

**Conservation Commission  
Meeting Minutes  
June 21, 2011**

The Conservation Commission held a meeting on June 21, 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, Bob Bouchard, 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.

**7:04 P.M. – 167 Main Street**

**Rousseau's RV**

Ms. Martin met Mr. Rousseau on-site to establish a limit of work, and to locate siltation barriers and permanent bounds. The extent of proposed tree removal was discussed. There was a review of the revised plans dated May 17, 2011. It was noted that the tree removal work will take place outside of the buffer zone. The location of the underground propane tank and related barricades and access were discussed. Upon motion made by Member Chamberlain 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; 4.) The tree removal is limited to an area outside of the 100-foot buffer zone; 5.) The limit of work must be visibly and permanently marked. Unanimous vote.

**7:20 P.M. – Mass Coastal Right of Way**

**Mass. Coastal Railroad**

Wayne Duffett was present for the discussion. Ms. Martin reviewed the site visit and noted the field adjustments to the plans. It was noted that there will be limited spraying in some of the spray zones with a targeted spraying machine. The Commission agreed that one area designated as 'no spray' must be maintained due to line of sight/safety concerns. Ms. Martin observed limited invasives on the right-of-way. There was a review of the herbicides proposed for use. Upon motion made by Member Chamberlain and seconded by Member Rasa the Commission

VOTED: To close the hearing and issue a Negative Determination of Applicability for the work proposed with the note that the Commission is not confirming the boundaries of the resource area. Unanimous vote.

**7:35 P.M. – Mass Bay Commuter Rail Right of Way**

**MBCR**

Wayne Duffett, from TEC Associates, was present for the discussion. There was a review of the plans. Upon motion made by Member Grubb and seconded by Member Rasa the Commission

VOTED: To close the hearing and issue a Negative Determination of Applicability for the work proposed with the note that the Commission is not confirming the boundaries of the resource area. Unanimous vote.

**7:39 P.M. – 5 Main Street/New England Rent-All**

**Prime Engineering**

Chairman Orrall read the legal notice. Bob Rego, from Prime Engineering, presented a Request for Determination of Applicability to clear existing trees, remove stumps and gravel. There was a review of the plans. Previous Determinations and the related Natural Heritage approvals were discussed. Mr. Rego stated that there was no hydrolic connection between the Certified Vernal Pool and the wetlands on/or adjacent to the site. Ms. Martin noted the presence of a pipe that was ruptured during construction. Mr. Rego maintained that the area in question is Isolated Land Subject to Flooding (ILSF) and the proposed work is not within the jurisdictional areas of the Commission. Ms. Martin stated that the revised site plans should be submitted to Natural Heritage as they may modify their approval. Mr. Rego agreed to submit the changes to Natural Heritage. Member Grubb stated that the Planning Board was concerned that the gravel removal was not part of the original project. Ms. Martin stated that additional time is necessary to verify whether there is a hydrolic connection between the Certified Vernal Pool and an adjacent wetland and review documentation regarding the ruptured pipe and associated plans. Upon motion made by Member Chamberlain and seconded by Member rasa the Commission

VOTED: To continue the hearing to July 12, 2011 at 7:00 p.m. at the request of the applicant. Unanimous vote.

**8:07 P.M. – Ted Williams Camp**

**Town of Lakeville/Parks Dept.**

Chairman Orrall read the legal notice. The Commission received a Request for Determination of Applicability or the replacement of footings on the existing commissary building. Silt barriers will be installed. The depth of the footings was discussed. The Commission will request a plan showing the location of the erosion control barriers. Upon motion made by Member Chamberlain and seconded by Member Schroeder the Commission

VOTED: To continue the meeting to July 12, 2011 at 7:00 p.m. Unanimous vote.

**8:15 P.M. – South Coast Rail**

**Commonwealth of Massachusetts**

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

VOTED: To continue the hearing to July 12, 2011 at 7:00 p.m. Unanimous vote.

**8:17 P.M. – 16 Beechtree**

**Chicoine**

The status of the project clean-up was discussed. Ms. Martin will visit the site and follow up with Jon Pink, from AZOR Land Sciences. Upon motion made by Member Rasa and seconded by Member Bouchard the Commission

VOTED: To continue the hearing to July 12, 2011 at 7:00 p.m. Unanimous vote.

**8:18 P.M. –Harding Street**

**High Rock Harding, LLC**

Ms. Martin reviewed a meeting that recently took place between the Town and the applicant. It was noted that the applicant is proceeding with revised plans based on the fact that both streams have been designated as cold water trout streams. Upon motion made by Member Chamberlain and seconded by Member Rasa the Commission

VOTED: To continue the hearing to July 12, 2011 at 7:00 p.m. Unanimous vote.

**8:23 P.M. – 111 Staple Shore**

**O'Keefe**

The Commission was notified by the Taunton Water Department regarding a break in the seawall and construction of a boat ramp. Ms. Martin visited the site and found an 8 foot opening and exposed soil on the slope to the pond. An Enforcement Order was issued. Silt fence has been installed and will remain in place until the new sod has stabilized. It was stated that this work began as a repair to the original, broken wall. Ms. Martin stated that the homeowner has complied with the Commission's requirements. It was stated that a Chapter 91 permit must be obtained. Upon motion made by Member Rasa and seconded by Member Chamberlain the Commission

VOTED: To ratify the enforcement order issued for 111 Staple Shore Road. Unanimous vote.

**127 – 129 Hemlock Shore Road**

**Pedranti/Demoura**

The Commission received a Request for a Certificate of Compliance. Ms. Martin has visited the site and reported that the area has been stabilized. Upon motion made by Member Grubb and seconded by Member Schroeder the Commission

VOTED: To issue a Certificate of Compliance for 127-129 Hemlock Shore Road. Unanimous vote.

**427A Bedford Street**

**O'Buchon**

The Commission received a Request for a Certificate of Compliance. Ms. Martin reviewed the site visit. There was discussion regarding the differences between the as-built plans and the plan of record. Upon motion made by Member Chamberlain and seconded by Member Schroeder the Commission

VOTED: To issue a Certificate of Compliance for 427A Bedford Street. Unanimous vote.

**Precinct Street****City of Taunton/Water Dept.**

The Commission received a Request for a Certificate of Compliance. Ms. Martin reviewed the site visit and noted that the area has been stabilized. Upon motion made by Member Rasa and seconded by Member Schroeder the Commission

VOTED: To issue a Certificate of Compliance the City of Taunton – Precinct Street/Water Treatment Plant. Unanimous vote.

**Simplified Review**

The Commission decided to include roofing and siding on the simplified review worksheet.

**Special Conditions**

Chairman Orrall requested that the Commission review the proposed special conditions and suggested voting to approve them at the July Conservation meeting.

**Water Withdrawal**

Hydro seed trucks have been withdrawing water from local ponds and rivers. Ms. Martin stated that unless it alters the bank or has a negative impact on the resource area the Commission does not have jurisdiction over these withdrawals. There was discussion regarding backwash and contamination. It was suggested that a by-law be proposed that would prohibit such withdrawals.

**Budget**

The administrative fees received by the Commission go directly to the general fund and are used to offset the agent salary. The fees mandated by the Wetlands Protection Act are deposited into an agency account and are used to fund the clerk salary, training, and office expenses. The agency account does not have the funds to cover current expenses. It was noted that the Planning Board used to fund a portion of the agent's salary and there was question as to whether those funds have continued. Chairman Orrall requested a formal presentation at the next Conservation meeting.

**Meeting Minutes**

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

VOTED: To approve the minutes for the March 8, 2011 and April 12, 2011 meeting as presented. Unanimous vote.

**Next Meeting**

The next meeting of the Lakeville Conservation Commission will be held on July 12, 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 9:30 p.m. Unanimous vote.