

Town of Lakeville
Conservation Commission
Tuesday January 14, 2020
7:00PM – Lakeville Senior Center

Members present: Chairman Bob Bouchard, Mark Knox, Rick Hagerman, Joe Chamberlain, John LeBlanc, Nancy Yeatts, and Josh Faherty.

5 Island View – Request for Determination of Applicability (RDA)- Chairman Bouchard read the legal notice into the record. David Santos from Prime Engineering was present for discussion. This is a proposed septic repair on a property abutting Long Pond. The existing septic system is within 50-feet of Long Pond. The proposed plan replaces the septic tank and adds a pump to pump away from Long Pond. Currently, this property shares a well which will be decommissioned and a new well installed as shown on the plan. A straw waddle and silt fence will be installed on the 50-foot buffer and no work will be done to the existing septic system, just decommissioning it. Member Knox asked if they were going to fill the old system with sand. Mr. Santos said no, just the leaching field. The old tank will be removed and a new one installed in the same location. The new well will be outside the 100-foot buffer zone. Member Yeatts asked what size the straw waddle would be. A 12-inch straw waddle will be used. Member Knox said that the well will be outside the buffer zone, but a line will need to be installed to the house, siltation barrier would be good to catch any siltation from the trenching.

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

Voted: to issue a negative determination with a condition that a siltation barrier from the deck to the property line will be added.

Unanimous approval.

6 Charles St – Request for Determination of Applicability (RDA) – Chairman Bouchard read the legal notice into the record. Robert and Tammy King were present to discuss their request for a temporary portable pier. There was a dispute with a neighbor and the Department of Environmental Protection was notified, DEP is making the applicant and the southern abutter both file for Chapter 91. The current wall and concrete dock are pre-1984, there is a new temporary aluminum pier. Ms. King said they have redesigned the seasonal pier, putting it inside the 25-foot Chapter 91 line. Chairman Bouchard explained that the RDA was to satisfy DEP so they can proceed with the application. Chairman Bouchard also mentioned that he had done a site visit and was satisfied with what they are proposing.

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

Voted: to approve the application for a Chapter 91 dock, to issue a negative three determination.

Unanimous approval.

141 County St – Request for Determination of Applicability (RDA) - Chairman Bouchard read the legal notice into the record. Elyse Tripp from Outback Engineering was present for discussion regarding the raze and rebuild of a barn on the same slab foundation. They are proposing siltation fence around the area of work. They are trying to keep the work out of the wetlands which is difficult since the barn was built so close to the wetlands, almost inside of it. They will keep construction on the easterly side and any stockpiles will be as far away as possible. The construction vehicles will go through the driveway. There is an existing septic area to the right in the grass which they don't want vehicles going over. The existing silos will remain. Chairman Bouchard asked about the demolition debris, would it be reused or taken away. Ms. Tripp said that they may reuse some small things like windows if they can reuse them. Chairman Bouchard asked when they would be looking to start demolition. Ms. Tripp said in the spring, but hopefully sooner than later. Chairman Bouchard asked if she was aware that Lakeville had demolition permit requirement. She said she would make sure the applicant was aware. Member Chamberlain said depending on the age of the building, also the Historical Commission may want to get involved.

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

Voted: to close the hearing and issue a negative three determination with conditions.

No equipment is to enter across the wetland resource area at any time. Equipment for fuel storage and re-fueling operation shall be located outside all areas within the jurisdiction of the Commission.

Unanimous approval.

57 Long Point Rd – Notice of Intent (NOI) (1 Fitzgerald Drive LLC) – Chairman Bouchard read the legal notice into the record. Kevin Kline from Stantec was present for discussion and turned in the abutter notification cards. Mr. Kline said they were before the Board in December for the Request for Determination of Applicability (RDA) for the demolition, and are back before the Board now for the Notice of Intent to do the rest of the site work and construction. The site is the Island Terrace Nursing Home and the project is the demolition of all the buildings on-site and construction of two 55-and older condominium or apartment buildings. They will use the existing access road and reuse the majority of the wastewater system and all of the wastewater treatment system and the majority of the leaching system (removing 8 trenches and building 4 new). There will be two buildings each with 33 units. The parking will be under the building and parking in front of the building. The entire site is in water supply protection areas, both for on-site public supply well and Zone-A for Pocksha Pond (a public drinking supply for the city of Taunton and the city of New Bedford. They were before the Department of Environmental Protection (DEP) previously for the existing system which was approved roughly seven years ago. It is a moving bed bioreactor (MBBR) wastewater treatment system designed for 12,540 gallons per day. Under the new proposal, that will be reduced to 9,900 gallons per day. That reduction takes it out of DEP's jurisdiction and puts it into the Board of Health. There is a Board of Health hearing next week. The existing on-site public water supply was upgraded as part of the nursing home upgrade and they will be reusing that system. They will retain the same well and same storage tank and all of the treatment equipment and moving it from the existing nursing home building and

moving it to the basement of one of the residential buildings. They have gotten a new source approval from DEP for the reuse of the well, the wastewater treatment system, and have reduced the flow to 9,900 gallons per day. The existing site was 23% impervious, DEP wanted it cut to 20%. All stormwater from paved areas will be treated and recharged on site. All stormwater from the roof is collected and recharged on site. Some of the recharge system is in the buffer. The buildings are outside the 100-foot buffer, all of the parking is outside the 100-foot buffer, the access road is within. They will widen the existing access road at the entrance which is within the buffer. The stormwater system for recharging the roof are at the buffer. The existing stormwater system is going to be expanded, it was used for the parking lot, it will now be used for the building. The recharge for the paved areas is outside the buffer. Jon Delli Prisco (the property owner) said that they are currently doing the abatement of the buildings prior to demolition, there were a number of things that needed to be removed, and they needed to get the proper permits. All that is completed. The demolition will start Friday, and the haybales are being put in. Mr. Kline said areas that they will be working in that are within the 100-foot buffer zone are a stormwater system which will be expanded slightly, one of the houses (to be demolished), and a paved look-out area (which will be a new recharge system for the roof, and the other recharge system. A split rail fence was added behind the proposed buildings. They are also looking at putting guard rails on the access road at the culvert on the south side and maybe at one other spot at the entrance to Betty's Neck. There will be work redoing the access road due to construction. Member Yeatts asked if they had designated an area for snow storage. Mr. Kline indicated that there was an area but it was not designated on the plan but he would add it. Chairman Bouchard asked about the underground garage and how deep it went down. Mr. Kline said that it would be 3-4 feet below existing grade. There was a brief review of the architectural plan. Member LeBlanc asked if these were apartments or condos. Mr. Prisco said they were individually metered so if the condos don't sell, he would need a fall back. Member Knox said on the conditions attachment, number 5, he would have an issue with that one. Mr. Kline said he assumed it was only during construction. Member Yeatts said that was right. There was a discussion regarding the condition.

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

Voted: to close the hearing and issue and order of conditions including the following:
a designated area for snow storage that does not adversely affect the water supply shall be shown on the plan of record. And with the standard conditions shown on attachment A, B, & C.
Unanimous approval.

Tom Barron asked to speak. He said he spends a lot of time out there and that the access road is in better shape than Long Point Rd. Member Knox asked if there was a long-term maintenance contract with the owner of the road. Mr. Delli Prisco said he did have a long-term maintenance contract for the road.

MassDOT - Lars Carlson from MassDot was present for discussion regarding a minor modification for NOI SE192-802. There was an Order of Conditions issued in June of 2018 and

they have come before the Board to notify them of modifications and see if it warrants and new Notice of Intent. Some elements of the ballast mats and signal designs were unclear when submitted, but now the locations have been made clear. More detail on the design of retaining walls is now available as well. There was a discussion regarding the project. Member Yeatts said she had given a copy of the plans to Linda Grubb who was the Selectmen's choice for a point person and she had a few questions. Ms. Yeatts asked if there would be fencing. Mr. Carlson said there is fencing proposed in populated areas. Ms. Yeatts said it appeared there was fencing in some wildlife crossings. Mr. Carlson said the fencing would be elevated above the ground surface. Member Chamberlain said he noticed on the plan that there were 4-foot wide pedestrian openings. Mr. Carlson said he thought that could be the areas where there is a signal crossing with a switch. Ms. Yeatts asked if Mass Audubon had commented on the changes. Mr. Carlson said they have not coordinated with Mass Audubon. He said if the Town wanted the changes sent to Mass Audubon he would do so. Lastly, Ms. Yeatts asked about the North Lakeville line, the culvert was blocked and the water was being directed. Was that corrected? Mr. Carlson said all of the culverts either have been or will be rebuilt to accommodate commuter rail standards. Member Knox said he property abuts some of the rail and asked the procedure for culvert work. Mr. Carlson said there are different procedures depending on the anticipated flow volume. There was a brief discussion regarding the modifications. Ms. Yeatts also asked if the historic districts were being fenced off. Mr. Carlson said that would be reviewed by their historic consultant and they may specify if it's black chain link to be used. There was a brief discussion regarding cemetery access over the rails.

Request for Certificate of Compliance for 33 Shore Avenue - This filing was done after the fact. The homeowner did some major changes along the bank and between the house and pond with concrete. The owner also did what was requested by the Board and did some landscaping. Chairman Bouchard recommended that they approve it.

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

Voted: to issue a Certificate of Compliance to 33 Shore Ave, file number 192-736.

Unanimous approval.

Review and approve meeting minutes October 22, 2019:

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

Voted: to approve the October 22, 2019 minutes with corrections.

Four in favor, 2 abstention (Yeatts and Knox both absent from October 22nd meeting).

Adjournment –

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

Voted: to adjourn.

Unanimous approval.