

**Conservation Commission
Meeting Minutes
July 12, 2011**

The Conservation Commission held a meeting on July 12, 2011 in the Lakeville Town Office Building. The meeting was called to order by Chairman Orrall at 7:00 p.m. Members present were Robert Bouchard, Joseph Chamberlain, Linda Grubb, Emery Orrall, Pam Rasa and Martha Schroeder. Sarah Kulakovich, associate member; Tara Martin, Conservation Agent and Jennifer Jewell, recording secretary were also present.

7:02 p.m. -- 9 Charbonneau

Cote

Chairman Orrall read the legal notice. The Commission received a Request for Determination of Applicability to replace a damaged pier and platform. There was a review of the plans and site photos. It was stated that the dock is prefabricated and will be an improvement on the existing structure. The homeowner has obtained a Chapter 91 permit. All pilings for the dock are removable. Upon motion made by Member Rasa and seconded by Member Schroeder the Commission

VOTED: To close the hearing and issue a Negative Determination of Applicability with the note that there will be no disturbance to the bank or the pond and that the site will be inspected by the Conservation Agent prior to the start of work. Unanimous vote.

7:08 p.m. – 5 Main St/ NE Rent-All

Prime

Bob Rego, from Prime Engineering was present for the discussion. Ms. Martin reviewed the Conservation and Management (C & M) permit and discussed her consultation with Natural Heritage regarding the changes to the previously approved limit of work. There was a review of an email from Natural Heritage to Prime Engineering regarding this project. Mr. Rego reviewed the filing and the proposed limit of work. It was noted the Planning Board and Board of Selectmen recommended approval of the project pending the vote of the Commission. Ms. Martin stated that the C & M permit was based on a one hundred foot buffer zone and voiced concern regarding gradual infringement. Mr. Rego questioned whether the Commission had jurisdiction over the project site as a vernal pool in an Isolated Land Subject to Flooding (ILSF) was not afforded additional protection. Ms. Martin reviewed the hydrology of the site and discussed storm water flow. Mr. Rego reviewed the stormwater calculations and the apparent lack of impact from a 100-year flood event. There was a review of a letter dated November 20, 2007 stating the proponent will maintain a 100' buffer zone to the vernal pool. Upon motion made by Member Schroeder and seconded by Member Rasa the Commission

VOTED: To close the hearing and issue a Positive Determination of Applicability requiring a Notice of Intent filing. 5 in favor. Member Chamberlain opposed. Motion carried.

7:25 p.m. – Precinct St/Ted Williams Camp

Town of Lakeville

Upon motion made by Member Chamberlain and seconded by Member Rasa the Commission

VOTED: To continue the hearing to July 19, 2011 at 7:00 p.m. pending receipt of a plan. Unanimous vote.

7:27 p.m. – Southcoast Rail Right of Way

Commonwealth of Massachusetts

It was noted that there has been a two day site visit to the site and an additional day is scheduled for August 9, 2011. Upon motion made by Member Rasa and seconded by Member Chamberlain the Commission

VOTED: To continue the hearing to August 23, 2011 at 7:00 p.m. Unanimous vote.

7:31 p.m. – 42 Shore Avenue

Vareika

Chairman Orrall read the legal notice. Darren Michaelis, from Foresight Engineering, presented a Request for an Amended Order of Conditions for the installation of a tight tank. There was a review of the plans. It was stated that because the property does not have a year round water supply it will be deed restricted as seasonal. The pumping contract was reviewed. Upon motion made by Member Grubb and seconded by Member Rasa the Commission

VOTED: To close the hearing and issue an Amended Order of Conditions with the following special conditions: 1.) The Order of Conditions must be recorded at the Plymouth County Registry of Deeds and a stamped receipt returned to the Lakeville Conservation Commission (LCC) before work begins; 2.) Erosion barriers to be installed and inspected by the LCC agent prior to the start of any activity and remain in place until all disturbed areas have been stabilized; 3.) Access to the property will be granted to the LCC and/or its agents, for site inspections, to determine that the project is in compliance with this Order of Conditions; 4.) The Conservation Agent will review and approve any dewatering plan and be onsite if dewatering is necessary. Unanimous vote.

7:40 p.m. – 105 Staples Shore

Barnicoat

Chairman Orrall read the legal notice. Darren Michaelis, from Foresight Engineering, presented a Notice of Intent for replacement of an existing well and septic system. There was a review of the plans. Dick Turner, abutter, was present for the discussion. It was stated that because the bordering vegetated wetland was determined not to be a tributary it allowed for altered septic and well locations. There was a review of the City of Taunton's right-of-way layout. It was noted that the right-of-way and surrounding areas were surveyed and the City of Taunton was notified of the hearing. It was stated that any setback concerns do not fall under the jurisdiction of the Commission. Ms. Martin noted that abutting house numbers were reversed on the plans and an additional state mandated fee must be submitted as the well installation is considered a separate activity. Upon motion made by Member Chamberlain and seconded by Member Bouchard the Commission

VOTED: To close the hearing pending receipt of a revised plan and additional activity fee and issue an Order of Conditions with the following special conditions: 1.) The Order of Conditions must be recorded at the Plymouth County Registry of Deeds and a stamped receipt returned to the Lakeville Conservation Commission (LCC) before work begins; 2.) Erosion barriers to be installed and inspected by the LCC agent prior to the start of any activity and remain in place until all disturbed areas have been stabilized; 3.) Access to the property will be granted to the LCC and/or its agents, for site inspections, to determine that the project is in compliance with this Order of Conditions; 4.) The Conservation agent will be onsite for the well installation and dewatering. Unanimous vote.

7:55 p.m. – 13 Hickory Lane

Purdy

Chairman Orrall read the legal notice. Darren Michaelis, from Foresight Engineering, presented a Notice of Intent for upgrade of a failed septic system, well drilling and all associated grading. There was a review of the plans. It was noted that the existing septic system has failed and that because the dwelling is a year-round residence a tight tank is not an option. This plan has not been approved by the Board of Health. The abutting well locations and the inspection schedule were reviewed. It was noted that an additional state mandated fee is required for the proposed activities. Any proposed slurry pit should be located as far from the resource area as possible. The plan did not have a locus map. Mr. Michaelis noted that there would be no impact to the roadway because the elevations will remain the same. The timeline of the project was discussed and site access was reviewed. Upon motion made by Member Schroeder and seconded by Member Chamberlain the Commission

VOTED: To close the hearing pending receipt of the additional fee and issue an Order of Conditions with the following special conditions: 1.) The Order of Conditions must be recorded at the Plymouth County Registry of Deeds and a stamped receipt returned to the Lakeville Conservation Commission (LCC) before work begins; 2.) Erosion barriers to be installed and inspected by the LCC agent prior to the start of any activity and remain in place until all disturbed areas have been stabilized; 3.) Access to the property will be granted to the LCC and/or its agents, for site inspections, to determine that the project is in compliance with this Order of Conditions; 4.) The Conservation Agent will review and approve any slurry pit location and will be onsite during the well drilling and dewatering. Unanimous vote.

8:07 10 Keene Shore Road

Mello Trustee

Chairman Orrall read the legal notice. Darren Michaelis, from Foresight Engineering, presented a Notice of Intent for the upgrade of a failed septic system. There was a review of the plans. The existing septic system has failed. Site constraints dictated the location for the replacement system. Test pit locations and Board of Health variance requests were reviewed. There was discussion regarding the depth of the pipe installation. Upon motion made by Member Schroeder and seconded by Member Chamberlain the Commission

VOTED: To close the hearing and issue an Order of Conditions with the following special conditions: 1.) The Order of Conditions must be recorded at the Plymouth County Registry of Deeds and a stamped receipt returned to the Lakeville Conservation Commission (LCC) before work begins; 2.) Erosion barriers to be installed and inspected by the LCC agent prior to the start of any activity and remain in place until all disturbed areas have been stabilized; 3.) Access to the property will be granted to the LCC and/or its agents, for site inspections, to determine that the project is in compliance with this Order of Conditions; 4.) The Conservation Agent will be onsite for any dewatering. Unanimous vote.

8:15 p.m. – 16 Beechtree

Chicoine

Ms. Martin noted that the replication area is filling in but will require additional growing time. The property line issue has not been resolved. Upon motion made by member Chamberlain and seconded by member Bouchard the commission

VOTED: To continue the hearing to August 9, 2011 at 7:00 p.m. Unanimous vote.

8:17 p.m. – 5 Harding St

High Rock Harding, LLC

It was recommended by Natural Heritage that the Commission be involved in the preparation of the Conservation Restriction. There was discussion regarding the layout of the site. It was stated that an endowment might be needed for future oversight of the property. Access to Leonard Washburn Brook would be an issue that could be negotiated during the preparation process. Upon motion made by Member Chamberlain and seconded by Member Rasa the Commission

VOTED: To continue the hearing to July 19, 2011 at 7:00p.m. Unanimous vote.

SpecialConditions

There was a review of the special conditions prepared by Ms. Martin. Upon motion made by Member Schroeder and seconded by Member Chamberlain the Commission

VOTED: To approve the special conditions as amended. Unanimous vote.

Treasurer's Report

There must be a transfer from the Conservation Fund account to the Conservation agency account to cover the budget shortfall. Upon motion made by Member Rasa and seconded by Member Chamberlain the Commission

VOTED: To transfer \$4345.61 from the Conservation Fund Account to the Conservation Agency account. Unanimous vote.

There was discussion regarding salary expenditures. Upon motion made by Member Schroeder and seconded by Member Chamberlain the Commission

VOTED: To approve \$15,500 for the Conservation Agent salary and \$7800.00 for the Conservation Clerk salary. Unanimous vote.

Upon motion made by Member Schroeder and seconded by Member Chamberlain the Commission

VOTED: To approve all Commissioners as authorized signatories for the Conservation Commission. Unanimous vote.

Upon motion made by Member Chamberlain and seconded by Member Schroeder the Commission

VOTED: To approved Joseph Chamberlain, Emery Orrall and Linda Grubb as authorized signatories for payroll. Unanimous vote.

MACC Membership

The Commission received an invoice from the Massachusetts Association for Conservation Commissioners formembership dues. It was noted that dues and subscriptions cannot be paid with state mandated fees. Ms. Martin will contact MACC to see if the Commission can utilize the corporate membership.

Water Withdrawal By-law

Member Grubb will review the proposed by-law for presentation at an upcoming town meeting.

Upcoming Meeting

The next meeting of the Lakeville Conservation Commission will be held on July 19, 2011 at 7:00 p.m. in the Lakeville Town Office Building. Upon motion made by Member Chamberlain and seconded by Member Rasa the Commission

VOTED: To adjourn the meeting at 9:35 p.m. Unanimous vote.