

**Town of Lakeville  
Conservation Commission  
Tuesday, July 24, 2018  
7:00 PM – Lakeville Senior Center**

On July 24, 2018, the Conservation Commission held a meeting at 7:00 PM at the Lakeville Senior Center. The meeting was called to order by Member Knox. Members present: Caitlin Canedy, Katherine Goodrow-Robinson, John LeBlanc, Mark Knox, Agent Lenore White, associate member Richard Hagerman. Members absent: Chairman Bouchard, Joseph Chamberlain, Keith Jensen, and associate members Sarah Kulakovich.

**LeBaron Estates Phase IV & V** - Jeff Younquist from Outback Engineering was present for discussion. All the engineering is finished, Nick Lanney has done a final sign-off and they have ZBA approval. Agent White said an alternatives analysis was needed due to work in the riverfront area. She said Jen Delmore had written one in February 2018, but an alternatives analysis for a subdivision would require a broader scope. The entire municipality needs to be looked at for areas that might be appropriate and when you look at alternatives analysis you can't divide it into phases, you need to look at the whole project. Agent White felt that this wasn't addressed. Ms. Delmore did say that they didn't think there were any adverse impacts since they were outside the first 100 feet. But, 55,000 square feet are being proposed in the riverfront area. Agent White did not feel this was adequate. Mr. Youngquist said that they've done cost analyses requested by the ZBA. He said they were only disturbing less than 10%. There was a discussion regarding the site. Member Knox said there are two separate phases, Phase IV (near the main road), and Phase V (the larger buildings toward the back). They're both outside the 100' zone, but within the 200' riparian zone. Phase V looks better, as far as the distance from the riparian zone. An adjustment was made there. In Phase IV there are over 55, two family units, not the large 24 unit buildings. Member Knox asked what the other points were that needed to be addressed in the alternatives analysis. Agent White said technology (if you hit bedrock), cost (how much would affect the cost of your build out), logistics (if the Zoning Board says you can't put it there it needs to go here, and that's the only place to put it), and adverse effects (working in the riverfront area and how the adverse effects are being handled). Ms. Delmore did address that point in her analysis. Mr. Youngquist said that all the others are addressed in the ZBA hearing. Agent White said they are a different Board and relevant information also needs to be submitted to Conservation. Member LeBlanc said he felt Mr. Younquist had a point; this should have been addressed way back. Member Knox said the alternatives analysis came up about 3 months ago. Mr. Youngquist said he thought they had it addressed then. The report was part of the original Notice of Intent. Member Knox said that there isn't a clear 200' riparian zone on the plan. They would be looking at flood impact, wildlife habitat impact, prevention of pollution impact, ground water supply. The plans have been revised since the original Notice of Intent was filed. There was a review of a revised plan. Member Knox said the grading went from an elevation of 68 to the 90's, it's a steep drop. He felt the impact would be minimal, and it's an improvement to a gravel pit. There was a

discussion regarding the former cement plant. Member Knox said he would be inclined to accept a motion if someone wanted to make one. Member Canedy asked if this would be a motion to approve, even without the alternatives analysis. Member LeBlanc said you could make the motion. Member Canedy asked if it would be better to wait, even though they had one page, for the full report because of regulations. Member Knox asked when Ms. Delmore would be back from vacation. Mr. Youngquist said he doubted that they would change the plan. If they aren't going to change the plan, what is the point of the analysis? Agent White said he would take the risk that the Board would either approve or deny.

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

Voted: to continue the hearing to the August 14<sup>th</sup> meeting for the alternatives analysis.

So moved by Member Knox.

Unanimous approval.

**51 Nelson Shore Rd** - Nyles Zager from Zenith Consulting was present for discussion. The client is proposing to demolish the existing home and rebuild within the same footprint, as well as a roof/overhang over the existing patio. Member Knox said the only thing missing from the last meeting was the DEP number. Mr. Zager said they have that number. He said they were within 100 feet of the pond, and they are working within a portion of the flood plain as well. Member Knox asked if they were going to be doing the demo by hand, not with an excavator since they were going to save the foundation. Mr. Zager explained that it would, but some of the work will need to be done by excavator up in the driveway area. There won't be heavy work done or proposed landscape changes in the back of the property near the resource area. Agent White said the house is in a flood zone, but is being constructed with flood openings. There is a silt fence around the area. There will be no new driveways or walkways constructed and the existing septic and well will stay. This site is outside Natural Heritage jurisdiction. The septic system is located across the street.

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

Voted: to close the hearing on 51 Nelson Shore Rd. and issue an Order of Conditions.

Unanimous approval.

**56 Main St & 1 Ebony Farm Rd** - Nyles Zager from Zenith Consulting was present for discussion. Mr. Zager said at the last meeting they did not have a DEP file number and they were being reviewed by the Planning Board and HML Associates (Nick Lanney). They have just gotten the review comments and have updated the plan. The changes were minor, and as far as Conservation goes there were really no issues.

Upon a motion made by Member LeBlanc, seconded by Member Goodrow-Robinson it was:

Voted: to accept the updated plans for 56 Main St & 1 Ebony Farm Rd.

Unanimous approval.

Agent White asked if the changes could be pointed out on the plans. On the original plan the dumpster pad was located closer to the east and a temporary storage area that was going to be eliminated. The dumpster location is now closer to the loading area. Some additions were made to the notes on the plans: an inspection port on the drainage basin and an arrow for directional purposes on the pavement was removed. There were no changes to the erosion control plan. A landscaping and lighting plan was added, all outside the 100' buffer zone. A rip rap outlet going into the retention basin will be enhanced which will be added to the plan. An inspection port was also added to the retention basin. The site plan was originally approved back in the early 2000's; the drainage was all installed, the catch basins, the retaining walls. Agent White said that the Commission issued a Certificate of Compliance to clear up the old file and then accepted this new Notice of Intent. One of the abutters from Woods Edge asked about the impact of drainage. Mr. Zager explained that the original plan was for a much larger project and the drainage for that project was installed. Since this is a much smaller project, the drainage system is over designed. He also stated that they analyze the amount of storm water going into the drainage system and certify that the amount of water going in is being treated properly, detained, and then released properly so there is no downstream impact. He said that four percolation tests have been done for the septic system, which is not the purview of the Commission. The plans will be filed with the Board of Health after approval from the Conservation Commission and the Planning Board. Mr. Zager explained the storm water system to the abutters.

Upon a motion by Member LeBlanc, seconded by Member

Voted: to close the hearing for 56 Main St. and issue an order of conditions  
Unanimous approval.

**27 & 31 Commercial Drive and 35 Riverside Drive** - Nyles Zager from Zenith Consulting Engineers was present for discussion. Member LeBlanc recused himself (Member Knox stated that they entered in with a quorum, by recusing himself, Member LeBlanc accepts the majority vote). Mr. Zager said that they were before the Commission a few weeks ago but at the time, they did not have the DEP file number. This subdivision drainage system was designed to handle 80% of the storm water off site. There are two large detention basins already constructed and storm water conveyed to them on Commercial and Riverside Drive. The two hundred foot riverfront is at the back property line. The one hundred foot buffer zone was pointed out on the plan. The closest impact is the entrance (on Commercial Drive) located near the town owned easement that runs to the detention pond. They are proposing a paved portion to access the buildings as well as an extension of grading to access the detention pond. Agent White said she had no issues with the site. Mr. Zager said the grading was 3:1 to the left of the driveway and would be loamed and seeded.

Upon a motion made by Member Goodrow-Robinson, seconded by Member Knox it was:  
Voted: to close the hearing for 27 & 31 Commercial Drive and 35 Riverside Drive and issue an order of conditions.  
Unanimous approval (Member LeBlanc recused).

**Lot 8 Ironwood Lane** - Certificate of Compliance. Agent White said she went out to the site and said it looked fine.

Upon a motion made by Member LeBlanc, seconded by Member Goodrow-Robinson, it was:  
Voted: to issue the Certificate of Compliance for Lot 8 Ironwood Lane.  
Unanimous approval.

**34 Shore Ave** – Alan Roberts was present to discuss a permit for demo/reconstruction. Agent White said that Mr. Roberts has a couple of sheds at 34 Shore Ave that he would like to demo and add a garage. She felt that a Notice of Intent should be filed. There was a discussion regarding the site and work to be done. Member Knox said that an RDA could be done to cover the demolition of the sheds and then if Mr. Roberts decides to build the garage he could come back and do a separate filing for the garage. Member Knox said silt fence should be in place for the demolition. Agent White asked what would be done with the demolition debris. Mr. Roberts said he would have an onsite dumpster. Member Knox asked if Agent White would be ok with taking a vote to issue an RDA with a negative determination with orders that the paperwork could be filed in the office. Agent White said the only problem was it wasn't posted as a public hearing. Member Knox said they would put Mr. Roberts on the next meeting (August 14<sup>th</sup>).

**Approval of meeting minutes (April, May and June)** – continued to the August 14<sup>th</sup> meeting.

**71 Southworth St** - Agent White said there have been a couple of complaints regarding work being done. This is a large parcel of land with wetlands in the back. There have been large trucks of gravel coming in. No one has been able to access the property to see what is actually taking place, but according to the GIS map and photos it appears that work is being done in the wetlands or within the 100 foot buffer zone, including filling and clearing vegetation. There was a discussion of what course of action the Commission would take.

Upon a motion made by Member LeBlanc, seconded by Member Knox, it was:  
Voted: to send a letter to the property owner with the ultimatum of Enforcement Order and notification of DEP.  
Unanimous approval.

**Adjournment –**

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

Voted: to adjourn