at Map 48, Lots 11 and 38, Map 52, Lots 8 and 9, and Map 163, Lots 56, 57 and 58 at 769 State Road. The public hearing was held on Jun 23, 2020. It was held by publically accessible teleconference as described in opening section of the meeting minutes of the date of this Hearing.

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

Absent: Michael Kehoe

Michael O'Reilly, Environmental Affairs Coordinator. Marc Garrett, Conservation Officer

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

Steve Gioiosa of SITEC Engineering represented the applicant. He described the site and the proposal. The proposal is to construct a 40B project that has been working its way through the Zoning Board of Appeals process for the last year and a half. The wetland Resource Areas were previously confirmed with the issuance of an Determination of Applicability about a year ago. He described the roadway access and building locations. There is work proposed within the Buffer Zone and a 1400 square feet of wetlands alteration as part if the roadway. Wetland replication is proposed. Stormwater management system is proposed which is currently under review by the Commission consultant and the Department of Public Works. He explained Michael O'Reilly had expressed concerns that a detention pond is proposed in an area where residual hazardous waste contamination exists. The redesign of that detention pond with an impermeable barrier is being considered and will be finalized once additional review comments ate received from DPW and the Commission stormwater consultant.

Michael O'Reilly commented that a Buffer Zone needs to be added to the pond in the northern portion of the site. He further commented that there is an area of Bordering Land Subject to Flooding on site. The Notice of Intent identifies about 7500 square feet of alteration within Bordering Land Subject to Flooding with 7500 square feet of replacement and that the replacement is proposed to occur within the detention pond on site. He commented that the cubic footage must be calculated and that compensatory storage cannot occur within a detention pond. Compensatory storage areas must be found on site that are in conformance with the performance standards for Bordering Land Subject to Flooding. The Notice of Intent indicated that copy of the Notice of Intent has been sent to Mass Natural Heritage and Endangered Species Program however there is no proof within the Notice of Intent that a copy was sent. He further mentioned that there is Priority Habitat for rare and endangered species which would require a filing with under the Endangered Species Act. He noted that the shape of the habitat range polygons shown on the project plans differ from the actual polygons and the plans should be updated to show the actual shape of habitat polygons. In addition there is a habitat polygon not shown on the plan at all and should be added. Mr. Gioiosa commented that the MESA filing has been filed. Michael O'Reilly commented on the wetlands replication plan and narrative doesn't match. The narrative is more appropriate than the schematic drawing. Improvements to the replication plan needs to occur. Marc Garrett suggested larger plantings.

Michael O'Reilly commented that test pit locations that appear in the stormwater report but are not shown on the plan. The stormwater ponds need test pits and the soils information must be submitted. He further commented that the details show the detention pond being loamed and seeded. This detail be must be changed to show no loaming

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in the detention ponds. Mr. Gioiosa stated that there are many more test pits that have been completed and will be submitted.

Mr. O'Reilly expressed concern regarding hazardous waste locations on the site and what effect the infiltration from the detention ponds would have on the areas of contamination. He felt that the Commission could not issue an Order of Conditions that could affect the location, migration of contamination or have negative geochemical effects resulting from detention pond infiltration. He commented that a map of the contamination exists and should be added to the plan set. Mr. Gioiosa said that this will be added to the plan.

Marc Garrett asked about the status of the hazardous waste cleanup is currently. Mr. Gioiosa commented that the investigation is ongoing and the environmental engineer will prepare a document describing the status of the cleanup.

Mr. O'Reilly commented that the site is a listed site with Massachusetts Department of Environmental Protection hazardous waste program.

Mr. O'Reilly expressed concern about the grading adjacent to wetlands. The grading is very steep adjacent to the wetlands and would be difficult to construct without impacting wetlands. Mr. Gioiosa commented that this area will be reexamined.

With nothing further to be added Patricia Sweriduk motioned to continue the Public Hearing was July 21, 2020, Richard Mallen seconded the motion, unanimously voted.

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**PUBLIC HEARING
REQUEST FOR AN AMENDED ORDER OF CONDITIONS
KIMBERLY & DONALD KING
MAP 113, LOT 52
111 ELM ST.
DEP FILE 15-2428**

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 Kimberly & Donald King who proposes to amend an existing Order of Conditions to construct a pool and detached pool house in the buffer zone on land located at map 113 lot 52, 111 Elm St.. The public hearing was held on June 23, 2020. It was held by publically accessible teleconference as described in opening section of the meeting minutes of the date of this Hearing.

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

Absent: Michael Kehoe

Michael O'Reilly, Environmental Affairs Coordinator. Marc Garrett, Conservation Officer

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

Julie Godwin of Prime Engineering represented the applicant. She described the proposal. It consists of the installation of a pool and pool house within the previously approved lawn area.

Mr. O'Reilly and Mr. Garrett had no issued with the construction.

Richard Golen motioned to close the Public Hearing with Richard Mallen seconding the motion, unanimously voted.

Patricia Sweriduk motioned to issue a standard Order of Conditions with Richard Mallen seconding the motion, unanimously voted.

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**PUBLIC HEARING
NOTICE OF INTENT
KELLY ALMEIDA
MAP 123, LOT 7
82 MERRIMAC ST.
DEP FILE 15-2520**

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 Kelly Almeida who proposes to amend an existing Order of Conditions to restore 2,200 sf of bordering vegetated wetland altered due to unauthorized grading on land located at Map 123, Lot 7 at 82 Merrimac Street. The public hearing was held on June 23, 2020. It was held by publically accessible teleconference as described in opening section of the meeting minutes of the date of this Hearing.

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

Absent: Michael Kehoe

Michael O'Reilly, Environmental Affairs Coordinator. Marc Garrett, Conservation Officer

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

Steve Gioiosa represented the applicant. He explained that this filing is an after-the-fact filing that resulted from an unauthorized alteration of a wetland and subsequent enforcement action by the Commission. He described the unauthorized wetland alteration and the restoration plan. Additional wetland delineation information has been submitted to the Commission

Marc Garrett explained that this filing is as a result of a long standing enforcement action. The wetlands delineation is fine and the restoration concept is good with the exception of the need for larger sized plantings. Mr. Garrett recommended that wetland monitoring be conducted yearly with a report to the Commission, or for the life of the order. He recommended the Commission require that the work be completed by September 30th of this year and that if drought occurs that h plantings be watered as necessary. He recommended the the Commission issue an Order of Conditions. Mr. O'Reilly concurred.

Patricia Sweriduk questioned the location of the fencing. Mr. Gioiosa explained the fencing location and orientation. Marc Garrett commented that the fencing isolates the wetlands area and is a good addition.

Richard Golen motioned to close the Public Hearing with Richard Mallen seconding, unanimously voted.

Patricia Sweriduk motioned to issue an Order of Conditions with the addition of special conditions; 1 – that the a yearly review of the wetlands occur for the life of the Order of Conditions; 2 – that all work be completed by September 30, 2020 and 3- the wetland restoration area be irrigated as necessary.

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ITEMS FOR DISCUSSION:

A. Bills:

None

B. Chapter 61 Release – Merrylegs farm – Rockland St

Michael O'Reilly explained that a Ch61 release has been received for this property. The Commission unanimously voted not to exercise it's right of first refusal for the property.

C. Russell's Mille Land Conservation Project Grant Proposal

Michael O'Reilly described the land protection project. The project is a combined effort between the Conservation Commission and Dartmouth Natural Resources Trust. There are two grant proposals being used for the purchase of the property; 1 –Community Preservation in Dartmouth and a state of Massachusetts LAND grant. The Commission voted to support both grant initiatives,

D. Enforcement Updates

Marc Garrett gave the Commission an update on the various outstanding enforcement cases.

E. 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 form the video recording and are stored digitally in the Town of Dartmouth network folder: G:\CONCOM\MINUTES\2020\June23,2020 Conservation Minutes.

Transcribed By,

Michael O'Reilly, Environmental Affairs Coordinator