

**Conservation Commission
Meeting Minutes
March 25, 2014**

The Conservation Commission held a meeting on March 25, 2014 in the Lakeville Town Office Building. The meeting was called to order by Chairman Bouchard at 7:00 p.m. Members present were Robert Bouchard, Linda Grubb, Hugh Rogers, Derek Maksy, Martha Schroeder, Joseph Chamberlain, and Sarah Kulakovich, Associate Member; Nancy Yeatts, Conservation Agent; and Jennifer Jewell, recording secretary were also present. Ryan Trahan was absent with prior notice.

7:00 PM Off Mill Street – Downwind Realty – ANRAD continuance

Jeff Youngquist of Outback Engineering was present for the discussion. Ms. Yeatts reviewed both the wetland boundaries and MAHW (Mean Annual High Water) line. Both were acceptable. Member Maksy confirmed the boundaries on the Plan of Record.

Upon motion made by Member Maksy; seconded by Member Schroeder, the Commission;

**VOTED: To issue an ORAD confirming the boundaries on the plan of record.
Unanimous in favor**

7:00 PM 11 Pine Bluff - Bisio – Request for Amended OOC

Dick Keller, DEP contacted the office since there was no OOC on file. He was provided with a copy. Mr. Bisio and Ms. Yeatts met with the Taunton Water Department and New Bedford Water Department for guidance on how to proceed with the retaining wall. Mr. Keller wants a new NOI since the changes are too extensive. Jamie Bissonette sent a letter asking to withdraw the amended order of conditions due to DEP recommendations. Prime Engineering will be filing a new NOI per the department's request.

Upon motion made by Member Maksy; seconded by Member Schroeder, the Commission;

**VOTED: To accept the withdrawal request without prejudice.
Unanimous vote**

7:00 PM Route 44/Harding Street – High Rock Harding - NOI continuance

Member Maksy abstained from the discussion. It was noted that if the owner is different from the applicant then the owner needs to sign the order. MassDOT has not seen the NOI. They want to have the opportunity to review and comment on it. (WPI comments on BSC review differ) Member Grubb stated that High Rock Harding Road, LLC and High Rock Harding Street, LLC are used on different documents. WPI is forwarding all information to MassDOT. They hope to be all set for the April 8, 2014 Commission meeting. Also, BSC will review all revisions. Holly Island Brook culvert is clogged up at this time and the Brook could actually be perennial if it was cleaned out since it appears to have changed course. Ms. Grubb mentioned that usually an intermittent Brook is not named. This Brook is also being used as the property boundary and was approved as part of ANRAD filing.

Upon motion made by Member Schroeder; seconded by Member Chamberlain, the Commission;

**VOTED: To continue Route 44/Harding Street – High Rock Harding to April 8, 2014 in the Library Conference Room, at the request of the applicant.
In Favor 5, Abstain 1 (Member Maksy)**

7:00 PM 5 Harding Street – High Rock Harding LLC – Request for Amended OOC

Legal Amendment. The originally proposed calculations were wrong per Dave. Forwarded correct information to BSC. DV minor change.

Upon motion made by Member Schroeder; seconded by Member Grubb, the Commission;

**VOTED: To continue 5 Harding Street – High Rock Harding LLC to April 8, 2014 in the Library Conference Room, at the request of the applicant.
In Favor 5, Abstain 1 (Member Maksy)**

Other Business

- a. Certificate of Compliance Request – 8 Shockley Drive

The as-built was reviewed for 8 Shockley Drive.

Upon a motion made by Member Schroeder; seconded by Member Chamberlain it was:

**VOTED: To issue a Certificate of Compliance for 8 Shockley Drive.
In favor 5, Abstain 1 (Member Maksy)**

- b. Meeting Minutes

No meeting minutes were noted to have been approved at this meeting.

- c. Wetlands By-Law discussion

Discussion began regarding the 25' no touch policy. Member Maksy disagrees about whether this policy is actually in place. Ms. Yeatts stated that she has been told by DEP that if a policy is consistently held by a Conservation Commission then it can hold true. Discussion took place about past practices, whether it should be for new construction only, and whether or not allowances can be made. It was questioned whether allowances can be made if it's a by-law.

Regarding the by-law itself, the Commission discussed whether to review the draft again and then go to the public for feedback. Multiple copies of the draft will be supplied to the members for review. It was asked that the protections beyond the state law should be pointed out. It is hoped that it will be ready to put before Town Meeting next year. April 22, 2014 was decided to be a working meeting for the wetlands by-law.

- d. Vigers Conservation Area update

Member Grubb and Member Kulakovich had walked the boundaries at Vigers. The property is encased with a stone wall. The site plan was reviewed. A path was proposed. It could be work for the Boy Scout parcel for one summer. The small bushes need to be cleaned out with a handsaw. It should be reviewed by the Highway Superintendent. It is not "gate" open/closeable. Signage is needed. It needs to be determined with the police about parking directives. Six (6) to seven (7) tires have been dumped there on the Hill St/Vigers property. The Highway Department needs to be contacted about their removal.

Discussion took place regarding Trail Clearing. There is upland available. People will need to keep clear of the wetland.

Discussion took place on who would be identifying invasive plants. Member Grubb and Member Schroeder stated that should be done on the trails only. Member Schroeder stated that they need a certified applicator for herbicide spraying.

The area is public property except for where the postings require not to trespass. Hunting is not allowed unless expressly voted on. There is no need for signs to be posted everywhere. The state law includes bows. The site is constrained as far as there are dwellings nearby.

It was discussed if there should be a deadline on the Boy Scout building. A decision needs to be made and then the matter to proceed forward. There is no money available to restore or maintain the building and there is no real use for it. IF anyone wants it should they be allowed to take it? The only aspect that is of value is the granite foundation, otherwise it is not really salvageable. Can it be condemned? There were no objections by the members and they were in general agreement to remove #6 to kiosk.

Regarding Tamarack Park RDA, the permit extension act covers it. Any changes require an RDA. It was questioned if invasive plant removal is exempt from the WPA. Any plantings may need to go through a filing first. This will be checked into.

It was discussed that the Marine Fisheries wants Conservation Commission approval for the Herring run maintenance plans. These plans will be reviewed. Member Chamberlain had no objection to the proposal. Further discussion ensued regarding flood impacts and the herring impacts with weed removal. Member Rogers discussed homeowner issues. If work is done at the local level then state grant money may be available for more work.

The DEP workshop will take place on April 14, 2014 from 1 – 3 PM. It will cover revisions to the WPA Regulations. This meeting will be held in Lakeville.

Upcoming Meeting

The next meeting of the Lakeville Conservation Commission will be held at the Lakeville Public Library on April 8, 2014.

Upon motion made by Member Grubb; seconded by Member Chamberlain, the Commission:

**VOTED: To adjourn the meeting at 8:25 PM.
Unanimous vote**

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JJ/CCW