

**Conservation Commission
Meeting Minutes
April 14, 2009**

The Conservation Commission held a meeting on April 14, 2009 in the Lakeville Town Office Building. The meeting was called to order by Chairman Orrall at 7:00 p.m. Members present were Bob Bouchard, Joseph Chamberlain, Tom Mason, Emery Orrall and Martha Schroeder. Tara Martin, Conservation Agent and Jennifer Jewell, recording secretary were also present. Randall Kenney was absent with prior notice given.

7:00P.M. – 6 Chrisjenn Brooke Lane

Forth

Chairman Orrall read the legal notice. Michael Forth presented a Request for Determination of Applicability for the construction of an above ground swimming pool. There was a review of the plans and site photos. It was noted that the pool location was staked in the field and that a cartridge system will be used for filtration. Site grades were discussed and it was stated that the pool water would not be drained during the winter months. Upon motion made by Member Chamberlain and seconded by Member Bouchard the Commission

VOTED: To close the hearing and issue a Negative Determination of Applicability with the condition that silt fence be installed on the northeastern side of the proposed pool and must be inspected by the Conservation Agent prior to the start of work. Unanimous vote.

7:08 P.M. – 13 Shore Avenue

Szczesny

Chairman Orrall read the legal notice. Chester Szczesny presented a Request for Determination of Applicability for the construction of a deck with a floating foundation. There was a review of the plans and site photos. No footing or building permit is required for the deck. Building materials were discussed. It was stated that siltation barriers would not be necessary for this project. Upon motion made by Member Chamberlain and seconded by Member Bouchard the Commission

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

7:12 P.M. – 105 Staples Shore Road

Barnicoat

Chairman Orrall read the legal notice. Darren Michaelis, from Foresight Engineering, was present for the discussion. It was stated that at a previous meeting the Commission preferred the well be located adjacent to the pond (known as Option #1). Mr. Michaelis stated that Option #1 is no longer viable due to a drafting error. There was a review of the plans. Board of Health and Natural Heritage approvals have been received for Option #2. The existing cesspool will be pumped and the well discharge area will be surrounded by hay bales. Upon motion made by Member Bouchard and seconded by Member Schroeder the Commission

VOTED: To close the hearing and issue an Order of Conditions with the following special conditions: 1.) The Order of Conditions must be recorded at the Plymouth County Registry of Deeds and a stamped receipt returned to the Lakeville Conservation Commission (LCC) before work begins; 2.) Silt fence & haybale line to be installed and inspected by the LCC agent prior to the start of any activity and remain in place until all disturbed areas have been stabilized; 3.) The Conservation Agent must be onsite during the well drilling; 4.) Access to the property will be granted to the LCC and/or its agents, for site inspections, to determine that the project is in compliance with this Order of Conditions. Unanimous vote.

7:17 P.M. - 129 & 129A Hemlock Shore Road

Demoura/Pedranti

Jon Pink, from AZOR Land Sciences, was present for the discussion. There was a review of the revised plans. It was stated that there will not be a shared well on-site and that the homeowners could continue to use the shallow wells or use the wells proposed on the plans. The shared septic has received approval from the Board of Health. The total number of bedrooms attributed to the system has been reduced. Upon motion made by Member Schroeder and seconded by Member Bouchard the Commission

VOTED: To close the hearing pending receipt of Board of Health approval and a revised plan reflecting the details of the dewatering pit and issue an Order of Conditions with the following special conditions: 1.) The

Amended Order of Conditions must be recorded at the Plymouth County Registry of Deeds and a stamped receipt returned to the Lakeville Conservation Commission (LCC) before work begins; 2.) Silt fence & haybale line to be installed and inspected by the LCC agent prior to the start of any activity and remain in place until all disturbed areas have been stabilized; 3.) The Conservation Agent must be onsite during the well drilling; 4.) Access to the property will be granted to the LCC and/or its agents, for site inspections, to determine that the project is in compliance with this Order of Conditions. Unanimous vote.

Emery Orrall recused himself for the next hearing.

7:28 P.M. – 330 Bedford Street

Savas

Acting Chairman Bouchard read the legal notice. Dick Pastore, from RP Engineering, presented a Notice of Intent for the replacement of a failed septic system. There was a review of the revised plans. It was stated that this plan has received approval from the Board of Health. It was noted that the proposed system is comprised of several separate tanks that will flow to a larger tank and bottomless sand filter. There was discussion regarding the location of the dewatering basin and there was question as to whether a truck would be necessary. It was stated that the work would be done during a dry season/fall but a timeframe for the job was unavailable. There was question as to the location of the pipe and current connection for Stargazers. It was noted that the location of the connection is unknown but the shop will be connected to the proposed tanks behind Savas'. There was discussion regarding the depth of the tanks and the method to be used in removing the leach field. Mr. Pastore stated that the project is exempt from Stormwater Management because there will be no change in the impervious area and the proposed work is a septic repair currently not under the Stormwater management regulations. Ms. Martin will verify whether the exemption status of this project and it was recommended that Mr. Pastore discuss the matter with The Department of Environmental Protection (DEP). The extent of proposed excavation was reviewed. The tanks will remain in place, if possible, but will be filled. It was stated that stormwater is currently being directed to a stream that is a tributary to a drinking water supply. It was recommended that something be installed to catch and treat the stormwater runoff. Mr. Pastore reviewed options and said that existing vegetation should provide adequate treatment. It was stated that this plan has not received approval from DEP, who could override the Board of Health decision and require substantial revisions. Upon motion made by Member Chamberlain and seconded by Member Schroeder the Commission

VOTED: To continue the hearing to May 12, 2009 at 7:00 p.m. Unanimous vote.

Emery Orrall returned to the meeting.

8:02 P.M. – 325 Pond Lane

Julowen

Chairman Orrall read the legal notice. Upon motion made by Member Schroeder and seconded by Member Chamberlain the Commission

VOTED: To continue the hearing to May 12, 2009 at 8:00 p.m. at the request of the applicant. Unanimous vote.

8:05 P.M. – 145 Staples Shore Road

Bosari

Chairman Orrall read the legal notice. Dave Klenert, from Collins Civil Engineering, presented a Notice of Intent for the repair of a residential septic system. There was a review of the plans and site photos. The location of the tight tank was discussed and it was noted that the pump system and leach field would be installed on the portion of the lot across the roadway. The height of the retaining wall was reviewed. This plan has received an approval letter from Natural Heritage and Board of Health. There was discussion regarding the locations of the dewatering pit and siltation barriers. Upon motion made by Member Chamberlain and seconded by Member Bouchard the Commission

VOTED: To close the hearing and issue an Order of Conditions with the following special conditions: 1.) The Amended Order of Conditions must be recorded at the Plymouth County Registry of Deeds and a stamped receipt returned to the Lakeville Conservation Commission (LCC) before work

begins; 2.) Silt fence & haybale line to be installed and inspected by the LCC agent prior to the start of any activity and remain in place until all disturbed areas have been stabilized; 3.) The Conservation Agent must be onsite during the dewatering; 4.) Access to the property will be granted to the LCC and/or its agents, for site inspections, to determine that the project is in compliance with this Order of Conditions. Unanimous vote.

8:15 P.M. - CSX Right of Way

CSX

Ms. Martin stated that due to limitations on the vehicles available the rail ride has been postponed. It was stated that a representative from the Massachusetts Audubon Society would like to be present on the ride. It was suggested that the applicant re-file if the correct vehicle is not available for a ride prior to the May 12, 2009 meeting. Upon motion made by Member Schroeder and seconded by Member Chamberlain the Commission

VOTED: To continue the hearing to May 12, 2009 at the request of the applicant. Unanimous vote.

Hemlock Shores

The Commission received a complaint about a re-routed drainage pipe and the resulting erosion on the right-of-way to the beach area. There was a review of site photos. Ms. Martin noted that sediment from the roadway is entering the pond and needs to be controlled. It was also mentioned that the outlet from a drain pipe from an abutting property has been directed onto the right of way. Ms. Martin stated that the Department of Environmental Protection (DEP) recommended that at least two enforcement orders be issued – one for the relocation of the pipe and another for the restoration of the site. There was question regarding ownership of the property. There was a review of past enforcement actions on this site. It was stated that until the ownership issues were resolved the DEP suggested the Commission take no further action on a 2006 Enforcement Order. Health Agent, Larry Perry, will visit the site with Ms. Martin to view the privately owned drainage pipe. There was discussion regarding liability and financial responsibilities between the parties involved. It was decided that Enforcement Orders would be issued to Don Prescott for the relocation of the pipe and stabilization and restoration of the site and to the Hemlock Shores Association for the stabilization and restoration of the site. Paul Cherette, president of the Hemlock Shores Association, discussed some of the ownership litigation and past work on the site. Upon motion made by Member Chamberlain and seconded by Member Bouchard the Commission

VOTED: To issue Enforcement Orders to Don Prescott for the relocation of the pipe and stabilization and restoration of the site and to the Hemlock Shores Association for the stabilization and restoration of the site. Unanimous vote.

211 County Street

Rounsevell

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

VOTED: To issue a Certificate of Compliance for SE 192-518, 211 County Road. Unanimous vote.

Meeting Minutes

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

VOTED: To approve the minutes for the March 10, 2009 meeting as amended. Unanimous vote.

Oxford/Kensington Court

Ms. Martin reviewed the extent of a sedimentation breach onsite. A meeting was held with the various contractors and a timeline for cleanup was established.

Southcoast Rail

Changes to the Middleboro/Lakeville line are no longer being considered by the MBTA.

Tamarack Park

The original filing for the Tamarack Park has expired and must be re-filed with the Commission. Member Schroeder is the certified pesticide applicator for the project.

Next Meeting

The next meeting of the Lakeville Conservation Commission will be held on May 12, 2009 at 7:00 p.m. in the conference room at the Lakeville Town Office Building. Upon motion made by Member Schroeder and seconded by Member Bouchard the Commission

VOTED: To adjourn the meeting at 9:30 p.m. Unanimous vote.