

**Town of Lakeville  
Conservation Commission  
Tuesday, March 22, 2016  
7:00 PM – Lakeville Town Office Building**

On March 22, 2016, the Conservation Commission held a meeting at 7:00 PM at the Lakeville Town Office Building. The meeting was called to order by Chairman Bouchard at 7 PM. Members present: Robert Bouchard, John LeBlanc, Joseph Chamberlain, Mark Knox, Derek Maksy, and Martha Schroeder, Katherine Goodrow-Robinson, Associate and Sarah Kulakovich, Associate, Nancy Yeatts, Conservation Agent and Christine Weston, Recording Secretary. Peter DeFusco was absent. LakeCAM was recording the meeting.

**7:00 PM**

**RDA– Churchill Shores Lot – end of Sandy Point Road – Craig Cabral**

*Chairman Bouchard introduced Jamie Bissonnette of Zenith Consulting Engineers. Mr. and Ms. Craig Cabral were present for the discussion along with Mark and Sandra Haworth abutters and partial owners of the property. Mr. Bissonnette stated that he is coming in as part of the continuance for an RDA; he had not been involved when the project was initially filed. It was noted that the scope of the project has decreased from the initial filing. The applicant would like to park a vehicle at the back lower left corner of the property and access the waterfront through a path down to the pond. The plan shows erosion control around the parking area, the type would be at the preference of the Commission. The access to the pond would involve some vista pruning. Clearing of trees outside the parking area will not be necessary. Natural Heritage will be notified.*

Ms. Yeatts went over her Agent's Report. The wetlands have been flagged and were reviewed this afternoon. There are some questions regarding the flags and it is preferred to have a continuance on this hearing in order to meet with Brandon Faneuf, the wetland scientist, on site, to review the flags with the Agent, and any Commissioners who might like to attend. Even though Mr. Cabral only wants to clear a path, once the Commission issues a Determination, it is agreeing that the line is correct. Mr. Faneuf will need to bring his auger to look at the soils to justify the flagging. Mr. Bissonnette stated that the path to the pond will be about four (4) feet wide and will meander down to the pond; it will not be a straight line. The path can be delineated with the Conservation Agent and it will be marked as to what pruning will take place. Member Knox mentioned that when plant life is removed, it will make the area muddy. Mr. Bissonnette stated that if any stumps were excavated additional material (to be identified) would be brought in. Ms. Yeatts asked that the parking area be flagged. Mr. Bissonnette agreed to flag the parking area. Chairman Bouchard asked where the access to the parking area was? Mr. Bissonnette pointed it out on the map. Chairman Bouchard noted that the access shows as a driveway, whose driveway is it? Mr. Cabral responded that it is a deeded right of way. Mr. Bissonnette noted that there are multiple owners to the property. Ms. Yeatts explained that the job of the Commission is to respond to the Request for Determination. Member Maksy stated that the Commission is not giving permission for any work and only determines what work could be approved. Mr. Bissonnette stated that the soil type will be checked in the parking area

specifically, in order to have a better idea of if there will be a need to bring in material depending on its ability to drain well or not. It was asked if there would be a boat or dock set into the water. Mr. Bissonnette stated that there are some exemptions with Chapter 91 with floating docks, but this will be addressed with a future filing. A floating dock could be brought in on a boat.

Ms. Haworth stated that she and her husband are not only abutters to the property, but are also owners of the property. There is question about the different needs and desires of what should be done on the lot. Ms. Haworth explained that they are very happy about the scaling back of what Mr. Cabral wants to do. She stated that since they are part owners, they would also like to be informed when things take place on the property, such as when the engineer and Conservation Agent will meet to go over the flags, the vista pruning, etc. She noted that some foot paths are only 1-2 feet wide and what is being proposed is 4-5' wide which, is rather wide. Ms. Yeatts stated that she will keep the Haworths in the loop of communications. Mr. Cabral stated that he will be out of town for the next meeting and will have Mr. Bissonnette speak for him.

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

**VOTED: To continue the hearing for Churchill Shores to April 19, 2016 at 7 PM in the Town Office Building.  
Unanimous in favor**

#### **NOI – 22 Montgomery Street – Robert Dunn**

Chairman Bouchard read the letter for a continuance into the record from Robert Dunn:

*I respectfully request a continuance of the Lakeville Conservation Committee's hearing on the NOI application submitted for 22 Montgomery Street, Lakeville, until the LCC's next meeting, scheduled for April 19, 2016. The Committee's consideration of this request is very much appreciated. Robert F. Dunn, Owner*

Ms. Yeatts stated that the potential buyer of the property backed out of the agreement. After discussing this with the Owner, he indicated that he would like to continue with the plan so that it can be done prior to trying to sell the property again.

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

**VOTED: To continue the hearing for 22 Montgomery Street to April 19, 2016 at 7 PM in the Town Office Building and not accept the verbal withdrawal request.  
Unanimous in favor**

#### **Other Business**

##### **1. Wetland ByLaw Review**

Ms. Yeatts spoke on the 55 page handout she had emailed to the Commission regarding what other cities and towns have or do not have in place with regard to a no disturbance area. Member Maksy stated that he heard that there is already a petition in place for a local wetland bylaw and

that this evening the Commission was to revote on the matter. Ms. Yeatts indicated that the Commission had stated that they would vote when they had a full complement of members. Member Schroeder stated that the Commission had started a discussion about the bylaw. She asked if any of the members had reviewed what had been provided by the Agent since it was interesting as to what other cities and towns had done. Cities and Towns have done this in a variety of ways and in a variety of buffer footage requirements. Some allowed for a trade off, allowing areas to be closer in some spots and further away in others. Some have vague bylaws which are working fine and others have bylaws which have led to successful inner workings for the town. Maybe the petitioned bylaw could be provided to the Commission to review prior to the next meeting and then the matter could be on the agenda for discussion. Member Knox agreed. Member Schroeder stated that then the Commission can take a vote whether or not to support it as well. Member Schroeder urged the Commission to review the document provided by the Agent in order to get an idea of what some towns have done. Ms. Yeatts explained that a local wetland bylaw is something that is more restrictive than the Wetlands Protection Act. It does not have to spell out everything as in the WPA. It is simply showing what will be more restrictive for Lakeville. Ms. Yeatts agreed to send out the Citizens' Petition to all members.

2. Approve meeting minutes of 3-8-16

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

**VOTED: To approve the Conservation Commission meeting minutes of March 8, 2016 as presented.**

**Unanimous in favor**

3. Pay Bills (if necessary)

Ms. Yeatts showed three (3) bills and provided a brief explanation to the Commission about them. They were as follows: Northern Wetlands – magazine subscription,

W.B. Mason – office supplies

Fernandez – wetlands poster mounting.

All bills were signed.

4. Other

Chairman Bouchard stated that he would like an update or report from committee members who are representatives on other committees. He requested they provide a report for the next Commission meeting.

Resident Grubb suggested that Member Schroeder continue with her updates on Tamarack Park and Open Space reports.

**Schedule next meeting.**

The next meeting was scheduled for Tuesday, April 19, 2016 at 7 PM in the Town Office Building

### **Adjournment**

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

**VOTED: To adjourn the Conservation Commission meeting at 7:44 PM.**

**Unanimous in favor**

ConComm3-22-16final