

**Conservation Commission  
Meeting Minutes  
May 13, 2008**

The Conservation Commission held a meeting on May 13, 2008 in the Lakeville Town Office Building. The meeting was called to order by Chairman Orrall at 7:03 p.m. Members present were Bob Bouchard, Joe Chamberlain, Randall Kenney, Emery Orrall and Martha Schroeder. Jennifer Jewell, recording secretary was also present. Michael Toole was absent with prior notice.

**7:03 P.M. – 49 County Road**

**Pitts**

Chairman Orrall read the legal notice. Michael Pitts presented a Request for Determination of Applicability for the removal of wetland markers and the construction of an in-ground pool. There was a review of previous hearings and the existing Order of Conditions for this site. It was stated that the wetlands behind the dwelling were deemed non-jurisdictional. The applicant requested permission to remove the wetland markers from this location that were required as a condition in the Certificate of Compliance. It was stated that the proposed plan has not received approval from the Board of Health and the wetland markers on the northeast side of the lot must remain in place. 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 wetland markers on the northeast side of the lot must remain in place and an as-built must be submitted to the Commission. Unanimous vote.

**7:12 P.M. – 13 Nachaomet Road**

**Metzler**

Chairman Orrall read the legal notice. Jon Pink, from AZOR Land Sciences presented a Request for Determination of Applicability for the clearing of vegetation, grading and landscaping within the 100 foot buffer zone. It was noted that the new dwelling, septic and well are outside of the buffer zone and the filing was for the possible expansion of the backyard. It was stated that the area will not be filled and there is a natural berm on the ridge. The location of Tammet Brook, hydrogeology and site vegetation were reviewed. Upon motion made by Member Schroeder and seconded by Member Bouchard the Commission

VOTED: To close the hearing and issue Negative Determination of Applicability with the notes that the homeowner must adhere to organic lawn care standards and that an as-built plan must be submitted to the Commission. Unanimous vote.

**7:18 P.M. – Highland Road**

**Butler**

Jon Pink and Rick Butler were present for the discussion. There was a review of the plans and the letter from Walter Hewitson, wetlands consultant, that designates the site as having a small Isolated Land Subject to Flooding (ILSF). There was discussion regarding the depth of water required for this area to be considered ILSF. Soil logs and Route 140 Highway layout map were reviewed. Concern was voiced regarding stormwater runoff. It was noted that stormwater runoff does not reach the catch basins on Highland Road and water is flowing onto this lot. There was a review of site photos. Upon motion made by Member Bouchard and seconded by Member Kenney the Commission

VOTED: To close the hearing and issue a Negative Determination of Applicability. Unanimous vote.

**7:32 P.M. – 305 Pond Lane**

**Long Built Homes**

Jamie Bissonnette, from Prime Engineering presented a Notice of Intent for the demolition of an existing dwelling and the construction of a new single family dwelling with associated appurtenances. There was a review of the plans. It was noted that the proposal has not received approval from the Board of Health (BOH), Zoning Board of Appeals (ZBA) or Natural Heritage. There was discussion regarding the roof infiltration basins and stormwater runoff. The driveway elevation was reviewed. The limit of work was

discussed and it was stated that some tree removal was proposed. Mr. Bissonnette reviewed the direction and treatment of stormwater as it leaves the infiltration basins. Concern was voiced regarding the increase in impervious area and the hydraulic pressure from surrounding lots. It was stated that a daylight drain was added to the basement. Member Schroeder recommended replacement of any trees that are removed during construction. Upon motion made by Member Kenney and seconded by Member Chamberlain the Commission

VOTED: To close the hearing pending verification of Chapter 91 Permit, Natural Heritage response and issue an Order of Conditions with the following special conditions: 1.) The Order of Conditions must be recorded at the Plymouth County Registry of Deeds and a stamped receipt returned to the Lakeville Conservation Commission (LCC) before work begins. 2.) Haybale/Siltfence line to be installed and inspected by the LCC agent prior to the start of any activity and remain in place until all disturbed areas have been stabilized. 3.) The replication area must be monitored for invasive species 4.) The replication area must be monitored by a wetlands scientist for two seasons and reports must be submitted seasonally to the LCC. 5.) A status report of the replication area, completed by a wetland scientist, must be submitted to the LCC when a Certificate of Compliance is requested. 6.) A vegetated berm must be planted to separate the manure pile from the grazing area. 7.) Access to the property will be granted to the LCC and/or its agents, for site inspections, to determine that the project is in compliance with this Order of Conditions. Unanimous vote.

**7:46 P.M. – 123 Nelson’s Grove**

**Nyberg**

Chairman Orrall read the legal notice. Gary James, from James Engineering, presented a Notice of Intent for the repair of an existing concrete wall at the edge of Assawompset Pond. It was noted that additional review copies and the filing fee were not received at the time of the hearing and that the City of New Bedford was not notified. There was a review of the plans. It was stated that the retaining wall with eastern exposure has been undermined and the applicant proposed the installation of concrete to fill the void and additional rip rap in front of the wall for protection. Portions of the wall with southwestern exposure and the area between the two ramps will require removal. The ramps at the end of Nelson’s Grove will be removed and replaced. It was stated that the work will be done at the time of low water (fall). It was stated that the proposed wall height will be increased to alleviate problems from splash over and ice. Mark Terra, City of Taunton, agreed that the work is necessary to prevent a complete failure of the wall. It was stated that a barrier device/silt boom should be used and that there will be no direct dewatering. Mr. James will draft a detail of the dewatering plan. This plan has not yet been approved by Natural Heritage. Upon motion made by Member Schroeder and seconded by Member Chamberlain the Commission

VOTED: To continue the hearing to June 10, 2008 at 7:00 p.m. with the following requirements: A response letter from Natural Heritage, a DEP number, detail of the dewatering plan, receipt of a filing fee and proof of notification to the City of New Bedford. Unanimous vote.

**8:12 P.M. – 86 County Street**

**SE 192-562**

**Sterrett**

Chairman Orrall read the legal notice. Jason Youngquist, from Outback Engineering, presented a Notice of Intent for the upgrade of an existing septic system. There was a review of the plans. Perc and soil testing results were discussed. It was noted that the existing tank would be pumped, filled and left in place. The distances from the existing and proposed tanks to the Bordering Vegetated Wetland were reviewed. Upon motion made by Member Chamberlain and seconded by Member Kenney the Commission

VOTED: To close the hearing and issue an Order of Conditions with the following special conditions: 1.) The Order of Conditions must be recorded at the Plymouth County Registry of Deeds and a stamped receipt returned to the Lakeville Conservation Commission (LCC) before work begins. 2.) Haybale/Siltfence line to be installed and inspected by the LCC agent prior to the

start of any activity and remain in place until all disturbed areas have been stabilized. 3.) Access to the property will be granted to the LCC and/or its agents, for site inspections, to determine that the project is in compliance with this Order of Conditions. Unanimous vote.

**8:17 P.M. – 42 LeBaron Blvd.**

**LeBaron Phase II Rental**

Chairman Orrall read the legal notice. Jason Youngquist, from Outback Engineering and Tom Reed, from E.A. Fish, were present for the discussion. There was a review of the plans. The applicant proposed construction of a 56 unit apartment building and an 1100 foot extension of the roadway. There was a review of the limit of work. It was noted that although one drainage outfall is located in the twenty-five foot no touch zone it was incorporated with the drainage calculations for Phase I. The drainage calculations are currently under review by Dave Varga, BSC Group. The Commission requested that the plans be revised to show the limit of work as the siltation barrier line. Mr. Reed stated that the septic system will be expanded. The Commission requested that the plantings in the bio-retention basins must be monitored for invasive species. It was noted that the invasive species removal permitted during Phase I would be done at a later time. Upon motion made by Member Bouchard and seconded by Member Chamberlain the Commission

VOTED: To close the hearing pending receipt of the BSC storm water review and revised plans reflecting the new limit of work and issue an Order of Conditions with the following special conditions: 1.) The Order of Conditions must be recorded at the Plymouth County Registry of Deeds and a stamped receipt returned to the Lakeville Conservation Commission (LCC) before work begins. 2.) Haybale/Siltfence line to be installed and inspected by the LCC agent prior to the start of any activity and remain in place until all disturbed areas have been stabilized. 3.) The property owner must adhere to organic lawn care standards. 4.) Access to the property will be granted to the LCC and/or its agents, for site inspections, to determine that the project is in compliance with this Order of Conditions. Unanimous vote.

**8:35 P.M. – 25 Loon Pond Road**

**SE 192-558 septic & well**

**Merrey**

**8:35 P.M. – 25 Loon Pond Road**

**SE 192-559 addition**

**Merrey**

Chairman Orrall read the legal notices. George Collins, from Collins Engineering and Brian Merrey presented two Notices of Intent to the Commission. There was a review of the septic plans. The proposed septic/well and the addition work will be done separately. It was stated that BOH approval was received for the septic system. The extent of work in the buffer zone and the current water supply was discussed. It was stated that the septic project is exempt from the jurisdiction of Natural Heritage. Site access and hay bale locations were reviewed. 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: 1.) The Order of Conditions must be recorded at the Plymouth County Registry of Deeds and a stamped receipt returned to the Lakeville Conservation Commission (LCC) before work begins. 2.) Haybale/Siltfence line to be installed and inspected by the LCC agent prior to the start of any activity and remain in place until all disturbed areas have been stabilized. 3.) To allow for a field adjustment to ensure that haybales will encircle the drilling rig. 4.) Access to the property will be granted to the LCC and/or its agents, for site inspections, to determine that the project is in compliance with this Order of Conditions. Unanimous vote.

There was a review of the addition plans. It was stated that the proposed addition increases the building footprint and crosses the threshold for Natural Heritage jurisdiction. It was noted that the retaining wall will be constructed with landscape block and not railroad ties as stated on the plan. Upon motion made by Member Chamberlain and seconded by Member Schroeder the Commission

VOTED: To continue the hearing to August 12, 2008 at 7:00 p.m. at the request of the applicant.  
Unanimous vote.

**9:03 P.M. – 69 Kingman Street**

**SE192-560**

**Whowell**

Chairman Orrall read the legal notice. George Collins, from Collins Engineering, presented a Notice of Intent for the construction of a single family home and associated utilities. It was noted that the existing home will be demolished. Linda Grubb, Pierce Avenue, stated that the demolition may require a hearing with the Historical Commission. Mr. Collins will notify the builder regarding this issue. There was a review of the plans. It was noted that the septic system and well were handled under a separate Order of Conditions and has already been installed. The amount of impervious area on the site was discussed and it was noted that this project does not fall under the jurisdiction of Natural Heritage. It was noted that the house demolition and abandoning of existing well were not referenced on the Notice of Intent form, only in the narrative cover sheet and that DEP should be notified of the update. Upon motion made by Member Chamberlain and seconded by Member Schroeder the Commission

VOTED: To close the hearing pending receipt of a new cover sheet reflecting the demolition work and the decommissioning of the well and cesspool and proof of receipt that DEP has received the same information and then issue an Order of Conditions with the following special conditions: 1.) The Order of Conditions must be recorded at the Plymouth County Registry of Deeds and a stamped receipt returned to the Lakeville Conservation Commission (LCC) before work begins; 2.) Haybale/Siltfence line to be installed and inspected by the LCC agent prior to the start of any activity and remain in place until all disturbed areas have been stabilized; 3.) The homeowner will adhere to organic lawn care standards. 4.) Access to the property will be granted to the Conservation Commission and/or its agents, for site inspections, to determine that the project is in compliance with this Order of Conditions. Unanimous vote.

**Commercial/Riverside Drive**

**SE192-441**

**Canpro**

The Commission received a request for a Certificate of Compliance. Upon motion made by Member Chamberlain and seconded by Member Bouchard the Commission

VOTED: To issue a Certificate of Compliance for SE192-441. Unanimous vote.

**Agent Status**

The position of Conservation Agent has been reposted with MACC and will be listed in the Standard Times classified section.

**Summer Office Schedule**

The office will be open on Mondays and Wednesdays from 8:30 a.m. – 1:30 p.m.

**Next Meeting**

The next meeting of the Lakeville Conservation Commission will be held on June 10, 2008 at 7:00 p.m. in the Lakeville Town Office Building. Upon motion made by Member Chamberlain and seconded by Member Schroeder the Commission

VOTED: To adjourn the meeting at 9:40 p.m. Unanimous vote.