

Town of Lakeville
Conservation Commission
October 10, 2023 at 7pm

Members present: Chairman Robert Bouchard, John LeBlanc, Mark Knox, Josh Faherty, 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 - Goddard Consulting. Increase in parking and wetland replication. Continued from 9/26/23 meeting.

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

Voted: to continue the public hearing for 310 Kenneth Welch Drive at the applicant's request until October 24th at 7pm.

9 Cross Street - Notice of Intent - SE192-902 - new single-family dwelling, septic system, well, grading, lot clearing, utilities, driveway crossing, and replication area. Continued from 9/26/23 meeting. Chairman Bouchard said this would be continued until the 24th at the applicant's request. Member Knox said, as a point of business, the Board had requested a peer review. Chairman Bouchard said that is what we are waiting on, it is in the works. Member Knox said he had requested the peer review cover the construction of the crossing, if the culverts beneath the crossing were sufficient size, and a review of the replication area. Member Yeatts said she had asked that the wetland line be verified.

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

Voted: to continue 9 Cross Street Notice of Intent at the applicant's request until October 24th at 7pm.

Unanimous approval.

6 Beechtree Drive - Notice of Intent - Outback Engineering - septic upgrade. Chairman Bouchard said the Board had requested a plan revision. A few more details were added and Chairman Bouchard was satisfied with the revised plan. Contractor Frank Alizio was present for discussion. He said this was the residence on Long Pond that had a fire. The property is currently serviced by a cesspool so they will be upgrading to a 3,500-gallon tight tank within the 100-foot buffer zone. Jason Youngquist from Outback Engineering joined the meeting. Mr. Youngquist said the property has a cesspool in the groundwater currently. Board of Health has approved a 3,500-gallon tight tank. A silt fence is proposed during construction. The tank will be located partially under the gravel driveway. The driveway will be restored and everything else will be loamed and seeded. Member LeBlanc asked if the new house would be in the same footprint as the old house. Mr. Alizio said it would be exactly the same, using the old foundation. Chairman Bouchard said one of the things he was looking for in the Notice of Intent was more specifics as to what was being done and what wasn't being done. Mr. Alizio said there was no cellar hole because it was a garage underneath. It will be from the ground right onto a concrete slab. No changes have been made to the foundation, only taking out a garage door and making it a wall. Chairman Bouchard asked if there would be any additional parking or paved surfaces. Mr. Youngquist said only a gravel driveway. Member Chamberlain asked where the water table was on the lot. Mr.

Youngquist said they went with the pond elevation which they had at 53. Member Chamberlain asked if the tight tank would be heavy enough so they wouldn't have to worry about it. Mr. Youngquist said they did do buoyancy calculations to make sure it wouldn't float. The cover will be waterproof and sealed with boots and gaskets on the pipe going in. Chairman Bouchard asked if there would be any work on the shoreline. Mr. Alizio said they were well away from it. Member Faherty asked if the existing silt fence was from the when they had the fire. Mr. Youngquist said they put it up after the fire. Member Yeatts asked about FEMA guidelines, would the house be raised up. Mr. Youngquist said it wasn't required for repairs, only for new construction. Chairman Bouchard read the legal notice into the record.

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

Voted: to close the hearing and issue an Order of Conditions with all the standard conditions for construction with two additional conditions: during construction any materials entering the pond will be removed immediately, and all materials will be secured at the end of each day.

Discussion: Chairman Bouchard asked what the timing was on the project. Mr. Alizio said they have demolished the house and are waiting on a building permit. As soon as they get the last lumber delivery, they will start on the tight tank. He would like to get it done before winter hits. He is trying to get the owners back in by Christmas.

Unanimous approval.

Nemasket River - SE192-823 - Request for Extension on Order of Conditions for Nemasket River Weed removal. Dave Cavanaugh from the Herring Fisheries Commission was present for discussion. He said they would like to extend the Order of Conditions because possibly in the future, there may be an extension of the area for weed removal. They would like a 3-year extension. They started work on this project in 2019, they did two days of weed removal in August 2021. It was extended due to Covid, but they would like to extend it for the next 3-years. There is no set plan for additional weed removal at this time. Member Knox thought this should be allowed in perpetuity, and they notify the Commission when weed removal is going to take place. Member Faherty said they could do the Order in perpetuity but the letter from the Marine Fisheries requests they be contacted whenever an extension is requested. Member Knox suggested the applicant speak to Marine Fisheries and ask if they would accept to have it in perpetuity. Mr. Cavanaugh said his hope was that the state or some regional entity would take over maintenance rather than have a 7-member volunteer Board clean out an entire river.

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

Voted: to extend the Order of Conditions 3-years, after the date is confirmed, and Fisheries will send letters to Natural Heritage and Marine Fisheries informing them that the Order of Conditions has been extended.

Unanimous approval.

Meeting Minutes - June 13, 2023

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

Voted: to accept the minutes of the Lakeville Conservation Commission meeting of June 13, 2023.

Unanimous approval.

19 Twin Oaks Road - Discussion and possible vote on well drilling. Member Yeatts recused herself. She said she needed a new well. The Board of Health reviewed the location of the new well and approved. The current well is a shallow well located in the basement. Copies of the proposed plan were distributed for review. Member Yeatts wanted to know what type of filing the Commission would require. Chairman Bouchard said if she qualified for an Emergency Certification, she wouldn't need to do an RDA. Member Knox asked if she had been to speak to the Board of Health Agent. Member Yeatts said that was his suggestion for well placement and there was no need for a variance. Member Faherty thought they had done RDAs for this type of work before. Member Yeatts said she could do an RDA for the next meeting. Member Faherty said an Emergency Certification would only cover for 30 days, but Chairman Bouchard could issue an Emergency Certification without the rest of the Commission needing to sign off. Member Yeatts said she couldn't get a driller to come out until the first week in November. Chairman Bouchard said if she had the time, to go ahead and file the RDA and be on the record. Member Faherty agreed that she should file the RDA, but if the well driller could come out before then, they could do an Emergency Certification.

Conservation By-law - Continued discussion. Member Faherty said any by-law they propose is going to have to go to town meeting. The warrant has probably already closed for the fall town meeting. He suggested taking this off the agenda and they could revisit it in a couple of months. Member Yeatts said she would like to speak to Nate Darling again. He had an idea that could be done easily without a by-law. Member Knox said he was talking about them adopting DEP guidelines as their by-law, not more restrictive, just the same as. Then it becomes part of the permitting process.

Adjournment - (7:37pm)

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

Voted: to adjourn.

Unanimous approval.