

Town of Lakeville
Conservation Commission
Tuesday January 22, 2019
7:00PM – Lakeville Senior Center

The meeting was called to order by Chairman Bouchard at 7pm. Members present were: Mark Knox, Josh Faherty, Joseph Chamberlain and Agent Lenore White. Members absent: John LeBlanc and Richard Hagerman.

Hearings:

RDA 7 Pine Haven Lane – Chairman Bouchard read the legal notice into the record. Jamie Bissonnette from Zenith Consulting Engineers was present for discussion. The existing stone slope is in need of additional rip-rap for the time being until an NOI is filed shortly for a permanent repair. Member Knox asked if they were just going to add additional rip-rap on top of what was already there rather than excavate. The estimated time frame for DEP approval could be almost a year away. There was a discussion regarding the site. Agent White had some questions regarding the project. The photo of the area showed beach near the stairs, but was shown as existing rip-rap on the plan. Also, a chapter 91 would have been required for the structure which would allow for maintenance (so a permit would not be needed). And the “minor” work didn’t give detail of where, how much, and how the equipment would get there. Since this is a Natural Heritage area, this project would need to go before them. It is also work in a flood zone. Agent White had reservations about the project going forward without more detail. There was further discussion on the project. Member Chamberlain said he would almost rather see the property owners wait and put the money towards a permanent fix. Member Knox said he didn’t think they should let it wait a year if the owner was willing to do some stabilization. He said it didn’t need to be a long drawn out process when the effort was made to do it right. Agent White said she agreed, but would still like a little more detail, and that Natural Heritage would need to be contacted. Member Knox asked if a detailed plan with colored hatch marks where the work was going to be would be helpful. Agent White said it would.

Upon a motion made by Member Chamberlain, seconded by Member Knox, it was:
Voted: to close the hearing, and issue a negative decision with the caveat that a filing is done with Natural Heritage, and a more detailed plan showing the area on either side and the specific work to be done.
Unanimous in favor

RDA 4 Mark Twain Drive – Chairman Bouchard read the legal notice into the record. Douglas Maxwell was present for discussion. He would like to remove four trees from his property leaving the stumps intact. There are nine trees (white pines) that are closer to the water than the trees he would like to remove. Agent White said that when trees

are cut down, the stumps will decay and that will lead to some failure of the bank and erosion. Mr. Maxwell's arborist has identified that the trees are a threat to the house. Ms. White said they are functioning in terms of their protection of the resource area and habitat. She did have some concerns about removing those four trees. She had no concerns with removing the dead trees. Mr. Maxwell said there are more trees closer to the shore line. Agent White said her concern was loss of habitat and wasn't sure if Mr. Maxwell would consider replanting something more suitable. Member Chamberlain said bank stabilization is what you want, the minute the vegetation is removed, the minute the roots start decaying and rains come in soil can disappear fast. Member Knox said if the homeowner could agree to put some low growing native species that will retain the soil. There was a discussion regarding the site.

Upon a motion made by Member Knox, seconded by Member Chamberlain, it was:
Voted: to close the hearing and issue a negative determination for the RDA for 4 Mark Twain Drive for the removal of trees as proposed subject to the replanting of some ground cover or low growth native species in replacement of the trees on a 1:1 basis.
Unanimous approval

Certificate of Compliance 152, 156 County St. - Agent White said she did a site visit and it looks great. The as-built has been submitted.

Upon a motion made by Member Knox, seconded by Member Chamberlain, it was:
Voted: to approve the Certificate of Compliance for 152, 156 County St.
Unanimous approval

Ratify Enforcement Order for 71 Southworth St – Agent White said after the last meeting, the Commission voted to issue the Enforcement Order. The Order asks for a restoration plan as well as a cease and desists. The only addition is that the first Enforcement Order (issued in August) wasn't complied with. Everything was copied to DEP. The restoration plan must be submitted within 30 days.

All members were in favor of ratifying the Enforcement Order.

Adjournment -

Upon a motion made by Member Knox, seconded by Member Chamberlain, it was:
Voted: to adjourn
Unanimous approval