

Town of Lakeville
Conservation Commission
Tuesday October 26, 2021

Members Present: Chairman Bob Bouchard, Nancy Yeatts, Joseph Chamberlain, Mark Knox, John LeBlanc, Fred Frodyma and Josh Faherty. This was an in-person meeting and recorded by LakeCam.

162 Bedford St - NOI - Prime Engineering - continued. Chairman Bouchard said that they would not be continuing this filing since the applicant decided to withdraw. He recommended that they should vote to close the hearing and allow the applicant to withdraw without prejudice.

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

Voted: to close the hearing and allow the applicant to withdraw without prejudice.

Unanimous approval.

56 Main St - Certificates of Compliance - Zenith Consulting Engineers. Jamie Bissonnette from Zenith was present for discussion. He said they had four Certificates of Compliance for 56 Main St. that they were requesting, some of them are partials. Two of the Compliances don't have much impact on the project and two of them do. The construction got started and was never completed, they built the wall and drainage basin, they had fill brought in to the site and it sat that way for at least a decade. Since then they filed a Notice of Intent for a commercial building. The building has been constructed, utilities are constructed, it's paved and up and functioning. The site is well established and an inspection was conducted. Chairman Bouchard said it was a little unusual doing this, but a few months ago they did it for the hospital because they had a number of open Orders of Conditions that they wanted to close out. Some, there was no work done at all, others were partial. Member Yeatts said they were all for lot 3. One said lot 3, one says lot 3-1, one says lot 3-2, and the last one says lot 3-1 and 3-3. Mr. Bissonnette explained that because of the way the filings happened, they were issued for different phases on different projects on that property. It started with Gene Bartlett when he owned the property as a whole and they started breaking it up. As the notices were filed, the lots were subdivided and cut up and they've been subsequently cut up a number of times. Each filing number is referenced from the Order of Conditions so that their parcel is cancelled out. Member Yeatts said the first one, 192-356 says on the final plans that were approved, definitive subdivision plan for Ebony Farm, she was concerned about the waiver they were asking for. This one includes the road. Mr. Bissonnette said they were not asking for anything to do with anything off their property. There is a drainage basin to the rear of their property and they don't want to have their main basin that was there and they tied back into, to overlap on maintenance operation and maintenance. The in-perpetuity requirement that was done about 15 or 20 years ago, sometimes conflicts with what they have updated with new stormwater management. Their intent is to say the old stuff probably doesn't apply, the new stuff is what we want to use because it's more current with the drainage inspection regulations. Member Yeatts said she was thinking about the drainage on the back of Ebony Farms. She asked if they needed to state that this is a partial and it doesn't include the maintenance on the road drainage. Mr. Bissonnette said they had zero problem with that because their intent is fully to just get the release for the front part. They tried to stress in their cover letter that this is only for 56 Main St.

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

Voted: to approve the request for a partial Certificate of Compliance on SE192-356, with the note that it doesn't include the drainage on Ebony Farm Road including maintenance of said drainage.

6 in favor, 1 abstention (Frodyma).

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

Voted: to approve the request for a Certificate of Compliance on SE192-812.

6 in favor, 1 abstention (Frodyma).

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

Voted: to approve the request for a full Certificate of Compliance on file number SE192-394.

6 in favor, 1 abstention (Frodyma).

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

Voted: to approve the request for a partial Certificate of Compliance on SE192-383.

6 in favor, 1 abstention (Frodyma).

51 Nelson Shore Rd - Certificate of Compliance - Zenith Consulting Engineers. Jamie Bissonnette from Zenith was present for discussion. They are asking for two certificates. The first, they proposed a patio with some landscaping, which was inspected by Chairman Bouchard and Mr. Bissonnette about two weeks ago. There was an addition of a small amount of pervious pavers than what was on the original plan from 2012. It was stabilized and didn't seem to have any threat to the wetland resource itself. Chairman Bouchard thought it was a small enough thing that it could be wrapped into the Certificate of Compliance request. The second, is they razed the house and put in a FEMA compliant foundation with a new structure on it. Both projects are done and the site is stabilized.

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

Voted: to approve the request for Certificate of Compliance for 51 Nelson Shore Rd, SE192-674.

6 in favor, 1 abstention (Frodyma).

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

Voted: to approve the request for Certificate of Compliance at 451 Nelson Shore Rd, SE192-814.

6 in favor, 1 abstention (Frodyma).

5 Harding St - Conservation restriction review. Chairman Bouchard said the only reason this is on the agenda is he intended to just update the Commission on what's going on. He has made multiple visits out there and so far, is satisfied with the work. He said they had already voted on this and there had been some miscommunication. They aren't looking for another vote, it was voted on October 22, 2018. Jamie Bissonnette (representative for the applicant), said they have entered into a conservation restriction agreement with Wildlands Trust for a large portion of this property and are in the final stages. They need the Selectmen to sign off on the conservation restriction which will be held by Wildlands Trust which is an entity that collects fees from the land owners and other sources and they do a yearly

inspection, they steward the property. Mr. Bissonnette said he couldn't think of a single reason why the Town wouldn't be in favor of this. It costs the Town nothing, the applicant has paid for the conservation restriction to be in place, he's found a host who's going to inspect and maintain it. This has already been worked out with Natural Heritage and Wildlands Trust. The project site parameters with the conservation restriction have already been bounded and placarded and posted.

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

Voted: to send a letter of recommendation to the Board of Selectmen to approve the conservation restriction on 5 Harding and 39 Cross Streets.

6 in favor, 1 abstention (LeBlanc).

14 Betty's Neck Rd. - discussion - Anthony Zucco. Mr. Zucco said there was an adjustment to the site plan. There was a discussion about lot grading and the amount of site work that would need to be done to get the grades to work. They would have to clear cut an entire section of the hill. Another change to the plan is that the walls originally planned to hold back the grades are going to be changed to riprap, which they thought would be more environmentally friendly. Also, the driveway side would have had a 12-13' wall in some places. Chairman Bouchard asked what stage of development they were at right now. Mr. Zucco said nothing with the garage, and the house is complete to an extent. The second floor is not complete. Last week all the landscaping was planted, 3 or 4 trees near the house and shrubs, then 3 pear trees near the street. Arborvitaes were planted to close in the electrical transformer. Where the riprap stops on the hill, they're going to use woodchips and plan more shrubs and such on that hill into the garage. Since it's too late to grow grass now, it will be planted in the spring. Mr. Zucco asked if he could get a sign off when the riprap and such is complete and all the grading, or if they wanted grass growing. Chairman Bouchard said that depends on what they decide tonight. Member Knox asked if this was an amendment to the existing Notice of Intent. Chairman Bouchard said there were three different approaches they can take. First, they could do a whole new NOI, which he didn't recommend. Second, they could do an amendment to the Order of Conditions. Third, they could do something analogous to a field change. There was a discussion about the garage placement. Member Yeatts said they were looking at a new plan and usually on a new plan it would show the old location. She would like to compare it to the old plan before they make any decisions. Members reviewed a copy of the original plan. Mr. Zucco said the new location was farther away from Tamett Brook. He said where the garage would go, it's going to be a flat area, it's actually going to be a pole barn in a sense, it won't be an actual garage with a full foundation. It'll be a flat area ready for construction, whatever it is. There will be no other grade changes whatsoever. Chairman Bouchard asked if there would be any changes to the grades on the driveway. Mr. Zucco said there would be no changes to the grades in the driveway. Member Knox asked if the work was done up to the septic system, and there wouldn't be any grading from the septic system back to the main driveway. Mr. Zucco said that was correct. There was continued discussion regarding grading and erosion control. Member Knox said an amendment would be needed for the Notice of Intent as well as a new plan.

Meeting Minutes -

- July 27, 2021

A correction was requested to change "they" to "Lebaron" in the discussion on meeting minutes.

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

Voted: to approve the Tuesday July 27, 2021 minutes of meeting for the Conservation Commission with the change as noted.

Motion carries.

- August 10, 2021

A correction was requested to change the spelling of Tamarack Park.

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

Voted: to approve the minutes for the meeting of August 10, 2021 with the change to the last page.

Motion carries.

Adjournment - (7:50pm)

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

Voted: to adjourn

Unanimous approval.