

Town of Lakeville
Conservation Commission
Tuesday April 13, 2021
7:00 pm – Remote meeting

Members present: Mark Knox (acting Chairman), Joseph Chamberlain, John LeBlanc, and Josh Faherty. This was a remote meeting and recorded by LakeCam.

5 Ash St – Certificate of Compliance. Louis Vermette was present for discussion. He said the work was completed about 13 years ago. Member Chamberlain said he had done a site visit and the silt fence was still up and everything seems stabilized.

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

Voted: to issue a Certificate of Compliance for 5 Ash Street.

Unanimous approval.

81 Southworth St. – continued from March 23rd meeting. Chris Poirier was present for discussion regarding a proposed swimming pool with a Request for Determination of Applicability (RDA). Member Yeatts had done the site visit and commented that the soils on the Board of Health plan submitted are not near where the proposed pool is going. The proposed pool is much closer to the wetlands and the soils could be much different. Member Chamberlain asked if we had received any additional information. Member Knox said on March 30th a more formal submittal had been received along with cut sheets from the Board of Health. Mr. Poirier said at the March 23rd meeting the Commission had requested he contact the Board of Health to get the results of the test pits and perc tests that were performed prior to construction of their home, and also more details about the pool installation process. They specifically asked for information regarding the dewatering of the site during installation. The information provided showed that the seasonal high ground water table is at approximately 30-inches, prior to fill being brought in to raise the front yard to install the septic system. In the pool construction area, the seasonal high ground water is about 24 to 36-inches below the surface. The soil texture in the report is documented as mostly sandy loam. Jay Branco, the pool installer, visited the site on March 27th to discuss plans for the installation and excavation. He estimated that 40-60 yards of soil would be removed to make room for the pool. At the bottom of the excavation site it would be backfilled with 3/8" pea stone. If the water table is high, they will dig 6 to 12-inches deeper and add a base layer of 1" and 3/4" stone. One of the concerns was de-watering the excavation site during installation. An 8-inch riser pipe would be installed in the deeper end which would be surrounded by crushed stone and a submersible pump would be installed to pump the groundwater out. The groundwater would be pumped to a stilling basin consisting of hay bales and geotextile fabric to filter the water. The stilling basin would be located on the grass between the driveway and the woods which is further away from the wetlands. Member Knox said he thought at the last meeting it wasn't the dewatering as

much as the actual pool being installed below the groundwater table. Ryan Trahan an engineer, was present on behalf of Mr. Poirier. He said as soon as the pool is filled with water that would displace the groundwater and normal groundwater flow would make its way around the pool once installed. He did not foresee any issues after installation since the weight of the water would offset the buoyancy of the high groundwater table. Member Chamberlain said he would agree as long as the pool has water in it. Mr. Trahan responded that the riser pipe to the groundwater will be offset from the pool and will remain in place so if the pool ever has to be drained, they will pump the groundwater down for maintenance purposes. Member Knox asked how far below existing grade or below the proposed water table will the pool be going. Mr. Poirier said the deep end of the pool is a little less than 6-feet. In order to build the pool, they would have to go 1-2 feet below that, so 4-feet or so from the seasonal high-water table. Member Knox asked Mr. Trahan if he would be comfortable if he were installing this pool based on the system proposed for dewatering and future needs, if the pool gets drained. Mr. Trahan responded yes. There was a brief discussion regarding a siltation barrier from another project being reused.

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

Voted: to issue a negative 3 determination for the RDA at 81 Southworth St.

Unanimous approval.

59 Long Point Rd. – request for partial Certificate of Compliance. Brian Grady from GAF Engineering was present representing Decas Cranberry Company. The Order of Conditions is 25-years old, and they are requesting a partial Certificate of Compliance because the project was never completed. What was completed differs slightly from the approved plan. The approved plan was to construct 18 ½ acres of cranberry bogs and a pond. Just under 11-acres of cranberry bogs were completed, in different dimensions and configurations of what was proposed. Member Chamberlain recused himself but was able to give some background on the project. Member Knox asked why they were asking for a partial compliance. Mr. Grady said the entire project wasn't completed or completed per the plan. He reviewed the plan with the Commission.

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

Voted: to issue a partial Certificate of Compliance for 59 Long Point Rd.

Three in favor (LeBlanc, Knox, Faherty) and 1 abstain (Chamberlain).

Residences at Lebaron Hills – amend Order of Resource Area Delineation (ORAD). Tim McGuire from Goddard Engineering was present for discussion. The ORAD was to confirm wetland resource areas off of Lebaron Boulevard. Mr. McGuire said they had to notify close to 100 abutters for this project and they have received many calls. He said there were some rumors about what this meeting was really for. To clarify, what they hoped to achieve, is not to construct anything or change any existing work on site, they are only seeking a change to already approved wetland resources on site. This would just be a change to the riverfront.

They are hoping to use aerial photos to demonstrate where the true bank of Thompson Brook should be. They would like to change the mean annual high-water line of Thompson Brook. They are not seeking to change any of the buildings on site or proposing new buildings at this time. Member Knox said he had spoken to Member Yeatts (who had done a site visit) and he didn't feel that she was comfortable with making the change without making a more concerted effort. Member LeBlanc said it was a big change and he wouldn't feel comfortable making it without someone from the Commission walking the line. Member Chamberlain agreed that he would be leery of changing the ORAD. Member Knox suggested a peer review engineer to look at this. Mr. McGuire said if that was the direction the Commission wanted to go in, they would be amenable to continuing and having a peer reviewer take a look at it. During the time the ORAD was being approved, LEC acted as the peer reviewer and they did state in one of their peer review letters that to flag the top of bank or mean annual high water as the edge of the flooded wetland represents a very conservative estimate of what the true bank of the stream is. Member Knox said since the Board is short, they're missing the regular chairman who is the agent and Member Yeatts who was a previous agent, he would not feel comfortable with taking a vote to approve tonight. He also thought it would be in the best interest of all parties to do the peer review.

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

Voted: to have the Conservation Commission seek out three bids for peer review on this ORAD and top of bank line and then we will forward those proposals to the applicant for review.

Unanimous approval.

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

Voted: to continue to the next scheduled meeting which would be on April 27th at 7pm.

Unanimous approval.

2 Bedford St. – NOI – Cape & Islands Engineering. Member Knox said it has been requested by the applicant to continue.

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

Voted: to continue at the applicant's request, until April 27th at 7pm for 2 Bedford St.

Unanimous approval.

Meeting minutes - review and approve meeting minutes from the December 3, 2020, December 17th 2020, and January 7th 2021 43D group meetings. Member Chamberlain said he had proofed the minutes and had some questions but the questions were not answered. He felt they should not approve anything until we get them sorted out and have agreements between both the Planning Board as the permit issuing authority and the Conservation

Commission. Member LeBlanc said he had a change as well. For the December 17th meeting it showed him present, but he has not attended any 43D meetings since he is an abutter and couldn't vote anyway. There was a discussion about the minutes.

Upon a motion made by Member Chamberlain, seconded by Member LeBlanc, it was:
Voted: that before approving these both by the Planning Board and Conservation Commission, that we should clarify all these things that have popped up.
Unanimous approval.

Announcements –

Member Knox said the next scheduled meeting is April 27th at 7pm.

Adjournment -

Upon a motion made by Member LeBlanc, seconded by Member Chamberlain, it was:
Voted: to adjourn.
Unanimous approval.