

MINUTES

2-17-15

7:00 P.M.: The regular meeting of the Conservation Commission/Soil Conservation Board was opened by Chairman Paul Joncas. Present from the Commission were: John Reynolds, Richard Lambert, David Aguiar, Paul Joncas and Agent Chris Capone: Absent were: Noelle Briand, Michael Duval and Tom Martin.

Chair invited those present to join him in saluting the flag.

7:05 P.M.:

HEARINGS:

Robert Carrigg – Soil Permit #496 – Lots 43 and 44 Sycamore – Stockpiling/Transfer Station

Mr. Carrigg came to the table and presented proof of abutter notification. Mr. Carrigg described material present at site. Processing procedure described. Agent read his report. Concerns of abutters stated by Agent. Mr. Carrigg stated why the processing has to be done at this site as there is not enough room on the lots being built upon. Road base is used by crushing the materials. Eventually the lots will be cleaned, built upon and sold. John Reynolds asked if there is a WPA permit needed because of buffer zone on property. Agent stated a part of the activity may be within the buffer zone and the applicant should keep the activity out of the buffer zone. Mr. Carrigg stated he will make sure work is out of the buffer zone. Patty Medeiros came to table to speak with regard to noise, dust and vibration felt at her property. (Not an abutter). Chairman stated the jurisdiction of the Commission. Agent stated he has a list of conditions to be placed on the permit. Mr. Carrigg agreed to the conditions. Discussion on the crushing operation (8 days). Work to be done in April or May. Screening will not be done on windy days. Edward McCalley came to table to voice vibration concerns of neighborhood. (Not an abutter). Mr. Reynolds spoke on stockpiling permits that do not contain crushing and noise. Joseph DeOliveira asked for duration date of permit. All permits are renewed 7-1 of each year. **Motion by Richard Lambert to issue permit and condition rock crushing not to exceed 8 days, let Agent know start date, vehicles drive slowly and include all other conditions recommended by Agent. Second by David Aguiar who amended motion to read "other developments" be substituted for "sites" in Agent's report. Vote - Unanimous.**

Keith Stamp - N.O.I. - 14 Clyde's Way – Construct ramp, fixed pier, gangway and float

Applicant's representative requested a continuance to 3-3-15. **Motion by Richard Lambert to continue to 3-3-15 as requested. Second by David Aguiar. Vote - Unanimous.**

Steven Spivey – R.D.A. - 1090 Drift Road – To determine if areas depicted and work performed to fill, grade and seed are subject to Westlands Protection Act

Agent read his report. Agent recommended post-poning until second meeting in March. **Motion by Richard Lambert to continue until 3-17-15. Second by David Aguiar. Vote - Unanimous.**

Stephen Santos – N.O.I. - 38 R Drive – Repair septic system in buffer zone

Applicant's representative had requested a continuance to 3-3-25 **Motion by David Aguiar to continue to 3-3-15. Second by Richard Lambert. Vote - Unanimous.**

Kerian Fennelly/Bay-Breeze, Inc. - N.O.I. - Westport River – Oyster Farm

Mr. Fennelly described oyster farm proposed. Design described. Agent read his report. **Motion by David Aguiar to grant approval pending receipt of file number and no adverse comments. Second by Richard Lambert. Vote - Unanimous.**

Kristin Fennelly/Bay-Breeze, Inc. - N.O.I. - Westport River – Oyster Farm

Agent read his report. **Motion by David Aguiar to approve with Agent's recommendations. Second by John Reynolds. Vote - Unanimous.**

Palmer River Development – R.D.A. - 676 Old County Road – After the fact filing for trees cut in buffer zone. Construct single family dwelling, garage, porch and septic system out of the buffer zone

Matthew Antonio represented and described project. Asking to confirm wetland line. No work in buffer zone. Agent read his report. Negative box 3 for previous work. Negative Box 4 for work. **Motion by David Aguiar to approve with agent's recommendations. Second by Richard Lambert. Vote - Unanimous.**

CONTINUANCES:

A.B. Test – 342 River Road – Amend Order SE 80-2133 – Add gangway and float to permitted dock

No proof of abutter notification. Hearing to be continued to 3-3-15. **Motion by Richard Lambert to continue to 3-3-15. Second by David Aguiar. Vote - Unanimous.**

Gary Bouchard – N.O.I. - Map 34 Lots 48J, 50-51 Old County Road – Construct common driveway and drainage in buffer zone

Applicant's representative requested a continuance. **Motion by David Aguiar to continue to 3-3-15. Second by Richard Lambert. Vote - Unanimous.**

OTHER BUSINESS:

Certificates of Compliance:

Berard Court – SE 80-1209

Agent read his report. **Motion by Richard Lambert to grant Certificate of Compliance. Second by David Aguiar. Vote - Unanimous.**

Lisbor Lane (Stonehaven Way) SE 80-1213

Agent read his report. **Motion by David Aguiar to grant Certificate of Compliance. Second by Richard Lambert. Vote - Unanimous.**

Extensions:

Kerian Fennelly – SE 80-1885 – Aquaculture

Agent read his report. **Motion by Richard Lambert to grant a three year extension. Second by David Aguiar. Vote - Unanimous.**

Kristin Fennelly – SE 80-1890 - Aquaculture

Agent read his report. **Motion by David Aguiar to grant a three year extension. Second by Richard Lambert. Vote - Unanimous.**

Re-sign Certificate of Compliance for recording at Registry for Gary Bouchard.

Agent gave his report. **Motion by David Aguiar to re-sign Certificate. Second by Richard Lambert. Vote - Unanimous.**

Grant Application: Open Space renewal. **Motion by Richard Lambert to apply for grant. Second by David Aguiar. Vote - Unanimous.**

BILLS:

Southcoast Media: Motion by David Aguiar to pay bill. Second by Richard Lambert. Vote - Unanimous.

MINUTES: Motion by David Aguiar to approve as written. Second by Richard Lambert. Vote - Unanimous.

Complaint Letter: Chairman read anonymous letter received via mail with no signature or return address. Chairman read Agent's report. Mr. Aguiar commented on complaint. Accusations of letter were baseless and offensive. Explanations could have been given had complainant come to the office or called.

Emergency – Fuel Spill – Michael Ozug – 15 Lakeshore Ave: Agent read his report and asked for ratification of Emergency Certificate issued. **Motion by David Aguiar to ratify Agent's actions. Second by Richard Lambert. Vote - Unanimous.**

Shellfish letter re AB Test application for fees for purchase of shellfish. Adding fees to dock applications. John Reynolds recommends fees be from Shellfish office. Fee cannot be attached to NOI application. **Richard Lambert to have fees instituted by Shellfish Office. Second by David Aguiar. Vote - Unanimous.**

8:11 P.M.: Motion by David Aguiar to adjourn. Second by Richard Lambert. Vote - Unanimous.

Respectfully submitted,

Leone F. Farias, Principal Clerk

| | Approved

| | Amended

Paul Joncas, Chairman