

# 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.

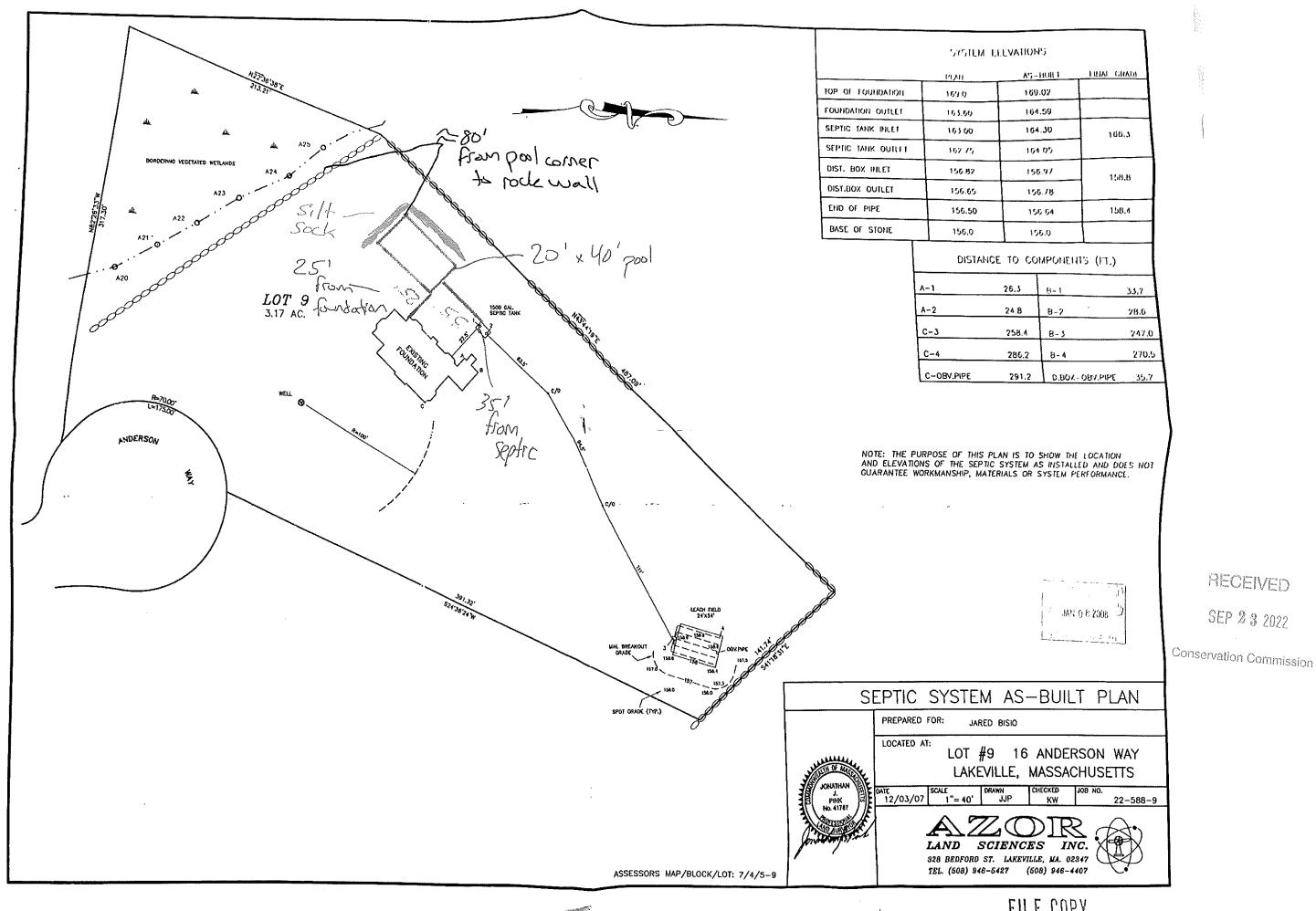
Name of Board or Committee:	Conservation Commission							
Date & Time of Meeting:	<u>September 27, 2022 @ 7pm</u>							
Location of Meeting:	<u>Lakeville Police Station</u> 323 Bedford St. Lakeville, MA							
Clerk/Board Member posting notice:	<u>Lori Canedy</u>							
Cancelled/Postponed to:	(circle one)							
Clerk/Board Member Cancelling/Postponing:								

### AGENDA

- 1. 16 Anderson Way cont. RDA installation of an in-ground swimming pool.
- 2. 5 Harding & 39 Cross St Order of Conditions Extension SE192-831 Zenith
- 3. 8 Old Powder House Rd Request for Certificate of Compliance SE192-872- Collins Engineering
- 4. Meeting minutes
  - August 3, 2022
- **5.** <u>Submittal requirements review</u> review and possible vote to make changes to filing submittal requirements.
- 6. Letters of interest review of potential candidates for open Board position.

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.



FILE COPY

AECEIVED

SEP 2 3 2022

# COLLINS CIVIL ENGINEERING GROUP, INC.

225 South Main Street West Bridgewater, MA 02379 Tel: 508-580-2332 Fax: 508-580-8336

GRCPE@AOL.COM

PECEIVED

September 20, 2022

Conservation Commission

Town of Lakeville Conservation Commission 340 Bedford St. Lakeville, MA 02347

**Reference:** Request for Certificate of Compliance – Notice of Intent

DEP File #192-0872 - 8 Old Powder House Rd., Lakeville, MA

Dear Commission members:

This submittal is for work done at the above address under the Order of Conditions issued on 2/1/22 by the Lakeville Conservation Commission.

I have inspected the above site and found it to be in substantial compliance with the approved plans.

Please call my office if you have any further questions regarding this matter.

Sincerely,

George R. Collins, P.E. Chief Engineer/President

enclosures



# WPA Form 8A – Request for Certificate of Compliance Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

# A. Project Information

Important: When filling out 1 forms on the computer, use only the tab key to move your cursor do not use the return key.





Upon completion of the work 3. 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.

<ul> <li>This request is being made by: COLLINS CIVIL ENGINEERING GRO</li> </ul>	OUR INC	
Name	OUF, INC.	
225 SOUTH MAIN STREET		
Mailing Address		
WEST BRIDGEWATER	MA	02379
City/Town	State	Zip Code
508-580-2332		
Phone Number		
. This request is in reference to work re	egulated by a final Order of Conditions issue	ed to:
DANIEL TURCOTTE	- ,	
Applicant	<del></del>	
2/1/22	192-0872	
Dated	DEP File Number	
The preject site is leasted at		
. The project site is located at:		
8 OLD POWDER HOUSE RD.	LAKEVILLE	
Street Address	City/Town	
56 BLOCK3	4	
Assessors Map/Plat Number	Parcel/Lot Number	
. The final Order of Conditions was red	corded at the Registry of Deeds for:	
Property Owner (if different)		
Property Owner (if different) PLYMOUTH	56536	102
	<u>56536</u> Book	102 Page
PLYMOUTH County		
PLYMOUTH County  Certificate (if registered land)	Book	
PLYMOUTH County	Book	
PLYMOUTH County  Certificate (if registered land)  This request is for certification that (c	Book	Page
PLYMOUTH County  Certificate (if registered land)  This request is for certification that (county)  the work regulated by the above-regulated by the following portions of the work	Book  check one): referenced Order of Conditions has been sati	Page sfactorily completed
PLYMOUTH County  Certificate (if registered land)  This request is for certification that (county)  the work regulated by the above-regulated by the above-regulated.	Book  check one): referenced Order of Conditions has been sati	Page sfactorily completed
PLYMOUTH County  Certificate (if registered land)  This request is for certification that (county)  the work regulated by the above-regulated by the following portions of the work	Book  check one): referenced Order of Conditions has been sati	Page sfactorily completed
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PLYMOUTH County  Certificate (if registered land)  This request is for certification that (county)  the work regulated by the above-regulated by the following portions of the work	Book  check one): referenced Order of Conditions has been sati	Page sfactorily completed
PLYMOUTH County  Certificate (if registered land)  This request is for certification that (county)  the work regulated by the above-regulated by the following portions of the work	Book  check one): referenced Order of Conditions has been sati	Page sfactorily completed

wpaform8a.doc · · rev. 5/29/14

work regulated by it was never started.

DEP File Number:					
192-0872 Provided by DEP	To company a see a see and a see a s				
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02379 Zip Code					
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Page 1 of 2					



DEP File Number:

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

192-0872 Provided by DEP

# A. Project Information (cont.)

		•
6.	Did the Order of an approval of architect, or lar	of Conditions for this project, or the portion of the project subject to this request, contain any plans stamped by a registered professional engineer, architect, landscape and 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-officefor-your-city-or-town.html).

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Broof of ooc recording

\*\*\* Electronic Recording \*\*\* Doc#: 00020753 Bk: 56536 Pg: 102 Page: 1 of 14

Recorded: 03/09/2022 11:36 AM ATTEST: John R. Buckley, Jr. Register Plymouth County Registry of Deeds



Massachusetts Department of Environmental Protection Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 5 - Order of Conditions

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

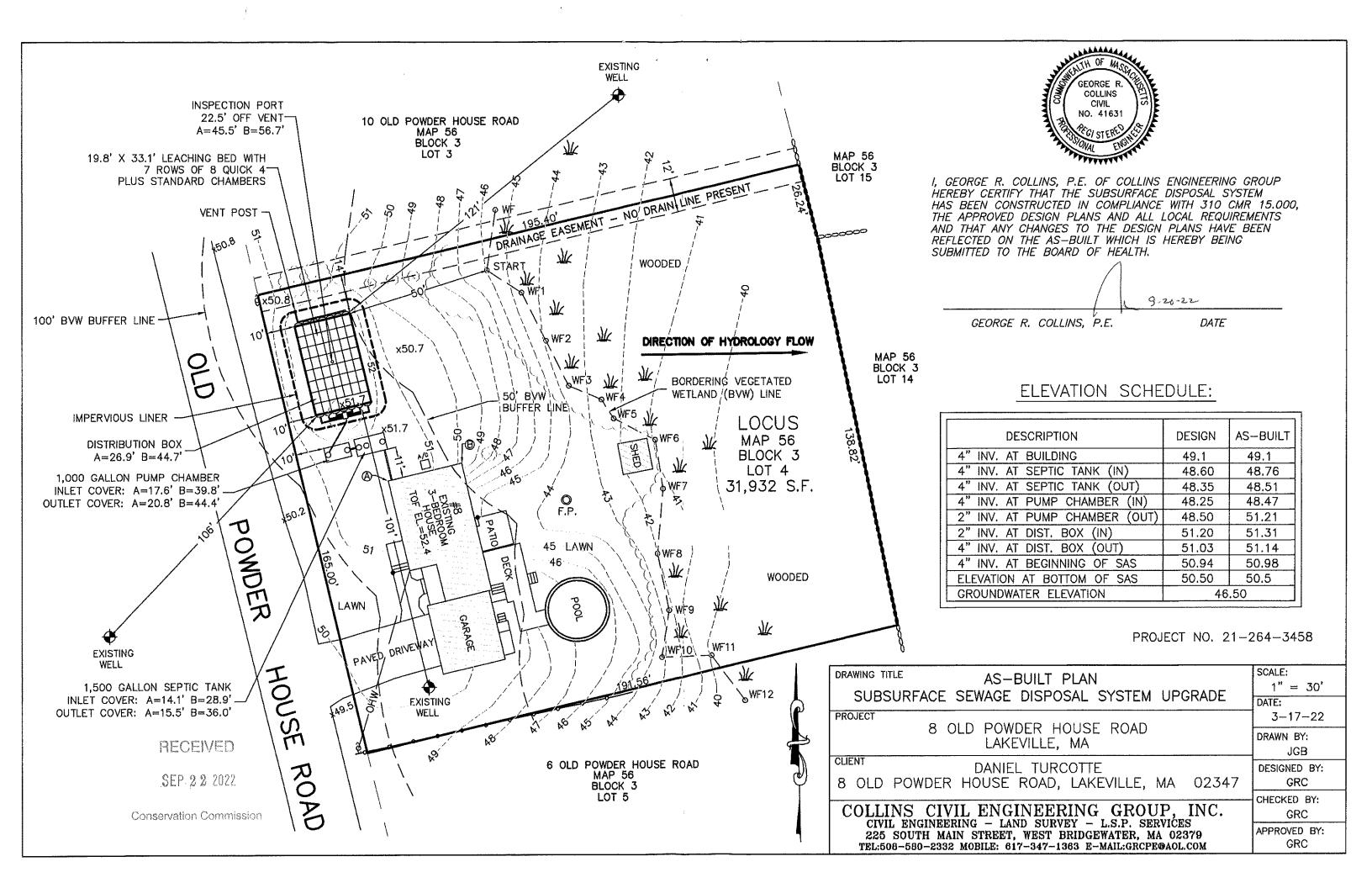
MassDEP File #	
SE192-0872	
eDEP Transaction #	**
Lakeville	
City/Town	

	A. General Informat	tion		
Please note: this form has been modified with added space to accommodate the Registry of Deeds Requirements	From: Lakeville     Conservation Commit     This issuance is for (check one):     To: Applicant:	ission a. ⊠ Order of Conditions	b. 🗌 Amended	Order of Conditions
Important: When filling out forms on the	Daniel a. First Name c. Organization 8 Old Powder House Rd.		cotte ist Name	
computer, use only the tab key to move your cursor - do not use the return key.	d. Mailing Address  Lakeville e. City/Town  4. Property Owner (if different	MA f. St from applicant):		02347 <sub>6</sub> g. Zip Code
	a. First Name	b. La	st Name	

a. I list Maille	b. Last Name	
c. Organization		
8 Old Powder House Rd.		
d. Mailing Address		
<u>Lakeville</u>	MA	02347
e. City/Town	f. State	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:		
8 Old Powder House Rd	Lakeville	
a. Street Address	b. City/Town	
Map 56, Block 3	Lot 4	
c. Assessors Map/Plat Number	d. Parcel/Lot Number	

Latitude and Longitude, if known:

e. Longitude





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

RECEIVED

SEP 7 - 2022

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

Conservation Commission

E: SE192-831, Lot 1 (Part of 5 Harding St. and 39 Cross St.) Lakeville

Dear Commission Members,

September 6, 2022

On September 23, 2019, the Lakeville Conservation Commission issued an Order of Conditions which allowed the construction of a commercial building with associated parking, access drive, 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 <a href="mailto:jamie@zcellc.com">jamie@zcellc.com</a>

Sincerely,

**Zenith Consulting Engineers, LLC** 

Jamie Bissonnette, PE Manager/Senior Engineer SEP 7 - 2022

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: 192-831 MassDEP Flle #

eDEP Transaction # Lakeville City/Town

70d58m35s

e, Longitude

### 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

Latitude and Longitude, if known:

2. This issuance is for (check one):

a. Order of Conditions b. Amended Order of Conditions

3. To: Applicant:

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





To: Applicant:		
a, First Name	b. Last Name	
Lakeville Nursery Redevelopment LLC		
c. Organization		
1 Lakeville Business Park Drive, Suite A		
d. Mailing Address		
Lakeville	MA	02347
e. City/Town	f. State	g. Zip Code
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
Project Location:		
Lot 1 (Part of 5 Harding St & 39 Cross St)	Lakeville	
a. Street Address	b. City/Town	
Map 022, Block 022	Lots 009 & 008	
c. Assessors Map/Plat Number	d. Parcel/Lot Number	

41d54m01s

d. Latitude

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# WPA Form 5 – Order of Conditions Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP: 192-831
MassDEP File #
eDEP Transaction #
Lakeville
City/Town

1	Δ. :	Ger	neral	ı	i <b>nformation</b> (co	nt.)
	••			-		

6.	one parce	el):	gistry of	(attach addition	al info	rmation if more than			
	Plymouth				b. Certificate Num	her (if r	ealstered land)		
	a, County	1070			337/236		,		
	50199/51376 c. Book				d. Page				
	C. BOOK	0/05/0040		10/2	2/2019		10/23/2019		
7.	Dates:	9/25/2019 a. Date Notice of Inte	ent Filed		te Public Hearing C	losed	c. Date of Issuance		
8.	as neede Site Plan	Final Approved Plans and Other Documents (attach additional plan or document references needed): Site Plan for Lot 1 (Part of 5 Harding St., and 39 Cross St)							
	a. Plan Titl		- 110		Robert M. For	hes			
	b. Prepare	onsulting Engineer	S, LLC		c. Signed and Sta		у		
					1" - 80'	•			
	10/21/20	vision Date			e. Scale				
	Q, I BIGITIO	.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,							
	f. Additions	al Plan or Document Tit	e				g. Date		
В	. Findir	ngs							
1.		pursuant to the M							
	provided the area	in this application	and presoroposes	sented at t I is signific	he nublic nearir	ia. mis	ased on the information Commission finds that terests of the Wetlands		
a.		lic Water Supply	ь. 🗆		ntaining Shellfls	h c.			
u.	E-34 , U.S	no training	•			f.	Protection of		
d.	⊠ Priv	ate Water Supply	е. 🛚	Fisheries	3	١.	Wildlife Habitat		
g.	⊠ Gro	undwater Supply	h. 🗵	Storm D	amage Preventi	on I.			
2.	This Co	mmission hereby fir	ds the pr	oject, as p	roposed, is: (che	ck one	e of the following boxes)		
Α	pproved s								
a.	⊠ the standar	following condition	s which vetlands	are necess regulation	sary in accordar s. This Commis	ice will sion o	th the performance 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.

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# WPA Form 5 – Order of Conditions Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
192-831
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 fee

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

Re	source Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4,	☐ Bank	a. linear feet	b. linear feet	c. linear feet	d. linear feet
5.	☐ Bordering Vegetated Wetland	a. square feet	b. square feet	c. square feet	d. square feet
6.	Land Under Waterbodies and Waterways	a. square feet	b. square feet	c. square feet	d. square feet
	vvater ways	e. c/y dredged	f. c/y dredged		
7.	Bordering Land Subject to Flooding	26,336 a. square feet	b. square feet	30,752 c. square feet	d. square feet
	Cubic Feet Flood Storage	48,547 e. cubic feet	f. cubic feet	61,674 g. cubic feet	h. cubic feet
8.	<ul><li>Isolated Land</li><li>Subject to Flooding</li></ul>	a. square feet	b. square feet		
	Cubic Feet Flood Storage	c. cubic feet	d. cubic feet	e, cubic feet	f. cubic feet
9.		120, 016 a. total sq. feet	b. total sq. feet		
	Sq ft within 100 ft	13, 086 c. square feet	d. square feet	e, square feet	f. square feet
	Sq ft between 100- 200 ft	106, 930 g. square feet	h. square feet	l, square feet	j. square feet

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# WPA Form 5 – Order of Conditions Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:		
192-831		
MassDEP File #		
eDEP Transaction #		

Lakeville City/Town

B. Findings (cont.)

Coastal Resource Area Impa	acts: Check all th	at apply below.	(For Approvals 0	Only)
	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. Designated Port Areas	Indicate size u	inder Land Unde	er the Ocean, bel	ow
11. Land Under the Ocean	a, square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
12. Barrier Beaches	Indicate size u	ınder Coastal Be	eaches and/or Co	astal Dunes
13. Coastal Beaches			cu yd	cu yd
15.	a, square feet	b. square feet	c. nourishment cu yd	d. nourishment cu yd
14. Coastal Dunes	a. square feet	b. square feet	c. nourishment	d. nourishment
15. Coastal Banks	a, linear feet	b. linear feet		
16. Rocky Intertidal Shores	a. square feet	b. square feet		
17. Salt Marshes	a. square feet	b. square feet	c. square feet	d. square feet
<ol> <li>Land Under Salt Ponds</li> </ol>	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
<ol> <li>19.</li></ol>	a. square feet	b. square feet	c. square feet	d. square feet
20.  Fish Runs	Indicate size the Ocean, ar Waterways, a	nd/or inland Lan	anks, Inland Ban d Under Waterbo	k, Land Under dies and
	a. c/y dredged	b. c/y dredged		
<ul><li>21.   Land Subject to Coastal Storm Flowage</li></ul>	a. square feet	b. square feet	-	
22. 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

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# Massachusetts Department of Environmental Protection Bureau of Resource Protection - Wetlands WPA Form 5 - Order of Conditions

WYPA FORM 3 - Order of Conditions

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

Provided by MassDEP: 192-831
MassDEP File #
eDEP Transaction #
Lakeville

Clty/Town

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ο.	LEBE	dings	(COHE.)

* #23. If the project is for	23
the purpose of restoring or	
enhancing a	
wetland	24
resource area	24
in addition to	
the square	
footage that	
has been	C
entered in	_
Section B.5.c	
(BVW) or	т
B.17.c (Salt	
Marsh) above	1
please enter	'
the additional	

. Restoration/Enhancement *:	
a. square feet of BVW	b, square feet of salt marsh
i. 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.

- 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.
- amount here. 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.
  - 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).
  - 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 10/23/2021 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 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: 192-831 MassDEP File #

eDEP Transaction #

City/Town

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.
- A sign shall be displayed at the site not less then two square feet or more than three square feet in size bearing the words,

"Massachusetts Department of Environmental Protection" [or, "MassDEP"]

"File Number <u>192-831</u>

- 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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# WPA Form 5 – Order of Conditions

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

Provided by MassDEP:
192-831
MassDEP File #

eDEP Transaction # Lakeville City/Town

### 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) a 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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# WPA Form 5 – Order of Conditions

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

Provided by MassDEP: 192-831 MassDEP File #

eDEP Transaction #
Lakeville
City/Town

### 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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# WPA Form 5 – Order of Conditions

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

Provided by MassDEP: 192-831

MassDEP File #

eDEP Transaction #

City/Town

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

g) The responsible party shall:

 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

- 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.
- 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.
- 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):

The limit of work shall be the degraded area bordered by the treeline as shown on the site plan of record. The applicant shall prepare a list of significant milestones for review and approval before construction by the Commission. The Commission will be notified when work commences and when each milestone is completed. The Commission and its agents shall have right of entry to inspect the project during construction. The gravel pathway which exits on Cross St. will be barricaded and no access will be allowed.

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.

wpaform5.doc • rev. 6/16/2015



# 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: 192-831 MassDEP File #

eDEP Transaction #

Lakeville City/Town

D.	Fir	ndings Under Municipal Wetlands Bylaw or Ordinance
1.	ls a	municipal wetlands bylaw or ordinance applicable?   Yes   No
2.	The	hereby finds (check one that applies):
		Conservation Commission
	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.	cor cor the	e Commission orders that all work shall be performed in accordance with the following additions and with the Notice of Intent referenced above. To the extent that the following additions modify or differ from the plans, specifications, or other proposals submitted with a Notice of Intent, the conditions shall control.  The special conditions relating to municipal ordinance or bylaw are as follows (if you need one space for additional conditions, attach a text document):

Page 10 of 12 wpaform5,dec + rev, 6/16/2015



# WPA Form 5 – Order of Conditions

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

Provided by MassDEP: 192-831
MassDEP File #

eDEP Transaction #

City/Town

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.

1. Date of Issuance

5

2. Number of Signers

10/23/19

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.

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.

Page 11 of 12



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

Provided by MassDEP: 192-831

MassDEP File #

eDEP Transaction # Lakeville City/Town

# 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		
3 f f	ped by the Registry of Deeds and sub	
Commission.		
ro;		
Conservation Commission		
lease be advised that the Orde	r of Conditions for the Project at:	
Project Location	MassDEP File Number	er .
las been recorded at the Regist	try of Deeds of:	
County	Book	Page
or: Property Owner		
and has been noted in the chain	of title of the affected property in:	
Book	Page	-
n accordance with the Order of	Conditions issued on:	
Date	-	
f recorded land, the instrument	number identifying this transaction is:	:
Instrument Number		
If registered land, the document	number identifying this transaction is	<b>:</b> :
Document Number		
Signature of Applicant		

Page 12 of 12 wpaform5.doc • rev. 6/16/2015





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

# Massachusetts Department of Environmental Protection Bureau of Resource Protection - Wetlands Request for Departmental Action Fee **Transmittal Form**

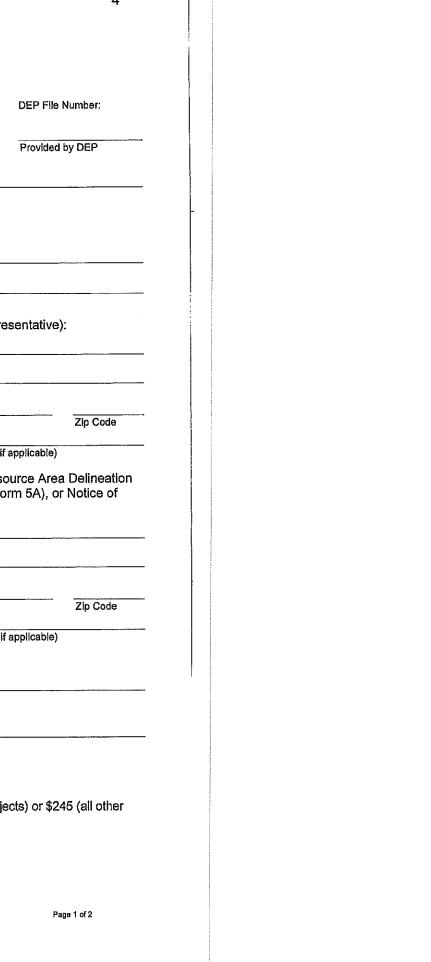
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

# A. Request Information

<ol> <li>Location of Proje</li> </ol>	on of Proje	Location	1
---------------------------------------	-------------	----------	---

	a. Street Address	b. City/Town, Zip	and the state of t			
	c. Check number	d. Fee amount				
<u>}</u> .	Person or party making request (if appropriate, name the citizen group's representative):					
	Name					
	Malling Address					
	Clty/Town	State	Zip Code			
	Phone Number	Fax Number (if as	pplicable)			
3.	Applicant (as shown on Determination of Applica (Form 4B), Order of Conditions (Form 5), Restora Non-Significance (Form 6)):	bility (Form 2), Order of Resou ation Order of Conditions (Forn	rce Area Delineation n 5A), or Notice of			
	Name					
	Mailing Address					
	City/Town	State	Zlp Code			
	Phone Number	Fax Number (if a	oplicable)			
4.	DEP File Number:					
В.	Instructions					
1.	When the Departmental action request is for (che	eck one):				
	Superseding Order of Conditions – Fee: \$12 projects)	0.00 (single family house projec	ts) or \$245 (all other			
	Superseding Determination of Applicability –	Fee: \$120				
	☐ Superseding Order of Resource Area Deline	ation – Fee: \$120				

wpaform5.doc • rev. 4/22/2015







# Request for Departmental Action Fee Transmittal Form

DEF	) Fil	a Ni	um	ha:

Provided by DEP

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

### B. Instructions (cont.)

Send this form and check or money order, payable to the Commonwealth of Massachusetts, to:

Department of Environmental Protection Box 4062 Boston, MA 02211

- 2. On a separate sheet attached to this form, state clearly and concisely the objections to the Determination or Order which is being appealed. To the extent that the Determination or Order is based on a municipal bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.
- 3. Send a **copy** of this form and a **copy** of the check or money order with the Request for a Superseding Determination or Order by certified mail or hand delivery to the appropriate DEP Regional Office (see <a href="http://www.mass.gov/eea/agencies/massdep/about/contacts/">http://www.mass.gov/eea/agencies/massdep/about/contacts/</a>).
- 4. 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.

wpaform5.doc ∙ rev. 4/22/2015 Page 2 of 2

### COLLINS CIVIL ENGINEERING GROUP, INC.

### 225 South Main Street West Bridgewater, MA 02379 Tel: 508-580-2332 Fax: 508-580-8336 GRCPE@AOL.COM

RECEIVED

SEP 2 0 2022

September 20, 2022

Town of Lakeville Conservation Commission 340 Bedford St. Lakeville, MA 02347

Conservation Commission

**Reference:** Request for Certificate of Compliance – Notice of Intent

DEP File #192-0872 - 8 Old Powder House Rd., Lakeville, MA

Dear Commission members:

This submittal is for work done at the above address under the Order of Conditions issued on 2/1/22 by the Lakeville Conservation Commission.

I have inspected the above site and found it to be in substantial compliance with the approved plans.

Please call my office if you have any further questions regarding this matter.

Sincerely,

George R. Collins, P.E. Chief Engineer/President

enclosures



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

DEP File Number: 192-0

# A. Proiect Information

Important:
When filling out 1. forms on the computer, use only the tab key to move your cursor do not use the return key.





Upon completion of the work 3. 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:		
	COLLINS CIVIL ENGINEERING GRO	OUP INC	
	Name	701 , IIVO.	
	225 SOUTH MAIN STREET		
	Mailing Address		
	WEST BRIDGEWATER	MA	02379
	City/Town	State	Zip Code
	508-580-2332		£.p 000e
	Phone Number		
2.	This request is in reference to work re	gulated by a final Order of Conditions issue	ed to:
	DANIEL TURCOTTE	, and a second foods	3 <b>4</b> to.
	Applicant		
	2/1/22	192-0872	
	Dated	DEP File Number	<u> </u>
3.	The project site is located at:		
	8 OLD POWDER HOUSE RD.	LARELMIE	
	Street Address	LAKEVILLE City/Town	
	56 BLOCK3	4	
	Assessors Map/Plat Number	Parcel/Lot Number	
	Properly Owner (if different)		
	PLYMOUTH	56536	102
	PLYMOUTH County	56536 Book	102 Page
·	PLYMOUTH County		
_	PLYMOUTH County Certificate (if registered land)	Book	
_	PLYMOUTH County  Certificate (if registered land)  This request is for certification that (che	Book eck one):	Page
-	PLYMOUTH County  Certificate (if registered land)  This request is for certification that (che	Book eck one):	Page
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# **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

192-0872 Provided by DEP

DEP File Number:

## A. Project Information (cont.)

		(00111.)
6.		of Conditions for this project, or the portion of the project subject to this request, contain any plans stamped by a registered professional engineer, architect, landscape and 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-officefor-your-city-or-town.html).

wpaform8a.doc · · rev. 5/29/14 Page 2 of 2

Bout y our meanding

\*\*\* Electronic Recording \*\*\* Doc#: 00020753

Bk: 56536 Pg: 102 Page: 1 of 14 Recorded: 03/09/2022 11:36 AM ATTEST: John R. Buckley, Jr. Register Plymouth County Registry of Deeds



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:

MassDEP File # SE192-0872 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

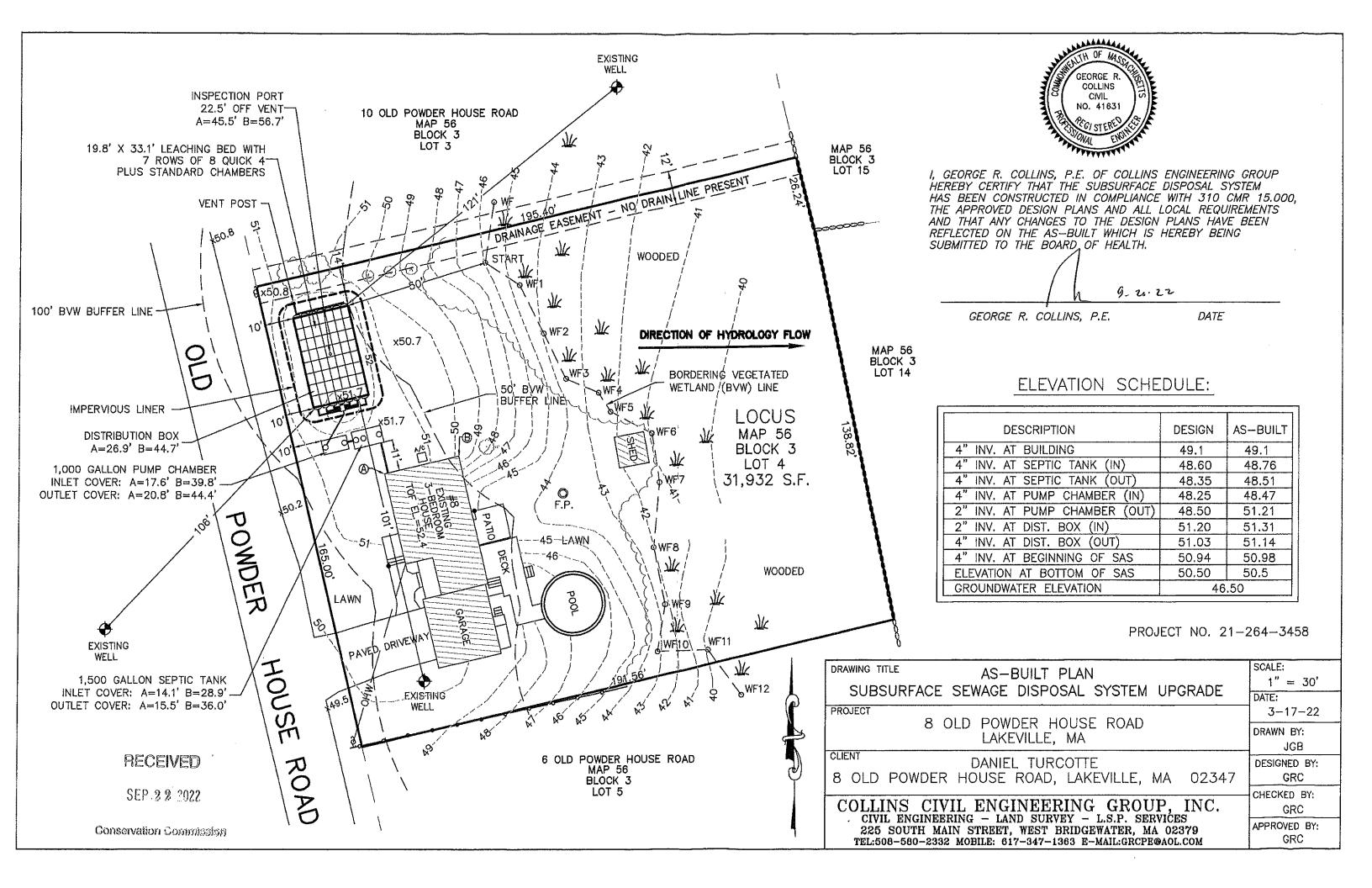
Important: When filling out forms on computer, use only the tab key to move your cursor - do not use the

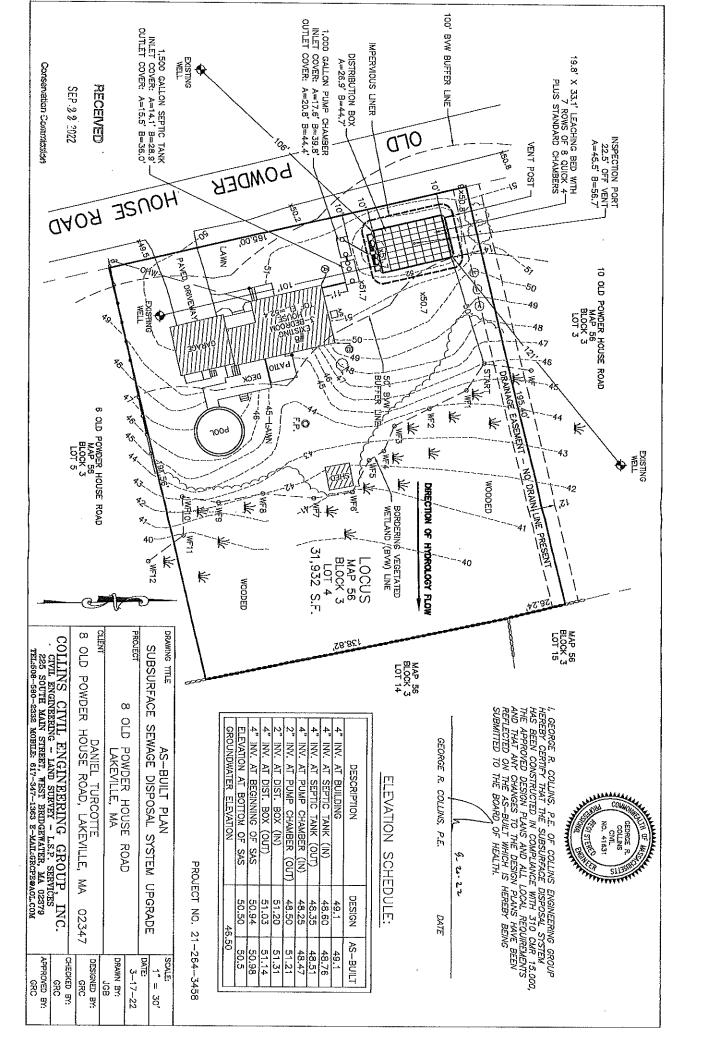


return key.

A. Gelieral information		
1. From: Lakeville		
Conservation Commission  2. This issuance is for		
(check one):	rder of Conditions	b. Amended Order of Condition
3. To: Applicant:		
Daniel	Turcotte	
a. First Name	b. Last Nan	
c. Organization		
8 Old Powder House Rd.	•	
d. Mailing Address		
Lakeville	MA	
e. City/Town	f. State	02347 g. Zip Code
a. First Name	b. Last Nam	ne
c. Organization	-	
d. Mailing Address		
e. City/Town	f. State	g. Zip Code
Project Location:		g. 2-p 00de
8 Old Powder House Rd	Lakeville	
a. Street Address	b. City/Town	
Map 56, Block 3	Lot 4	
c. Assessors Map/Plat Number	d. Parcel/Lot	Number
Latitude and Longitude, if known:	d m	
•		<u>s</u> <u>d</u> m s

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### Town of Lakeville Conservation Commission August 3, 2022 6pm

Members present: Mark Knox, Fred Frodyma, Joseph Chamberlain, Josh Faherty, Nancy Yeatts, and John LeBlanc. Members absent: Robert Bouchard, Chairman. This meeting was recorded by LakeCam.

This was a joint meeting with Planning Board, Open Space, and Board of Health to discuss the proposed Open Space Residential Development bylaw.

Chairman Knox of the Planning Board, called the meeting to order. Present were: Chairman Knox, Michelle MacEachern, Peter Conroy, and Jack Lynch.

Member Knox of the Conservation Commission, called the meeting to order. Present were: Mark Knox, Fred Frodyma, Joe Chamberlain, Josh Faherty, Nancy Yeatts, and John LeBlanc.

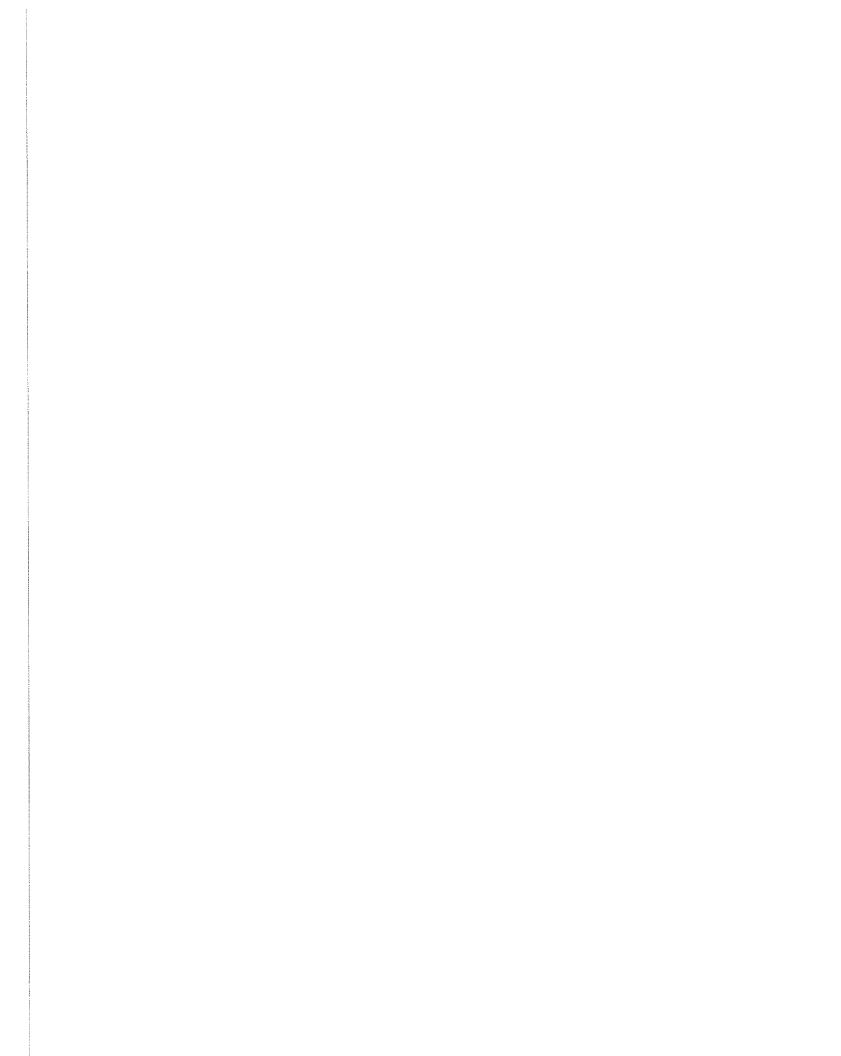
Present for Open Space was Fred Frodyma (there was no quorum).

Chairman Spratt said the preliminary meeting regarding the Open Space Residential Development (OSRD) was just one member from each board. He thought that from that meeting, the participants thought this proposed bylaw needed more work. Member Poillucci said he didn't have a problem with open space. He thought cluster zoning was the only way to get open space without having to get money from the residents. His biggest concern is with the physicality of it; not fitting the way it's drafted. For this to work, it needs to be, everybody's backyard percs, the well goes in the front yard (or vice versa). All it would take is a couple of people that don't get the perc rate and they put their well in the back and the septic in the front, it will block out other septics. He showed a drawing of an OSRD subdivision with well radius'. If there just a couple of people that move their wells, some of the lots won't be able to put in septics anymore. If there was town water, there would be no problem. In some of the town OSRD bylaws he reviewed, they state a public water supply could be put in the open space. Common septic systems could also be used. One potential problem is, some places that have treatment plants, are billing people exorbitant amounts of money. When a common septic or public water supply fail, if everyone has to kick in \$15,000 and some people don't have the money, they are putting the other residents in a bad place because they don't have the money to fix it. The only way the government has gotten around that is with a super lien. If someone doesn't pay their fees or betterment, the bank pays it because they don't want the house to go to foreclosure. The bank pays it and works out an agreement with the homeowner. If these developments are put in a proprietorship, a super lien can be placed on the property. Chairman Spratt said he thinks some of these properties that people would look at doing something like this, may be difficult to begin with going in. He thought of one property that has a ton of ledge. Some of the earlier discussion was about nitrogen loading and keeping agriculture out of the open space because that affects the nitrogen loading. Member Maxim agreed with Member Poillucci. He didn't know how you would do this on a 30,000sf lot without public water or common septic. Some of these subdivisions have underground drainage for the roof drains, which would have to go on the lot, and the separation from

Lakeville Conservation Commission 1 August 3, 2022

that to the septic system, to the house. Some houses might want a swimming pool and they're not going to have the room with a septic and a reserve and drainage on this size lot. Also, anything over a threebedroom would have to go to DEP for approval because of nitrogen loading, they don't meet it on a 30,000sf lot. Chairman Knox (Planning Board) said that had been crafted in there, that a four-bedroom would be 40,000. He said that Town Planner Marc Resnick said at their last meeting that some of the efforts actually create a few conflicts within the bylaw. Mr. Resnick said he had discussed septic designs with Health Agent Ed Cullen. If they did 10,000sf per bedroom (the smallest house being a threebedroom) and you would be restricted on the number of bedrooms, 3 for 30,000 and 4 for 40,000. They also had written in that the locations of wells and septics on the definitive plan for the cluster, would have to be approved by the Board of Health so that the right distances are maintained. He said not all the lots are going to be configured perfectly, but not all the lots are going to be 30,000sf minimum, and they'll be odd shapes and they'll be configured partially based on soil conditions. A developer will need to perc all those lots before he gets final approval. If a lot doesn't perc and there's ledge 3' under, he's going to keep going until he finds a place where he can site a system. If a lot isn't good, he'll have to combine it with the next two, split it and get one less on the cluster. Member Poillucci said the first run through, you'd have to have all the wells and all the septic designed so you know it's going to fit. He said there is one town where they have to prove every lot. They put the wells in, prove they have a good well and a septic design. The septic doesn't have to be in, but they have to have a design. That town was allowing a percentage of lots to be done at a time. One town has a 100-foot buffer around all the lots, which gives you a little more room. You couldn't put the septic or well on it, but you could use that land as your radius, as setbacks. If any of those solutions could work, either proving a lot with a well and a septic design, public water supply or shared septic, he would be fine with it. Chairman Spratt said when this originally went before town meeting, it seemed a little rushed and the Board had some questions. He understood the interest in wanting to have something simple, that's understandable, but they don't want to be fixing stuff after the fact. They deal with enough tight stuff, there are certain neighborhoods with 5,000sf lots and 10,000sf lots and it's a nightmare for the Board. Member Yeatts (Conservation Commission) asked if Chairman Spratt could elaborate a little more about the agriculture part, the nitrogen loading. Chairman Spratt said for example, we have a lot of cranberry bogs in town. Someone may look to do a development next to this. There is already way too much nitrogen sitting in the bog. You're going to add that to all the nitrogen from the houses you're putting in. It doesn't work as far as nitrogen loading. Other agriculture land, if it remains agriculture land, they're going to be adding fertilizer to that too. It doesn't help with the nitrogen loading problems. Pulling agriculture out of that open space part, makes it easier. Chairman Knox (Planning Board) asked if when they speak of nitrogen loading, they're referring to a leaching field and people fertilizing their lawn, all combined. Chairman Spratt said yes, and most of us know that not all that fertilizer is going to stay on the lawn, it's going to the street and running down. Member MacEachern (Planning Board) said when she met with Chairman Spratt, Member Yeatts, and Agent Ed Cullen, they discussed adding some language into the bylaw. They discussed deed restrictions with the 30,000sf lot, State approval and compliance with State code. They added three-bedroom with 30,000sf and four-bedroom with minimum 40,000sf. They also added wording that formal percolation depth to groundwater test shall be conducted on all lots shown on the conventional plan and on the OSRD development area. Member Poillucci said the only way he thought this could work is with town water or shared septic. Chairman Knox (Planning Board) said he believed there were stringent requirements for a public water supply. On top of a 200' radius, it needs to be fenced in so it would rob some of the open space. Agent Cullen said it depends on how much yield. If you had a ten-lot subdivision the fenced area would be Zone-One. It would be pretty small, but if you get a larger 40 or 50 lot, you're going to get a much larger area. The Zone-One does have to be fenced in, but it's also the outer radius which is the

Lakeville Conservation Commission 2 August 3, 2022



interim well head protection area that's even more nitrogen sensitive. It would be great to put in the open space, but it's a radius, so it's tough. You would actually have to go into the open space, put it in the middle and fence it off. You couldn't just put it on the edge because half of that would be in the subdivision. Public water supplies also require a licensed operator. Chairman Knox (Planning Board) said that would require frequent monitoring and testing which would be a perpetual cost to the residents. Member Poillucci said it would be nowhere near the cost of a treatment plant. There was a discussion about potential options to prove lots with public water or shared septic. Member Poillucci explained that the Middleboro bylaw that leaves 100' around the edge, and the Sherborn bylaw allows for a public water supply to be placed in the open space. Mr. Resnick (Town Planner) said that this is something they should continue to work on. Public water solves a lot of the issues. Member Poillucci said he liked the Middleboro bylaw with an area of the 100' all the way around because you're going to have a ball field with 30,000sf lots. There's not going to be a tree left. Leaving the 100' around the edges is going to help if your wells are in the back, it gives you half the radius. The radius goes from 200' to 100' because you can use the open space. Member Poillucci stressed the fact that without putting in the wells and doing the perc tests, you don't know if it works. So, someone is going to go through the whole process of doing a subdivision and going through all the meetings and start, and then realize it doesn't work. Member Frodyma (Open Space) said he thought they would have to, in order to get approval for this OSRD. Member Poillucci stated that they would need to put in the wells and septics before it gets approved, to prove that it can work. Mr. Resnick (Town Planner) asked if the Board would feel more comfortable if the language were strengthened, beside working on the technical issues that have been discussed in this meeting. Member Poillucci then added that there would need to be a deed restriction that it has to go there. If someone buys a lot and decides they want to build a different house and they want to move things, its no, that's where it's going unless you can come back again and prove. Nate Darling (Building Commissioner) stated that in the past with the Zoning Bylaw Review Committee, this is how they've gotten things done. This is how we do what's right for the Town of Lakeville, we have a discussion and we hash it out. No good idea is going to be one person's idea. It's going to be a group of people's ideas. He wondered it this could be treated like a definitive subdivision where they can put a covenant on all of the lots; if they didn't release the lots until the Board of Health has approved the lots. There might be a scenario that you don't have to do all of the wells and have them tested and do all the septics and have the designs. In a preliminary plan, when you're figuring out how many are going to fit, you have to put the percs on the lots and come up with a number. They do the open space design and you only release those lots once the well is in and tested and the septic system is designed and approved by the Board of Health. He thought it would be incumbent upon the developer to make them work and not on a resident. Do you make a provision to have vacant lots on purpose by design? You could make a utility easement on those lots. If there was an emergency need from a public health perspective, if someone's reserve area didn't work for some reason, you could put a well on that vacant lot. Member Poillucci reiterated that until the wells go in, you don't know if the plan will work. Mr. Resnick said that's why Member Poillucci's point, about the town that did require them to install wells in each section, you know that you're not going to have an issue. Chairman Knox (Planning Board) said they could release five of the lots, don't release the one adjacent to the next grouping of lots. Member Poillucci added, or because those weren't locked in yet and recorded, those other lots, if they had to be bigger to make it work, you still have that ability. Nate Darling (Building Commissioner) asked if in a project like this would you typically see a plan approval and then lots held independently, or would the developer actually be building them to suit? That's the other piece, if you sold a vacant lot, now the buyer has to get a well and septic, and that's a problem. Member Maxim said no developer is going to carry all these lots. There's a different owner and a different developer every third lot. No one talks to each other and everyone's doing their own thing. Member Poillucci didn't think

Lakeville Conservation Commission 3 August 3, 2022



it would be a hardship asking the developer to put in the wells. If anything, it makes them more marketable. If a lot has a well and a septic, or at least a perc, they can sell the lot comfortably and don't have to worry about moving anymore lot lines down the road. Chairman Knox (Planning Board) said that Mr. Resnick (Town Planner) would work on amending the language and circulate the document. It will come back to the Planning Board and if they're satisfied they will send it to the Board of Health for comment. They would like to get it on fall town meeting. Member Yeatts (Conservation Commission) said she would like to discuss the bylaw with her board. She's still not sure how the open space is going to be held. She thought they might need some legal advice on that. She wants to make sure the open space stays open space. It needs to be in perpetuity and there are still some questions surrounding that. Chairman Spratt said they could look into options besides the town or the abutters owning the land. There are some options for outside agencies that maintain stewardship of it. Member Maxim asked Agent Cullen if with all the Zone-A's in town, did he feel the cluster zoning could affect a Zone-A. You need to just be 400' off the pond to get outside the Zone-A. Just beyond that 400', outside the Zone-A, if they put in 30 lots in a small area, would the nitrogen loading affect it? Agent Cullen said yes it would affect it, but it would be legal. You can't build in a Zone-A, but at 401' it's outside the Zone-A. Member Maxim asked if that should be a concern for the Board of Health as far as approving something like this? Agent Cullen answered that it would be a concern, but they could question it during the review. Nate Darling (Building Commissioner) asked if it could be written into the bylaw that it would require advanced treatment for denitrification because of the density. Agent Cullen thought it could be on a case by case basis,

Member Knox (Conservation Commission) closed the Conservation Commission hearing.

Upon a motion made by Member Knox (Conservation Commission), seconded by Member Yeatts (Conservation), it was:

Voted: to adjourn Unanimous approval. (7:15pm)

Chairman Knox (Planning Board) closed the Planning Board hearing.

Chairman Knox (Planning Board) stepped down to make a motion, seconded by Member Conroy, it was:

Voted: to adjourn
Unanimous approval (7:15pm)

The adjournment was for the Conservation Commission and Planning Board only. The Board of Health continued their meeting.

Lakeville Conservation Commission

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August 3, 2022



# Lakeville Conservation Commission submittal requirements for 2022

### Notice of Intent:

- 1. All filings, including the plan of record, must be submitted by noon on the day of the deadline and must be accompanied by the appropriate fees and checklist. Additional information for continued hearings must be supplied to the Commission at least ten days prior to the hearing date. The 2022 meeting schedule and submittals deadlines are attached. Submittals may be left with the Board of Health if the Conservation Commission is not open.
- 2. Notice of Intent and Abbreviated Notice of Resource Area Delineation (NOI and ANRAD): The Commission requires seven (7) copies of the filing, four (4) copies of full-sized plans and seven (7) copies of 11"x17" plans. Applicants may submit only two (2) copies of all stormwater/drainage reports and any additional documentation if the information has also been submitted via PDF email. The Commission requires all information, including plans, to also be submitted electronically to: <a href="mailto:lcanedy@lakevillema.org">lcanedy@lakevillema.org</a>
- 3. All NOI and ANRAD plans must be stamped by a Registered Professional Engineer and/or Professional Land Surveyor. A locus that clearly identifies the location of the property must be on the plans. The 100' buffer zone, the 50' buffer zone and all water and septic lines must be clearly defined and the legend must be correct. The plans must show topography, percentage of impervious coverage, direction of hydrology flow, and annual mean water. All plans and filings must be submitted to the Commission in conjunction with submittal to the Department of Environmental Protection. Proof of delivery must be submitted prior to the hearing.
- 4. All NOI and ANRAD filings require abutter notification. A certified abutter list must be obtained from the Board of Assessor's Office and submitted to the Commission. The notification may be done via certified mail or with a certificate of mailing.
- 5. For any property that abuts Long Pond, Assawompset Pond, Elders Pond or their tributaries a complete copy of the Notice of Intent filing must be sent to:

Taunton Water Departmei	nt
91 Precinct St.	
Lakeville, MA 02347	

New Bedford Water Department 1 Negus Way E. Freetown, MA 02717



### **Request for Determination of Applicability:**

- 1. The Commission may require up to seven (7) copies of the filing and plans. A copy of the RDA must be mailed/delivered to DEP (Southeastern Regional Office, 20 Riverside Drive, Lakeville, MA 02347). Proof of delivery must be submitted prior to the hearing.
- 2. All areas depicted on all plans at the time of submission, including wells and proposed dwellings, must be flagged and/or staked out in the field for review by the Commission. A signed Site Access Consent Form must be included with the original submittal.
- 3. It is the responsibility of the applicant to contact the Conservation Commission office (508-946-8823) for posting deadlines and verification of the time and date of the hearing.
- 4. Newspaper notices for all filings will be published in the New Bedford Standard Times and will be submitted by the applicant. The applicant is responsible for payment. Please contact the legal department (508-979-4351) at the Standard Times. Email: newbedfordstlegals@gannett.com
- 5. If an applicant wishes to withdraw a filing the request must be made in writing. Any requests for a continuance must be made in writing at least 48 hours in advance. The Commission may issue a denial if this requirement is not met.
- 6. Please refer to the attached fee schedule for all submittals.



# Town of Lakeville Conservation Commission 346 Bedford St. Lakeville, MA 02347

Phone: (508) 946-8823

Listed below are the 2022 meeting dates for the Lakeville Conservation Commission. The first date is the primary meeting date and the second date is listed if the need arises. For any remote meetings please check with the office for login information.

Meeting Date	Submittal Deadline
January 11, 2022	December 28, 2021
January 25, 2022	January 11, 2022
February 8, 2022	January 28, 2022
February 22, 2022	February 8, 2022
March 8, 2022	February 22, 2022
March 22, 2022	March 8, 2022
April 12, 2022	March 29, 2022
April 26, 2022	April 12, 2022
May 10, 2022	April 26, 2022
May 24, 2022	May 10, 2022
June 14, 2022	May 31, 2022
June 28, 2022	June 14, 2022
July 12, 2022	June 28, 2022
July 26, 2022	July 12, 2022
August 9, 2022	July 26, 2022
August 23, 2022	August 9, 2022
September 13, 2022	August 30, 2022
September 27, 2022	September 13, 2022
October 11, 2022	September 27, 2022
October 25, 2022	October 11, 2022
November 8, 2022	October 25, 2022
November 22, 2022	November 8, 2022
December 13, 2022	November 29, 2022
December 27, 2022	December 13, 2022



# Lakeville Conservation Commission Administrative Fees

### General Fee Schedule

Administrative fees shall be calculated by the Lakeville Conservation Commission in accordance with the attached schedule.

Administrative fees are payable at the time of application submission and are non-refundable.

Payment must be in the form of a check or money order and must be made out to the Town of Lakeville. The check must be separate from the payment made as a requirement of the filing fees dictated by the Wetlands Protection Act.

The Town of Lakeville and all properties owned by a government or non-profit organizations are exempt from all local administrative fees.

The local administrative fees are in addition to the fee regulations pursuant to MGL Chapter 131, Section 40 of the Massachusetts Wetlands Protection Act. (see table)



# Lakeville Conservation Commission Administrative Fee Schedule

Request for Determination of Applicability (RDA)- includes initial site visit and siltation inspection	\$75.00
Notice of Intent, Residential (NOI)—includes initial site visit and siltation inspection	\$75.00
Notice of Intent, Commercial (NOI) – includes initial site visit and siltation inspection	\$100.00
Abbreviated Notice of Resource Area Delineation (ANRAD)	\$1.00/linear foot – minimum charge \$100.00, maxim charge \$1000.00
Certificate of Compliance <2 acres (required: 2 hard copies of as-built plan and submitted electronically)	\$25.00
Certificate of Compliance >2 acres (required: 2 hard copies of as-built plan and submitted electronically)	\$50.00
Certificate of Compliance >5 acres (required: 2 hard copies of as-built plan and submitted electronically)	\$100.00
Certificate of Compliance, Commercial (required: 2 hard copies of as-built plan and submitted electronically)	\$100.00
Amended Order of Conditions, Residential	\$25.00
Amended Order of Conditions, Commercial/Subdivision	\$200.00
Amended Order of Resource Area Delineation	\$75.00
Extension to Order of Conditions	\$50.00
Site Inspection	\$25.00 flat fee/first hour and \$25.00 each additional hour
Continuation – Applicant's Request	\$25.00 without 48-hour notice
Duplicate Order of Conditions	\$25.00
Simplified Review	\$50.00



# Lakeville Conservation Commission Notice of Intent Submittal Checklist

7 copies of filing
4 full sized plans stamped by a Registered Professional Engineer and/or a Professional Land Surveyor
 2 copies of Stormwater/Drainage Reports*
Electronic copies of filing and plans (email <u>lcanedy@lakevillema.org</u> )
Electronic Submittal receipt
Proof of Abutter Notification (certified mail/certificate of mailing)
Certified Abutters list
Proof of mailing to City of Taunton and City of New Bedford Water Departments*
 Proof of Mailing to Natural Heritage (NHESP)*
Site Access Consent Form
Administrative Filing Fees
 WPA Transmittal Form and Fees
Proof of mailing or hand delivery to DEP

<sup>\*</sup>if necessary



# **Site Access Consent Form**

The Lakeville Conservation Commission requires specific and adequate information to make an informed decision on this filing. The Conservation Agent and/or Conservation Commissioners will need to access the property for a site visit prior to the scheduled hearing. Please indicate if you would prefer to be present and we will try to accommodate you. Lack of permission to visit the site may result in denial.

Name:	 	
Project Location:		 
Phone Number:	 	
Email:	 	 
Signature:		

Please be aware that prior to the start of work, the Conservation Office or the Building Commissioner must be notified via email or phone.

- Conservation Commission Office 508-946-8823 email: <a href="mailto:lcanedy@lakevillema.org">lcanedy@lakevillema.org</a>
- Building Commissioner Office 508-946-8804 (to inspect erosion control)



# Town of Cakeville

Town Office Building

346 Bedford Street

Cakeville, Massachusetts 02347

OFFICE OF					
SELECTMEN					
ELEPHONE 508-946-8803					
FAX 508-946-0112					

# Board/Commission/Co

SELECTMEN  ELEPHONE 508-946-8803  FAX 508-946-0112	(B/C/C) Applica	· · · · · ·	
Full Name: Anthony	Joseph Zucco	Date: /	7/19/22
Home Address:	Bettyr Neck Rod	nd	
Mailing Address (if diffe	erent from above):		100
Email Address: <u>ann</u>	non y@east coast ge	enerator net.	
Home Phone: 508-	923-4635 Cell P	hone: <u>508-962</u>	-1659
	would prefer to be reached by		
*************			
B/C/C Applying To:	on Zoning Board of Appea		
O Master Plan Implement	torical Commission © Lakevill tation © Rent Control Board ( De Planning Board	7 Zonina Bu Jaw Davi	man Ambala and
in addition to this app experience and skills re your current and prior w	<b>elication,</b> please provide a delevant to the B/C/C to whice vork/volunteer experience. It attributes that may benefit	detailed cover letter h you are applying a Please make sure to	discussing your
Please be advised that ap Lakeville, MA may be sub	oplicants being considered for egget to background investigati	appointment to a B/C on and financial disclo	/C in the Town of osure.
selection process for com	ation in a board or committee inderstand that the Town of La Inderstand that the Town of La Imittee members based on rac Illtary status, sexual orientation	akeville does not discr ce. color, religion, neti	iminata ita
Signing below Indicates m information provided abov	ny understanding of the above ve by me is true and accurate	disclosures and certing to the best of my ability	fies that the
Signature	of Applicant		Date

Please return the completed application to Tracie Cralg-McGee, Executive Assistant to the Board of Selectmen at 346 Bedford Street, Lakeville, MA 02347 or email: tcraig-mcgee@lakevillema.org

### Lori Canedy

From:

Bob <rjbouchard@verizon.net>

Sent:

Wednesday, September 21, 2022 10:28 AM

To:

Lori Canedy

Subject:

Fwd: Openings on Boards-Committees

Attachments:

lakeville Board Form.pdf

----Original Message----

From: Tracie Craig-McGee <tcraig-mcgee@lakevillema.org>

To: John Olivieri <jmolivieri@jkoinsurance.com>; rjbouchard@verizon.net <rjbouchard@verizon.net>

Sent: Tue, Sep 6, 2022 10:30 am

Subject: FW: Openings on Boards-Committees

Hi John and Bob,

Attached is an application from Anthony Zucco, who is interested in serving either on the ZBA or Conservation Commission.

Tracie Craig-McGee
Executive Assistant – Select Board
& Town Administrator
Town of Lakeville
346 Bedford Street
Lakeville, MA 02347
508 946-8803

From: Anthony Zucco <anthony@eastcoastgenerator.net>

**Sent:** Tuesday, August 30, 2022 11:23 AM

To: Nathan Darling, Building Commissioner & Zoning Enforcement Officer <ndarling@lakevillema.org>; Tracie Craig-

McGee <tcraig-mcgee@lakevillema.org>

Subject: RE: Openings on Boards-Committees

Hi Tracie,

I'm super sorry I didn't get back to you sooner.... Work has been nuts and as I'm sure you know help is scarce... Attached is the Board/ commission application. I would like to get involved with the town in an attempt to provide and apply any of my experiences and knowledge that could benefit us all for the future. I've truthfully never been on any town board/ committee before but I'm sure it cant be that hard to pick up on. The boards I have chosen have the most interest to me, and with my construction background I think I would be able to apply myself best in these fields.

My life story...... I was raised by two hard working parents, my mother was an LPN for 13 years, and went back to school once I was born to pursue her dreams as a hair stylist, and ended up purchasing a Hair Salon in Weymouth where she has been for the past 26 years, and now has 13 stylists that she employs. My father was a master electrician for Consolidated electrical contractors for 7 years, and in 1985 he went on to open his own business Zucco Electrical Incorporated, which he still runs today. It's safe to say I grew up in a blue collar household that taught me my most valuable lesson, to work hard and give anything I did a 110%, also treat people with respect along the way.

I'm 30 years old, raised in West Bridgewater, moved to Bridgewater with my parents at 12 years old, and continued my education in West Bridgewater via a school choice program. After High School I went on to Attend Southern Maine Technical College at be an electrical engineer, and learned quickly that college was not for me, and I was much better off working with my hands. I Came home after my first semester with all my belongings in the bed of my truck (my parents were not thrilled to say the least) but there wasn't a chance I was going back haha. I convinced my father to let me work

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for him, and I started night school to get my hours for my journeyman electrical license. My father stuck me with his senior Forman who was an old school electrician in his 60's at the time, and he taught me 90% of what I know today in the trade. Once I got my journeyman license In 2014 I went on to open up East Coast Generator, which at the time was just a division of my fathers company... but has grown to where we are today, appx. 3,000 annual maintenance clients, 7 company vehicles, various heavy equipment machines, 9 employees, and soon to be a second building because we are running out of space fast.

While building the business, I furthered my education and got my Master Electrical license, Hoisting license, became an industrial certified master technician for Kohler Power systems, Briggs and Stratton Power Products, and Generac Power Systems. I am currently working on getting my Real estate license, also taking flight classes to get my private pilots license at some point in the near future, and hopefully get my Home Improvement Contractors license at some point.

In the future, or realistically when the positions becomes available... I would like to apply to become a wiring inspector... I would preferably like to apply in Lakeville once Bob decides he wants to retire, but If the position is filled then I would apply in one of the surrounding towns.

I've Designed and built 3 houses, 2015 I built a colonial in Bridgewater, after completion I found my way to Long Pond with a friend and fell in love with the town and the lake, sold Bridgewater in 2017, and bought a cottage in the Hemlocks, knocked the cottage down and built a new house on the property... met my soon to be wife shortly after I finished the house and in 2019, we found the 9 acre property on Bettys neck road where we wanted to build our dream home, so we sold the Hemlocks home and built again on Bettys neck road where we plan to raise a family.

This is probably way more information than you were looking for, but oh well,

In the long and short of it... I have a strong construction background, the ability to critically think, problem solve, and come up with solutions to overcome road blocks/ issues in everyday scenarios, so I think applying for one of these boards is a great way to be involved in the community and try to make a positive impact on the future of our town.

### Best regards,

Anthony Zucco
East Coast Generator
180 Fireworks Circle
Bridgewater, MA 02324
www.eastcoastgenerator.net

email: anthony@eastcoastgenerator.net

cell: 1-508-962-1659 office: 1-774-223-5020

"Never Feel helpless during a Power Outage"

Confidentiality Notice: The information contained in this email is confidential, proprietary or privileged and may be subject to protection under the law, The message is intended for the sole use of the individual or entity to whom it is addressed. If you are not the intended recipient, you are notified that any use, distribution or copying of the message is strictly prohibited and may subject you to criminal or civil penalties. If you received this transmission in error, please contact the sender immediately by replying to this email and delete the material from any computer.

From: Nathan Darling, Building Commissioner & Zoning Enforcement Officer < ndarling@lakevillema.org >

Sent: Monday, July 18, 2022 8:49 PM

**To:** Tracie Craig-McGee < <a href="mailto:tcraig-mcgee@lakevillema.org">tcraig-mcgee@lakevillema.org</a> <a href="mailto:craig-mcgee@lakevillema.org">cc: Anthony Zucco <a href="mailto:anthony@eastcoastgenerator.net">anthony@eastcoastgenerator.net</a> <a href="mailto:anthony@eastcoastgenerator.net">net</a> <a

Subject: Openings on Boards-Committees

Hi Tracie,

The second secon			

I have heard a couple folks asking about openings on Town Boards and Commissions and have been directing them to the Town's website <a href="https://www.lakevillema.org/select-board/pages/current-vacancies-lakeville-town-committees">https://www.lakevillema.org/select-board/pages/current-vacancies-lakeville-town-committees</a>. Is this a current list or did a bunch of these just get filled?

Anthony Zucco (copied above) is a resident electrician and business owner that is currently looking for a good opportunity to serve. I have worked with Anthony for many years and would not hesitate whatsoever recommending him for any open position that he is interested in.

Can you give him a hand if he finds something that interests him?

Thank you, Nate

Nathan Darling

Building Commissioner 346 Bedford Street Lakeville, MA 02347 Phone: 508-946-8804 Fax: 508-946-8812



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