

**Town of Lakeville  
Conservation Commission  
Tuesday, January 12, 2016  
7:00 PM – Lakeville Library**

On January 12, 2016, the Conservation Commission held a meeting at 7:00 PM at the Lakeville Library. The meeting was called to order by Chairman Bouchard at 7:03 PM. Members present: Robert Bouchard, John LeBlanc, Joseph Chamberlain, Peter DeFusco, Mark Knox, Derek Maksy, and Martha Schroeder, Katherine Goodrow-Robinson, Associate and Sarah Kulakovich, Associate, Nancy Yeatts, Conservation Agent and Christine Weston, Recording Secretary. LakeCAM was NOT recording the meeting.

**7:00 PM**

**RDA – Continued at applicant's request to February 9, 2016 – Churchill Shores Lot – end of Sandy Point Road – Craig Cabral**

Ms. Yeatts stated that her recommendation initially was a positive determination, which is a denial, since it has been six (6) months and Mr. Cabral has not provided anything to the Commission or attended any of the meetings. Each month he is contacted either by the Agent or secretary about his filing and that is additional work for the office. Upon calling him again recently he has asked for another chance to provide his filing. He has provided a continuance request for the February 9, 2016 meeting of the Commission. Mr. Jamie Bissonnette of Prime Engineering called the office last week since Mr. Cabral had contacted him to delineate the wetlands. Mr. Bissonnette has been provided the minutes from the summer meeting of what Mr. Cabral had been proposing to do on the property and what the Commission is looking for. Therefore the recommendation is to allow the applicant's request to continue the hearing until the February meeting of the Commission.

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

**VOTED: To continue the Churchill Shores Lot – end of Sandy Point Road – hearing with Craig Cabral until the February 9, 2016 Conservation Commission meeting at 7 PM at the Lakeville Library in the conference room.  
Unanimous in favor**

**RDA –260 Kenneth Welch Drive – Sabre Management LLC**

Chairman Bouchard read the legal notice into the record.

*Darren Michaelis of Foresight Engineering was present for the discussion.* Mr. Michaelis stated that the project involves an addition to the existing building, reconfiguration of the paved area and modification of the drainage infiltration system. The work in the paved area is a small portion so that the trucks are able to have an adequate turning radius. Ms. Yeatts stated that all of the proposed work is on the south side of the railroad tracks. There will be no impact to the wetland area which is on the north side of the tracks.

Mr. Michaelis further explained that the intent was to minimize the impacts. The existing building had needed this modification and meetings have already taken place with the Building

Commissioner and the Highway Department for drainage calculations, etc. Notification will be made to the Conservation Agent when the silt fence goes in. Ms. Yeatts suggested that the Conservation Commission issue a Negative 3 determination.

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

**VOTED: To issue a Negative 3 Determination – the work described in the request is within the Buffer Zone, as defined in the regulations, but will not alter an area subject to protection under the Act. Therefore, said work does not require the filing of a Notice of Intent.  
Unanimous in favor**

**COC –32 Churchill Road – Barrett – SE192-681**

Ms. Yeatts stated that the project is completed. Photos and a plan were provided for the Commission to view since she had visited the property and everything looks good. The Agent recommended that the Commission issue a COC (Certificate of Compliance). Member Chamberlain asked about the issues in the letter. Ms. Yeatts responded that there were no problems with it.

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

**VOTED: To issue a COC (Certificate of Compliance) for Edward Barrett for 32 Churchill Road.  
Unanimous in favor**

**ANRAD – 152 County Street – William Markson**

Chairman Bouchard read the notice into the record. *Jennifer Silva, Wetlands Scientist, of Outback Engineering, was present for the discussion.* Ms. Silva provided the abutter notice cards to Member Chamberlain. Ms. Yeatts stated that new plans are being distributed, therefore, the Commission should vote to accept them since they were not provided ten (10) days before the meeting.

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

**VOTED: To accept for review the new plans for 152 County Street as presented this evening from Outback Engineering.  
Unanimous in favor**

Ms. Yeatts stated that herself and Ms. Silva spent two days on site establishing the locations of the wetland flags by thoroughly checking the soils (using an auger) and viewing vegetation. Basically all but ten (10) flags were moved. The surveyors had initially flagged the area and it was not done correctly. Ms. Yeatts stated that a wetland line was finally agreed upon between herself and Ms. Silva. She asked that the Plan of Record have the “x’s” (which designate the old line) taken off. The old flags should not be on the plan since it will only be confusing when it is viewed in the future. There should be a “clean” plan provided with what has been agreed to.

Mr. DeFusco asked about species x and what it was considered, under shrubs in the wetlands. Ms. Silva responded that she would describe it as a low multi-branched scaly bark shrub, but she was not sure of the type. Chairman Bouchard asked about the lower left corner of the plan and the wetlands, since usually the flags are specifically for one property, but it appears that the owner owns a large parcel and is only asking for delineation on a specific portion. There are several lots and maybe this should be clarified and given a limited approval, which has been done in the past by the Commission. Ms. Yeatts noted that the owner is asking about flags 1a-19a. There are only two (2) flags on the other lot. Member Schroeder asked if when a lot has been flagged, then the owner does another project, does it have to be reflagged or does the Commission ask to have it reflagged? Ms. Yeatts explained that an ANRAD approval is good for three (3) years. Chairman Bouchard stated that the Commission would be approving all the flags noted on the plan.

**Upon a motion made by Member Schroeder; seconded by Member Maksy it was:**

**VOTED: To approve the ANRAD and issue an ORAD pending receipt of a plan removing the old wetland line.  
Unanimous in favor**

### **Other Business**

#### **1. Island Terrace**

Ms. Yeatts stated that Island Terrace had asked for a Certificate of Compliance, however after a site visit, (where pictures were taken) it was notably visible that the mulch has washed out and the area needs to be stabilized. That has been conveyed to them and they will do what is necessary to remedy the area and then reapply.

#### **2. 71 Highland Road**

Ms. Yeatts stated that 71 Highland Road had also asked for a Certificate of Compliance, however, their consultant, Goddard Consulting, has reported that there are outstanding issues that need to be remedied. Mr. Pink of Azor Land Sciences has also asked what could be done. The problem is in the compensation area. The drainage should have been done first. The owner wants to sell the property; however, the difficulty is that they are asking for a partial Certificate of Compliance on something that should have been done first. Member Knox stated that they need to finish the project. Member Maksy stated that this will follow the new owner and they will have to accept the responsibility. The matter needs to be fixed or they need to come in and meet to discuss what needs to be done.

#### **3. Robbins Lane**

Ms. Yeatts stated that with Robbins Lane, Lot 7, upon a site visit on January 7<sup>th</sup>, it was seen that a portion of the hill has washed out with the rain, trucks have crushed the drainage pipe, siltation control is not in place and the washed out material is going untreated into the wetlands. Mr. Maroney left a message on Monday, January 11<sup>th</sup> stating that everything was all set, the

problems were fixed; however, another site visit has not been made to make that determination. The project has put an unusual amount of water on the road. Member Chamberlain mentioned that this is an area where there has always been flooding. The siltation barriers need to be put up since the entire hill is washing out onto someone else's property. Although the project is more than 100 feet away from the wetland, it is impacting the wetland and the drainage needs to be fixed. Ms. Yeatts stated that she would like to visit the site again tomorrow, January 13. She has an appointment at 10 am and would like to visit this site either before or after that time. Chairman Bouchard and Member Chamberlain stated that they would like to go with the Agent on the site visit. It was planned that they would meet to visit the site on or about 9:30 AM.

#### 4. Report from Sarah Kulakovich on Vigers

Three (3) handouts consisting of reports and other information were provided from Ms. Kulakovich. (End of the Year [2015] Report on the James J. Vigers Conservation Area, Vigers Conservation Area – Rules and Regulations dated February 25, 2014, and Vigers Conservation Area/Cowboy Shack budget report through December 18, 2015)

Ms. Kulakovich then provided an update regarding what has taken place at the Vigers property. It was stated that through discussion with Nate Darling, Building Commissioner, it seems to be that they are talking about installing bathrooms and a heating system. Heat and electricity have always been in the plan and the budget. \$11,000 has been set aside for the heating system of which options are being explored through Nate Darling, Building Commissioner, and Don Bissonnette. They will report back what they come up with. Though it would be great to have a bathroom, it is not in the budget and it has not come before us. When the windows and doors were donated Mr. Bissonnette gave us a heads up. Also, camping is not in our plan and we have not talked about family camping since it was mentioned two (2) years ago.

Meetings have taken place recently with abutters about issues that have arisen. The abutter could have filed charges but opted not to and Ms. Kulakovich referred to working with the police to rectify matters. There has been a bit of an eruption from the farming community regarding horses, horse manure and damages made to properties from horses.

A "to do" list has not yet been typed for this year, 2016. There are a number of things that should be done, such as signage for the beginning and end of the trail, and for the parking area so that people park allowing enough room for others as well. The cost is \$17 per sign. Though this may be something to ask for the Scouts to do, it has typically been that the Scouts present projects that they would like to do; they are not always interested in what we would like done. Ms. Kulakovich stated that at this time she has been trying to find out how others feel Vigers should be used. She has attended Open Space meetings and talked about the pros and cons of having assigned trails for horses to use. A horse trail could be designated which could be shared with foot traffic. It seems that segments of our population have not been served to their satisfaction and we are trying to work with them on that. There has been much going on with this property all week long which Ms. Kulakovich has been attending to. There are six (6) items to work through with the abutters. It is hoped to amend the rules, post them and let people know that the possibility of horse trails is being explored. Later discussion can take place about this. There are parks that have added horse trails. As with working with Hunters, the Horse Community has a lot to offer, and they are willing to help police the area. Ms. Kulakovich asked that the Conservation Commission put votes on the agenda at the next opportunity for allowing

trails for horses and for the purchase of at least four (4) signs. Ms. Kulakovich has also spoken with the Town Clerk, Lillian Drane, about getting permission to hold a silent auction to raise funds for the project since funds are down a bit. The Second annual Winterfest is coming up on Sunday, January 31, 2016 from 1 PM to 5 PM at Loon Pond Lodge and consent is being asked to have an auction where townspeople could buy tickets for a raffle and have a prize.

Ms. Yeatts stated that she could not find a vote about the Rules and Regulations being adopted for the Vigers Conservation Area, although it is on the bottom of the document dated February 24, 2014 as being adopted. Further research will be done. It should be determined that an actual vote took place. Ms. Kulakovich further stated that anytime someone comes forward, there should be information to provide and the present information needs to be defined more clearly. The Rules and Regulations are more of an incubator and not a finished product. People need to be made aware of the parameters for Vigers, it is free, open to all and all are welcome to come and observe nature. It would be beneficial to find out the original intent when the Town acquired the property. To go back and capture what the Vigers (Jim Vigers) family intended and what their idea was for the property. There is a spirit being brought forward from people that go there, however, it would be good to know the spirit of the original people. Chairman Bouchard asked what kinds of things are being brought forward that do not seem to "fit"? Ms. Kulakovich stated that there are some forms of art work which may be considered too abstract, some ideas for raffles were that half of the proceeds would be kept and the other half donated. The property should not be a place for people to showcase their artwork. Therefore, the vision seems off and should be redefined of what it is. Also the Highway Department needs to be contacted to remove the trash can and a sign put up for people to take out what they bring in. Ms. Yeatts mentioned that with all properties, you often cannot do all the things you want to do. Member Chamberlain stated that he has been looking to find the original write up in the paper of when Vigers was dedicated. He added that he will redouble his efforts to find the original article since it would be of help.

Ms. Kulakovich stated that the information that she provided can be reviewed and comments and changes can be emailed back to her. The cost to purchase the signs would be about \$130. Or Ms. Kulakovich could make them, or try to raise funds to purchase them. If purchased they would be made of tin, if made it is the intent to have them made of wood as Derek Cronin, Eagle Scout had done. Maybe, Mr. Peck, Superintendent of Streets, could come up with verbiage about the parking so that cars can park better to allow more cars to fit there. Maybe a few trees could be dropped and put in areas where people are not supposed to be trespassing. Ms. Yeatts inquired where the money will come from in the future since money is tight in the budget. Member Schroeder suggested that a line item be added to the budget for properties that are under the control of the Conservation Commission. Ms. Kulakovich stated that she will try and find another way to come up with the signs or payment for them. Chairman Bouchard thanked Ms. Kulakovich and expressed his sincere appreciation for all that she has put together in terms of collaboration for Vigers, the volunteer work and all the efforts, it should not go unspoken how much time and effort she has put forth towards the project. Ms. Kulakovich stated that she tries to keep the project going in the direction it is supposed to go and would appreciate any direction and feedback.

Ms. Yeatts asked if there was any interest from the Commission to attend the MACC training in Worcester on March 5, 2016. Ms. Robinson stated that she was interested in attending.

5. Approve meeting minutes of 12-8-15

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

**VOTED: To approve the Conservation Commission meeting minutes as amended.  
(minor punctuation changes only).  
Unanimous in favor**

6. Pay Bills (if necessary)

The Agent distributed the W. B. Mason bills for signature by the Commission.

**Schedule next meeting.**

The next meeting was scheduled for Tuesday, February 9, 2016 at the Library on Precinct Street.

**Adjournment**

**Upon a motion made by Member Knox; seconded by Mr. Chamberlain it was:**

**VOTED: To adjourn the Conservation Commission meeting at 8:46 PM.  
Unanimous in favor**

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