

TOWN OF LAKEVILLE MEETING POSTING & AGENDA

Town Clerk's Time Stamp
received & posted:

48-hr notice effective
when time stamped

Notice of every meeting of a local public body must be filed and time-stamped with the Town Clerk's Office at least 48 hours prior to such meeting (excluding Saturdays, Sundays and legal holidays) and posted thereafter in accordance with the provisions of the Open Meeting Law, MGL 30A §18-22 (Ch. 28-2009). Such notice shall contain a listing of topics the Chair reasonably anticipates will be discussed at the meeting.

Name of Board or Committee:	<u>Conservation Commission</u>
Date & Time of Meeting:	<u>April 25, 2023 @ 7pm</u>
Location of Meeting:	<u>Lakeville Police Station</u> <u>323 Bedford St. Lakeville, MA</u>
Clerk/Board Member posting notice:	<u>Lori Canedy</u>

Cancelled/Postponed to: _____ (circle one)

Clerk/Board Member Cancelling/Postponing: _____

A G E N D A

- 213 County St - Certificate of Compliance, SE192-729
- 310 Kenneth Welch Drive - Notice of Intent - SE192-891 - cont.
- Residences at LeBaron Hills - Notice of Intent - SE192-885 - cont.
- 9 Harding Street - Order of Conditions Extension - SE192-818
- 2 Bedford Street - Certificate of Compliance - SE192-856
- 103 Staples Shore Rd - Order of Conditions Extension - SE192-845
- Ratify vote to send letter to Select Board regarding parking at 310 Kenneth Welch Drive.
- Cowboy Shack - discussion and possible vote.
- Meeting Minutes - February 28, 2023.

NEW BUSINESS:
OLD BUSINESS
APPROVAL OF MINUTES
CORRESPONDENCE
ANNOUNCEMENTS

Please be aware that this agenda is subject to change. If other issues requiring immediate attention of the Conservation Commission arise after the posting of this agenda, they may be addressed at this meeting.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 8A – Request for Certificate of Compliance
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

SE 192-729
 Provided by DEP

RECEIVED

APR 11 2023

A. Project Information

Important:
 When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Upon completion of the work authorized in an Order of Conditions, the property owner must request a Certificate of Compliance from the issuing authority stating that the work or portion of the work has been satisfactorily completed.

1. This request is being made by:

Paul and Donna Wabrek

Name

Conservation Commission

PO Box 1

Mailing Address

Bartlett

City/Town

NH

State

03812

Zip Code

508-631-7167

Phone Number

2. This request is in reference to work regulated by a final Order of Conditions issued to:

Carl Fontes

Applicant

6/24/2015

Dated

SE192-729

DEP File Number

3. The project site is located at:

213 County St.

Street Address

Lakeville

City/Town

Map 38, Block 1

Assessors Map/Plat Number

Lot 34

Parcel/Lot Number

4. The final Order of Conditions was recorded at the Registry of Deeds for:

Carl Fontes

Property Owner (if different)

Plymouth

County

4206

Book

88

Page

Certificate (if registered land)

5. This request is for certification that (check one):

the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.

the following portions of the work regulated by the above-referenced Order of Conditions have been satisfactorily completed (use additional paper if necessary).

the above-referenced Order of Conditions has lapsed and is therefore no longer valid, and the work regulated by it was never started.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 8A – Request for Certificate of Compliance
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:
SE 192-729
Provided by DEP

A. Project Information (cont.)

6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

Yes If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

No

B. Submittal Requirements

Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or was the subject of an Adjudicatory Hearing Final Decision, submit this request to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).



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WPA Form 8A – Request for Certificate of Compliance

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by DEP

A. Project Information (cont.)

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Yes

If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

No

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ELEVATION AND SWING-TIE SCHEDULE:

DESCRIPTION	ELEVATION DESIGN	ELEVATION "AS-BUILT"	FROM (A) IN FEET	FROM (B) IN FEET
4" INV. OUT OF HOUSE	54.5±	54.5±	—	—
SEPTIC TANK 1 M.H. (1)	—	—	—	—
4" INV. AT SEPTIC TANK 1 (IN)	54.13	54.11	33.6	12.3
1" INV. AT SEPTIC TANK 1 (OUT)	—	—	—	—
SEPTIC TANK 1 M.H. (2)	—	—	—	—
PUMP CHAMBER (2" IN)	53.50	54.07	40.5	15.8
PUMP CHAMBER M.H. (3)	—	—	—	—
PUMP CHAMBER (1" OUT)	53.25	55.48	43.3	19.6
AX-20 (1" IN) (4)	—	—	43.7	11.8

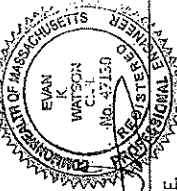
MIN. 5" SEPARATION FROM TOP OF SAND FILTER MEDIA TO GROUND WATER MAINTAINED
 TOP OF BSF = 61.0, TOP OF SAND FILTER MEDIA = 59.0

NOTES:

1. THE SUBJECT PROPERTY IS A PORTION OF THE TOWN OF LAKEVILLE ASSESSORS' MAP 38, BLOCK 001 LOT 038.
2. THE SUBJECT PROPERTY IS LOCATED IN ZONE X, AREA OF MINIMAL FLOODING, AS SHOWN ON THE FLOOD INSURANCE RATE MAP (F.I.R.M.) OF PLYMOUTH COUNTY, MASSACHUSETTS, MAP NUMBER 2502300437U, EFFECTIVE DATE JULY 17, 2012.

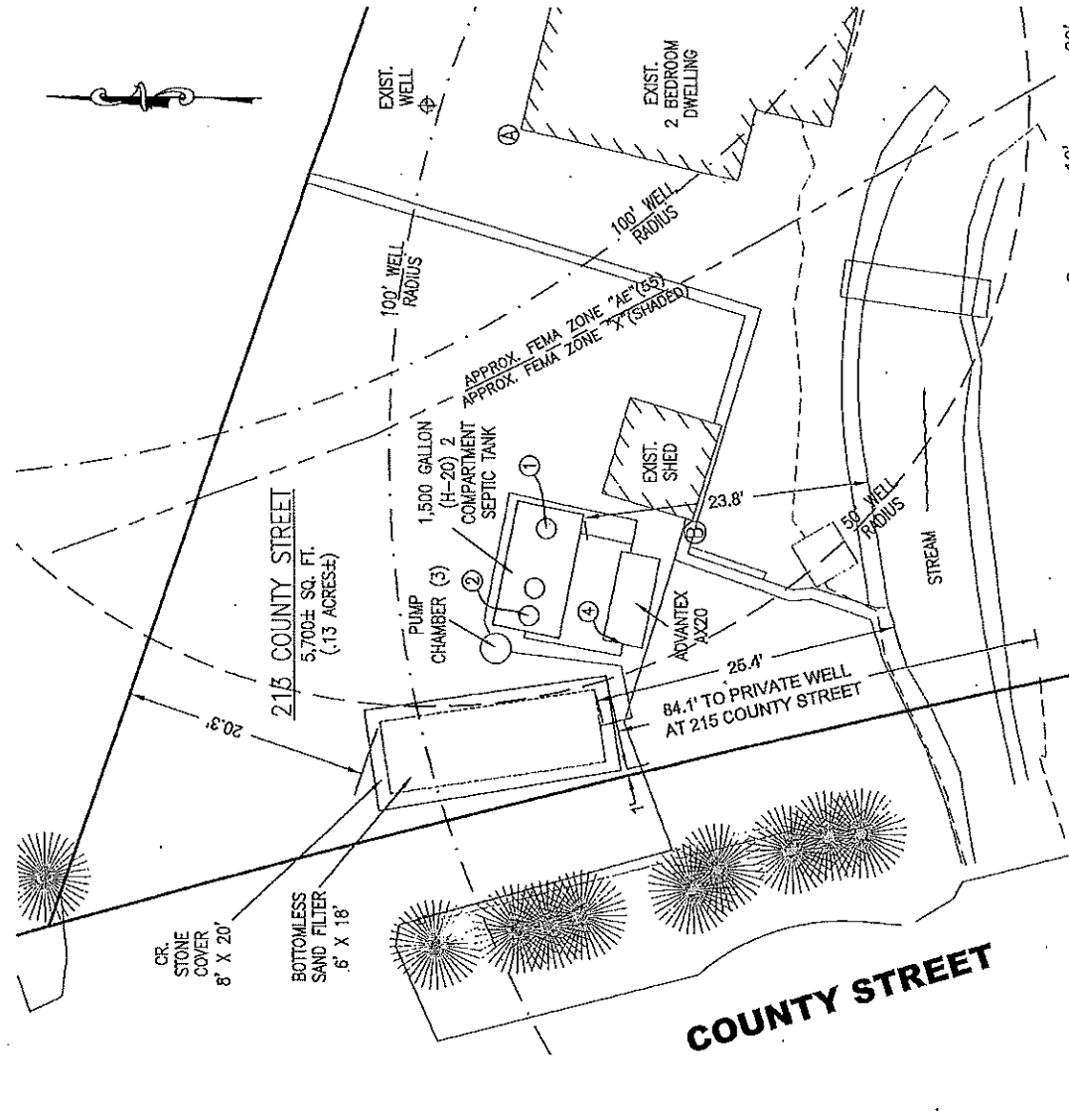
I, EVAN K. WATSON, P.E. OF PRIME ENGINEERING, INC., HEREBY CERTIFY THAT THE SUBSURFACE DISPOSAL SYSTEM HAS BEEN CONSTRUCTED IN COMPLIANCE WITH 310 CMR 15.000, THE APPROVED DESIGN PLANS AND ALL LOCAL REQUIREMENTS AND THAT ANY CHANGES TO THE DESIGN PLANS HAVE BEEN REFLECTED ON THE AS-BUILT WHICH IS HEREBY BEING SUBMITTED TO THE LAKEVILLE BOARD OF HEALTH.

Evan K. Watson
 EVAN K. WATSON, P.E.
 DATE



RECEIVED
 JUL 1 2013
 Board of Health

DRAWING TITLE	SUBSURFACE SEWAGE DISPOSAL SYSTEM AS-BUILT PLAN	SCALE: 1"=10'
PROJECT	213 COUNTY STREET LAKEVILLE, MASSACHUSETTS	DATE: 6/11/2013
CLIENT	PAUL & DONNA WABREK	DRAWN BY: DJS
		DESIGNED BY: JB
		CHECKED BY: EKW
		APPROVED BY: EKW
		PROJECT NO. 2008.01.01



FILE COPY

PRIME ENGINEERING, INC.
 P.O. BOX 1088
 350 BEDFORD ST.
 LAKEVILLE, MA 02347
 TEL: 508.947.0050
 FAX: 508.947.2004

PRIME ENGINEERING
 ENVIRONMENTAL ASSESSMENT

PRIME ENGINEERING, INC.
 P.O. BOX 1088
 350 BEDFORD ST.
 LAKEVILLE, MA 02347
 TEL: 508.947.0050
 FAX: 508.947.2004



3 Main Street Lakeville, MA 02347
(508) 947-4208 - www.zcellc.com

- Civil Engineering
- Septic Design (Title 5)
- Septic Inspections (Title 5)
- Commercial and Industrial Site Plans
- Chapter 91 Permitting

April 10, 2023

RECEIVED

APR 13 2023

Town of Lakeville
241 Main Street
Lakeville, MA 02347
Attention Conservation Commission

Conservation Commission

RE: SE192-818, 9 Harding St. Lakeville

Dear Commission Members,

On March 29, 2019, the Lakeville Conservation Commission issued an Order of Conditions which allowed the construction of a commercial building with associated parking, signage, utilities, and landscaping. Erosion controls have been installed, and some clearing has been completed but the proponent needs additional time to complete. We hereby request a three-year extension of the Order of Conditions.

Should you have any questions regarding this request, please do not hesitate to contact this office at 508-947-4208 or email jamie@zcellc.com

Sincerely,
Zenith Consulting Engineers, LLC

Jamie Bissonnette, PE
Manager/Senior Engineer



RECEIVED

APR 14 2023

April 11, 2023

Conservation Commission

Lakeville Conservation Commission
346 Bedford Street
Lakeville, MA 02347

**RE: 103 STAPLES SHORE ROAD
ORDER OF CONDITIONS – SE192-845**

Dear Commission Members:

On behalf of Donald Sena, we request an extension of Order of Conditions #SE192-845 for 103 Staples Shore Road which was issued on 7/20/20. We have enclosed the fee of \$50 for the extension.

Sincerely,
PRIME ENGINEERING, INC.

A handwritten signature in cursive script, appearing to read 'Richard J. Rheume'.

Richard J. Rheume, P.E., LSP
President

CIVIL ENGINEERING ENVIRONMENTAL ASSESSMENT LAND SURVEYING

P.O. BOX 1088, 350 BEDFORD STREET, LAKEVILLE, MA 02347 · 508-947-0050 · FAX

508-947-2004

www.primeengineering.org



April 4, 2023

Mr. Robert Bouchard, Agent/Chairman
Lakeville Conservation Commission
Town of Lakeville
241 Main Street
Lakeville, MA 02347

RECEIVED

APR 19 2023

Conservation Commission

RE: Request for a Certificate of Compliance, 2 Bedford Street, Lakeville, MA – DEP SE 192-0856

Dear Mr. Bourchard:

This letter is in regard to the above-referenced project.

The project located at the above referenced address never commenced. The property is being sold and the seller wishes to close out the existing Order of Conditions.

We respectfully request the issuance of a Certificate of Compliance for *no work performed on the property at 2 Bedford Street, Lakeville, at your earliest convenience.*

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink that reads 'Jean E. Duff-Still'.

Jean E. Duff-Still
Permitting Specialist

encl.: WPA Form 8A
Filing fee
Recorded Order of Conditions
Plan of Reference

cc: Thomas Parenteau, PBT Real Estate, LLC.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 8A – Request for Certificate of Compliance
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

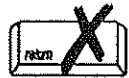
DEP File Number:
192-0856
 Provided by DEP

A. Project Information

RECEIVED

APR 19 2023

Important:
 When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Upon completion of the work authorized in an Order of Conditions, the property owner must request a Certificate of Compliance from the issuing authority stating that the work or portion of the work has been satisfactorily completed.

1. This request is being made by:
 Tom Parenteau – PBT Real Estate, LLC.
 Name
 319 Kenneth Welch Drive Conservation Commission
 Mailing Address
 Lakeville MA 02347
 City/Town State Zip Code
 508-477-7272
 Phone Number

2. This request is in reference to work regulated by a final Order of Conditions issued to:
 Tom Parenteau – PBT Real Estate Trust
 Applicant
 June 9, 2021 192-0856
 Dated DEP File Number

3. The project site is located at:
 2 Bedford Street Lakeville
 Street Address City/Town
 024/008 Lot 1
 Assessors Map/Plat Number Parcel/Lot Number

4. The final Order of Conditions was recorded at the Registry of Deeds for:
 Tom Parenteau – PBT Real Estate LLC.
 Property Owner (if different)
 Plymouth 53108 285
 County Book Page
 (Order of Conditions, Document # 00105479)
 Certificate (if registered land)

5. This request is for certification that (check one):
- the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.
 - the following portions of the work regulated by the above-referenced Order of Conditions have been satisfactorily completed (use additional paper if necessary).

 - the above-referenced Order of Conditions has lapsed and is therefore no longer valid, and the work regulated by it was never started.



A. Project Information (cont.)

6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

Yes If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

No

B. Submittal Requirements

Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or was the subject of an Adjudicatory Hearing Final Decision, submit this request to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).

*** Electronic Recording ***
Doc#: 00105479
Bk: 55670 Pg: 43 Page: 1 of 15
Recorded: 09/16/2021 02:50 PM
ATTEST: John R. Buckley, Jr. Register
Plymouth County Registry of Deeds

RF

APR 15 3

Conservation Commission



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 - Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
SE192-856
MassDEP File #

eDEP Transaction #
Lakeville
City/Town

A. General Information

Please note:
this form has
been modified
with added
space to
accommodate
the Registry
of Deeds
Requirements

1. From: Lakeville
Conservation Commission

2. This issuance is for
(check one): a. Order of Conditions b. Amended Order of Conditions

3. To: Applicant:

Tom a. First Name Parenteau b. Last Name

PBT Real Estate LLC c. Organization

310 Kenneth Welch Drive d. Mailing Address

Lakeville e. City/Town MA f. State 02347 g. Zip Code

4. Property Owner (If different from applicant):

a. First Name b. Last Name

c. Organization

d. Mailing Address

e. City/Town f. State g. Zip Code

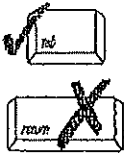
5. Project Location:

2 Bedford St. a. Street Address Lakeville b. City/Town

024/008 c. Assessors Map/Plat Number Lot 1 d. Parcel/Lot Number

Latitude and Longitude, if known: 41d53m40.02Ns d. Latitude 70d57m29.340Ws e. Longitude

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Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
SS
MassDEP File #
192-856
eDEP Transaction #
Lakeville
City/Town

A. General Information (cont.)

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):
Plymouth
a. County
53108
c. Book
b. Certificate Number (if registered land)
285
d. Page
7. Dates: 02/11/2021 05/25/2021 6/9/2021
a. Date Notice of Intent Filed b. Date Public Hearing Closed c. Date of Issuance
8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):
Site Plan / Layout Plan
a. Plan Title
Cape & Islands Engineering Raul Lizardi Rivera, PE, Matthew Costa,
b. Prepared By PLS
06/13/21 1" = 20'
d. Final Revision Date e. Scale
f. Additional Plan or Document Title g. Date

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:
Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act). Check all that apply:
- a. Public Water Supply b. Land Containing Shellfish c. Prevention of Pollution
d. Private Water Supply e. Fisheries f. Protection of Wildlife Habitat
g. Groundwater Supply h. Storm Damage Prevention i. Flood Control
2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

Approved subject to:

- a. the following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 SE192-856
 MassDEP File # _____
 eDEP Transaction # _____
 Lakeville
 City/Town _____

B. Findings (cont.)

Denied because:

- b. the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**
- c. the information submitted by the applicant is not sufficient to describe the site, the work, or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the Act's interests, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**
- 3. Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310 CMR 10.02(1)(a) _____ a. linear feet

Inland Resource Area Impacts: Check all that apply below. (For Approvals Only)

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input type="checkbox"/> Bank	_____ a. linear feet	_____ b. linear feet	_____ c. linear feet	_____ d. linear feet
5. <input type="checkbox"/> Bordering Vegetated Wetland	_____ a. square feet	_____ b. square feet	_____ c. square feet	_____ d. square feet
6. <input type="checkbox"/> Land Under Waterbodies and Waterways	_____ a. square feet	_____ b. square feet	_____ c. square feet	_____ d. square feet
	_____ e. c/y dredged	_____ f. c/y dredged		
7. <input type="checkbox"/> Bordering Land Subject to Flooding	_____ a. square feet	_____ b. square feet	_____ c. square feet	_____ d. square feet
Cubic Feet Flood Storage	_____ e. cubic feet	_____ f. cubic feet	_____ g. cubic feet	_____ h. cubic feet
8. <input type="checkbox"/> Isolated Land Subject to Flooding	_____ a. square feet	_____ b. square feet		
Cubic Feet Flood Storage	_____ c. cubic feet	_____ d. cubic feet	_____ e. cubic feet	_____ f. cubic feet
9. <input type="checkbox"/> Riverfront Area	_____ a. total sq. feet	_____ b. total sq. feet		
Sq ft within 100 ft	_____ c. square feet	_____ d. square feet	_____ e. square feet	_____ f. square feet
Sq ft between 100-200 ft	_____ g. square feet	_____ h. square feet	_____ i. square feet	_____ j. square feet



Massachusetts Department of Environmental Protection
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WPA Form 5 – Order of Conditions
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Provided by MassDEP:
 SB192-856
 MassDEP File # _____

eDEP Transaction # _____
 Lakeville
 City/Town

B. Findings (cont.)

Coastal Resource Area Impacts: Check all that apply below. (For Approvals Only)

	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. <input type="checkbox"/> Land Under the Ocean	_____ a. square feet	_____ b. square feet		
	_____ c. c/y dredged	_____ d. c/y dredged		
12. <input type="checkbox"/> Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. <input type="checkbox"/> Coastal Beaches	_____ a. square feet	_____ b. square feet	_____ c. nourishment cu yd	_____ d. nourishment cu yd
14. <input type="checkbox"/> Coastal Dunes	_____ a. square feet	_____ b. square feet	_____ c. nourishment cu yd	_____ d. nourishment cu yd
15. <input type="checkbox"/> Coastal Banks	_____ a. linear feet	_____ b. linear feet		
16. <input type="checkbox"/> Rocky Intertidal Shores	_____ a. square feet	_____ b. square feet		
17. <input type="checkbox"/> Salt Marshes	_____ a. square feet	_____ b. square feet	_____ c. square feet	_____ d. square feet
18. <input type="checkbox"/> Land Under Salt Ponds	_____ a. square feet	_____ b. square feet		
	_____ c. c/y dredged	_____ d. c/y dredged		
19. <input type="checkbox"/> Land Containing Shellfish	_____ a. square feet	_____ b. square feet	_____ c. square feet	_____ d. square feet
20. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, Inland Bank, Land Under the Ocean, and/or Inland Land Under Waterbodies and Waterways, above			
	_____ a. c/y dredged	_____ b. c/y dredged		
21. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	_____ a. square feet	_____ b. square feet		
22. <input type="checkbox"/> Riverfront Area	_____ a. total sq. feet	_____ b. total sq. feet		
Sq ft within 100 ft	_____ c. square feet	_____ d. square feet	_____ e. square feet	_____ f. square feet
Sq ft between 100-200 ft	_____ g. square feet	_____ h. square feet	_____ i. square feet	_____ j. square feet



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
SE192-856
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City/Town

B. Findings (cont.)

^{*} #23. If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.5.c (BVW) or B.17.c (Salt Marsh) above, please enter the additional amount here.

23. Restoration/Enhancement ^{*}:

a. square feet of BVW

b. square feet of salt marsh

24. Stream Crossing(s):

a. number of new stream crossings

b. number of replacement stream crossings

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects.

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. The work is a maintenance dredging project as provided for in the Act; or
 - b. The time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
 - c. If the work is for a Test Project, this Order of Conditions shall be valid for no more than one year.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order. An Order of Conditions for a Test Project may be extended for one additional year only upon written application by the applicant, subject to the provisions of 310 CMR 10.05(11)(f).
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not extend the issuance date of the original Final Order of Conditions and the Order will expire on 05/25/2024 unless extended in writing by the Department.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.



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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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C. General Conditions Under Massachusetts Wetlands Protection Act

8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.
9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.
10. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,

"Massachusetts Department of Environmental Protection" [or, "MassDEP"]
"File Number SE192-856 "
11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before MassDEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.



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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.
18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.
19. The work associated with this Order (the "Project")
- (1) is subject to the Massachusetts Stormwater Standards
- (2) is NOT subject to the Massachusetts Stormwater Standards

If the work is subject to the Stormwater Standards, then the project is subject to the following conditions:

- a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Construction General Permit as required by Stormwater Condition 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.
- b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that:
- i. all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures;
 - ii. as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized;
 - iii. any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10;



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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

iv. all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition;

v. any vegetation associated with post-construction BMPs is suitably established to withstand erosion.

c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 18(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following:

i.) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and

ii.) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.

d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Multi-Sector General Permit.

e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 18(f) through 18(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 18(f) through 18(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.

f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.



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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

- g) The responsible party shall:
1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
 3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
- i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
- j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.
- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
- l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

Special Conditions (if you need more space for additional conditions, please attach a text document):

see attachments

20. For Test Projects subject to 310 CMR 10.05(11), the applicant shall also implement the monitoring plan and the restoration plan submitted with the Notice of Intent. If the conservation commission or Department determines that the Test Project threatens the public health, safety or the environment, the applicant shall implement the removal plan submitted with the Notice of Intent or modify the project as directed by the conservation commission or the Department.



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D. Findings Under Municipal Wetlands Bylaw or Ordinance

- 1. Is a municipal wetlands bylaw or ordinance applicable? Yes No
- 2. The Lakeville Conservation Commission hereby finds (check one that applies):

- a. that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw, specifically:

1. Municipal Ordinance or Bylaw

2. Citation

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order of Conditions is issued.

- b. that the following additional conditions are necessary to comply with a municipal ordinance or bylaw:

1. Municipal Ordinance or Bylaw

2. Citation

- 3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

The special conditions relating to municipal ordinance or bylaw are as follows (if you need more space for additional conditions, attach a text document):



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E. Signatures

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

Please indicate the number of members who will sign this form.

This Order must be signed by a majority of the Conservation Commission.

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

6/9/2021
 1. Date of Issuance
4
 2. Number of Signers

Joseph Chamberlain
 Signature
Nancy Yeatts
 Signature
John M LeBlanc
 Signature
Robert B. Bunker
 Signature

 Signature

 Signature

 Signature

 Signature

JOSEPH CHAMBERLAIN
 Printed Name
Nancy Yeatts
 Printed Name
John M LeBlanc
 Printed Name
Robert B Bunker
 Printed Name

 Printed Name

 Printed Name

 Printed Name

 Printed Name

by hand delivery on

by certified mail, return receipt requested, on

 Date

6/9/2021

 Date



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F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.



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G. Recording Information

Prior to commencement of work, this Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on this page shall be submitted to the Conservation Commission listed below.

Conservation Commission _____

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

Conservation Commission _____

Please be advised that the Order of Conditions for the Project at:

Project Location _____

MassDEP File Number _____

Has been recorded at the Registry of Deeds of:

County _____

Book _____

Page _____

for:

Property Owner _____

and has been noted in the chain of title of the affected property in:

Book _____

Page _____

In accordance with the Order of Conditions issued on:

Date _____

If recorded land, the instrument number identifying this transaction is:

Instrument Number _____

If registered land, the document number identifying this transaction is:

Document Number _____

Signature of Applicant _____

Lakeville Conservation Commission Conditions:

1. Provide a signed illicit discharge statement prior to construction.
2. Any changes made by the Planning Board are subject to review by the Conservation Commission for additional conditions or an amended Order of Conditions.

Lakeville Conservation Standard Conditions

1. All siltation barriers must be installed prior to the start of work and an inspection requested by email or phone (jcanedy@lakevillema.org or call 508-946-8823).
2. This Order of Conditions (OOC) must be recorded at the Plymouth Registry of Deeds and a stamped receipt returned to the Lakeville Conservation Commission before work begins.
3. This document shall be included by reference in all contracts, plans and specifications dealing with the activity that is the subject of this OOC, and that are created or modified after the issuance date of this OOC, along with a statement that this OOC shall supersede any conflicting contractual arrangements, plans or specifications.
4. The applicant shall provide a copy of this OOC to the person or persons supervising the activity that is the subject of this OOC, and will be responsible for ensuring that all persons performing the permitted activity are fully aware of the terms and conditions of this OOC.
5. All construction materials, earth stockpiles, landscaping materials, slurry pits, waste products, refuse, debris, stumps, slash or excavate may only be stockpiled or collected in areas as shown and labeled on the approved plans under cover and surrounded by a double staked row of hay bales to prevent contact with rainwater or if no such areas are shown, must be placed or stored outside all resource areas.
6. No material of any kind may be buried, placed or dispersed in areas within the jurisdiction of the Commission by activities that are the subject of this OOC, except as are expressly permitted by this OOC or the plans approved herein.
7. There shall be no pumping of water from wetland resource areas without prior approval from the Conservation Commission.
8. All waste products, grubbed stumps, slash, construction materials, etc. shall be deposited at least 100 feet from the wetland resource areas unless specified in this OOC.
9. No fuel, oil or other pollutants shall be stored in any resource area or the buffer zone thereto, unless specified in this OOC or expressly authorized by the Commission or their Agent.
10. There shall be no underground storage of fuel or other hazardous substances in areas within the jurisdiction of the Conservation Commission.
11. No trash dumpsters will be allowed within 100 feet of areas subject to protection under the Wetlands Protection Act unless authorized by the OOC.

Town of Lakeville
Conservation Commission
February 28, 2023 at 7pm

Members present: Chairman Robert Bouchard, John LeBlanc, Josh Faherty, Mark Knox, Joe Chamberlain, and Nancy Yeatts. Chairman Bouchard called the meeting to order at 7pm. This meeting was recorded by LakeCam.

12 Settler's Drive - Notice of Intent - Zenith Consulting Engineers. Installation of an in-ground pool. Nyles Zager from Zenith was present for discussion. Mr. Zager said the applicants would like to install a 20x40 in-ground swimming pool with a block patio and a 14x24 cabana. They will be removing the existing above ground pool and deck. The work is being done outside the 25' buffer zone in an existing landscaped area. Vegetation will not be taken out, everything is within the lawn area. A silt sock is proposed as well as a stockpile area for material to be removed. Mr. Zager explained that this filter system does not have a backwash, it's a cartridge system. Member LeBlanc asked about a dewatering basin. Mr. Zager said the detail was on the plan, but it wasn't demonstrated on the plan. He didn't think it would be necessary but pointed out where it would go if needed. Member LeBlanc also asked about Natural Heritage. Mr. Zager said they had submitted a letter and hadn't heard back yet. He added that this was an exempt project because it's within an existing landscaped area and it's a pool associated with a single-family home. Chairman Bouchard said there was a clear delineation between the wetland and the buffer zone on this lot. He wasn't sure if this project should require markings, which has been made a stipulation in the past. It's such a clear break that he didn't think anyone would have a problem defining it. Member Yeatts said this project could clearly have been kept outside the 50'. Mr. Zager pointed out on the plan where the access to the pool would be from the home. Member Chamberlain asked what the change in permeable area of the lot was. Mr. Zager said he wasn't sure, but it was minimal. The lot is 3.3 acres, so it's possibly a percent or two. There was a brief discussion regarding the existing grades on the property. Member Knox said the cabana is at the existing low point and asked if they would be changing the grades so everything was level. Mr. Zager explained that the cabana foundation would be a slab on grade and it wouldn't change much. There was continued discussion regarding the site.

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

Voted: to close the hearing on 12 Settler's Drive and issue an Order of Conditions for SE192-886 with the standard order of conditions and that if the pool needs to be drained, it won't be drained into the wetlands.

Unanimous approval.

130 S. Pickens St - Notice of Intent - Zenith Consulting Engineers - home addition. Nyles Zager from Zenith was present for discussion. This project consists of a 26x30 addition off the south side of the home, a deck, sunroom, and garage. This is an almost 4-acre lot with a bordering vegetated wetland at the tree line. They have proposed an erosion control line just off the addition that will wrap around the back. Additionally, there will be an extension of the driveway which will be outside the 100' buffer. A dewatering basin is also proposed. Mr. Zager asked if there was anything the Commission would like as far as a delineation to the limit of work, maybe a split rail fence or some signage. Chairman Bouchard

said there is definitely a clear line at the wetland and it doesn't seem to have been encroached. Member Yeatts said the silt sock is going just outside the 25' buffer so she's concerned with what is inside the silt sock for materials. Mr. Zager said it was a blown-in filter mix and they weren't easy to move. Member Knox reviewed the grading with Mr. Zager and thought they probably needed a better set-up for dewatering, not necessarily a truck, but to be prepared for more water. There was some continued discussion regarding the grading. Member Yeatts asked where they were proposing the fence. Mr. Zager said it was up to the Commission. He didn't show it on the plan, it's not something they've done in the past. Member Yeatts asked about markers. Mr. Zager described some markers that were used on a site in Middleboro that were on a 4x4 pressure treated post and placed every 20-30'. Member Knox thought maybe markers 5 or 10' from the wetlands along the edge. Member Yeatts said signs can disappear after a few years. Chairman Bouchard said the applicants have gone this long without any encroachment. Member Knox said signs and on the plan of record would probably be a better process than a fence. Member Yeatts said maybe 3 monuments, 20' apart. Member Knox suggested going from wetland flag 2 to 7 with 3 evenly spaced monuments would cover the area that's the most vulnerable.

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

Voted: to close the hearing and issue a standard Order of Conditions for SE192-0887 with additional special condition, 3 monuments from wetland flags 2-7 evenly spaced 10' from the wetlands, to be shown on a revised plan. Order of Conditions is not to be released until the revised plan is received.

Unanimous approval.

Staples Shore Rd. - Notice of Intent - Tighe & Bond - Continued from 2/14/23, issue Order of Conditions for SE192-882. Chairman Bouchard said at the last meeting the hearing was closed. We were waiting for an Order of Conditions from Middleboro. Member Yeatts said they should include all the Natural Heritage conditions and that Middleboro had added a condition that no chipping materials from trees and brush shall be deposited into the wetland, on top of their standard conditions. She said the major earthenware part of the dam is in Middleboro, and access will be from Middleboro. Member Knox said that the onus is really on the Middleboro Conservation Commission since all the access, loading, exiting, any waste product is on their side. Member Yeatts said there is some brush on the other side that they might have to access at one point, but the majority of the work is along Middleboro's part of the dam.

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

Voted: to use Middleboro's Order of Conditions with special conditions that the applicant will comply with all of Natural Heritage's conditions, and no chipping from trees and brush shall be deposited into the wetland area.

Unanimous approval.

Residences at LeBaron Hills - Notice of Intent - Outback Engineering. Continued from 2/14/23. Modifications to Phase 5. A continuance was requested by the applicant.

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

Voted: to continue the LeBaron Hills Notice of Intent until March 14th at 7pm.

Unanimous approval.

Adjournment - (7:37pm)

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

Voted: to adjourn.

Unanimous approval.

Contributions to the Cowboy Shack

To: Conservation Members

From: Donald Bissonnette

Date: March 25, 2023

I have compiled a list of the contributors to the Cowboy Shack by memory, so I am sure I am forgetting someone, but this is the best I can do at this time.

Monetary or Service:

Lloyd and Mary Bissonnette

Jamie Bissonnette - Labor

Kerry Bissonnette - Labor

Betty Bissonnette - Labor

Paula Bissonnette Burke – Labor and brought us meals

Donald Bissonnette – was present on property and assisted with all volunteers and contractors as well as providing paid labor of over 100 hours as of March 28th to Vincent Dymond (carpenter) and Joseph Arruda (Painter)

Couple from Hill Street – will get their names – labor helped tearing interior out.

Joseph Chamberlain

Jeff and Nora Dupont, Rochester, MA – Supplied the Weathervane & Labor

Zinc Zinkowitz – Planning Board member – built and donated the cupula and many hours of labor

Peter Conroy – Conroy Plumbing- many hours of labor

Garnet - Total well replacement – supplied new well pump and tank and labor

George Randall – Randall Electric – supplied all electrical materials and labor

Southeast Fence – (John Meleedy) – supplied and installed new vinyl fencing

Jay Gormley – acquired (donation) new exterior doors and windows

Brian Donahue, Middleboro, MA – Metal roof installation

Richard Kelly, Easton, MA – Acquired Metal roofing through Mzone Lumber and also had countless hours of labor

Nate Darling and his daughter – Labor

Gurney's Sawmill – discounted Lumber

Sarah Kulakovich – Started the fundraising before moving to New Hampshire.

Robert Bernier, East Freetown, MA - Labor

Contributions to the Cowboy Shack

Items left to finish the Cowboy Shack:

New Floors in main part of the building need to be sanded and pollyed – estimated cost \$ 700.00

Mini-Split for Heat and AC purchase \$2,500.00 and installation free of charge by Peter Conroy.

Well pump electrical hook up by Randall Electric and plumbing by Peter Conroy – Labor donated -

Bathroom needs total renovation; lights installed, purchase toilet & sink (copper and flex piping), sheetrock, door, hot water tank, floors, ceiling -\$1,500.00; stain and poly woodwork in the bathroom - Labor - \$1,250.00

Power Wash the new vinyl fence - \$50.00

Security System –

Clean out basement - \$100.00 labor

Final coat of wood preservative on exterior siding - \$300.00

Paint front and back doors - \$200.00

Loam, seed and fertilizer for lawn and labor - \$800.00

Clear brush, briars and bramble away from Hill St. door gateway. - \$350.00

Sign for building - ?

Rebuild stone wall on Hill St. side of property. \$?

ESTIMATED TOTAL TO COMPLETE: \$7,450.00