

Town of Lakeville  
Conservation Commission  
April 25, 2023, at 7pm

Members present: Chairman Robert Bouchard, Mark Knox, Joe Chamberlain, Nancy Yeatts, John LeBlanc, and Josh Faherty. Chairman Bouchard called the meeting to order at 7pm. LakeCam was present to record.

**213 County St.** - Certificate of Compliance - SE192-729. Chairman Bouchard said the work at 213 County had been completed a while ago. Chairman Bouchard said it was a very small site and had been stabilized. He recommended approval.

Upon a motion made by Member Faherty, seconded by Member LeBlanc, it was:

Voted: to issue a Certificate of Compliance for Paul and Donna Wabrek, 213 County Street, DEP file number SE192-729.

Unanimous approval.

*Documents: Amended Notice of Intent Package, sept*

**310 Kenneth Welch Drive** - Notice of Intent - SE192-891 - (continued). Chairman Bouchard said at the request of the applicant the hearing would be continued until the next meeting.

Upon a motion made by Member Knox, seconded by Member Faherty, it was:

Voted: to continue 310 Kenneth Welch Drive hearing for the Notice of Intent until May 9<sup>th</sup> at 7pm.

Unanimous approval.

**Residences at LeBaron Hills** - Notice of Intent - SE192-885 (continued). Jason Youngquist from Outback Engineering was present to go over the site walk and a few plan revisions. Member Yeatts asked if the revised plans had been brought in to the office. Mr. Youngquist said the revisions hadn't been made yet because he wanted to talk to the Commission first. There was a brief discussion. Mr. Youngquist said he would be back at the next meeting with any revisions.

Upon a motion made by Member Knox, seconded by Member LeBlanc, it was:

Voted: to continue the discussion about the Residences at LeBaron Hills until May 9<sup>th</sup> at 7pm.

Unanimous approval.

**9 Harding Street** - Order of Conditions Extension - SE192-818. Jamie Bissonnette from Zenith Consulting Engineers was present for discussion. He said the applicant has requested a 3-year extension on the existing Order of Conditions. They have done some work on the billboard and they did just finish having the turtle fencing inspected as required on an annual basis. The report has been submitted to Natural Heritage by the biologist. They would like an extension so they can continue to construct part of the site under the existing Order of Conditions. The billboard has been designed and permitted, but there have been some delays with endangered species. With the Covid tolling period,

the Order of Conditions would be up in July. Member Yeatts asked if the extension would be from when the Commission approved it for 3-years, or from when it would have ended for 3-years. Member Faherty said it would be at the end of the extension of the Covid tolling. Mr. Bissonnette said he could send a copy of the calculator that he was given by the state. He wasn't sure of the exact date, but it would be some time in July 2026.

Upon a motion made by Member Yeatts, seconded by Member LeBlanc, it was:

Voted: to extend the Order of Conditions for 9 Harding Street, SE192-818, for a 3-year period to July of 2026 with the exact date being forwarded to the Agent.

*Discussion: Member Faherty asked if the project would take the full 3-years. Mr. Bissonnette said it might. Chairman Bouchard asked roughly what percentage of the project was done. Mr. Bissonnette replied that about 2% was complete. A little bit of clearing and the erosion control is up. He also thought in about a year or two he could be back for a project change. Member Faherty asked about the erosion control. Mr. Bissonnette said it was just inspected by the biologist for the turtles.*

Unanimous approval.

Mr. Bissonnette asked about re-signing the signature page for the original Order of Conditions. Chairman Bouchard said he had the form and would pass it around for signatures. Mr. Bissonnette said the original Order of Conditions was never recorded so when he requested the extension, he included the fee for the replacement signature page. He will take it to the registry of deeds to be recorded. He also said he had a digital copy of the original signature page and would forward it to the Commission. Chairman Bouchard said he thought they could sign it tonight. Member Faherty said they could take the digital copy and get it certified and attested as true by the Town Clerk and record that one.

**2 Bedford Street** - Certificate of Compliance SE192-856. Chairman Bouchard said the engineers were requesting a Certificate of Compliance for no work. No work was ever done on the site. Member Yeatts said there has been a lot of stuff dumped on this site. So, who is responsible for that and how close is it to the wetland. Member Chamberlain said there were new buyers, which was why they were looking for a Certificate of Compliance. Member Yeatts questioned if they were enabling him to sell something that is now in violation if its been dumped in the buffer zone. Member LeBlanc said they would be issuing a Certificate of Compliance for no work. Member Yeatts said she didn't know if they had started to tear up the parking lot. There has been stuff done on that site. Member Yeatts asked if they could continue this and go and take a look at the site. Member Knox asked if the form had a box that just says the work was not completed. Member Chamberlain said the letter from Cape and Islands Engineering states the work never commenced, their ultimate plan never commenced. But there was digging and drilling and test pits done there. There was some work done there. Member LeBlanc agreed that maybe they should do a site visit before signing. There was continued discussion regarding the site. The Commission reviewed the existing Order of Conditions. There were standard conditions issued with two special conditions, to provide an illicit discharge statement prior to work, and that any changes made by the Planning Board would be subject to review by Conservation. Member Knox asked if Chairman Bouchard wanted to do a site visit and discuss with the Commission at the next meeting.

Upon a motion made by Member Yeatts, seconded by Member Faherty, it was:

Voted: to continue the review for the request for a Certificate of Compliance on 2 Bedford St. SE192-856 so the Commission can make a site visit to determine site conditions, May 9<sup>th</sup> at 7pm.

*Discussion: Member Chamberlain thought that Cape & Islands Engineering should be at the site visit. Member Yeatts said they shouldn't make them come all the way out here if there's nothing there.*

Unanimous approval.

**103 Staples Shore Rd.** - Order of Conditions extension - SE192-845. Chairman Bouchard said he had been out to this site a couple of times. He spoke with Prime Engineering about what they're planning on doing. It's a small site and they're going to raze the existing house and rebuild. Member Yeatts said the Order of Conditions wasn't for razing the house, it was for repairing the sea wall. Chairman Bouchard said the information in the file was limited and he was waiting for a copy of the original Order of Conditions.

Upon a motion made by Member LeBlanc, seconded by Member Yeatts, it was:

Voted: to continue the Order of Conditions extension for 103 Staples Shore Road, SE192-845 until the May 9<sup>th</sup> meeting at 7pm.

Unanimous approval.

**Ratify vote to send letter to Select Board regarding parking at 310 Kenneth Welch Drive** - The Commission reviewed the letter to be sent to the Select Board. Member Knox said he had a conversation with a member of the Select Board and they are willing to work with all the boards and commissions. He suggested adding to the letter that destabilization from the parking is a violation to the Wetlands Protection Act. Member LeBlanc asked if the Commission should request a response. There was some discussion.

Upon a motion made by Member LeBlanc, seconded by Member Chamberlain, it was:

Voted: to accept the letter as amended and send it to the Select Board.

Unanimous approval.

**Cowboy Shack** - Chairman Bouchard said he had spoken to the Building Inspector, Nate Darling, and he will speak to Paul Nee the Facilities Manager about what can be done for financing. Chairman Bouchard said he would follow up as soon as possible.

**Meeting Minutes** - February 28, 2023.

Upon a motion made by Member Chamberlain, seconded by Member Knox, it was:

Voted to accept the minutes of the Lakeville Conservation Commission for February 28, 2023 as written.

Unanimous approval.

**Old Business** - Member Faherty provided some information on what wetland fees can be used for. The Department of Revenue guidance from 1998 says expenditures directly related to the administration and enforcement of the Wetland Protection Act may be paid from the revolving fund. There was a brief discussion.

**Adjournment** - (7:52pm)

Upon a motion made by Member LeBlanc, seconded by Member Faherty, it was:

Voted: to adjourn.

Unanimous approval.