

Final - Approved by the Conservation Commission at their September 12, 2017 Meeting
Town of Lakeville
Conservation Commission
Tuesday, July 25, 2017
7:00 PM – Lakeville Town Office Building

On July 25, 2017, the Conservation Commission held a meeting at 7:00 PM at the Lakeville Town Office Building. The meeting was called to order by Chairman Bouchard at 7:00 PM. Members present: Robert Bouchard, John LeBlanc, Joseph Chamberlain (exit 7:46 PM), Mark Knox, Katherine Goodrow-Robinson, and Caitlin Canedy, and Rick Hagerman, Associate, Nancy Yeatts, Conservation Agent and Christine Weston, Recording Secretary. Members absent: Keith Jensen and Sarah Kulakovich. LakeCAM was recording the meeting.

7:00 PM

NOI – 4 Alden Road – Hoeg (cont'd from July 11, 2017)

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

VOTED: To accept the new plan for 4 Alden Road dated 7-24-17 as presented this evening.
Unanimous in favor

Nyles Zager of Zenith Consulting Engineers, LLC, was present for the discussion. Mr. Zager stated that he had met onsite last Thursday, (7/20/17) with Ms. Yeatts, Nicole Hayes of Goddard Consulting, and Brian Hoeg, property owner, and several flags were relocated.

The Agent has only approved wetland flags #1-20. The new plan presented this evening depicts these flags. Any additional work will require another filing.

Mr. Zager stated that he had spoken with the applicant's builder, Long Built Homes, about the proximity of the wetland to the home and they agreed to put up a post and rail fence. This will form a border between the wetlands. The split rail fence will be a permanent fixture. An erosion control barrier will be installed prior to any work beginning.

Due to the proximity to the wetland, the de-watering basin area needs to be identified on the plan. With the entire project in the buffer zone, the Commission needs to know where it is going. Mr. Zager showed the location on the plan (upper left corner of the property) and stated that it would be out of the 50' Buffer Zone.

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

VOTED: To close the hearing and issue an Order of Conditions for 4 Alden Road with the Conservation Commissions Standard Special Conditions. The Conservation Commission is only approving wetland flags #1-20, any additional work will require an another filing.
Unanimous in favor

Enforcement Order – 67 County Road - Arruda

Nyles Zager of Zenith Consulting Engineers, LLC., was present for the discussion. Representatives present for 67 County Road included; Mark & Sherri Larson, Kelsey Larson & Joey Arruda and Joe Arruda. Mr. Zager explained that he and Ms. Yeatts went out to visit the site. There was concern that work had started and siltation was entering the wetlands with no erosion control in place. Pictures were taken at the site showing the damage. The property owner has contracted with Zenith Consulting Engineers, LLC., to provide a solution to get the area back on track. It is felt that it can be done under the Enforcement Order. It is recommended that the erosion control barrier is installed. Then, the Agent will be contacted to approve. There are also Natural Heritage issues which will be addressed.

Ms. Yeatts asked to talk about the Order of Conditions (OOC) and the replication area since there are three (3) existing pages of conditions. These need to be addressed prior to discussion about building a house. Attachment A of the OOC states that the replication is to take place prior to any work beginning. The Commission needs a written restoration plan, for the record, which can also be provided to Natural Heritage.

Mr. Arruda explained that he had concerns about the acreage since his son wants to purchase the property and would like Natural Heritage to approve more room than what they had approved in the current plan. Ms. Yeatts stated that the original plan shows the original building envelope that NHESP approved but added that NHESP has stated that an additional area could be approved through the Enforcement Order. The Commission will need to be provided with a plan and the steps that will be taken to rectify the damage and move forward with the Original OOC. There is a separate plan with the approved building envelope.

Member Knox asked a question about the original OOC which has been recorded in Plymouth. Ms. Yeatts explained that the replication will be done as recorded. Mr. Zager stated that with the wetlands, there was actually very little disturbance. The additional work is in the buffer zone. Mr. Zager asked, at what point will the Commission allow the work to begin on the home? The replication area will start with opening an area, digging down to the soil and putting in a wetland seed mix, etc. then, once it begins to grow, pictures will be provided to Ms. Yeatts for review, and will that be enough? The house has been approved already, so the project can go forward as conditioned on the OOC.

Mr. Arruda explained that he and his son do not technically own the land at this time. For his son to get a bank loan need, there needs to be a well installed, when that is in, the bank will approve a loan for the money. Road plates can be put down to cross over to get the well installed. Mr. Zager showed where the well would be located on the plan. It is outside the 100' buffer, it is the access route to this area that is a resource area. Ms. Yeatts explained that the Commission needs to see the original building envelope, which they don't have in front of them right now. Mr. Zager stated that he believes that even with adjustments the overall building envelope will not change. Ms. Yeatts added that NHESP has approved what can be done, if there are going to be any increases, it needs to be brought forward now. Ms. Yeatts explained that the point is to outline what the applicants want to do now, so it can be conditioned through the Enforcement Order, as per the guidance from NHESP otherwise, they will have to start the process all over again. Mr. Arruda stated that they just need direction to get the well in. Ms. Yeatts added that the Engineer needs to show how to safely cross the wetland with the well truck to install the well.

Ms. Yeatts noted that the Enforcement Order indicates that a restoration plan is needed. The Agent will be notified when the siltation barrier is in place.

It was the consensus of the Commission to allow a well to be put in at 67 County Road contingent upon the Agent receiving a written plan from an engineer of the steps that would be taken, a visit to the site by the Agent to inspect the siltation barriers and reviewing the steps of the plan at the property. The original plan approved by Natural Heritage Endangered Species (NHESP) will be provided along with the plan for expanding the building envelope which the applicant will submit to NHESP. The replication area work will need to begin as well. The work can then proceed with the (Order of Conditions) OOC which has already been approved.

Other Business

- Master Plan

The Commissioners reviewed the revised changes of the section which they would like inserted into the Master Plan, showing that the Town intends to align itself with the strategies as set forth by the State. Member Knox asked who would be doing the monitoring. Ms. Yeatts responded that she presently does the reports on the Betty's Neck property and prior to the Howland Land parcel being sold had also reported on that parcel which was 600 acres. The properties are typically overseen by the entity holding the Conservation Restriction (CR), Fisheries and Wildlife in this case. There is also a Forest Management Plan in place which includes monitoring. Mr. Philip Benjamin is the Forester who wrote the plan. Ms. Yeatts recommended that the Commission vote that they would like the section included in addition to what is already in the Master Plan. Member LeBlanc stated that he would like to review the entire section prior to making an approval. Ms. Yeatts agreed that the previously provided (*National and Historic Resources* and *Open Space and Recreation*) can be provided again to the Commission. The matter does not have to be approved this evening.

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

**VOTED: To continue the Master Plan discussion to the next meeting of the Commission and to review it with the existing documentation from the Master Plan.
Unanimous in favor**

- Approval of Minutes of July 11, 2017

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

**VOTED: To approve the July 11, 2017 Conservation Commission meeting minutes as presented.
Unanimous in favor**

Schedule next meeting.

The next meeting was scheduled for Tuesday, August 8, 2016 at 7 PM at the Lakeville Public Library on Precinct Street.

Adjournment

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

**VOTED: To adjourn the Conservation Commission meeting at 8 PM.
Unanimous in favor**

Josh Faherty, student, was present this evening.

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