

**Conservation Commission  
Meeting Minutes  
December 9, 2008**

The Conservation Commission held a meeting on December 9, 2008 in the Lakeville Town Office Building. The meeting was called to order by Acting Chairman Bouchard at 7:18 p.m. Members present were Bob Bouchard, Joe Chamberlain, Randall Kenney and Martha Schroeder. Tara Martin, Conservation Agent and Jennifer Jewell, recording secretary were also present. Michael Toole, Tom Mason and Emery Orrall were absent with prior notice.

**7:18 P.M. – 41 Shore Avenue Little**

Chairman Bouchard read the legal notice. Jon Little presented a Notice of Intent for the installation of a deck and the replacement of an existing cinderblock foundation with a concrete stem and footing. There was a review of the plans. The existing foundation has shifted and the dwelling will be lifted so that a new foundation can be poured. Erosion control measures were discussed. The depth of the proposed footings and water table depth were reviewed. Ms. Martin requested a dewatering plan be submitted, that no equipment be stored on-site and that there be no clean-up of cement truck chutes on-site. The size of the proposed deck was discussed and the foundation detail was reviewed. 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 notified regarding the start of foundation work on-site; 4.) A dewatering plan must be submitted if deemed necessary; 5.) Cement truck chutes cannot be cleaned on-site; 6.) 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.

**7:31 P.M. – 1 Elliot Way Chistolini**

Chairman Bouchard read the legal notice. Paul Patenaude, from Earth Services Corporation, presented an Abbreviated Notice of Resource Area Delineation. There was a review of the plans. Ms. Martin reviewed the site visit with Dr. Walter Hewitson. There was discussion regarding the methods used to verify the wetland delineation and Mr. Patenaude noted that the wetland lines are consistent with an earlier delineation. It was stated that the two perennial streams on the site are not located near any proposed activity. Concern was voiced regarding the use of winter vegetation as a method of verification. Ms. Martin stated that the delineation was conservative and that she was in agreement with the wetland line as shown on the plans. It was noted that the man-made pond on the site had no wetland vegetation surrounding it. 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 with the condition that the Commission did not rule on the accuracy of the wetland flags, numbered or otherwise, located off-site. Unanimous vote.

**7:52 P.M. – 1 Elliot Way Chistolini**

Chairman Bouchard read the legal notice. Paul Patenaude, from Earth Services Corporation, presented a Notice of Intent for the construction of cranberry bogs on existing agriculturally used land. There was a review of the plans. Mr. Patenaude noted that the regulations allow for the use of wetlands to create cranberry bogs. The location of the reservoir and proposed replication areas were reviewed. It was stated

that the existing pond behind the home would be enlarged. Site elevations were reviewed. The location of the access road and staging area were discussed. Ms. Martin noted that this property was under a 61A exemption and this project, as a limited project can be conditioned by the Commission. It was recommended that the applicant complete the replication project first, using viable soils from the site. Ms. Martin requested a Natural Resources Conservation Service (NCRS) plan, governing the use of pesticides and fertilizers, be submitted. There was discussion regarding the amount of water available with the use of two ponds. It was stated that the use of the ground water fed ponds will have little to no effect on the wetlands as the system is a loop system utilizing a tailwater recovery pond. The extent of the proposed gravel removal project was discussed and it was noted that there is no way to ensure bog construction. Sand to be used during the winter will be stored adjacent to the shed. Bob Collins, an abutter, voiced concern regarding the depths of the wells on adjacent lots. There was discussion regarding the 61A designation of the property. Dave Toti, an abutter, voiced concern regarding the vehicular access and pesticide use. Distances to the property lines were discussed and it was noted that noise concerns do not fall under the jurisdiction of the Commission. It was stated that the vehicular access concerns would be a condition of the gravel removal permit issue by the Board of Selectmen. There was a review of other agencies that might assuage the neighbor's concerns. Mr. Collins reviewed site conditions and possible causes of flooding on his lot were mentioned. Mr. Patenaude stated that the bogs would be built primarily on upland only utilizing the wetland to square off the bogs and provide access. It was stated that the gravel removal project will be done in phases and the replication project will be completed prior to the start of any gravel removal. Upon motion made by Member Schroeder and seconded by Member Chamberlain the Commission

**VOTED:** To close the hearing pending receipt of verification of the well depths on neighboring lots using a Certified Abutter's List 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 replication must be completed prior to the start of the gravel removal project 4.)the applicant must provide a planting plan and schedule and is responsible for removal of all invasive species; 5.) An NCRS plan must be submitted to the Commission and followed as mandated by the Commonwealth of Massachusetts; 6.) 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.

### **Winter Vegetation Course**

Ms. Martin will be attending a Winter Vegetation Course and obtaining a membership with the New England Wildflower Society. The membership will ensure her participation in the course is used towards a certificate program.

### **8:52 P.M - 28 Shore Avenue Green**

George Collins, from Collins Civil Engineering Group and Darlene Green were present for the discussion. There was a review of the plans and the certified abutter's list. It was stated that the Board of Health (BOH) has issued the well permit with the condition that water quality sampling results be submitted. It was noted that Ms. Green was on the BOH agenda but not present at the meeting and that any outstanding issues will need to be resolved. Ms. Martin was onsite for the disconnection of a pipe discharging water from the dwelling to the Bordering Vegetated Wetland. A second discharge pipe was frozen and will be worked on as weather permits. Acting Chairman Bouchard stated that the Department of Environmental Protection was concerned that approval of private wells in place of existing community supplies would require additional point source monitoring. The current quality of the community water supply was

discussed. It was stated that as a condition of approval the Commission could require that the proposed well be used seasonally and that water quality monitoring be required. A sampling to test for volatile organic compounds will be required to monitor the presence of the toluene found during earlier testing and bacterial testing will be required quarterly during the seasonal months of use. It was stated that if the results are positive, treatment will be required and if the results are positive after 3 years the private well use will be reevaluated. Ms. Green voiced concern regarding the designation of the well as seasonal and the costs to be incurred for water testing. 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.) The well is to be used seasonally – between April 1<sup>st</sup> and October 15<sup>th</sup>; 4.) Water quality monitoring results (bacteria) must be submitted to the Commission within ten days of the end of each quarter during the season of use (April 1<sup>st</sup>, July 1<sup>st</sup> and November 1<sup>st</sup>) for the life of this Order of Conditions; 5.) Results of testing for volatile organic compounds must be submitted to the Commission; 6.) 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. Three in favor. One opposed. Motion carried.

#### **Blueberry Estates**

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

VOTED: To issue a Certificate of Compliance for SE 192-109, Blueberry Estates. Unanimous vote.

#### **Meeting Minutes**

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

VOTED: To approve the September 9, 2008 meeting minutes as revised. Unanimous vote.

#### **Self Storage Facility – County Road Markson**

It was stated that the storage of UHaul rental vehicles was not permitted on the Order of Conditions. There was discussion regarding the possibility of servicing vehicles on the site. It was decided that this matter would be handled at the time the applicant requests a Certificate of Compliance.

#### **Next Meeting**

The next meeting of the Lakeville Conservation Commission will be held on January 8, 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 Chamberlain the Commission

VOTED: To adjourn the meeting at 9:35 p.m. Unanimous vote.