

**Conservation Commission  
Meeting Minutes  
October 16, 2014**

The Conservation Commission held a meeting on October 16, 2014 in the Town Office Building – Board of Health Office. The meeting was called to order by Chairman Bouchard at 7:00 p.m. Members present were Robert Bouchard, Joseph Chamberlain, Linda Grubb, Derek Maksy, Martha Schroeder and Ryan Trahan. Ryan Trahan, Hugh Rogers and Sarah Kulakovich were absent with prior notice; Nancy Yeatts, Conservation Agent; and Jennifer Jewell, recording secretary were also present.

**7:00 p.m. – Lot 1, Off Highland**

**Quail Hollow, LLC**

Chairman Bouchard read the legal notice. Jeff Youngquist presented a Notice of Intent for the construction of a single family house with associated activities. There was a review of the plans. There was discussion regarding the extent of work in the buffer zone and the direction of stormwater runoff. The applicant is proposing a paved driveway. It was suggested that the applicant install a 2-foot strip of crushed stone along the driveway. The response letter from Natural Heritage has not been received. Mr. Youngquist stated that a 'hammerhead' will be added to the driveway for easier access to the garage and will revise the plans to reflect the crushed stone apron and hammerhead. Alternative lot layouts were discussed. Upon motion made by Member Chamberlain and seconded by Member Maksy the Commission

VOTED: To close the hearing pending receipt of the revised plans and response letter from Natural Heritage and issue an Order of Conditions with the standard special conditions and all conditions deemed necessary by Natural Heritage. Unanimous vote.

**7:13 p.m. – 71 Highland**

**Atomic, LLC**

Chairman Bouchard read the legal notice. Rachel Watsky presented an Amended Order of Resource Area Delineation. There was a review of the plans, site vegetation and wetland line. Ms. Watsky stated that the stream was designated as perennial by the United States Geographic Survey (USGS) but after a site visit with the agent and Member Maksy it was observed to be intermittent. The methodology of determining a stream designation was reviewed. Ms. Yeatts discussed the site visit and noted that she was in agreement with the flagging. Brian Camacho, 69 Highland reviewed past site conditions and mentioned that a cranberry bog used to be present at that site. It was noted that no manure piles were observed during the site visit. Mr. Camacho also noted the presence of wetland flags on his property. It was stated that the Commission will only rule on the subject parcel. There was question as to whether the culvert was still operational. Access to abutting properties was discussed. Upon motion made by Member Maksy and seconded by Member Chamberlain the Commission

VOTED: To close the hearing and issue an Order of Resource Area Delineation approving the wetland line and designation of the Bordering Land Subject to Flooding (BLSF), with reservation, on 71 Highland Road. Unanimous vote.

### **Blueberry Estates**

After review by Dig Safe it was determined that a gas line buried in the vicinity proposed for the clubhouse. The applicant is requesting that the building be moved approximately 15 feet and will be no closer to the wetland. Ms. Yeatts has visited the site and inspected the siltation barriers. There was a review of the plans. The new building location will be reflected on the as-built. Upon motion made by Member Maksy and seconded by Member Schroeder the Commission

VOTED: To accept the recommendation of the Agent to include the revised building location on the as-built plan with the condition that the building not be constructed any closer to the wetland than originally proposed.

### **77 Pickens Street**

### **Cody**

Darren Michaelis was present for the discussion. Mr. Michaelis requested that the Commission lift the Enforcement Order and Violation Notice on the property. Ms. Yeatts reviewed the past history of the site and the decisions made by the Commission. Mr. Michaelis stated that Mr. Cody did not want to perform additional work. Member Grubb noted that the work was done while the ground was wet; creating a bigger disturbance but the area has re-grown. Concern was voiced regarding the length of time that passed before the issue was addressed by the homeowner. Member Maksy questioned how the Commission and applicant should proceed. There was discussion regarding the possibility of a Notice of Intent (NOI) filing. Chairman Bouchard stated that the project might qualify for a Request for Determination of Applicability (RDA) filing. It was noted that an NOI filing requires an engineered plan while the RDA filing does not. Costs associated with both filings were reviewed. There is an open Order of Conditions for this site from an earlier filing.

A motion was made by Member Maksy and seconded by member Schroeder the Commission to request that the applicant file a Notice of Intent. There was discussion regarding the extent of work that had been done and the current site conditions. The motion was withdrawn.

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

VOTED: To require the applicant to file an after-the-fact Request for Determination of Applicability which will enable the Conservation Commission to lift the Enforcement Order. Unanimous vote.

### **103 Staples Shore Road**

The Commission received a request for a Certificate of Compliance. Ms. Yeatts reviewed the site visit and recommended approval. Upon motion made by Member Chamberlain and seconded by Member Schroeder the Commission

VOTED: To issue a Certificate of Compliance for 103 Staples Shore Road. Unanimous vote.

### **17 Twin Oaks**

The Commission received a request for a Certificate of Compliance. Ms. Yeatts reviewed the site visit and recommended approval. It was noted that an additional Certificate of Compliance was issued for a previous filing but had not been recorded. The applicant has requested the Commission sign a duplicate for recording purposes. Upon motion made by Member Chamberlain and seconded by Member Schroeder the Commission

VOTED: To issue a Certificate of Compliance for 17 Twin Oaks. Unanimous vote.

### **11 Bittersweet**

The homeowner requested guidance from the Commission as to which filing would best apply to his project. It was noted that all proposed work is approximately 90 feet from the wetlands. There was a brief discussion and it was recommended the homeowner request a Simplified Review form with the note that any pool backwash must not be directed towards the wetland.

### **Chapter 91 Changes**

There was a review of the draft document provided by the Department of Environmental Protection. A regional meeting will be held on October 27<sup>th</sup> to discuss changes and provide a forum for comments.

### **Meeting Minutes**

There was a review of the minutes from the September 8, 2014 meeting. Upon motion made by Member Maksy and seconded by Member Schroeder the Commission

VOTED: To approve the minutes for the September 8, 2014 meeting. Unanimous vote.

### **Training**

The Massachusetts Association of Conservation Commissioners is offering free training at the Middleboro Public Library during the month of October.

### **Conservation Land Stewardship**

It was noted that the Commission is the co-holder of a Agricultural Preservation Restriction on Hilltop Farm on Highland Road. Member Grubb stated that the Open Space Committee would like to take a more active role regarding stewardship of this and other properties. It was suggested that there should be a baseline report done for all of the properties although cost would be an issue. There was discussion as to viable community uses of land protected by restrictions. Community gardening was mentioned as an option. The need for volunteers was stressed and it was noted that the use of the property should benefit the community. It was suggested that if maintenance is needed on the property it could be negotiated as part of the lease agreement with the tenants. Upon motion made by Member Grubb and seconded by Member Chamberlain the Commission

VOTED: To endorse the Open Space Committee's request to the Board of Selectmen that a liaison with TTOR be established in order to take a more active approach in stewardship at Hilltop Acres. Unanimous vote.

### **Tamarack Park**

Member Schroeder reviewed past events that have involved the general public. It was noted that the use of metal detectors on town property requires approval from the Commonwealth. There was question as to whether a sign is necessary to advise residents of this law.

### **Upcoming Meeting**

The next meeting of the Lakeville Conservation Commission will be held at the Lakeville Town Office Building on November 18, 2014. Upon motion made by Member Chamberlain and seconded by Member Maksy the Commission

VOTED: To adjourn the meeting at 8:40 p.m. Unanimous vote.