

# 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>February 14, 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

1. Staples Shore Rd. - Notice of Intent, SE192-882 removal of trees and brush within 20-feet of Assawompset Pond Dam - Tighe & Bond - continued.
2. 334 Bedford St -- Request for Determination of Applicability - septic upgrade - Zenith
3. 4 Azel Rd. - Request for Certificate of Compliance, SE192-256 - Balboni
- 4.
5. Residences at LeBaron Hills - Notice of Intent, phase 5 modifications - Outback Engineering.
6. Meeting Minutes - November 22, 2022
7. Ted Williams Camp event - discussion

### NEW BUSINESS:

### OLD BUSINESS

### 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.



## DIVISION OF FISHERIES & WILDLIFE

1 Rabbit Hill Road, Westborough, MA 01581  
p: (508) 389-6300 | f: (508) 389-7890  
[MASS.GOV/MASSWILDLIFE](http://MASS.GOV/MASSWILDLIFE)

MASSWILDLIFE

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February 6, 2023

Michael Arruda  
City of Taunton Water Division  
90 Ingell Street  
Taunton, MA 02780

Lakeville Conservation Commission  
346 Bedford Street  
Lakeville, MA 02347

Middleborough Conservation Commission  
20 Center Street #3  
Middleborough, MA 02346

RE:     Applicant:             City of Taunton Water Division  
       Project Location:       Lakeside Road, Middleborough; Staples Shore Road, Lakeville  
       Project Description:   Cutting of trees and brush from the embankment, abutment, and within  
  20 feet of the Assawompset Pond Dam.  
       DEP Wetlands File No:  192-0882 (Lakeville); 220-1579 (Middleborough)  
       NHESP Tracking No.:   22-41439

Dear Commissioners and Applicant:

The Natural Heritage & Endangered Species Program of the Massachusetts Division of Fisheries & Wildlife (the "Division") previously received two Notices of Intent with site plans in compliance with the rare wildlife species section of the Massachusetts Wetlands Protection Act Regulations (310 CMR, 10.58(4)(b)). The Division also received the MESA Review Checklist and supporting documentation for review pursuant to the MA Endangered Species Act Regulations (321 CMR 10.18, MESA). The Division issued a determination on 11/30/22 requiring the submission of additional information.

In response to the Division's 11/30/22 determination letter, the Applicant submitted the following habitat assessment reports:

- *State-listed mussels, Tidewater Mucket and Eastern Pondmussel: 'Re: State-listed Mussel Habitat Assessment Assawompset Pond Dam Tree Removal Project Staples Shore Road, Lakeville, MA & Lakeside Road, Middleborough, MA NHESP Tracking Number: 22-41439 MassDEP File Numbers: 192-0882 (Lakeville); 220-1579 (Middleborough)', dated January 10, 2021, prepared by Tighe & Bond*

- *State-listed turtles, Eastern Box Turtle and Northern Red-bellied Cooter: 'Rare Wildlife Habitat Assessment' dated January 2023, 'Rare Wildlife Habitat Assessment' dated January 2023, Re: State-listed Turtle Habitat Assessment Assawompset Pond Dam Tree Removal Project Staples Shore Road, Lakeville, MA & Lakeside Road, Middleborough, MA NHESP Tracking Number: 22-41439 MassDEP File Numbers: 192-0882 (Lakeville); 220-1579 (Middleborough), letter dated January 10, 2023*

**I. MA WETLANDS PROTECTION ACT (310 CMR 10.59, 10.58(4)(B))**

The purpose of the Division's review of the proposed project under the WPA regulations is to determine whether the project will have any adverse effects on the Resource Areas Habitats of state-listed wetland wildlife species. Based on a review of the information that was provided and the information that is currently contained in our database, the Division has determined that this project, as currently proposed, **will not adversely affect the actual Resource Area Habitat of state-listed wetland wildlife species.** Therefore, it is our opinion that this project meets the state-listed species performance standard for the issuance of an Order of Conditions. This determination addresses only the matter of state-listed wetland wildlife habitat and does not pertain to other wildlife habitat issues that may be pertinent to the proposed project.

Note: When filing for any new or amended Notice of Intent, Request for Determination of Applicability or associated renewal, extension, or amendment of the WPA Orders of Conditions, the Applicant shall contact the Division for written response regarding impacts to Resource Area habitat of state-listed wildlife. A renewal, extension or amendment of any Order of Conditions or other permit under the MA Wetland Protection Act does not renew, extend or amend this MESA authorization.

**II. MA ENDANGERED SPECIES ACT (321 CMR 10.00)**

The purpose of the Division's review under the MESA regulations is to determine whether a Take of state-listed species will result from the proposed project. The Take of state-listed species is defined as "in reference to animals...harm...kill...disrupt the nesting, breeding, feeding or migratory activity...and in reference to plants...collect, pick, kill, transplant, cut or process...Disruption of nesting, breeding, feeding, or migratory activity may result from, but is not limited to, the modification, degradation, or destruction of Habitat" of state-listed species (321 CMR 10.02).

*A. Tidewater Mucket and Eastern Pondmussel:*

Based on a review of the information that was provided and the information that is currently contained in our database, the Division has determined that this project, as currently proposed, **will not result in a prohibited Take of Tidewater Mucket or Eastern Pondmussel** provided all necessary sedimentation and erosion control are installed between the areas of work and Assawompset Pond.

*B. Eastern Box Turtle and Northern Red-bellied Cooter:*

The project will involve vegetation cutting that, while not presently suitable for turtle nesting, may become suitable once the canopy is removed, thinned or the ground scarified. We would encourage the Applicants to enhance potential nesting habitat for both the Eastern Box Turtle and the Northern Red-Bellied Cooter, to the extent feasible. In areas with canopy removal and stable sandy/loamy soils, avoid adding seed mixes that result in a dense coverage of vegetation in favor of mixes (if used) that preference native bunch grasses (e.g., Little Bluestem). The Division provides guidance on creating and maintaining

nesting habitat in the "Advisory Guidelines for Creating Turtle Nesting Habitat" (see <https://www.mass.gov/doc/guidelines-for-creating-turtle-nesting-habitat/download>).

Based on the information provided and the information contained in our database, the project **must be conditioned in order to avoid a prohibited Take of state-listed species (321 CMR 10.18(2)(a))**. The following conditions must be met:

1. **Time of Year Restriction.** In order to avoid impacts to state-listed turtles, no work shall occur during the period of April 15 – October 15, unless under the direct oversight of a qualified turtle biologist, implementing a Division-approved monitoring and protection plan.

Unless otherwise allowed by the Division, this time of year restriction applies to the proposed project, and any future vegetation cutting or soil disturbance at the same site.

2. **State-listed Turtle Protection Plan** ("Protection Plan"). The applicant shall protect state-listed turtles during all work. If any work will occur during October 15 – April 15, the Applicant shall arrange for a qualified biologist to develop and implement a Protection Plan. The plan should include assessment of potential nesting habitat and preventing access into any potential nesting habitat prior to initiation of nesting (late May) and through the entire nesting period.

*Prior to any Work during October 15 – April 15, the Protection Plan shall be submitted to the Division for review and approval. The Protection Plan shall detail procedures for protecting state-listed turtles during construction. The plan should consider visual sweeps and timing of site preparation, as well as potential use of a turtle barrier. The Division is available for consultation on the development of the plan and for information regarding qualified biologists. A Commercial Scientific Collection Permit must also be obtained from the Division of Fisheries & Wildlife in order to handle state-listed turtles.*

3. **Seeds or Plantings.** If any areas will be planted or seeded and not thereafter maintained as lawn, the following conditions shall apply:
  - a) All seed mixes and plantings shall be composed of species native to the County in accordance with 'The Vascular Plants of Massachusetts: A County Checklist First Revision' (Dow Cullina, M., B. Connolly, B. Sorrie, and P. Somers. 2011. MA NHESP DFW). Available from the State Library of Massachusetts at <http://archives.lib.state.ma.us>, search for the name of the publication.
  - b) All seed mixes shall exclude state-listed plants. The Division does not approve of the planting of state-listed species, even if the seeds are sourced outside of Massachusetts. Please carefully review seed mixes at the time of purchase as the specific composition and mixes change within a year (<https://www.mass.gov/info-details/list-of-endangered-threatened-and-special-concern-species#plants>).
4. **Authorization Duration.** This authorization for work is valid for 5 years from the date of issuance of this letter. Work shall be completed by the expiration of this authorization.
5. **Compliance Report.** Within thirty (30) days of the completion of Work the Applicant shall file a written project report including the dates of all Work activities and post-construction photographs. A summary of the times and locations of searches for turtles shall be included.

Provided the above-noted conditions are fully implemented and there are no changes to the project plan, this project will not result in a Take of state-listed species. All work is subject to the anti-segmentation provisions (321 CMR 10.16) of the MESA. This determination is a final decision of the Division of Fisheries and Wildlife pursuant to 321 CMR 10.18. Any changes to the proposed project or any additional work beyond that shown on the site plans may require an additional filing with the Division pursuant to the MESA. This project may be subject to further review if no physical work is commenced within five years from the date of issuance of this determination, or if there is a change to the project.

Please note that this determination addresses only the matter of state-listed species and their habitats. If you have any questions regarding this letter please contact, Misty-Anne Marold, Senior Endangered Species Review Biologist, at (508)-389-6356.

Sincerely,

A handwritten signature in black ink, reading "Everose Schlüter". The signature is written in a cursive, flowing style.

Everose Schlüter, Ph.D.  
Assistant Director

cc: Peter Backhaus, Tighe & Bond  
Ryan Hayes, Tighe & Bond  
MA DEP Southeast Region



# WPA Form 1- Request for Determination of Applicability

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

## A. General Information

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



1. Applicant:

Drake Iarrobino	E-Mail Address	
Name		
8 Sharon Road		
Mailing Address		
Middleborough	MA	02346
City/Town	State	Zip Code
Phone Number	Fax Number (if applicable)	

2. Representative (if any):

Zenith Consulting Engineers, LLC.		
Firm		
Nyles Zager	nyles@zcelc.com	
Contact Name	E-Mail Address	
3 Main Street		
Mailing Address		
Lakeville	MA	02347
City/Town	State	Zip Code
508-947-4208		
Phone Number	Fax Number (if applicable)	

## B. Determinations

1. I request the Lakeville \_\_\_\_\_ make the following determination(s). Check any that apply:  
Conservation Commission

- a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
- b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
- c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance** or **bylaw** of:

\_\_\_\_\_  
Name of Municipality

- e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).  
septic upgrade



**WPA Form 1- Request for Determination of Applicability**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**C. Project Description**

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

334 Bedford Street	Lakeville
Street Address	City/Town
57	Block 1 Lot 10
Assessors Map/Plat Number	Parcel/Lot Number

- b. Area Description (use additional paper, if necessary):

The site is known as 334 Bedford Street in Lakeville, Massachusetts. The site is located to the western side of Bedford Street. The site has no wetlands located on-site, however, there is a 100' buffer zone from a bordering vegetated wetland off-site that falls within the property as well as a 200' riparian zone from an off-site tributary to the surface water supply (Assawompset Pond). The lot is approximately 42,623 sf in size and has an existing 2-bedroom single family dwelling which is serviced by a private well and private septic system.

- c. Plan and/or Map Reference(s):

Subsurface Sewage Disposal System New Upgrade	1-17-23
Title	Date
_____	_____
Title	Date
_____	_____
Title	Date

2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):

Upgrade of an existing failed septic system within 200' of a tributary to a surface water supply. All septic components are located outside the 200' outer riparian zone, however, the pipe from the house to the tank is located within the 200' outer riparian zone



**WPA Form 1- Request for Determination of Applicability**

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

**C. Project Description (cont.)**

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

Septic Upgrade

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- Single family house on a lot recorded on or before 8/1/96
- Single family house on a lot recorded after 8/1/96
- Expansion of an existing structure on a lot recorded after 8/1/96
- Project, other than a single family house or public project, where the applicant owned the lot before 8/7/96
- New agriculture or aquaculture project
- Public project where funds were appropriated prior to 8/7/96
- Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- Residential subdivision; institutional, industrial, or commercial project
- Municipal project
- District, county, state, or federal government project
- Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)





# WPA Form 1- Request for Determination of Applicability

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

## D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

Drake Iarrobino

Name

8 Sharon Road

Mailing Address

Middleborough

City/Town

MA

State

02346

Zip Code

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

 as rep. for applicant

Signature of Applicant

1-17-23

Date



Signature of Representative (if any)

1-17-23

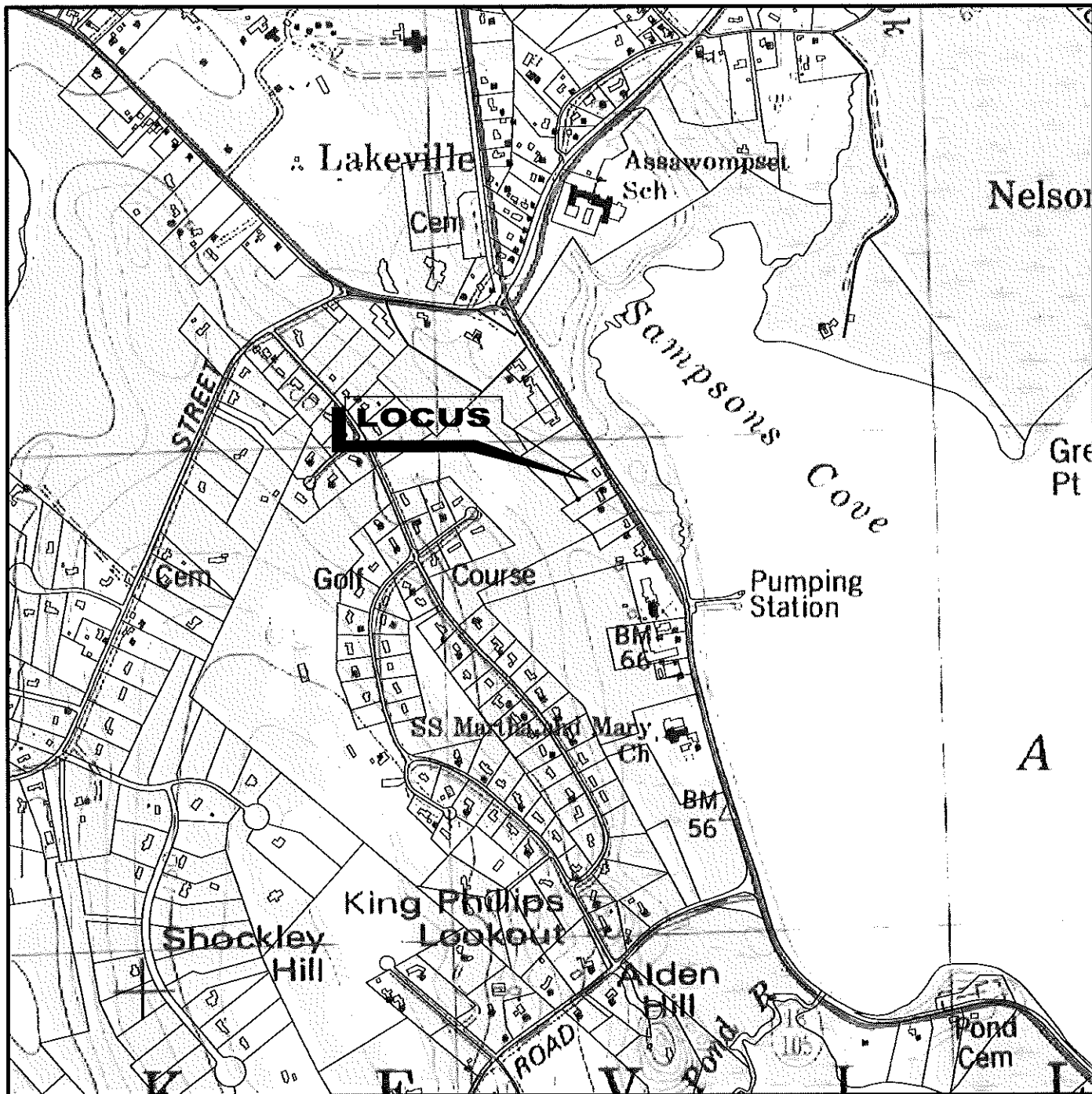
Date

**Locus: 334 Bedford Street in Lakeville, MA**  
**Assessors Map 57 Block 1 Lot 10**

**Request for Determination of Applicability Attachments**

- 1 USGS Map**
- 2 ACEC Map**
- 3 ORW Map**
- 4 Firm Map**
- 5 NHESP Map**
- 6 Copy of Check**

**USGS Map**



SHEET NAME:

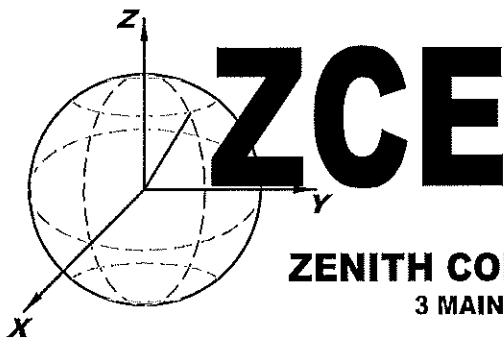
**USGS MAP**

PROJECT SITE:

**334 BEDFORD ST  
LAKEVILLE, MASSACHUSETTS**

CLIENT INFO:

**DRAKE IARROBINO  
8 SHARON RD, MIDDLEBOROUGH, MA**

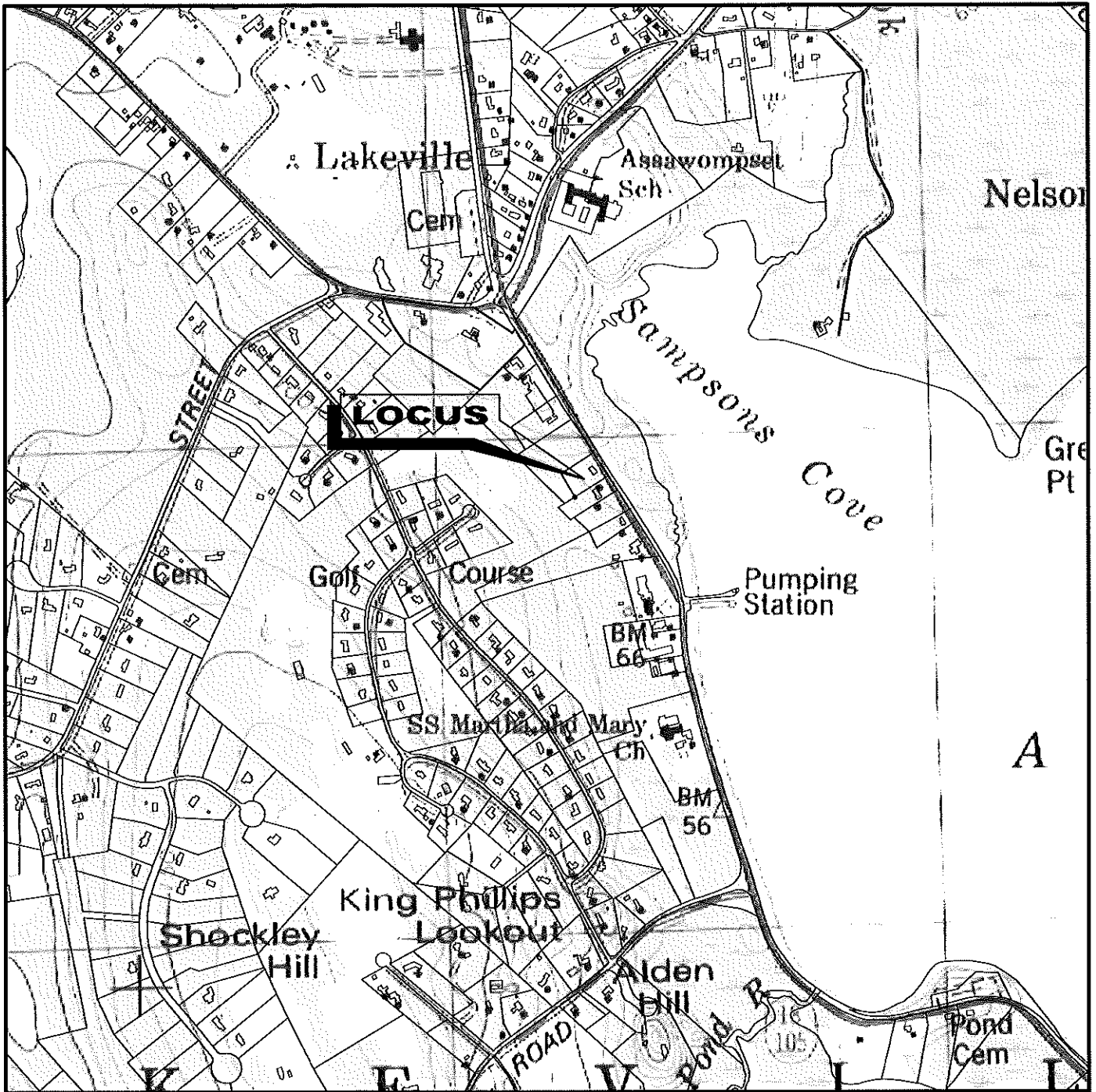


**ZENITH CONSULTING ENGINEERS, LLC**

3 MAIN STREET LAKEVILLE, MA 02347

PHONE: (508) 947-4208

**ACEC Map**



SHEET NAME:

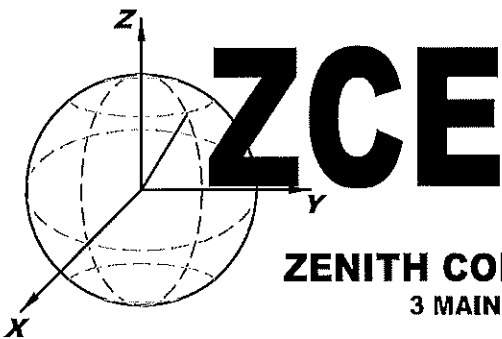
**ACEC MAP**

PROJECT SITE:

**334 BEDFORD ST  
LAKEVILLE, MASSACHUSETTS**

CLIENT INFO:

**DRAKE IARROBINO  
8 SHARON RD, MIDDLEBOROUGH, MA**

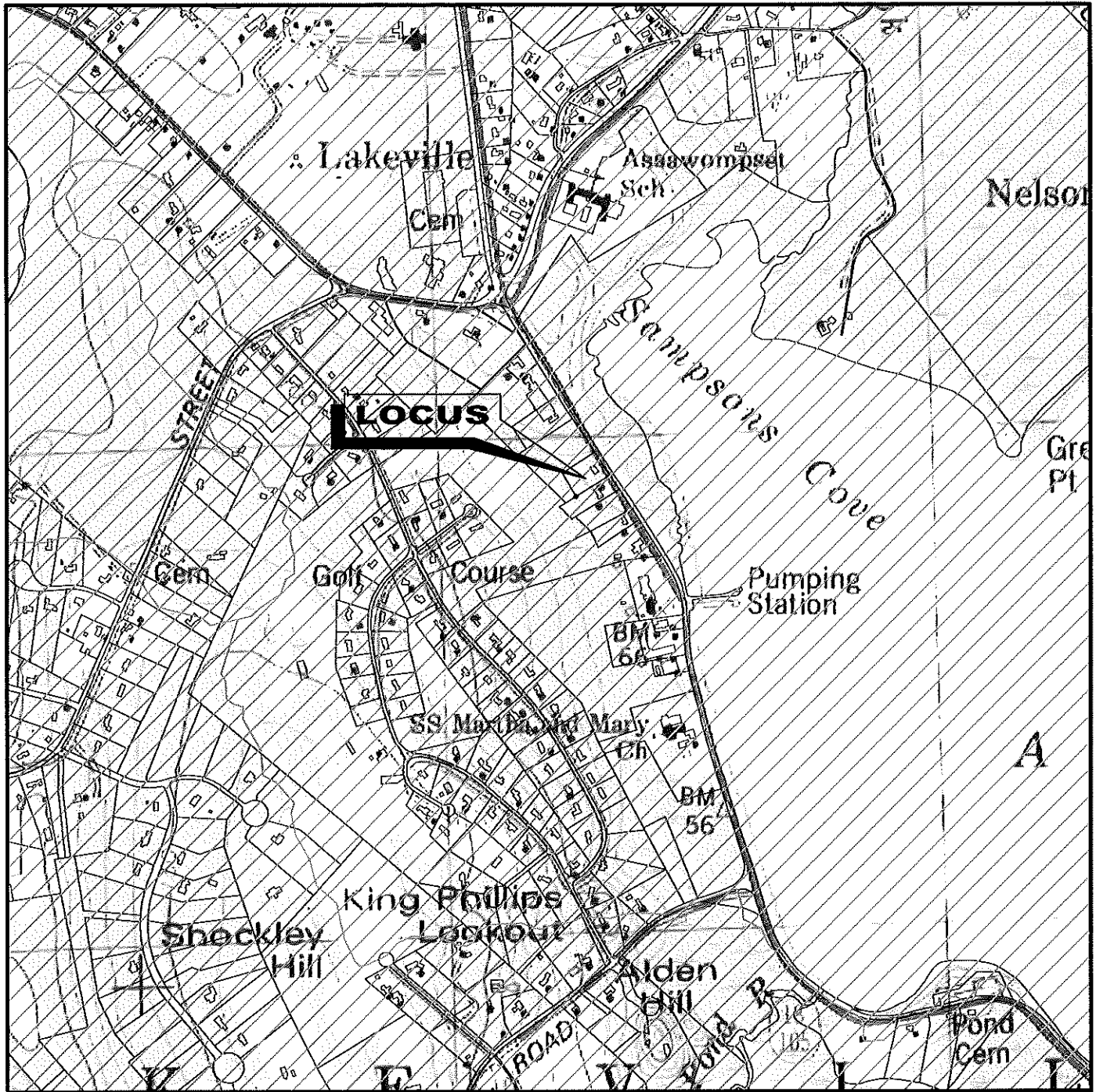


**ZENITH CONSULTING ENGINEERS, LLC**

3 MAIN STREET LAKEVILLE, MA 02347

PHONE: (508) 947-4208

**ORW Map**



SHEET NAME:

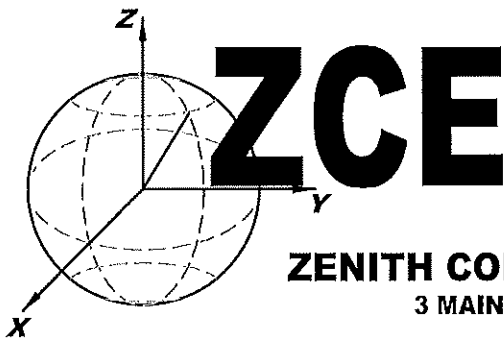
**ORW MAP**

PROJECT SITE:

**334 BEDFORD ST  
LAKEVILLE, MASSACHUSETTS**

CLIENT INFO:

**DRAKE IARROBINO  
8 SHARON RD, MIDDLEBOROUGH, MA**



**ZENITH CONSULTING ENGINEERS, LLC**

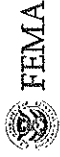
3 MAIN STREET LAKEVILLE, MA 02347

PHONE: (508) 947-4208



**Firm Map**

# National Flood Hazard Layer FIRMette



70°57'W 41°50'47"N



0 250 500 1,000 1,500 2,000 Feet 1:6,000

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

<p><b>SPECIAL FLOOD HAZARD AREAS</b></p> <ul style="list-style-type: none"> <li>Without Base Flood Elevation (BFE) Zone A, V, AE9</li> <li>With BFE or Depth Zone AE, AO, AH, VE, AR</li> <li>Regulatory Floodway</li> </ul>	<p><b>OTHER AREAS OF FLOOD HAZARD</b></p> <ul style="list-style-type: none"> <li>0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X</li> <li>Future Conditions 1% Annual Chance Flood Hazard Zone X</li> <li>Area with Reduced Flood Risk due to Levee. See Notes, Zone X</li> <li>Area with Flood Risk due to Levee Zone D</li> </ul>	<p><b>OTHER AREAS</b></p> <ul style="list-style-type: none"> <li>NO SCREEN</li> <li>Area of Minimal Flood Hazard Zone X</li> <li>Effective LOMRs</li> <li>Area of Undetermined Flood Hazard Zone D</li> </ul>	<p><b>GENERAL STRUCTURES</b></p> <ul style="list-style-type: none"> <li>Channel, Culvert, or Storm Sewer</li> <li>Levee, Dike, or Floodwall</li> </ul>	<p><b>OTHER FEATURES</b></p> <ul style="list-style-type: none"> <li>Cross Sections with 1% Annual Chance</li> <li>Water Surface Elevation</li> <li>Coastal Transect</li> <li>Base Flood Elevation Line (BFE)</li> <li>Limit of Study</li> <li>Jurisdiction Boundary</li> <li>Coastal Transect Baseline</li> <li>Profile Baseline</li> <li>Hydrographic Feature</li> </ul>	<p><b>MAP PANELS</b></p> <ul style="list-style-type: none"> <li>Digital Data Available</li> <li>No Digital Data Available</li> <li>Unmapped</li> </ul>
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The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 12/16/2022 at 9:35 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

**NHESP Map**



SHEET NAME:

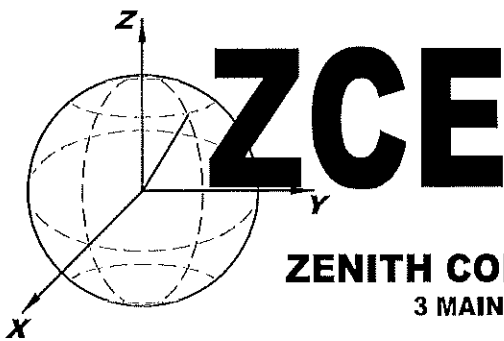
**NHESP MAP**

PROJECT SITE:

**334 BEDFORD ST  
LAKEVILLE, MASSACHUSETTS**

CLIENT INFO:

**DRAKE IARROBINO  
8 SHARON RD, MIDDLEBOROUGH, MA**



**ZENITH CONSULTING ENGINEERS, LLC**

3 MAIN STREET LAKEVILLE, MA 02347

PHONE: (508) 947-4208

**Copy of Check**

Zenith Consulting Engineers, LLC.  
3 Main Street  
Lakeville, MA 02347-1617

Rockland Trust Company  
63-447/113

4535

01/18/2023

PAY TO THE ORDER OF Town of Lakeville

\$ \*\*75.00

Seventy-five and 00/100\*\*\*\*\*

DOLLARS

10 PROTECTS AGAINST FRAUD

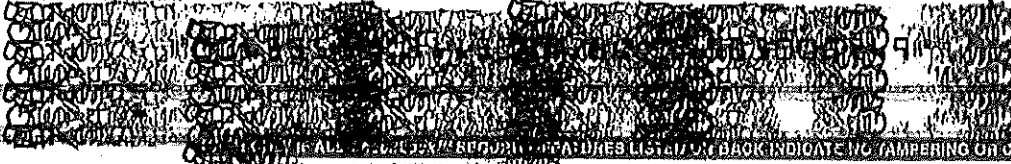


Town of Lakeville  
Town Office Building  
346 Bedford St.  
Lakeville, MA 02347



MEMO

334 Bedford St.



*Handwritten signature and initials*

Rockland Trust Company  
63-447/113

4540

Zenith Consulting Engineers, LLC.  
3 Main Street  
Lakeville, MA 02347-1617

01/18/2023

PAY TO THE ORDER OF Nemasket Week

\$\*\*75.00

Seventy-five and 00/100\*\*\*\*\*

DOLLARS

10 PROTECTS AGAINST FRAUD

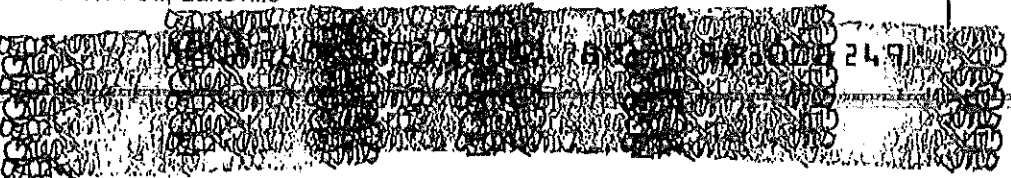


Nemasket Week



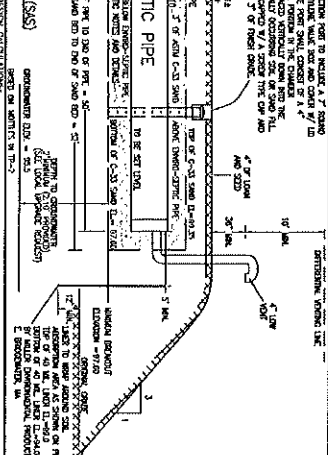
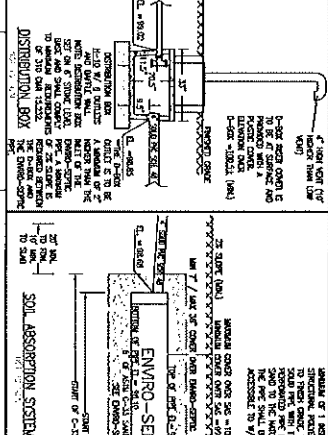
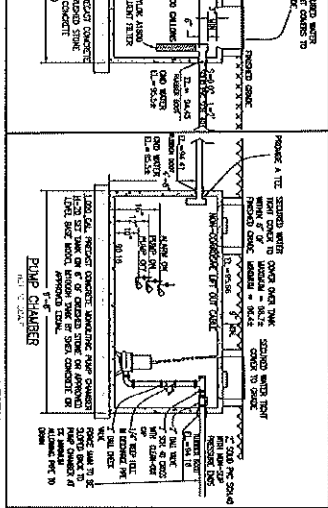
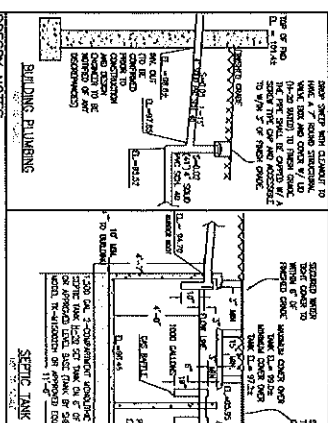
MEMO

334 Bedford St., Lakeville



*Handwritten signature and initials*

Details on Back Intuit® CheckLock™ Secure Check



**PRESSURE NOTES:**

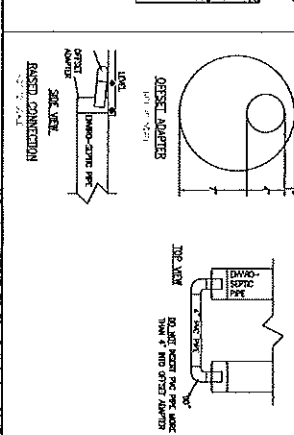
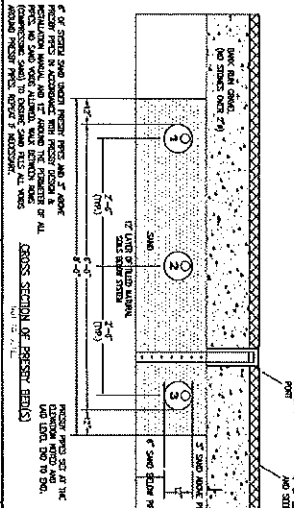
1. ALL PRESSURE PIPES SHALL BE INSTALLED TO THE PROPER DEPTH AND SHALL BE PROTECTED BY A MINIMUM OF 18" OF COVER.

2. ALL PRESSURE PIPES SHALL BE INSTALLED TO THE PROPER DEPTH AND SHALL BE PROTECTED BY A MINIMUM OF 18" OF COVER.

3. ALL PRESSURE PIPES SHALL BE INSTALLED TO THE PROPER DEPTH AND SHALL BE PROTECTED BY A MINIMUM OF 18" OF COVER.

4. ALL PRESSURE PIPES SHALL BE INSTALLED TO THE PROPER DEPTH AND SHALL BE PROTECTED BY A MINIMUM OF 18" OF COVER.

5. ALL PRESSURE PIPES SHALL BE INSTALLED TO THE PROPER DEPTH AND SHALL BE PROTECTED BY A MINIMUM OF 18" OF COVER.



**DESIGN NOTES:**

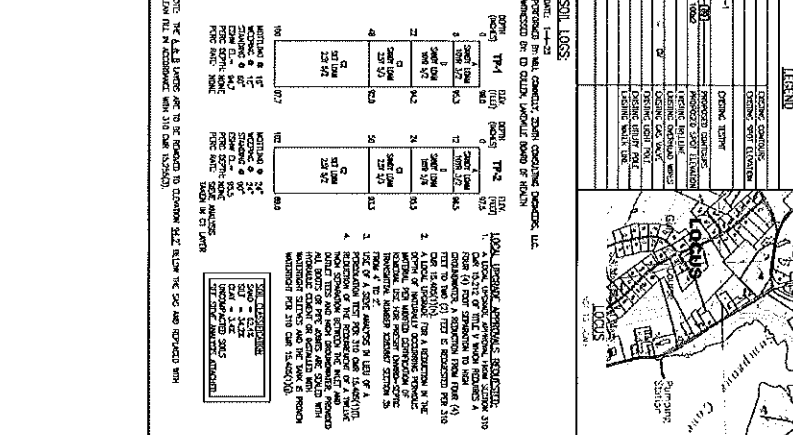
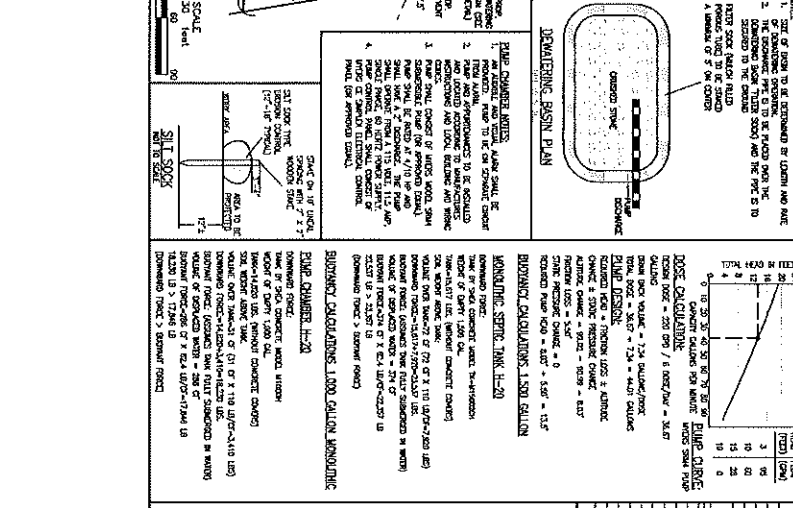
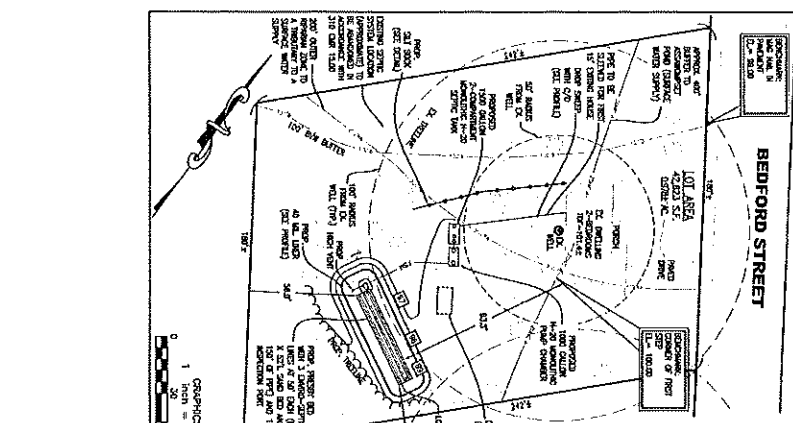
1. ALL PRESSURE PIPES SHALL BE INSTALLED TO THE PROPER DEPTH AND SHALL BE PROTECTED BY A MINIMUM OF 18" OF COVER.

2. ALL PRESSURE PIPES SHALL BE INSTALLED TO THE PROPER DEPTH AND SHALL BE PROTECTED BY A MINIMUM OF 18" OF COVER.

3. ALL PRESSURE PIPES SHALL BE INSTALLED TO THE PROPER DEPTH AND SHALL BE PROTECTED BY A MINIMUM OF 18" OF COVER.

4. ALL PRESSURE PIPES SHALL BE INSTALLED TO THE PROPER DEPTH AND SHALL BE PROTECTED BY A MINIMUM OF 18" OF COVER.

5. ALL PRESSURE PIPES SHALL BE INSTALLED TO THE PROPER DEPTH AND SHALL BE PROTECTED BY A MINIMUM OF 18" OF COVER.



**DESIGN NOTES:**

1. ALL PRESSURE PIPES SHALL BE INSTALLED TO THE PROPER DEPTH AND SHALL BE PROTECTED BY A MINIMUM OF 18" OF COVER.

2. ALL PRESSURE PIPES SHALL BE INSTALLED TO THE PROPER DEPTH AND SHALL BE PROTECTED BY A MINIMUM OF 18" OF COVER.

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5. ALL PRESSURE PIPES SHALL BE INSTALLED TO THE PROPER DEPTH AND SHALL BE PROTECTED BY A MINIMUM OF 18" OF COVER.

NO.	DATE	DESCRIPTION	BY	APP.
1	1-17-23			

PROJECT NUMBER: 101-01-01-01

SCALE: 1" = 30'

SHEET NO: SEPTIC DESIGN

**ZCE**  
ZENITH CONSULTING ENGINEERS, LLC  
3 MAIN STREET LAKEVILLE, MA 02347  
PHONE: (508) 947-4208

PROJECT SITE: 334 BEDFORD STREET LAKEVILLE, MASSACHUSETTS  
DRAKE IARROBINO  
8 SHARON ROAD MIDDLEBOROUGH, MA 02348

DATE: 1-17-23

PROJECT NUMBER: 101-01-01-01

SCALE: 1" = 30'

SHEET NO: SEPTIC DESIGN



[← Back](#)

Notice Publish Date:  
Thursday, February 02, 2023

## Notice Content

NOTICE OF PUBLIC HEARING  
CONSERVATION COMMISSION  
LAKEVILLE, MASSACHUSETTS

According to the provisions of Massachusetts General Laws, Chapter 131, Section 40 of the Wetlands Protection Act, there will be a hearing on a Request for Determination of Applicability by Drake Iarrobino, to upgrade an existing failed septic system within 200' of a tributary to a surface water supply. The location of the project is 334 Bedford St., Lakeville (Map 57 Block 1 Lot 10). The public hearing will be held on Tuesday, February 14, 2023, at 7:00p.m. at the Lakeville Police Station, 323 Bedford St., Lakeville.

Robert Bouchard, Chairman  
Lakeville Conservation Commission

Nemasket Week February 2, 2023  
Also posted on [masspublicnotices.org](http://masspublicnotices.org)

[← Back](#)





**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 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:

Chris Robert Balboni and Kimberly Balboni

Name

1140 Washington Street

Mailing Address

Hanover

MA

02339

City/Town

State

Zip Code

7818299993

Phone Number

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

Gene Bartlett

Applicant

June 4, 1999

SE192-256

Dated

DEP File Number

3. The project site is located at:

4 Azel Road

Lakeville

Street Address

City/Town

East Howland Road

12/005

Assessors Map/Plat Number

Parcel/Lot Number

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

Gene Bartlett

Property Owner (if different)

Plymouth

17687

341

County

Book

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.



**WPA Form 8A – Request for Certificate of Compliance**

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

---

**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>).



# WPA Form 5 - Order of Conditions

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

for DEP use only

100504

## A Applicant Information

From:

Lakeville

Conservation Commission

The Notice of Intent for this project was filed on:

4/30/99

Date

For:

SE192-256

Project File Number

The public hearing was closed on:

5/17/99 pending on-site

Date

To:

Gene Bartlett

Applicant Name

18 Galfre Road

Mailing Address

Lakeville

City/Town

MA 02347

State

Zip Code

Title and Date of final Plans and Other Documents:

Chace Farms

subdivision plan 3/2/99

The project site is located at:

Lakeville

City/Town

East Howland Road 12/005

Assessor's Map/Plat #

Parcel/Lot #

and the property is recorded at the Registry of Deeds for:

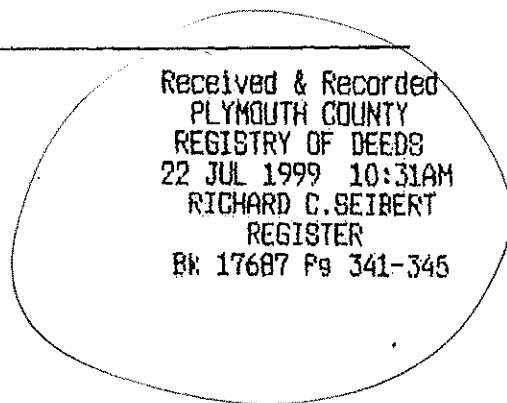
Plymouth 927 109

County

Book

Page

Certificate (if registered land)



## B Findings

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 area in which work is proposed is significant to the following interests of the Wetlands Protection Act (check all that apply):

- Public Water Supply
- Private Water Supply
- Groundwater Supply
- Flood Control
- Land Containing Shellfish
- Fisheries
- Storm Damage Prevention
- Prevention of Pollution
- Protection of Wildlife Habitat

Furthermore, this Commission hereby finds that the project, as proposed, is:  
(check one of the following boxes)

Approved subject to:

- the following conditions which are necessary, in accordance with the performance standards set forth in the wetlands regulations, to protect those interests checked above. This Commission orders that all the 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.

mail  
John D.  
Ryder, Esq.  
P.O. Box  
1263  
Lakeville MA



# WPA Form 5 - Order of Conditions

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

## B Findings (cont.)

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

June 4, 1999  
Date

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 regional office of the Department of Environmental Protection.

Signatures:

Joseph Chamberlain  
[Signature]  
[Signature]  
[Signature]  
Robert J. Brackman

On this 14th

day of June

Month 1999

Year

before me personally appeared Joseph Chamberlain

to me known to be the person described in and who executed the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed.

Colleen M. Lieb

Notary Public May 5, 2006

My commission expires Colleen M. Lieb

This Order is issued to the applicant as follows:

by hand delivery on

June 14, 1999  
Date

by certified mail, return receipt requested, on

Date

## C 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 Department of Environmental Protection 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 Appendix E: 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.

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 bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department of Environmental Protection has no appellate jurisdiction.



January 25, 2023

Lakeville Conservation Commission  
346 Bedford Street  
Lakeville, MA 02347

**RE: Notice of Intent, The Estates at LeBaron Hills Phase V Modification  
Off LeBaron Boulevard, Lakeville, MA  
Assessors Map: 26 Block: 3 Lot: 10**

Dear Commission Members,

On behalf of the applicant, The Residences at LeBaron Hill, LLC, please find the following documents for the above reference filing of a NOI under the state's Wetlands Protection Act and its regulations at 310 CMR 10.00 et seq.:

- Seven (7) copies of the WPA Form 3 Notice of Intent with attachments.
- Two (2) full size and seven (7) 11x17 copies of accompanying plan "The Estates at LeBaron Hills" Phase V Modification a Residential Subdivision in Lakeville MA by Outback Engineering, Inc. dated 12/12/2022.
- Two (2) copies of the "Drainage Report for The Residences at LeBaron Hills Phase V Modification in Lakeville MA" by Outback Engineering, Inc. dated 12/12/2022
- Check in the amount of \$2,362.50 payable to the Town of Lakeville to cover the WPA filing fee.
- Check in the amount of \$100.00 payable to the Town of Lakeville to cover the local administrative filing fee.
- Check in the amount of \$75.00 payable to the Nemasket Week to cover the legal Ad fee.
- Site Access Consent Form.
- Sample Legal for Submittal to Nemasket Week

The applicant is proposing to construct 4 condominium buildings totaling 35 residential units with associated parking, drainage and grading as part of a Phase 5 Modification at The Residences at LeBaron Hills in Lakeville MA. The project is located off LeBaron Boulevard in between the current Phase 5 under construction and the existing Phase 2 Fairways apartment building. Three of the four buildings and an infiltration basin are within the 100' buffer of bordering vegetated wetlands (BVW) that are located on the western side of the property and are associated with Thompson Brook. Two of the buildings are also located within the 200' Outer Riparian Zone of Thompson Brook. There is approximately 470,426 sf of Riverfront area on site. The project will disturb 10,516 sf Riverfront area between the 100' inner and 200' outer riparian zones. None of the proposed work encroaches into the 100' inner riparian zone. The total disturbance within the riverfront is approximately 2.2% which is less than the 10% allowed per 310 CMR 10.58(3)(d)(1). A silt fence is proposed for erosion control and will also act as the limit of work on the project. Disturbed areas within the limit of work are proposed to be stabilized with loam and seed.

Should you have any questions or require additional information, please do not hesitate to contact me by phone 508-946-9231 or email [gdrake@outback-eng.com](mailto:gdrake@outback-eng.com). Thank you.

Sincerely,

**OUTBACK ENGINEERING, INC.**

  
Gregory Drake, R.L.A.  
Wetland Specialist

cc: Southeast Region, DEP  
The Residences at Lebaron Hills, LLC.

**NOTICE OF INTENT**  
The Estates at Lebaron Hills  
Phase V Modification off Lebaron Boulevard  
Lakeville MA  
The Residences at Lebaron Hills, LLC

**TABLE OF CONTENTS**

---

Notice of Intent

Wetland Fee Transmittal Form

Figure 1: MassGIS USGS Topographic Map

Figure 2: MassGIS NHESP Map

Figure 3: FEMA Flood Map

Attachment A: Abutter List, Abutter Notification, Affidavit of Service

Attachment B: Order of Resource Area Delineation

Attachment C: Riverfront Alternative Analysis



**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**WPA Form 3 – Notice of Intent**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number \_\_\_\_\_  
 Document Transaction Number \_\_\_\_\_  
 Lakeville  
 City/Town \_\_\_\_\_

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



**Note:**  
 Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

**A. General Information**

1. Project Location (**Note:** electronic filers will click on button to locate project site):

Lebaron Boulevard a. Street Address	Lakeville b. City/Town	02347 c. Zip Code
Latitude and Longitude: 26	41d51"30.91" N d. Latitude	70d58'08.52" W e. Longitude
f. Assessors Map/Plat Number	3-10 g. Parcel /Lot Number	

2. Applicant:

Muhammad a. First Name	Itani b. Last Name
The Residences at Lebaron Hills, LLC c. Organization	
32 Norfolk Avenue d. Street Address	
South Easton e. City/Town	MA f. State
	02375 g. Zip Code
h. Phone Number	i. Fax Number
	mitane@stonebridgehomesinc.com j. Email Address

3. Property owner (required if different from applicant):  Check if more than one owner

a. First Name	b. Last Name
c. Organization	
d. Street Address	
e. City/Town	f. State
	g. Zip Code
h. Phone Number	i. Fax Number
	j. Email address

4. Representative (if any):

Gregory a. First Name	Drake b. Last Name
Outback Engineering Inc. c. Company	
165 East Grove Street d. Street Address	
Middleborough e. City/Town	MA f. State
	02346 g. Zip Code
508-946-9231 h. Phone Number	i. Fax Number
	gdrake@outback-eng.com j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

\$4,700.00 a. Total Fee Paid	\$2,337.50 b. State Fee Paid	\$2,362.50 c. City/Town Fee Paid
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**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**WPA Form 3 – Notice of Intent**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number \_\_\_\_\_  
 Document Transaction Number \_\_\_\_\_  
 Lakeville  
 City/Town \_\_\_\_\_

**A. General Information (continued)**

6. General Project Description:

The applicant is proposing to construct 4 condominium buildings totaling 35 residential units with associated, parking, drainage and grading. Three of the four buildings and an infiltration basin are within the 100' buffer of bordering vegetated wetlands (BVW). Two of the buildings are also located within the 200' Outer Riparian Zone of Thompson Brook.

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- 1.  Single Family Home
- 2.  Residential Subdivision
- 3.  Commercial/Industrial
- 4.  Dock/Pier
- 5.  Utilities
- 6.  Coastal engineering Structure
- 7.  Agriculture (e.g., cranberries, forestry)
- 8.  Transportation
- 9.  Other

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1.  Yes  No      If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR 10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Plymouth	
a. County	b. Certificate # (if registered land)
52259	196
c. Book	d. Page Number

**B. Buffer Zone & Resource Area Impacts (temporary & permanent)**

- 1.  Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- 2.  Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.





**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**WPA Form 3 – Notice of Intent**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number \_\_\_\_\_  
 Document Transaction Number \_\_\_\_\_  
 Lakeville  
 City/Town \_\_\_\_\_

**B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)**

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Bank	1. linear feet _____	2. linear feet _____
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet _____	2. square feet _____
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet _____	2. square feet _____
	3. cubic yards dredged _____	

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet _____	2. square feet _____
	3. cubic feet of flood storage lost _____	4. cubic feet replaced _____
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet _____	
	2. cubic feet of flood storage lost _____	3. cubic feet replaced _____
f. <input type="checkbox"/> Riverfront Area	Thompson Brook	
	1. Name of Waterway (if available) - specify coastal or inland _____	

2. Width of Riverfront Area (check one):

- 25 ft. - Designated Densely Developed Areas only
- 100 ft. - New agricultural projects only
- 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: 10,916 square feet

4. Proposed alteration of the Riverfront Area:

10,916 a. total square feet      0 b. square feet within 100 ft.      10,916 c. square feet between 100 ft. and 200 ft.

5. Has an alternatives analysis been done and is it attached to this NOI?       Yes  No

6. Was the lot where the activity is proposed created prior to August 1, 1996?       Yes  No

3.  Coastal Resource Areas: (See 310 CMR 10.25-10.35)

**Note:** for coastal riverfront areas, please complete **Section B.2.f.** above.



**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**WPA Form 3 – Notice of Intent**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number \_\_\_\_\_  
 Document Transaction Number \_\_\_\_\_  
 Lakeville  
 City/Town \_\_\_\_\_

**B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)**

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:  
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	1. square feet _____	
	2. cubic yards dredged _____	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	1. square feet _____	2. cubic yards beach nourishment _____
e. <input type="checkbox"/> Coastal Dunes	1. square feet _____	2. cubic yards dune nourishment _____

	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	1. linear feet _____	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet _____	
h. <input type="checkbox"/> Salt Marshes	1. square feet _____	2. sq ft restoration, rehab., creation _____
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet _____	
	2. cubic yards dredged _____	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet _____	
k. <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	
	1. cubic yards dredged _____	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. square feet _____	

4.  Restoration/Enhancement  
 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.2.b or B.3.h above, please enter the additional amount here.

a. square feet of BVW \_\_\_\_\_ b. square feet of Salt Marsh \_\_\_\_\_

5.  Project Involves Stream Crossings

a. number of new stream crossings \_\_\_\_\_ b. number of replacement stream crossings \_\_\_\_\_



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

### WPA Form 3 – Notice of Intent

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

MassDEP File Number
Document Transaction Number
Lakeville
City/Town

## C. Other Applicable Standards and Requirements

- This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

### Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

- Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to [http://maps.massgis.state.ma.us/PRI\\_EST\\_HAB/viewer.htm](http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm).

- a.  Yes  No **If yes, include proof of mailing or hand delivery of NOI to:**

Natural Heritage and Endangered Species Program  
 Division of Fisheries and Wildlife  
 1 Rabbit Hill Road  
 Westborough, MA 01581

January 2023  
 b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); OR complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review\*

- Percentage/acreage of property to be altered:
  - (a) within wetland Resource Area \_\_\_\_\_ percentage/acreage
  - (b) outside Resource Area \_\_\_\_\_ percentage/acreage

2.  Assessor's Map or right-of-way plan of site

- Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work \*\*
  - (a)  Project description (including description of impacts outside of wetland resource area & buffer zone)
  - (b)  Photographs representative of the site

\* Some projects not in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/mass-endangered-species-act-mesa-regulatory-review>).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

\*\* MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

**WPA Form 3 – Notice of Intent**

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

MassDEP File Number \_\_\_\_\_

Document Transaction Number \_\_\_\_\_

Lakeville

City/Town

**C. Other Applicable Standards and Requirements (cont'd)**

(c)  MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).  
Make check payable to "Commonwealth of Massachusetts - NHESP" and *mail to NHESP* at above address

*Projects altering 10 or more acres of land, also submit:*

(d)  Vegetation cover type map of site

(e)  Project plans showing Priority & Estimated Habitat boundaries

(f) OR Check One of the Following

1.  Project is exempt from MESA review.  
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2.  Separate MESA review ongoing.                      a. NHESP Tracking # \_\_\_\_\_                      b. Date submitted to NHESP \_\_\_\_\_

3.  Separate MESA review completed.  
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

a.  Not applicable – project is in inland resource area only                      b.  Yes     No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -  
Southeast Marine Fisheries Station  
Attn: Environmental Reviewer  
836 South Rodney French Blvd.  
New Bedford, MA 02744  
Email: [dmf.envreview-south@mass.gov](mailto:dmf.envreview-south@mass.gov)

Division of Marine Fisheries -  
North Shore Office  
Attn: Environmental Reviewer  
30 Emerson Avenue  
Gloucester, MA 01930  
Email: [dmf.envreview-north@mass.gov](mailto:dmf.envreview-north@mass.gov)

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.

c.  Is this an aquaculture project?                      d.  Yes     No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

**WPA Form 3 – Notice of Intent**

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

MassDEP File Number

Document Transaction Number

Lakeville

City/Town

**C. Other Applicable Standards and Requirements (cont'd)**

**Online Users:**  
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
- a.  Yes  No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
- b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
- a.  Yes  No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
- a.  Yes  No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
- a.  Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
1.  Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
  2.  A portion of the site constitutes redevelopment
  3.  Proprietary BMPs are included in the Stormwater Management System.
- b.  No. Check why the project is exempt:
1.  Single-family house
  2.  Emergency road repair
  3.  Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

**D. Additional Information**

- This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

**Online Users:** Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1.  USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2.  Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

**WPA Form 3 – Notice of Intent**

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

MassDEP File Number

Document Transaction Number

Lakeville

City/Town

**D. Additional Information (cont'd)**

3.  Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4.  List the titles and dates for all plans and other materials submitted with this NOI.

"The Estates at Lebaron Hills" Phase V Modification a Residential Subdivision in Lakeville MA

a. Plan Title

Outback Engineering Inc.

Jason Youngquist

b. Prepared By

c. Signed and Stamped by

12-12-2022

1"=30'

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

5.  If there is more than one property owner, please attach a list of these property owners not listed on this form.
6.  Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
7.  Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
8.  Attach NOI Wetland Fee Transmittal Form
9.  Attach Stormwater Report, if needed.

**E. Fees**

1.  Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

3656

1-12-2023

2. Municipal Check Number

3. Check date

3658

1-12-2023

4. State Check Number

5. Check date

Muhammad

Itani

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

MassDEP File Number

### WPA Form 3 – Notice of Intent

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

Document Transaction Number

Lakeville

City/Town

#### F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

1. Signature of Applicant  
*[Handwritten Signature]*, Mgr  
 The Residences at Lebanon Hills, LLC

3. Signature of Property Owner (if different)  
*[Handwritten Signature]*

5. Signature of Representative (if any)  
*[Handwritten Signature]*

2. Date  
 01/12/2023

4. Date  
 1/25/23

6. Date

**For Conservation Commission:**

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

**For MassDEP:**

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a copy of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

**Other:**

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**NOI Wetland Fee Transmittal Form**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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



**A. Applicant Information**

1. Location of Project:

Lebaron Boulevard Lakeville  
 a. Street Address b. City/Town  
 3658 \$2,337.50  
 c. Check number d. Fee amount

2. Applicant Mailing Address:

Muhammad Itani  
 a. First Name b. Last Name  
 The Residences at Lebron Hills, LLC  
 c. Organization  
 32 Norfolk Avenue  
 d. Mailing Address  
 South Easton MA 02375  
 e. City/Town f. State g. Zip Code  
 h. Phone Number i. Fax Number mitane@stonebridgehomesinc.com  
 j. Email Address

3. Property Owner (if different):

a. First Name b. Last Name  
 c. Organization  
 d. Mailing Address  
 e. City/Town f. State g. Zip Code  
 h. Phone Number i. Fax Number j. Email Address

**B. Fees**

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

**Step 1/Type of Activity:** Describe each type of activity that will occur in wetland resource area and buffer zone.

**Step 2/Number of Activities:** Identify the number of each type of activity.

**Step 3/Individual Activity Fee:** Identify each activity fee from the six project categories listed in the instructions.

**Step 4/Subtotal Activity Fee:** Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

**Step 5/Total Project Fee:** Determine the total project fee by adding the subtotal amounts from Step 4.

**Step 6/Fee Payments:** To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.





**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**NOI Wetland Fee Transmittal Form**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**B. Fees (continued)**

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category 3b + 50% Riverfront	2	\$1575.00	\$3,150.00
Category 3b	1	\$1,050.00	\$1,050.00
Category 3g	1	\$500.00	\$500.00
<b>Step 5/Total Project Fee:</b>			\$4,700.00

**Step 6/Fee Payments:**

Total Project Fee:	\$4,700.00
State share of filing Fee:	a. Total Fee from Step 5 \$2,337.50
City/Town share of filling Fee:	b. 1/2 Total Fee less \$12.50 \$2,362.50
	c. 1/2 Total Fee plus \$12.50

**C. Submittal Requirements**

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection  
 Box 4062  
 Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a copy of this form; and the city/town fee payment.

**To MassDEP Regional Office (see Instructions):** Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a copy of this form; and a copy of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

The Residences at LeBaron Hills, LLC  
32 Norfolk Avenue  
South Easton, MA 02375

Eastern Bank  
Boston, MA 02110  
63-179/113

3656

1/12/2023

PAY TO THE ORDER OF Town of Lakeville

\$ \*\*2,362.50

Two Thousand Three Hundred Sixty-Two and 50/100\*\*\*\*\*

DOLLARS

Town of Lakeville

VALID  
VALID  
VALID  
VALID  
VALID

AUTHORIZED SIGNATURE

MEMO

LeBaron Residences- Ph. V: WPA Filing Fee

⑈003656⑈

SECURITY FEATURES INCLUDE TRUE WATERMARK PAPER HEAT SENSITIVE ICON AND FOIL HOLOGRAM

The Residences at LeBaron Hills, LLC  
32 Norfolk Avenue  
South Easton, MA 02375

Eastern Bank  
Boston, MA 02110  
63-179/113

3657

1/12/2023

PAY TO THE ORDER OF Town of Lakeville

\$ \*\*100.00

One Hundred and 00/100\*\*\*\*\*

DOLLARS

Town of Lakeville

VALID  
VALID  
VALID  
VALID  
VALID

AUTHORIZED SIGNATURE

MEMO

LeBaron Residences- Ph. V: Local Admin Fee

⑈003657⑈

SECURITY FEATURES INCLUDE TRUE WATERMARK PAPER HEAT SENSITIVE ICON AND FOIL HOLOGRAM

The Residences at LeBaron Hills, LLC  
32 Norfolk Avenue  
South Easton, MA 02375

Eastern Bank  
Boston, MA 02110  
63-179/113

3658

1/12/2023

PAY TO THE ORDER OF Commonwealth of Massachusetts

\$ \*\*2,337.50

Two Thousand Three Hundred Thirty-Seven and 50/100\*\*\*\*\*

DOLLARS

Commonwealth of Massachusetts

VALID  
VALID  
VALID  
VALID  
VALID

AUTHORIZED SIGNATURE

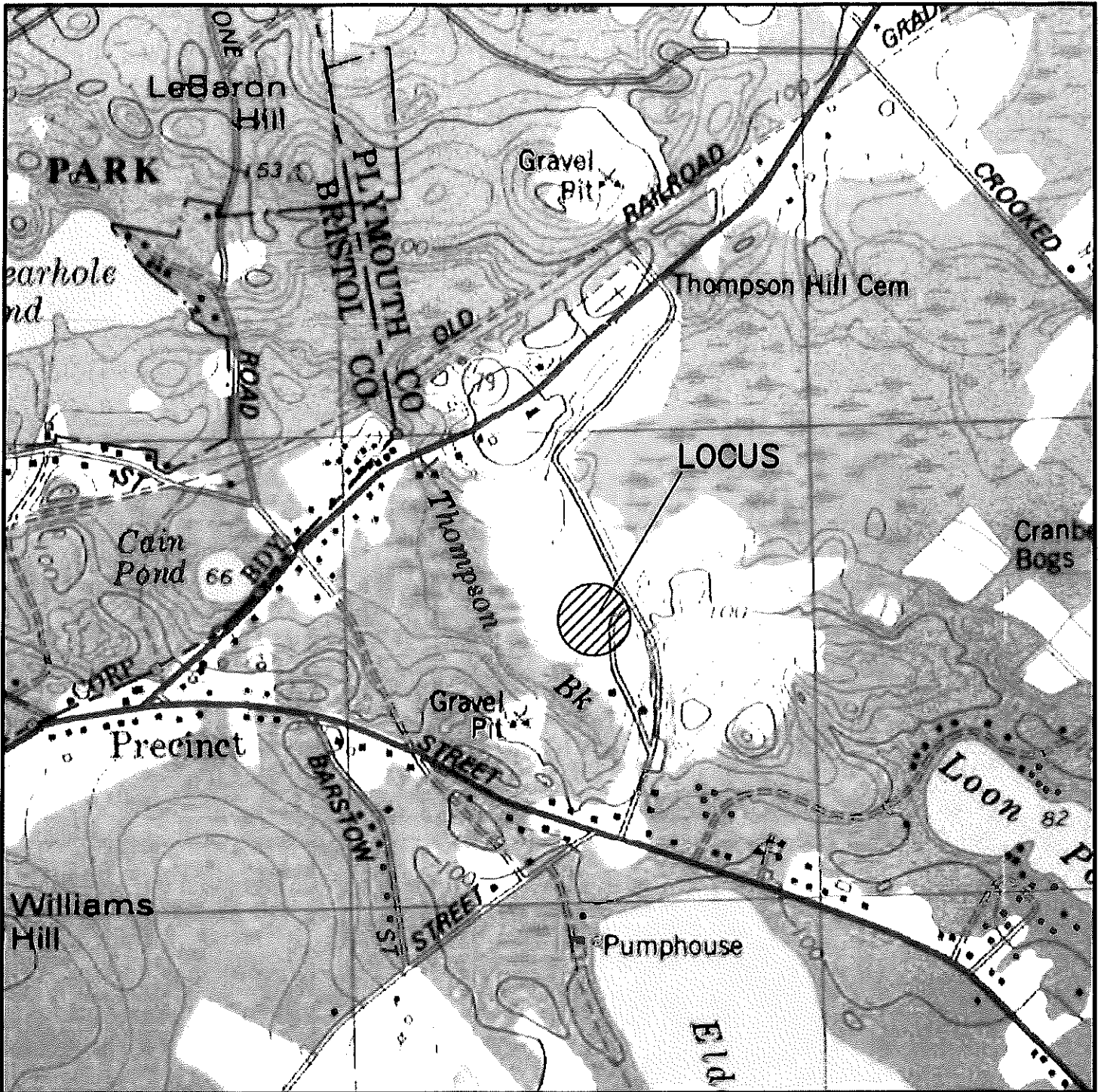
MEMO

LeBaron Residences- Ph. V: State WPA Filing Fee

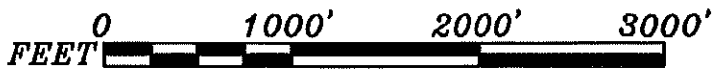
⑈003658⑈

**Figure 1**

MassGIS USGS Topographic Map



USGS LOCUS MAP  
 THE ESTATES AT  
 LEBARON HILLS  
 LEBARON BOULEVARD  
 LAKEVILLE, MA  
 OE-1865  
 SOURCE: USGS



SCALE: 1" = 1000'



**Outback**  
**E**ngineering  
 Incorporated

165 EAST GROVE STREET  
 MIDDLEBOROUGH, MA. 02346  
 TEL 508-946-9231

FIGURE 1

**Figure 2**

MassGIS with NHESP Layers

# NHESP Map



- NHESP Priority Habitats of Rare Species
- NHESP Estimated Habitats of Rare Wildlife
- Areas of Critical Environmental Concern ACECS
- Property Tax Parcels

**Figure 3**

FEMA Flood Map

# National Flood Hazard Layer FIRMette



70°58'28" W, 41°51'43" N



## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

### SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE)
- Zone A, V, AE9
- With BFE or Depth zone AE, AO, AH, VE, AR
- Regulatory Floodways

### OTHER AREAS OF FLOOD HAZARD

- 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile zone
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee. See Notes, Zone X
- Area with Flood Risk due to Levee zone c

### OTHER AREAS

#### GENERAL STRUCTURES

- No Screen
- Area of Minimal Flood Hazard Zone X
- Effective LOMRS
- Area of Undetermined Flood Hazard Zone
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

#### OTHER FEATURES

- 20.2 Cross Sections with 1% Annual Chance
- 17.5 Water Surface Elevation
- 8 Coastal Transect
- 30 Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

#### MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 1/12/2023 at 2:05 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

250 500 1,000 1,500 2,000 Feet

70°57'51" W, 41°51'47" N



## **Attachment A**

Abutter List, Abutter Notification, Affidavit of Service



100  
Foot Abutters List Report  
Lakeville, MA  
January 13, 2023

To the best of my knowledge and with the present records on hand in the Assessor's Office, the abutters appear to be within 100' (one hundred feet) of the applicant.

26-3-10  
Map, Block, Lot of Applicant

*Norman Tapp*  
Board of Assessors

1-13-23

Subject Property:

Parcel Number: 026-003-010  
CAMA Number: 026-003-010  
Property Address: 0 Lebaron Blvd

Mailing Address: The Residences at Lebaron Hills  
32 Norfolk Ave  
South Easton, MA 02375

Abutters:

Parcel Number: 018-003-003  
CAMA Number: 018-003-003  
Property Address: 200 RHODE ISLAND RD

Mailing Address: SMITH RAYMOND L & KISH JOYCE J  
200 RHODE ISLAND RD  
LAKEVILLE, MA 02347

Parcel Number: 018-003-004  
CAMA Number: 018-003-004  
Property Address: 202 RHODE ISLAND RD

Mailing Address: PITTSLEY WILLIAM R & JENNIFER C  
202 RHODE ISLAND RD  
LAKEVILLE, MA 02347

Parcel Number: 018-003-004A  
CAMA Number: 018-003-004A  
Property Address: REAR RHODE ISLAND RD

Mailing Address: PITTSLEY WILLIAM R & JENNIFER C  
202 RHODE ISLAND RD  
LAKEVILLE, MA 02347

Parcel Number: 018-003-026  
CAMA Number: 018-003-026  
Property Address: 10 DANIEL RD

Mailing Address: THEW KEVIN & DOREEN  
10 DANIEL RD  
LAKEVILLE, MA 02347

Parcel Number: 018-003-027  
CAMA Number: 018-003-027  
Property Address: 12 DANIEL RD

Mailing Address: AUDET JAMES P & TRISHA J  
12 DANIEL RD  
LAKEVILLE, MA 02347

Parcel Number: 018-003-027B  
CAMA Number: 018-003-027B  
Property Address: 10-12 WATER ST

Mailing Address: WATER STREET CROSSING LLC  
1 LAKEVILLE BUSINESS PARK SUITE 2A  
LAKEVILLE, MA 02347

Parcel Number: 026-001-005  
CAMA Number: 026-001-005  
Property Address: 183 RHODE ISLAND RD

Mailing Address: ASSAWOMPSETT GOLF COMPANY LLC  
183 RHODE ISLAND RD  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010-01  
CAMA Number: 026-003-010-01  
Property Address: 1 HYBRID DR

Mailing Address: FERNANDES KATHY A & JOHN  
1 HYBRID DR  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010-02  
CAMA Number: 026-003-010-02  
Property Address: 3 HYBRID DR

Mailing Address: DALOMBA CELIMIG N & JOHN S  
3 HYBRID DR  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010D  
CAMA Number: 026-003-010-10C  
Property Address: 10 COUNTRY CLUB LN

Mailing Address: GRAY PETER W & MICHELLE G  
10 COUNTRY CLUB LN  
LAKEVILLE, MA 02347



Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.



# 10 foot Abutters List Report

Lakeville, MA  
January 13, 2023

Parcel Number: 026-003-010D  
CAMA Number: 026-003-010-11C  
Property Address: 11 COUNTRY CLUB LN

Mailing Address: MOONEY NANCY ANN  
11 COUNTRY CLUB LN  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010D  
CAMA Number: 026-003-010-12C  
Property Address: 12 COUNTRY CLUB LN

Mailing Address: ANASTOS DEBRA J  
12 COUNTRY CLUB LN  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010D  
CAMA Number: 026-003-010-13C  
Property Address: 13 COUNTRY CLUB LN

Mailing Address: MARRE REALTY TRUST  
13 COUNTRY CLUB LN  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010D  
CAMA Number: 026-003-010-14C  
Property Address: 14 COUNTRY CLUB LN

Mailing Address: CHERNICKI PETER M & SHEILA B  
14 COUNTRY CLUB LN  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010D  
CAMA Number: 026-003-010-15C  
Property Address: 15 COUNTRY CLUB LN

Mailing Address: SILVA JORGE  
15 COUNTRY CLUB LN  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010D  
CAMA Number: 026-003-010-16C  
Property Address: 16 COUNTRY CLUB LN

Mailing Address: FORD BETTY  
16 COUNTRY CLUB LN  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010D  
CAMA Number: 026-003-010-17C  
Property Address: 17 COUNTRY CLUB LN

Mailing Address: STUPINSKI KATHLEEN R  
17 COUNTRY CLUB LN  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010D  
CAMA Number: 026-003-010-18C  
Property Address: 18 COUNTRY CLUB LN

Mailing Address: CARAGIANES VALERIE S VALERIE S  
CARAGIANES REV TRUST  
18 COUNTRY CLUB LN  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010D  
CAMA Number: 026-003-010-19C  
Property Address: 19 COUNTRY CLUB LN

Mailing Address: CUSICK MICHAEL T & JUDITH G  
19 COUNTRY CLUB LN  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010D  
CAMA Number: 026-003-010-1PC  
Property Address: 1 PACE COURT

Mailing Address: VIEIRA NUNO A & MARIA R VIEIRA  
IRREVOCABLE TRUST  
1 PACE COURT  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010D  
CAMA Number: 026-003-010-20C  
Property Address: 20 COUNTRY CLUB LN

Mailing Address: MCLAUGHLIN JOSEPH M & KERRY M  
20 COUNTRY CLUB LN  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010D  
CAMA Number: 026-003-010-21C  
Property Address: 21 COUNTRY CLUB LN

Mailing Address: ZSAMBOK WILLIAM C & MARIA L  
8941 MUSTIQUE LN  
NAPLES, FL 34114



www.cai-tech.com

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# 10 foot Abutters List Report

Lakeville, MA  
January 13, 2023

Parcel Number: 026-003-010D  
CAMA Number: 026-003-010-22C  
Property Address: 22 COUNTRY CLUB LN

Mailing Address: RANDO EDWARD J & RAMONA J  
22 COUNTRY CLUB LN  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010D  
CAMA Number: 026-003-010-23C  
Property Address: 23 COUNTRY CLUB LN

Mailing Address: CANAVAN CHRISTOPHER SR &  
MCNULTY JOHN  
23 COUNTRY CLUB LN  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010D  
CAMA Number: 026-003-010-24C  
Property Address: 24 COUNTRY CLUB LN

Mailing Address: TURNER EDWARD & DIANE  
24 COUNTRY CLUB LN  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010D  
CAMA Number: 026-003-010-25C  
Property Address: 25 COUNTRY CLUB LN

Mailing Address: CHWALEK LOUISE C  
25 COUNTRY CLUB LN  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010D  
CAMA Number: 026-003-010-26C  
Property Address: 26 COUNTRY CLUB LN

Mailing Address: ASPDEN ALAN S & KAREN  
26 COUNTRY CLUB LN  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010D  
CAMA Number: 026-003-010-27C  
Property Address: 27 COUNTRY CLUB LN

Mailing Address: SILVERNAIL CARL W & MARIBETH P  
27 COUNTRY CLUB LN  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010D  
CAMA Number: 026-003-010-28C  
Property Address: 28 COUNTRY CLUB LN

Mailing Address: MENDES NATALIA & MEDEIROS  
EUGENE  
28 COUNTRY CLUB LN  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010D  
CAMA Number: 026-003-010-29C  
Property Address: 29 COUNTRY CLUB LN

Mailing Address: CHAMPAGNE CHERYL A CHAMPAGNE  
LIVING TRUST  
29 COUNTRY CLUB LN  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010D  
CAMA Number: 026-003-010-2C  
Property Address: 2 COUNTRY CLUB LN

Mailing Address: MCMINN RALPH D & CHRISTOFI KAREN  
E  
2 COUNTRY CLUB LN  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010D  
CAMA Number: 026-003-010-2PC  
Property Address: 2 PACE COURT

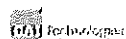
Mailing Address: MURPHY DIANA J DIANA J MURPHY  
TRUST  
2 PACE COURT  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010D  
CAMA Number: 026-003-010-31C  
Property Address: 31 COUNTRY CLUB LN

Mailing Address: FLAHERTY GARY C & MARGARET M  
31 COUNTRY CLUB LN  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010D  
CAMA Number: 026-003-010-33C  
Property Address: 33 COUNTRY CLUB LN

Mailing Address: LIROSI RAYMOND J III  
33 COUNTRY CLUB LN  
LAKEVILLE, MA 02347



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1/13/2023

Page 3 of 15



# 10 foot Abutters List Report

Lakeville, MA  
January 13, 2023

Parcel Number: 026-003-010D CAMA Number: 026-003-010-35C Property Address: 35 COUNTRY CLUB LN	Mailing Address: PEREIRA JENNIFER J TRUSTEE LYNCH FAMILY IRR TRUST 35 COUNTRY CLUB LN LAKEVILLE, MA 02347
Parcel Number: 026-003-010D CAMA Number: 026-003-010-37C Property Address: 37 COUNTRY CLUB LN	Mailing Address: KIRKEBY PAUL O & TIERNEY ELLEN 37 COUNTRY CLUB LN LAKEVILLE, MA 02347
Parcel Number: 026-003-010D CAMA Number: 026-003-010-3PC Property Address: 3 PACE COURT	Mailing Address: BROUCHARD ALISHA M & JONES LANA L 3 PACE COURT LAKEVILLE, MA 02347
Parcel Number: 026-003-010D CAMA Number: 026-003-010-4C Property Address: 4 COUNTRY CLUB LN	Mailing Address: HOLLAND SHANE K TRUSTEE KYRLE J & ANNE A HOLLAND TRUST 4 COUNTRY CLUB LN LAKEVILLE, MA 02347
Parcel Number: 026-003-010D CAMA Number: 026-003-010-4PC Property Address: 4 PACE COURT	Mailing Address: SHERMAN GARY H & MORETTI PATRICIA J 4 PACE COURT LAKEVILLE, MA 02347
Parcel Number: 026-003-010-66 CAMA Number: 026-003-010-66 Property Address: 24 HYBRID DR	Mailing Address: MOONEY PAUL A & LISA L 24 HYBRID DR LAKEVILLE, MA 02347
Parcel Number: 026-003-010-67 CAMA Number: 026-003-010-67 Property Address: 22 HYBRID DR	Mailing Address: CHAVES JOAO A & ROBIN C 22 HYBRID DR LAKEVILLE, MA 02347
Parcel Number: 026-003-010-68 CAMA Number: 026-003-010-68 Property Address: 20 HYBRID DR	Mailing Address: FREEDMAN DANIEL M & STEPHANIE A 20 HYBRID DR LAKEVILLE, MA 02347
Parcel Number: 026-003-010-69 CAMA Number: 026-003-010-69 Property Address: 18 HYBRID DR	Mailing Address: PORTNOY WILLIAM J & RABINOWITZ SUSAN L PORTNOY-RABINOWITZ LIVING TRUST 18 HYBRID DR LAKEVILLE, MA 02347
Parcel Number: 026-003-010D CAMA Number: 026-003-010-6C Property Address: 6 COUNTRY CLUB LN	Mailing Address: CHABOT GEORGE W JR 6 COUNTRY CLUB LN LAKEVILLE, MA 02347
Parcel Number: 026-003-010-70 CAMA Number: 026-003-010-70 Property Address: 16 HYBRID DR	Mailing Address: SILVA DILMA H 16 HYBRID DR LAKEVILLE, MA 02347
Parcel Number: 026-003-010-71 CAMA Number: 026-003-010-71 Property Address: 14 HYBRID DR	Mailing Address: CAMPBELL GARY W & CALLAHAN DENICE 14 HYBRID DR LAKEVILLE, MA 02347



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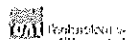
Page 4 of 15



# 10 foot Abutters List Report

Lakeville, MA  
January 13, 2023

Parcel Number: 026-003-010-72 CAMA Number: 026-003-010-72 Property Address: 12 HYBRID DR	Mailing Address: SIRACUSA ANTONIO & LAURA M 12 HYBRID DR LAKEVILLE, MA 02347
Parcel Number: 026-003-010-73 CAMA Number: 026-003-010-73 Property Address: 10 HYBRID DR	Mailing Address: TOBOJKA ROBERT M & DEBORA J 10 HYBRID DR LAKEVILLE, MA 02347
Parcel Number: 026-003-010-74 CAMA Number: 026-003-010-74 Property Address: 8 HYBRID DR	Mailing Address: VIEIRA PHILIP G & BETHANY A 8 HYBRID DR LAKEVILLE, MA 02347
Parcel Number: 026-003-010-75 CAMA Number: 026-003-010-75 Property Address: 6 HYBRID DR	Mailing Address: CURLEY EULALIA 6 HYBRID DR LAKEVILLE, MA 02347
Parcel Number: 026-003-010-76 CAMA Number: 026-003-010-76 Property Address: 4 HYBRID DR	Mailing Address: BROWN PETER J & DEBORAH A 4 HYBRID DR LAKEVILLE, MA 02347
Parcel Number: 026-003-010-77 CAMA Number: 026-003-010-77 Property Address: 2 HYBRID DR	Mailing Address: ANDERSEN STEVEN & KRISTEN E 2 HYBRID DR LAKEVILLE, MA 02347
Parcel Number: 026-003-010D CAMA Number: 026-003-010-8C Property Address: 8 COUNTRY CLUB LN	Mailing Address: TURPIN MARGARET E TURPIN FAMILY NOMINEE TRUST 8 COUNTRY CLUB LN LAKEVILLE, MA 02347
Parcel Number: 026-003-010A CAMA Number: 026-003-010A Property Address: 42 LEBARON BLVD	Mailing Address: LEBARON PHASE II RENTAL LLC 536 GRANITE ST BRAintree, MA 02184
Parcel Number: 026-003-010C CAMA Number: 026-003-070-01 Property Address: 70-1 LEBARON BLVD	Mailing Address: DREW SAMANTHA & JONES SAMUAL R 70-1 LEBARON BLVD LAKEVILLE, MA 02347
Parcel Number: 026-003-010C CAMA Number: 026-003-070-02 Property Address: 70-2 LEBARON BLVD	Mailing Address: MCCLELLAND JUNE B 70-2 LEBARON BLVD LAKEVILLE, MA 02347
Parcel Number: 026-003-010C CAMA Number: 026-003-070-03 Property Address: 70-3 LEBARON BLVD	Mailing Address: THERRIEN MICHELLE 70-3 LEBARON BLVD LAKEVILLE, MA 02347
Parcel Number: 026-003-010C CAMA Number: 026-003-070-04 Property Address: 70-4 LEBARON BLVD	Mailing Address: MCNEILL SCOTT 70-4 LEBARON BLVD LAKEVILLE, MA 02347



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# 10 foot Abutters List Report

Lakeville, MA  
January 13, 2023

Parcel Number: 026-003-010C  
CAMA Number: 026-003-070-05  
Property Address: 70-5 LEBARON BLVD

Mailing Address: HATCH JOHN W & JEANNINE C HATCH  
FAMILY REV TRUST  
70-5 LEBARON BLVD  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010C  
CAMA Number: 026-003-070-09  
Property Address: 70-9 LEBARON BLVD

Mailing Address: DEVILLY THOMAS M & EILEEN M  
70-9 LEBARON BLVD  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010C  
CAMA Number: 026-003-070-10  
Property Address: 70-10 LEBARON BLVD

Mailing Address: NOLLER JUSTIN E  
70-10 LEBARON BLVD  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010C  
CAMA Number: 026-003-070-11  
Property Address: 70-11 LEBARON BLVD

Mailing Address: HORSFALL STEVEN  
70-11 LEBARON BLVD  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010C  
CAMA Number: 026-003-070-12  
Property Address: 70-12 LEBARON BLVD

Mailing Address: JENKS STEVEN G  
70-12 LEBARON BLVD  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010C  
CAMA Number: 026-003-070-13  
Property Address: 70-13 LEBARON BLVD

Mailing Address: MITCHELL TANEIL  
70-13 LEBARON BLVD  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010C  
CAMA Number: 026-003-070-14  
Property Address: 70-14 LEBARON BLVD

Mailing Address: DROLETTE EVELYN M & JOHN R &  
CRAIG P JECE REALTY TRUST  
70-14 LEBARON BLVD  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010C  
CAMA Number: 026-003-070-6  
Property Address: 70-6 LEBARON BLVD

Mailing Address: LEAVITT SUSAN G  
70-6 LEBARON BLVD  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010C  
CAMA Number: 026-003-070-7  
Property Address: 70-7 LEBARON BLVD

Mailing Address: SANTOS DYLAN R & KURCZAK  
CATHERINE L  
70-7 LEBARON BLVD  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010C  
CAMA Number: 026-003-070-8  
Property Address: 70-8 LEBARON BLVD

Mailing Address: LARO RONI M  
70-8 LEBARON BLVD  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010C  
CAMA Number: 026-003-080-01  
Property Address: 80-1 LEBARON BLVD

Mailing Address: JOSEY YANICK M  
80-1 LEBARON BLVD  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010C  
CAMA Number: 026-003-080-02  
Property Address: 80-2 LEBARON BLVD

Mailing Address: VELOZO JONATHAN  
80-2 LEBARON BLVD  
LAKEVILLE, MA 02347



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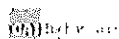
Page 6 of 15



# 10 foot Abutters List Report

Lakeville, MA  
January 13, 2023

Parcel Number: 026-003-010C CAMA Number: 026-003-080-03 Property Address: 80-3 LEBARON BLVD	Mailing Address: THOMPSON JOHN 80-3 LEBARON BLVD LAKEVILLE, MA 02347
Parcel Number: 026-003-010C CAMA Number: 026-003-080-04 Property Address: 80-4 LEBARON BLVD	Mailing Address: LANDRY DEBRA ANN 80-4 LEBARON BLVD LAKEVILLE, MA 02347
Parcel Number: 026-003-010C CAMA Number: 026-003-080-05 Property Address: 80-5 LEBARON BLVD	Mailing Address: HAYNES KERRI 80-5 LEBARON BLVD LAKEVILLE, MA 02347
Parcel Number: 026-003-010C CAMA Number: 026-003-080-06 Property Address: 80-6 LEBARON BLVD	Mailing Address: AKLEY MICHAEL P & KATIE M 80-6 LEBARON BLVD LAKEVILLE, MA 02347
Parcel Number: 026-003-010C CAMA Number: 026-003-080-07 Property Address: 80-7 LEBARON BLVD	Mailing Address: GANDZYUK OLEKSANDR 80-7 LEBARON BLVD LAKEVILLE, MA 02347
Parcel Number: 026-003-010C CAMA Number: 026-003-080-08 Property Address: 80-8 LEBARON BLVD	Mailing Address: SMITH JULIANNE M 80-8 LEBARON BLVD LAKEVILLE, MA 02347
Parcel Number: 026-003-010C CAMA Number: 026-003-080-09 Property Address: 80-9 LEBARON BLVD	Mailing Address: BROWN ROBERT D & JENNIFER S 80-9 LEBARON BLVD LAKEVILLE, MA 02347
Parcel Number: 026-003-010C CAMA Number: 026-003-080-10 Property Address: 80-10 LEBARON BLVD	Mailing Address: SCOTT JUSTIN & NANCY 80-10 LEBARON BLVD LAKEVILLE, MA 02347
Parcel Number: 026-003-010C CAMA Number: 026-003-080-11 Property Address: 80-11 LEBARON BLVD	Mailing Address: CORDERO MAUREEN 80-11 LEBARON BLVD LAKEVILLE, MA 02347
Parcel Number: 026-003-010C CAMA Number: 026-003-080-12 Property Address: 80-12 LEBARON BLVD	Mailing Address: DAPONTE MANUEL A 80-12 LEBARON BLVD LAKEVILLE, MA 02347
Parcel Number: 026-003-010C CAMA Number: 026-003-090-01 Property Address: 90-1 LEBARON BLVD	Mailing Address: LEVINSON KENNETH & JUNE M 90-1 LEBARON BLVD LAKEVILLE, MA 02347
Parcel Number: 026-003-010C CAMA Number: 026-003-090-02 Property Address: 90-2 LEBARON BLVD	Mailing Address: THE RESIDENCES AT LEBARON HILLS 32 NORFOLK AVE SOUTH EASTON, MA 02375



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# 10 foot Abutters List Report

Lakeville, MA  
January 13, 2023

Parcel Number: 026-003-010C  
CAMA Number: 026-003-090-03  
Property Address: 90-3 LEBARON BLVD

Mailing Address: BILANCIERI JAMES J & JOYCE A  
90-3 LEBARON BLVD  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010C  
CAMA Number: 026-003-090-04  
Property Address: 90-4 LEBARON BLVD

Mailing Address: PICA LYNNE  
90-4 LEBARON BLVD  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010C  
CAMA Number: 026-003-090-05  
Property Address: 90-5 LEBARON BLVD

Mailing Address: VENTURA JACKLYN  
90-5 LEBARON BLVD  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010C  
CAMA Number: 026-003-090-06  
Property Address: 90-6 LEBARON BLVD

Mailing Address: MEDEIROS DIMAS & MANDI  
90-6 LEBARON BLVD  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010C  
CAMA Number: 026-003-090-07  
Property Address: 90-7 LEBARON BLVD

Mailing Address: THE RESIDENCES AT LEBARON HILLS  
32 NORFOLK AVE  
SOUTH EASTON, MA 02375

Parcel Number: 026-003-010C  
CAMA Number: 026-003-090-08  
Property Address: 90-8 LEBARON BLVD

Mailing Address: O'REILLY RICHARD W & SUSAN J  
90-8 LEBARON BLVD  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010C  
CAMA Number: 026-003-090-09  
Property Address: 90-9 LEBARON BLVD

Mailing Address: HARTTER ALLISON  
90-9 LEBARON BLVD  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010C  
CAMA Number: 026-003-090-10  
Property Address: 90-10 LEBARON BLVD

Mailing Address: ALMEIDA RICHARD & ANNAMARIE C  
90-10 LEBARON BLVD  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010C  
CAMA Number: 026-003-090-11  
Property Address: 90-11 LEBARON BLVD

Mailing Address: LOPRESTI LAUREN E & MENZELA DAVID  
90-11 LEBARON BLVD  
LAKEVILLE, MA 02347

Parcel Number: 026-003-010C  
CAMA Number: 026-003-090-12  
Property Address: 90-12 LEBARON BLVD

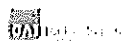
Mailing Address: THE RESIDENCES AT LEBARON HILLS  
LLC  
32 NORFOLK AVE  
SOUTH EASTON, MA 02375

Parcel Number: 027-002-001  
CAMA Number: 027-002-001  
Property Address: 94 PRECINCT ST

Mailing Address: GAMMONS MICHELLE L & MILLER  
STEPHEN J  
94 PRECINCT ST  
LAKEVILLE, MA 02347

Parcel Number: 027-002-002  
CAMA Number: 027-002-002  
Property Address: 92 PRECINCT ST

Mailing Address: BINDON ALBERT W J & LINDA J  
92 PRECINCT ST  
LAKEVILLE, MA 02347



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# 10 foot Abutters List Report

Lakeville, MA  
January 13, 2023

Parcel Number: 027-002-003  
CAMA Number: 027-002-003  
Property Address: 90 PRECINCT ST

Mailing Address: BINDON LINDA J & ALBERT W J JR  
92 PRECINCT ST  
LAKEVILLE, MA 02347

Parcel Number: 027-002-003-01  
CAMA Number: 027-002-003-01  
Property Address: REARFERN AVE

Mailing Address: PJ KEATING CO  
988 RESERVOIR RD  
LUNENBURG, MA 01462

Parcel Number: 027-002-029  
CAMA Number: 027-002-029  
Property Address: 10 FERN AVE

Mailing Address: PJ KEATING CO  
988 RESERVOIR RD  
LUNENBURG, MA 01462

Parcel Number: 027-002-041  
CAMA Number: 027-002-041  
Property Address: 96 PRECINCT ST

Mailing Address: CUNHA BONNIE J  
96 Precinct St  
Lakeville, MA 02347

Parcel Number: 027-002-041  
CAMA Number: 027-002-041  
Property Address: 96 PRECINCT ST

Mailing Address: Contact Town For Info

Parcel Number: 027-002-041  
CAMA Number: 027-002-041  
Property Address: 96 PRECINCT ST

Mailing Address: Contact Town For Info

Parcel Number: 027-002-041  
CAMA Number: 027-002-041  
Property Address: 96 PRECINCT ST

Mailing Address: Contact Town For Info

Parcel Number: 027-002-041  
CAMA Number: 027-002-041  
Property Address: 96 PRECINCT ST

Mailing Address: Contact Town For Info

Parcel Number: 027-002-041  
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Property Address: 96 PRECINCT ST

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Parcel Number: 027-002-041  
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Parcel Number: 027-002-041  
CAMA Number: 027-002-041  
Property Address: 96 PRECINCT ST

Mailing Address: Contact Town For Info

Parcel Number: 027-002-041  
CAMA Number: 027-002-041  
Property Address: 96 PRECINCT ST

Mailing Address: Contact Town For Info

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# 10 foot Abutters List Report

Lakeville, MA  
January 13, 2023

Parcel Number: 027-002-041  
CAMA Number: 027-002-041  
Property Address: 96 PRECINCT ST

Mailing Address: Contact Town For Info

Parcel Number: 027-002-041  
CAMA Number: 027-002-041  
Property Address: 96 PRECINCT ST

Mailing Address: Contact Town For Info

Parcel Number: 027-002-041  
CAMA Number: 027-002-041  
Property Address: 96 PRECINCT ST

Mailing Address: Contact Town For Info

Parcel Number: 027-002-041  
CAMA Number: 027-002-041  
Property Address: 96 PRECINCT ST

Mailing Address: Contact Town For Info

Parcel Number: 027-002-041  
CAMA Number: 027-002-041  
Property Address: 96 PRECINCT ST

Mailing Address: Contact Town For Info

Parcel Number: 027-002-041  
CAMA Number: 027-002-041  
Property Address: 96 PRECINCT ST

Mailing Address: Contact Town For Info

Parcel Number: 027-002-041  
CAMA Number: 027-002-041  
Property Address: 96 PRECINCT ST

Mailing Address: Contact Town For Info

Parcel Number: 027-002-042  
CAMA Number: 027-002-042  
Property Address: 4 DANIEL RD

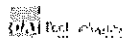
Mailing Address: ROY HENRY J III & SHELLY A  
4 DANIEL RD  
LAKEVILLE, MA 02347

Parcel Number: 027-002-043  
CAMA Number: 027-002-043  
Property Address: 6 DANIEL RD

Mailing Address: MCGILLIS PAUL & MARIE  
6 DANIEL RD  
LAKEVILLE, MA 02347

Parcel Number: 027-002-044  
CAMA Number: 027-002-044  
Property Address: 8 DANIEL RD

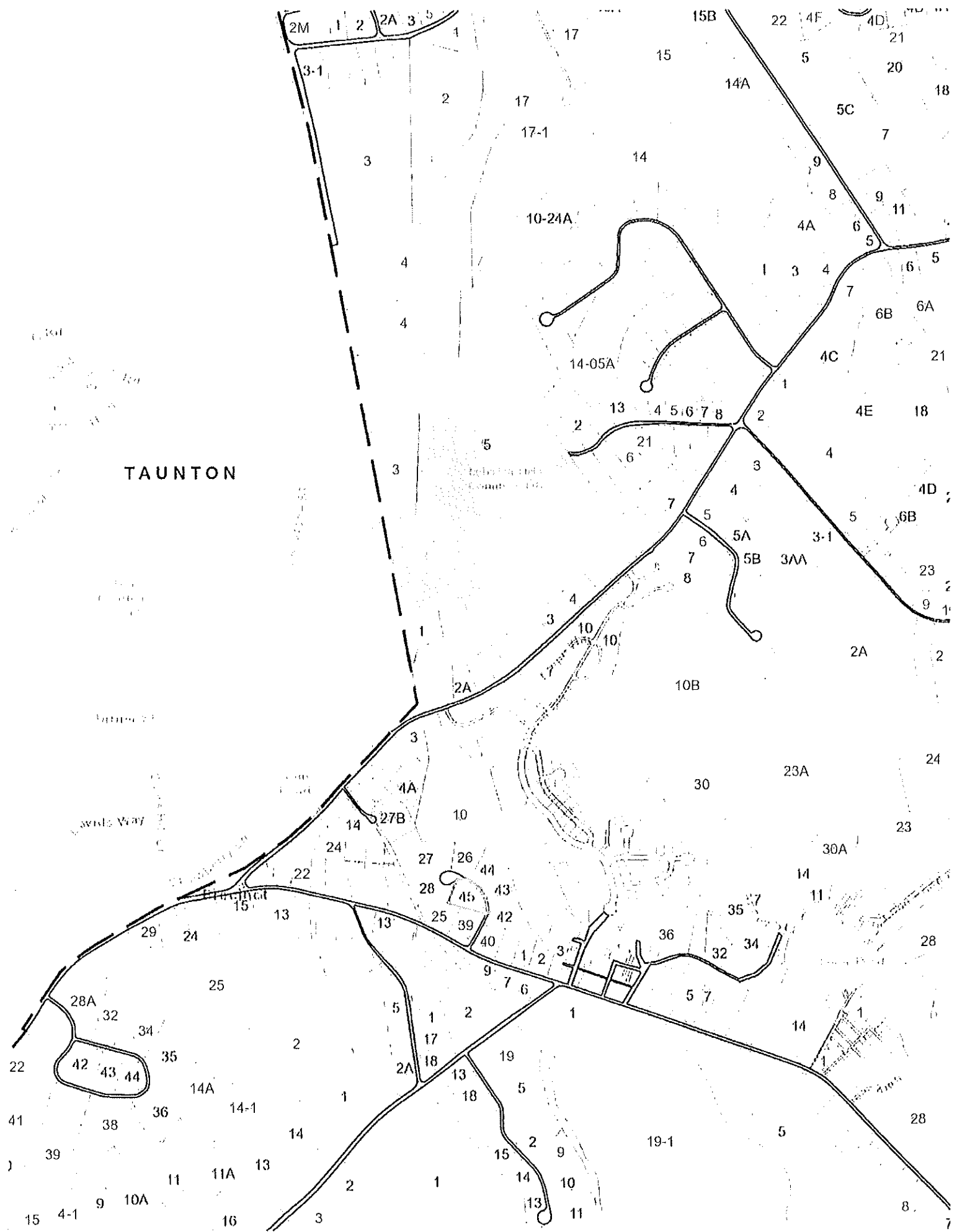
Mailing Address: THOMAS GISELE M & JAMES C  
8 DANIEL RD  
LAKEVILLE, MA 02347



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TAUNTON



## **Notification to Abutters Under the Massachusetts Wetlands Protection Act**

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, you are hereby notified of the following.

- A. The name of the applicant is The Residences at LeBaron Hills, LLC.
- B. Property is owned by The Residences at LeBaron Hills, LLC.
- C. The applicant has filed a Notice of Intent with the Conservation Commission for the municipality of Middleborough, Massachusetts seeking permission to remove, fill, dredge or alter an Area Subject to Protection Under the Wetlands Protection Act (General Laws Chapter 131, Section 40).
- D. The address of the lot where the activity is proposed is off LeBaron Boulevard in Lakeville.
- E. Assessors Map and Lot Number: Maps: 26 Block: 3 Lot: 10
- F. Please contact the Lakeville Conservation Commission at 508-946-8823 between the hours of 9:00 a.m. and 2:00 p.m. Monday through Thursday and 9:00 am and 12:00 pm Friday for information regarding the filing and to examine copies.
- G. Brief description of project: The applicant is proposing to construct 4 condominium buildings totaling 35 residential units with associated parking, drainage and grading as part of a Phase 5 Modification at The Residences at LeBaron Hills in Lakeville MA. The project is located off LeBaron Boulevard in between the current Phase 5 under construction and the existing Phase 2 Fairways apartment building. Three of the four buildings and an infiltration basin are within the 100' buffer of bordering vegetated wetlands (BVW) that are located on the western side of the property and are associated with Thompson Brook. Two of the buildings are also located within the 200' Outer Riparian Zone of Thompson Brook.
- H. Copies of the Notice of Intent may be obtained from the applicant's representative, Outback Engineering, Inc., by calling 508-946-9231 between the hours of 8:30 a.m. and 4:30 p.m. Monday through Friday.
- I. Information regarding the date, time, and place of the public hearing may be obtained from the Lakeville Conservation Commission at 508-946-8823 between the hours of 9:00 a.m. and 2:00 p.m. Monday through Thursday and 9:00 am and 12:00 pm Friday.

NOTE: Notice of the public hearing, including its date, time, and place, will be published at least five (5) days in advance in the Nemasket Week.

NOTE: You may contact the Department of Environmental Protection Regional office at 508-946-2800 for more information.

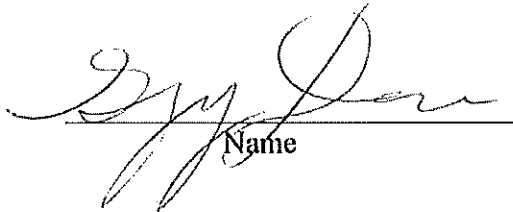
**AFFIDAVIT OF SERVICE**

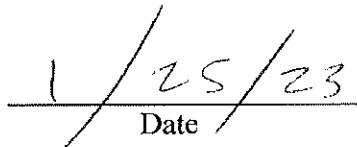
Under  
Massachusetts Wetlands Protection Act M.G.L. c.131, §40

I, Gregory Drake, hereby certify under the pains and penalties of perjury that on or before January 31, 2023, I gave notification to abutters in compliance with Massachusetts Wetlands Protection Act M.G.L. c.131, §40 in connection with the following matter:

A Notice of Intent has been filed under Massachusetts Wetlands Protection Act M.G.L. c.131, §40, by the applicant, The Residences at LeBaron Hills, LLC, who is proposing to construct 4 condominium buildings totaling 35 residential units with associated parking, drainage and grading as part of a Phase 5 Modification at The Residences at LeBaron Hills in Lakeville MA. The project is located off LeBaron Boulevard in between the current Phase 5 under construction and the existing Phase 2 Fairways apartment building. Three of the four buildings and an infiltration basin are within the 100' buffer of bordering vegetated wetlands (BVW) that are located on the western side of the property and are associated with Thompson Brook. Two of the buildings are also located within the 200' Outer Riparian Zone of Thompson Brook.

The notification letter, a list of the abutters to whom it was given to and their addresses, are enclosed with this Affidavit of Service.

  
Name

  
Date

## **Attachment B**

### Order of Resource Area Delineation

mail 1

Goddard Consulting LLC  
ste B  
291 main St  
Northborough, ma  
01532



2021 00124454  
Bk: 55954 Pg: 16 Page: 1 of 7  
Recorded: 11/02/2021 01:39 PM  
ATTEST: John R. Buckley, Jr. Register  
Plymouth County Registry of Deeds



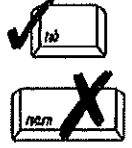
Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands  
**WPA Form 4B – Order of Resource Area Delineation**

Provided by MassDEP:  
192-790  
MassDEP File Number  
eDEP Transaction Number  
Lakeville  
City/Town

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

**A. General Information**

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



Note: Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

From: Lakeville  
1. Conservation Commission

2. This Issuance is for (check one):  
a.  Order of Resource Area Delineation  
b.  Amended Order of Resource Area Delineation

3. Applicant:  
Muhammad Itani  
a. First Name b. Last Name  
Residences at Lebaron Hills, LLC.  
c. Organization  
32 Norfolk Ave.  
d. Mailing Address  
Easton MA 02395  
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:  
Lebaron Boulevard Lakeville 02347  
a. Street Address b. City/Town c. Zip Code  
Map 26 Block 3 Lot 10  
d. Assessors Map/Plat Number e. Parcel/Lot Number  
Latitude and Longitude (in degrees, minutes, seconds):  
d m s d m s  
f. Latitude g. Longitude

6. Dates: 12/27/17 5/13/18 9/16/21  
a. Date ANRAD filed b. Date Public Hearing Closed c. Date of Issuance

M.R. BOOK 48336  
PAGE 289





Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 4B – Order of Resource Area  
Delineation**

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

Provided by MassDEP:

192-790

MassDEP File Number

eDEP Transaction Number

Lakeville

City/Town

**A. General Information (cont.)**

7. Title and Date (or Revised Date if applicable) of Final Plans and Other Documents:

a. Title

b. Date

c. Title

d. Date

**B. Order of Delineation**

1. The Conservation Commission has determined the following (check whichever is applicable):

a.  **Accurate:** The boundaries described on the referenced plan(s) above and in the Abbreviated Notice of Resource Area Delineation are accurately drawn for the following resource area(s):

1.  Bordering Vegetated Wetlands

2.  Other resource area(s), specifically:

a. Thompson Brook - 2400 linear feet delineated. See attached.

b.  **Modified:** The boundaries described on the plan(s) referenced above, as modified by the Conservation Commission from the plans contained in the Abbreviated Notice of Resource Area Delineation, are accurately drawn from the following resource area(s):

1.  Bordering Vegetated Wetlands

2.  Other resource area(s), specifically:

a.

c.  **Inaccurate:** The boundaries described on the referenced plan(s) and in the Abbreviated Notice of Resource Area Delineation were found to be inaccurate and cannot be confirmed for the following resource area(s):

1.  Bordering Vegetated Wetlands

2.  Other resource area(s), specifically:



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 4B – Order of Resource Area  
Delineation**

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

Provided by MassDEP:

192-790

MassDEP File Number

eDEP Transaction Number

Lakeville

City/Town

**B. Order of Delineation (cont.)**

3.  The boundaries were determined to be inaccurate because:

---



---



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**C. Findings**

This Order of Resource Area Delineation determines that the boundaries of those resource areas noted above, have been delineated and approved by the Commission and are binding as to all decisions rendered pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c.131, § 40) and its regulations (310 CMR 10.00). This Order does not, however, determine the boundaries of any resource area or Buffer Zone to any resource area not specifically noted above, regardless of whether such boundaries are contained on the plans attached to this Order or to the Abbreviated Notice of Resource Area Delineation.

This Order must be signed by a majority of the Conservation Commission. The Order must be sent 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 DEP Regional Office (see <https://www.mass.gov/service-details/massdep-regional-offices-by-community>).

**D. 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 DEP Regional Office to issue a Superseding Order of Resource Area Delineation. When requested to issue a Superseding Order of Resource Area Delineation, the Department's review is limited to the objections to the resource area delineation(s) stated in the appeal request. 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 of Resource Area Delineation 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 Determination, or providing written information to the Department prior to issuance of a Superseding Order or Determination.

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 bylaw or ordinance, and not on the Massachusetts Wetlands Protection Act or regulations, the Department of Environmental Protection has no appellate jurisdiction.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands  
**WPA Form 4B – Order of Resource Area  
Delineation**

Provided by MassDEP:

192-790

MassDEP File Number

eDEP Transaction Number

Lakeville

City/Town

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

**E. Signatures**

9/16/21

Date of Issuance

4

1. Number of Signers

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

Signatures

*Joseph Chamberlain*  
Signature of Conservation Commission Member

JOSEPH CHAMBERLAIN  
Printed Name

*Nancy Yeatts*  
Signature of Conservation Commission Member

Nancy Yeatts  
Printed Name

*John M LeBlanc*  
Signature of Conservation Commission Member

John M LeBlanc  
Printed Name

*Mark J Knop*  
Signature of Conservation Commission Member

Mark J Knop  
Printed Name

Signature of Conservation Commission Member

Printed Name

Signature of Conservation Commission Member

Printed Name

Signature of Conservation Commission Member

Printed Name

Signature of Conservation Commission Member

Printed Name

Signature of Conservation Commission Member

Printed Name

Signature of Conservation Commission Member

Printed Name

Signature of Conservation Commission Member

Printed Name

**This Order is valid for three years from the date of issuance.**

If this Order constitutes an Amended Order of Resource Area Delineation, this Order does not extend the issuance date of the original Final Order, which expires on \_\_\_\_\_ unless extended in writing by the issuing authority.

This Order is issued to the applicant and the property owner (if different) as follows:

2.  By hand delivery on

3.  By certified mail, return receipt requested on

a. Date

a. Date

9/16/21



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

**WPA Form 4B – Order of Resource Area  
Delineation**

MassDEP File Number

eDEP Transaction Number

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

City/Town

**Recording Information**

Prior to commencement of work, this Order of Resource Area Delineation 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 Resource Area Delineation. 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 Resource Area Delineation 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 Resource Area Delineation 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



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

DEP File Number:

Provided by DEP

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

**A. Request Information**

1. Location of Project

a. Street Address	b. City/Town, Zip
c. Check number	d. Fee amount

2. Person or party making request (if appropriate, name the citizen group's representative):

Name

Mailing Address

City/Town	State	Zip Code
Phone Number	Fax Number (if applicable)	

3. Applicant (as shown on Determination of Applicability (Form 2), Order of Resource Area Delineation (Form 4B), Order of Conditions (Form 5), Restoration Order of Conditions (Form 5A), or Notice of Non-Significance (Form 6)):

Name

Mailing Address

City/Town	State	Zip Code
Phone Number	Fax Number (if applicable)	

4. DEP File Number:

\_\_\_\_\_

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



**B. Instructions**

1. When the Departmental action request is for (check one):

- Superseding Order of Conditions – Fee: \$120.00 (single family house projects) or \$245 (all other projects)
- Superseding Determination of Applicability – Fee: \$120
- Superseding Order of Resource Area Delineation – Fee: \$120

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

Department of Environmental Protection  
Box 4062  
Boston, MA 02211



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

DEP File Number:

**Request for Departmental Action Fee  
Transmittal Form**

\_\_\_\_\_  
Provided by DEP

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

**B. Instructions (cont.)**

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 <https://www.mass.gov/service-details/massdep-regional-offices-by-community>).
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.

## **Attachment C**

### **Riverfront Alternative Analysis**

**Riverfront Alternatives Analysis**  
**The Estates at LeBaron Hills**  
**Phase V Modification off LeBaron Boulevard**  
**Lakeville, MA**  
**January 13, 2023**

The applicant, The Residences at LeBaron Hills, LLC, is proposing construction of condominiums with associated amenities within the riverfront area of the Thompson Brook. This Alternatives Analysis is to document compliance with the performance standards for work within the riverfront area per the Massachusetts Wetlands Protection Act and its regulations at 310 CMR 10.58(4), in support of the Notice of Intent filed for this project. This site is part of a former gravel and is currently mostly cleared with ground cover and a shrub layer in some areas (see "The Estates at LeBaron Hills Phase V Modification a Residential Subdivision" prepared by Outback Engineering, Inc. dated December 12, 2022). The total riverfront area on site is 470,628 S.F. The disturbance within the 100' inner riparian zone is 0 S.F. and the disturbance within the 200' outer riparian zone is 10,516 S.F. (2.2%).

**Proposed Activity:** The project includes the construction of 4 condominium buildings with associated amenities which include parking, drainage and grading.

A silt fence will be used for erosion control.

**Performance Standards:** We have documented that the proposed work shown on the site plans will have no significant adverse impact on the riverfront area to protect these interests, per 310 CMR 10.58(4):

- The entire site is within flood zone designated as a Zone X as shown on the Flood Insurance Rate Map for Plymouth County, Map Number: 25023CO426J, with an effective date of 7/17/12.
- Silt fence has been proposed at the limit of the proposed work. This will prevent any sediment from the construction process from entering the wetlands and Brook. Silt fence will remain in place until the site has been fully stabilized.
- It's unlikely that the river contains shellfish, but if present, shellfish would be equally protected with the proposed project which utilizes DEP-approved BMPs for stormwater runoff treatment to prevent degradation of water quality.
- Fisheries are equally protected with the proposed project because no work is proposed within the wetlands or waterway of the river and stormwater runoff water quality is preserved via the use of DEP-approved BMPs.
- There is no practicable and substantially equivalent economic alternative to the proposed project with less adverse effects on the interests identified in M.G.L. c. 131 § 40. We've pushed the construction as close to the road as we can.

**Summary:** In summary, the proposed construction of 4 condominium buildings with associated amenities will have minimal impact within the riverfront area and the buffer zone to the bordering vegetated wetlands on site, and it meets all the above performance standards of 310 CMR 10.58(4).

Sincerely,  
**Outback Engineering, Inc.**

Gregory Drake  
Wetland Specialist







FOR REGISTRY USE ONLY  
 I CERTIFY THAT THIS PLAN HAS  
 BEEN PREPARED IN CONFORMANCE  
 WITH THE REQUIREMENTS  
 OF THE RECORDERS OF DEEDS.



J.S.S.  
 DATE: PROFESSIONAL LAND SURVEYOR

APPROVED AND ENDORSED UNDER SEAL  
 OF THE LAKEVILLE ZONING BOARD  
 OF APPEALS.  
 DATE: \_\_\_\_\_

LAKEVILLE ZONING BOARD OF APPEALS

NOTES: THAT NO PLANS HAVE  
 BEEN FILED SINCE PLANNING BOARD  
 APPROVAL AND THAT NO APPEAL  
 HAS BEEN FILED AT THIS OFFICE.

TOWN CLERK - TOWN OF LAKEVILLE

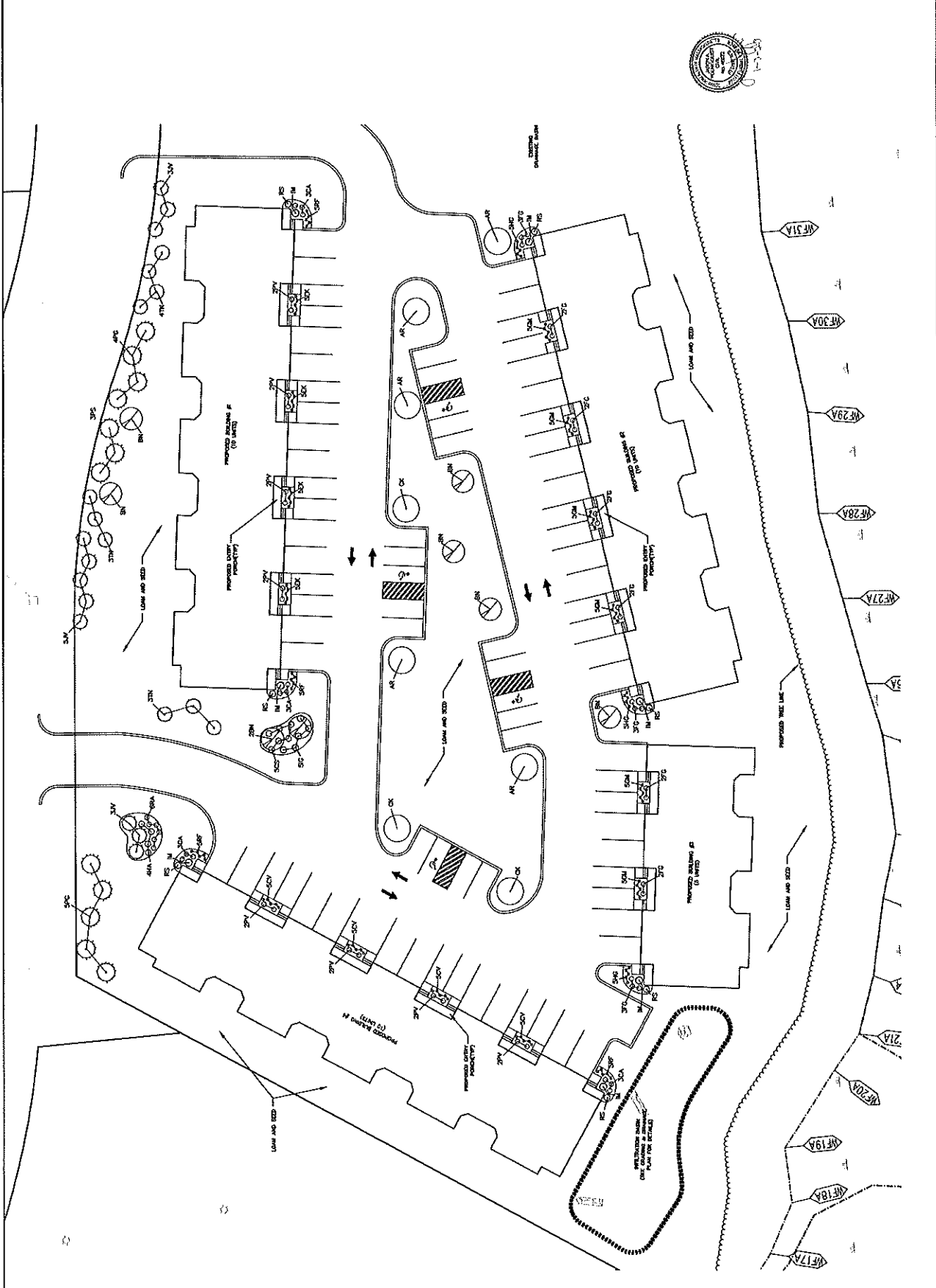
**OWNER & APPLICANT**  
 THE RESIDENCES AT LEBARON HILLS, LLC  
 SOUTH LAKENHAM, MA 02575  
 ADDRESS: MAP-28 BLOCK-3 LOTS 10  
 ASSESSORS MAP-18 BLOCK-3 LOTS 1 & 2

**REVISIONS**  
 NO. DATE DESCRIPTION

**LANDSCAPE PLAN  
 "THE ESTATES AT  
 LEBARON HILLS"  
 PHASE V MODIFICATION**  
 RESIDENTIAL SUBDIVISION  
 LAKEVILLE  
 MASSACHUSETTS



115 EAST OCHS STREET  
 MIDLEBOROUGH, MA 02346  
 TEL: (508) 846-9231  
 DRAWN BY: M.A.S. CHECKED BY: J.A.T.  
 DATE: 12-12-22 PROJECT NO.: 18856  
 SHEET NO.: 1 OF 2

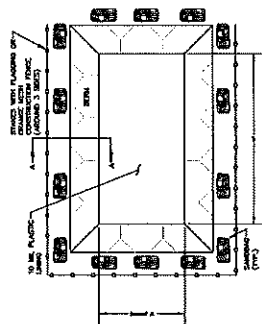
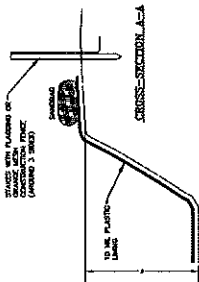




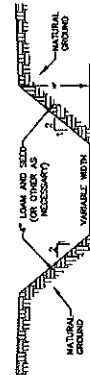
**Construction and Maintenance Schedule**

1. Construction and Maintenance Schedule shall be the responsibility of the Contractor and shall include the following items:

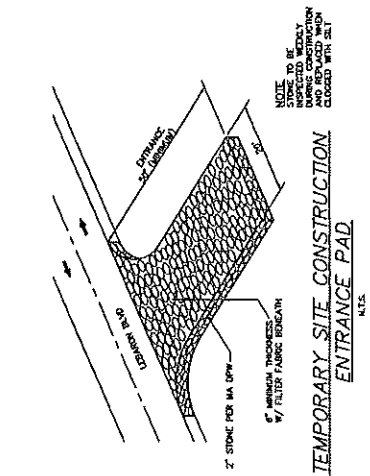
1. Obtain necessary permits from the appropriate authority for the construction of the project.
2. Obtain necessary permits from the appropriate authority for the construction of the project.
3. Obtain necessary permits from the appropriate authority for the construction of the project.
4. Obtain necessary permits from the appropriate authority for the construction of the project.
5. Obtain necessary permits from the appropriate authority for the construction of the project.
6. Obtain necessary permits from the appropriate authority for the construction of the project.
7. Obtain necessary permits from the appropriate authority for the construction of the project.
8. Obtain necessary permits from the appropriate authority for the construction of the project.
9. Obtain necessary permits from the appropriate authority for the construction of the project.
10. Obtain necessary permits from the appropriate authority for the construction of the project.



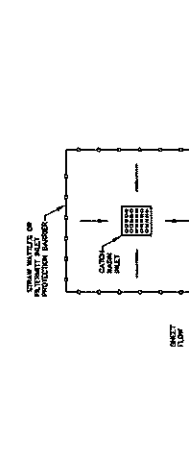
**BELOW GRADE CONCRETE WASHOUT PIT**  
NOT TO SCALE



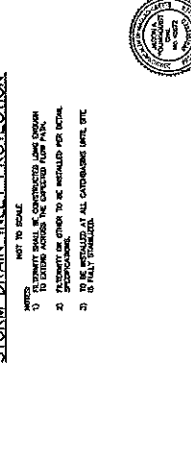
**TEMPORARY DIVERSION BERM/SWALE DETAIL**  
CONTRACTOR SHALL STABILIZE AS NECESSARY USING 10% GRADED STONE. CROSS CONTROL BLANKETS AND/OR LOAM & SEED.



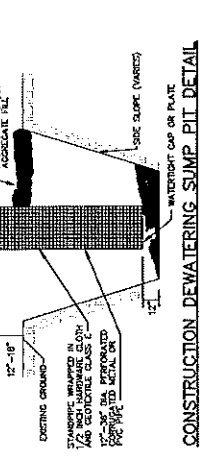
**TEMPORARY SITE CONSTRUCTION ENTRANCE PAD**  
NOT TO SCALE



**STORM DRAIN INLET PROJECTION**  
NOT TO SCALE



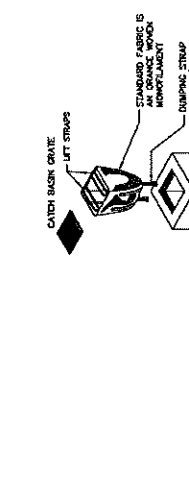
**SILT SACK DETAIL**  
NOT TO SCALE



**GEOTEXTILE EROSION CONTROL BLANKET**  
NOT TO SCALE



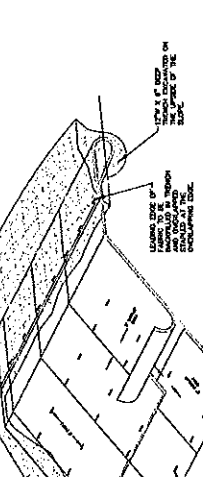
**CATCH BASIN GRATE**  
NOT TO SCALE



**DANDY SACK SILT SACK**  
NOT TO SCALE



**SILTATION FENCE DETAIL**  
NOT TO SCALE



**CONSTRUCTION DEWATERING SUMP PIT DETAIL**  
NOT TO SCALE

FOR REGISTRY USE ONLY  
I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE OF THE REGULATIONS OF REGISTRY OF PROFESSIONAL LAND SURVEYORS  
DATE: 1/2/22  
DATE: PROFESSIONAL LAND SURVEYOR

APPROVED AND ORDERED UNDER SEAL OF THE TOWN OF LAKEVILLE  
DATE: 1/2/22  
DATE: TOWN CLERK - TOWN OF LAKEVILLE

OWNER & APPLICANT  
THE RESIDENCES AT LEAFHORN HILLS, LLC  
5000 W. WINDY HILLS ROAD  
LAKEVILLE, MASSACHUSETTS 01946  
ASSESSORS MAPS: 18B003 LOTS 1 & 2

SEDIMENTATION & EROSION CONTROL DETAILS AT THE ESTATES AT LEAFHORN HILLS, LLC PHASE 4 SUBDIVISION  
RESIDENTIAL SUBDIVISION  
LAKEVILLE MASSACHUSETTS

DATE: 1/2/22  
PROJECT NO: 18056  
SHEET 2 OF 10

Outback Engineering  
100 STATE STREET  
MIDDLEBOROUGH, MA 01546  
TEL: (508) 846-9231  
DRAWN BY: J.A.T.  
CHECKED BY: J.A.T.  
DATE: 1/2/22  
PROJECT NO: 18056  
SHEET 2 OF 10











**FOR REGISTRY USE ONLY**

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE OF THE REGULATIONS OF THE REGISTERED PROFESSIONAL LAND SURVEYORS.

**DATE:** 10/15/22  
**DATE:** PROFESSIONAL LAND SURVEYOR

APPROVED AND ENDORSED UNDER M.G.L. CHAPTER 269A, SECTION 27B BY THE LAKEVILLE ZONING BOARD.

**RULE:**

LAKEVILLE ZONING BOARD OF APPEALS

I CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR AND THAT NO APPEAL HAS BEEN FILED AT THIS OFFICE.

TOWN CLERK - TOWN OF LAKEVILLE

**OWNER & APPLICANT**  
 THE ESTATES AT LEBARON HILLS, LLC  
 32 WINDSOR AVENUE  
 SOUTH DORSET, MA 02570  
 ASSESSORS MAP: 10, BLOCK: 0351, LOT: 2

**REVISIONS**

NO. DATE BY

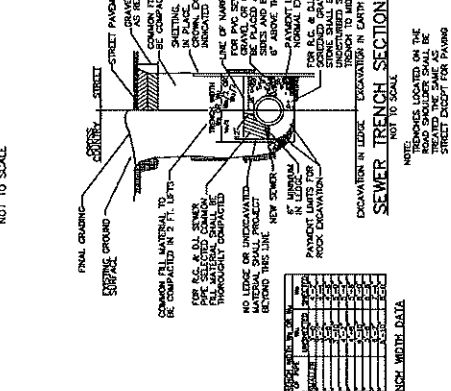
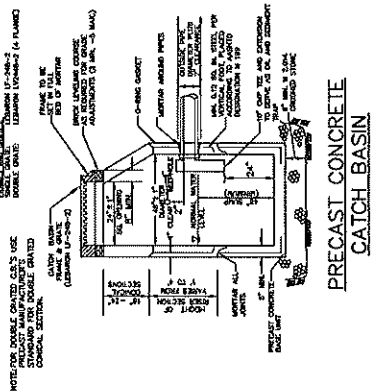
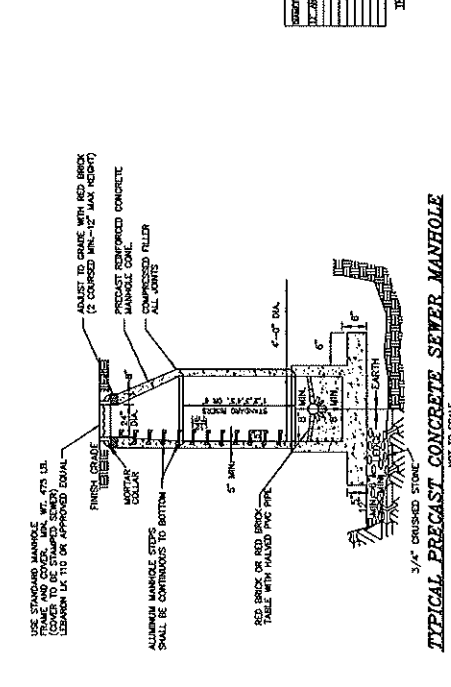
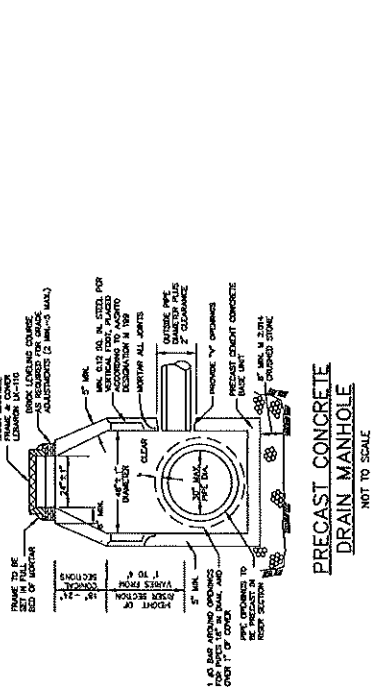
CONSTRUCTION DETAILS  
 THE ESTATES AT LEBARON HILLS  
 PHASE V MODIFICATION  
 RESIDENTIAL SUBDIVISION  
 LAKEVILLE  
 MASSACHUSETTS

**Outback Engineering**  
 Incorporated  
 165 EAST GROVE STREET  
 NORTH DORSET, MA 02570  
 TEL: (508) 646-4346  
 DRAWN BY: K.A.L. CHECKED BY: J.A.T.  
 DATE: 12-12-22 PROJECT NO.: 18556  
 SHEET NO.: 11 OF 11

**Questions and Interpretations:**

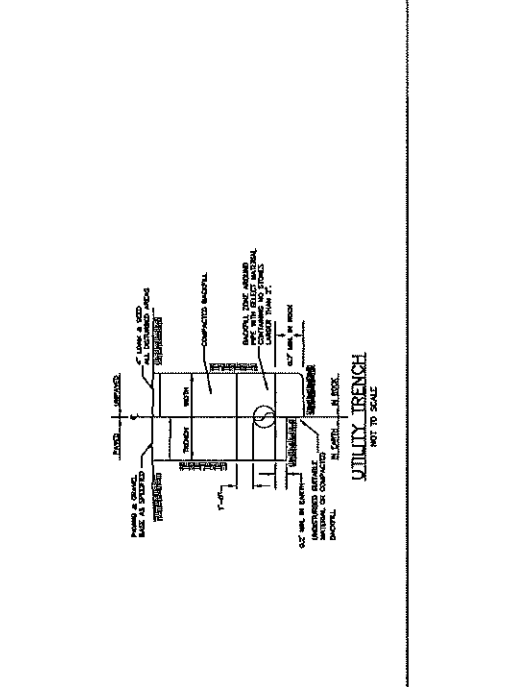
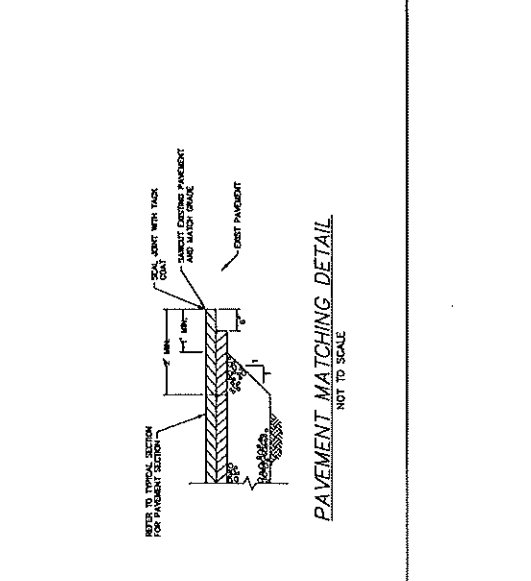
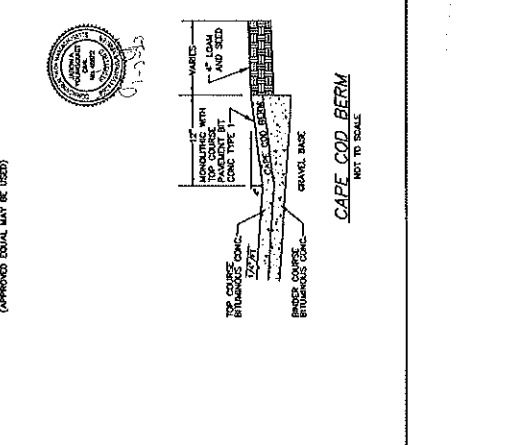
A) Construction Questions and Interpretations: Questions/Comments, the contractor shall be required to answer to ensure the proper construction and function of the proposed work.

1. The contractor shall ensure that all materials used are of the highest quality and meet the specifications of the project.
2. The contractor shall ensure that all work is completed in accordance with the approved plans and specifications.
3. The contractor shall ensure that all work is completed in a timely manner and in accordance with the approved schedule.
4. The contractor shall ensure that all work is completed in a safe manner and in accordance with all applicable safety regulations.
5. The contractor shall ensure that all work is completed in a clean manner and in accordance with all applicable environmental regulations.
6. The contractor shall ensure that all work is completed in a professional manner and in accordance with all applicable industry standards.
7. The contractor shall ensure that all work is completed in a manner that is consistent with the overall appearance of the project.
8. The contractor shall ensure that all work is completed in a manner that is consistent with the overall quality of the project.
9. The contractor shall ensure that all work is completed in a manner that is consistent with the overall safety of the project.
10. The contractor shall ensure that all work is completed in a manner that is consistent with the overall environmental impact of the project.



**TRENCH WIDTH DATA**

DEPTH OF TRENCH	MINIMUM WIDTH	MAXIMUM WIDTH
0' - 4'	36"	48"
4' - 8'	48"	60"
8' - 12'	60"	72"
12' - 16'	72"	84"
16' - 20'	84"	96"
20' - 24'	96"	108"
24' - 28'	108"	120"
28' - 32'	120"	132"
32' - 36'	132"	144"
36' - 40'	144"	156"
40' - 44'	156"	168"
44' - 48'	168"	180"
48' - 52'	180"	192"
52' - 56'	192"	204"
56' - 60'	204"	216"





Town of Lakeville  
Conservation Commission  
November 22, 2022 at 7pm

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

**Staples Shore Rd** - Notice of Intent - removal of trees and brush within 20-feet of Assawompset Pond Dam. Tighe & Bond. Peter Backhaus, an environmental scientist, from Tighe & Bond was present for discussion representing the City of Taunton Water Division. The City of Taunton is the owner of the Assawompset Pond dam and is responsible for operation and maintenance. This is an NOI for tree removal. There was a safety assessment done last year and it was found that the trees on the dam are causing it to be in poor condition. They will be cutting down the trees and brush on the dam embankment and within 20-feet of the embankment. This will bring the dam safety rating from poor to a fair or good condition. There is nothing on the water side of the dam to be removed, nothing rooted in the pond. On the other side there is some forested area toward the west end, and they did say they would be cutting trees there just to be safe, because the tree line goes back and forth. They don't expect much of an impact, they are just looking to catch up on the maintenance and get the dam back to its original safety condition and then maintain it in the future. They are looking to do this work as soon as Middleboro and Lakeville give approval. The trees are going to be brought up onto the dam and chipped and brought off site. Nothing is going to be filled in, and for now, no stump removal. Member Yeatts said she attended the Middleboro Conservation meeting where this project was presented and a site visit has already taken place. Both Middleboro and Lakeville received the same NOI and she would like to see both towns working together on this. She would like to continue the hearing and go to the next Middleboro meeting. She would like an Order of Conditions to be written together with Middleboro. Member Knox said that in section four of the packet provided, under the limited project status it mentioned Massachusetts stream crossing standards. He asked what the stream crossing standards were. Mr. Backhaus said it doesn't apply here, that's just the standard language. It would be if you had a dam with an outlet down the center, but they're not actually crossing the Nemasket River. Member Yeatts said what they would like to see is an operation and maintenance plan going forward. Mr. Backhaus said they were working with Taunton Water Division now on that. Member Yeatts hoped that updating and cleaning everything up would help them because they are still trying to get a dredge permit to get the river flowing. It's a lot of permitting so it won't be this year, it has to go through the Army Corps of Engineers. They may be able to use some of the information or the as-built to help get the dredging permit. Member Chamberlain asked if any abutters were present. None were present. Member Faherty asked about the dam safety rating going from poor to fair with the cutting of vegetation. Mr. Backhaus said it would have

to go through a whole assessment again, but that was the primary thing that lowered all the scores across the board. This was the option they could afford as of right now because it's just removing trees. The plan, if funding becomes available, is to fix up the emergency spillway, rearmor, and they'd also like to regrade some areas that have been washed away.

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

Voted: to continue the Staples Shore Road hearing to December 13<sup>th</sup> at 7pm.

Unanimous approval.

*Documents: Notice of Intent packet*

**348-350 Bedford St** - Request for Determination of Applicability - convert former bank into a brewpub - Outback Engineering. Jim Pavlik from Outback and Shawn and Brian Donnelly from Red Hand Brewing were present for discussion. They are looking for a change of use for the former bank to turn it into a brewpub. There are two wetland resource areas, Assawompset Pond and bordering vegetated wetlands (BVW). There is no proposed earthwork, they're just making a change of use in the building. There will be a small addition at the back of the building, they are enclosing the drive-through, but it's outside the 100-foot buffer. They will be adding some fencing around the dumpster, a wastewater holding tank, and a portable trailer-type toilet facility seasonally. Member Chamberlain asked if the fencing would affect the BVW. Mr. Pavlik said everything is outside the 100-foot buffer. Member Faherty asked if the portable toilet would be pumped or if it would tie into the septic. Mr. Pavlik said it would be pumped. Member Faherty asked what by-products came out of the brewing process and how are they maintained. Brian Donnelly said they do use some caustic acids, but because they are so close to Assawompset they are having a 1,000-gallon wastewater tank installed. All of the wastewater from the brewing process as well as the cleaning process will be pumped into the tank and then taken off-site. Member Chamberlain asked how often the tank will be pumped. Mr. Donnelly said it should last two or three 90-gallon batches, so probably once a month. There are alarms that will alert them when it's close to full.

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

Voted: to issue a negative 3 determination.

Unanimous approval.

*Documents: Request for Determination of Applicability packet.*

**3 Precinct St** - Notice of Intent - septic repair - Zenith Consulting Engineers. Rene Gagnon from Zenith was present for discussion. This is a septic upgrade plan for an existing 3-bedroom house that shares it's parcel with the Lakeville United Church of Christ. There's an existing septic system in the front of the house approximately 70-feet from the wetland on the west side of the property. They would like to move the septic system to the east side of the property. There will be a new tank, new pump chamber,

pump, and new field installed. There is an existing perennial stream and the entire area that will be disturbed is in the riparian zone and within the 100-foot buffer to the wetlands. Member Yeatts asked if this property was on town water. Mr. Gagnon said it was on Taunton water.

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

Voted: to close the hearing and issue the standard Order of Conditions.

Unanimous approval.

*Documents: Notice of Intent packet.*

**22 Montgomery St** - Request for Certificate of Compliance, SE192-767 - Zenith Consulting Engineers. Rene Gagnon from Zenith was present for discussion. He said that for this project, there was an Order issued in 2017. No work was ever done, so the permit expired. In 2022, a second Order was issued without the first one being closed. They would just like to close the old Order so when work starts on the new Order there won't be any confusion.

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

Voted: to issue a Certificate of Compliance for SE192-767, 22 Montgomery Street.

Unanimous approval.

*Documents: Request for Certificate of Compliance.*

**29 & 33 Riverside Drive** - Request for Certificate of Compliance, SE192-805 - Zenith Consulting Engineers. Rene Gagnon from Zenith was present for discussion. The site walk has been done and the site is stabilized. Chairman Bouchard said he walked the site with Jamie Bissonnette and was satisfied with the conditions.

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

Voted: to issue a Certificate of Compliance for 29 & 33 Riverside Drive, DEP #192-805.

Unanimous approval.

*Documents: Request for Certificate of Compliance.*

**Cottage Lane Right-of-Way** - Request for Determination of Applicability - Boutilier - build a wooden deck at the end of the right of way. Amy Boutilier and Attorney Michael O'Shaughnessy were present for discussion. Ms. Boutilier submitted an RDA for six lots on Cottage Lane for a dock that was built in 1990. The dock was removed in September 2021 and they would like to rebuild it back to the way it was. Attorney O'Shaughnessy said the dock was issued a Chapter 91 license in 2009 and is recorded at the registry of deeds. This was an extension of the existing dock. The existing dock went out about 40-feet and had a hammerhead. In 2009, they came before the Commission to extend the dock and get rid of the hammerhead. Member Yeatts said her only concern was Natural Heritage. Attorney O'Shaughnessy explained that the dock is already installed. It was the ramp leading from the land to the dock that was removed. They would like to reinstall the ramp. There would be some work on the land and some in

the water. They want to replace the decking, there will be no pilings. Attorney O'Shaughnessy said it has nothing to do with the dock, it's the decking leading to the dock that they're looking to replace. Member Knox asked what construction method they would be using to build the new deck. Ms. Boutilier supplied photographs of the dock. There would be no digging involved, it's just decking. The end of the ramp will sit on top of the rocks. Member Chamberlain asked who was listed as the property owner of the right-of-way. Ms. Boutilier explained that the right-of-way was deeded to six lots. The McLellans, abutters from 11 Cottage Lane, stated that deck was built illegally in 1990. He said the right-of-way is 5-feet wide and they want a 10x20 replacement deck. They said there is no permit recorded at the registry of deeds. Member Yeatts said that would be a civil matter, the Commission's job is just to protect the resource area. Member Chamberlain noted that the application showed the dimensions would be slightly smaller than what was previously there. Chairman Bouchard said it wasn't the Commission's job to decide whose land it was, it was only to approve or disapprove of the permit to do some repairs. That is what he okayed because of possible safety conditions. He allowed them to remove the existing damaged deck. Magdalene Lague from 9 Cottage Lane said her only concern was storing the pier on the right-of-way. Chairman Bouchard said that should be a practice they regulate themselves. It isn't up to the Commission. There was a brief discussion about what was in the Commission's purview. Attorney O'Shaughnessy said they are just looking for a negative determination so they can restore what was removed. Richard Sasseville from 9 Cottage Lane asked to see the diagram of what was proposed. He asked if it was more than 5-feet. There was a discussion about dimensions and location. Member Chamberlain asked what the original width was of the dock and pier permit. Mr. Sasseville said it was 10x20. Attorney O'Shaughnessy added that the proposed was smaller. The attorney for the McLellans asked about how the dock would be held down to make it safe. Ms. Boutilier said the dock that smashed into the McLellan's dock was the DEP water dock that wasn't augered down enough during a wind storm. It didn't have anything to do with the wooden dock they are trying to build. Member Chamberlain asked what she meant by DEP dock. She explained that it was the Chapter 91 dock that moved, not the wooden deck that was secured to the ground. It was the one in the water. They are licensed for a 60' dock with DEP. Member Faherty asked if it was the 60' section of the dock that damaged the neighboring dock. Ms. Boutilier said it was. Member Faherty followed up by asking how they had remediated that from happening again. Ms. Boutilier explained they had added more equipment and augers and now it hasn't moved. They were told they couldn't connect to the neighboring land so they paid more money and had more work done to secure it more without connecting to the land. Member Yeatts reiterated to the abutters that the Commission was only determining if the proposed plan will hurt the resource area or not. Member Chamberlain added that if they weren't going into the water, not drilling into the water, not pouring new foundation, not excavating; all you're doing is replacing the deck of a dock. He asked Ms. Boutilier if that was what they were asking for. Member Knox said it would a negative determination in his eyes.

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

Voted: to issue a negative 3 determination with a condition that if anything blows into the water it needs to be immediately taken out.

Unanimous approval.

*Documents: Request for Determination of Applicability, photos.*

**Meeting Minutes:** 8/23/22, 9/13/22, 9/27/22.

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

Voted: to approve the meeting minutes for 8/23/22, 9/13/22, 9/27/22, as corrected.

Unanimous approval.

*Documents: Meeting minutes.*

**Audubon site walk** - Member Yeatts gave a summary of the site walk that took place. She explained that it was 23 acres behind the Middle School that is accessed over the railroad tracks. The Audubon representative was satisfied with how everything looked.

**Adjournment** - (8:06pm)

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

Voted: to adjourn.

Unanimous approval.