

TOWN OF LAKEVILLE MEETING POSTING & AGENDA

Town Clerk's Time Stamp
received & posted:

48-hr notice effective
when time stamped

Notice of every meeting of a local public body must be filed and time-stamped with the Town Clerk's Office at least 48 hours prior to such meeting (excluding Saturdays, Sundays and legal holidays) and posted thereafter in accordance with the provisions of the Open Meeting Law, MGL 30A §18-22 (Ch. 28-2009). Such notice shall contain a listing of topics the Chair reasonably anticipates will be discussed at the meeting.

Name of Board or Committee:	<u>Conservation Commission</u>
Date & Time of Meeting:	<u>October 11, 2022 @ 7pm</u>
Location of Meeting:	<u>Lakeville Police Station 323 Bedford St. Lakeville, MA</u>
Clerk/Board Member posting notice:	<u>Lori Canedy</u>

Cancelled/Postponed to: _____ (circle one)

Clerk/Board Member Cancelling/Postponing: _____

A G E N D A (r e v i s e d)

1. 12 Fuller Shores Rd. - Notice of Intent, Zenith. Septic upgrade.
2. 3 Malbone St. - Certificate of Compliance, Zenith. SE192-793
3. 6 Equestrian Way - Certificate of Compliance, Zenith. SE192-849
4. Submittal requirements - discussion and possible vote.
5. Meeting minutes - review and approve meeting minutes from:
 - July 26, 2022
 - August 3, 2022
 - August 9, 2022
6. Beechtree Drive - discussion.

NEW BUSINESS:
OLD BUSINESS
APPROVAL OF MINUTES
CORRESPONDENCE
ANNOUNCEMENTS

Please be aware that this agenda is subject to change. If other issues requiring immediate attention of the Conservation Commission arise after the posting of this agenda, they may be addressed at this meeting.



WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

MassDEP File Number

Document Transaction Number

Lakeville

City/Town

Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note:
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

1. Project Location (Note: electronic filers will click on button to locate project site):

12 Fuller Shores Road

a. Street Address

Lakeville

b. City/Town

02347

c. Zip Code

Latitude and Longitude:

41d 49' 00" N

d. Latitude

70d 56' 24" W

e. Longitude

044/001

f. Assessors Map/Plat Number

002

g. Parcel /Lot Number

2. Applicant:

Jan & Heather

a. First Name

Gadde

b. Last Name

c. Organization

12 Fuller Shores Road

d. Street Address

Lakeville

e. City/Town

MA

f. State

02347

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

3. Property owner (required if different from applicant): Check if more than one owner

a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Nyles

a. First Name

Zager, PE

b. Last Name

Zenith Consulting Engineers, LLC.

c. Company

3 Main Street

d. Street Address

Lakeville

e. City/Town

MA

f. State

02347

g. Zip Code

508-947-4208

h. Phone Number

i. Fax Number

nyles@zcellc.com

j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

\$110.00 & \$75.00

a. Total Fee Paid

\$42.50

b. State Fee Paid

\$67.50 & 75.00

c. City/Town Fee Paid



WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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A. General Information (continued)

6. General Project Description:

Construction of a septic system with a new 1500 gallon septic tank with an advantex AX20 advanced treatment unit, 1000 gallon pump chamber and a 6' x 18' bottomless sand filter within 100' of Long Pond. Also included is the removal/decommission of the existing septic system onsite.

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- 1. Single Family Home
- 2. Residential Subdivision
- 3. Commercial/Industrial
- 4. Dock/Pier
- 5. Utilities
- 6. Coastal engineering Structure
- 7. Agriculture (e.g., cranberries, forestry)
- 8. Transportation
- 9. Other

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

- 1. Yes No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Plymouth

a. County

52753

c. Book

b. Certificate # (if registered land)

268

d. Page Number

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- 1. Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- 2. Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



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MassDEP File Number _____

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B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet _____	2. linear feet _____
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet _____	2. square feet _____
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet _____	2. square feet _____
	3. cubic yards dredged _____	

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet _____	2. square feet _____
	3. cubic feet of flood storage lost _____	4. cubic feet replaced _____
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet _____	
	2. cubic feet of flood storage lost _____	3. cubic feet replaced _____
f. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - specify coastal or inland _____	

2. Width of Riverfront Area (check one):

- 25 ft. - Designated Densely Developed Areas only
- 100 ft. - New agricultural projects only
- 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: _____ square feet

4. Proposed alteration of the Riverfront Area:

a. total square feet _____	b. square feet within 100 ft. _____	c. square feet between 100 ft. and 200 ft. _____
----------------------------	-------------------------------------	--

5. Has an alternatives analysis been done and is it attached to this NOI? Yes No

6. Was the lot where the activity is proposed created prior to August 1, 1996? Yes No

3. Coastal Resource Areas: (See 310 CMR 10.25-10.35)

Note: for coastal riverfront areas, please complete **Section B.2.f.** above.



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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

MassDEP File Number _____

Document Transaction Number _____

Lakeville

City/Town

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	_____	_____
	1. square feet	
	_____	_____
	2. cubic yards dredged	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	_____	_____
	1. square feet	2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	_____	_____
	1. square feet	2. cubic yards dune nourishment
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	_____	
	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	_____	
	1. square feet	
h. <input type="checkbox"/> Salt Marshes	_____	_____
	1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	_____	
	1. square feet	

	2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	_____	
	1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	

	1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	_____	
	1. square feet	

4. Restoration/Enhancement
If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.

a. square feet of BVW

b. square feet of Salt Marsh

5. Project Involves Stream Crossings

a. number of new stream crossings

b. number of replacement stream crossings



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C. Other Applicable Standards and Requirements

- This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

- a. Yes No **If yes, include proof of mailing or hand delivery of NOI to:**

Natural Heritage and Endangered Species Program
 Division of Fisheries and Wildlife
 1 Rabbit Hill Road
 Westborough, MA 01581

- 8/2021
 b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); OR complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review*

1. Percentage/acreage of property to be altered:

(a) within wetland Resource Area	0/0
	percentage/acreage
(b) outside Resource Area	9%/0.048
	percentage/acreage

2. Assessor's Map or right-of-way plan of site

2. Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **

- (a) Project description (including description of impacts outside of wetland resource area & buffer zone)
- (b) Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/>). Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

MassDEP File Number _____

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Lakeville

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C. Other Applicable Standards and Requirements (cont'd)

(c) MESA filing fee (fee information available at http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/ mesa/ mesa_fee_schedule.htm). Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

Projects altering 10 or more acres of land, also submit:

(d) Vegetation cover type map of site

(e) Project plans showing Priority & Estimated Habitat boundaries

(f) OR Check One of the Following

1. Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/ mesa/ mesa_exemptions.htm; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2. Separate MESA review ongoing. a. NHESP Tracking # _____ b. Date submitted to NHESP _____

3. Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

a. Not applicable – project is in inland resource area only b. Yes No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
1213 Purchase Street – 3rd Floor
New Bedford, MA 02740-6694
Email: DMF.EnvReview-South@state.ma.us

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: DMF.EnvReview-North@state.ma.us

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.



WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

MassDEP File Number

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Lakeville

City/Town

C. Other Applicable Standards and Requirements (cont'd)

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
- a. Yes No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
- b. ACEC
-
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
- a. Yes No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
- a. Yes No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
- a. Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
1. Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
 2. A portion of the site constitutes redevelopment
 3. Proprietary BMPs are included in the Stormwater Management System.
- b. No. Check why the project is exempt:
1. Single-family house
 2. Emergency road repair
 3. Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

- This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

MassDEP File Number

Document Transaction Number

Lakeville

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D. Additional Information (cont'd)

3. Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. List the titles and dates for all plans and other materials submitted with this NOI.

Subsurface Sewage Disposal System Upgrade

a. Plan Title

Zenith Consulting Engineers, LLC.

Nyles Zager, P.E.

b. Prepared By

c. Signed and Stamped by

9-26-22

1"=20'

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

5. If there is more than one property owner, please attach a list of these property owners not listed on this form.

6. Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.

7. Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.

8. Attach NOI Wetland Fee Transmittal Form

9. Attach Stormwater Report, if needed.

E. Fees

1. Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

4195

9-26-22

2. Municipal Check Number

3. Check date

4196

9-26-22

4. State Check Number

5. Check date

Zenith Consulting Engineers LLC

6. Payor name on check: First Name

7. Payor name on check: Last Name



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MassDEP File Number

Document Transaction Number

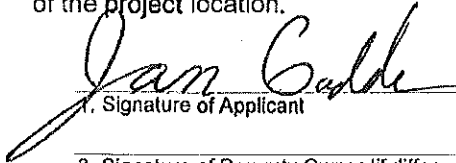
Lakeville

City/Town

F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.


1. Signature of Applicant

9-26-22

2. Date

3. Signature of Property Owner (if different)

4. Date


5. Signature of Representative (if any)

9-26-22

6. Date

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:

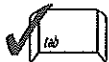
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A. Applicant Information

1. Location of Project:

12 Fuller Shores Road Lakeville
 a. Street Address b. City/Town
 4196 \$42.50
 c. Check number d. Fee amount

2. Applicant Mailing Address:

Jan and Heather Gadde
 a. First Name b. Last Name
 c. Organization
 12 Fuller Shores Road
 d. Mailing Address
 Lakeville MA 02347
 e. City/Town f. State g. Zip Code
 h. Phone Number i. Fax Number j. Email Address

3. Property Owner (if different):

a. First Name b. Last Name
 c. Organization
 d. Mailing Address
 e. City/Town f. State g. Zip Code
 h. Phone Number i. Fax Number j. Email Address

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).

B. Fees

Fee should be calculated using the following process & worksheet. *Please see Instructions before filling out worksheet.*

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category 1 (Septic System Repair)	1	\$110.00	\$110.00
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Step 5/Total Project Fee:			\$110.00

Step 6/Fee Payments:

Total Project Fee:	\$110.00
State share of filing Fee:	a. Total Fee from Step 5 \$42.50
City/Town share of filing Fee:	b. 1/2 Total Fee less \$12.50 \$67.50 & 75.00
	c. 1/2 Total Fee plus \$12.50

C. Submittal Requirements

a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection
 Box 4062
 Boston, MA 02211

b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a copy of this form; and the city/town fee payment.

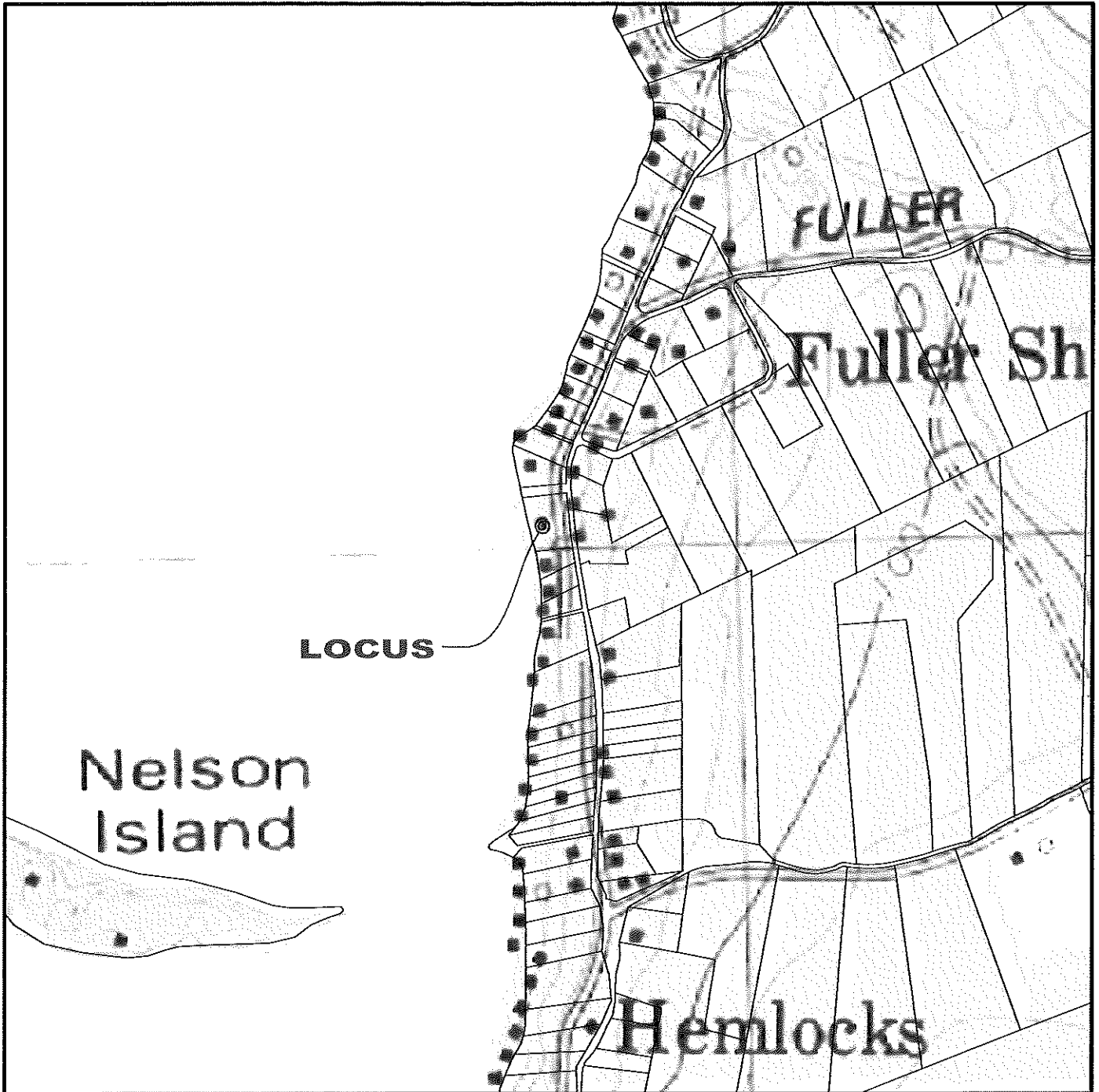
To MassDEP Regional Office (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a copy of this form; and a copy of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

Locus: 12 Fuller Shores Road in Lakeville, MA
Assessors Map 044 Block 001 Lot 002

Notice of Intent Attachments

- 1 USGS Map
- 2 Abutters List with Assessors Map
- 3 Notification to Abutters
- 4 Massachusetts Natural Heritage Map/ Letter to NHESP
- 5 Firm Map
- 6 Area of Critical Environmental Concern Map
- 7 Outstanding Resource Water Map
- 8 Copies of Checks

USGS Map



SHEET NAME:

USGS MAP

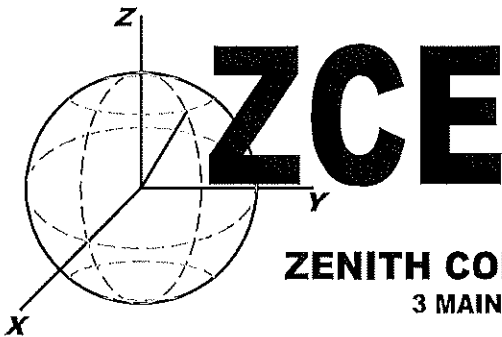
PROJECT SITE:

**12 FULLER SHORE ROAD
LAKEVILLE, MASSACHUSETTS**

CLIENT INFO:

JAN GADDE

12 FULLER SHORE ROAD LAKEVILLE, MA

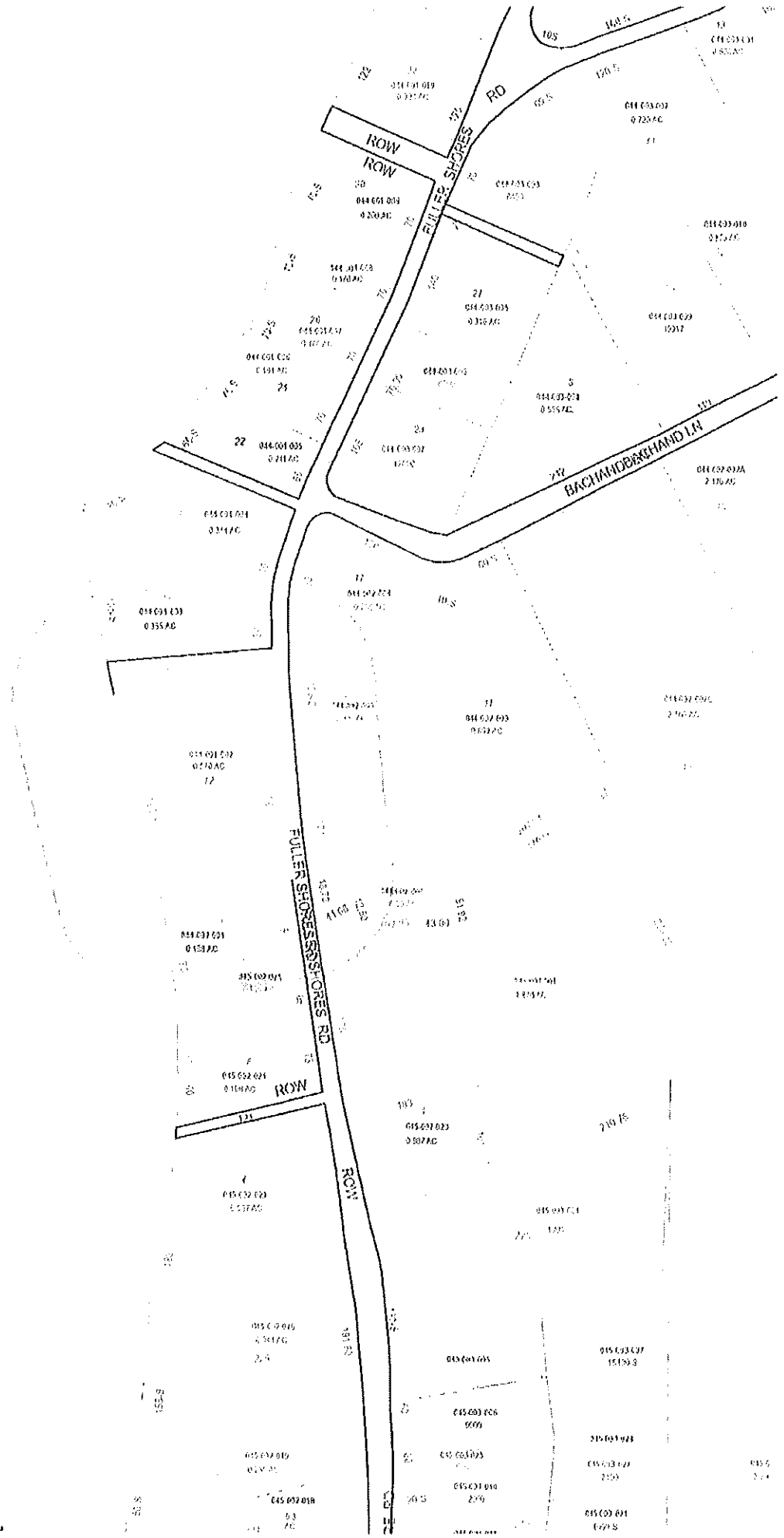


ZENITH CONSULTING ENGINEERS, LLC

3 MAIN STREET LAKEVILLE, MA 02347

PHONE: (508) 947-4208

Abutters List with Assessors Map



105
104.5
120.5
044 001 001
0.725 AC
11
044 001 002
0.215 AC
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2.10 AC

044 001 012
2.10 AC



100 foot Abutters List Report

Lakeville, MA
September 26, 2022

Subject Property:

Parcel Number: 044-001-002
CAMA Number: 044-001-002
Property Address: 12 FULLER SHORES RD

Mailing Address: GADDE JAN FRANCES & HEATHER A
12 FULLER SHORES RD
LAKEVILLE, MA 02347

Abutters:

Parcel Number: 044-001-001
CAMA Number: 044-001-001
Property Address: 10 FULLER SHORES RD

Mailing Address: CROSBY WALTER R
10 FULLER SHORES RD
LAKEVILLE, MA 02347

Parcel Number: 044-001-003
CAMA Number: 044-001-003
Property Address: 16 FULLER SHORES RD

Mailing Address: GREENE RONALD & SANDRA
16 FULLER SHORES RD
LAKEVILLE, MA 02347

Parcel Number: 044-001-004
CAMA Number: 044-001-004
Property Address: 18 FULLER SHORES RD

Mailing Address: *ROBINSON MICHAEL & TARA*
18 FULLER SHORES Rd
LAKEVILLE, MA 02347

Parcel Number: 044-002-004
CAMA Number: 044-002-004
Property Address: 17 FULLER SHORES RD

Mailing Address: VINAL ROBIN B & ELAINE J
39 BURROUGHS RD
BOXBOROUGH, MA 01719

Parcel Number: 044-002-005
CAMA Number: 044-002-005
Property Address: 15 FULLER SHORES RD

Mailing Address: CORREIA MICHAEL R &
15 FULLER SHORES RD
LAKEVILLE, MA 02347

Parcel Number: 044-002-006
CAMA Number: 044-002-006
Property Address: 11 FULLER SHORES RD

Mailing Address: CROSBY WALTER R
10 FULLER SHORES RD
LAKEVILLE, MA 02347

Parcel Number: 045-002-025
CAMA Number: 045-002-025
Property Address: 8 FULLER SHORES RD

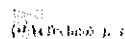
Mailing Address: HAROLD C & MYRTLE C GATES LIFE
ESTATE
8 FULLER SHORES RD
LAKEVILLE, MA 02347

Parcel Number: 045-003-001
CAMA Number: 045-003-001
Property Address: 7 FULLER SHORES RD

Mailing Address: BABINEAU PAUL J & LINDA M
7 FULLER SHORES RD
LAKEVILLE, MA 02347

Parcel Number: 048-001-027
CAMA Number: 048-001-027
Property Address: LONG POND

Mailing Address: TAUNTON CITY OF- WATER DEPARTM
90 INGELL ST
TAUNTON, MA 02780



www.cai-tech.com

Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.

9/26/2022

Page 1 of 1

Notification to Abutters

**Notification to Abutters Under the
Massachusetts Wetlands Protection Act**

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, you are hereby notified of the following.

- A. The name of the applicant is **Jan Gadde**.
- B. The applicant has filed a Notice of Intent with the Conservation Commission for the municipality of **Lakeville, Massachusetts** Subject to Protection Under the Wetlands Protection Act (General Laws Chapter 1331, Section 40).
- C. The address of the lot where the activity is proposed is **12 Fuller Shores Road, Lakeville, Massachusetts (Assessors Map 044, Block 001, Lot 002)**.
- D. Copies of the Notice of Intent may be examined at **Lakeville Conservation Commission, 241 Main Street, Lakeville, MA 02347** by appointment. For more information, call: **(508) 946-8823**.

Check One: This is the applicant , representative , or other , (specify):
Conservation Commission

Copies of the Notice of Intent may be obtained from either (check one) the applicant , or the applicant's representative , by calling this telephone number (508) 947-4208 between the hours of 9 and 3 on the following days of the week: Monday - Friday.

Information regarding the date, time, and place of the public hearing may be obtained from **Lakeville Conservation Commission** by calling this telephone number **(508) 946-8823** between the hours of **9:00 - 4:00 Monday - Friday**.

Check one: This is the applicant , representative , or other (specify):
Conservation Commission.

NOTE: Notice of the public hearing, including its date, time, and place, will be published at least five (5) days in advance in the New Bedford Standard Times.

NOTE: Notice of the public hearing, including its date, time and place, will be posted in the City or Town Hall not less than forty-eight (48) hours in advance.

NOTE: You also may contact your local Conservation Commission or the nearest Department of Environmental Protection Regional Office for more information about this publication or the Wetlands Protection Act. To contact DEP, call:

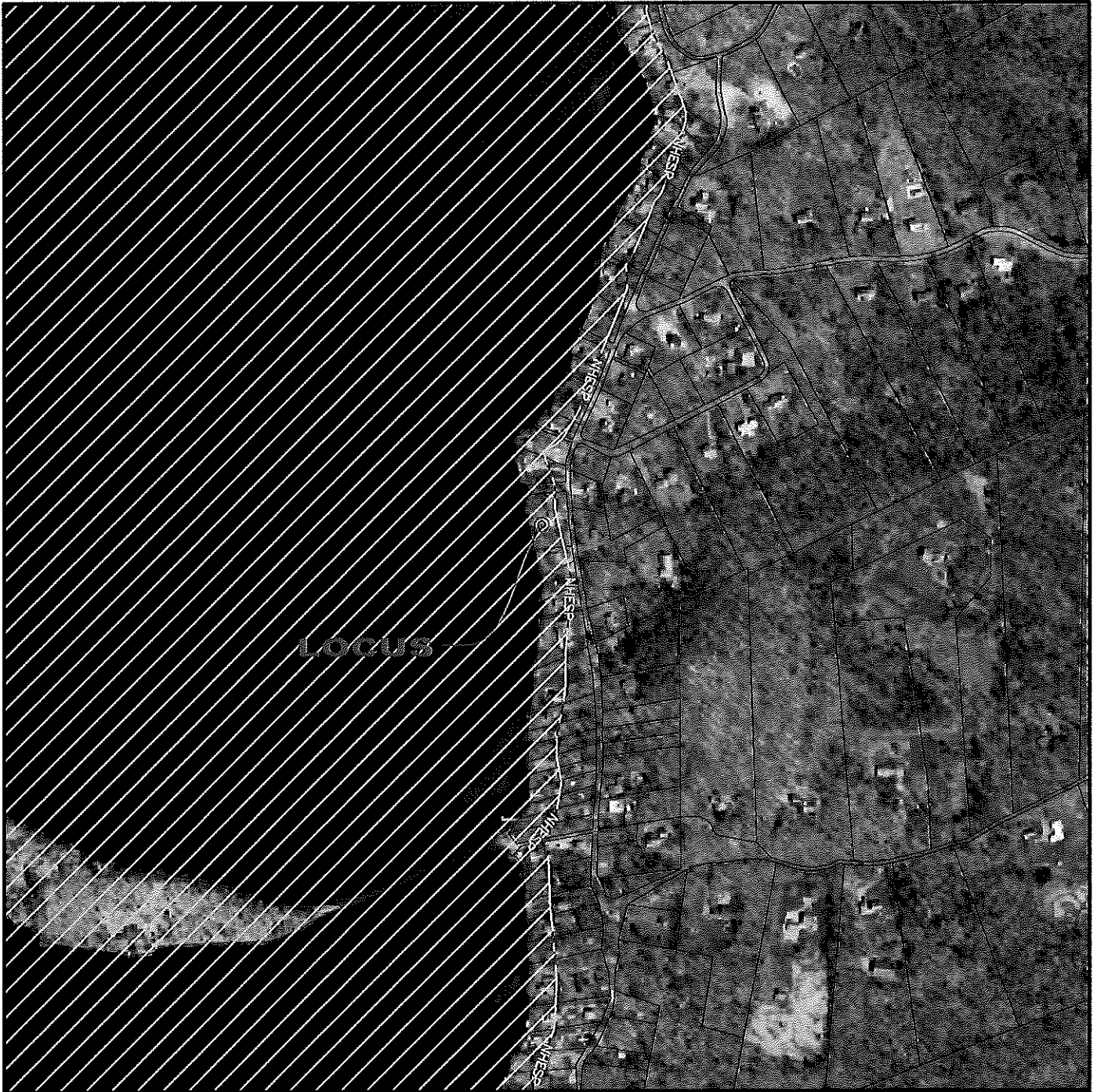
Central Region: (508) 792-7650

Southeast Region: (508) 946-2700

Northeast Region: (617) 932-7600

Western Region: (413) 784-1100

Massachusetts Natural Heritage Atlas/ Letter to NHESP



SHEET NAME:

NHESP MAP

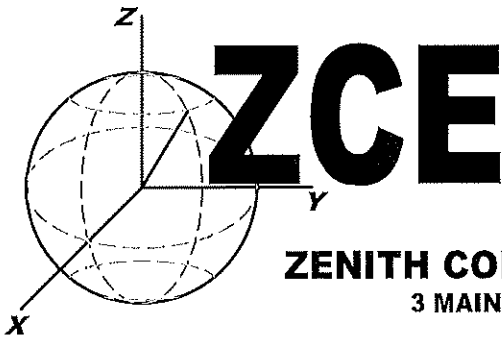
PROJECT SITE:

**12 FULLER SHORE ROAD
LAKEVILLE, MASSACHUSETTS**

CLIENT INFO:

JAN GADDE

12 FULLER SHORE ROAD LAKEVILLE, MA



ZENITH CONSULTING ENGINEERS, LLC

3 MAIN STREET LAKEVILLE, MA 02347

PHONE: (508) 947-4208



3 Main Street Lakeville, MA 02347
(508) 947-4208 - www.zcellc.com

- Civil Engineering
- Septic Design (Title 5)
- Septic Inspections (Title 5)
- Commercial and Industrial Site Plans
- Chapter 91 Permitting

September 26, 2022

Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

Project Location:
12 Fuller Shores Road
Lakeville, MA 02347

Dear Agent:

We believe that the proposed project at the above referenced address meets the following exemption:

“(6) construction, repair, replacement or maintenance of septic systems, private sewage treatment facilities, utility lines, sewer lines, or residential water supply wells within existing paved areas and lawfully developed and maintained lawns or landscaped areas, provided there is no expansion of such existing paved, lawn and landscaped areas;”

Should you have any questions, please do not hesitate to contact the office at 508-947-4208 or email nyles@zcellc.com.

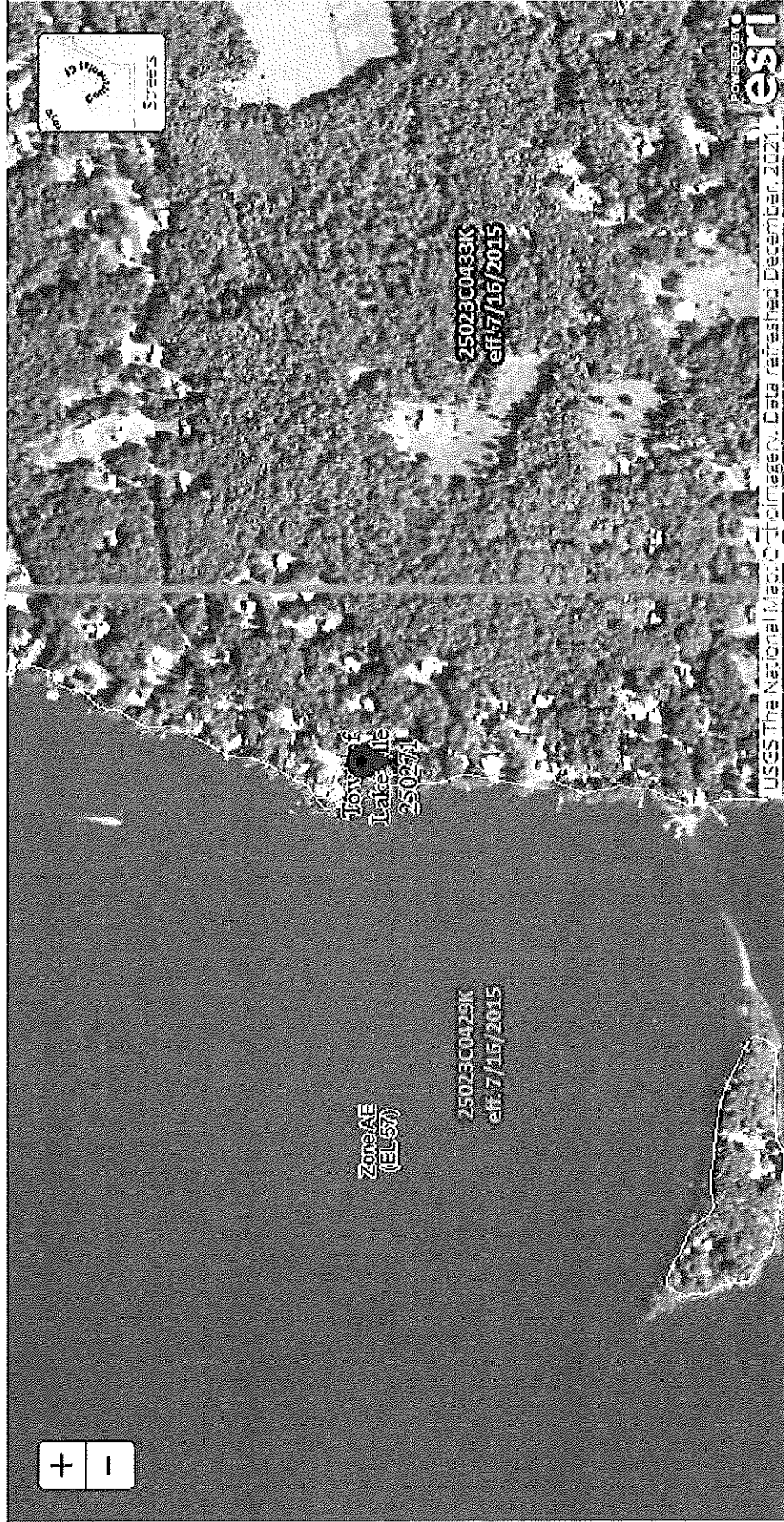
Sincerely,
Zenith Consulting Engineers, LLC

A handwritten signature in black ink, appearing to read 'Nyles Zager', is written over a horizontal line.

Nyles Zager, PE
Manager/Senior Engineer

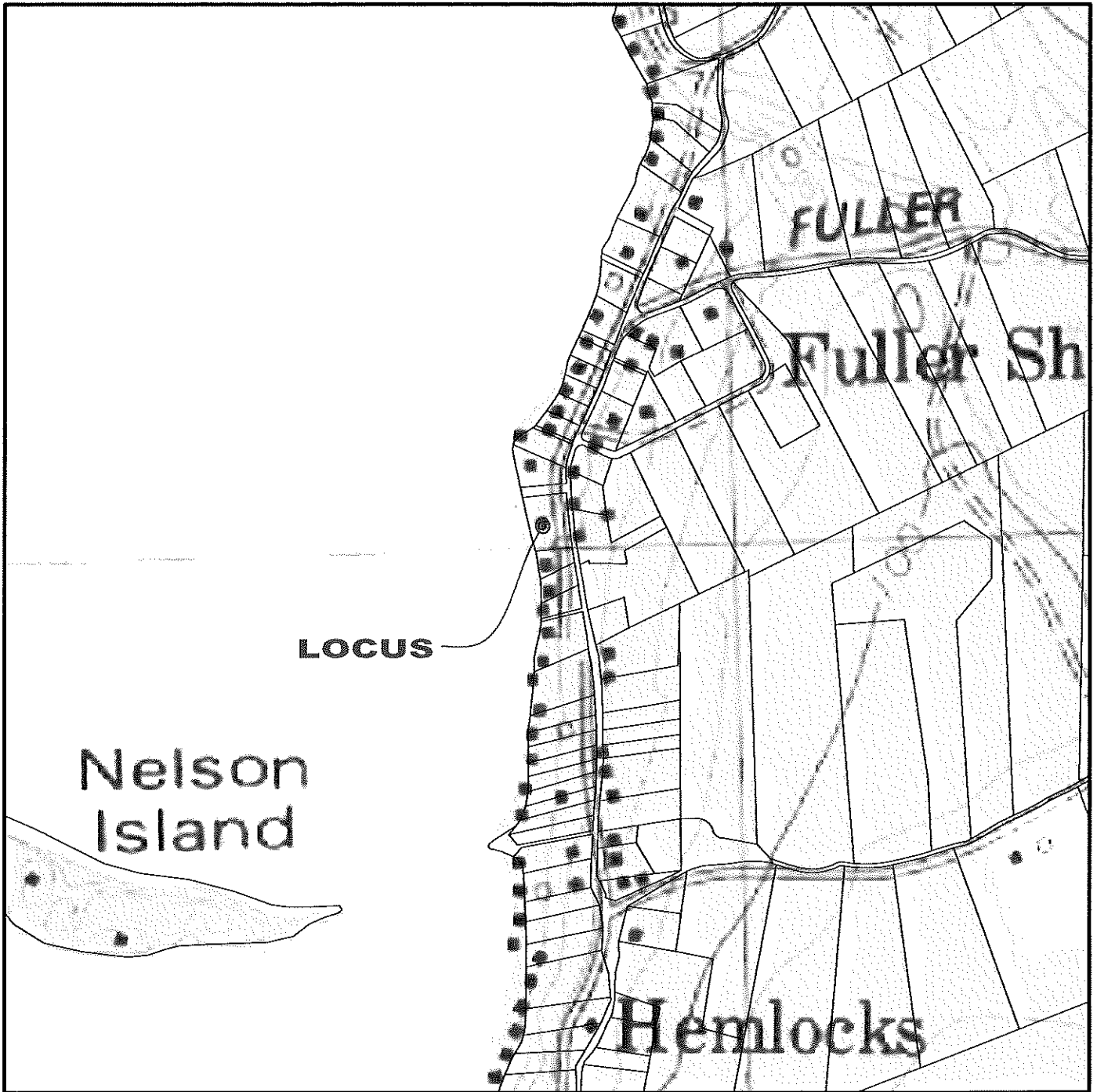
Firm Map

new location in the search field above. It may take a minute or more during peak hours to generate a dynamic Raster. If you are a person with a disability, are blind, or have low vision, and need assistance, please contact a map specialist.



<p>PIN</p> <p>Approximate location based on user input and does not represent an authoritative property location</p> <p>Selected Floodmap Boundary</p> <p>Digital Data Available</p> <p>No Digital Data Available</p> <p>Unmapped</p>	<p>SPECIAL FLOOD HAZARD AREAS</p> <p>Without Base Flood Elevation (BFE) - Zone A, V, X, Y, Z</p> <p>With BFE or Depth</p> <p>Regulatory Floodway - Zone A, AE, AH, AR, AV, AX, AY, AZ</p> <p>0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile - Zone X</p> <p>Future Conditions 1% Annual Chance Flood Hazard - Zone X</p> <p>Area with Reduced Flood Risk due to Levee. See Notes, Zone X</p> <p>Area with Flood Risk due to Levee - Zone D</p>	<p>OTHER AREAS OF FLOOD HAZARD</p> <p>Area of Minimal Flood Hazard - Zone X</p> <p>Effective LORRS</p> <p>Area of undetermined Flood Hazard - Zone D</p> <p>Otherwise Protected Area</p> <p>Coastal Barrier Resource System Area</p>	<p>OTHER FEATURES</p> <p>Cross Sections with 1% Annual Chance</p> <p>Water Surface Elevation</p> <p>Coastal Transect</p> <p>Base Flood Elevation Line (BFE)</p> <p>Limit of Study</p> <p>Jurisdiction Boundary</p> <p>Coastal Transect Baseline</p> <p>Profile Baseline</p> <p>Hydrographic Feature</p> <p>Channel, Culvert, or Storm Sewer</p> <p>Levee, Dike, or Floodwall</p>
<p>MAP PANELS</p> <p>NO SCREEN</p> <p>Area of Minimal Flood Hazard - Zone X</p> <p>Effective LORRS</p> <p>Area of undetermined Flood Hazard - Zone D</p> <p>Otherwise Protected Area</p> <p>Coastal Barrier Resource System Area</p>	<p>OTHER AREAS</p>	<p>OTHER AREAS</p>	<p>OTHER AREAS</p>

Area of Critical Environmental Concern Map



SHEET NAME:

ACEC MAP

PROJECT SITE:

**12 FULLER SHORE ROAD
LAKEVILLE, MASSACHUSETTS**

CLIENT INFO:

JAN GADDE

12 FULLER SHORE ROAD LAKEVILLE, MA

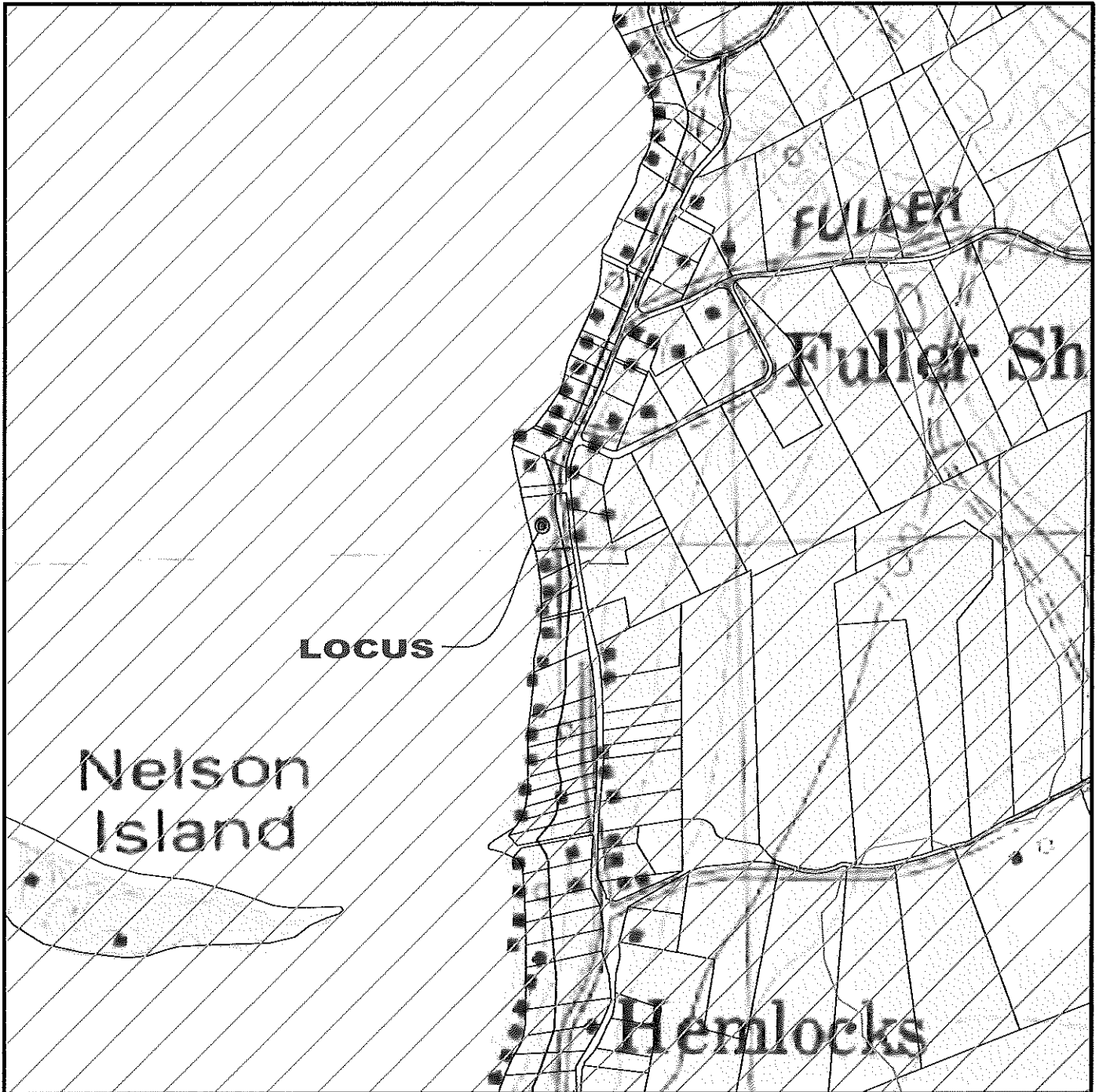


ZENITH CONSULTING ENGINEERS, LLC

3 MAIN STREET LAKEVILLE, MA 02347

PHONE: (508) 947-4208

Outstanding Resource Water Map



SHEET NAME:

ORW MAP

PROJECT SITE:

**12 FULLER SHORE ROAD
LAKEVILLE, MASSACHUSETTS**

CLIENT INFO:

**JAN GADDE
12 FULLER SHORE ROAD LAKEVILLE, MA**



ZENITH CONSULTING ENGINEERS, LLC

3 MAIN STREET LAKEVILLE, MA 02347

PHONE: (508) 947-4208

Copies of Checks

Zenith Consulting Engineers, LLC.

3 Main Street
Lakeville, MA 02347-1617

Rockland Trust Company
53-447/113

4195

09/26/2022

PAY TO THE ORDER OF Town of Lakeville

\$**67.50

Sixty-seven and 50/100*****

DOLLARS

PROTECTED AGAINST FRAUD



Town of Lakeville
Town Office Building
346 Bedford St.
Lakeville, MA 02347



[Handwritten Signature]

CASH ONLY IF ALL CheckLock™ SECURITY FEATURES LISTED ON BACK INDICATE NO TAMPERING OR COPYING

Zenith Consulting Engineers, LLC.

3 Main Street
Lakeville, MA 02347-1617

Rockland Trust Company
53-447/113

4196

09/26/2022

PAY TO THE ORDER OF Commonwealth of Massachusetts

\$**42.50

Forty-two and 50/100*****

DOLLARS

PROTECTED AGAINST FRAUD



Commonwealth of Massachusetts



[Handwritten Signature]

CASH ONLY IF ALL CheckLock™ SECURITY FEATURES LISTED ON BACK INDICATE NO TAMPERING OR COPYING

Zenith Consulting Engineers, LLC.

3 Main Street
Lakeville, MA 02347-1617

Rockland Trust Company
53-447/113

4197

09/26/2022

PAY TO THE ORDER OF Town of Lakeville

\$**75.00

Seventy-five and 00/100*****

DOLLARS

PROTECTED AGAINST FRAUD



Town of Lakeville
Town Office Building
346 Bedford St.
Lakeville, MA 02347



[Handwritten Signature]

CASH ONLY IF ALL CheckLock™ SECURITY FEATURES LISTED ON BACK INDICATE NO TAMPERING OR COPYING

Details on Back

Check for Micr Security Check



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 8A – Request for Certificate of Compliance
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:
SE 192-849
 Provided by DEP

RECEIVED

A. Project Information

SEP 30 2022

Important:
 When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Upon completion of the work authorized in an Order of Conditions, the property owner must request a Certificate of Compliance from the issuing authority stating that the work or portion of the work has been satisfactorily completed.

1. This request is being made by:

Malloch Construction, Inc. Conservation Commission
 Name
113 Padelford Street
 Mailing Address
Berkley MA 02779
 City/Town State Zip Code
508-880-5120
 Phone Number

2. This request is in reference to work regulated by a final Order of Conditions issued to:

Malloch Construction, Inc.
 Applicant
October 21, 2020 SE 192-849
 Dated DEP File Number

3. The project site is located at:

6 Equestrian Way Lakeville
 Street Address City/Town
4 4 - 3E
 Assessors Map/Plat Number Parcel/Lot Number

4. The final Order of Conditions was recorded at the Registry of Deeds for:

Malloch Construction, Inc.
 Property Owner (if different)
Plymouth 57283 11
 County Book Page

Certificate (if registered land)

5. This request is for certification that (check one):

- the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.
 the following portions of the work regulated by the above-referenced Order of Conditions have been satisfactorily completed (use additional paper if necessary).

- the above-referenced Order of Conditions has lapsed and is therefore no longer valid, and the work regulated by it was never started.



A. Project Information (cont.)

6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

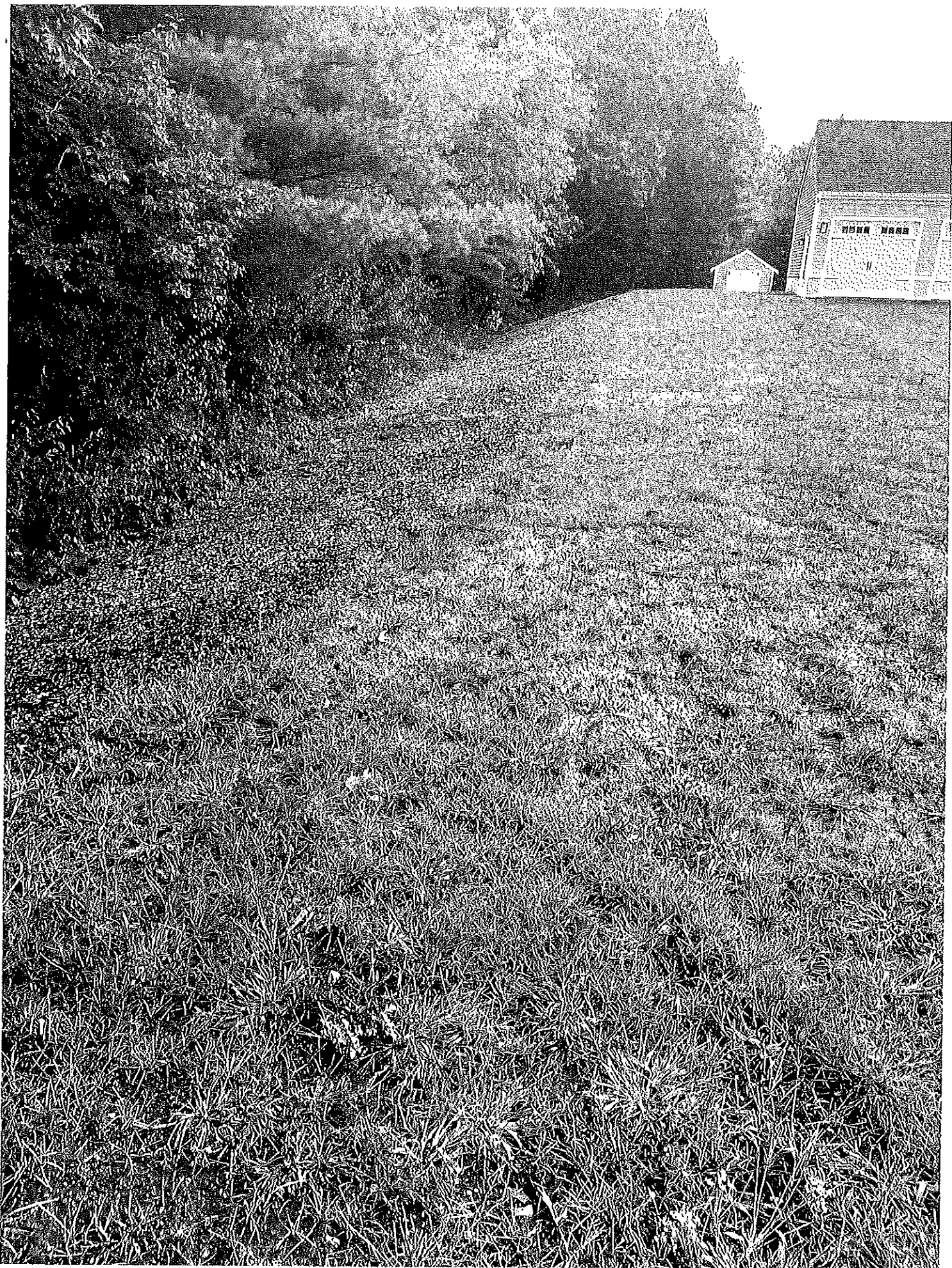
Yes If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

No

B. Submittal Requirements

Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or was the subject of an Adjudicatory Hearing Final Decision, submit this request to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).







3 Main Street Lakeville, MA 02347
(508) 947-4208 - www.zcellc.com

- Civil Engineering
- Septic Design (Title 5)
- Septic Inspections (Title 5)
- Commercial and Industrial Site Plans
- Chapter 91 Permitting

September 27, 2022

Town of Lakeville Conservation Commission
346 Bedford Street
Lakeville, MA 02347

RE: Request for Certificate of Compliance
3 Malbone Street (Assessors Map 4 Block 4 Lot 3B)
Lakeville, MA 02347
DEP File #SE 192-793

Dear Commission members:

We have inspected the above-referenced site and hereby certify that the residential home and ancillary work have been constructed in general compliance with the approved plans and the Order of Conditions which you issued on February 21, 2018 and was recorded in the Plymouth County Registry of Deeds in Deed Book 50847, Page 128. On behalf of our client, we request that you issue a Certificate of Compliance.

Should you have any questions regarding this request, please do not hesitate to contact the office at 508-947-4208 or email nyles@zcellc.com.

Sincerely,
Zenith Consulting Engineers, LLC

Nyles Zager, PE
Manager/Senior Engineer



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

WPA Form 8A – Request for Certificate of Compliance

SE 192-793

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

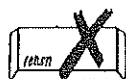
Provided by DEP

A. Project Information

RECEIVED

SEP 27

Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Upon completion of the work authorized in an Order of Conditions, the property owner must request a Certificate of Compliance from the Issuing authority stating that the work or portion of the work has been satisfactorily completed.

1. This request is being made by:

Malloch Construction, Inc.

Name

Conservation Commission

113 Padelford Street

Mailing Address

Berkley

MA

02779

City/Town

State

Zip Code

508-880-5120

Phone Number

2. This request is in reference to work regulated by a final Order of Conditions issued to:

Lawrence Spellman

Applicant

February 21, 2018

Dated

SE 192-793

DEP File Number

3. The project site is located at:

3 Malbone Street

Street Address

Lakeville

City/Town

4

Assessors Map/Plat Number

4 - 3B

Parcel/Lot Number

4. The final Order of Conditions was recorded at the Registry of Deeds for:

Concrete Systems, Inc.

Property Owner (if different)

Plymouth

50847

128

County

Book

Page

Certificate (if registered land)

5. This request is for certification that (check one):

the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.

the following portions of the work regulated by the above-referenced Order of Conditions have been satisfactorily completed (use additional paper if necessary).

the above-referenced Order of Conditions has lapsed and is therefore no longer valid, and the work regulated by it was never started.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 8A – Request for Certificate of Compliance
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

SE 192-793
Provided by DEP

A. Project Information (cont.)

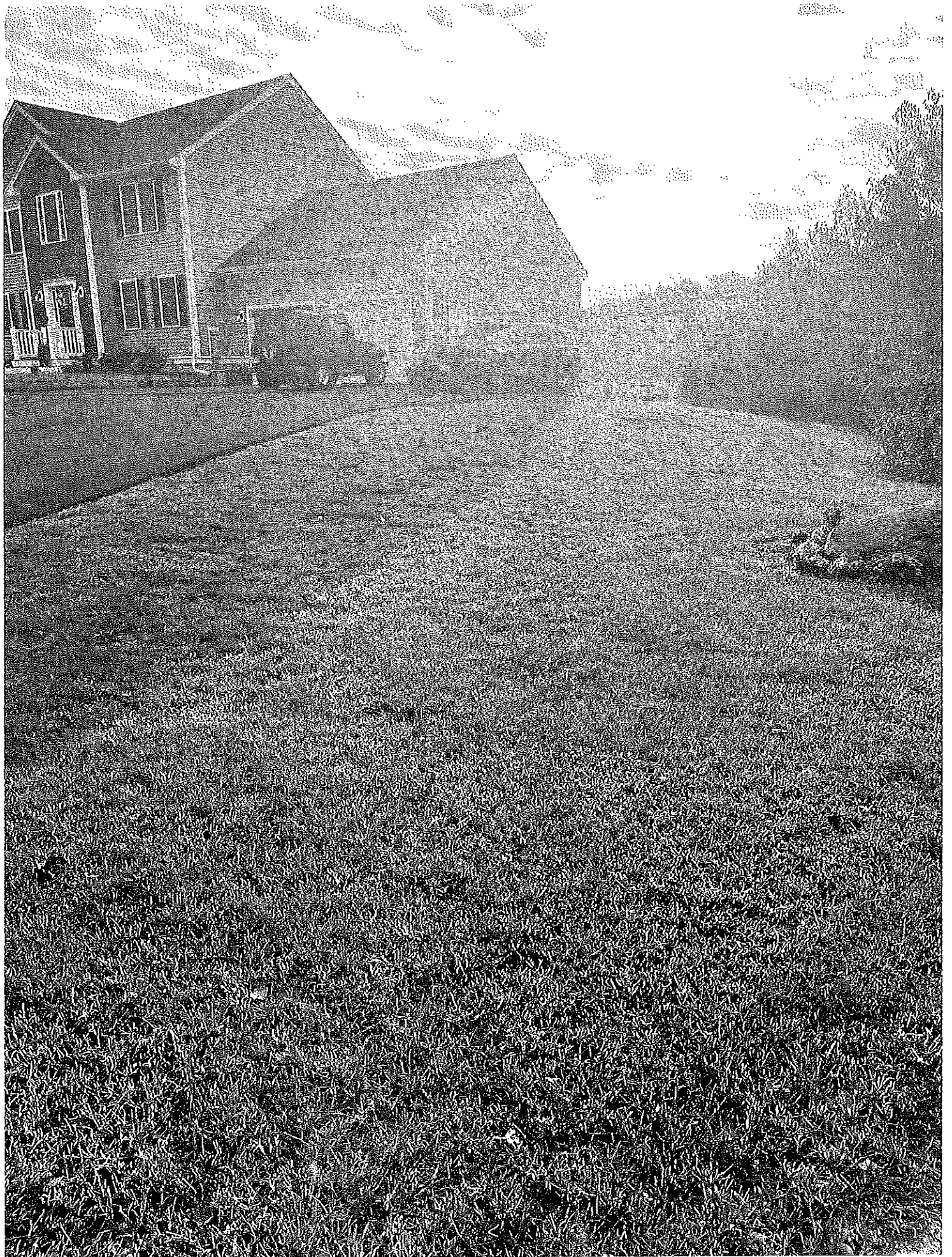
6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

Yes If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

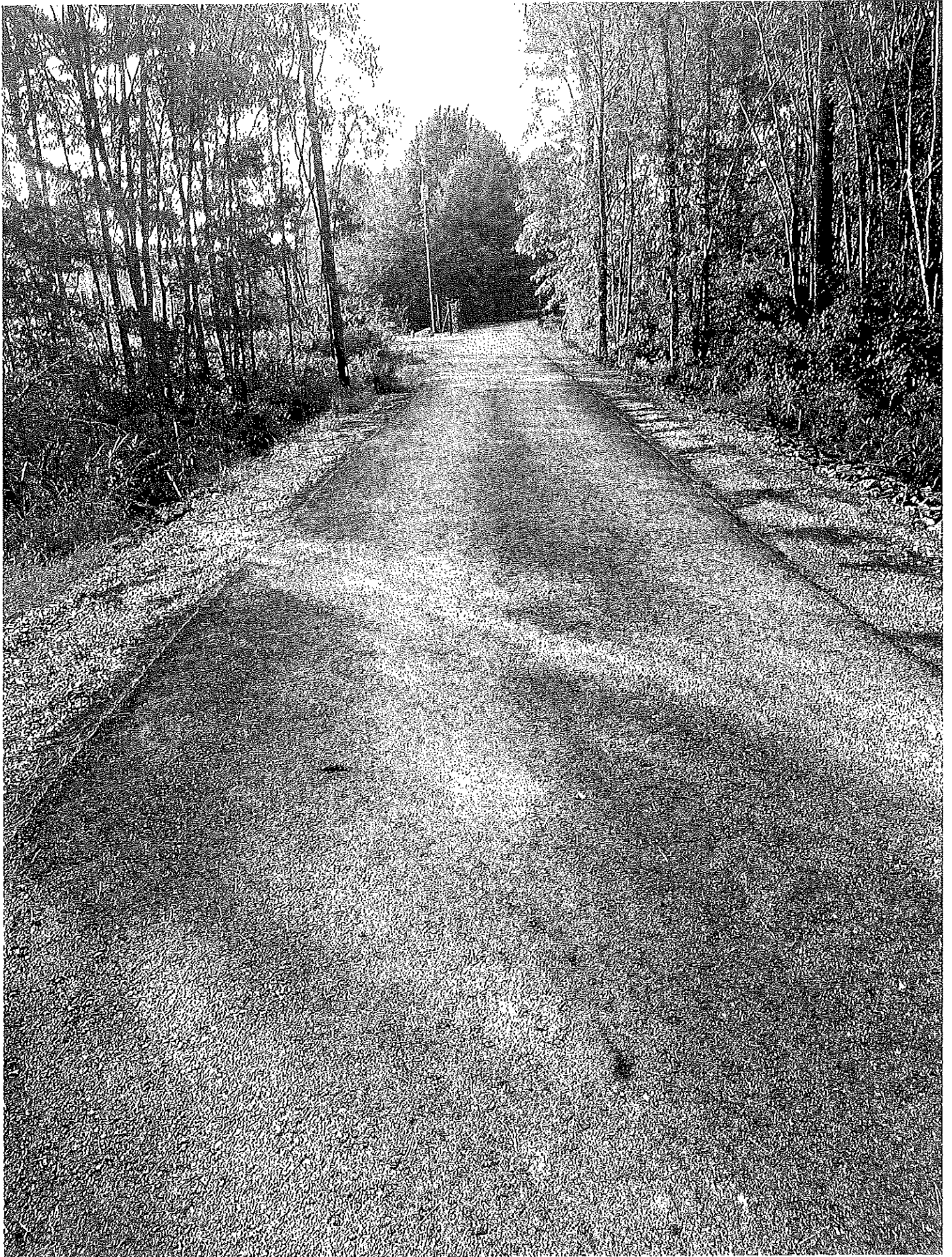
No

B. Submittal Requirements

Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or was the subject of an Adjudicatory Hearing Final Decision, submit this request to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).



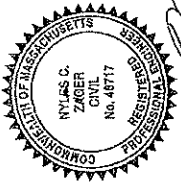




DESCRIPTION	ELEVATION DESIGN	ELEVATION AS-BUILT	SWING TIE A	SWING TIE B	SWING TIE C
TOP OF FOUNDATION	113.50	112.72			
4" INV. OUT OF HOUSE	109.87	109.84			
4" INV. AT SEPTIC TANK (IN)	109.63	109.66	33.0	16.0	
4" INV. AT SEPTIC TANK (OUT)	109.38	109.44	40.5	14.5	
4" INV. AT D-BOX (IN)	109.04	109.08	43.3	29.2	
4" INV. AT D-BOX (OUT)	108.87	108.88			
4" INV INTO CHAMBER	108.77	108.66			
BOTTOM OF CHAMBER	108.10	108.07			
INSPECTION PORT			31.5	49.2	
GROUND WATER	103.0	103.0			

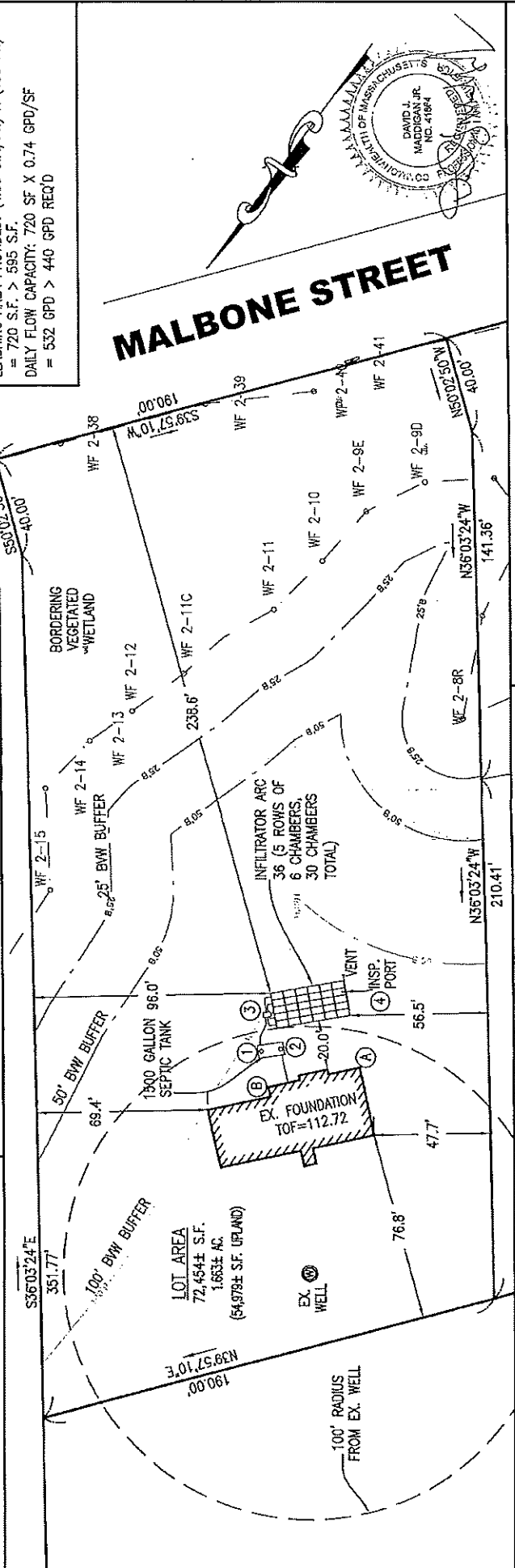
DESIGN CALCULATIONS
 LEACHING AREA PROVIDED: (4.80 S.F./FT.) X (150 FT.)
 = 720 S.F. > 595 S.F.
 DAILY FLOW CAPACITY: 720 SF X 0.74 GPD/SF
 = 532 GPD > 440 GPD REQ'D

I HEREBY CERTIFY THAT THE SUBSURFACE DISPOSAL SYSTEM HAS BEEN CONSTRUCTED IN COMPLIANCE WITH 310 CMR 15.000. THE APPROVED DESIGN PLANS AND ALL LOCAL REQUIREMENTS AND THAT ANY CHANGES TO THE DESIGN PLANS HAVE BEEN REFLECTED ON THE AS-BUILT WHICH IS HEREBY BEING SUBMITTED TO THE LAKEVILLE BOARD OF HEALTH.



NYLES ZAGER, P.E.
 DATE: 10-6-21

- NOTES:**
- WATER PURIFICATION SYSTEM'S BACKWASH SHALL BE PROHIBITED FROM DISCHARGING INTO THE SEPTIC TANK AND SHALL DISCHARGE TO A DRYWELL OR TO THE GROUND IN ACCORDANCE WITH 310 CMR 15.004 (8). THE BACKWASH IS NOT TO BE DISCHARGED INTO OR IN THE DIRECTION OF THE SEPTIC SYSTEM.
 - THE SEPTIC SYSTEM OWNER SHALL HAVE THE SEPTIC TANK AND OUTLET FILTER INSPECTED ANNUALLY AND CLEANED AND PUMPED AS NECESSARY.
 - BOTTOM HOLE INSPECTION WAS PERFORMED BY THE BOARD OF HEALTH.
 - FOUNDATION AS-BUILT TAKEN FROM A SURVEY PROVIDED BY MADDIGAN LAND SURVEYING, LLC.
 - ARC 36 CHAMBERS WERE INSTALLED IN LIEU OF QUICK-4 CHAMBERS



SHEET NAME: SEPTIC SYSTEM AS-BUILT

PROJECT SITE: 3 MALBONE STREET LAKEVILLE, MASSACHUSETTS

CLIENT INFO: LAWRENCE SPELLMAN
 P.O. BOX 397
 OSSISPEE, NEW HAMPSHIRE 03815

GRAPHICS SCALE: 1 inch = 40 feet

DRAWN BY: WBC

DESIGNED BY: WBC

CHECKED BY: NCZ

APPROVED BY: NCZ

DATE: 10-6-21

PROJECT NUMBER: 0287-01-01

SHEET ID: SEPTIC AS-BUILT

ZCE
 ZENITH CONSULTING ENGINEERS, LLC
 3 MAIN STREET LAKEVILLE, MA 02347
 PHONE: (508) 947-4208

Professional Engineer Seal: DAVID J. MADDIGAN, JR., No. 41864, State of Massachusetts

In Buffer Zone

NOI -

- New septic systems
- Upgrades - leaching fields, etc.
- New residences with septic
- In-ground pools
- Commercial buildings
- Public Notice
- Mailings - abutter's list

RDA -

- Residential Upgrades: roof, driveway
- Above ground pools
- Existing residence repairs, additions
- Partial septic, abandon cesspool
- Construction - shed, carport, wells, de-watering
- Landscaping, pruning, tree removal
- Public Notice
- Abutter's list

Outside Buffer Zone

- Significant impact to resource (landfill)
- Steep slopes
- Roadways, culverts
- Major construction

Town of Lakeville
Conservation Commission
July 26, 2022 7pm.

Members present: Chairman Robert Bouchard, Mark Knox, Joseph Chamberlain, Nancy Yeatts, Fred Frodyma. Members absent: John LeBlanc, Josh Faherty. Chairman Bouchard called the meeting to order at 7pm.

8 Paul Ave - NOI - Greco Construction (continued). David Santos from Prime Engineering was present for discussion. Chairman Bouchard said the Commission had received the changes that were made. He asked if the changes to the project were significant. Mr. Santos answered that the changes just reflected what was discussed in their first meeting. Chairman Bouchard said it was the Commission's policy not to accept changes unless they were 10-days in advance. He wanted the Commission's input, if they should honor that or vote to accept. Member Chamberlain said he would like to look at the plan. Member Yeatts said she thought since the plan came in this morning, it's not acceptable. Chairman Bouchard said these were changes the Commission had asked for. Member Knox thought they should vote to accept the plan for discussion. Even if it's not for approval, to give Board members more time if they want it. But, he thought they should discuss the plan tonight. Member Frodyma agreed, if the changes that were made were changes requested by the Commission, then they should know what they are.

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

Voted: to accept the revised plan accepted on July 26, 2022 for 8 Paul Ave.

Four in favor, one opposed (Yeatts).

Mr. Santos said at the last meeting they discussed taking the seawall and moving it away from the water's edge by several feet. They have pulled the wall 2-feet off the normal edge of water. That change has been reflected on the plan. The last page on the plan shows a filter curtain to mitigate any sediment kicked up during construction. This is a floating filtration curtain. It will be on the surface of the water and will contour down to the bottom of the water bed. This will prevent any sediment and turbidity from going out into Long Pond during construction. Those are the changes that were discussed at the first meeting. Mr. Santos added that they also had gone through all the permitting and corrected the name issue. Member Yeatts asked about notification to Natural Heritage. Mr. Santos said he will have the office double check that. The proposed work is right outside of the water, they moved it back. Member Yeatts said it still looks like it's in the flood zone. Member Knox said on sheet three of the plan, the cross section of the wall shows that they are 2-feet back from what would be the proposed water line. So, it's not that it's out of the flood plain, they've moved it back 2-feet so that there is some dry ground that they would be working on. The bulk of the wall and fill would still be in the flood zone. Member Yeatts asked if the water line was the high-water mark or the low-water mark. Mr. Santos said it was a mean. Member Yeatts asked about water going onto neighboring property. She noticed the wall was not pulled around on the ends. She asked if they had proven they wouldn't be putting water on someone else's property. Mr. Santos responded that because they are 2-feet off the water line, even during a flood situation, the volume of water displaced by the wall would be almost incomprehensible as far as the entire lake is concerned. The existing river stone and rip rap would be put behind the wall

to provide a void behind the wall with pour holes. This would allow any flood water to go beyond the wall and fill voids behind the wall and also drain out. Member Chamberlain asked when they were going to start the project. Mr. Santos was not sure. Chairman Bouchard said he had spoken with the contractor and he mentioned he'd like to see it done in August. Member Knox asked about the ends of the wall. What would they do to stabilize the fill behind the wall to not flow out on the ends. Would they consider turning the wall back in to level grade at the top of the wall. Mr. Santos said that was something they didn't consider, but could consider turning the walls in to prevent any runoff. If not, they would bring in rip rap or river stone so it's not soil. Member Frodyma asked what was there now. Mr. Santos explained it was almost like a rip rap, large stone. Member Frodyma commented that it seemed like an improvement. Chairman Bouchard asked if there were any abutters present. There were no abutters, but the contractor Gary Amaral from Greco Construction was present. Mr. Amaral said he had done this same type of project in Freetown. They will sand bag everything off to get the first block below existing grade. Once the first block is in, everything goes pretty smooth and simple. Member Chamberlain asked if all the machinery would be up top. Mr. Amaral replied that it would. An excavator would be used to lift the blocks up from the top. They will put 6-inches of stone down and rake it level, then set the blocks down. Member Knox asked about the diagram that shows a 4-inch weep hole. Would the blocks be cored or drilled from the manufacturer? Mr. Amaral said they would be core drilled by the manufacturer. Member Knox asked if it was PVC pipe that runs on the back of the wall and they would tee it out. Mr. Amaral explained there would be stone behind the block all the way up so any water will filter through that stone into the perforated pipe. Chairman Bouchard asked what they would do with the stone they remove. Mr. Amaral said they will haul them up, they could put some in the back as fill, the smaller ones, but there are some big stones they would have to hammer up and get out of there. Member Knox said the stone would be about 16 to 18-inches deep with filter fabric separating it. So, there would be retaining wall blocks, stone fill, with a filter fabric barrier, and then a gravel type material to bring it up to grade behind the stone, and then topsoil to seed. He asked about turning the ends of the wall in. Mr. Amaral explained that on one end there was an existing dock or steps, so the intent is to butt into that. On the other side, they would probably have to turn it. There was a discussion about the grade. Member Knox clarified that this is an existing residence, the lawn is currently seeded, the only disturbance is the actual installation of the wall. Mr. Amaral said that was correct. Member Yeatts said she just had concerns with someone working in the pond, that's why she would like to have had Member LeBlanc present at this meeting. Member Chamberlain asked if the dewatering hole or pit was shown on the plan. Mr. Santos said it was not, but they could show the location. Member Yeatts said a letter to Natural Heritage wasn't checked off on the filing. Member Knox said they definitely want to confirm the abutter notices, the receipt of, and if they could show the dewatering location on the plan. Also, show the end of the wall that they are going to return and note where they will tie in to the neighbor's stairs so they know that it doesn't need to be returned. Anything the Commission approves would be pending Natural Heritage approval. He thought they should move to continue until the next meeting. Before starting work, Chairman Bouchard, who is also the Agent, will come out and inspect what has been provided for siltation barrier.

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

Voted: to continue until August 9th at 7pm.

Unanimous approval.

Long Pond Association - NOI - Long Pond Association. Chairman Bouchard read the legal notice into the record. Martha Worley and John Worley were present for discussion. This Notice of Intent is for weed removal. Member Knox said Member Yeatts had some issues with conditions on the NOI and she wanted to look at other towns that did this with ponds. Member Yeatts said they have 3-4 pages from Natural Heritage, they have given us the conditions. She had been worried about writing the Order of Conditions and wanted to see others that had done it, but Natural Heritage made it clear the conditions they want. Member Knox asked if there was a limited time frame that this could be done. Mr. Worley said yes, it's coming up. This is due to turtles, the red bellied cooter. Member Chamberlain asked what they would do with the weeds when they're taken out, would they compost them. Mr. Worley said they would be composted eventually. Ms. Worley said as the weeds dewater, they shrink down to basically nothing and whatever is left you can use for mulch or whatever you want. Member Chamberlain mentioned it could be harrowed into a field. Chairman Bouchard said that had been done successfully.

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

Voted: to close the hearing and issue an Order of Conditions with the conditions forwarded by Natural Heritage.

Unanimous approval.

Beechtree Drive - continued discussion. Chairman Bouchard said there were a number of speakers. Member Yeatts asked if she could be filled in on the site visit. Member Knox gave an update. The Commission viewed the site and some abutters had photos of the flood at that location. It was basically clear cut, no trees at all. It appears the roadway water gets drained off in a little stone rip rap area. There was some gravel that was excavated out and placed behind that. Chairman Bouchard had mentioned to one of the Association members about getting that cleaned up. There are two associations, Huckleberry Knoll is the group that wants to clear a path and the onus was put on them to prove that they have an easement to that property of some sort, a right of way. Chairman Bouchard was going to send a letter that the synopsis of was: tell the Commission what you want to do after you've proven you have the right to do it. Member Yeatts said she was more concerned with original issue, all the stuff in the wetland, like the jet skis. Chairman Bouchard said that has been removed. There was a letter sent out with a number of items to be completed by Mr. Nashawaty, and they have been. Member Knox said Mr. Nashawaty is supposed to come back to the Commission. He wants to potentially alter some drainage and create an area that he can park some stuff in. He was told he would either have to file an RDA or an NOI and come back. Chairman Bouchard said it would help with one of their issues which is parking their boats, jet skis, and everything. Member Yeatts asked how close to the frog pond it was. Chairman Bouchard said it was very close. Member Yeatts explained that they went through a lot years ago about that drainage. Member Chamberlain said there wasn't enough water in the frog pond to bring it up to the level to go through the pipes to the pond. There is more water being displaced on the hill because of the building and paving that was done. Some of it is still going down the stream into the frog pond, but a lot of it's going down the road. The discussion turned to the other issue on Beechtree Drive, the clearing of a path to the pond. Keith Reissfelder from 4 Beechtree Drive was present for discussion. He said that people need to know where their property lines are and base the decision on that. Member Chamberlain said that was what the Chairman said. Before you can do anything, make sure you have a legal use of that right of way. Member Knox said that was the first requirement the Commission put on. Mr. Reissfelder said there's a lot to do before anyone can start

clearing. And what are they allowed to clear. Member Knox said, as far as this Board goes, nothing has been approved. The site visit wasn't to give permission to do anything. It was for the Commission to put their eyes on it and then the Association will have to prove they have the right, and then come to the Commission with a plan for approval. Eric Stanley from 1 Hickory Lane joined the discussion. Member Frodyma asked who was doing the clearing. Mr. Reissfelder said it was the guy from the last meeting, Tom (Loftus). Member Knox said now the Commission is waiting for people to come back to us. Mr. Stanley asked what the decision was on the drainage that was done. Who has to clean up what was dumped? Member Knox said that was the gravel pile behind the stones. Chairman Bouchard said his understanding was Mr. Lens was volunteering to put together a group that was going to handle it. He added that he would like to see a plan that says that. There was a discussion about notifications. Carolyn Richard from 12 & 20 Beechtree Drive was also present for discussion. Her question was how does she know if she's an abutter to 5 & 7 which is the wetlands across the street from 10 & 12. Member Chamberlain said the assessor's office. Ms. Richard said she was trying to be pro-active in knowing if an RDA is going to be asked for. Member Knox wanted to verify that when abutter notifications get sent out for a filing, is it 100-feet. Member Yeatts said yes it was 100-feet. If the filing is an RDA, abutter notification is not required, it's only on a Notice of Intent. Member Chamberlain added that all we need is the proof of mailing, not the green signature cards. Member Knox explained the town website and how residents can sign up for email updates. He asked Ms. Richard about what she was told regarding 5 & 7. She explained that she was told when that land was bought in 2009, it was with the intention of making it a parking area. They were told that they could not do that. Member Yeatts said if anything happens on the other side of the road, it's wetlands, and it needs a Notice of Intent, not an RDA. To have parking or anything over there, it would have to be filled. If you fill in wetlands, you need a Notice of Intent. There was a discussion about the frog pond. Ms. Richard said the frog pond does drain. There are three big pipes, but under those is the original old pipe that drains into a swale. There is also a swale in the tall grass with rocks. Member Chamberlain said he thinks one of the reasons why the frog pond is now basically nothing but soil is the old pipes are doing the job. The big pipes are there for when we get the monstrous rains or lack of maintenance. Ms. Richard said when there is a lot of rain, that whole swale is full. Chairman Bouchard said that's run off from Hickory Lane, the whole hill. There was a discussion about abutter's lists.

Meeting Minutes -

- May 3, 2022

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

Voted: to approve the May 3rd minutes with the changes as noted.

Unanimous approval

- May 24, 2022

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

Voted: to approve the May 24th minutes as drafted.

Four in favor, one abstention (Frodyma).

Kenneth Welch Drive - Member Chamberlain said he drove through the industrial park today. He knew there had been problems with workers parking their cars on the grass along the road. There were 34 cars parked there this morning. Member Knox said this is across from 310 Kenneth Welch in the industrial park, along the edge of the road where the wetlands are. On Thursday the Planning Board

and Zoning Board of Appeals have a joint meeting to discuss this property. It is in front of them for the fourth site plan review in 2 ½ years. The occupants of the property continue to expand their business. What is coming before the Board now is expansion of parking on the Northwest corner, across from the Tracey Imports end of the building and the cranberry bogs, into the railway beds. They're going to add a bunch of parking there. The Planning Board has asked the Town Planner to send a memo to the Select Board requesting "No Parking" signs be put up along the side of the road. They have not heard back yet. There has been an accident in front of the entrance. Since the site plan is coming before the Planning Board, he suggested the Commission send a letter regarding the parking. There's no grass there now. On that side of the road, you're probably within 50' of the wetlands. Member Chamberlain said they are parking on town property, and damaging it. It started with a little bit, and now today, there were 34 cars. Now they're starting to angle their cars in, so they can fit more in. He can't imagine what would happen come winter time, when they have to plow that street. Unless the town is willing to enforce this, it will continue. Member Knox said parking is based on warehouse use, however, it's turned into almost more of like an office or manufacturing. They are trying to make an improvement. He thought they would end up with 120+ spaces when they're done. Member Chamberlain asked how many spaces they currently had. Member Knox responded that they were probably at about 80. Member Chamberlain asked how many people were working in the building. Member Knox said that part of the problem is they seem to be working on the buildings in perpetuity. He wasn't sure if once the construction work is over, if they'll have enough parking. There was continued discussion about trespassing. Member Knox said he would appreciate if the Conservation Commission agreed to send a letter to the Planning Board and/or the Zoning Board of Appeals, or both because they are having a joint meeting Thursday. This applicant is looking for zoning relief to have 3% more lot coverage than the 70% that is allowed. There was a discussion about what the letter should say.

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

Voted: to send a letter to the Planning Board and Zoning Board of Appeals regarding the off-site parking on town property, across from 310 Kenneth Welch. To request that the off-site parking be stopped.

149 Bedford St - Chairman Bouchard said he received a call from the EPA regarding 149 Bedford Street, asking if it had been reviewed and was the Commission concerned about wetlands. He told them there was a Notice of Intent and it went through the process. Chairman Bouchard wondered if they meant 160 Bedford St. He will update the Commission with any further information.

Adjournment - (7:25pm)

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

Voted: to adjourn.

Unanimous approval.

Revised

Town of Lakeville
Conservation Commission
August 3, 2022 6pm

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

This was a joint meeting with Planning Board, Open Space, and Board of Health to discuss the proposed Open Space Residential Development bylaw.

Chairman Knox of the Planning Board, called the meeting to order. Present were: Chairman Knox, Michelle MacEachern, Peter Conroy, and Jack Lynch.

Member Knox of the Conservation Commission, called the meeting to order. Present were: Mark Knox, Fred Frodyma, Joe Chamberlain, Josh Faherty, Nancy Yeatts, and John LeBlanc.

Present for Open Space was Fred Frodyma (there was no quorum).

Chairman Spratt said the preliminary meeting regarding the Open Space Residential Development (OSRD) was just one member from each board. He thought that from that meeting, the participants thought this proposed bylaw needed more work. Member Poillucci said he didn't have a problem with open space. He thought cluster zoning was the only way to get open space without having to get money from the residents. His biggest concern is with the physicality of it; not fitting the way it's drafted. For this to work, it needs to be, everybody's backyard percs, the well goes in the front yard (or vice versa). All it would take is a couple of people that don't get the perc rate and they put their well in the back and the septic in the front, it will block out other septics. He showed a drawing of an OSRD subdivision with well radius'. If there just a couple of people that move their wells, some of the lots won't be able to put in septics anymore. If there was town water, there would be no problem. In some of the town OSRD bylaws he reviewed, they state a public water supply could be put in the open space. Common septic systems could also be used. One potential problem is, some places that have treatment plants, are billing people exorbitant amounts of money. When a common septic or public water supply fail, if everyone has to kick in \$15,000 and some people don't have the money, they are putting the other residents in a bad place because they don't have the money to fix it. The only way the government has gotten around that is with a super lien. If someone doesn't pay their fees or betterment, the bank pays it because they don't want the house to go to foreclosure. The bank pays it and works out an agreement with the homeowner. If these developments are put in a proprietorship, a super lien can be placed on the property. Chairman Spratt said he thinks some of these properties that people would look at doing something like this, may be difficult to begin with going in. He thought of one property that has a ton of ledge. Some of the earlier discussion was about nitrogen loading and keeping agriculture out of the open space because that affects the nitrogen loading. Member Maxim agreed with Member Poillucci. He didn't know how you would do this on a 30,000sf lot without public water or common septic. Some of these subdivisions have underground drainage for the roof drains, which would have to go on the lot, and the separation from

that to the septic system, to the house. Some houses might want a swimming pool and they're not going to have the room with a septic and a reserve and drainage on this size lot. Also, anything over a three-bedroom would have to go to DEP for approval because of nitrogen loading, they don't meet it on a 30,000sf lot. Chairman Knox (Planning Board) said that had been crafted in there, that a four-bedroom would be 40,000. He said that Town Planner Marc Resnick said at their last meeting that some of the efforts actually create a few conflicts within the bylaw. Mr. Resnick said he had discussed septic designs with Health Agent Ed Cullen. If they did 10,000sf per bedroom (the smallest house being a three-bedroom) and you would be restricted on the number of bedrooms, 3 for 30,000 and 4 for 40,000. They also had written in that the locations of wells and septic on the definitive plan for the cluster, would have to be approved by the Board of Health so that the right distances are maintained. He said not all the lots are going to be configured perfectly, but not all the lots are going to be 30,000sf minimum, and they'll be odd shapes and they'll be configured partially based on soil conditions. A developer will need to perc all those lots before he gets final approval. If a lot doesn't perc and there's ledge 3' under, he's going to keep going until he finds a place where he can site a system. If a lot isn't good, he'll have to combine it with the next two, split it and get one less on the cluster. Member Poillucci said the first run through, you'd have to have all the wells and all the septic designed so you know it's going to fit. He said there is one town where they have to prove every lot. They put the wells in, prove they have a good well and a septic design. The septic doesn't have to be in, but they have to have a design. That town was allowing a percentage of lots to be done at a time. One town has a 100-foot buffer around all the lots, which gives you a little more room. You couldn't put the septic or well on it, but you could use that land as your radius, as setbacks. If any of those solutions could work, either proving a lot with a well and a septic design, public water supply or shared septic, he would be fine with it. Chairman Spratt said when this originally went before town meeting, it seemed a little rushed and the Board had some questions. He understood the interest in wanting to have something simple, that's understandable, but they don't want to be fixing stuff after the fact. They deal with enough tight stuff, there are certain neighborhoods with 5,000sf lots and 10,000sf lots and it's a nightmare for the Board. Member Yeatts (Conservation Commission) asked if Chairman Spratt could elaborate a little more about the agriculture part, the nitrogen loading. Chairman Spratt said for example, we have a lot of cranberry bogs in town. Someone may look to do a development next to this. There is already way too much nitrogen sitting in the bog. You're going to add that to all the nitrogen from the houses you're putting in. It doesn't work as far as nitrogen loading. Other agriculture land, if it remains agriculture land, they're going to be adding fertilizer to that too. It doesn't help with the nitrogen loading problems. Pulling agriculture out of that open space part, makes it easier. Chairman Knox (Planning Board) asked if when they speak of nitrogen loading, they're referring to a leaching field and people fertilizing their lawn, all combined. Chairman Spratt said yes, and most of us know that not all that fertilizer is going to stay on the lawn, it's going to the street and running down. Member MacEachern (Planning Board) said when she met with Chairman Spratt, Member Yeatts, and Agent Ed Cullen, they discussed adding some language into the bylaw. They discussed deed restrictions with the 30,000sf lot, State approval and compliance with State code. They added three-bedroom with 30,000sf and four-bedroom with minimum 40,000sf. They also added wording that formal percolation depth to groundwater test shall be conducted on all lots shown on the conventional plan and on the OSRD development area. Member Poillucci said the only way he thought this could work is with town water or shared septic. Chairman Knox (Planning Board) said he believed there were stringent requirements for a public water supply. On top of a 200' radius, it needs to be fenced in so it would rob some of the open space. Agent Cullen said it depends on how much yield. If you had a ten-lot subdivision the fenced area would be Zone-One. It would be pretty small, but if you get a larger 40 or 50 lot, you're going to get a much larger area. The Zone-One does have to be fenced in, but it's also the outer radius which is the

interim well head protection area that's even more nitrogen sensitive. It would be great to put in the open space, but it's a radius, so it's tough. You would actually have to go into the open space, put it in the middle and fence it off. You couldn't just put it on the edge because half of that would be in the subdivision. Public water supplies also require a licensed operator. Chairman Knox (Planning Board) said that would require frequent monitoring and testing which would be a perpetual cost to the residents. Member Poillucci said it would be nowhere near the cost of a treatment plant. There was a discussion about potential options to prove lots with public water or shared septic. Member Poillucci explained that the Middleboro bylaw that leaves 100' around the edge, and the Sherborn bylaw allows for a public water supply to be placed in the open space. Mr. Resnick (Town Planner) said that this is something they should continue to work on. Public water solves a lot of the issues. Member Poillucci said he liked the Middleboro bylaw with an area of the 100' all the way around because you're going to have a ball field with 30,000sf lots. There's not going to be a tree left. Leaving the 100' around the edges is going to help if your wells are in the back, it gives you half the radius. The radius goes from 200' to 100' because you can use the open space. Member Poillucci stressed the fact that without putting in the wells and doing the perc tests, you don't know if it works. So, someone is going to go through the whole process of doing a subdivision and going through all the meetings and start, and then realize it doesn't work. Member Frodyma (Open Space) said he thought they would have to, in order to get approval for this OSRD. Member Poillucci stated that they would need to put in the wells and septic before it gets approved, to prove that it can work. Mr. Resnick (Town Planner) asked if the Board would feel more comfortable if the language were strengthened, beside working on the technical issues that have been discussed in this meeting. Member Poillucci then added that there would need to be a deed restriction that it has to go there. If someone buys a lot and decides they want to build a different house and they want to move things, its no, that's where it's going unless you can come back again and prove. Nate Darling (Building Commissioner) stated that in the past with the Zoning Bylaw Review Committee, this is how they've gotten things done. This is how we do what's right for the Town of Lakeville, we have a discussion and we hash it out. No good idea is going to be one person's idea. It's going to be a group of people's ideas. He wondered if this could be treated like a definitive subdivision where they can put a covenant on all of the lots; if they didn't release the lots until the Board of Health has approved the lots. There might be a scenario that you don't have to do all of the wells and have them tested and do all the septic and have the designs. In a preliminary plan, when you're figuring out how many are going to fit, you have to put the percs on the lots and come up with a number. They do the open space design and you only release those lots once the well is in and tested and the septic system is designed and approved by the Board of Health. He thought it would be incumbent upon the developer to make them work and not on a resident. Do you make a provision to have vacant lots on purpose by design? You could make a utility easement on those lots. If there was an emergency need from a public health perspective, if someone's reserve area didn't work for some reason, you could put a well on that vacant lot. Member Poillucci reiterated that until the wells go in, you don't know if the plan will work. Mr. Resnick said that's why Member Poillucci's point, about the town that did require them to install wells in each section, you know that you're not going to have an issue. Chairman Knox (Planning Board) said they could release five of the lots, don't release the one adjacent to the next grouping of lots. Member Poillucci added, or because those weren't locked in yet and recorded, those other lots, if they had to be bigger to make it work, you still have that ability. Nate Darling (Building Commissioner) asked if in a project like this would you typically see a plan approval and then lots held independently, or would the developer actually be building them to suit? That's the other piece, if you sold a vacant lot, now the buyer has to get a well and septic, and that's a problem. Member Maxim said no developer is going to carry all these lots. There's a different owner and a different developer every third lot. No one talks to each other and everyone's doing their own thing. Member Poillucci didn't think

it would be a hardship asking the developer to put in the wells. If anything, it makes them more marketable. If a lot has a well and a septic, or at least a perc, they can sell the lot comfortably and don't have to worry about moving anymore lot lines down the road. Chairman Knox (Planning Board) said that Mr. Resnick (Town Planner) would work on amending the language and circulate the document. It will come back to the Planning Board and if they're satisfied they will send it to the Board of Health for comment. They would like to get it on fall town meeting. Member Yeatts (Conservation Commission) said she would like to discuss the bylaw with her board. She's still not sure how the open space is going to be held. She thought they might need some legal advice on that. She wants to make sure the open space stays open space. It needs to be in perpetuity and there are still some questions surrounding that. Chairman Spratt said they could look into options besides the town or the abutters owning the land. There are some options for outside agencies that maintain stewardship of it. Member Maxim asked Agent Cullen if with all the Zone-A's in town, did he feel the cluster zoning could affect a Zone-A. You need to just be 400' off the pond to get outside the Zone-A. Just beyond that 400', outside the Zone-A, if they put in 30 lots in a small area, would the nitrogen loading affect it? Agent Cullen said yes it would affect it, but it would be legal. You can't build in a Zone-A, but at 401' it's outside the Zone-A. Member Maxim asked if that should be a concern for the Board of Health as far as approving something like this? Agent Cullen answered that it would be a concern, but they could question it during the review. Nate Darling (Building Commissioner) asked if it could be written into the bylaw that it would require advanced treatment for denitrification because of the density. Agent Cullen thought it could be on a case by case basis.

Member Knox (Conservation Commission) closed the Conservation Commission hearing.
Upon a motion made by Member Knox (Conservation Commission), seconded by Member Yeatts (Conservation), it was:

Voted: to adjourn
Unanimous approval. (7:15pm)

Chairman Knox (Planning Board) closed the Planning Board hearing.
Chairman Knox (Planning Board) made a motion, seconded by Member Conroy,
it was:

Voted: to adjourn
Unanimous approval (7:15pm)

The adjournment was for the Conservation Commission and Planning Board only. The Board of Health continued their meeting.

Town of Lakeville
Conservation Commission
August 9, 2022 at 7pm

Members present: Robert Bouchard, Chairman, Mark Knox, Joseph Chamberlain, Nancy Yeatts, and John LeBlanc. Members absent: Josh Faherty. Chairman Bouchard called the meeting to order at 7pm. This meeting was recorded by LakeCam.

Chairman Bouchard announced that Conservation Commission member Fred Frodyma had resigned from the Commission.

8 Paul Ave - NOI, Prime Engineering - (continued). Applicant Gary Amaral (Greco Construction) was present for discussion. Mr. Amaral said at the last meeting there had been a discussion about turning in the ends of the seawall. Member Knox said at the last meeting they spoke about one end of the wall hitting the neighbor's stairs and the other end would be returned on itself. He didn't see a notation on the plan. He asked if Mr. Amaral could show that, or if he was just going to commit to that. Mr. Amaral responded that he could commit to that. It's like a field adjustment because there are some rocks that are connected to the concrete so they will have to shortcut the concrete so it's not an exact location. It may be pushed over 6" or 1'. Mr. Amaral had a detail plan of the project.

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

Voted: to accept the plan.

Unanimous approval.

Mr. Amaral explained that the sandbags are set up to hold back any of the water and all the work would be done in a dry area. He would set up sandbags the whole way across and the first block would go below grade for stabilization. Once you dig down, you have to hold the pond water back. They are going to be about 22" down or 20" in, then they add a little bit of stone and set the first block. When the first block is level with the existing bottom of pond, as you're setting the first block there will be some water seeping through the gravel. You would be dewatering a small amount of water. The sump for dewatering would be set in a washed stone sump pit. Typically, once you turn the sump on, you're going to get a little bit of fines coming out of the pump. But once it starts to pump, after a minute or two, it starts to pump clean water. Member Knox asked about the plan detail that was distributed. He said it was very similar to the originally proposed plan that they had. The only difference is that he showed the sandbags with what looks like some sort of siltation mesh. On the original plan there was a silt curtain in the water. He asked if Mr. Amaral was committing to the sandbags. Mr. Amaral said he didn't think they would need to commit to the silt curtain because it was so far out, it wouldn't really be doing anything. He thought that would be an unnecessary addition. Member Knox agreed, but his concern was what about water coming the other way, runoff from the land if there's a heavy rain during construction. Mr. Amaral said the sandbags are set close to where they will be setting the first block for the wall. Member Chamberlain asked if it was just enough room for people to work in there. Mr. Amaral responded that yes, it wasn't going to be set that far back. Any runoff from the lawn should have a minimal effect. Member Knox said the sandbags themselves will act as a filter barrier and then what they have with siltation on the other side. As long as the water on the pond side stays higher than

what comes off the land. Mr. Amaral anticipated that they would be able to put in close to 80' per day. So, they will be in and out fairly quick. Member Chamberlain asked if the whole thing was 137'. Mr. Amaral said that was correct, it would probably be two days. Member Knox said, so two days to set the bottom block and the rest is backfilling. Mr. Amaral said that was correct. From the bottom block facing the pond to the sandbags there will be very little disturbance. Member Knox asked about the back filling that would take place after they set the second block. Mr. Amaral explained that they would use the existing gravel on the pond side of the block. They will put 2" of stone under the first block and there will be a small gap that they will rake in whatever is there already to meet the bottom of the block. Member Knox asked about dewatering. He didn't think he saw a location for that on the plan. His concern was, if they had to dig a pit in the lawn, they needed to know where the septic system is. Mr. Amaral said he knew where everything was, he had done work there before. Member Chamberlain asked if there was any step-back on the wall or if it was 90-degrees. Mr. Amaral answered that it was straight. Member Chamberlain asked about the 4" weep holes. He said usually you see weep holes smaller than that. He asked if the holes were pre-cast. Mr. Amaral said they were. Member Knox added that in the bigger retaining walls, you do see larger weep holes. Member Yeatts asked what was sent to Natural Heritage. Since the Commission just got this, had they seen the change. Member Knox said there is no change in the wall, it's only the processes of sand bagging and siltation. There was a continued discussion about Natural Heritage. Member Yeatts said they can't release an Order of Conditions until Natural Heritage has responded. Also, a Chapter 91 license will be required prior to the work if you are working below the ordinary high-water line. Member Chamberlain asked if the owners had a Chapter 91 license. Mr. Amaral responded that they did. He said this was a big improvement from what is there. Member LeBlanc explained that the Commission can't supersede Natural Heritage. Whatever the Commission decides is contingent on approval from Natural Heritage. Member Yeatts added that they will probably give a list of conditions that the Commission will add on to their order. Member LeBlanc said they could approve it contingent on Natural Heritage approval. Member Knox suggested Mr. Amaral contact Natural Heritage and find out the status since he is the applicant. He wanted to also make sure there was a Chapter 91 license on the property for the dock. Those would be the two things that would cause a hold up on this, but they could conditionally approve. Mr. Amaral would not be able to start work until Natural Heritage responds. Mr. LeBlanc said the cover letter from Prime Engineering states that the application for the waterways permit will be submitted once the Order of Conditions is obtained from the Commission. He said that sounds like they don't have one. Mr. Amaral said he would check with the owner. There was continued discussion regarding the project.

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

Voted: to close the hearing and issue an Order of Conditions. Conditional upon: 1) Natural Heritage Endangered Species comments being included in the Order of Conditions when they come, and the Order of Conditions can't be issued until they do come, they have until September 1st. 2) proof of Chapter 91 application. 3) Answer DEPs questions about compliance with standards.

Unanimous approval.

Member Chamberlain cautioned that after the permit is issued, there is a 10-day appeal period. So, you start at your own risk. He also said Mr. Amaral should contact the engineer regarding the questions DEP had.

Open Space Residential Development - Town Planner, Marc Resnick was present for discussion. Chairman Bouchard said he wasn't at the joint meeting and asked if the Board could fill him in. Member Yeatts said the Board of Health called the meeting and they had a lot of issues. Member LeBlanc said there were issues with the size of the lots and fitting wells and septic on them. Member Chamberlain said Bob Poillucci had made some great comments. When this first came out, he thought it didn't look too bad until Mr. Poillucci pointed out that there wouldn't be a single tree left, it was going to be like a ball park. The first guy who builds will have it made, but then it goes downhill. Member LeBlanc thought most of the issues had been resolved with language changes. Mr. Resnick pointed out the OSRDs don't look like the perfect plan that Mr. Poillucci was showing. The lots are all different shapes and sizes and elevations. As a result, there's more flexibility in locating wells and septic areas. Often times they get moved without any approval or they can't get water in this location, so they move it. Mr. Poillucci did have a good suggestion about installing wells on a certain number of lots first and then you move on. So, it's approved as a "phased development". Mr. Resnick said he would be working on some revised language. Member LeBlanc mentioned a public water supply, a shared septic, or town water. Mr. Resnick said that was correct. To address those concerns brought up at the Board of Health meeting, those would be added to the next draft that the Planning Board will be discussing. Member Yeatts stated that her concern was about the land being protected, and she thought it would be good if they hired an environmental lawyer to make sure of the language about the protection of the land. She had spoken to Member Knox about it and he thought it should be discussed with Kopelman and Paige (Town Counsel). She has worked with different committees with the town for 20 years, and didn't find that Kopelman and Paige had the greatest people for environmental issues. She added that they've done a lot of great things for the town, but environmentally, there are specialists that could do it. Mr. Resnick said because there are multiple things to work on, not just Board of Health or Planning Board, this may or may not be ready for the fall town meeting. As it relates to the language of some stronger protection, it falls under Chapter 97 protections. The reason why the Article 97 wasn't in the first draft is that he didn't think that Article 97 would apply to recreational and agricultural lands. He didn't want to restrict all the lands that have been set aside, regardless of the purpose under that chapter if you couldn't do it, so he removed it. He had conservation restrictions and other protections in there for open space land, whether it was natural open space or active open space. He did some additional reading, and it can apply for parks or agriculture as well, so it can continue to be farmed. He will be adding some language back into the draft to add that level of protection. Member Yeatts mentioned that it was very difficult to get land out of Chapter 97. She said that one option that has been brought up is a homeowner's association. She heard about an example in Middleboro that has hiking trails and the homeowner's association did a wonderful job keeping it up. Member LeBlanc asked if it was open to the public. Member Yeatts replied that it wasn't. Mr. Resnick stated that the idea here, is that all our open space would be open to the public which is specifically in the draft. We would ensure that it was public access and wouldn't be blocked off. That was one of the reasons the Planning Board was opposed to having homeowner's associations. They felt that if a developer was seeking the benefits of the OSRD, the land would be public. Member Chamberlain said he couldn't see the residents in those houses would welcome that. Mr. Resnick said they would be buying into it, knowing there's town owned open space land behind or adjacent to them. Member Yeatts said that puts it back on the town to take care of it. Mr. Resnick thought as they move forward, there will be opportunities to see grants or other funds for moving many of these capital projects. Member LeBlanc asked if It was a consideration of the Planning Board, if someone wants to do a subdivision on a smaller space, does the Planning Board consider what it's going to be used for and how it's maintained? Member Knox said part

of the process is for the Planning Board to communicate with other Boards to get input. Member LeBlanc said, the problem with the homeowner's association is, if you want to make it accessible to the public, why is it in their best interest to maintain the open space. Member Knox said personally, he's not one that says it needs to be open to the public. He looks at it as if someone comes in with 10-acres and wants to put four lots on a tiny cul-de-sac, the adjacent land around there could stay open space. If it abuts other neighborhoods, it would only be accessible by those neighbors. If it was designed that it was impossible to fit another house, it makes it more appealing to make the homeowner's association argument. If it was 25 acres to the left, and 25 acres to the right, open space that's adjacent to another park or something, that might be something the town might be interested in, expanding park space. Member Knox said if 10-years from now, there's an entirely different Planning Board, if they are younger, less experienced members, they don't know what the intent of what we do today was. They don't understand what our intent was and how to use it. It could go awry. The challenge is to create language. It's tough to write instructions into a bylaw. A previous Planning Board member's biggest concern about the homeowner's association was the lack of protections long term. There's a fear of a developer being able to come back around and develop it some more. Member LeBlanc said they could take care of that with a deed restriction. Member Yeatts said that's where Article 97 comes into it. Member Knox added that with the right legal direction, it shouldn't be a concern. Member LeBlanc thought there should be something in the bylaw that the developer signs off for the development of anything. He's not going to own that property, it's going to come to the town one way or another, or some other conservation entity. Member Knox said, it could be the concern that if the homeowner's association has it, and it's a big block, then they have the ability to lift the deed restriction on their own property, and then sell a chunk. They are trying to address, if they did have a homeowner's association, we just want to make sure that there's no chance of future development. Member Yeatts said the Lakeville public is one thing. But if you say the land is open to the public, now you have people from Brockton, New Bedford, and trash on the trails. Member Chamberlain said Mr. Resnick called him and asked about taking abandoned cranberry bog upland and converting them to residential use. He said it's mostly Army Corps, but that's been changed of late. There have been changes in the federal Clean Water Act, much to the detriment of the land. He didn't think the protections are anywhere close to where they used to be. There's a big difference between the old bogs built on swamps and the new bogs that were built upland. This question is popping up more and more in cranberry growing areas. He said he really isn't the one to talk to but he knew that there are provisions in the wetland regulations. Member Yeatts commented that Cedar Pond Preserve was built on upland bogs. Member Knox said that it was Army Corps of Engineers and you had to prove it was upland, that it wasn't wetland before it was made and there was a process to go through.

Community Preservation Committee - Member Yeatts said they are having a 2-hour training put on by the State. The CPC needs to meet with all the Boards and Committees to discuss their ideas about what they want to protect in town. She will figure out the date of the training and try to coordinate on a date when Conservation is meeting so the CPC members can stay after the training to meet with Conservation. Member Yeatts will update the Board at the next meeting.

Meeting minutes - June 14, 2022

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

Voted: to approve the June 14, 2022 meeting minutes as published.

Four in favor, one abstains (Knox)

Adjournment - (7:03)

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

Voted: to adjourn.

Unanimous approval.



*Town of Lakeville
Conservation Commission
346 Bedford St.
Lakeville, MA 02347*

Phone: (508) 946-8823 FAX: (508) 946-0112

September 19, 2022

John Lens
22 Beechtree Drive
Lakeville, MA 02347

RE: Huckleberry Shores - Beechtree Drive

The Conservation Commission met with members of Huckleberry Shores Association to inspect the condition of drainage structures from run-off and excavation. At that time, it was decided that Huckleberry Shores Association would take the lead in repairing the side of the road and drainage swale along Beechtree Drive and Robbins Lane. To this date, the Commission has not received a plan to restore these areas.

The Commission requests that the Huckleberry Shores Association verifies the ownership of the subject properties to determine proper authority to do restoration. Please notify this office by the end of September to approve the restoration plan and commence work.

Thank you for your cooperation.

Sincerely,

Robert J. Bouchard
Conservation Agent

Lori Canedy

From: Robert Bouchard
Sent: Friday, September 30, 2022 11:19 AM
To: Lori Canedy
Subject: FW: Huckleberry Shores Association

From: JOHN LENS <jlens@comcast.net>
Sent: Monday, September 26, 2022 10:48 AM
To: Conservation <conservation@lakevillema.org>
Cc: kreissfelder@coxeng.com; JOHN LENS <jlens@comcast.net>
Subject: Huckleberry Shores Association

Per an letter I received in the mail I wanted to respond to your question around plans to fix the side of the road. and drainage seal area on Beechtree Drive. What I can tell you is that the area is completed per the request and the dirt area pile has been removed. I am not sure what else you are requesting or require but I believe this matter has been resolved. If anything further is needed you can call my cell.

Thank you, John

617-429-7664