

**Conservation Commission
Meeting Minutes
May 10, 2011**

The Conservation Commission held a meeting on May 10, 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. Tara Martin, Conservation Agent and Jennifer Jewell, recording secretary were also present.

7:00 P.M. – 20 Parkhurst

Porter

Chairman Orrall read the legal notice. James Porter presented a Request for Determination of Applicability for the enclosure of an existing deck. There was a review of the plans. All roof runoff will be directed to an existing drywell. The work is currently in progress. Upon motion made by Member Chamberlain and seconded by Member Grubb the Commission

VOTED: To close the hearing and issue a Negative Determination of Applicability. Unanimous vote.

7:05 P.M. – 167 Bedford Street

Rousseau' RV

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

VOTED: To continue the hearing at the request of the applicant to June 14, 2011 at 7:00 p.m. Unanimous vote.

7:07 P.M. – 6 Lakeside Avenue

Kenn

Todd Kenn was present for the discussion and presented revised plans. Upon motion made by Member Rasa and seconded by Member Grubb the Commission

VOTED: To accept the revised plans for review, waiving the 10 day submittal review period. Unanimous vote.

There was a review of the plans. Concern was voiced regarding the proximity of the fence to the bordering vegetated wetlands (BVW). Mr. Kenn agreed to replant vegetation that was removed on the eastern and western sides of the fencing. It was noted that some of the vegetation will regenerate. Member Schroeder will meet with the applicant on site and provide a list of plants the applicant can use to replenish the area. Upon motion made by Member Bouchard and seconded by Member Grubb the Commission

VOTED: To close the hearing pending receipt of a planting plan 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. Unanimous vote.

7:20 P.M. – Mass Coastal Right of Way

Mass. Coastal Railroad

Wayne Duffett was present for the discussion. It was stated that a site visit was needed to verify the delineation. Upon motion made by Member Chamberlain and seconded by Member Rasa the Commission

VOTED: To continue the meeting to June 14, 2011 at 7:00 p.m. Unanimous vote.

7:25 P.M. – Mass Bay Commuter Rail Right of Way

MBCR

Chairman Orrall read the legal notice. Wayne Duffett, from TEC Associates, presented a Request for Determination of Applicability to determine whether the boundaries of the resource areas depicted on the plans are accurately delineated. The applicant must carry out vegetation management on approximately 1000' of track in Lakeville. There was question as to whether the lack of cutting/trimming has caused problems with the flow of the Nemasket River. It was stated that a site visit would be required in order to verify the delineation. Mr. Duffett requested the Commission take action on this hearing as access is difficult to obtain. There was a review of a past site visit. Upon motion made by Member Schroeder and seconded by Member Rasa the Commission

VOTED: To continue the hearing to June 14, 2011 at 7:00 p.m. Unanimous vote.

7:35 P.M. – 151 Staple Shore Road

Deree

Chairman Orrall read the legal notice. Jamie Bissonnette, from Prime Engineering, presented a Notice of Intent for the construction of a seawall along Assawompsett Pond with associated grading. There was a review of the plans. The wall will be 2 ½ feet high, will be constructed of interlocking pre-cast blocks and will be installed by crane. The applicant does not have a Chapter 91 permit. It was noted that if the water elevation of the pond is too high a turbidity curtain will be used. Natural Heritage recommended a mussel survey be done. Site access was reviewed and it was stated that if the driveway does not provide access the applicant must contact the Conservation Agent. There was discussion regarding the elevation of the dwelling and the impact that the wall construction and related grading will have on storm water/flooding. Member Schroeder voiced concern regarding the impacts of halting naturally occurring erosion. Upon motion made by Member Chamberlain and seconded by Member Bouchard the Commission

VOTED: To close the hearing pending receipt of the approval letter from Natural Heritage, record of a Chapter 91 permit application 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. 5 in favor. 1 opposed. Motion carried.

8:06 P.M. – 20 Dunbar

McQueeney

Chairman Orrall read the legal notice. David McQueeney presented a Notice of Intent for the demolition of an existing dwelling and to fill an abandoned well. There was a review of the plan. It was stated that the dwelling does not have a basement. The applicant intends to combine this lot with an abutting lot. The dug well will be filled with gravel but the drilled well will remain active for irrigation. Upon motion made by Member Rasa 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. Unanimous vote.

8:15 P.M. – 30 Fuller Shores

Chairman Orrall read the legal notice. Steve Gilbert, from SFG Associates, presented a Notice of Intent for the repair of an existing septic system. There was a review of the plans. The location of the septic system and leach field were discussed. It was noted that the laundry drywell will be drained, crushed and filled. The stone wall

near the septic system will remain in place. 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. Unanimous vote.

8:20 P.M. – 9 Sears Island Road

Trager

Chairman Orrall read the legal notice. Steve Gilbert, from SFG Associates, presented a Notice of Intent for the repair of an existing septic system. There was a review of the plans. The garage will be constructed on the site of the decommissioned septic system. The extent of grading in the buffer zone was discussed. A possible mailbox discrepancy was noted. Upon motion made by Member Grubb and seconded by Member Rasa 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. Unanimous vote.

8:25 P.M. – 16 Beechtree

Chicoine

It was suggested that the applicant be contacted regarding the withdrawal of this filing. Upon motion made by Member Rasa and seconded by Member Chamberlain the Commission

VOTED: To continue the hearing to June 14, 2011 at 7:00 p.m. Unanimous vote.

8:28 P.M. – 5 Harding Street

High Rock Harding

The applicant did not contact the Commission to request a continuance. It was stated that the applicant should be notified regarding the fee that is charged for failing to request a continuance. Upon motion made by Member Rasa and seconded by Member Chamberlain the Commission

VOTED: To continue the hearing to June 14, 2011 at 7:00 p.m. Unanimous vote

8:30 P.M. – MBTA Right of Way

MBTA

Chairman Orrall read the legal notice. Matt Varrell, from VHB, presented an Abbreviated Notice of Resource Area Delineation. There was a review of the resource areas and mapping methodology. It was stated that a site visit will be necessary to verify the wetland line. Mr. Varrell will coordinate site access with the applicant and provide information on obtaining safety training. Member Grubb noted the presence of non-functioning culverts along the rail line and noted that a town owned property with a Conservation Restriction abuts this parcel. Upon motion made by Member Rasa and seconded by Member Chamberlain the Commission

VOTED: To continue the hearing to June 14, 2011 at 7:00 p.m. Unanimous vote

Other Business

97 Highland Road

Hedges

Steven and Laurice Hedges presented a Request for an Extension to an Order of Conditions. Member Grubb discussed a recent site visit. There was question as to whether there was a plan showing current conditions. It

was noted that the goats were eating the wetland vegetation. It was suggested that that although the extension must be granted (pursuant to the Economic Development Act) the clean-up could be handled under an Enforcement Order. Past non-compliance was discussed. It was noted that the manure pile is an on-going issue and the Commission stated that the applicants should ensure the site conforms to the plan of record. Ms. Martin will contact the applicants and re-visit the site.

Island Terrace

Carol Tolles, owner and Steve Olivier, Selectman, were present for the discussion. Ms. Tolles requested the Commission make a recommendation at Town Meeting on the purchase of a parcel of land from the Assawompsett Pond Complex (APC) property to be used for an upgraded septic system. There was a review of existing conditions on the site. Ms. Tolles discussed the alternative treatment option that was developed and researched at Island Terrace and noted that this option was not approved for use. A letter, written by Nancy Yeatts, Assawompsett Pond Complex Manager was read into the record. Ms. Grubb noted that trees or shrubs cannot be cut and septic systems cannot be installed on the APC property under the current Conservation Restriction (CR). Ms. Tolles stated that the nursing home facility will be expanded to pay for the septic system and land. There was discussion regarding two lots, not currently restricted, that might be available for use. It was noted that the access must still cross the restricted properties. Costs associated with the current proposal were reviewed. The Commission stated that while they were more amenable to the option of using the two alternate lots with the allowance for a crossing of the CR land they would like more information before making a formal recommendation. The Board of Selectmen advised Ms. Tolles to work with her attorney and Town Counsel to word a motion for Town Meeting.

Pam Rasa leaves the meeting.

Meeting Minutes

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

VOTED: To approve the minutes for the February 8, 2011 meeting as amended. Unanimous vote.

Next Meeting

The next meeting of the Lakeville Conservation Commission will be held on June 14, 2011 at 7:00 p.m. in the conference room at the Lakeville Town Office Building. Upon motion made by Member Grubb and seconded by Member Chamberlain the Commission

VOTED: To adjourn the meeting at 10:00 p.m. Unanimous vote.