

**Town of Lakeville  
Conservation Commission  
Tuesday, May 10, 2016  
7:00 PM – Lakeville Library**

On May 10, 2016, the Conservation Commission held a meeting at 7:00 PM at the Lakeville Library. The meeting was called to order by Acting Chairman Member Chamberlain at 7:00 PM. Members present: John LeBlanc, Joseph Chamberlain, Peter DeFusco, Mark Knox, Derek Maksy, and Martha Schroeder (exit 7:50 PM), and Sarah Kulakovich (enter 7:45 PM), Associate, Nancy Yeatts, Conservation Agent and Christine Weston, Recording Secretary. Members absent: Robert Bouchard, Chairman and Katherine Goodrow-Robinson, Associate. LakeCAM was recording the meeting.

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

**VOTED: To appoint Member Chamberlain as Chairman for this evening.  
Unanimous in favor**

**7:00 PM  
RDA – 139 Staples Shore Road - Kelliher**

Chairman Chamberlain read the legal notice into the record. *Peter Pannettieri was present for the discussion.* Ms. Yeatts explained that this was simply the documentation necessary for the applicant to file for a Chapter 91 license for the dock. The Agent recommended a Negative 2 determination. *The work described in the Request is within an area subject to protection under the Act, but will not remove, fill dredge, or alter that area. Therefore, said work does not require the filing of a Notice of Intent.* The portable dock will roll into the water during the season, then be taken out and stored during the winter.

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

**VOTED: To approve the DOA with a Negative 2 Determination.  
Unanimous in favor**

**COC – 10 Keene Shore Road - Mello**

Ms. Yeatts stated that issuing a COC will close out the original filing. Any remaining conditions will be added to the new NOI.

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

**VOTED: To approve the COC for the septic system at 10 Keene Shore Road.  
Unanimous in favor**

### **NOI – 10 Keene Shore Road - Chaves**

Ms. Yeatts stated that she has performed two (2) site visits to the property, one with the client and one with the engineer to check the siltation barrier. Everything is in order to approve the NOI with the Conservation Commissions Standard Special Conditions and to include a condition that any restoration project for the “boathouse” would require an additional filing and a Chapter 91 license if work is proposed in the pond.

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

**VOTED: To approve and issue an OOC with the Conservation Commissions Standard Special Conditions, including the condition that when work is done to the boat house it will require an additional filing and a Chapter 91 license if work is proposed in the pond.  
In favor 5, Against 1**

### **NOI – 59 Lakeside Ave – D.R. Peck Engineering**

Chairman Chamberlain read the notice into the record. *Nyles Zager from Zenith Consulting Engineers was present for the discussion.* The green cards were provided to Member Knox. Mr. Zager went over the plans for the project. There will be a single family home with three (3) bedrooms, an associated driveway, and septic system. The construction of the driveway crosses a wetland area and will require approximately 800 S.F. of fill. Replication will be done for approximately 1 ½ times that amount. The replication plan has been provided. Mr. Zager stated that since there are a few minor changes that will be made to the first page of the plans, all three pages of the plans will be resent electronically. Ms. Yeatts stated that a site visit had been conducted today and only one (1) flag was moved. The replication area is approximately 1.5 times that of the fill area and is on the very edge of the wetland, which will give it the best chance of being successful. She asked that the replication area be marked in the field for review including the trees that are to remain. The site will be checked when the siltation barrier is installed. She recommended approval and for all the Conservation Commissions standard special conditions to be in place. Member Schroeder asked if it would be made sure that any drainage would be directed away from the wetlands. Mr. Zager noted that you cannot discharge water onto someone else’s property. Member Chamberlain stated that the driveway will shed a lot of water. Member DeFusco noted that the elevation may lend itself to adding more water to the wetlands. Member Knox asked if it is better to put something else there than pavement. Member DeFusco further noted that the native vegetation is being removed from the area where the driveway is going in, thus the water that had been being absorbed there, would no longer be able to absorb the water. Mr. Zager added that though a replication is not ideal, this one will be similar in soils, vegetation, etc. The replication area when marked out in the field will need to be checked. Any disturbed areas outside the wetlands will be stabilized and reseeded. Member Schroeder asked how long a replication area is watched? Ms. Yeatts responded that it is two (2) growing seasons. Mr. Zager stated that if a replication area is not successful the Conservation Commission has the right to ask for more work to be done. Member Schroeder stated that it needs to be understood about the impacts to the wetlands and how the replication areas are

working since the Commission will be seeing more and more of them. Ms. Yeatts noted that by keeping a close eye on the project it will be seen what works and what doesn't.

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

**VOTED: To close the hearing and issue an OOC with the Conservation Commissions Standard Special Conditions, including that the replication area is to be marked in the field and that the hay bale line will be inspected before work is started.**

**Unanimous in favor**

### **RDA – 26 Plymouth St – S. Robichaud**

Chairman Chamberlain read the legal notice into the record. Ms. Yeatts stated that the applicant is putting in new posts; there had been an existing dock at the property which had a Chapter 91 license. The new dock will be a bit longer than the old one. Ms. Yeatts stated that she will email his Chapter 91 application to all members. The Agent recommended a Negative 2 Determination. *The work described in the Request is within an area subject to protection under the Act, but will not remove, fill dredge, or alter that area. Therefore, said work does not require the filing of a Notice of Intent*

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

**VOTED: To approve the DOA with a Negative 2 Determination.**  
**Unanimous in favor**

### **Reports:**

ZBRAC – Zoning Bylaw Review Advisory Committee – Member Maksy

Ms. Yeatts provided the information, and it has also been emailed to the Commission. Member Maksy briefly went over what has been taking place with the Committee.

### **Other Business**

1. Sign copy of Original COC for Anderson Way

Ms. Yeatts stated that the original COC for Anderson Way cannot be found and Attorney Mather has requested an original copy.

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

**VOTED: To sign the copy of the original COC for Anderson Way.**  
**Unanimous in favor.**

## 2. Wetland By-Law Review

The Commission agreed to have the Wetland By-Law Review discussion take place at their next meeting on Tuesday, May 24, 2016 at 7 PM at the Town Office Building. There is a petition which will on the upcoming Town Meeting Warrant on June 6, 2016 regarding a wetlands bylaw. Copies of the article were distributed to the Commission. Ms. Kulakovich stated that there is an information video which will be available for viewing on LakeCAM about the Community Preservation Act. Ms. Kulakovich spoke briefly about the CPA (Community Preservation Act). Member DeFusco stated that just recently the EPA gave more responsibility to the DEP, and he will see if he can find a link about this that he can provide for the Commission to review. A motion was made by Member Maksy not to endorse the wetlands bylaw. There was no second to the motion, thus the motion failed.

## 3. Approve meeting minutes of 6-11-13, 12-10-13 and 4-19-16

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

**VOTED: To approve the Conservation Commission meeting minutes of 4-19-16 as presented.  
Unanimous in favor**

### **Schedule next meeting.**

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

**VOTED: To have a second meeting of the Conservation Commission in May.  
Unanimous in favor**

The next meeting of the Commission was scheduled for Tuesday, May 24, 2016 at the Town Office Building at 7 PM.

Ms. Yeatts mentioned that in the past, the Commission has only met once a month during the summer months. Does the Commission want to vote to do that again? If so it will be necessary to send the engineers an email informing them so that they can plan accordingly. It was noted that if a second meeting is deemed necessary it will be scheduled.

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

**VOTED: To eliminate the administrative meetings for June, July and August, of the Conservation Commission and to send notification to all of the engineers.  
Unanimous in favor**

### **Adjournment**

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

**VOTED: To adjourn the Conservation Commission meeting at 8:29 PM.  
Unanimous in favor**

ConComm5-10-16final