

Town of Lakeville
Conservation Commission
Tuesday September 8, 2020
7:00PM – Remote meeting

Members present: Joseph Chamberlain, Josh Faherty, Mark Knox, Nancy Yeatts and Chairman Bouchard (late arrival). Vice-Chairman Chamberlain called the meeting to order. Member Knox took over to chair until Chairman Bouchard joined the meeting. This was a remote meeting and recorded by LakeCam.

Lot 3 Equestrian Way – Notice of Intent (NOI) – Zenith Consulting Engineers. Nyles Zager from Zenith Consulting Engineers was present for discussion. The proposal is for a four-bedroom single family house with septic and well, grading and driveway. A small portion of the house is in the 100' buffer zone. The wetland line was approved by the Commission with the NOI process, and the plan has been approved by the Board of Health. As part of the filing the Order of Conditions (OOC) issued for the road was included to show where the wetland line is located. Member Yeatts asked if they had received a Certificate of Compliance for the roadway. Mr. Zager said they have not. Member Yeatts also asked about the wetlands replication mentioned in the OOC. Mr. Zager said there was a replication area proposed with the roadway, but when they permitted the lot at 5 Malbone, they included that replication area on that filing instead. It had been determined by the Chairman Bouchard and Jamie Bissonnette from Zenith Consulting Engineers, that the replication area that needs to be done was wetlands that had already restored itself, so they added the replication to 5 Malbone instead. Member Yeatts wondered why there wasn't a request for a Certificate of Compliance on the road. Mr. Zager said the road wasn't complete at this time, it still needs to be stabilized. *Chairman Bouchard joined the meeting at this time.* Chairman Bouchard said he had been out to the site several times and was satisfied with the conditions there, so he recommended approval.

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 for construction.

Unanimous approval.

2 Edgewater Drive - Elyse Tripp from Outback Engineering and Maureen and Michael Martowska were present for discussion on landscape and hardscape in their backyard on Long Pond. This property is already landscaped and hardscaped. The plan shows a staircase and retaining wall already existing at the edge of Long Pond. What they are proposing is a patio in either corner of the retaining wall with a staircase going up to the house. The deck will be replaced with a terrace area and pavilion. A patio will be added connecting to the driveway which they are planning to pave, but the majority of the driveway is outside of the 100' buffer.

This area is also outside of the Natural Heritage boundary. Natural Heritage did receive a copy of the filing, but a response has not been received yet. Ms. Tripp wanted to note that they did have a silt fence proposed around all the areas within the 100' buffer zone and around where the garage is. There is a silt sock added toward the proposed patios by Long Pond just until the retaining wall and staircase are finished. Chairman Bouchard asked what the distance was from the property line to the proposed patio to the north side of the building. Ms. Tripp said it was only a couple of feet (5' or less) and they would still have to go before the Zoning Board on this. The privacy fence is only from the driveway to the pavilion area. Chairman Bouchard said the plan only showed a few trees to be removed, but having been out to the site, there were quite a few. He wanted to know what the plan was for the stump removal. Ms. Tripp said they would be ground and removed. Chairman Bouchard said it would be helpful to mark the trees and let the Commission know which trees will be cut and which will remain or be stumped. Mr. Martowska said that some of the trees have been removed, but some of the stumps still have to be removed. Member Chamberlain asked what the elevations were. Ms. Tripp said at the top of the house it's 70, at the bottom it's about 60 or so. So, it slopes about 10' down with Long Pond being at 57. Member Chamberlain asked if the percentage of impermeable area had been worked out. Ms. Tripp said she had not worked out that calculation yet. Member Yeatts said it was at the top of the plan, 28.6%. Mr. Martowska said that didn't include the proposed driveway. He also wanted to point out that when he built the house, he asked the Commission about the runoff from the house. He asked if it was ok to run underground pipes out through the seawall and he was given the ok. Member Yeatts said she has been working way too hard on flood mitigation to be comfortable with anything on Long Pond especially, that has 28.6% coverage when the Planning Board says 25%. She added that the whole problem we've been having with the flooding is that people continue to pave and pave and pave this close to the pond and that we're allowing them to go over what the zoning regulation is. Member Yeatts said she could not, in good faith and conscience, be accepting of that. Mr. Martowska said he could fine-tune some things to get some of that area back. He said he hoped he wasn't going to be penalized, because within the last year or so his neighbor a few houses away was allowed to put an addition on his house and cover about 70% of their property, making it impervious. He hoped he wasn't going to be penalized for doing things the right way. He said he could make changes in some ways like thin out the driveway in different spots to try to minimize some of that paved area. Ms. Tripp said as far as the impervious area, she could do a calculation on what is already there versus what is proposed. Member Yeatts asked what material the patio would be that is so close to the pond. Mr. Martowska said he hasn't done the building specs yet and he was trying to find something that was going to work. He said in the flood 10 years ago, the water came over the seawall so he wants to find something that will hold up under those conditions. At worst it would be a cement slab. He's not keen on pavers because those keep shifting all over the place with the waves crashing over in the winter and the fall storms. He sees the stairways as cement retaining walls to hold the stairs in place with blue stone treads. He said he can adjust the size of the patio a bit, but he can't make it too much smaller without having a non-usable space for the functions he's trying to do. Chairman Bouchard asked where the discharge from the pavilion occurs. Mr. Martowska explained that there is a drain pipe that comes out near the north end of the seawall and another one near the south end which takes all the drain spouts from the house

underground. He said he could tie into that. Member Yeatts said she would like to see the impervious down to the 25% which could probably be done through the driveway. She also wanted to know if there was a previous order of conditions on this property. Mr. Martowska said back 30 years ago when he put the seawall in there was one. Member Yeatts asked if they were making adjustments to the seawall. Mr. Martowska said no, everything was inside the seawall up to the house. Member Yeatts asked if he was opposed to pavers, something that would allow some recharge back into the ground on these two patios, that's a lot of cement right on Long Pond. Mr. Martowska explained that in the spring he has a problem with seepage through the ground and it will percolate through the soil at the top of the stairway at the seawall. He was thinking that along the patio areas it could be flat or slightly sloped and if he had to, put in a French drain to make sure the water isn't pulling dirt with it into the lake. There was a discussion on how to reduce the coverage of paved areas. Chairman Bouchard asked if Ms. Tripp could come up with a table that includes all the paved and unpaved areas. Label them terrace or patio, and whatever the material is going to be. And then see what the total area is going to be and see if a few more square feet can be shaken out. Mr. Martowska said his plan right now was that all the upper terraces and stairway to have blue stone. The driveway will be asphalt, the only questionable areas are the patios right on the water. Member Knox asked the Board if they were at 26 ½ %, but the two proposed patios on the water were pervious pavers rather than concrete, which would allow the water to pass through, would that be amenable to the Board? Chairman Bouchard said he would be satisfied with that. Member Knox asked if Mr. Martowska had thought of logistics of getting a cement truck down the hill to pour the patios. He thought he would have to use a pump or a wheelbarrow. Ms. Tripp wanted to summarize the requirement of the Commission. Member Knox said anything over the 25% to be pervious.

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

Voted: to continue to the September 22nd meeting at 7 o'clock.

Unanimous approval.

Meeting Minutes –

- June 30, 2020 –

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

Voted: to accept the minutes as written.

Unanimous approval

- July 14, 2020-

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

Voted: to accept the minutes as printed.

Unanimous approval.

Adjournment –

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

Voted: to adjourn.

Unanimous approval.