

**Conservation Commission
Meeting Minutes
February 12, 2013**

The Conservation Commission held a meeting on February 12, 2013 in the Lakeville Public Library Conference Room. The meeting was called to order by Chairman Orrall at 7:00 p.m. Members present were Robert Bouchard, Joseph Chamberlain, Linda Grubb, Emery Orrall, Pam Rasa, and Martha Schroeder. Ryan Trahan was absent with prior notice. Sarah Kulakovich, associate member, Nancy Yeatts, Interim Conservation Agent and Jennifer Jewell, recording secretary were also present.

7:00 p.m. – 16 Old Powderhouse Road

Weydemeyer

Chairman Orrall read the legal notice. Jon Pink, from AZOR Land Sciences, presented a Notice of Intent for the construction of a cabana within the buffer zone of Bordering Vegetated Wetlands. Bill Weydemeyer was also present for the discussion. It was noted that this filing was after-the-fact and approximately 75% of the work has already taken place. There was a review of the plans and site photos. It was noted that the Zoning Board of Appeals (ZBA) decision is pending dependent on the findings of the Commission. A letter from the City of Taunton Water Department to the ZBA concerning the maintenance of adjacent trees was read into the record. It was stated that the bank is loose dirt and needs to be revegetated and the backwash from the pool is being directed over the bank into the resource area. Member Grubb noted that the cabana is located approximately 15 feet from the Bordering Vegetated Wetlands (BVW). Mr. Weydemeyer reviewed the original site plan and new survey from Mr. Pink. The fence and property lines were discussed. Member Grubb suggested that the cabana be moved. Chairman Orrall requested that the backwash be redirected to remain onsite. Ms. Yeatts stated that the applicant will need permission from the City of Taunton to restore the bank. There was discussion about storm water runoff. Upon motion made by Member Grubb and seconded by Member Bouchard the Commission

VOTED: To close the hearing issue a denial. Three in favor. Two against. One abstained. Motion carried.

There was discussion regarding the options for the cabana location and orientation. The pump and filter shed will remain in place. It was stated that the applicant can re-file with the Commission and administrative filing fees could be waived.

7:40 p.m. – 36 Central Avenue

Walsh

Chairman Orrall read the legal notice. Jon Pink, from AZOR Land Sciences, presented a Notice of Intent (NOI) the demolition of an existing house and the construction of a new single family dwelling. Michael Walsh was present for the discussion. There was a review of the plans. The existing dwelling will be razed and a new home will be built on the foundation. Member Yeatts stated that extensive site work has been done on this lot. Site photos were reviewed. The Department of Environmental Protection suggested that the Commission could oversee the mitigation work through the NOI process. The Commission will obtain quotes for a peer review to determine the extent of the fill and the wetland line. Mr. Walsh reviewed the site cleanup and stated that he was unaware of any resource areas with the exception of Long Pond. There was discussion regarding the timing and amount of fill. It was stated that any violations are the responsibility of the property owner. There was question as to the condition of the stone wall. Upon motion made by Member Chamberlain and seconded by Member Rasa the Commission

VOTED: To continue the hearing to March 12, 2013 at 7:00 p.m. and obtain a quote for a peer review. Unanimous vote.

Certificate of Compliance –325 Pond Lane

The Commission received a Request for a Certificate of Compliance (COC). There was a review of the plans and site photos. Ms. Yeatts recommended that the Commission issue the COC. Upon motion made by Member Rasa and seconded by Member Schroeder

VOTED: To issue a Certificate of Compliance for 325 Pond Lane. Unanimous vote.

20 Shore Avenue

It was noted that the DEP decision is expected next week.

Parkhurst – Metacomet and Wamsutta Inlets

Ms. Yeatts spoke with DEP regarding the Permit Extension Act. The DEP recommendation was that the Commission take no action and that any letter issued or signed would be a courtesy to the applicants. Ms. Yeatts noted that MACC was in agreement about the extension. There was concern that this extension was not in the spirit of the Act. Member Grubb stated that the Act covers real property and read a memo into the record from SRPEDD regarding that opinion. It was suggested the Commission draft a memo to the applicant stating that the applicant qualified for an extension “according to a representative from DEP”. The Permit Extension Act FAQ’s were reviewed. There was question as to whether the Commission could refuse. Member Grubb stated that this filing does not qualify for an extension according to SRPEDD and HUD.

A motion was made by Member Rasa and seconded by Member Chamberlain to send the letter as rewritten with the term “According to a representative from DEP...”. Zero in favor. Six against. Motion denied.

Project Review Committee

The Project Review Committee will provide assistance with expedited permitting for the Lakeville Hospital property. Upon motion made by Member Rasa and seconded by Member Bouchard the Commission

VOTED: To appoint Joseph Chamberlain to the Project Review Committee as a representative of the Conservation Commission. Five in favor. One abstained. Motion carried.

Wetlands By-Law

The draft of the local by-law is not ready for review at this time. Member Trahan notified the Commission that a draft will be available in March.

Harding Street/McGee

It was stated that the Conservation Restriction (CR) for this property called for a temporary turtle barrier to be maintained until a permanent barrier could be built and that a new filing would be required for any work on the site. There was discussion on how to monitor the CR. It was noted that the Commission has sent letters to the property owner and received no response. Chairman Orrall read letters from the file. It was suggested that the Commission re-establish a line of communication with the owner.

Meeting Minutes

The minutes for the November 13, 2012 meeting were reviewed. Upon motion made by Member Chamberlain and seconded by Member Schroeder the Commission

VOTED: To approve the minutes for November 13, 2012. Unanimous vote.

The minutes for the December 11, 2012 meeting were reviewed. Upon motion made by Member Chamberlain and seconded by Member Schroeder the Commission

VOTED: To approve the minutes for December 11, 2012. Unanimous vote.

Office Supplies& Expenses

There was discussion regarding the purchase of office supplies and informational pamphlets. The cost of letterhead was discussed. It was stated that one box of letterhead should last at least three years. It was decided that the Commission should obtain another quote for letterhead. Ms. Yeatts presented the option to purchase brochures and booklets that provide instruction on organic lawn care.

Member Grubb requested an estimate for Ms. Yeatts' future mileage. Difficulty in estimation was noted. Ms. Yeatts will provide information on a soils training registration for the spring. MACC membership fees were reviewed. The Commission does not qualify for the group discount. Three commissioners will attend the spring conference. Upon motion made by Member Chamberlain and seconded by Member Schroeder the Commission

VOTED: To approve \$48.00 in expenses to purchase a desk calendar, organic brochures and booklets, to approve \$95.00 for a soils training and to approve \$345.00 for the MACC conference. Unanimous vote.

Treasurer's Report

Ms. Grubb reviewed the FY2013 expenditures and the FY2014 Conservation budget. Upon motion made by Member Rasa and seconded by Member Schroeder the Commission

VOTED: To approve the FY2014 budget as proposed. Unanimous vote.

Conservation Restriction Sub-Committee

The possibility of creating a sub-committee to oversee Conservation Restrictions was discussed. It was stated that this would be an agenda item at the next meeting.

Water Extraction By-Law

The Planning Board will hold a public hearing to discuss the proposed by-law. The Conservation Commission will fully support this effort.

Upcoming Meeting

The next meeting of the Lakeville Conservation Commission will be held on Tuesday, February 26, 2013 at 7:00 p.m. in the Town Office Building Conference Room. Upon motion made by Member Rasa and seconded by Member Chamberlain the Commission

VOTED: To adjourn the meeting at 9:17 p.m. Unanimous vote.