

**Town of Lakeville  
Conservation Commission  
Tuesday, April 25, 2017  
7:00 PM – Lakeville Town Office Building**

On April 25, 2017, the Conservation Commission held a meeting at 7:00 PM at the Lakeville Library. The meeting was called to order by Chairman Bouchard at 7 PM. Members present: Robert Bouchard, John LeBlanc, Mark Knox, Katherine Goodrow-Robinson, and Keith Jensen, and Sarah Kulakovich, Associate, Nancy Yeatts, Conservation Agent and Christine Weston, Recording Secretary. Members absent: Joseph Chamberlain. LakeCAM was recording the meeting.

**7:00 PM**

**RDA – 80 Pickens Street – Esposito (cont'd from 4-11-17)**

Chairman Bouchard stated that the RDA is a continuation from the previous meeting. *Mr. & Ms. Esposito were present for the discussion along with their pool person, Matt Collins of Apollo Pools.*

Ms. Yeatts stated that in response to the Enforcement Order issued by the Commission, a restoration plan was written by Jen Silva, Wetland Scientist with Outback Engineering. A copy has been provided. Ms. Esposito has looked into where to purchase the Cinnamon Fern of which 8 plants will be planted 3'-5' apart. Ms. Esposito stated that they would like to completely remove the pile of dirt rather than just pulling it back. Ms. Yeatts recommended that the Commission vote on the RDA for the pool, with the condition that the restoration plan be completed before the pool work begins. The Determination would be a Negative 3.

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

**VOTED: To close the hearing for 80 Pickens Street and issue a Negative 3  
Determination of Applicability. The restoration work is to be completed and  
inspected prior to the installation of the pool.  
Unanimous in favor**

Mr. Collins had the Building Permit Form with him. Ms. Yeatts signed the form with the condition that the pool work will not begin until the restoration work is completed and inspected.

**NOI – 23 Hilltop Acres Drive – Troiani (cont'd from 4-11-17)**

Chairman Bouchard stated that the NOI is a continuation from the previous meeting. *Jamie Bissonnette, Zenith Engineering & Consulting, was present for the discussion.* A few weeks ago Mr. Bissonnette had presented the project regarding the septic repair in a very tight situation. The footprint is very close to the pond. Discussion had come up about owner's intention and Board of Health approval. Since then, the BOH has made a decision and approved the variances with the plan. No changes have been made to the plan.

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

**VOTED: To close the hearing for 23 Hilltop Acres Drive and issue an Order of Conditions with all the Commissions Standard Special Conditions.  
Unanimous in favor**

**RDA – 6 Court Circle - Foye**

Chairman Bouchard read the notice into the record. Ms. Yeatts went over the project for the Pool House/Cabana. The foundation is already there. The Pool House/Cabana will be going on the apron that is around the pool. The project is beyond the 50' buffer. It was recommended to issue a Negative 3 Determination with the condition that the Agent be called to inspect the siltation barrier.

Member Knox asked what would happen if Mr. Darling, Building Commissioner, determines that it is not a secure foundation? Ms. Yeatts stated that the applicant would not have a building permit in hand till she signs off on it. It was stated that the applicant is doing a foundation for the little garage. Member Jensen stated that the applicant may need to cut out the foundation and go down 4' below the frost line. Ms. Yeatts stated that if that has to take place, she would have a problem with that. If any permit changes the Commission would have to look at it again. Right now it is being recommended to issue a Negative 3 Determination, with the condition that if anything changes; the applicant is to come back before the Commission. The Agent stated that she can speak to Mr. Darling about the project. If it seems to be more than what is being agreed upon by the Commission, he will understand that it is not what the Commission approved. Especially, if any additional foundation work, is necessary. If Mr. Darling had sent the matter to the Agent to sign off on, it would be indicated that the applicant needs an RDA. Member Jensen stated that in his mind he sees two (2) different structures. Member Knox stated that since the project is within the buffer zone he does not think that he would just recommend an RDA. Member LeBlanc asked if the Commission has allowed people to do a foundation with an RDA? Member Knox stated that he felt this is a slippery slope. Ms. Kulakovich agreed, there have been times where applicants have eliminated key point areas and explanations. Member Knox stated that he felt that that the applicant needs to file an NOI. Chairman Bouchard suggested to continue the hearing and get clarification of what is actually going to take place. Member Knox agreed that the Commission should continue the hearing and get clarification for the next meeting.

**Upon a motion made by Member Knox; seconded by Member Jensen it was:**

**VOTED: To continue the hearing for 6 Court Circle until May 9<sup>th</sup> at the Lakeville Public Library on Precinct Street at 7 PM.  
Unanimous in favor**

## **7:30 PM**

Interviews with interested parties for openings on the Commission

(Thomas Voystock, Richard Hagerman, Caitlin Canedy, & Fred Beal)

*Mr. Thomas Voystock was invited to speak with the Commission.* Mr. Voystock stated that he has lived in Lakeville for about 15 years and is recently retired. He has a background in biology and has been considering opportunities to help the Town. He is available to attend the one or two Commission meetings each month.

Member Goodrow-Robinson asked what particularly interested Mr. Voystock about the Conservation Commission. Mr. Voystock stated that Lakeville has a large ratio of land to water. His property is over 50% wet, therefore he has a vested interest in Conservation and taking part in it with those affected by it.

Member Knox asked if Mr. Voystock would want to change what the Commission does, make improvements or stay the course? Mr. Voystock responded that he has read some of the recent minutes and understands what the hot topics are. He feels that the voters will ultimately vote a wetlands bylaw. Though that may not right, it is encumbering on the Commission to put one forth. It seems that half of the communities in the state have done so. He would be in favor of putting something forward, though he may not vote for it.

Ms. Yeatts asked if Mr. Voystock has watched the meetings? Mr. Voystock responded that he has not.

Ms. Kulakovich asked where Mr. Voystock is located? Mr. Voystock responded that he is on Galfry Road. 80% of the pond is on his property. It is on about one (1) acre of his three (3) acres. Ms. Kulakovich stated that it is great that he has a biology background. Mr. Voystock stated that he was interested in attending the MACC conference or trainings. He asked what Natural Heritage was.

Ms. Yeatts explained that it is the Natural Heritage and Endangered Species Program (NHESP). They review projects to determine if there is a species where someone may want to have a project. Member Goodrow-Robinson stated that MACC does do webinars. Ms. Yeatts added that they even come out and do trainings, they recently came out and did a training at the Library.

*Mr. Richard Hagerman was invited to speak with the Commission.* Mr. Hagerman stated that he has lived in Middleborough and Lakeville for 25 years. Two (2) years ago he moved over to Assawompset. He has seen a lot of changes take place over on Crest Drive with Route 79. Some changes have not been so good.

Member Goodrow-Robinson asked what particularly interested Mr. Hagerman to become a member? Mr. Hagerman responded that it is the natural beauty of Assawompset. He would like to be involved and found it interesting after working with the office for a project at his home.

Member Knox stated that since he lives on the water he has a vested interest in protecting that. Would Tuesday evenings pose a difficulty? Mr. Hagerman responded that the meetings nights are no problem for him.

Ms. Kulakovich asked if Mr. Hagerman has seen the MACC website and the trainings that they offer? Mr. Hagerman responded that he had not but he will look into it, he is interested in any trainings.

Ms. Yeatts asked if Mr. Hagerman has seen any of the meetings on cable? Mr. Hagerman responded that he has not.

Mr. Hagerman stated that it is better for people to go through the process for their project rather than avoid the process. Ms. Yeatts and Ms. Weston were both very helpful when he came in about his project.

Member Jensen asked what Mr. Hagerman feels the biggest threat is. Mr. Hagerman responded that it is more people moving to the town, uneducated people, meaning those who are not aware of what affects what and the checks and balances.

*Ms. Caitlyn Canedy was invited to speak with the Commission.* Ms. Canedy stated that she graduated from BSU last year. She has a background in biology and a minor in biochemistry. She took AP Environmental Science course in High School and thoroughly enjoyed it. She came to understand that what she has learned as an individual she would like to give back and teach others about conserving. There is only so much one can do as an individual and it is exciting to be able to reach out to her community in a different level.

Member Knox asked if Ms. Canedy lived in Lakeville and was a registered voter. Ms. Canedy responded that she lived in Lakeville and is a registered voter.

Ms. Yeatts asked what Ms. Canedy felt was Lakeville's biggest threat or detriment. Ms. Canedy responded that it seems that there just needs to be a balance with education and making sure that people build things the right way and not cut corners. Things are going to grow and the Commission needs to make sure that it is done the right way. The Commission can do a lot to promote what needs to be done and how, that is a great thing.

Member Goodrow-Robinson asked if Ms. Canedy would you be interested in taking more courses in wetlands education, etc? Ms. Canedy responded that should would be, especially if there are resources to do so.

Ms. Yeatts asked if she had any questions. Ms. Canedy responded that she was just interested in learning what she could as she would be new to the Commission.

Chairman Bouchard mentioned that there are also Associate positions available, would that be of interest if the Full Member position does not take place. Ms. Canedy responded that she would be interested. She would still be getting the education and learning. Ms. Yeatts stated that as an Associate Member, the person is part of the Commission, when there is a vacancy that person is usually the first to step up. Member Goodrow-Robinson mentioned that she had been - an Associate for about a year and a half, then, applied to become a full member when there was an opening. Ms. Kulakovich stated that Associate Members can still have input and join the discussions, but they just don't vote.

Member LeBlanc explained that the Commission doesn't make the appointment, the Commission makes a recommendation to the Board of Selectmen and they make the appointment.

*Fred Beal was invited to speak with the Commission.* Mr. Beal stated that he has been a resident of the town for 13 years. He has been in the area for 17 years since had lived in Assonet. Mr. Beal lives on a five (5) acre parcel on Bedford Street. He has a background in farming and a Masters in nuclear medicine. He joined the Navy and went up through the ranks. Mr. Beal received two (2) more masters and a doctoral, during his 26 years in the Navy. Since he is retired he is looking to keep himself busy and is on a few other Town Boards/Committees. He stated that he feels he has a lot to offer with his experience and thought process.

Member LeBlanc asked what Mr. Beal felt was the biggest problem with the Commission. What would Mr. Beal want to change? Mr. Beal responded that he doesn't think that there is anything wrong with the committee, the problem is simply that, the same with all committees, things get tied up and things have to go in a certain flow. The system slows the progress. Committees can make things happen, but the system slows the process. You know what you need to do. The question is, how do we change the flow of getting information to the Board of Selectmen and have them act on getting it done, rather than just coming to a meeting and acting on the same information as each month before. Take Assawompset, the largest natural body of water in Massachusetts, Lakeville residents have a very big responsibility. And we are rushing to bring in more residential, commercial, etc., which will bring in a lot more sewage which will dump into Assawompset. Everyone does not think about the impact since they are charging ahead. Member LeBlanc stated that things are better than they were before, now with Inspectional Services and Mr. Darling, Building Commissioner. Mr. Beal agreed.

### **Other Business**

- 67 County Road

Ms. Yeatts provided an update regarding the work that has been taking place with large machinery at 67 County Road, the Carmilla Drive access easement area. Two (2) men had come into the office and spoke about buying the 29 acre piece of property. They said they needed to find out about putting in a well. A day or so later a call was received that there was machinery moving trees and earth at the property. A site visit was made and pictures were taken. After a day of researching the matter and having to make calls to Natural Heritage and DEP it was found out that the permit for the property is still valid due to the Permit Extension Act, however, there was information from, NHESP missing from the files. NHESP had only approved a 2.126 acre Building Envelope and this plan was never recorded. It also does not seem that all the plans have been filed at the Registry of Deeds. The people doing the work do not even own the land. They were given a cease and desist. The owner, came to the office, and stated that he never gave them permission to do any work. The owner has talked to Mr. Bissonnette, Zenith Engineering and Consulting. Mr. Bissonnette will come up with a plan for restoration. The Agent will continue to work with NHESP to resolve the violations.

- Ratify Enforcement Order for 80 Pickens Street – Esposito

Ms. Yeatts stated that she had signed the Enforcement Order for 80 Pickens Street. Typically she asks that a Commissioner sign it, however, the Commission had directed her to issue it.

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

**VOTED: To ratify the Enforcement Order for 80 Pickens Street.  
Unanimous in favor**

- Master Plan Discussion

*Linda Grubb was present for the discussion.* Ms. Grubb noted that Ms. Schroeder had done some of the editing for the Open Space Committees piece of the Master Plan. Member LeBlanc asked what the difference was between the red and blue ink. Ms. Grubb responded that it was just showing that different people made changes and to track them. Most of the information was from the 2012 Open Space Plan.

**Upon a motion made by Member LeBlanc; seconded by Member Goodrow-Robinson it was:**

**VOTED: To table discussion on the Master Plan until the next meeting of the Commission to allow the members an opportunity to read through the material.**

**Unanimous in favor**

- Natural Heritage Draft Map

*Linda Grubb was present for the discussion.* Ms. Grubb stated that if the Commission compares the existing map to the draft new map, it will be noticed that a lot of things have been removed; they are no longer on the new draft map, such as the Assonet Cedar Swamp. It is not known if this has been done inadvertently or was supposed to have been removed. Through discussion by Mass Audubon, and Natural Heritage she was told that if she had any questions they are to be brought to the local Conservation Commission. Any comments are to be received by Natural Heritage by June 4, 2017. The Assonet Cedar Swamp is a wildlife sanctuary. It contains 1000 acres owned by Mass Audubon. Another area, North of Route 79 also seems to have disappeared. Ms. Yeatts stated that a link will be sent/mailed again to the Commissioners so that they can access the map. Member LeBlanc asked if Ms. Grubb wanted the Conservation Commission to request clarification on these areas. Ms. Grubb responded that she did. The proposed map looks very devastating. One of the circles on the map indicates her farm. A box turtle was there less than 25 years ago and it not listed any longer. Ms. Grubb added that she is not able to obtain any information because it is exempt from the Freedom of Information Act. Ms. Grubb stated that if anyone finds anything on their property, such as wildlife, and a species which is not a common everyday occurrence, it needs to be photographed and sent it in to Natural Heritage. There is also a proposed commuter rail line which will be going through that area and many people are trying to make sure that the track is elevated for wildlife. Ms. Yeatts stated that she will email the link to the Commission, and the Commission can vote to have the Agent send a letter in about why Assonet Cedar Swamp and other areas have been taken out/off the map. Ms. Grubb added that some areas have just stopped at the town line.

<http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-maps-priority-and-estimated-habitats/draft-prihab-public-comment-period.html>



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

**VOTED: To have the Agent work with Linda Grubb to list all the areas that have been eliminated from the proposed draft Natural Heritage Map and for a letter to be written regarding the eliminations to be written and sent into Natural Heritage during the comment period.  
Unanimous in favor**

- South Coast Rail

*Linda Grubb was present for the discussion.* Ms. Yeatts distributed information about the South Coast Rail plan change for the members to review. At the next meeting of the Commission the matter can be discussed. Ms. Grubb stated that there is a Line that runs by Poquoy Brook which is a sensitive area and there is the possibility that the state will be putting in two (2) tracks in that area. It was strongly recommended that the Commission walk the entire rail line across Lakeville, it would provide the Commission with a clear understanding of what is there. Ms. Yeatts mentioned that the information that was distributed also speaks about discontinuing the Lakeville Station and moving it to Middleborough. This line would be temporary in the event the Stoughton line is ever built. Ms. Yeatts added that the entire document could be seen online, the complete 52 pages.

[http://www.massdot.state.ma.us/Portals/41/Docs/NPC\\_2017Mar.pdf](http://www.massdot.state.ma.us/Portals/41/Docs/NPC_2017Mar.pdf)

- Approve meeting minutes of: March 28, 2017 & April 11, 2017

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

**VOTED: To approve the Conservation Commission Meeting Minutes of March 28, 2017 as presented.  
Unanimous in favor.**

**Upon a motion made by Member Goodrow-Robinson; seconded by Member Knox it was:**

**VOTED: To approve the Conservation Commission Meeting Minutes of April 11, 2017 as presented.  
Unanimous in favor**

- Approve Bills (if necessary)

The W.B. Mason bill was distributed for review and signature.

- Parkhurst Certificate of Compliance

Ms. Yeatts stated that Ms. Tuffille had contacted the office regarding the Parkhurst Certificate of Compliance, the fees associated and the as-built. The fee schedule presently lists that a COC for less than 2 acres is \$25, and a COC for greater than 5 acres is \$100. Ms. Yeatts asked that the fee be reduced for Parkhurst. They also questioned the requirement of an as-built. Ms. Yeatts suggested that they provide the weed survey when it is completed and that will be used as the as-built.

**Upon a motion made by Member LeBlanc; seconded by Member Goodrow-Robinson it was:**

**VOTED: To waive half of the fee (\$50) for the Parkhurst Certificate of Compliance.  
Unanimous in favor**

- Guest Speaker for the Historical Commission

Ms. Yeatts stated that occasionally the Historical Commission invites her to a meeting to be a guest speaker. She has given talks on Eagles, the Appalachian Trail, etc., in the past. This time the topic is “Wetlands our Common Wealth”. The meeting is tomorrow night at 7 PM. The Town will be able to obtain credit for providing an educating discussion on Storm Water and Wetlands. Ms. Weston will also attend to assist with the event. Brochures will be provided, along with information from MACC and a video will be shown.

- 332 Bedford Street

Ms. Yeatts stated that the builder for 332 Bedford Street wants a COC however the area is not stabilized. As soon as the siltation fence is taken down, the wood chips that have been placed along the driveway will migrate into the wetlands. A contract has now been signed with Mr. Bissonnette, Zenith Consulting, and he will work with the builder to develop a plan for stabilizing the area.

- Discussion on Applicants Interviewed

Ms. Yeatts stated that there is a opening for a Full time Conservation Commission to replace Derek Maksy. Ms. Canedy was the only candidate to come into the office and talk about her interest. Member Goodrow-Robinson stated that she is well rounded for someone so young. She has lots of positives. Ms. Kulakovich stated that anyone who would take an AP course in environmental science is a great fit. She could bring a great dynamic to the group. Member LeBlanc stated that he was very interested in all the applicants. Mr. Voystock though, seemed to know the Commission and has followed the meetings by reading the minutes, etc.



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

**VOTED: To recommend Caitlyn Canedy to be appointed as a Conservation Commission Member to the Board of Selectmen to fill the remaining term vacated by Derek Maksy in March, 2017. The term would expire July 31, 2019.  
Unanimous in favor**

Member Knox asked that the office send emails to the other three (3) applicants and inquire if they are interested in becoming an Associate Member. If so, that person can be recommended to the Board of Selectmen.

#### **Schedule next meeting**

The next meeting was scheduled for Tuesday, May 9, 2017 at the Lakeville Public Library.

#### **Adjournment**

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

**VOTED: To adjourn the Conservation Commission meeting at 8:53 PM.  
Unanimous in favor**

Josh Flaherty – (College student) was present.

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