

**Conservation Commission
Meeting Minutes
June 11, 2013**

The Conservation Commission held a meeting on June 11, 2013 in the Lakeville Public Library Conference Room. The meeting was called to order by Acting Chairman Bouchard at 7:00 p.m. Members present were Robert Bouchard, Joseph Chamberlain, Linda Grubb, and Martha Schroeder. Sarah Kulakovich, associate member; Nancy Yeatts, Conservation Agent; and Jennifer Jewell, recording secretary were also present. Ryan Trahan and Pam Rasa were absent with prior notice.

Membership

Chairman Bouchard thanked Emery Orrall for his years of service on the Commission and Chairman.

Chairman Bouchard reviewed the procedures for hearings going forward.

7:04 p.m. – 71 County Street

Oliveira

Chairman Bouchard read the legal notice. Ken Ferreira, from Ferreira Engineering presented a Request for Determination of Applicability for a septic system repair. There was a review of the plans and site photos. The wetlands were delineated and a sieve analysis has been done. There was discussion regarding the location of the siltation barriers. 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 with the note that the agent must inspect the siltation barriers prior to the start of work. Unanimous vote.

7:09 p.m. – Joshua Lane

AGS Development

Chairman Bouchard read the legal notice. There was no applicant or representative to discuss the filing. There was no locus on the plan. Upon motion made by Member Chamberlain and seconded by Member Schroeder the Commission

VOTED: To table the hearing until later in the meeting. Unanimous vote.

7:11 p.m. – 5 Quequechan

Long Built Homes

Chairman Bouchard read the legal notice. Dan Gioiosa, from SITEC presented a Request for Determination of Applicability for the construction of a single family dwelling with associated grading and utilities. There was a review of the plans. The locations of the well and house were discussed. Member Grubb suggested that any patio should be constructed of pervious materials. Chairman Bouchard voiced concern about bacteria in the adjacent pond. Upon motion made by Member Chamberlain and seconded by Member Schroeder the Commission

VOTED: To close the hearing and issue Negative Determination of Applicability with the following special conditions: Contact the agent prior to the start of work on the site; Preserve the 25' no-touch zone before, during and after construction; Homeowner must adhere to organic lawn care standards; Slurry tub or pit must be onsite during well drilling; Any further work in the Buffer Zone must come before the Conservation Commission. Unanimous vote.

7:15 p.m. – Cedar Pond Pump House**Cedar Pond Realty**

Chairman Bouchard read the legal notice. Dan Gioiosa, from SITEC presented a Notice of Intent for the demolition of an existing pump house. There was a review of the plans. The wood frame shed will be removed but the foundation and all pipes will remain in place. Site access was discussed. It was noted that the owners of Lot 18B did not give permission to access the area through their property. It was suggested that netting be used in the pond to collect debris. There was discussion regarding ownership of the subject property. Upon motion made by Member Schroeder and seconded by Member Chamberlain the Commission

VOTED: To close the hearing and issue an Order of Conditions with the following special conditions: The Conservation Commission must be notified when the net is in place, prior to the start of work; All debris must be removed from the site daily; The applicant does not have permission to access the site through abutting properties; Standard Special Conditions. Unanimous vote.

Sarah Kulakovich was present for the remainder of the meeting.

7:26 p.m. – Joshua Lane**AGS Development**

Chairman Bouchard read the legal notice. Scott Goddard, from Goddard Consulting, presented a Request for Determination of Applicability for the construction of a roadway to service nine residential building lots. There was a review of the plans and site photos. Existing and proposed site conditions were reviewed. An existing parking lot will be removed and revegetated. The locations of the proposed storm water basins were reviewed. Mr. Pink noted that a MESA filing has been done with Natural Heritage. Compression units will be installed on an existing building. The footings for the compression units will not require tree removal. Mr. Goddard discussed storm water flow on the site and noted the presence of a grass swale. The Commission requested a full set of plans with correct revision dates. Upon motion made by Member Bouchard and seconded by Member Rasa the Commission

VOTED: To close the hearing pending receipt of revised plans and issue an Order of Conditions with the following special conditions: Standard Special Conditions. Six in favor. Motion carried.

Member Chamberlain returned to the meeting.

7:26 p.m. – 36 Central Avenue**Walsh**

Jon Pink, from AZOR Land Sciences; Jim Marsh, attorney; Karon Carone, consultant and Michael Walsh, applicant were present for the discussion. There was a review of the site visit done to verify the wetland line and presence of fill. Ms. Carone dug observation holes and provided a report. It was noted that Ms. Carone's data differs from the original report issued by Bob Gray, April 19, 2013 from Sabatia. It was stated that the Commission observed the field work but did not provide an opinion. There was discussion regarding the depth of the holes. A mitigation plan was provided to the Commission. Ms. Yeatts read the denial recommendation from Mr. Gray into the record. There was question as to whether the property line was marked in the field and whether the disputed fill was on an abutting lot. It was noted that there is a difference between fill and filling wetlands.

It was suggested that Ms. Carone and Mr. Gray meet onsite to review the methodology of the testing. It was noted that the stone wall is not the property line and the fill extends to that point. It was stated that Mr. Gray did not respond to Ms. Carone's findings. There is money remaining in the peer review account. A motion was made by Member Chamberlain and seconded by BLANK

To continue the hearing pending the results of a site visit with Karone Carone and Bob Gray.

Discussion: Mr. Marsh stated that Mr. Walsh is not willing to accept a continuance.

VOTE: 1 in favor. 5 against. Motion failed.

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

VOTED: To close the hearing and issue a denial for the inability to meet performance standards as detailed in the letter from Robert Gray of Sabatia, Inc. P.W.S., R.S. April 19, 2013 Unanimous vote.

ConComn Minutes-june 11 2013final