

**Conservation Commission  
Meeting Minutes  
October 14, 2008**

The Conservation Commission held a meeting on October 14, 2008 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, Joe Chamberlain, Randall Kenney, Emery Orrall and Martha Schroeder. Tara Martin, Conservation Agent and Jennifer Jewell, recording secretary were also present. Michael Toole was absent with prior notice.

**7:00 P.M. – CSX Right-of Way**

**CSX**

A site visit will be scheduled with Ms. Martin. Upon motion made by Member Kenney and seconded by Member Chamberlain the Commission

VOTED: To deny the hearing for lack of action if a site visit is not scheduled by October 31, 2008. If a site visit is scheduled then the hearing will be continued to November 18, 2008 at 7:00 p.m. Unanimous vote.

**7:04 P.M. – 309 Pond Lane**

**Crawford**

Chairman Orrall read the legal notice. Bob Rego, from Prime Engineering, presented a Request for Determination of Applicability for the installation of a private well. It was noted that Member Bouchard is the contractor for the public water supply that currently services 309 Pond Lane and will abstain from voting. There was a review of the plans and the applicant's issues with the public water supply. It was stated that the proposed well location was dictated by the septic location and well drilling access. There was a review of the hay bale location. There was a review of site photos. Ms. Martin recommended that the applicant file a Notice of Intent that will detail the sedimentation barriers and plans for well effluent. It was noted that the lot number referenced on the plans is incorrect and that this project requires review by Natural Heritage. Upon motion made by Member Chamberlain and seconded by Member Schroeder the Commission

VOTED: To close the hearing and issue a Positive Determination of Applicability requiring a Notice of Intent filing. 4 in favor. Member Bouchard abstained. Motion carried.

**7:20 P.M. – 307 Pond Lane**

**Saia**

Chairman Orrall read the legal notice. Jon Pink, from AZOR Land Sciences, presented a Request for Determination of Applicability for the installation of a well. It was noted that Member Bouchard is the contractor for the public water supply that currently services 307 Pond Lane and will abstain from voting. There was a review of the plans. It was noted that access for the well drilling rig would be through 309 Pond Lane. Ms. Martin recommended that the applicant file a Notice of Intent that will detail the sedimentation barriers and plans for the well effluent. It was noted that this project will require review by Natural Heritage and variances from the Board of Health. Distances to adjacent septic systems were discussed. Upon motion made by Member Schroeder and seconded by Member Chamberlain the Commission

VOTED: To close the hearing and issue a Positive Determination of Applicability requiring a Notice of Intent filing. 4 in favor. Member Bouchard abstained. Motion carried.

**7:30 P.M. – 201-203 County Road**

**SE192-575**

**Rogers**

Chairman Orrall read the legal notice. George Collins, from Collins Civil Engineering Group, presented a Notice of Intent for the demolition of an existing home, the decommissioning of an existing septic tank and the construction of a garage addition. There was a review of the plans. It was noted that the lots will be combined when all the permits have been received. Natural Heritage recommended that hay bales not be used on the site and that there be minimal lawn mowing within the 25' buffer zone. It was stated that 100% infiltration would be achieved for the roof runoff and west side of the lot adjacent to County Road. There was a review of site photos and soil types were discussed. Charlie Edson, an abutter, voiced concern regarding possible tree removal for the installation of the stockade fence. Mr. Collins stated that no tree removal is necessary. There was discussion

regarding the public water supply on the abutting lot. Upon motion made by Member Chamberlain and seconded by Member Kenney the Commission

VOTED: To close the hearing and issue an Order of Conditions (OOC) 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 homeowner must adhere to organic lawn care standards 4.) Fifty feet of fencing, closest to the pond, will be installed with minimal disturbance and there will be minimal lawn mowing within 25' of the pond. 5.) 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.

**7:55 P.M. – 201 & 203 County Road/Cassidy Road**

**Rogers**

It was stated that the legal notice for this hearing was published incorrectly and the hearing cannot be opened. Upon motion made by Member Chamberlain and seconded by Member Kenney the Commission

VOTED: To open the hearing on November 18, 2008 at 7:00 p.m. Unanimous vote.

**8:07 P.M. – 51 Shore Avenue**

**Morse & Chiccone**

Chairman Orrall read the legal notice. Jamie Bissonnette, from Prime Engineering, presented a Notice of Intent for the replacement of a failed retaining wall. There was a review of the plans which have been stamped by a structural engineer. The proposed wall will be constructed of Redi-Rock, stone and filter fabric to minimize impact. A turbidity barrier will be installed in the pond to encompass the work area. The dewatering and staging areas were discussed. It was noted that the Department of Environmental Protection (DEP) has not issued a file number and no response has been received from Natural Heritage. Ms. Martin reviewed the site photos. It was stated that the project would last approximately two weeks and may be done during a period of seasonal low water. Crushed stone will be used as a base for the wall. There was discussion regarding possible impacts to the bridle shiner. Member Kenney voiced concern regarding the upcoming herring breeding season and suggested the applicant contact the Middleboro/Lakeville Herring Commission. It was stated the wall will require a Chapter 91 permit. Upon motion made by Member Chamberlain and seconded by Member Kenney the Commission

VOTED: To close the hearing pending receipt of a DEP number and response from Natural Heritage 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.) A Chapter 91 Permit must be obtained during the life of this OOC; 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.

**8:25 P.M – Harding Street/Route 44**

**High Rock Harding, LLC**

Curt Young, from Wetlands Preservation, was present for the discussion. There was a review of the plans. Ms. Martin noted that reports were submitted to Natural Heritage regarding the sighting of a box turtle on the property. There was a review of site photos. There was discussion regarding siltation washing into the brook and it was noted that the stormwater management system would be repaired during construction. It was stated that solid waste disposal would be required for this site but cannot be conditioned under the Order of Resource Area Delineation (ORAD). Debris locations were discussed. It was stated that machinery would be required for removal. It was noted that as the debris could be providing habitat and does not appear to be visibly leaching pollutants, required removal is not imminent. Member Schroeder noted the importance of the resource areas on the site and the specific stormwater management standards for cold water brooks. Upon motion made by Member Chamberlain and seconded by Member Kenney the Commission

VOTED: To close the hearing and issue an Order of Resource Area Delineation. Unanimous vote.

**8:45 P.M – 17 Island Road**

**Logan**

Chairman Orrall read the legal notice. Darren Michaelis, from Foresight Engineering, presented a Notice of Intent for the demolition of an existing dwelling and the construction of a new single family dwelling and septic system with associated grading. There was a review of the plans and site photos. It was noted that the on-site cesspool is failing and the grey water is currently being directed to the wetland. The uprooted tree will be removed and a 25' no-touch zone will be maintained. The response letter from Natural Heritage has not been received. A new well is to be drilled in the location of the existing point well. A revised cover sheet with a correct address will be submitted to the Commission. Mr. Michaelis stated that the footprint of the proposed dwelling is smaller than the existing dwelling. A 2-bedroom deed restriction has been imposed by the Board of Health. The existing shed will be removed and the driveway surface was discussed. A foundation drain will be installed under the floor to prevent ground water flow to the wetland. Upon motion made by Member Kenney and seconded by Member Chamberlain the Commission

VOTED: To close the hearing pending receipt of a response letter from Natural Heritage 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 homeowner must adhere to organic lawn care standards; 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.

*Member Kenney left the meeting.*

**9:00 P.M – Route 79**

**Town of Lakeville**

Ken Motta, from Field Engineering, was present for the discussion and reviewed a site visit held with Ms. Martin. It was stated that the sediment forebays were revised from stone pavers to vegetation based on comments from Mass Highway. There was question as to the disposal of plants if they are found to be contaminated. Mr. Motta will look into the matter further. The response letter from Natural Heritage was received. Ms. Martin stated that the site is clearly marked but additional review time is necessary. Upon motion made by Member Chamberlain and seconded by Member Bouchard the Commission

VOTED: To continue the hearing to November 18, 2008 at 8:00 p.m. Unanimous vote.

**9:15 P.M – 123 Nelson's Grove Road**

**Nyberg**

PJ Nyberg was present for the discussion. There was a review of the mussel report and letter from Natural Heritage. It was noted that the pond level rises when the Nemasket planks are in place and that the work would be done in August or September of 2009. There was a review of site photos. There was question as to the stability of the wall during icy conditions. Mr. Nyberg stated that concrete would be vibrated under the wall for footings. Site elevations were discussed. Upon motion made by Member Chamberlain 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.) All work to be done in accordance with the mussel letter contracted by Natural Heritage; 4.) A Chapter 91 permit will be obtained during the life of this Order of Conditions; 5.) 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.

**9:29 P.M – 123 Nelson’s Grove Road**

**Nyberg**

PJ Nyberg was present for the discussion. There was a review of the mussel report and letter from Natural Heritage. It was noted that the pond level rises when the Nemasket Planks are in place and that the work would be done in August or September of 2009. There was a review of site photos. There was question as to the stability of the wall during icy conditions. Mr. Nyberg stated that concrete would be vibrated under the wall for footings. Site elevations were discussed. Upon motion made by Member Chamberlain 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.) All work to be done in accordance with the mussel letter contracted by Natural Heritage; 4.)A Chapter 91 permit will be obtained during the life of this Order of Conditions; 5.)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.

**9:35 P.M – 1, 3, 5 Quequechan**

**QBI Homes**

**3, 5, 7, 8 Quequechan**

**QBI Homes**

There was discussion regarding the status of this project. It was noted that if there is no further development there will be fewer stormwater related issues on the site. There was discussion regarding stormwater runoff directed to Cedar Pond. The site history was reviewed. Upon motion made by Member Chamberlain and seconded by Member Schroeder the Commission

VOTED: To table the hearing for 1, 3, 5 Quequechan until further notice. Unanimous vote.

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

VOTED: To table the hearing for 3, 5, 7, 8 Quequechan until further notice. Unanimous vote.

**63 Highland Road**

**Turner**

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

VOTED: To issue a Certificate of Compliance for 63 Highland Road. Unanimous vote.

**201 Hemlock Shore Road**

**Mastrangelo**

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

VOTED: To issue a Certificate of Compliance for 201 Hemlock Shore Road. Unanimous vote.

**4 Edgewater Drive**

**Tribou**

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

VOTED: To issue a Certificate of Compliance for 4 Edgewater Drive. Unanimous vote.

**86 County Road**

**Sterrett**

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

VOTED: To issue a Certificate of Compliance for 86 County Road. Unanimous vote.

**Agent Supplies**

Ms. Martin reviewed a list of supplies that will need to be purchased for field work.

**Agent Vote**

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

VOTED: To appoint Tara Ann Martin as the Conservation Agent for the Town of Lakeville. Unanimous vote.

**Signatures**

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

VOTED: To authorize Joseph Chamberlain and Emery Orrall to act as signatories for the Lakeville Conservation Commission. Unanimous vote.

**Next Meeting**

The next meeting of the Lakeville Conservation Commission will be held on November 18, 2008 at 7:00 p.m. in the conference room of the Lakeville Town Office Building. Upon motion made by Member Schroeder and seconded by Member Bouchard the Commission

VOTED: To adjourn the meeting at 10:05 p.m. Unanimous vote.