

FINAL – Approved by the Conservation Commission at their June 13, 2017 Conservation Commission meeting

**Town of Lakeville
Conservation Commission
Tuesday, May 23, 2017
7:00 PM – Lakeville Town Office Building**

On May 23, 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 7:00 PM. Members present: Robert Bouchard, John LeBlanc, Joseph Chamberlain, Mark Knox, Katherine Goodrow-Robinson, and Caitlyn Canedy. Nancy Yeatts, Conservation Agent and Christine Weston, Recording Secretary. Keith Jensen and Sarah Kulakovich were absent. LakeCAM was **NOT** recording the meeting.

7:00 PM

ANRAD – 1 Susan Lane – Vasseur (cont'd from 5-9-17)

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

**VOTED: To continue the ANRAD, at the applicant's request, for 1 Susan Lane to
Tuesday, June 13, 2017 at 7 PM at the Lakeville Public Library on Precinct
Street.**

Unanimous in favor

Ms. Yeatts explained to the Commission that she had arranged a meeting with the applicant/owner, Barbara Vasseur, and the Building Commissioner, Mr. Darling on Wednesday, May 17, 2017. The meeting took place after she and Member Goodrow-Robinson went out (Wednesday, May 10, 2017) to look at some of the wetland flags at the site. Several areas were reviewed, and they observed flags which were actually in the water. They also observed possible violations such as loam piled up to the edge of the stream/wetland area. The owner has indicated that the area will dry up and then the flags will not be in the water. However, some of the flags are in the water by about 20 feet, and the vegetation is not going to change. During the meeting at the office, Mr. Darling, Building Inspector, mentioned Cluster Zoning to the owner. He explained that if she agrees to not build in one area, then she can build more in another. The Planning Board is presently working on this by-law. Ms. Yeatts expressed concern about the time involved with reviewing the flags with the consultant, and, the question of a peer review, if they cannot agree on the wetland line. Member Knox recalled another project where the owner had to go through many hurdles and it seemed that their costs had significantly added up. Also, it appears that a wetland crossing will be needed, if they want to access the upland. Ms. Yeatts commented that Mr. Darling, had explained that to the owner, if cluster zoning is passed at the fall Town Meeting, it may save her some steps.

Ms. Yeatts suggested that the Commission members go out and look at the site. Member LeBlanc and Member Knox agreed to meet the Agent at the site on Wednesday, May 31, 2017 at 9 AM.

NOI – 5 Pine Haven Lane - Biss

Chairman Bouchard read the legal notice into the record. *Nyles Zager, of Zenith Consulting Engineers, was present for the discussion.* Mr. Zager explained that since the septic system had failed, the project consists of putting in a new one. It will be a much better system. The owners have not had their well tested. A new location was shown on the plan for the well in the event that it does fail. The current well is shallow. All septic system work will take place beyond the 50' buffer. The proposed well though, would be within the 50' buffer. There is a dewatering basin depicted on the plans.

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

VOTED: To close the hearing for 5 Pine Haven Lane and issue an OOC with the Conservation Commissions Standard Special Conditions. The Agent will be notified when the siltation barrier has been installed and before any work begins.

Unanimous in favor

NOI – 19 Carriage House Drive - Silva

Chairman Bouchard read the legal notice into the record. *Bill Gottwald, Engineer and Installer, was present for the discussion.* Mr. Gottwald went over the details of the project. The present septic system failed the Title 5 inspection. The septic system is about 80' from the top of the bank and the tank is 60' away. The system will be 100' away from the well. Next to where the proposed siltation control will be, the land drops off to the pond. Ms. Yeatts stated that she would like to see a silt fence and a hay bale line installed for erosion control. Mr. Gottwald mentioned putting in a silt sock. Ms. Yeatts agreed provided that it is dug in.

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

VOTED: To close the hearing for 19 Carriage House Drive and issue an OOC approving the septic upgrade repair with the Conservation Commissions Standard Special Conditions. In addition there will be both a silt fence and silt sock. The Agent will be notified to inspect the siltation barrier prior to the start of any work.

Unanimous in favor

ANRAD – 63B Bedford Street – Maher

Chairman Bouchard read the Legal Notice into the record. Member Knox noted that there seems to be about 150 wetland flags on the site. He asked how many acres the property has and if the Agent foresees a peer review? Ms. Yeatts responded that she needs to go out to the site to review the flags before she can answer that. The Agent will bring back information about the site for the Commission at their next meeting.

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

**VOTED: To continue the hearing for 63B Bedford Street, at the applicants request, to
Tuesday, June 13, 2017 at 7 PM at the Lakeville Public Library.
Unanimous in favor**

Other Business

- Site Visit @ LeBaron 5-23-17

Ms. Yeatts stated that a preconstruction meeting took place this morning, (May 23, 2017) at The Residences at LeBaron Hills. It was indicated that they want to start work soon. Chairman Bouchard was also present at the site meeting. The Agent asked about the Groundwater discharge permit from DEP and the fact that a copy of the National Pollutant Discharge Elimination System (NPDES) permit has not been provided. She told them to look at page 9 of the Order of Conditions (OOC) where these requests were made as conditions prior to the start of work. The third item was the Stormwater Pollution Prevention Plan which also has not been provided. Ms. Yeatts emailed this information to David J. Peck, about what needs to be provided before work begins. Ms. Yeatts noted that she has been asking about the Groundwater discharge permit for at least a year. DEP said a year ago, that when the Groundwater discharge permit is applied for, it will trigger an Environmental Impact Report (EIR). Member Knox asked if these items will slow down the project. Ms. Yeatts responded that it was possible. She stated that she will look up the documentation, to see if they have at least filed for it at this point. D. J. Peck is the point of contact for the project. The road layout is not in the buffer zone, but the drainage for the roadway is. Member Chamberlain mentioned that previously DEP had wanted the Commission to look at the total amount of impervious surface. Ms. Yeatts responded that she had brought that up at the hearing and Jason Youngquist had stated that it was all taken into consideration. They will have to do an as-built and a COC at the completion of this phase of the project which will let the Commission know where the project stands prior to the start of the next phase. Member Knox asked what happens if a detention basin no longer works correctly. Ms. Yeatts stated that it will not be a Town Road. It will remain private and maintained by the Association. She added that she was careful when she wrote the OOC since the project is being done in segments and the developers will have to maintain the drainage. It will be years before the engineers turn it over to the residents which should have formed an Association by then. Member Knox asked what the solution was for making sure that the detention basins are taken care of and how would it be enforced. Ms. Yeatts responded that a call could be made to DEP for enforcement. Member Knox asked what takes place if the developer is no longer in business. Ms. Yeatts responded that the Highway Department may step in to make sure that it is kept up. Member LeBlanc asked who would report the matter. Member Chamberlain responded that it would be the people downstream; where the water is going.

- Master Plan Discussion

Discussion took place regarding the Master Plan and about the two (2) articles that had been distributed to the Commission: “Land is Not Enough: MassWildlife Sets Habitat Management Record in 2014” (www.mass.gov/masswildlife) and “What is SWAP?” (State Wildlife Action Plan) by Lynn Harper, Habitat Protection Specialist for MassWildlife’s Natural Heritage and Endangered Species Program. Member Knox stated that plant and wildlife need several aspects of habitat management taking place in order to sustain themselves. Ms. Yeatts stated that on Betty’s Neck, that, is already taking place because the Department of Fisheries & Wildlife (DFW) holds and administers a Conservation Restriction (CR) on the property.

Ms. Yeatts suggested the Commission recommend to the Master Plan Committee that the Town adopt the same goals and objectives as Mass Fisheries & Wildlife. Member Knox suggested that a draft of the goals and objectives be drawn up for the Commission to review.

- Associate Position openings – Mr. Hagerman & Mr. Beal (both indicated interest)

Ms. Yeatts updated the Commission regarding the Associate Position openings. The three (3) remaining applicants were contacted to find out if they were interested in becoming an Associate Member. Mr. Voystock responded that he was not interested, however, both Mr. Beal and Mr. Hagerman indicated that they were. Presently the Commission has seven (7) Regular members and one (1) Associate member.

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

**VOTED: To recommend Richard Hagerman to the Board of Selectmen as an Associate member on the Conservation Commission.
Unanimous in favor.**

- Approve meeting minutes of: April 25, 2017 & May 9, 2017

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

**VOTED: To approve the April 25, 2017 Conservation Commission Meeting minutes as presented.
In favor 5, Abstain 1 (Member Chamberlain due to absence)**

Member Knox stated that he had not been able to attend the May 9, 2017 Commission meeting where the Agent had provided a handout with information about conditions used for making Determinations of Applicability (DOA). Member LeBlanc stated that he was also interested in this and maintaining consistency with applicants. He had also consulted with Mr. Darling, Building Inspector, about this. Ms. Yeatts stated that she had spoken with the contractor, Bill Tivy, he had provided very clear information about the project.

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

**VOTED: To accept the May 9, 2017 Conservation Commission meeting minutes as presented.
Unanimous in favor**

Member Knox, Member LeBlanc, Member Goodrow-Robinson and Member Canedy asked to be able to have the Conservation Handbook available to them online. The Agent stated that the cost is \$15 for each subscription and the funds are available in the budget.

Member Goodrow-Robinson stated that she would like to attend a Wetland Shrubs course, would the Commission reimburse her after she pays to reserve her place? Ms. Yeatts responded that she would be reimbursed provided the receipt is submitted.

Schedule next meeting.

The next meeting was scheduled for Tuesday, June 13, 2017 at 7 PM, at the Lakeville Public Library.

Adjournment

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

**VOTED: To adjourn the Conservation Commission meeting at 8:15 PM.
Unanimous in favor**

Josh Flaherty, student, was present.

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