

Conservation Commission

One Liberty Lane
Norfolk, MA 02056

Meeting of February 11, 2015

Commission Members	Others
John Weddleton –Chair ----- present	Janet DeLonga ---Agent -----present
Joyce Terrio-----V. Chair ----- present	Marie Simpson –Ad. Asst.-----absent
Patrick Touhey ----Member ----- present	
Dan Crafton -----Member ----- present	
Michelle Lauria --- Member ---- absent	

The duly posted meeting of the Norfolk Conservation Commission convened at 7:30 p.m. in room 124 at the Norfolk Town Hall.

Mr. Weddleton announced that the meeting was being audiotaped. Said announcement being pursuant to G.L. c.30A, §§18-25, the Open Meeting law.

APPOINTMENT: 7:30 PM Ronald Eisner – Mr. Eisner, who resides in Boston, was present as were members of the Whitney family who reside at 26 Valley Street. Mr. Eisner recently gifted a 31,692 square foot undeveloped parcel on Everett Street to the Conservation Commission for open space purposes. The property contains a seasonal stream and wetlands. Mr. Eisner wanted to personally thank the Commission for accepting the gift of land and the responsibility of its management. Mrs. Betsey Whitney showed the Commission a photograph of the Eisner homestead on Everett Street. This land was originally a part of the Eisner homestead. This parcel was once a picnic grove where many families gathered. He stated that he would be interested in having a sign erected on the site indicating that the land was donated in memory of the Carlson family (Mr. Eisner’s mother’s family). Mr. Eisner would like to work with the town to come up with appropriate language for the sign. It may be possible to obtain funding from the Community Preservation Committee for the sign. Mrs. Whitney, a member of the Historical Commission and CPC will work with Mr. Eisner on this project and present illustrations to the Commission.

PUBLIC HEARINGS:

7:45PM - **47 Seekonk Street/DEP #240-564.** Tracy Sharkey, R.S. and Mr. and Mrs. Christopher Ray, the applicants, were present. Ms. Sharkey presented a revised plan, dated 1/9/15 this evening. This plan showed the construction layout of the trench for water and utilities within the area of the stream crossing culvert. Ms. Sharkey noted that the trench would not be widened or expanded in any way. She noted that stakes were installed on the adjacent land owned by another member of the Ray family that would be the access way to the site of the new single family house at the rear of 47 Seekonk Street. Ms. DeLonga stated that she conducted a site inspection but the ground was frozen and the stakes could not be installed. Ms. Sharkey noted that she provided a letter via e-mail on January 14th from an engineer regarding the fire engine load over a 12 inch cast iron pipe.

Mr. Weddleton stated that there are no elevations for the trench in the crossing area shown on the plan. Only depths are shown. The elevations of the culvert and outlet must be shown. He noted that since the pipe will be removed and then reinstalled, someone would have to re-inspect the pipe to make sure that it did not crack. Ms. Sharkey stated that the pipe may be replaced with a pipe of the same size. Mr. Weddleton noted that headwalls

would have to be constructed on either side of the culvert. The dimensions of the pipe, the type of pipe and final elevations need to be shown. Mr. Ray questioned if he could install boulders as headwalls. Mr. Weddleton noted that an engineer may be required to state the stability of the walls. He noted that normally driveway widths are 12 feet. The Commission has regulations for culvert crossings. Headwall details needs to be shown on the plan. A boulder headwall is not acceptable.

Ms. DeLonga noted that since the plan was submitted this evening she has not had the opportunity to review the plan. There are also bordering vegetated wetlands near the wetland crossing. If the driveway were expanded then wetlands would be filled and that would require replication. Calculations need to be provided.

Mrs. Terrio made the motion to continue the hearing to March 11, 2015 at 7:45 PM. Mr. Touhey seconded the motion. The vote on the motion was unanimous. The hearing adjourned at 8:00 PM.

8:00PM - 47 Leland Road/DEP #240-562. The applicant's representative forwarded an e-mail requesting a continuation of the hearing. *Mrs. Terrio made the motion to continue the hearing to March 11, 2015 at 8:00PM. Mr. Touhey seconded the motion. The vote on the motion was unanimous.*

MINUTES:

Mrs. Terrio made the motion to accept the Minutes of January 14, 2015 as drafted. Mr. Touhey seconded the motion. The vote on the motion was unanimous.

VOUCHERS:

A voucher was signed by the Commission to close out the review account for the **ANRAD review** of wetland resources on the former Southwood Hospital property at **111 Dedham Street.**

CORRESPONDENCE:

The members discussed an e-mail correspondence from **Ann Proto, the Recreation Director** regarding the **Town Pond pipe.** Present this evening was Kevin Doolin, a Recreation Commission member Mr. Weddleton noted that he spoke with Ms. Proto this afternoon. The Conservation Commission would like to have the broken water pipe replaced but has no money for this project. The Recreation Commission has CPC funding but they would have to file a Notice of Intent for the project. Most of the pipe is broken or corroded. Some or all of the pipe may be asbestos. The Public Works Director had indicated in earlier conversations with Ms. Proto that the Highway Department would do the work for no charge. Mrs. Proto had indicated that the biggest problem right now is the lack of a consultant to prepare the Notice of Intent (NOI) filing. Mr. Weddleton noted that the Agent could help the DPW Director prepare a NOI. The first step is to determine the scope of work. Ms. Proto noted that there is not enough money in their CPC funding budget to create the fishing docks and also repair the pipe.

Mrs. Terrio noted that Mrs. Proto needs to speak with Bob McGhee and have the Recreation Commission revote the town pond project as they voted to abandon the project.

PUBLIC HEARING:

8:20PM - 111 Cleveland Street/ DEP #240-566. Jane and Paul Newton, the applicants, were present, as was Russell Waldron from AES and Jim Nieva, P.E. from Dunn-McKenzie. The plan shows that the original layout of the house was moved to preserve the original tree line. A 9 foot high basement walkout will be at the rear of the house. There would be approximately 1700 square feet of alteration within the 50-100 foot buffer to the bordering vegetated wetland. Large boulders and arborvitae would be planted and installed at the outermost edge of the area proposed for alteration. Ms. DeLonga requested that the erosion controls be extended to accommodate any areas proposed for alteration due to grade changes. Approximately 5 (8-10 feet high) arborvitae or northern white cedar would be planted at the limit of work. After a discussion about tightening up

the location of the boulders it was determined that the boulders would be placed every 3 feet on center. There would be two boulders per one tree planted. The house is proposed to be 51 feet back from the street.

Upon questioning from Mr. Crafton it was determined that the mitigation would be the preservation of trees that are not within the jurisdictional area of the Commission.

Mr. Nieva will check to determine if a scenic road hearing is required for this project. It is hoped that a DEP number will be submitted shortly.

Mrs. Terrio made the motion to continue the hearing to March 11, 2015 at 8:15 PM. Mr. Touhey seconded the motion. The vote on the motion was unanimous. The hearing adjourned at 8:35PM.

8:37 PM - Pulte Homes- Warren Avenue/ DEP #240-565 – Mickey Marcus from NEE was present to represent Pulte Homes. Also present was Mike Risoti, the applicant's engineer. An enforcement order had been issued by the Commission in December of 2014 for discharging of storm water into wetland off Maple Street. Mr. Risoti noted that the plan now calls for pulling the existing drainage pipe back from the wetlands. The new pipe location will be in the 50-100 foot buffer. Mr. Marcus stated that no wetland alteration or impacts are proposed. The plan is to minimize stormwater discharge.

Mr. Marcus stated that Pulte is proposing to divert as much stormwater as possible to a detention pond to be located on Lot 4. The proposal is to disconnect the Warren Ave. drainage pipe, install a man hole and re-route the pipe just outside of the buffer zone. They propose a velocity dam to slow the water. A level spreader is also proposed. Another rip rap apron will be installed behind the spreader. The Planning Board is currently reviewing this plan.

Mr. Risoti noted that the current discharge is 29 c.f.s. from a 100 year storm, which amounts to 110,000 cubic feet of water. The new flow rate will be reduced from 29 c.f.s. to 15 c.f.s. The volume of discharge will also be reduced. Deep sump catch basins and a water quality unit for the entire watershed area have already been installed. There would be 86% TSS removal. The standard is 80%. In their proposal they are adding more recharge than what was originally proposed. By the next conservation commission meeting Pulte should have the Planning Board consultant approval and a DEP file number.

Ms. DeLonga noted that the Applicant is Pulte Homes but the owner of the property on which the discharge will be directed is owned by the Town. Pulte Homes needs permission from the Town to work or discharge water onto Town property.

Mr. Risoti requested that the commission agree to sign off additional building permit applications. Mr. Weddleton noted that Pulte has placed a sizeable bond with the Planning Board. In addition the enforcement order remains in place. Lots 12, 75, 76 and 77 were asked to be released. Approximately 20 more lots are undeveloped.

Mr. Weddleton made the motion to release the additional lots as requested. Mrs. Terrio seconded the motion. The vote on the motion was unanimous. The enforcement order will remain in effect until the Planning Board approves the drainage plan. The Planning Board is meeting on this matter on March 6th. The wetland area will be reflagged and the Commission reserves the right to revisit the wetland area off Maple Street to determine if there were any impacts from erosion.

An abutter who resides at Lot 3, adjacent to the proposed detention basin, questioned what time periods were used to measure the runoff.

Mrs. Terrio made the motion to continue the hearing to March 11, 2015 at 8:30 PM. Mr. Touhey seconded the motion. The vote was unanimous. The hearing adjourned at 9:31 PM.

CORRESPONDENCE:(continuation of discussion of broken pipe at Town Pond)

Ann Proto, the Recreation Director and Todd Lindmark, Recreation Commission member were present. Mrs. Proto had earlier informed the Commission via e-mail correspondence that the Recreation Commission would not be pursuing any further work at Town Pond. Mr. Weddleton noted that the Recreation Commission should reconsider if the Town pond project is still viable and to determine how much work would be involved to repair the pipe allowing flow to the pond. He recommended that the DPW Director do a cost analysis. The DPW Director will have to determine how much pipe will need to be replaced. Mrs. Proto noted that the entire pipe needs to be replaced and that the scope of the project appears to be too large for the Recreation Commission. She requested that the Commission file the Notice of Intent. Mr. Weddleton recommended that the Recreation Commission obtain a price quote for the repair work from DPW first.

ACTION ITEMS:

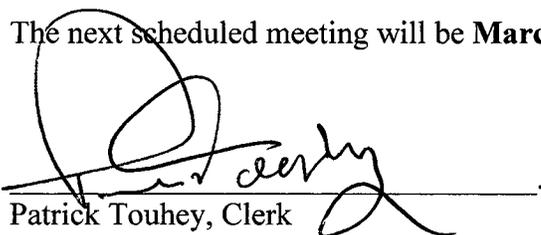
The Commission reviewed the draft Order of Conditions for **8 Lakehore Drive**, DEP/NCC #240-555 (Earl Sholley). *Mrs. Terrio made the motion to approve the issuance of the Orders. Mr. Touhey seconded the motion. The vote on the motion was unanimous.*

CORRESPONDENCE:

A letter, dated January 22, 2015, sent from **Edward McCormick** of the law firm of McCormick and Maitland, was reviewed. Mr. McCormick noted in his letter that the Town of Norfolk DPW cut down several trees along **Lake Street** in an area that appears to be protected by the Wetland Protection Act. Mr. Weddleton noted that Attorney McCormick, who is also a resident of Lake Street, filed an injunction to stop all work on Lake St. Mr. Weddleton noted that the trees were clearly marked and the Planning Board conducted two site walks and two public hearings on the matter of paving of Lake Street.

Mrs. Terrio made the motion to close the meeting at 10:00PM. Mr. Touhey seconded the motion. The vote on the motion was unanimous.

The next scheduled meeting will be **March 11, 2015**.



Patrick Touhey, Clerk

In accordance with the requirements of G.L. 30A § 22 approval of these minutes by the Board constitutes its certification of the date, time and place of the meeting, the members present and absent, the matters discussed, and the action taken by the Board with regard to those matters (if any). Any other information contained in these minutes is included for context only. Notes memorializing deliberation or discussion of any matter are in the summary form and may include inaccuracies or omissions. Where proof of the content of a statement is required, a tape recording or transcript should be consulted, if available.