

Town of Lakeville
Conservation Commission
May 9, 2023, at 7pm

Members present: Chairman Robert Bouchard, Joe Chamberlain, Nancy Yeatts, John LeBlanc, and Josh Faherty. Members absent: Mark Knox. Chairman Bouchard called the meeting to order at 7pm. LakeCam was present to record.

Residences at LeBaron Hills - Notice of Intent - Phase 5 modifications - Outback Engineering - continued from 4/25/23. Chairman Bouchard said at the request of the applicant, a continuance was requested.

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

Voted: to continue the Residences at LeBaron Hills to 5/23/23 at 7pm at the Lakeville Council on Aging.

310 Kenneth Welch Drive - Notice of Intent - Increase in parking and wetland replication. Goddard Consulting - continued from 4/25/23. Chairman Bouchard said the applicant has requested a continuance.

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

Voted: to continue 310 Kenneth Welch Drive to the next meeting May 23rd at the Council on Aging at 7pm.

Unanimous approval.

2 Bedford St. - Request for Certificate of Compliance - SE192-856 - continued from 4/25/23. Chairman Bouchard said at the last meeting the Commission decided to hold off on issuing a Certificate of Compliance. He had visited the site a couple of times and has been in touch with the applicant's attorney. The attorney explained that it's part of the purchase and sales agreement that the buyer would be responsible for the cleanup. They did verify that what Chairman Bouchard observed at the site was debris from when they demolished the building. There was no material that had been brought on site. Chairman Bouchard saw concrete, rebar, fill, boulders, sand, gravel, and some blacktop. There were a couple of bags of trash. He conveyed his findings to the attorney who said she would get together with the buyer since they were taking on the responsibility. Chairman Bouchard said the attorney would send a letter when they were finished correcting whatever deficiencies were found with the site and it would be their responsibility to clean it up. They were unaware of any hazardous conditions. The topic of the 21E came up and they didn't volunteer to forward a copy, but would at least notify the Commission whether or not there were any hazardous materials found. Member LeBlanc asked if the new owners would have to file a new Notice of Intent. Chairman Bouchard said that was correct, if they were going to do any work. Member Chamberlain brought up the fact that the letter that was received, stated that it was 2 & 4, it should be noted that there are two separate lots there. The Order of Conditions involved the second lot as well, and that lot was a concern since there was an automotive repair business there. Member Yeatts said they could always ask the new applicant

for the 21E. Chairman Bouchard said it's not a wetland's issue, to require producing a document that is prepared for the bank. Member LeBlanc added that banks usually won't finance if they think there's hazardous materials. They essentially just want to clear the title for the transfer. Chairman Bouchard said he would be satisfied if they provide the letter he requested. Member LeBlanc asked if they wanted to make a motion contingent on the letter. Chairman Bouchard said yes.

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

Voted: to issue the Certificate of Compliance for SE192-856, 2 & 4 Bedford Street, checking the box that no work has been done, and contingent on receiving a letter from the attorneys guaranteeing cleanup of the site by the new owner.

Unanimous approval.

103 Staples Shore Rd - Request for extension of Order of Conditions - SE192-845 - continued from 4/25/23. Chairman Bouchard explained there had been multiple filings for this address, and with this filing they plan on removing the residence and building a new cottage. All prior proposed work has been completed so this is all that is left. He has spoken with the owner and the engineer and they may never build anything, but they wanted to get the paperwork out of the way. Member Yeatts asked if there was anything from the Board of Health. Does the Commission require anything saying they've been through the Board of Health? There was a brief discussion about the property.

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

Voted: to extend the Order of Conditions for SE192-845 for a three-year extension.

Unanimous approval.

2 Rachel's Way - Notice of Intent - SE192-894 - Construction of a single-family home - Foresight Engineering. Darren Michaelis from Foresight was present for discussion. Mr. Michaelis said this was new construction of a single-family dwelling with most of the work outside the 50-foot buffer, other than the well location and a floor drain. The remainder of the house is within 100-feet with the garage, driveway and septic outside the 100-foot. There is a steep slope so it will be a dwelling with a walk-out built into the hill. They have Board of Health approval, they've been asked to pick up the house 1-foot higher to lessen the slope in the front yard. Chairman Bouchard said he had been out to the site several times and there are several piles of large boulders and rock. Is that going to be used as part of the landscaping? Leo Bisio (property owner) said the piles will be moved to another lot. He explained that some silt sock had been installed. Member Chamberlain said that lot goes downhill, but why is there a pump tank? Mr. Michaelis explained that the septic is raised because of the perched water table. They couldn't get a gravity system in no matter what they did on the property so, it made sense to drop the house down and do a walk out. Member Yeatts asked where the well was located. Mr. Michaelis said it was to the south of the house on the 50-foot buffer line. Chairman Bouchard asked about the black topping that had been started. Mr. Bisio said that was just the required gravel base. Chairman Bouchard asked how the rock piles would be removed, would they be removed as they were sold off. Mr. Michaelis said if they're going to build the house, they will get them all off the lot. Chairman Bouchard asked if they would be stockpiling it anywhere. Mr. Bisio explained they would be moved to his son's lot and then when they sell them, they can just load them there. He has plenty of room outside the buffer zone off the road. Member Faherty asked if any of the piles are located in the buffer zone currently. Mr. Michaelis said the furthest one might be but 90% of them are up where the septic

and garage are going. Member Yeatts asked about the well drilling. Mr. Michaelis said they have a silt fence around it all and they have silt sock on site so they can surround it to make sure they don't get anything going down the hill. Chairman Bouchard read the legal notice into the record. Member Yeatts asked where the erosion barrier was going. Mr. Michaelis said it would be going along the back of the work and pointed out the locations on the plan. He also said they have a note that the inspection has to happen first. Chairman Bouchard asked if they would notify him when they move the rocks as well.

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

Voted: to issue a standard Order of Conditions with a special condition adding erosion control around the proposed well, the removal of the stockpiled material outside of the buffer and notification to the Agent before the stockpiles are moved.

Unanimous approval.

Meeting Minutes - March 15, 2023.

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

Voted: to accept the minutes of the Lakeville Conservation Commission meeting March 14, 2023 as presented.

Unanimous approval.

Chairman Bouchard reminded the Commission members that the next meeting, on the 23rd, will also be at the Council on Aging.

Notice of Intent for septic systems - discussion. Member Yeatts said she asked that this be put on the agenda to discuss, but she would like Member Knox to be present. She asked that this be pushed to the next meeting. She thought it was important to have his input. They had talked about it before, whether a Notice of Intent would be required automatically on a septic system. This discussion will be moved to the next meeting.

Beech Leaf Disease - Chairman Bouchard said he had several trees on his property that he thought would succumb to Beech Leaf Disease. However, they seemed to have come back. Member Chamberlain had provided an article on Beech Leaf Disease for the meeting. He said this has happened before with other varieties of trees. The beech tree is the number one shade tree in Southeastern Massachusetts. Chairman Bouchard said he has gotten a lot of requests for tree removal. Member Chamberlain said one failure of the article is it mentioned water and chemicals. But, they didn't mention where beech trees grow and what the chemicals do to the water body they're adjacent to. Chairman Bouchard said it takes as much as two years before the disease starts to present itself. Member Yeatts said the article recommends maintenance, like fertilization and vertical mulching. Vertical mulching is building the mulch up on the base of the tree. That helps rejuvenate the root mass.

Turtle Crossing signs - Member Faherty said a member of the Planning Board had reached out to him about this. Member Chamberlain said she had spoken with the highway superintendent and he said we could make our own signs and put them up. Member Faherty said a few of his concerns were if it was a state road, you probably need state approval. Also, who is going to fund it and pay for the turtle signs. Member Yeatts asked if the turtle signs were still at the end of Highland Road. That was a Girl Scout

project. She also said that around the corner by Pond Cemetery, DEP put the fencing up, which she thought was bad for the mammals. There was some continued discussion.

Adjournment - (7:31pm)

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

Voted: to adjourn

Unanimous approval.