

**Conservation Commission
Meeting Minutes
May 14, 2013**

The Conservation Commission held a meeting on May 14, 2013 in the Lakeville Public Library Conference Room. The meeting was called to order by Chairman Orrall at 7:03 p.m. Members present were Robert Bouchard, Joseph Chamberlain, Linda Grubb, Emery Orrall, Pam Rasa, Martha Schroeder and Ryan Trahan. Sarah Kulakovich, associate member; Nancy Yeatts, Conservation Agent; and Jennifer Jewell, recording secretary were also present.

7:03 p.m. – 23 Twin Oaks

Houle

Chairman Orrall read the legal notice. Paula Houle presented a Request for Determination of Applicability for the construction of steps on a slope. There was a review of the plan and site photos. Ms. Yeatts stated that, as an abutter she did not review this property and will not participate in the discussion. Member Bouchard stated that the work is in process and the concrete forms are in place. Ms. Houle stated that the steps will be poured individually. There was question regarding the construction of the forms. Ms. Houle stated that rebar will be used and the area will be grassed and landscaped. The distance to the pond was reviewed. Upon motion made by Member Chamberlain and seconded by Member Schroeder the Commission

VOTED: To continue the hearing and issue a Negative Determination of Applicability. Five in favor. One against. Motion carried.

7:21 p.m. – Betty's Neck Road

Walsh

Chairman Orrall read the legal notice. The Commission received a Request for Determination of Applicability for the construction of a porch. There was a review of the plan and site photos. It was noted that the proposed work is approximately 50' from the pond on existing lawn. Upon motion made by Member Chamberlain and seconded by Member Rasa the Commission

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

7:24 p.m. – 123 Nelson's Grove Road

Nyberg

Chairman Orrall read the legal notice. Gary James, from James Engineering presented a Notice of Intent for the installation of a well. There was a review of the plans and current site conditions. The location of the well was dictated by septic setbacks and the attempt to limit tree removal. It was suggested that siltation barriers be used at the breaks in the seawall. A slurry pit or tub will be onsite during well drilling. It was noted that the abutter notification was missing. Upon motion made by Member Bouchard and seconded by Member Chamberlain the Commission

VOTED: To close the hearing pending receipt of certified mailing to abutter Goneau and issue and Order of Conditions with the following special conditions: Siltation barriers to be installed at the gaps in the seawall; A slurry pit or tub must be located onsite during the well drilling; Standard Special Conditions. Unanimous vote.

7:38 p.m. – 97 Highland Road

Hedges

Stephen Hedges was present for the discussion. The Commission has received inquiries regarding tree removal on the site. There was a review of the plans and the status of work. It was stated that homeowner had previously agreed to replace a number of goat-damaged trees. The kennel has been removed. There is a sand berm in place.

Joseph Chamberlain recused himself from the next hearing and left the room.

7:44 p.m. – 310 Kenneth Welch Drive

Cold Storage Solutions

Chairman Orrall read the legal notice. Jon Pink, from AZOR Land Sciences presented a Notice of Intent for the BLANK. Scott Goddard, from Goddard Consulting was present for the discussion. There was a review of the plans and site photos. Existing and proposed site conditions were reviewed. An existing parking lot will be removed and revegetated. The locations of the proposed storm water basins were reviewed. Mr. Pink noted that a MESA filing has been done with Natural Heritage. Compression units will be installed on an existing building. The footings for the compression units will not require tree removal. Mr. Goddard discussed storm water flow on the site and noted the presence of a grass swale. The Commission requested a full set of plans with correct revision dates. Upon motion made by Member Bouchard and seconded by Member Rasa the Commission

VOTED: To close the hearing pending receipt of revised plans and issue an Order of Conditions with the following special conditions: Standard Special Conditions. Six in favor. Motion carried.

Member Chamberlain returned to the meeting.

8:07 p.m. – 36 Central Avenue

Walsh

Jon Pink, from AZOR Land Sciences; Jim Marsh, attorney; Karon Carone, consultant and Michael Walsh, applicant were present for the discussion. There was a review of the site visit done to verify the wetland line and presence of fill. Ms. Carone dug observation holes and provided a report. It was noted that Ms. Carone's data differs from the original report issued by Bob Gray on April 19, 2013 from Sabatia. It was stated that the Commission observed the field work but did not provide an opinion. There was discussion regarding the depth of the holes. A mitigation plan was provided to the Commission. Ms. Yeatts read the denial recommendation from Mr. Gray into the record. There was question as to whether the property line was marked in the field and whether the disputed fill was on an abutting lot. It was noted that there is a difference between fill and filling wetlands.

It was suggested that Ms. Carone and Mr. Gray meet onsite to review the methodology of the testing. It was noted that the stone wall is not the property line and the fill extends to that point. It was stated that Mr. Gray did not respond to Ms. Carone's findings. There is money remaining in the peer review account. A motion was made by Member Chamberlain and seconded by Member Rasa

To continue the hearing pending the results of a site visit with Karone Carone and Bob Gray.

Discussion: Mr. Marsh stated that Mr. Walsh is not willing to accept a continuance.

VOTE: 1 in favor. 5 against. Motion failed.

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

VOTED: To close the hearing and issue a denial for the inability to meet performance standards as detailed in the letter from Bob Gray, dated April 19, 2013. Unanimous vote.

Meeting Minutes

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

VOTED: To approve the January 8, 2013 meeting minutes as amended. Unanimous vote.

Vigers Stewardship Plan

Chairman Orrall reviewed a recent site visit to the Boy Scout House. The condition of the building was reviewed. It was the opinion of Chairman Orrall that the building could be saved but the repairs would be costly. It was recommended that the building be made water tight until a permanent solution is found. The building could be razed and the foundation would be filled in. Member Grubb suggested that the Commission set a timeline for the necessary work on the building with the weatherproofing to begin during the summer and building removal in the fall. Mr. Orrall stated that inexpensive building removal options must be explored.

Ms. Kulakovich noted the unique characteristics of the park and discussed the formation of a Friends of Vigers group. A draft copy of park rules was reviewed. There is a safety issue crossing the road on Pickens Street. It was stated that there is an abundance of poison ivy onsite. Ms. Kulakovich discussed possible future activities on the property and questioned whether a campout would be feasible on June 23rd. There was discussion regarding the use of donated funds and whether monies could be designated for certain projects.

Turtle Protection Project

The Department of Environmental Protection and the Department of Transportation have named a portion of Bedford Street as having one of the highest turtle fatality rates in the state. The Commission received plans detailing the installation of a turtle crossing barrier to be installed in May 2013.

Treasurer's Report

There was discussion regarding line items in the general fund for the Conservation Commission budget. Member Grubb requested to be informed of all staff meetings where the budget is discussed. Ms. Yeatts stated that, according to the Town Administrator, leftover salary monies could be used to pay the bill from Phil Benjamin for the forestry plan on the Vigers site.

Resignation

Chairman Orrall stated that he will resign after ten years of serving on the Commission and will submit a letter of resignation to the Board of Selectmen. The vice-chairman will serve as a temporary replacement.

Personnel Discussion

There was a brief exchange regarding personnel files and budgetary procedures.

Meeting Schedule

The May 28th meeting will take place at the Board of Selectmen's meeting regarding the rail project and the impacts to developed and protected lands. The June 25th senate election is to be held on the same date as the second meeting and it was stated that the Commission must either cancel or meet after 8:00 p.m.

Meeting Minutes

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

VOTED: To approve the February 12, 2013 meeting minutes. Unanimous vote.

Upcoming Meeting

The next meeting of the Lakeville Conservation Commission will be held on Tuesday, May 28, 2013 at 7:00 p.m. in the Lakeville Public Library Conference Room. Upon motion made by Member Chamberlain and seconded by Member Rasa the Commission

VOTED: To adjourn the meeting at 9:08 p.m. Unanimous vote.