

Town of Lakeville
Conservation Commission
Tuesday November 10, 2020
7:00 pm – Remote meeting

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

32 Fuller Shores – NOI, Fuller, Foresight Engineering. Darren Michaelis from Foresight Engineering was present for discussion. This is an existing two-bedroom home on the pond. They are filing due to a septic upgrade that is being proposed. Presently, there are two cesspools in the water table within 100' of the pond. A tight tank is being proposed in preparation for an advanced treatment system in the future. The new tanks will be outside of the 100' buffer zone but will require some tree removal. There will be a double hay bale and silt fence line upgradient of the pond and an existing concrete wall at the edge of the pond to help with any erosion. Chairman Bouchard asked how many tree removals there would be. Mr. Michaelis responded there were four pines near the driveway and two beech trees on either side of the tight tanks. Chairman Bouchard inquired what the method would be for tree removal, would a crane be used. Mr. Michaelis thought the beech trees were small enough to be able to drop them while the pines would probably require a crane since there is a garage and houses in close proximity. Machines would dig the stumps out and remove them when the tanks are installed. Chairman Bouchard asked how far in the future a leach field would be added. Mr. Michaelis said that would be up to the homeowner, and if they get tired of pumping the tight tanks they will have the option to put in a MicroFast system with a raised leach field. Since there would be a good amount of grading, a new NOI would be filed. Member Yeatts asked about the deed restriction required. Mr. Michaelis said it would be for two-bedrooms. Member Yeatts asked about a dewatering basin. However, Mr. Michaelis didn't feel one would be needed because the water table is a perched water table with a 66-minute per inch perc rate. The ground is basically concrete so he didn't feel they would see ground water, and the bottom of the tanks is at 55 and the pond is at 54. If for some reason they need a dewatering pit, it would probably be placed where the cesspools are now. Member Yeatts asked about Natural Heritage. Mr. Michaelis said they had not heard back yet but would like to request upon their receipt.

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

Voted: to close the hearing and issue an Order of Conditions with all the standard conditions and any conditions that Natural Heritage might include. The Order of Conditions will not be delivered until the 30-day period for Natural Heritage is over, and receipt of corrected plan.
Unanimous approval.

93 Vaughan St. - RDA, Barkley. Adam Barkley (owner) said the work they are looking to have done is the expansion of an existing deck, part of which would be enclosed as a screened room. They will also be installing an above ground pool which will be tied into the deck. There will be two trees that need to be removed for the work being done, and also removal of a willow tree that has extensive damage. Member LeBlanc asked if there was a plan to go with the filing. Chairman Bouchard said there was a

sketch. Member LeBlanc said there was a sketch of the house, Member Knox explained they couldn't see the lot lines, setbacks, resource area or silt fence line. Chairman Bouchard asked Mr. Barkley how far he thought it was from the work he was doing to the wetland line. Mr. Barkley said he thought the deck expansion was about 20-30' from the wetland line and the willow tree was closest, possibly right on the edge. Chairman Bouchard said he thought it was safe to say that all the work would be taking place inside the buffer zone. Mr. Barkley agreed. There was a discussion regarding the site. Member Knox asked if the applicant could get a copy of his septic plan or lot plan and add the sketch to it, giving the members an aerial view of the property and proposed work. Mr. Barkley asked if he should outline where the trees are on the plan. Member LeBlanc said it would be good if he could locate the trees to be taken down. Member Knox suggested that the applicant use Google Earth and do a screen shot of his property and draw on that, it would probably satisfy the Board. Member Yeatts said if the applicant gets a plan from the Board of Health, she wouldn't mind doing a site visit and helping him sketch in the wetland lines. There was a brief discussion regarding the wetland line.

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

Voted: to continue the 93 Vaughan St hearing to the next meeting on November 24th at 7pm.

Unanimous approval.

Discussion: Member Knox mentioned that a siltation barrier will need to be put up between the work area and the limits of the wetlands and he suggested that Mr. Barkley add that line to his drawing. Chairman Bouchard asked what the timeline was for the work to begin. Mr. Barkley said he didn't have any deadlines yet, they were still working out the plan with the contractors. He said the willow tree was their biggest concern with the blizzard season coming they would like to get that down before heavy winds take it down toward the house. Chairman Bouchard asked if any Commissioners had any problem with the tree coming down in advance of any storm events prior to getting the paperwork done. Member Knox said as long as the stumps weren't removed until after the siltation barrier is up.

17 South Ave – RDA, Furtado, Zenith Consulting Engineers. Will Connolly with Zenith Consulting Engineers was present for discussion. They are proposing the installation of a tight tank at 17 South Ave. to replace an existing failed septic. The existing septic is about 15' from the bordering vegetative wetlands (BVW) and the proposed tight tank will be about 29'. They are proposing a silt sock that will wrap around the house for erosion control and a dewatering basin. Member Chamberlain asked if this was a year-round dwelling. Mr. Connolly said as far as he knows it is. Member Chamberlain asked about the possibility of another system other than a tight tank. Mr. Connolly said that being within 100' from the surface water supply and 25' from the BVW this was really the last resort. Also, the water table is at 20". Member Chamberlain asked if there was a maintenance agreement so its guaranteed to get pumped when there's an alarm. Mr. Connolly said there was. He also pointed out the 3/5 capacity alarm in the plan detail. Member Knox asked if they don't make you do a maintenance contract unless its seasonal. Mr. Connolly was not sure. Member Yeatts said she believed that a maintenance contract was required by the Board of Health. Member Chamberlain asked if the property was in a Zone X. Mr. Connolly replied it was a Zone AE. Member Yeatts asked if Natural Heritage was notified and when, since they have 30 days to reply. Mr. Connolly was not sure. Member Yeatts said she would make it part of the motion. She also asked if this plan had been approved by the Board of Health. The Board of Health has approved this plan. Member Knox commented on the pond being at 54 and the top of tank

being at 53 so they will be pumping water constantly to get the tank in the hole. Mr. Connolly said they recently did the same thing at 13 South Ave and they did get it to work. Member Yeatts pointed out there was a dewatering pit on the plan.

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

Voted: to issue a negative determination #3 with the conditions to give Natural Heritage 30 days to respond and add conditions and the Agent will be called to inspect the hay bale line.

Unanimous approval.

15 South Ave – RDA, Chapin. Chris Chapin was present for discussion. This is a property Mr. Chapin purchased in August, a cottage on a block foundation. He is looking to do an extensive rehab on the property which includes changing the roof line, rehabbing the interior and exterior and adding a 24'x24' garage in the rear corner of the property. He would also like to replace the foundation. He is looking to see what is required to get approval and what would be necessary to be between the property and the pond which is about 15' from the building itself, either silt barrier or hay bales. Chairman Bouchard asked about the tank in the front of the property. Mr. Chapin said the tank would remain. Chairman Bouchard also inquired about the footings on the proposed garage. Mr. Chapin responded he would use a slab. Chairman Bouchard asked if any repairs to the seawall would be included in this filing. Mr. Chapin said no. Member Chamberlain said the elevation of the top of the bottom floor is at 55, and we know that the pond is at 54, so we only have a 12" difference. Mr. Chapin replied that he is looking to raise the building. After a conversation with his insurance company, in order to get out of the flood zone, they are looking to raise the building about 18" at the same time they are replacing the foundation. Member Yeatts said on the RDA itself, nothing is checked. Also, it said a new foundation poured for the home. She thought it far exceeded the work that they can condition for an RDA. She thought this filing needed a Notice of Intent. A lot of work is being done, including a foundation very close to the pond, which the plan doesn't even show. Mr. Chapin said the distance from the corner of the house to the pond was 12'. Member Yeatts said that was a lot of work within 12' of the pond. She added that anyone else that does this much work would submit a Notice of Intent so that it can be conditioned as a full construction project. On an RDA, it is not recommended by DEP to add more than one or two conditions. This project is in the flood zone and it's within Natural Heritage. When asked if he had submitted a request to Natural Heritage, Mr. Chapin replied that he had not, it was all very new to him. Member Yeatts said since it's in a flood zone, she thought some engineered plans need to be done. There was a brief discussion about construction issues. Member Chamberlain said he felt the applicant would be better served if he spent some time with an engineer and a contractor and come back with a full Notice of Intent. Member Knox asked if Mr. Chapin was going to contract the work, to which Mr. Chapin replied he was. Member Knox agreed with Member Chamberlain that it would be in the applicant's best interest to get an engineer involved. He also asked if this project had gone before the Zoning Board of Appeals. Mr. Chapin replied it would be on the 19th. Member Knox asked about the garage setbacks. Mr. Chapin said they were right at the setback limits. Member Knox said he was beyond the setback, 20' is the limit. Mr. Chapin said they would modify that accordingly or eliminate it. The key is the house, the garage is just an added bonus, it's not really as important, or not at all important really.

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

Voted: to issue a positive determination three which says, the work described on referenced plan(s) and document(s) is within an area subject to protection under the Act and will remove, fill, dredge, or alter that area. Therefore, said work requires the filing of a Notice of Intent.

Unanimous approval.

24 Hickory Lane – RDA, Harrison – Analysis & Design Engineering. Mark Rodericks from Analysis & Design was present for discussion. Mr. Harrison is proposing to install a synthetic turf area within the buffer zone to Long Pond. The turfed area is approximately 612sf. The plan shows erosion control barrier surrounding the area. The work will consist of removing about 5" of top soil, installing gravel base, and then synthetic grass. This area is within the buffer zone and within the flood elevation of AE57, and within the NHESP area PH618. Mr. Rodericks said there is no change in finish grading required, and the synthetic grass is water permeable. Chairman Bouchard asked for an estimate of how much material was excavated already. Mr. Rodericks said the work did commence prior to the ceasing when the RDA was submitted. He estimated there was 300-400sf of removal of existing top soil when the activities were ceased. The total area proposed is about 612sf. with this RDA, which was the same amount proposed before the activities got to this level. Chairman Bouchard said there was some gravel brought in, and did they expect to bring in more. Mr. Rodericks said to complete the area, a slight amount more gravel will need to be brought in to the west of where the original gravel was brought in. Member Chamberlain asked if this was a seasonal dwelling. Mr. Rodericks said it was seasonal. Chairman Bouchard asked if there were any drainage structures on either side of the project. There were none. There is no swale present but there is a vacant area to the east and that border has been lined with Arborvitae. Member Yeatts asked if Natural Heritage has been notified so they can comment on this project. Mr. Rodericks said prior to the RDA he did not notify Natural Heritage. Member Yeatts suggested if this plan is approved, that a condition be added that Natural Heritage needs to be notified and they have 30 days to respond. Member Knox stated that since this is in a flood zone, his concern is that a silica or acrylic sand are added into the turf. In case of flooding he wanted the least harmful of those products be used. Greg Harrison said there is no substrate added into the surface of material. Member Knox pointed out in the General Specifications on the plan, item c stated: Powerbroom in 7lbs per square foot of silica or acrylic sand into turf. Mr. Harrison said he would need to confirm that.

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

Voted: to issue a negative three determination with two conditions: no hazardous materials will be added to the turf and Natural Heritage will be notified and has 30 days to respond and add conditions.

Unanimous approval.

4 Beechtree Drive – RDA, Reissfelder. Keith Reissfelder, the homeowner, was present for discussion as well as Kyle Devenish from Outback Engineering. Mr. Devenish said this was a similar proposal to the previous project, the replacement of the existing manicured lawn with artificial turf. This project will have a ¾" washed stone as a base and does not require the use of silica. There was a discussion regarding the photos of the site submitted with the filing. Mr. Devenish said that tree in the center of the photos will remain, the landscaped island in the middle will be taken out. There will be no change in

the final grade elevation and all hardscaping is to remain. Since the wall at the pond is above finish grade, it will provide siltation protection for the pond, but siltation fence can be provided. A small machine will be used to remove material and a wheelbarrow will be used to bring in the stone, it will be spread and compacted and the artificial material laid. The installation will take 2-3 days and Mr. Devenish thought they would be able to control any runoff siltation that may occur. Member Yeatts said the plan didn't show where this was going. Mr. Devenish said it was going on the front side (pond side) just outside the paved patio to the wall. Member Knox asked if they were replacing all the grass with turf. Mr. Devenish said yes, all the grass in the front (pond side) to the wall, not directly to the pond. Member Knox asked if the homeowner was doing the work himself. Mr. Reissfelder said it would be the landscape company. Member Knox also asked what the time frame would be between the time they start stripping the grass until the turf goes down. Mr. Reissfelder responded that it would be 2-3 days, but they were planning on 2. Member Knox asked what the square footage was. Mr. Reissfelder said the square footage was 1,710sf. Member LeBlanc asked if the hardscape would stay. Mr. Reissfelder said it would. Member Knox asked if the hired landscaper was an approved installer of this product. Mr. Reissfelder said that this is all that they do. Member Knox said his only recommendation was a narrow strip of straw wattle staked in along the wall to gain a little bit of height for retention in case over those 3 days there's a downpour. Member Yeatts said it's in Natural Heritage territory and a flood zone. Mr. Devenish said Natural Heritage will need to be notified.

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

Voted: to issue a negative determination #3 with conditions: Natural Heritage will be notified and has 30 days to respond and add conditions, a siltation barrier will be placed along top of the retaining wall, no stockpiling of material.

Unanimous approval.

Discussion: Mr. Reissfelder asked what the turn around time was for Natural Heritage since he was in a time crunch. Member Yeatts said that Natural Heritage has 30 days to respond so the quicker he gets it out and gets the green card back, the quicker he can get a response from them. Mr. Reissfelder asked if at the next meeting he could submit. Member Knox said he did not have to come to another meeting, but he needed to get that filed. Mr. Devenish said he would take care of it. Member Yeatts said that he was approved, he just wouldn't get his permit until they respond.

Former Lakeville Hospital Property – Chairman Bouchard said there was finally a set of plans so if any members want to take a look at them either see Nancy or come to the office. Member Chamberlain mentioned that he and Member Yeatts and Chairman Bouchard had visited the site. Chairman Bouchard said where they walked around was mostly where the old landfill was. The wetland specialist did some wetland delineation and the town's peer review engineer went out to verify the wetland line. Member Knox said at the next 43D meeting, they will either deem it complete or ask for more information and then it will go out to the Boards. Chairman Bouchard said that it was worth the time to take a look at the plans since they were so detailed.

149 Bedford St. – NOI. Chairman Bouchard said that there is a site plan review going on and a proposal to knock down the building there and put up an office building. An NOI hasn't been filed as of yet. Member Yeatts said she thought there was either an ANRAD or and RDA on that property from about 7

or 8 years ago. Member Chamberlain agreed, but couldn't remember details on it. Chairman Bouchard said of what he remembers of the plan, only a small portion of it is in the buffer zone, most of it is outside. Member Knox stated that the curb cut was way down 18 from the corner. Member Chamberlain asked if there was a curb cut on 79. Member Knox said there was not. There was a brief discussion about the site.

Meeting Minutes – September 8, 2020

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

Voted: to accept the minutes as they exist.

5 approve, 1 abstain (LeBlanc-not present at 9/8/20 meeting)

Adjournment – (8:17pm)

Upon a motion made by Member Knox, Chairman Bouchard stepped down to second, it was:

Voted: to adjourn.

Unanimous approval.