

**Conservation Commission
Meeting Minutes
May 8, 2012**

The Conservation Commission held a meeting on May 8, 2012 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 and Martha Schroeder. Sarah Kulakovich, associate member and Tara Martin, Conservation Agent were also present. Pam Rasa was absent with prior notice.

Water Extraction By-Law

Jim Marot, Chairman of the Planning Board, was present for the discussion. The proposed by-law was rejected by the Board of Selectmen. Member Grubb rewrote some of the items to address the concerns of the Board. There was discussion as to whether the Commission would attend a Planning Board meeting to voice their support of the by-law. It was noted that this proposal will not be on the town meeting warrant. Upon motion made by Member Chamberlain and seconded by Member Schroeder the Commission

VOTED: To forward the by-law to the Planning Board, as amended by Member Grubb on May 4, 2012.
Unanimous vote.

7:06 p.m. – County Road/Woodland

MassDOT

Chairman Orrall read the legal notice. Tom McGuire, from MassDOT, presented a Request for Determination of Applicability for pavement milling, resurfacing and rehabilitating a section of County Road. There was a review of site photos. Approximately 300' of roadway will be resurfaced all within the limits of the existing pavement. Siltation barriers will be used along the edges near the resource area. Ms. Martin will forward information regarding silt sacks to Mr. McGuire. Upon motion made by Member Chamberlain and seconded by Member Schroeder the Commission

VOTED: To close the hearing and issue a Negative Determination of Applicability requiring the use of silt sacks as erosion control barriers. Unanimous vote.

7:12 p.m. – 13 Elder's Pond

Sergio

Chairman Orrall read the legal notice. The Commission received a Request for Determination of Applicability for the removal of three trees. Ms. Martin reviewed the site visit. The trees are unhealthy and present a hazard to the dwelling. The stumps will remain in place but all other debris will be removed from the site. It was stated that a crane may be needed to access the top portion of the trees. Upon motion made by Member Schroeder and seconded by Member Chamberlain the Commission

VOTED: To close the hearing and issue a Negative Determination of Applicability with notes requiring the debris to be removed from the site and not allowing machinery in the resource area.
Unanimous vote.

7:15 p.m. – 4 Mark Twain Drive

Maxwell

Chairman Orrall read the legal notice. Jonathan Pink, from AZOR Land Sciences presented a Notice of Intent for the demolition of an existing dwelling and the construction of a new single family dwelling. Marsha Maxwell was also present for the discussion. There was a review of the plans. Storm water flow was discussed. The proposed dwelling will be on pilings. It was noted that there has been no response from Natural Heritage and there is no demolition plan included with the filing. The Commission requested a copy of the Chapter 91 permit application. The driveway will not be paved and drywells will be installed to corral roof run-off. Ms.

Martin requested that the trees be marked for inspection prior to removal. Upon motion made by Member Bouchard and seconded by Member Schroeder the Commission

VOTED: To close the hearing pending receipt of the demolition plan and Natural Heritage response letter and issue an Order of Conditions with the following special conditions: The Conservation Agent must review the trees proposed for removal, Proof of a Chapter 91 permit must be filed with the Commission, the driveway will remain unpaved, the homeowner must adhere to organic lawn care standards, drywells will be used to capture roof run-off, the agent will be on-site during the demolition, Standard Special Conditions and Grading Conditions. Unanimous vote.

7:40 p.m. – 201-203 County Road

Pond Realty Trust/Rogers

Chairman Orrall read the legal notice. Bruce Garrett, from Dependable Petroleum Solutions presented a Notice of Intent for the removal of an existing underground storage tank and installation of an above ground storage tank. Hugh Rogers, Sr. and Hugh Rogers, Jr. were present for the discussion. There was a review of the plans. Any stockpiles proposed will be located outside of the buffer zone. Mr. Garrett noted the strict rules governing tank removal and stated that the Fire Department will be onsite during the work. The Commission requested a hazardous waste contingency plan that would deal with emergencies. The tank removal procedures were discussed. Upon motion made by Member Grubb and seconded by Member Schroeder the Commission

VOTED: To close the hearing pending receipt of the hazardous waste contingency plan and issue an Order of Conditions with the following special conditions: the Conservation Agent will be onsite during the removal of the tank, the property owner will adhere to organic lawn care standards, Standard Special Conditions. Unanimous vote.

Membership

The Commission welcomed potential Commissioner, Emond Mullally to the meeting. Mr. Mullally introduced himself and reviewed his professional background.

7:52 p.m. – 59 Lakeside Avenue

White

Brad Fitzgerald, from SFG Associates was present for the discussion. Ms. Martin reviewed the onsite that took place with the applicant's consultant, Walter Hewitson. Ms. Martin was in agreement with the flagging in the field. Upon motion made by Member Chamberlain and seconded by Member Schroeder the Commission

VOTED: To close the hearing and issue an Order of Resource Area Delineation. Unanimous vote.

7:55 p.m. – 32 Churchill Shores

Barrett

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

VOTED: To continue the hearing to June 12, 2012 at 7:00 p.m. Unanimous vote.

7:58 p.m. – Lot 4-Highland Road

Mahoney

John Marchand, from Outback Engineering was present for the discussion. There was a review of the flags that remain on the plan. The site visit was discussed and it was noted that two flags were moved in the field. Ms. Martin noted the presence of a potential vernal pool with visible egg masses. Concern was voiced regarding the limit of work on the site. Permanent bounds will be used to mark the 50' no-touch buffer zone. The roof run-off will be collected in drywells. Upon motion made by Member Chamberlain and seconded by Member Bouchard the Commission

VOTED: To close the hearing pending receipt of a revised plan showing the revised flag locations and the permanent bounds- 25' apart on the 50' no-touch buffer zone and issue an Order of Conditions with the following special conditions: The Lakeville Conservation Commission will have access to the site to monitor the potential vernal pool, drywells will be used to capture roof run-off, the homeowner must adhere to organic lawn care standards, Standard Special Conditions, Pre-Construction and Grading Conditions. . Unanimous vote.

8:15 p.m. – 313 Pond Lane

Beauregard

Ms. Martin will contact DEP for information on how best to proceed with this filing. The applicant was not present for the discussion and did not provide notice that they would not be attending. Upon motion made by Member Schroeder and seconded by Member Chamberlain the Commission

VOTED: To continue the hearing to June 12, 2012 at 7:00 p.m. and notify the applicant of a \$25.00 administrative fee for the failure to provide a continuance request. Unanimous vote.

186 Main Street

Tsjerland

Jesse and Jennifer Tsjerland presented a planting plan to the Commission. The proposed plantings were reviewed. There was suggestion regarding alternative and native plants that may be more successful. The homeowners also submitted a Request for Determination for the installation of a fence on the property. Ms. Martin will visit the site and consult with the homeowners. It was suggested that there be more research as to the type of trees proposed.

Meeting Minutes

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

VOTED: To approve the minutes for the April 10, 2012 meeting as amended. Unanimous vote.

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

VOTED: To approve the minutes for the April 24, 2012 meeting as amended. Unanimous vote.

25' No Touch Zone

It was decided that this item would be discussed at the May 29, 2012 meeting.

Reorganization

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

VOTED: To retain Emery Orrall as Chairman of the Lakeville Conservation Commission. Unanimous vote.

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

VOTED: To retain Robert Bouchard as Vice -Chairman of the Lakeville Conservation Commission. Unanimous vote.

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

VOTED: To retain Joseph Chamberlain as Secretary of the Lakeville Conservation Commission. Unanimous vote.

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

VOTED: To retain Linda Grubb as Treasurer of the Lakeville Conservation Commission. Unanimous vote.

136 Staples Shore Road

The Commission received a Request for a Certificate of Compliance. Upon motion made by Member Chamberlain and seconded by Member Grubb the Commission

VOTED: To issue the Certificate of Compliance for 136 Staples Shore Road. Unanimous vote.

37 Shore Avenue

The Commission received a Request for a Certificate of Compliance for 37 Shore Avenue. An as-built plan was not submitted with the request. Ms. Jewell will contact the applicant to request the plan.

Out of Office Procedures

This item will be discussed at the May 29, 2012 meeting.

Site Visit Form

The form has been finalized and will be used immediately to document all site visits.

Forest Stewardship

The Conservation Commission has been placed on the waitlist for the Stewardship Program.

Associate Membership

There was question as to when the Commission first voted to accept Associate Members. It was stated that the issue must be researched further.

Training

Ms. Martin requested the Commission approval registration for an erosion control class in September. The Town Administrator has approved the request.

Wetlands Photo Request

Photos of wetlands and/or resource areas were requested for an upcoming photo show.

Upcoming Meeting

The next meeting of the Lakeville Conservation Commission will be held on Tuesday, May 29, 2012 at 7:00 p.m. in the Lakeville Town Office Building. Upon motion made by Member Bouchard and seconded by Member Schroeder the Commission

VOTED: To adjourn the meeting at 9:05 p.m. Unanimous vote.