



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>May 9, 2023 @ 7pm</u>
Location of Meeting:	<u>Lakeville Council on Aging 1 Dear Crossing, 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 **R e v i s e d**

1. **Residences at LeBaron Hills** - Notice of Intent - Phase 5 modifications - Outback Engineering - continued from 4/25/23.
2. **310 Kenneth Welch Drive** - Notice of Intent - Increase in parking and wetland replication Goddard Consulting - continued from 4/25/23.
3. **2 Bedford St.** - Request for Certificate of Compliance - SE192-856 -continued from 4/25/23.
4. **103 Staples Shore Rd.** - Request for extension of Order of Conditions - SE192-845 - continued from 4/25/23.
5. **2 Rachel's Way** - Notice of Intent -SE192-894 - Construction of single-family home. Foresight Engineering.
6. **Meeting Minutes** - March 14th 2023.
7. **Notice of Intent for septic systems** - discussion
8. **Beech Leaf Disease** - discussion

NEW BUSINESS:

OLD BUSINESS

APPROVAL OF MINUTES

CORRESPONDENCE

ANNOUNCEMENTS

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

Foresight Engineering

518 County Road
(Wishbone Way)
West Wareham, MA 02576
508-245-2148

RECEIVED

APR 24 2023

April 21, 2023

Lakeville Conservation Commission

Conservation Commission

RE: Notice of Intent, 2 Rachel's Way

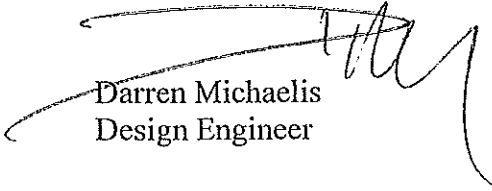
Dear Commission Members:

On behalf of *Bisio & Son Construction*, enclosed herewith please find seven (7) copies of a Notice of Intent with two (2) copies of the accompanying plan regarding the above-referenced filing. Also enclosed you will find a check in the amount of \$262.50 payable to the Town of *Lakeville* to cover the filing fee. Also find a check in the amount of \$75 payable to the Town of *Lakeville* to cover the local fee. Also find a check in the amount of \$75 payable to the Newmarket Week for the legal ad fee.

The applicant is proposing to construct a single family dwelling with grading, retaining walls, foundation drain and portion of the dwelling within the 100' buffer zone. No work is proposed within the 35' no touch zone. The applicant is also proposing to Erosion control measures have been shown on the plan in order to prevent the possibility of siltation migrating towards the resource areas.

Should you have any questions, require additional information, or desire to walk the site, please do not hesitate to contact me at the above listed phone number. **Abutters have been notified for the 5/9/23 meeting.** Thank you.

Sincerely,
Foresight Engineering, Inc.


Darren Michaelis
Design Engineer

Cc: DEP – Southeast

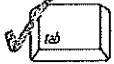


Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 3 – Notice of Intent
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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):

2 Rachels Way
 a. Street Address
 Lakeville
 b. City/Town
 02347
 c. Zip Code
 Latitude and Longitude:
 014/004
 f. Assessors Map/Plat Number
 d. Latitude
 005-01
 g. Parcel /Lot Number
 e. Longitude

2. Applicant:

a. First Name
 Bisio & Son Construction
 b. Last Name
 c. Organization
 11 Pine Bluff Ave
 d. Street Address
 Lakeville
 e. City/Town
 MA
 f. State
 02347
 g. Zip Code
 h. Phone Number
 i. Fax Number
 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):

Darren
 a. First Name
 Michaelis
 b. Last Name
 Foresight Engineering Inc.
 c. Company
 518 County Road
 d. Street Address
 West Wareham
 e. City/Town
 MA
 f. State
 02576
 g. Zip Code
 508-245-2148
 h. Phone Number
 foresight_enginc@yahoo.com
 j. Email address
 i. Fax Number

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

\$500
 a. Total Fee Paid
 \$262.50
 b. State Fee Paid
 \$237.50
 c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

New construction of a single family dwelling with portion of dwelling, septic tank, pump tank, retaining walls, foundation drain outlet and grading within the buffer zone.

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.

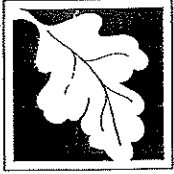
8. Property recorded at the Registry of Deeds for:

Plymouth	
a. County	b. Certificate # (if registered land)
56006	29
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.



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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.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
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 _____ 3. cubic yards dredged _____	2. square feet _____

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet _____ 3. cubic feet of flood storage lost _____	2. square feet _____ 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	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: _____ square feet

4. Proposed alteration of the Riverfront Area:

a. total square feet _____ b. square feet within 100 ft. _____ 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.



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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 _____

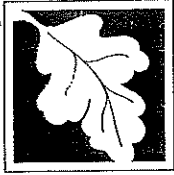
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	1. linear feet _____	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet _____	
h. <input type="checkbox"/> Salt Marshes	1. square feet _____	2. sq ft restoration, rehab., 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 _____



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Lakeville

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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

1. 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.

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

Online _____
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*

1. 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

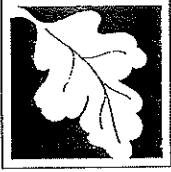
2. Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **

(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 <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/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.



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

- (c) MESA filing fee (fee information available at http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/mesa_fee_schedule.htm). 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, http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/mesa_exemptions.htm; 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:

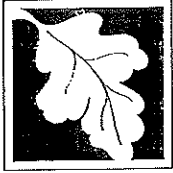
South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: DMF.EnvReview-South@state.ma.us

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: DMF.EnvReview-North@state.ma.us

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.



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Provided by MassDEP:

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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.

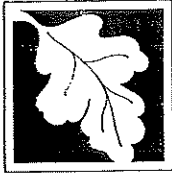
D. Additional Information

- 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.



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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.

Septic System Design

a. Plan Title

Foresight Engineering Inc.

b. Prepared By

4/20/23

d. Final Revision Date

Kevin Walker

c. Signed and Stamped by

1"=40'

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:

1344

2. Municipal Check Number

1345

4. State Check Number

Foresight Engineering Inc.

6. Payor name on check: First Name

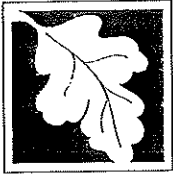
4/21/23

3. Check date

4/21/23

5. Check date

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
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Provided by MassDEP:

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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	2. Date
3. Signature of Property Owner (if different)	4/21/23
5. Signature of Representative (if any)	4. Date
	4/21/23
	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.

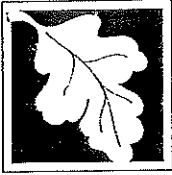
For MassDEP:

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:

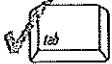
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

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:

2 Rachel's Way	Lakevill
a. Street Address	b. City/Town
1345	\$237.50
c. Check number	d. Fee amount

2. Applicant Mailing Address:

a. First Name	b. Last Name	
Bisio & Son Construction		
c. Organization		
11 Pine Bluff Ave		
d. Mailing Address		
Lakeville	MA	02347
e. City/Town	f. State	g. Zip Code
_____	_____	_____
h. Phone Number	i. Fax Number	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

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.

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



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 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
New Construction of SF Dwelling	1	\$500	\$500

Step 5/Total Project Fee: \$500

Step 6/Fee Payments:

Total Project Fee:	<u>\$500</u>
State share of filing Fee:	<u>\$237.50</u>
City/Town share of filling Fee:	<u>\$262.50</u>
	a. Total Fee from Step 5
	b. 1/2 Total Fee less \$12.50
	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.)

Town of Lakeville Conservation Commission
Notice of Public Hearing

Pursuant to M.G.L. Ch 131, the Wetlands Protection Act, the Lakeville Conservation Commission will hold a public hearing on May 9th, 2023 at 7pm at the Lakeville Police Station, 323 Bedford Street, on a Notice of Intent filing. The applicant, Bisio & Son Construction, is proposing the construction of a single family dwelling with onsite septic and well with associated grading and site work within the buffer zone of an existing wetland resource area.

The project is located at 2 Rachel's Way and also identified as Assessors
Map 004 Block 004 Lot 005-01

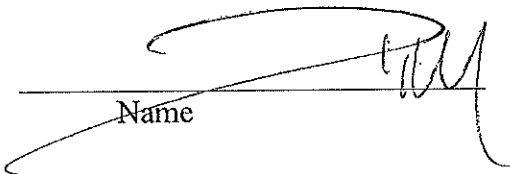
AFFIDAVIT OF SERVICE

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

I, Darren Michaelis, hereby certify under the pains and penalties of perjury that on 4/24/23, I will give 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 (NOI) has been filed under Massachusetts Wetlands Protection Act M.G.L. c.131, §40, by the applicant, *Bisio & Son Construction*, with the Town of *Lakeville* Conservation Commission, for the purpose of *constructing a new dwelling with grading, retaining walls and foundation drain within the buffer zone.*

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 4/21/23

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 Bisio & Son Construction
- B. Property is owned by: Bisio & Son Construction
- C. The applicant has filed a Notice of Intent with the Conservation Commission for the municipality of Lakeville, 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 2 Rachel's Way
- E. Assessors Map and Lot Number: 14/004/005-01
- F. Copies of the Notice of Intent may be examined at Lakeville Conservation Commission between the hours of 9:00 a.m. and 4:30 p.m. Monday through Friday.
- G. Brief description of project: New construction of a single family dwelling with portion of dwelling, septic tank, pump tank, retaining walls, foundation drain outlet and grading within the buffer zone.
- H. Copies of the Notice of Intent may be obtained from either (check one) the Applicant _____ or the applicant's representative X, by calling this telephone number 508-245-2148 between the hours of _____ and _____ on the following days of the week:

- I. Information regarding the date, time, and place of the public hearing may be obtained from the Lakeville Conservation Commission by calling 508-946-8823 between 9:00 a.m. and 4:30 p.m. Monday through 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 Newmarket Week.

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

**MEETING 5/9/23 @ 7PM in the Lakeville Police Station
323 Bedford St, Lakville**



100 foot Abutters List Report

Lakeville, MA
April 07, 2023

Subject Property:

Parcel Number: 014-004-005-01
CAMA Number: 014-004-005-01
Property Address: 2 RACHELS WAY

Mailing Address: BISIO & SON CONSTRUCTION INC
11 PINE BLUFF
LAKEVILLE, MA 02347

Abutters:

Parcel Number: 014-004-005
CAMA Number: 014-004-005
Property Address: 132 COUNTY ST

Mailing Address: DEANE RACHEL L WHITE FAMILY IRR
TRUST
132 COUNTY ST
LAKEVILLE, MA 02347

Parcel Number: 014-004-005-03
CAMA Number: 014-004-005-03
Property Address: 4 RACHELS WAY

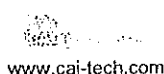
Mailing Address: BISIO & SON CONSTRUCTION INC
11 PINE BLUFF
LAKEVILLE, MA 02347

Parcel Number: 014-004-005-RD
CAMA Number: 014-004-005-RD
Property Address: ROAD RACHELS WAY

Mailing Address: BISIO & SON CONSTRUCTION INC
11 PINE BLUFF
LAKEVILLE, MA 02347

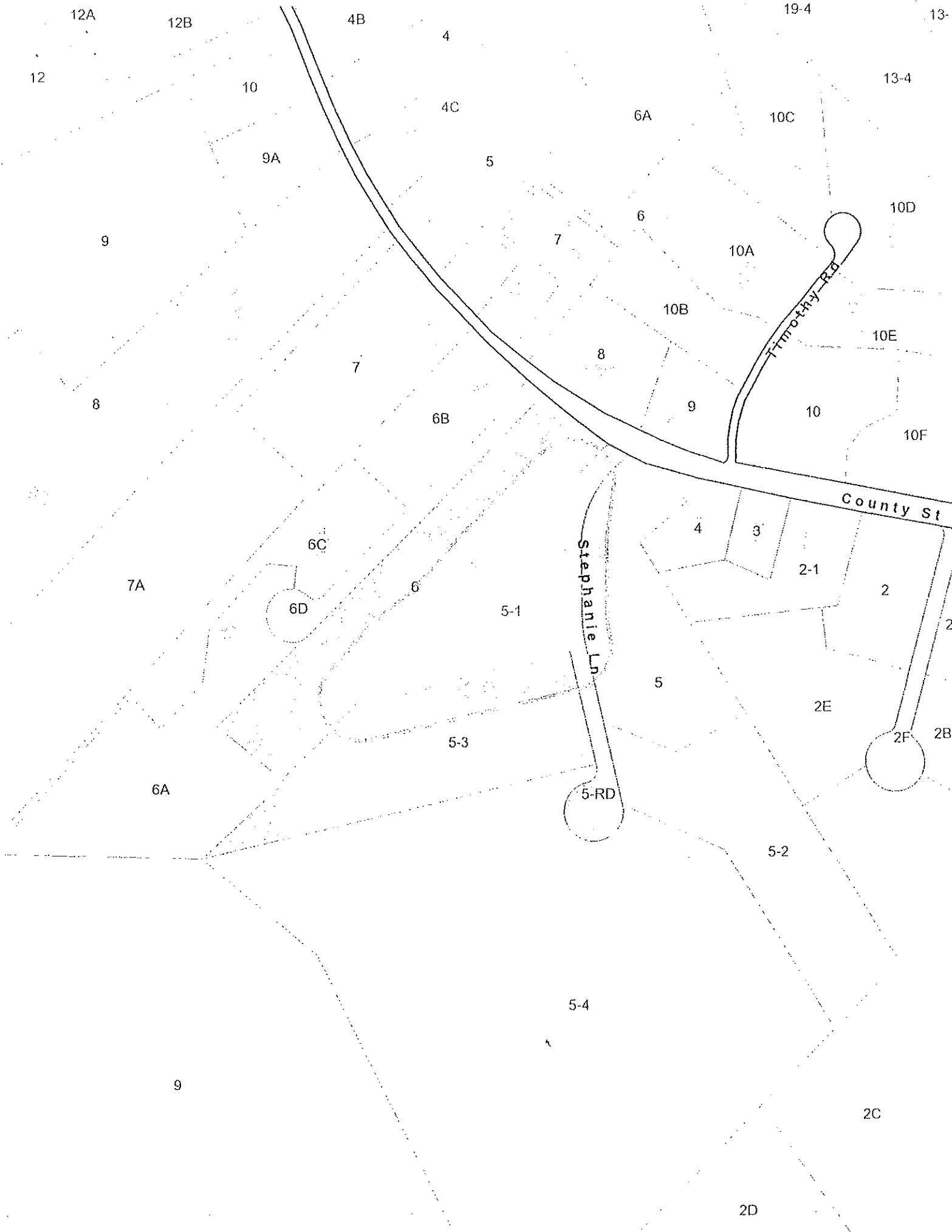
Parcel Number: 014-004-006
CAMA Number: 014-004-006
Property Address: 130 COUNTY ST

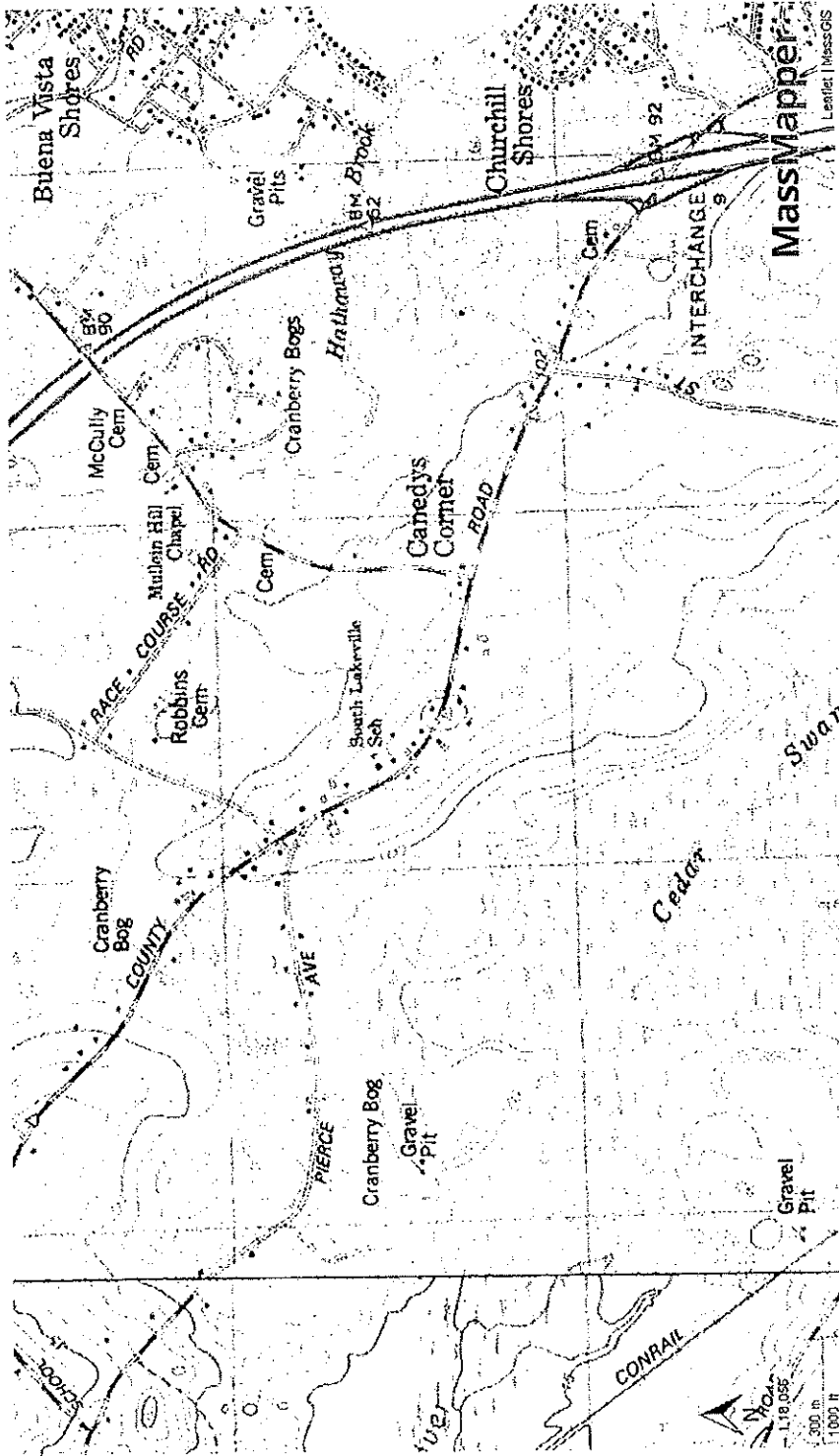
Mailing Address: WING ELMER L JR & SANDRA F
PO BOX 867
LAKEVILLE, MA 02347

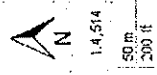
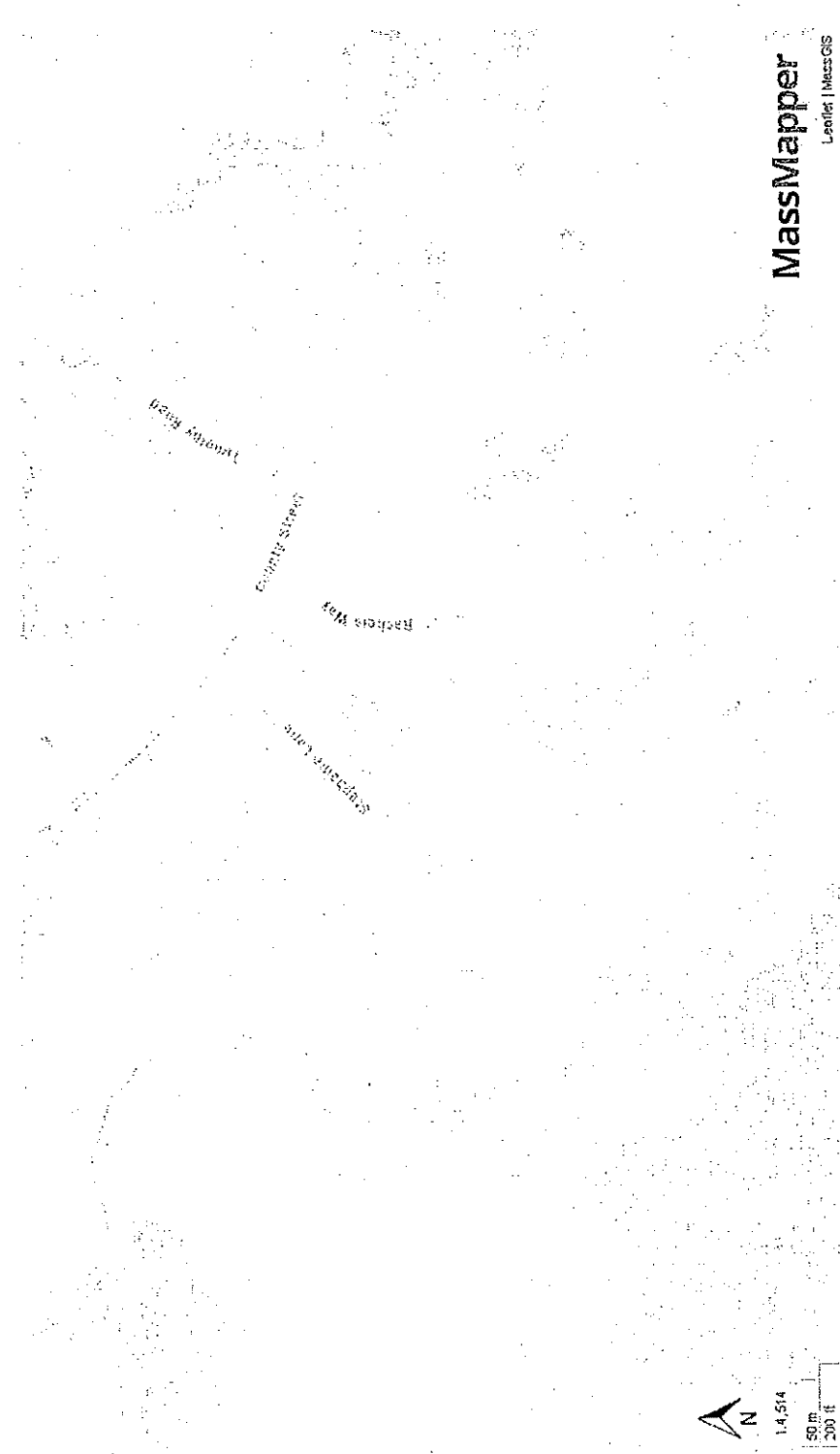


www.cai-tech.com

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.







MassMapper

Leaflet | Mapbox

CURRENT OWNER		TOPO		UTILITIES		STRT/ROAD		LOCATION		CURRENT ASSESSMENT	
BISIO & SON CONSTRUCTION INC		AIR Prcl ID 144501								Code Assessed 1300 168,800	
11 PINE BLUFF		GIS ID F_797514_2755891								Assessed 168,800	
LAKEVILLE MA 02347		Foundation								LAKEVILLE, MA	
		Assoc Pid#								VISION	

RECORD OF OWNERSHIP		BK-VOL/PAGE		SALE DATE		Q/U		VI		SALE PRICE		VC	
BISIO & SON CONSTRUCTION INC		56006 0029		11-12-2021		U		V		181,000		1U	
WHITE RANDALL E & JANICE K		36303 0342		08-26-2008		U		V		100		1A	

EXEMPTIONS		OTHER ASSESSMENTS	
Year	Code	Amount	Comm Int
		0.00	
ASSESSING NEIGHBORHOOD		NOTES	
Nbhd	Nbhd Name	Tracing	
0001		PLAN B-65 P-893, LOT 4	

BUILDING PERMIT RECORD		APPROXIMATE VALUE SUMMARY	
Permit Id	Issue Date	Type	Valuation Method
			Appraised Bldg. Value (Card)
			Appraised Xf (B) Value (Bldg)
			Appraised Ob (B) Value (Bldg)
			Appraised Land Value (Bldg)
			Special Land Value
			Total Appraised Parcel Value
			168,800

LAND LINE VALUATION SECTION																					
B	Use Code	Description	Zone	LA	Land Type	Land Units	Unit Price	Size Adj	Site Index	Cond.	Nbhd.	Nbhd. Adj	Notes	Location Adjustment	Adj Unit P	Land Value					
1	1300	Res Achdv				70,000 SF	2.37	1.00000	5	1.00	180	1.000		1.0000	2.37	165,900					
1	1300	Res Achdv				0.580 AC	5,000.00	1.00000	0	1.00	1,000	1.000		1.0000	5.000	2,900					
Total Card Land Units															2.19	SF	Parcel Total Land Area		2.19	Total Land Value	168,800

This signature acknowledges a visit by a Data Collector or Assessor

CONSTRUCTION DETAIL		CONSTRUCTION/DETAIL (CONTINUED)							
Element	Cd	Element	Cd						
Style: 99	Vacant Land								
Model: 00	Vacant								
Grade:									
Stories:									
Occupancy									
Exterior Wall 1									
Exterior Wall 2									
Roof Structure:									
Roof Cover									
Interior Wall 1									
Interior Wall 2									
Interior Fir 1									
Interior Fir 2									
Heat Fuel									
Heat Type:									
AC Type:									
Total Bedrooms									
Total Bthrms:									
Total Half Baths									
Total Xtra Fixtrs									
Total Rooms:									
Bath Style:									
Kitchen Style:									
Basement									
		<p>Building Value New 0</p> <p>Year Built 1</p> <p>Effective Year Built</p> <p>Depreciation Code</p> <p>Remodel Rating</p> <p>Year Remodeled</p> <p>Depreciation %</p> <p>Functional Obsol</p> <p>External Obsol</p> <p>Trend Factor</p> <p>Condition</p> <p>Condition %</p> <p>Percent Good</p> <p>RCNLD</p> <p>Dep % Ovr</p> <p>Dep Ovr Comment</p> <p>Misc Imp Ovr</p> <p>Misc Imp Ovr Comment</p> <p>Cost to Cure Ovr</p> <p>Cost to Cure Ovr Comment</p>							
		<p>CONDO DATA</p> <p>Parcel Id C B S</p> <p>Adjust Type Code Description B S</p> <p>Condo Fir</p> <p>Condo Unit</p> <p>Factor%</p>							
		<p>COST/MARKET VALUATION</p>							
		<p>OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)</p>							
Code	Description	L/B	Units	Yr Bld	Cond. Cd	% Gd	Grade	Grade Adj.	Appr. Value
BUILDING SUB-AREA SUMMARY SECTION									
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value			
TH Gross Liv / Lease Area		0	0	0	0	0			0

No Sketch



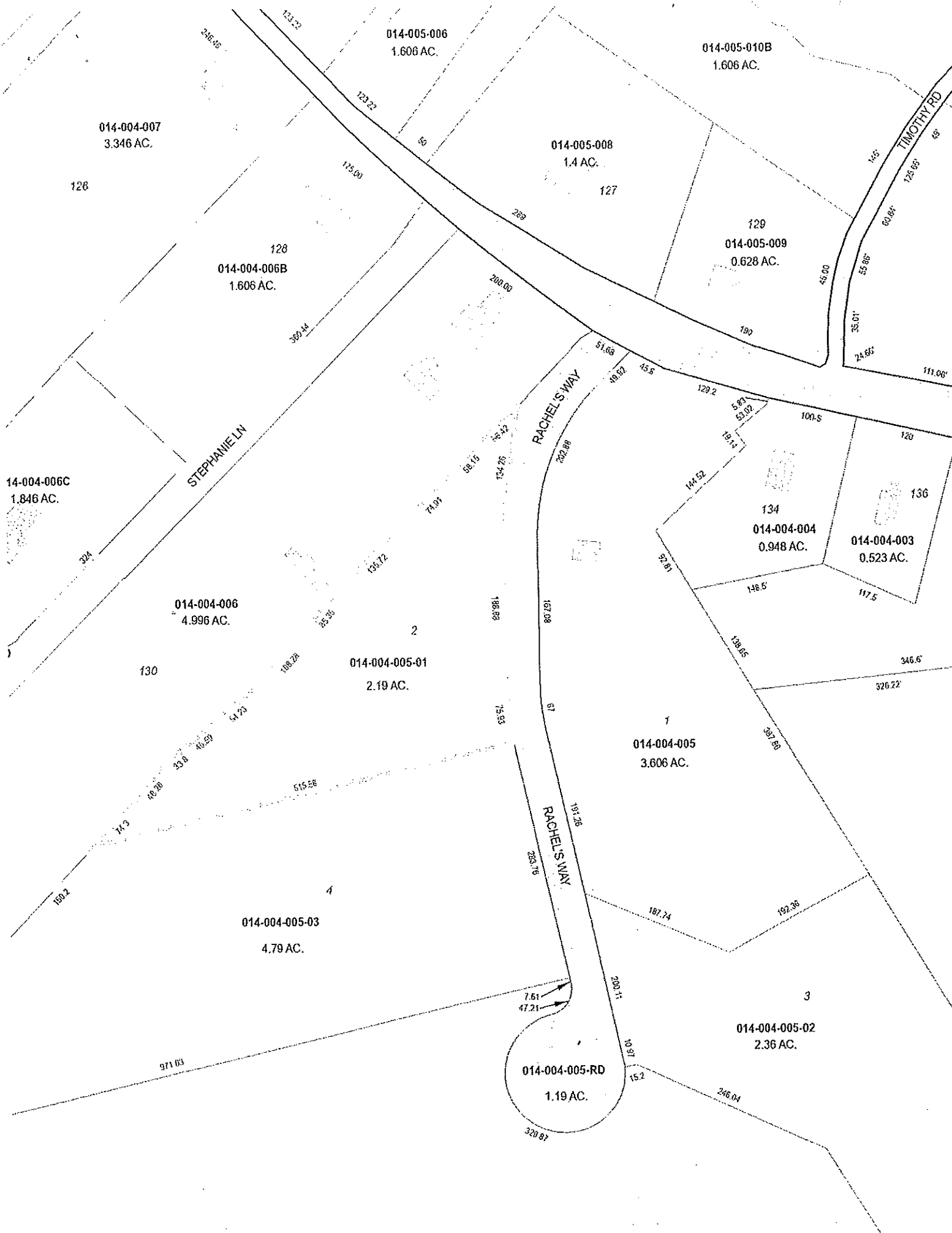
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014-004-007
3.346 AC.

014-005-006
1.606 AC.

014-005-010B
1.606 AC.

014-005-008
1.4 AC.

128
014-004-006B
1.606 AC.

129
014-005-009
0.628 AC.

14-004-006C
1.846 AC.

STEPHANIE LN

RACHEL'S WAY

TIMOTHY RD

014-004-006
4.996 AC.

014-004-005-01
2.19 AC.

134
014-004-004
0.948 AC.

136
014-004-003
0.523 AC.

1
014-004-005
3.606 AC.

014-004-005-03
4.79 AC.

3
014-004-005-02
2.36 AC.

014-004-005-RD
1.19 AC.

126

127

128

129

130

134

136

1

4

3

014-004-005-RD

971.03

7.51
47.21

200.11

10.91

15.2

320.87

246.04

346.6'

320.22

397.50

187.74

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11.91.26

187.74

67

167.08

186.69

125.93

69.69

186.15

164.42

200.00

269

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175.00

309.14

123.22

123.22

246.48

111.06'

24.60'

35.01'

55.86'

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Town of Lakeville
Conservation Commission
346 Bedford St. (office location 241 Main St.)
Lakeville, MA 02347
Phone: (508) 946-8823

Site Access Consent Form

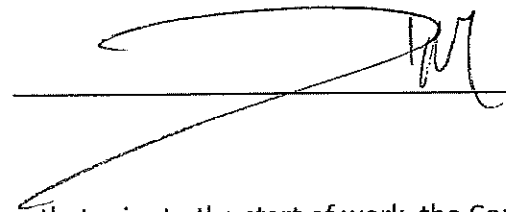
The Lakeville Conservation Commission requires specific and adequate information to make an informed decision on this filing. The Conservation Agent and/or Conservation Commissioners will need to access the property for a site visit prior to the scheduled hearing. Please indicate if you would prefer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

Name: RODOLPHO BRUNO DE NO

Project Location: 2 KACHKI'S WAY

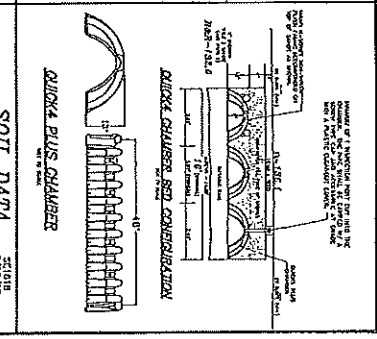
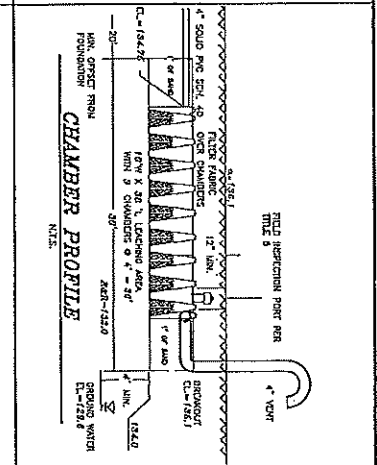
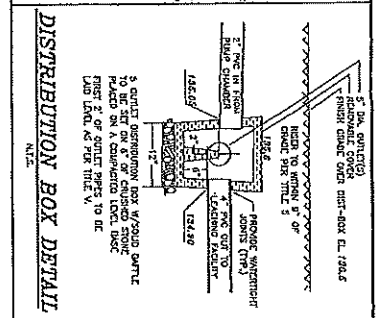
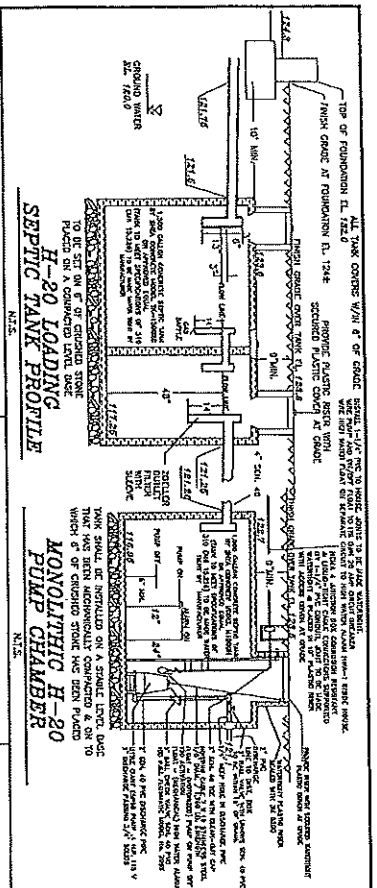
Phone Number: 508-295-2148

Email: _____

Signature: 

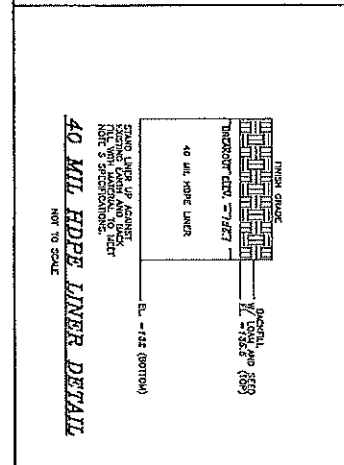
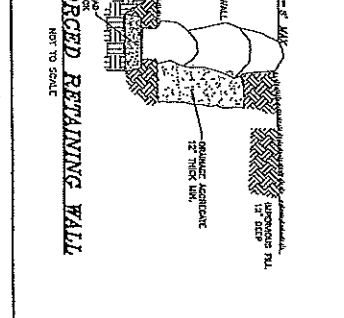
Please be aware that prior to the start of work, the Conservation Office or the Building Commissioner must be notified via email or phone.

- Conservation Commission Office 508-946-8823 email: lcandedy@lakevillema.org
- Building Commissioner Office 508-946-8804 (to inspect erosion control)



DESIGN CAPACITY REQUIRED
 SEPTIC TANK VOLUME
 SYSTEM CAPACITY PROVIDED

DESIGN CAPACITY = 473.55 GPD
 QUICK RESPONSE = 473.55 GPD
 100 GPD PER PERSON PER DAY
 4.7355 GPD PER PERSON PER DAY
 4.7355 GPD PER PERSON PER DAY
 4.7355 GPD PER PERSON PER DAY

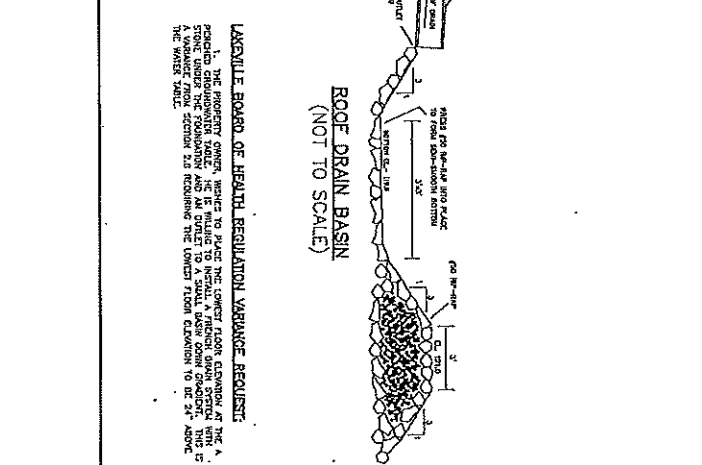
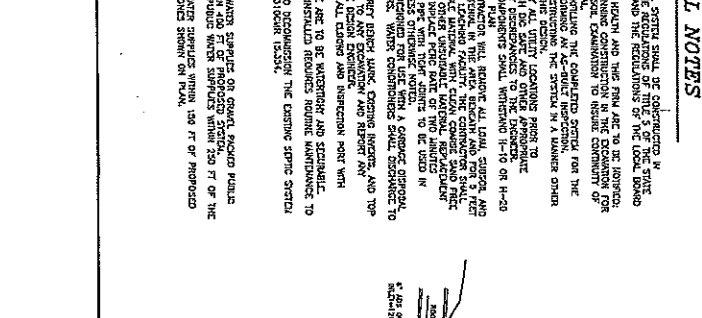


GENERAL NOTES

- 1) THE SEPTIC TANK SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE SEPTIC TANK CODE OF THE LOCAL BOARD OF HEALTH, TOWN OF LAKEVILLE, MASSACHUSETTS.
- 2) THE SEPTIC TANK SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE SEPTIC TANK CODE OF THE LOCAL BOARD OF HEALTH, TOWN OF LAKEVILLE, MASSACHUSETTS.
- 3) THE SEPTIC TANK SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE SEPTIC TANK CODE OF THE LOCAL BOARD OF HEALTH, TOWN OF LAKEVILLE, MASSACHUSETTS.
- 4) THE SEPTIC TANK SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE SEPTIC TANK CODE OF THE LOCAL BOARD OF HEALTH, TOWN OF LAKEVILLE, MASSACHUSETTS.
- 5) THE SEPTIC TANK SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE SEPTIC TANK CODE OF THE LOCAL BOARD OF HEALTH, TOWN OF LAKEVILLE, MASSACHUSETTS.
- 6) THE SEPTIC TANK SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE SEPTIC TANK CODE OF THE LOCAL BOARD OF HEALTH, TOWN OF LAKEVILLE, MASSACHUSETTS.
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- 8) THE SEPTIC TANK SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE SEPTIC TANK CODE OF THE LOCAL BOARD OF HEALTH, TOWN OF LAKEVILLE, MASSACHUSETTS.
- 9) THE SEPTIC TANK SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE SEPTIC TANK CODE OF THE LOCAL BOARD OF HEALTH, TOWN OF LAKEVILLE, MASSACHUSETTS.
- 10) THE SEPTIC TANK SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE SEPTIC TANK CODE OF THE LOCAL BOARD OF HEALTH, TOWN OF LAKEVILLE, MASSACHUSETTS.
- 11) THE SEPTIC TANK SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE SEPTIC TANK CODE OF THE LOCAL BOARD OF HEALTH, TOWN OF LAKEVILLE, MASSACHUSETTS.
- 12) THE SEPTIC TANK SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE SEPTIC TANK CODE OF THE LOCAL BOARD OF HEALTH, TOWN OF LAKEVILLE, MASSACHUSETTS.
- 13) THE SEPTIC TANK SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE SEPTIC TANK CODE OF THE LOCAL BOARD OF HEALTH, TOWN OF LAKEVILLE, MASSACHUSETTS.

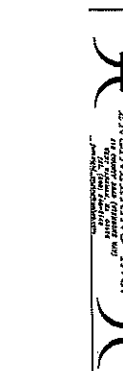
DESIGN CAPACITY REQUIRED
 SEPTIC TANK VOLUME
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 QUICK RESPONSE = 473.55 GPD
 100 GPD PER PERSON PER DAY
 4.7355 GPD PER PERSON PER DAY
 4.7355 GPD PER PERSON PER DAY
 4.7355 GPD PER PERSON PER DAY



NOTICE OF INTENT REQUIRED NOTE

THESE PLANS ARE THE PROPERTY OF FORESTHIGHT ENVIRONMENTAL INC. AND ARE NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF FORESTHIGHT ENVIRONMENTAL INC.

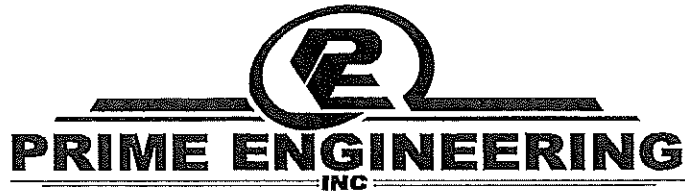


FORESTHIGHT ENVIRONMENTAL INC.
 1400 STATE STREET, SUITE 200
 LAKEVILLE, MASSACHUSETTS 01841
 TEL: 978-942-1111
 FAX: 978-942-1112
 WWW.FORESTHIGHT.COM

2 RACHEL'S WAY
 LAKEVILLE, MASSACHUSETTS

SEWAGE DISPOSAL SYSTEM UPGRADE DESIGN
 2010 & 2011 CONSTRUCTION PERMITS
 11 PUMP STATION
 LAKEVILLE, MASSACHUSETTS

DESIGNED FOR 2010 USE
 2010 & 2011 CONSTRUCTION PERMITS
 11 PUMP STATION
 LAKEVILLE, MASSACHUSETTS



RECEIVED

APR 14 2023

April 11, 2023

Conservation Commission

Lakeville Conservation Commission
346 Bedford Street
Lakeville, MA 02347

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

Dear Commission Members:

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

Sincerely,
PRIME ENGINEERING, INC.

A handwritten signature in cursive script that reads 'Richard J. Rheume'.

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

CIVIL ENGINEERING ENVIRONMENTAL ASSESSMENT LAND SURVEYING

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

508-947-2004

www.primeengineering.org



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

Provided by MassDEP:
192-845
MassDEP File #

eDEP Transaction #
Lakeville
City/Town

A. General Information (cont.)

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):
Plymouth
- | | |
|-----------|--|
| a. County | b. Certificate Number (if registered land) |
| 4932 | 290 |
| c. Book | d. Page |
7. Dates:
- | | | |
|--------------------------------|-------------------------------|---------------------|
| 5/15/20 | 7/14/20 | 7/20/20 |
| a. Date Notice of Intent Filed | b. Date Public Hearing Closed | c. Date of Issuance |
8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):
Building Layout Plan
- | | |
|------------------------|--------------------------|
| a. Plan Title | Richard J. Rheaume |
| b. Prepared By | c. Signed and Stamped by |
| 4/3/2020 | 1" = 10' |
| d. Final Revision Date | e. Scale |
- | | |
|--------------------------------------|---------|
| f. Additional Plan or Document Title | g. Date |
|--------------------------------------|---------|

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act). Check all that apply:

- | | | |
|---|--|---|
| a. <input checked="" type="checkbox"/> Public Water Supply | b. <input type="checkbox"/> Land Containing Shellfish | c. <input checked="" type="checkbox"/> Prevention of Pollution |
| d. <input checked="" type="checkbox"/> Private Water Supply | e. <input type="checkbox"/> Fisheries | f. <input checked="" type="checkbox"/> Protection of Wildlife Habitat |
| g. <input checked="" type="checkbox"/> Groundwater Supply | h. <input checked="" type="checkbox"/> Storm Damage Prevention | i. <input checked="" type="checkbox"/> Flood Control |

2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

Approved subject to:

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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

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

Provided by MassDEP:

192-845

MassDEP File #

eDEP Transaction #

Lakeville

City/Town

B. Findings (cont.)

Denied because:

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

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

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



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

Provided by MassDEP:
 192-845
 MassDEP File # _____
 eDEP Transaction # _____
 Lakeville
 City/Town

B. Findings (cont.)

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

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



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B. Findings (cont.)

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

23. Restoration/Enhancement *:

a. square feet of BWV

b. square feet of salt marsh

24. Stream Crossing(s):

a. number of new stream crossings

b. number of replacement stream crossings

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects.

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. The work is a maintenance dredging project as provided for in the Act; or
 - b. The time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
 - c. If the work is for a Test Project, this Order of Conditions shall be valid for no more than one year.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order. An Order of Conditions for a Test Project may be extended for one additional year only upon written application by the applicant, subject to the provisions of 310 CMR 10.05(11)(f).
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not extend the issuance date of the original Final Order of Conditions and the Order will expire on 07/20/2023 unless extended in writing by the Department.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.



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C. General Conditions Under Massachusetts Wetlands Protection Act

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

"Massachusetts Department of Environmental Protection" [or, "MassDEP"]
 "File Number 192-845 "
11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before MassDEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.



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

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

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

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



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

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

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

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

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

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

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

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

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



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

- g) The responsible party shall:
 1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
 3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.

- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
- i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
- j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.
- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
- l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

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

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



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D. Findings Under Municipal Wetlands Bylaw or Ordinance

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

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

1. Municipal Ordinance or Bylaw _____ 2. Citation _____

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

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

1. Municipal Ordinance or Bylaw _____ 2. Citation _____

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

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



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E. Signatures

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

7/20/2020
 1. Date of Issuance

Please indicate the number of members who will sign this form.
 This Order must be signed by a majority of the Conservation Commission.

4
 2. Number of Signers

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

Joseph Chamberlain
 Signature
NE Yeatts
 Signature
John M. LeBlanc
 Signature
Robert J. Bouchard
 Signature

Joseph Chamberlain
 Printed Name
NE Yeatts
 Printed Name
John M. LeBlanc
 Printed Name
Robert J. Bouchard
 Printed Name

Signature _____
 Signature _____
 Signature _____
 Signature _____

Printed Name _____
 Printed Name _____
 Printed Name _____
 Printed Name _____

by hand delivery on

by certified mail, return receipt requested, on 7/23/2020

Date

Date



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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F. Appeals

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

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

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



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G. Recording Information

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

Conservation Commission

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

To:

Conservation Commission

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

Project Location

MassDEP File Number

Has been recorded at the Registry of Deeds of:

County

Book

Page

for: Property Owner

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

Book

Page

In accordance with the Order of Conditions issued on:

Date

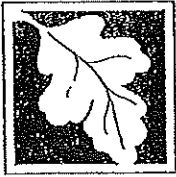
If recorded land, the instrument number identifying this transaction is:

Instrument Number

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

Document Number

Signature of Applicant



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

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

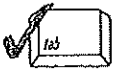
Zip Code

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.



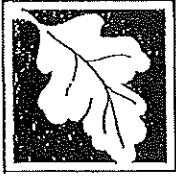
B. Instructions

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



Massachusetts Department of Environmental Protection
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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.)

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

Department of Environmental Protection
Box 4062
Boston, MA 02211

2. On a separate sheet attached to this form, state clearly and concisely the objections to the Determination or Order which is being appealed. To the extent that the Determination or Order is based on a municipal bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.
3. Send a copy of this form and a copy of the check or money order with the Request for a Superseding Determination or Order by certified mail or hand delivery to the appropriate DEP Regional Office (see <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.

Town of Lakeville
Conservation Commission
March 14, 2023 at 7pm

Members present: Chairman Robert Bouchard, and Joseph Chamberlain. Chairman Bouchard called the meeting to order at 7pm. This meeting was not recorded by LakeCam.

Chairman Bouchard explained that due to the bad weather, a quorum was not present. Therefore, a full hearing could not be conducted. Several applicants also notified the Commission that they would not be attending.

A request for a Certificate of Compliance at 142 County Street was submitted. Chairman Bouchard inspected the property and found it to be in good condition and recommended approval at the next meeting. A vote of 2-0 in favor of a continuance. Motion by Chairman Bouchard, seconded by Member Chamberlain.

A notice of Intent was submitted for 310 Kenneth Welch Drive by Goddard Consulting. At the request of the applicant, the hearing was continued by a vote of 2-0 in favor of a continuance. Motion by Chairman Bouchard, seconded by Member Chamberlain.

At the request of the applicant, Outback Engineering, the hearing for LeBaron Hills was continued by a vote of 2-0 in favor of a continuance. A motion was made by Chairman Bouchard, seconded by Member Chamberlain.

A motion to adjourn was made by Chairman Bouchard, seconded by Member Chamberlain. Unanimous approval.

'Still pretty rampant.' Arborists say this disease ravages beech trees

Seth Jacobson
 wickelocal.com
 USA TODAY NETWORK

Experts say beech leaf disease has the potential to "change the ecology" of Massachusetts with the threat returning this season.

The disease is known for decimating the beech tree population in rapid fashion.

"It's growing, and still pretty rampant," said arborist Josh Fritz, of Hartney Greymont (a Davey company) in Needham and a member of the Massachusetts Arborists Association. "Beech trees provide food for wildlife, so as they disappear, our ecology changes. People are really nervous about it."

Fritz said the disease affects both American and European beech trees, which he says are among the most well-known species of trees in the state.

Arborist Natasha Batchelor, also of Hartney Greymont, told Wicked Local last year that beech leaf disease is relatively new in Massachusetts, having been first discovered in Plymouth County in 2020.

"It first appeared in Ohio back in 2012 and made its way to Massachusetts by 2020. It moved quickly," Batchelor said at the time.

Beech leaf disease has since been found in Bristol, Worcester, Norfolk, Middlesex and Essex counties. Beeches are among the more common trees in the New England forest, Fritz noted.

Along with changing the ecology of the area, beech trees provide a lot of shade, Batchelor said last year. If a given area suffers a loss of beech trees, "that area is no longer shady — it becomes a sunny spot at that point... it's always a concern when we start losing a whole species of trees."

Fritz explained the disease is rooted in microscopic worms called nematodes, which eat the trees and cause them to die rapidly.

"And every year for the past few years, we are finding more sites that have it," he said, saying the disease has pretty much settled into all areas of the state.

On a recent trip to Manchester-by-the-Sea, Fritz said he noticed many trees were suffering from beech leaf disease. He said he's also noticed it in Concord and many other Massachusetts



Beech trees in Massachusetts are falling victim to beech leaf disease, which was only discovered in 2012 in Ohio. PHOTO BY NICK GARCIA BELONG.

communities.

"Some scientists think the disease might be carried by birds," Fritz said, noting he learned that during a recent conference. Last year scientists had not discovered the airborne element yet, but now it's a leading theory, Fritz said.

Is there a remedy for beech leaf disease

He said scientists are working on a remedy for beech leaf disease but stressed that right now, all people can do with beech trees "is buy time" by having an arborist evaluate the trees and perform maintenance like fertilization and "vertical mulching," which helps rejuvenate the "root mass" of the tree.

"Right now, all we have is defense mechanisms for beech leaf disease,"

Fritz said. "Hopefully, we can figure out a cure for it soon. It doesn't make sense to try to attack the nematodes — that could be tough because they are mobile. We need to isolate the pathogen that causes the disease. That would help a lot. It's a new disease (that) we are all still learning about."

Fritz said the sad aspect is that beech trees that have been around for centuries have been affected.

"Those trees that are 200 or 300 years old... you can't replace them," he said. "The biggest thing people can do is have a local arborist evaluate your trees every year — every six months, if possible. It helps to have an educated eye on your property."

Fritz said there's still ongoing research on beech leaf disease going on in Ohio, Maryland and other parts of the

country.

"Cleveland Metroparks has been studying this since 2016," Batchelor told Wicked Local in her interview last year, adding that the Davey Institute was also in on the research.

She said the collaboration between the two entities has found that beech saplings and small trees treated with phosphonate soil drenches respond favorably over time, showing fuller and healthier canopies than untreated trees. Another study was initiated in 2021 to see if the phosphonate soil treatments can also benefit large trees.

How to identify beech leaf disease

When it comes to identifying beech leaf disease, Batchelor said the first symptoms include well-defined striping or banding between leaf veins. Stripes are visible in the spring at early leaf-out and remain visible throughout the growing season.

She added that sapling-sized trees could die in two to five years, once infected.

Where is beech leaf disease located

According to a study at the University of Rhode Island, beech leaf disease can now be found in 12 states and in Ontario, Canada. "It's infecting beech in all New England states except Vermont," the study reports.

The National Parks Service states on its website that beech trees "are an important part of a forest ecosystem."

"Beech nuts produced by the trees have been a culturally important food source for Indigenous people traditionally associated with this area," the National Parks Service states. "They also are a part of the diet of many forest dwelling animals including black bears, deer, squirrels and many kinds of birds."

"A beech forest can also provide shading for plants and other living creatures in its understory. A loss of the trees may cause changes in the canopy structure and species compositions. Finally, beech tree loss may result in a reduction or loss of important ecosystem services such as water filtration, biodiversity maintenance, carbon sequestration, and aesthetic, historic, and recreational value."