

**CONSERVATION COMMISSION  
REGULAR MEETING  
August 14, 2023**

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**REGULAR MEETING**

**Present: K. Kearney, N. Socha, R. Emlen, N. Braga, Brett Roberts, Adeline Bellesheim, Conservation Agent, and Lisa Caledonia, Interim Conservation Agent**

**7:00 p.m. Ch. N. Socha** opened the meeting of the Seekonk Conservation.

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**Public Meeting:**

**RDA; 100 Sunset Dr (Map 27/Lot 125)**

After-the-fact filing for demolition of concrete pool patio & construction of paver patio within jurisdictional wetland resource areas

**Applicant: Daniel Walker**

Trey Logie, Dex by Terra represented the applicant; homeowners Dan and Emma Walker were present.

Agent Bellesheim reported she performed a site visit in response to a report of a mound of soil left in the street. It was discovered that the soil was left by Eversource. Ms. Bellesheim stated at the site visit, she noted the property owners had been working on a deck project. They had pulled out a concrete patio and replaced it with gravel; the pool was existing. The disturbance was relatively minor in nature in terms of the resource area; it occurred within the 200' Riverfront Area to the Ten Mile River and is all within maintained lawn area. She reported she spoke to the homeowner on site and discussed an after-the-fact RDA for work that was underway; issuing a Stop Work Order would have caused problems. She stated that in exchange for not issuing an Enforcement Order, they discussed doing plantings closer to the 25' and 50' buffer zones (outside the 100' Riverfront). They will plant 6 species, no invasives or ornamentals, by spring 2024.

Agent Bellesheim noted that the homeowner was unaware the project should have gone through Conservation. It was a miscommunication; the Building Department did not route it through Conservation in the Electronic Permitting System because it was only for gas and electric. So, this was not brought to Conservation's attention; it was a miscommunication on all parties.

**R. Emlen made a motion to approve a Negative 3, that the work described in the request is within the buffer zone as defined in the regulations, but will not alter an area subject to protection under the act. Therefore, said work does not require the filing of a Notice of Intent subject to the conditions:**

**The erosion and sediment controls have been installed as indicated on the approved plan and inspected by the Conservation Agent. These controls shall be left in place until the disturbed soil has been stabilized with grass that has grown to a "mowable" height and density.**

**Seconded by N. Braga. Motion passed unanimously. Vote: 5-0-0, approved.**

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**Public Hearings:**

**COC Request:** [NOI #SE69-0956; 280 Prospect St \(Map 22/Lot 20\)](#)  
[Applicant: Sam Sager](#)

Agent Bellesheim stated this COC request is to close out the NOI (upgrade to compliant septic) for work within the Commission's jurisdiction that never commenced; any work that occurred for the project was outside the 100' buffer zone. The proposed sewer injector pump was not needed because the new owner decided to disconnect the water from the studio building. The D-box replacement occurred, but was outside of the 100' buffer area.

**N. Braga made a motion to approve a Certificate of Compliance; "Invalid Order of Conditions" under the State Wetlands Protection Act and the Local By-law; for SE69-0956; 280 Prospect St; It is certified that the work regulated by the above-referenced Order of Conditions never commenced. The Order of Conditions has lapsed and is therefore no longer valid. No future work subject to regulation under the Wetlands Protection Act may commence without filing a new Notice of Intent and receiving a new Order of Conditions. K. Kearney seconded. Vote: 5-0-0**

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**COC Request:** [NOI #SE69-0958; 640 Fall River Ave \(including 940 Fall River Ave\)](#)  
[Wastewater Treatment Facility Project \(for Existing Ramada Inn, includes force main coming from Sam's Club property\)](#)  
[Applicant: Darling Development Corporation](#)

N. Socha recused himself and left the meeting; K. Kearney stepped in as Chairperson.

Adrienne Lennon, BSC Group represented the applicant. She stated this COC request is pursuant to an Order of Conditions that was issued about 20 years ago for the original development on the site that includes what is now a Lowes, a hotel, restaurant, and other facilities, in addition to the wastewater treatment facility located underground. The OOC's called for a specific replication area that is adjacent to the existing remaining wetland on the site. What has held up the COC is that no wetland scientist had ever gone out to confirm the boundaries of the replicated resource area, the existing hydrology, and file this paperwork. Because the site is being looked at again as a whole, the need for the COC was found. It is not a recorded Order of Conditions as the original issuance contained a clerical error and reflected a property at 640 Fall River Ave, which does not exist; so, the Registry of Deeds would not receive that. As a result, acquiring a COC was not moved forward with. It was found to be a quagmire. We can process this COC locally and package the administrative record for the sake of the Commission and the site without going through a great exercise of paperwork. She reported that the resource area is very well established; significant replication area is functioning and serves as an improved buffer to the vestigial wetland.

**B. Roberts made a motion to issue a Complete Certificate of Compliance for SE69-0958; 640 Fall River Ave (including 940 Fall River Ave) under the State Wetlands Protection Act and the Local By-law; R. Emlen seconded. Vote: 4-0-0 (N. Socha recused)**

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N. Socha rejoined the meeting.

**NOI #SE69-0958; 0 Allen Ave (Map 3/Lot 16)**

Proposed paved finished material lay-down area and associated stormwater management structures within jurisdictional wetland resource areas.

**Applicant: Oldcastle APG Northeast, Inc.**

**Representative: Roux Associates, Inc.**

*Continued from July 10, 2023.*

Kyle Varela and Kelly Coulon, Roux Associates, Inc. represented the applicant. Joe Neikirk, Regional Operations Manager, Oldcastle was present. Mr. Varela stated when we last met, we had submitted a design that was undergoing a peer review with CEI. CEI provided a long list of comments, and those comments have been incorporated into a revised design. He reported that he just received CEI's comments/response to Roux's response this morning and there are a few minor changes he would like to talk through.

Kelly Coulon walked the Commission through the major changes. The biggest change is that the design was switched from Wet basins to CTW's (constructed treatment wetlands); the main reason is that wet basins were not lined, and groundwater is really shallow here. In order to line it, a stormwater bmp of CTW's was used to provide additional treatment as well as keep it out of the water table. She explained how the CTW functions. CTW wetlands differ from a gravel wetland is the media and the herbaceous plantings. It is better for treatment wetlands. A CTW has plants that do more of the legwork. Ms. Coulon reported that there is a Maintenance Plan associated with this, and the maintenance schedule will be done by Oldcastle. The forebays are important to keep clean as it is much easier to remove sediment when it is in the forebay.

Kyle Varela stated that the O&M is based off of frequency (months of operation) which is prescribed in the Massachusetts Stormwater Handbook. Ms. Coulon stated that the liner is impermeable; it has to be in order to meet the TSS removal requirements because of the LUPPLE areas. We have to have a forebay and a line system. Mr. Varela summarized the monitoring schedule in the O&M Appendix. He stated that Sediment Forebays are mucked out of sediment every 6 months (post construction), and the full schedule is included in the appendix. An O&M log will be kept by Oldcastle, but no report is associated with it.

Agent Bellesheim stated that Bob Hartzel, CEI reviewed the stormwater management and provided comments minor in nature. He is in agreement with Agent Bellesheim to allowing them to move forward contingent upon addressing the few remaining comments. Mr. Varela stated he will have the comments formally addressed by Wednesday.

Agent Bellesheim noted that the existing wetland to be filled is a low-quality wetland. In exchange for destroying isolated vegetated wetland itself, they are replacing with a CTW. In addition, they are doing a wetland replication at a 2-to-1 ratio with native species. The Commission reviewed the revised submitted Plan Sheets.

Mr. Varela spoke to the Wetland Replication. He stated at an onsite meeting in April to inspect the potential wetland replication location, the Commission, Roux, and CEI came to an agreement. He showed the Planting Plan in the general area near Wetland Series C. It includes a restoration area of 6,000 sq. ft which is a 2.16 ratio. Ms. Coulon commented that it is already in low lying area and ties into the existing wetlands. Micro-topo is on the map because they are trying to use the same elevation where the wetlands start to occur naturally to be able to make sure the hydrology matches what is existing. Planting will include a variety of trees and shrubs as well as seed.

Agent Bellesheim commented some key highlights to reiterate: the impacted wetland is low in functions and values; you are getting a CTW and a replicated wetland at a 2:1 ratio with native species and seeded with wet mix to stabilize right away; wildlife habitat function using native species over invasives; the transition is going from an emergent wetland and a scrub shrub to eventually being a scrub shrub forested wetland. She stated her only concern is the potential loss of the 6 tree species.

Ms. Coulon said they have done their best to go around the trees to the extent possible; there is some potential for impact on roots when you change hydrology around them.

Ch. Socha discussed that a Core Log should be used for erosion controls. Mr. Varela reported that a 75% survival rate of the wetland species at 2 years (Spring & after Fall season) for first 2 years with monitoring reports provided to the Conservation Commission is specified in the Wetland Replication Plan. An approximate timeline for Phase 1 of September to November was given for the replication area.

Ch. Socha suggested a split-rail fence. Block was requested by engineers as a very rigid barrier due to the nature of work done on the site. The Commission agreed with the caveat that gaps for small animals are left (1-2 feet). Concerns with problems deer cause was discussed.

Agent Bellesheim stated that once the final minor changes from peer review comments are made and revised plans submitted to the Conservation Commission, the OOC's could be issued.

Construction sequencing was discussed. Stormwater features will be completed, and then paving operations.

**K. Kearney made a motion to close the public hearing for **NOI #SE69-0958; 0 Allen Ave (Map 3/Lot 16)**, seconded by B. Roberts.**

**Vote: 5-0-0**

**K. Kearney made a motion to approve the plan under the Seekonk Wetlands Protection By-law, seconded by B. Roberts.**

**Vote: 5-0-0**

**K. Kearney made a motion to approve the plan under the MA Wetlands Protection Act, seconded by B. Roberts.**

**Vote: 5-0-0**

**There is a 10-day appeal period from the date of the issuance of the Order of Conditions.**

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**SE69-0972; 181 Hope St (Dev Lot 1) (Map 18/Lot 211)**

Proposed construction of a single-family house and associated grading within jurisdictional wetland resource areas.

**Applicant: George Murphy**

**Representative: Landmark Site Design**

*Continued from July 10, 2023.*

Peter Lavoie, Landmark Site Design represented the applicant. He reported he used a transit to locate underground survey for wetland lines (Leica Total Station robot). He added the wetland lines to the plan, and adjusted the site moving the house. He stated he reduced the size of the 3-bedroom houses for 181, 163, and 143 Hope Street properties to make it work. The house is 40 x 26. He reported he maintains a 25-ft No disturb and 50-ft No Structure. Recharge is in the back with a post and rail fence around the limit of clearing with a construction entrance off of Hope Street. Agent Caledonia stated that the fence is only required to go along the rear line. Mr. Lavoie stated he brought the fence all the way up to the street because the extended fence was asked for on the Ledge Street property so no one could go around it. Agent Caledonia commented that it could be confusing if the placards are put on it. It was discussed that Wetland Placards should only be placed on the wetland line on the back line of fence.

Agent Bellesheim commented that she revisited the site on August 10<sup>th</sup> after receiving the revised plans on August 7<sup>th</sup> and agrees with the new wetland line. Agent Caledonia asked if there would be any cutting and filling. Mr. Lavoie responded that the front of the house will be a fill, and the back are walkouts so there will be minimum fill in back yard. Groundwater is at 32 inches, so the system will be raised in the front. Walkouts were done to minimize the soil. Driveways will be paved. The house will be serviced by Town water on the left side of the house coming in. Agent Bellesheim stated that the 25-ft. buffer zone needs to be staked out. Mr. Lavoie replied that he will stake out the limit of clearing so that there is no confusion. Erosion controls will be installed before doing any work.

Agent Caledonia suggested adding a condition to the OOC's for Japanese Knotweed to be treated within the limit of work after construction as not to spread it to other sites. It was suggested it be removed from the roadside to prevent the entire yard being surrounded by it. It was discussed that Knotweed should be cut now to remove the seeds and removed from the property. B. Roberts stated it should then be chemically treated in spring when first emerging to get really good results.

**R. Emlen made a motion to close the public hearing for **SE69-0972; 181 Hope St (Dev Lot 1) (Map 18/Lot 211)**, seconded by N. Braga.**

**Vote: 5-0-0**

**R. Emlen made a motion to approve the plan under the Seekonk Wetlands Protection By-law, seconded by N. Braga.**

**Vote: 5-0-0**

**R. Emlen made a motion to approve the plan under the MA Wetlands Protection Act, seconded by N. Braga.**

**Vote: 5-0-0**

**There is a 10-day appeal period from the date of the issuance of the Order of Conditions.**

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**SE69-0969; 163 Hope St (Dev Lot 2) (Map 18/Lot 212)**

Proposed construction of a single-family house and associated grading within jurisdictional wetland resource areas.

**Applicant: George Murphy**

**Representative: Landmark Site Design**

*Continued from July 10, 2023.*

Peter Lavoie, Landmark Site Design represented the applicant. He stated that like the previous filing SE69-0972 for 181 Hope Street, he used a transit to locate underground survey for wetland lines (Leica Total Station robot). He added the wetland lines to the plan, adjusted the site moving the house and the 25-ft. No Disturb. This house will also be a walkout to minimize grading in the back and will be serviced by Town water. The front yard will be filled, and it is a front entry driveway.

K. Kearney stated this house is really close to the 50'. Agent Bellesheim asked for the corner of the house to be staked at the 50' to be clear that construction does not go past it (from Flag 27R). Mr. Lavoie pointed out the plan shows only a box depicting the maximum dimensions that will fit. He said he could update the Commission/provide the definitive foundation plan once known, and it will be within the box on the plan.

Agent Caledonia stated that like the previous filing for SE69-0972 for 181 Hope St, the proposed fence is only required to go along the wetland line. Placards only to be placed on the regulated portion of the fence on the right and the back. This filing will also be conditioned to have the Japanese Knotweed to be treated within the limit of work after construction as not to spread it to other sites. It is also suggested it

be removed from the roadside to prevent the entire yard being surrounded by it. The Knotweed should be cut now to remove the seeds and removed from the property, and it is to be chemically treated in spring.

**N. Braga made a motion to close the public hearing for **SE69-0969; 163 Hope St (Dev Lot 2) (Map 18/Lot 212)**, seconded by K. Kearney. **Vote: 5-0-0****

**N. Braga made a motion to approve the plan under the Seekonk Wetlands Protection By-law, seconded by K. Kearney. **Vote: 5-0-0****

**N. Braga made a motion to approve the plan under the MA Wetlands Protection Act, seconded by K. Kearney. **Vote: 5-0-0****

**There is a 10-day appeal period from the date of the issuance of the Order of Conditions.**

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**SE69-0970; 143 Hope St (Dev Lot 3) (Map 18/Lot 213)**

Proposed construction of a single-family house and associated grading within jurisdictional wetland resource areas.

**Applicant: George Murphy**

**Representative: Landmark Site Design**

*Continued from July 10, 2023.*

Agent Bellesheim reported that wetland line flags were moved and requested all the old flags be removed for clarity, and only the new flags depicting the correct delineation be left. Like the previous filings SE69-0972 for 181 Hope Street and SE69-0969 for 163 Hope Street, a Leica Total Station robot transit was used to locate underground survey for wetland lines.

Peter Lavoie, Landmark Site Design represented the applicant. This house has a front entry driveway to minimize pavement, a walkout in the back, and this house has a 24x25 garage. K. Kearney asked for the corner of the garage to be staked at the 54'.

It was discussed that this filing will also be conditioned to have the Japanese Knotweed to be treated within the limit of work after construction as not to spread it to other sites. It is also suggested it be removed from the roadside to prevent the entire yard being surrounded by it. The Knotweed should be cut now to remove the seeds and removed from the property, and it is to be chemically treated in spring. The proposed fence is only required to go along the wetland line. Placards only to be placed on the regulated portion of the fence on the left and the back side.

Agent Bellesheim commented for this bigger lot, she would like to see the split-rail fence moved to the 50' buffer zone, but noted it is not a requirement.

**K. Kearney made a motion to close the public hearing for **SE69-0970; 143 Hope St (Dev Lot 3) (Map 18/Lot 213)**, seconded by B. Roberts. **Vote: 5-0-0****

**K. Kearney made a motion to approve the plan under the Seekonk Wetlands Protection By-law, seconded by B. Roberts. **Vote: 5-0-0****

**K. Kearney made a motion to approve the plan under the MA Wetlands Protection Act, seconded by B. Roberts. **Vote: 5-0-0****

**There is a 10-day appeal period from the date of the issuance of the Order of Conditions.**

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**ANRAD #SE69-0978; 375 Walker St (Wheeler School) (Map 23/Lot 5)**

Abbreviated Notice of Resource Area Delineation for verification of field-delineated wetland resource areas.

Applicant: The Wheeler School

Representative: InSite Engineering

*Continued from July 10, 2023.*

*Tabled to December 11, 2023.*

Agent Bellesheim reported that she spoke with consultant in the field on August 1, 2023. Consultant requested that Project be tabled.

- *Status: LEC provided a proposal for peer review; proposal sent to applicant. Awaiting approval/funding for 53G account.*

**Brett Roberts made a motion to table ANRAD SE69-0978, 375 Walker St to December 11, 2023 sometime after 7:00 p.m.; Rob Emlen seconded. Vote: 5-0-0**

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**NOI #SE69-TBD; 375 Walker St (Wheeler School) (Map 23/Lot 5)**

Proposed construction of 3 docks around Run-of-the-River Pond within jurisdictional wetland resource areas.

Applicant: The Wheeler School

Representative: InSite Engineering

*Continued from July 10, 2023.*

*Tabled to December 11, 2023.*

Agent Bellesheim reported that she spoke with consultant in the field on August 1, 2023. Consultant requested that Project be tabled.

- *Status: On hold based on ANRAD submission and peer review. MassDEP file number not issued yet.*

**B. Roberts made a motion to table NOI #SE69-TBD; 375 Walker St (Wheeler School) for docks project to December 11, 2023 sometime after 7:00 p.m.; R. Emlen seconded. Vote: 5-0-0**

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**NOI #SE69-0983; 357 Ledge Rd (Map 18/Lot 22)**

Proposed construction of 16'x22' house addition within jurisdictional wetland resource areas.

Applicant: Adam Reis

Representative: New England Environmental Design

Ch. Socha read the filing into the record.

Bruce Wilson, New England Environmental Design represented the applicant. John Sullivan, contractor hired to construct the addition was also present. Mr. Wilson summarized the project, showed the limit of work within a well-manicured lawn. He proposes a silt fence at the tree line. He stated that the addition will go off the back of the garage (come out 16 feet and 22 feet wide), it will have a slab foundation with a 4-ft frost wall. There will be a small excavation, and the material excavated will be removed from site same day. He noted the project is barely in 100' buffer. He showed the buffers on the plan including the 100' Flood Plain, the BVW line, as well as the 100' and 200' Riverfront Areas. The site is heavily vegetated.

A. Bellesheim noted the property lends itself to already protecting the wetland; they have a buffer zone, a fence, more buffer zone, and then the biological wetland. She noted that it is not flagged, and delineation is from 2009. With all existing barriers, they are going to put erosion controls in. She clarified for the record that the Commission is not approving this “wetland line on the other lots,” the delineation itself is not approved. The Agent did not walk the whole property to verify the line. She stated that she felt in this case, it is not necessary because of the amount of natural protection.

It was discussed that it is a flat site. Mr. Wilson reported that the propane tanks will be moved.

**R. Emlen made a motion to close the public hearing for **NOI #SE69-0983; 357 Ledge Rd (Map 18/Lot 22)**, seconded by N. Braga. **Vote: 5-0-0****

**R. Emlen made a motion to approve the plan under the Seekonk Wetlands Protection By-law, seconded by N. Braga. **Vote: 5-0-0****

**R. Emlen made a motion to approve the plan under the MA Wetlands Protection Act, seconded by N. Braga. **Vote: 5-0-0****

**There is a 10-day appeal period from the date of the issuance of the Order of Conditions.**

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### **Public Meeting:**

#### **Enforcement**

- **NV #2023-03 (5 Sanctuary Lane):** restoration plan  
Mark Force, property owner was present. Agent Bellesheim stated that the submitted plan by Scott Robideau, Natural Resource Services is an exceptional restoration plan. It entails the addition of a split-rail fence along the back pinching up to the bridge; wildlife seed on the back; buffer zone restoration area with shrub plantings; and treatment of the Knotweed with spot chemical treatment. Mr. Force was in agreement with the restoration plan. The Commission accepted the proposed restoration plan. Agent Bellesheim stated this plan was more than compensatory for what occurred at the site. It is a give and a take; we keep the bridge and shed, and in exchange we are getting a higher quality wetland, a stable bank, and treatment of an invasive species.  
  
Mr. Force reported that J&L landscaping will install trees within the week. The eradication will be done professionally by a Massachusetts Certified Pesticide Applicator.
- **NV/EO #2022-04 (86 Greenwood Ave):** Update (after Town counsel Review)  
Beau Akers, Brainsky Levinson, LLC represented the property owner.  
  
Agent Bellesheim updated the Commission that advice from Town Counsel is still pending. She asked Mr. Akers to consult his client with 3 questions. She asked if the erosion controls were installed as of March 31<sup>st</sup>. Mr. Akers replied yes; he confirmed erosion controls are around the pond. He reiterated his legal position as a statute of repose, and stated that at the same time, he is working with Brandon Faneuf, Ecosystems Solutions and DT Excavating installed the erosion controls as a best management practice in an area Mr. Faneuf advised.  
  
Agent Bellesheim asked about the current status of the area that was cleared; she asked if it is revegetating or if they are continually clearing it. B. Akers replied that he did not know, he has not been to the property.



Agent Bellesheim asked to perform a Site visit. She stated it would be best to work towards a compromise. If they are not continually clearing it, allow to naturally revegetate. B. Akers stated that there are horse trails on the property that his client intends to continue to use. Agent Bellesheim commented that working toward a compromise looks like not clearing within 50 feet of the pond, ideally within 100 feet of the pond. If the erosion controls are protecting the pond, the area directly adjacent to the pond is allowed to naturally to revegetate; and horse trails to remain. The Conservation Commission requested photos.

- **NV/EO #2023-02 (286 Taunton Ave):** Restoration Plan / Update

Agent Bellesheim reported she spoke to Mr. Medeiros and he is targeting the acquisition of a consultant by September 1<sup>st</sup> and will present a restoration plan at the September 11<sup>th</sup> Conservation meeting. She reported that Mr. Medeiros' argument is that it was a safety hazard for fires, he does not believe there are any wetlands, and believes his neighbor is pumping water and created the wetland. Agent Bellesheim stated Mr. Medeiros also spoke about wanting to put a dog park there for the Town. She spoke to the idea that if Mr. Medeiros complies with the Commission, the tickets/fines would be waived. Ticketing has been paused since she and Mr. Medeiros spoke. She commented that Mr. Medeiros has ceased work, and the wetland will naturally revegetate.

N. Braga commented that she struggles with waiving tickets as it sets a precedent that if a violator comes in with a plan, they are not responsible for tickets already issued. Agent Bellesheim reported that Town counsel advised that this the normal course with environmental permitting and ticketing; if we pushed to get the \$1,300 for tickets issued thus far, it would probably go to court, and the court would likely waive the fines. She commented that we currently have forward progress. Mr. Medeiros agreed that if the consultant tells him he is in the wetland resource, he will do the right thing.

- **NV #2023-06 (59 Anna Ct):** Update/Closeout (Building unauthorized trails in a wetland)

Agent Bellesheim reported she made a site visit and Mr. Minieri adjusted trails on one side, but not the other side. They did put straw on the bank as discussed, but it all washed away. She spoke to Mr. Minieri about narrowing trails on the other side and seeding the bank using juke mesh.

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**Other Business:**

- **Discussion Item: Conservation Commission meeting time**

Agent Bellesheim asked the Commission to consider adjusting the meeting time to an earlier hour because of her commute and the late hour meetings can adjourn. She confirmed with the Town Administrator's Office that the Commission does not need permission to change the meeting start time. K. Kearney commented that she preferred 7:00 p.m., but is willing to try 6:30 p.m. N. Socha, B. Roberts were in favor; N. Braga commented 6:30 p.m. at the earliest.

**K. Kearney made a motion the Commission try changing meetings to be held at 6:30 p.m. on a Monday as scheduled; B. Roberts seconded. Vote: 5-0-0**

- **Discussion Item: USDA funding for farmland preservation by recognizing farmland of local importance.**

Agent Bellesheim stated she sent materials from Natural Resources Conservation Service (NRCS) to Commission Members for review. NRCS in Massachusetts and American Farmland Trust are working with municipalities to increase the amount of farmland eligible for federal preservation funding. Under its Agricultural Land Easement (ALE) program, NRCS works with partners such as the Massachusetts Department of Agricultural Resources, land trusts, and municipalities to preserve farmland by paying willing farmland owners the development value in exchange for ensuring agricultural land remains protected and available for farming. Agent Bellesheim pointed out it does not create regulatory restrictions for homeowners. It allows the USDA to label land as Local Farmland, which opens up funding eligibility for homeowners and the possibility of protection in the future. It does not bar anyone in any way from development, it is beneficial to preservation, conservation and farmers. The process would be pretty hands off for the Commission. We would tell Mr. Avril we are interested, and he would identify using aerial photography. Agent Bellesheim noted there are lots of exemptions for things such as a really steep slope, its rocky, or has hazardous waste. The first step is a short contract that would need to be signed by the Commission's Chairperson which would allow the work to be done to label "Local Important Farmland." The labels will appear on Massachusetts maps of lots in Seekonk.

N. Braga inquired if homeowners would be notified. Agent Bellesheim did not know, but commented that it may be on GIS through USDA. She stated another highlight is that there are already another 56 Towns/Cities in Massachusetts that have already signed on board with this. It opens the door for protection, as opposed to closing a door on restrictions. B. Roberts was in support and felt this needs to be brought back to the communities. R. Emlen asked about the definition of "Farmland." Agent Bellesheim stated it is based on soil types that are classified already; all soil is mapped in Massachusetts on NRCS. In addition to being based on soils, they take other factors into consideration such as topography and existing land use. N. Braga was in support and felt this would offer incentives for people not to sell to developers for new housing.

**B. Roberts made a motion to go forward with the USDA Funding for Farmland Preservation by recognizing farmland of local importance in the Town of Seekonk and allow the Conservation Commission Chairperson to sign said contract; R. Emlen seconded. Vote: 5-0-0**

- **Discussion Item: Tabling Project Filings to future dates certain**

Agent Bellesheim stated that there was a project tabled earlier this year to June; with the transition between 3 Conservation Agents this year, she was unaware, and June has since passed. She asked for guidance to go forward with this project because the Commission is probably in some sort of violation. She felt another notification will likely be necessary; it was discussed the Commission would provide the funds for the re-notification to abutters and legal advertisement.

It was discussed that if the applicant withdraws the filing, it would be a moot point. Agent Bellesheim stated the plan is to invite them/put them back on the Agenda for September 11, 2023. Whether or not there was the ability to keep “tabled items” on the bottom of agendas was discussed.

- **Discussion Item: Buffer Zone of Intermittent Streams (*combined with next discussion item*)**

- **Discussion Item: DPW Building Project (Fall River Ave)**

Agent Bellesheim reported that the consultant for the DPW Building Project delineated an intermittent stream; he interpreted the Seekonk Local Bylaw and put 200 feet buffer zone, but Regulations are 100’ on an intermittent stream. Historically, the Commission has always put 100’ for “intermittent.” The Bylaw reads it as a gray area, which is why the consultant put it as a 200’ on the plan and the report. Agent Bellesheim suggested that when Conservation Commission work sessions are reinstated, we could clarify the Bylaw that it is “100’ on an intermittent” or look at increasing it to “200 feet.”

K. Kearney commented it has been 100’ consistent all through the history of the Commission; she expressed she felt that is fair for a stream that dries up. N. Socha commented that regardless of whatever stream it is, the Commission allows development to the 50’. He noted that if there is lot of development happening in a riverfront zone, you are dealing with a lot of surcharge into that area; (*inaudible sentence*).

Agent Bellesheim said when the DPW project comes before the Conservation Commission, the we have no choice but to minimize that buffer zone. She noted that MassDEP regulations are 100 feet. Going forward we will keep it at 100 feet.

- **Proposed Meadow Trails at Young Farm.**

Agent Bellesheim reported that she has been working in collaboration with the Seekonk Land Trust and visited the Young Farm and Peck Chaffee conservation areas. She presented the Commission with a proposal for Young Farm for construction of meadow trails and asked the Commission for their input as well as permission to present the idea to the Town Administrator. The project would have a 40’x60’ compact gravel parking area with a split-rail fence suggested by DPW; a riprap entrance already exists for DPW property maintenance. No tree clearing would be required. She proposed three simple, connected, meadow loop trails. She stated she has spoken with the adjacent homeowner who has a direct view of the meadow; the homeowner was enthused by the project. Agent Bellesheim stated she offered landscaping screening; but the homeowner would like to maintain the view whether there are trails there or not.

N. Socha spoke about line of sight for entering/exiting at the trailhead parking lot and asked if any clearing should be done. Agent Bellesheim reported she spoke about the invasives with the Land Trust when staking out the parking area. She reported that the Land Trust owns the Peck Chaffee property where the parking area is; the Town owns the farm which is the bulk of the property. The 3 trail loops would total .85 miles. The current stone wall would remain. The idea would be to just mow infinite loop trails in the meadow. She spoke of the beauty of the area including agricultural rocks that hold water for natural bird baths. There is opportunity to do wildflower gardens and butterfly gardens (possibly a meadow sculpture garden), and other future possibilities. There was discussion whether leashed dogs should be allowed or not. Dog waste dispensers, signage, and a kiosk were also discussed.

Agent Bellesheim stated the project could be done super affordably, and DPW estimated it would not take more than 16 hours to construct. The maximum cost would be \$5,575. DPW would mow the trails once a week/on a scheduled routine.

The Commission agreed Agent Bellesheim could present the idea to the Town Administrator. N. Socha stated that because the work to be done will be done by the Town but on the property of the Land Trust, a non-binding MOU (memorandum of understanding) would be necessary between the Land Trust and the Town. The document would include description of the project, work to be done, and uses that would be on it. Agent Bellesheim reported that the Land Trust now has a stewardship coordinator, Jessica Blackledge as a point of contact.

- Discuss other topics not reasonably anticipated by the Commission 48 hours before the meeting.  
**No votes to be taken.**

~MassDEP Wetlands Protection Act Regulations training will be held at Seekonk Town Hall Thursday, September 14, 2023 sometime in a window of 4:00 pm - 6:00 pm; MassDEP Delineation training to follow. Training will be open to Seekonk and neighboring Towns.

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**Approval of Minutes:** July 10, 2023

**K. Kearney made a motion to approve the July 10, 2023 minutes, B. Roberts seconded. Vote: 5-0-0**

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**R. Emlen made a motion to adjourn the meeting at 9:15 p.m.; K. Kearney seconded. Vote: 5-0-0**

Respectfully submitted,  
Kim A. Lallier  
Conservation Secretary

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*Formally accepted on 9/11/2023 5 in favor, 0 against, 0 abstention*

**[Full Video available to view on TV9 Seekonk Community Access Television](http://tv9seekonk.com/)**  
**Link: <http://tv9seekonk.com/>**