

Town of Lakeville
Conservation Commission
Tuesday June 8, 2021
7:00 pm – Remote meeting

Members present: Chairman Bouchard, John LeBlanc, Mark Knox, Joe Chamberlain, Nancy Yeatts, and Josh Faherty. This was a remote meeting and recorded by LakeCam.

Residences at Lebaron Hills - continued - ORAD amendment.

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

Voted: to continue the Lebaron Hills hearing for the ORAD at the Conservation Commission's June 22nd meeting at 7pm.

Discussion: Member Yeatts asked if the Commission had heard anything back from them. Chairman Bouchard said there was nothing new, just a request to continue.

Unanimous approval.

5 Harding St/lot 1 Bella Way - NOI - Zenith Consulting Engineers. Jamie Bissonnette was present for discussion. He said that he and Chairman Bouchard met at the site. They looked at ways to access the area for the proposed turtle nesting that they are doing to be in compliance with Natural Heritage. To minimize impact, they felt that accessing over lot 1, and putting down some temporary steel plates over the drainage ditch would give them access to the area for turtle nesting. Currently, the area is mostly scrub shrubs and small trees with some invasives growing up through. They will be taken down, flush with the ground and sand will be brought in, about 12-inches of sand over the entire area. They are proposing to keep 5-foot rows to act as a baffle wall effect. They would like to keep the 5-foot wide rows of lower growth placing the sand around them. There will be berms of sand that the turtles can lay their eggs in. Member Chamberlain asked if there was signage with this project. Mr. Bissonnette said there was a ton of signage. The entire site, around the conservation restricted areas have numerous bounds, rebars with caps, and placards being installed. The bounds and rebars have been installed and the signs may go in this week. They wrap around both parcels in the area of conservation restriction. Member Chamberlain asked if the biologist had given him optimum times of the year when you put something like this in, and we're probably past the turtle nesting time now. Mr. Bissonnette said that April 15th and October 15th are the windows where the turtles are out and closer to the open areas in the warmer months. They go into the woodlands to burrow, at least this species, during the winter. They have had the entire area wrapped with turtle fence or silt fence. It has been inspected by the biologists. They want this in and stabilized prior to October 15th. Member LeBlanc asked if this was an NOI for access to the area or the actual construction of the turtle habitat. Mr. Bissonnette replied that he believed the emphasis is on access but because this area has been shown on previous plans, for full disclosure to abutters and Boards, so Chairman Bouchard doesn't get calls, it's just a redundancy for the turtle nesting area. Member LeBlanc commented that he thought that the turtle nesting area had already been approved through another NOI. Mr. Bissonnette said it really has. Member LeBlanc added that all we're doing is allowing access through lot 1 Bella Way. Chairman Bouchard said that was correct. There was a brief discussion about the NOI and Orders of Conditions. Member Knox had some questions about the turtle area. He said the rows of vegetation they are leaving are new and weren't on the plan in 2019. The new access road they are providing is an improvement. The three 5-foot strips of

vegetation they are leaving, there is 12-inches of sand going around that. Do they plan to put the sand on top of the existing top soil, or is some top soil going to be removed so the sand isn't mounded and eventually just going to go into the bases of those three rows? Mr. Bissonnette said once the vegetation is ground down, cut down, he believed they were using a grinder, the biologist is going to go out on the site and determine what the next step for prepping the base is going to be. If any type of small stump removal needs to happen, prior to the sand coming in, the biologist signs off on the condition. Member Knox said it would seem that leaving some of the roots in would be somewhat counterproductive to the sand being the ultimate goal of having that gravel meadow for the turtle. He was fully in support of this getting built, he just wanted to make sure that it gets built right and it doesn't fail. So, if a lot of that topsoil with the roots in it that aren't part of those three rows needed to be removed, would that be trucked out across that same access road? Mr. Bissonnette said anything they do for construction on this area is going to go through that access road. As far as time urgency, the developer would like to build the house on lot 1, but understands that this is his best access to that area also. So, getting this in place prior to the fall when the turtles start to go back into the woods. What they will do is when they have an on-site meeting, they will call Chairman Bouchard and he could meet the biologist out there to make sure that he's hearing first-hand what the steps are that need to be taken on each inspection. Member Knox said he would be in support of Chairman Bouchard coming out as the agent to take a look as things progress. He wants to see this done right, so if material did have to come out, he didn't want to see corners cut and it failed. On the western edge of the proposed turtle habitat, the nesting area, are you 50-feet from the wetland line or is it more than that? Mr. Bissonnette said he believed that Member Knox was correct when he said 50-feet. Member Knox asked if on the southern angled edge that leads to the access road, is that just a drainage swale not a wetland. Mr. Bissonnette responded that it was flagged as a bordering vegetated wetland (bvww). Member Knox asked if all the dashed areas on the plan encompass that area, along the access road in, and around the actual turtle nesting area, is that the turtle silt fence? Mr. Bissonnette pointed out on the plan where the silt fence was located. There is a small area that isn't done that will need to be looked at by the biologist and then connected and opened up. Member Knox asked if the entire area was protected. Mr. Bissonnette answered that it was 100%. Chairman Bouchard asked that Mr. Bissonnette notify him whenever there's any new activity or any changes.

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

Voted: to close the hearing and issue an Order of Conditions that include that the turtle expert (Dan Wells or other qualified individual) will supervise the project and his contact information will be made available to the Agent and that all conditions in SE192-830 be included, and contingent on receiving the DEP number.

Unanimous approval.

8 Priscilla Drive - RDA - Zenith. Jamie Bissonnette was present for discussion. He said that Chairman Bouchard and Member Yeatts had been out to the site. The property is on Long Pond and has a retaining wall with a fence and a nice landscaped yard facing the water. The applicant is looking to add some landscaping items in a previously disturbed area. Mr. Bissonnette said there is crushed stone that runs down the side of the property with access to a pier or dock that is seasonal. When there are heavy rains, the stone will actually start to creep down the hill. The owner would like to replace this area with loam and seed to stabilize it. Also, in the back of the house there is an existing concrete patio, which probably all of it is outside the 100-foot buffer, but the owner is planning on taking some of it up and replacing it with a new patio in its place. There is also an area that has mulch with filter fabric

underneath with landscaping. The filter fabric is exposed in a lot of areas, instead of putting additional mulch down there, the owner would like to pull that back and stabilize with loam and seed as a long-term solution for stabilization and aesthetics. There is also a 20'x28' pavilion, the majority of which is out of the 100-foot buffer, but there is a section that is within it. In addition, the owner would like to plant a couple of shade trees. They are asking for a negative determination so that this work can be done. As part of the proposal, they are looking to run an erosion control silt sock so that there's no chance of erosion getting by. Chairman Bouchard asked about the landscaping, was it a one-time shot or is it a long-term maintenance item. Mr. Bissonnette said they were taking out the filter fabric and the mulch, they are looking to put in loam and seed. Hopefully, this will be a long-time solution. Member Chamberlain asked about the slope. Mr. Bissonnette said in the front, it's pretty flat. When they get down to the pond, it drops very quickly and there's also quite a bit of pitch from the back of the house up to the front of the house, there's two stepped retaining walls on one side and there's a wall with quite a slope coming down. Where a lot of the work is proposed is basically a slope. Member Yeatts asked where the closest work seems to be going, where they were removing the existing filter fabric and mulch, which is not pervious, and putting in the grass, that is a much better solution to what's there, a recharge. With the exception of the trees and some area where they are putting loam and seed, is outside the 50-foot buffer zone. Member Knox said most of the work on the plan is fairly innocuous and most people would do it without even asking. He thought the proposed pavilion should really be the only thing they are looking at and its half out of the buffer zone. Member LeBlanc said he couldn't comment since this was his neighbor.

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

Voted: to issue a negative determination number 3 with one condition which is to inform the agent when the siltation barrier has been put in for review.

Five in favor, 1 abstention (LeBlanc)

Meeting Minutes - March 9, 2021

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

Voted: that the Conservation Commission minutes for the March 9th 2021 meeting be approved as slightly modified.

Unanimous approval.

45 Shore Ave. - RDA - Klein-DaSilva. Heidi Klein-DaSilva was present for discussion and gave a summary of the project. She said there's a screen porch attached to the back of the house which is nearest the pond. She would like to take it down and do new construction, strengthen it, and put in double hung windows and some awning windows underneath. The outside of the house has partial siding on it which she would like to take down and have the whole house redone with new siding and at the same time put in new double hung windows and new doors. Member Knox said the siding and windows wouldn't be the Commission's major concern. They wouldn't want debris to blow into the lake. But on the screen porch she is going to rebuild, would she be going with a new foundation under that, and if so, what type of foundation? Ms. Klein-DaSilva responded that she would be going with the existing footprint which is a concrete pad that is already there. Chairman Bouchard said that it will be the same size and when he went out to look at it, the pad for the patio is a combination of concrete, stone and some brick. Member Knox asked if there would be any excavation. Chairman Bouchard said

no excavation would be necessary. Member Chamberlain asked if she would be adding any further impervious area. Ms. Klein-DaSilva said no. Member LeBlanc asked if there would be some type of erosion control. Chairman Bouchard said they could put some on either side. There will be no soil disturbance. Member Knox asked if the concrete wall that's along the edge of the lake was elevated above the lawn and would it act as a siltation barrier itself. Chairman Bouchard said it would. He reviewed with the applicant what the Commission would be looking for, that no construction debris enters the pond. If necessary, the Commission might require putting some kind of silt fence on either side of the stone foundation.

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

Voted: to issue a negative determination with three conditions. All loose materials will be covered or removed at the end of each day. Any debris blowing into or entering the pond will be removed immediately. No soil disturbance or she will need to return to the Agent.
Unanimous approval.

Adjournment (8pm)

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

Voted: to adjourn.
Unanimous approval.