

Town of Lakeville  
Conservation Commission  
June 13, 2023 at 7pm

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

**310 Kenneth Welch Drive** - Notice of Intent - SE192-891 - continued from May 23, 2023. Chairman Bouchard said at the request of the applicant, the hearing will be continued to the July 11<sup>th</sup> meeting.

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

Voted: to continue the 310 Kenneth Welch hearing until July 11<sup>th</sup> at 7pm.

Unanimous approval.

**308 Kenneth Welch Drive** - Amended Order of Conditions, SE192-889- change in septic design - Zenith Consulting Engineers. Chairman Bouchard read the legal notice into the record. Member Knox recused himself from the hearing since he is an abutter. Nyles Zager from Zenith was present for discussion. Mr. Zager said this was before the commission a few months ago for a septic repair and received approval. They have spoken with the Board of Health and asked if they could do a tight tank. The Board of Health said yes, as long as they submit an updated plan. The proposal is to have a new tight tank in place of the old septic tank and they will abandon the existing failed septic located in the front of the building. The proposed tight tank is a 2,500-gallon tank. The limit of work hasn't changed, there is actually going to be less work in the buffer zone. Member Chamberlain asked if there would be any more paved area. Mr. Zager said no, it would be within the existing lawn area. Chairman Bouchard asked if there would be any additional impacts from employee parking. Mr. Zager explained that there is actually only one employee inside the building, and that was part of the reason why the cost analysis was done. Unfortunately, the analysis was done after the fact. It didn't make sense to spend the money on a septic system that's going to get very little use. They have some seasonal employees, but at most, it's about 10 employees. As far as parking, he thought the use would be exactly the same. Member Yeatts asked about the groundwater. Would there be a spot for a dewatering basin? Mr. Zager said he had the detail on the plan, but didn't show the location. He pointed out on the plan where the dewatering basin would go. He said they were proposing a monolithic H-20 tank due to the water table. They wanted to ensure there wouldn't be any issues with the water table.

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

Voted: to close the hearing on SE192-889, 308 Kenneth Welch Drive and issue an Amended Order of Conditions, which will remain the same as far as the Lakeville Standard Conditions go, with a plan record dated 5/16/23 to be noted. The agent will be notified if dewatering is necessary, or if it's necessary to put in a dewatering pit. No change in file number, and coexisting Order of Conditions needs to be closed out.

*Discussion: Chairman Bouchard asked if any other addresses were used for this location. Mr. Zager said not that he was aware of. Member Yeatts said it was all 310 at one point. That's on the original Order of*

*Conditions and they will both need to be closed out, so there's still one that needs to be closed out from 310.*

Five in favor, one abstention (Knox).

**3 Apple House Rd** - Notice of Intent - septic upgrade - Zenith Consulting Engineers. Nyles Zager from Zenith was present for discussion. Chairman Bouchard read the legal notice into the record. This is for a septic repair. The lot is fairly tight, especially when you factor in where the well is located and the 100' radius to that well. The 50' buffer to the wetland is located in the rear of the property. They are basically almost replacing in place where the old septic system is. They were able to keep 50' away with the leaching field, but not the limit of work because of the tree clearing and being able to grade the site. They are about 45' away from the bordering vegetated wetland with the limit of work. It's a small amount of clearing required in order to get the system in. The Presby system they are proposing, reduces the footprint from the conventional septic system. They are proposing a silt sock at the limit of work. There really is no water table concern, so they didn't show a dewatering basin. They are pretty high up on the hill so it's a gravity system, so there's no water table issue. They are significantly higher than the wetland, about 10'. This plan was also approved by the Board of Health. Chairman Bouchard asked what kind of time line they were looking at. Mr. Zager said typically about a week.

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

Voted: to close the hearing for 3 Apple House Road, file number SE192-895, and issue an Order of Conditions with standard conditions.

Unanimous approval.

**311 Pond Lane** - Notice of Intent - septic upgrade - Foresight Engineering. Darren Michaelis from Foresight was present for discussion. Chairman Bouchard read the legal notice into the record. Mr. Michaelis said this was an existing dwelling with an existing cesspool. The cesspool will be pumped and filled with sand. The tanks will be in the groundwater and they do show a dewatering site outside the 100' buffer in the tree area. The proposed two-story addition with a second story master is within the buffer zone. The first floor is a two-car garage and a sunroom. They were able to keep the entire septic system outside the 100' buffer. They are proposing a FAST system to shrink the size of the leach field. The Board of Health has given their approval on the plan. Chairman Bouchard asked if they would be continuing to use the on-site well. Mr. Michaelis said they would, the only other source for water would be the community well. To use that well, they would be required to run the water main down the road all the way to the house. Member LeBlanc asked if there would be a foundation going under the addition. Mr. Michaelis explained there would be footings, no basement. The water table is at about 4'. Member Chamberlain asked if the shed would be moved. Mr. Michaelis said they were probably just take it down. He said the tanks should be in in one day, so they should only be dewatering for one day for the tanks. The Commission will be notified when the silt fence and hay bale barrier are ready. Member Knox said the south side of the dwelling shows erosion control coming off the deck and over to the property line. It's hard to tell if it goes up the property line. Mr. Michaelis said there is a vinyl fence there and it will go right up against the fence. He will use the fence as a barrier the rest of the way up the property line since it's buried in the grass line.

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

Voted: to close the hearing and issue an Order of Conditions, not before the DEP number is received, with the standard conditions. One extra condition of no pumping in or out of the pond.

Unanimous approval.

**160 Bedford St.** - Update on violation. Chairman Bouchard said there wasn't much new. There are usually a dozen cars parked on Kenneth Welch Drive on a daily basis. There is a memorandum of understanding that they will be putting up a guard rail and loam and seed. Chairman Bouchard said there were two conditions. One is that they continue with a Notice of Intent or an Abbreviated Notice of Resource Area Delineation. Prime Engineering is supposed to be preparing that. They have been given 30 days. The other condition is that they give the Commission a remediation plan for the parking that's going on in the paved area. Approval of the NOI will be pending receipt of that remediation plan.

**By-law discussion** - Member Yeatts said she had talked to the Town Planner about working on a small by-law over the summer. She thought something small and basic that covers a few little things. Chairman Bouchard said the first attempt at a by-law they tried borrowing from other towns of similar size. Member Yeatts said Lakeville has so many resources that effect so many people. Lakeville needs to protect the resources we have left. For almost 10 years, there was a 25' "no-touch". Chairman Bouchard added that some of the engineers still maintain that. Member Yeatts said there seems to be a different demographic in Lakeville now, and maybe now would be a good time to do a small, basic by-law that people would have a hard time finding a problem with. The previous by-law that was presented was too complicated. Chairman Bouchard said the Commission doesn't need Town Council to authorize any policies. The Commission can develop their own policies. Member LeBlanc said he doesn't necessarily agree. Member Yeatts said they can make a policy. If someone wants to appeal it, they can go to DEP. Member LeBlanc said he would do his own research. Member Yeatts said she would work on a draft. Member Knox said whatever by-law they enact should be applicable on new construction, undisturbed soil. There needs to be some leniency on pre-existing as opposed to new. Member Yeatts said if you say all septic systems need a Notice of Intent, even an upgrade, that's all the same. There was continued discussion.

### **Meeting Minutes** - April 11, 2023

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

Voted: to approve the minutes for the Conservation Commission meeting of April 11, 2023.

Unanimous approval.

**Cowboy Shack** - Member Chamberlain asked if there was any update on the work on the Cowboy Shack. Chairman Bouchard said the Building Commissioner had been working with the Facilities Manager on funds to finish the project. Member Chamberlain said a lot of the work had been done for free. The list that was provided to the Commission was 2 ½ pages and most of the work was paid. He is looking for new material and would like to finish.

**Adjournment** - (7:45pm)

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

Voted: to adjourn.

Unanimous approval.