

Town of Lakeville
Conservation Commission
Tuesday March 12, 2019
7:00PM – Lakeville Senior Center

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

2 Huntinghouse Brook Ln. - a Certificate of Compliance was requested for an Order of Conditions filed eight years prior. This item was not on the agenda, but since Chairman Bouchard had done a site visit and recommended the Commission sign off, a motion was made.

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

Voted: to issue a Certificate of Compliance for 2 Huntinghouse Brook Lane as noted in the Order of Conditions.

Unanimous approval

Beechtree Drive - Mike Nashawaty was present for discussion. Agent White explained there was a complaint made about 5-7 Beechtree Drive for some activity that had taken place. She did a site visit and found that some clearing and trenching had taken place in the wetland or buffer zone. She estimated visually about 1,000sf of alteration without a permit. Mr. Nashawaty said that during one of the storms a tree fell down and since he was doing construction, he had no choice but to take the tree down and put the brush there until spring when he could chip it. There was a discussion regarding water flow. Member Knox said it was fine he was going to chip the branches in the spring and asked if he was going to bring them back across the road to chip them. He asked that they aren't chipped into the wetlands. Mr. Nashawaty asked if he could chip them where they were. Chairman Bouchard said that since he would be working in the wetlands, he would need to bring in a plan that details where the work would be done, and what kind of machinery would be brought in. Mr. Nashawaty explained that due to how wet the property is, all the trees are leaning toward the road and some of them are going to have to come down. Agent White said he could do that with a permit. She asked if the Commission would like her to draft something stating that Mr. Nashawaty would remove the brush and not do any more work. Chairman Bouchard asked that Mr. Nashawaty call the office when he is ready to do the work so they can do a site visit. All Members were in favor of sending a letter to Mr. Nashawaty.

John Lens was present to discuss the other violation on 2 Beechtree Drive. Agent White said the owner of record was Huckleberry Knoll Homeowners Association. She felt that it should be handled the same as the other violation and send a letter to the owner and ask them to come before the Board since it was a similar situation of clearing vegetation. Mr. Lens said the association believes that Tom Loftus was responsible for the clearing. Agent White asked if he

was a member of the Association. Mr. Lens replied that he was not. Agent White said the Association has a problem, they own property that is in violation of the Wetlands Protection Act and that someone else is adversely affecting their property. She recommended writing a letter to the Association stating no work can be done without a permit. Mr. Lens asked if the Association should send a letter out regarding the brush that was cut down (to remove it) and to cease and desist until a permit is obtained.

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

Voted: to issue a letter to the homeowners association to cease and desist from any further activity in that area until proper permits are applied for and obtained, and to remove any cleared brush.

Unanimous in favor

Enforcement Order – 71 Southworth St. - There was a review of the wetlands delineation and restoration plan for 71 Southworth St. Agent White said the site had been cleared when she first saw it and that the indicator of wetlands is the vegetation. The only vegetation was piled up and it was red maple (a wetland species). Member Knox asked if the Board would want the homeowner to fill in the pond he created or border it with plantings and get away from it. Agent White said it's definitely over 5,000sf, and you can't create a pond. You can't alter more than 5,000sf without it being a limited project. After a discussion, Agent White said she felt the whole thing should be restored, it wasn't permitted, and to provide more information about how they arrived at the delineation. Chairman Bouchard said no test pits or borings were done so we don't really know what the material is underneath. Agent White said DEP had contacted her with questions so she thought they may be starting to investigate. The restoration plan has not been sent to DEP, but she would like to send it on to them showing some progress. Member Knox asked if the Commission could get recommendations from DEP. Agent White thought that was a good idea, but thought they would require the site to be restored.

Upon a motion made by Member Knox, seconded by Member Chamberlain, it was:

Voted: to send a copy of the restoration plan to DEP.

Unanimous approval

Commission Re-organization - Tabled until next meeting.

Submittal requirements - There was a discussion about reducing the number of plans required by the Commission. This will be reviewed by Chairman Bouchard and Agent White.

Adjournment –

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

Voted: to adjourn

Unanimous in favor