

Conservation Commission  
 One Liberty Lane  
 Norfolk, MA 02056  
 October 11, 2017  
 7:00 P.M.

Commission Members	Other
John Weddleton – Chair ----- Present	Janet DeLonga – Agent ----- Present
Michelle Lauria – Vice Chair ----- Present	Amy Brady – Administrative Assistant ---- Present
Patrick Touhey – Clerk----- Present	
Thomas Norton – Member ----- Present	
David Turi – Member ----- Present	
Bruce Jacobson – Member -----Present	

The duly posted meeting of the Norfolk Conservation Commission convened at 7:00 P.M. in Room 124 at the Norfolk Town Hall. Mr. Weddleton announced that the meeting was being video- and audiotaped.

**PUBLIC HEARINGS:**

**Lawrence Street – bridge, Bush Pond – edge of street, RDA**

Present was Bill Scully, Green International Affiliates, Inc.

Plans presented were entitled “The Preserve at Abbyville & Abbyville Commons Plan to Accompany an Abbreviated Notice of Resource Area Delineation,” dated September 27, 2017, prepared by United Consultants, Inc. (UCI)

Mr. Weddleton recognized Mr. Scully, who noted that the applicant was seeking approval to do some borings in connection with the project on Lawrence Street known as Abbyville. Referring to the plan referenced above, Mr. Scully pointed out the bridge, the causeway and the proposed development, noting that the bridge and the causeway are in need of repair. Mr. Scully stated that the causeway ranges from about 19-1/2’ to just over 21’ in width, and soil on the sides drops down to the water on either side. The applicant would like to do cores to see what the road is made of, as well as to see the soils at the bottom of the water, with an aim to increase the width of the causeway to 24’, which would likely involve installation of a wall in the water. Two different ideas being talked about for pedestrian access are both likely to be a form of boardwalk, perhaps cantilevered.

Mr. Scully noted that the wetlands shown on the plan are based on recent information, but are not necessarily approved delineations; there will be a filing with the Commission for a formal delineation. Applicant is in the process of collecting bids from boring contractors.

Mr. Weddleton asked how far out into the pond the borings will go, to which Mr. Scully replied 5’ – 15’. Mr. Weddleton suggested that brackets for the boardwalk come of the proposed wall, in order to minimize additional disturbance within the pond for the boardwalk. Mr. Weddleton also noted that a 24’ roadway leaves very little room between vehicles traveling in opposite directions, and a tolerance needs to be built in; however, pilings out in the pond, in addition to the necessary fill will not be preferable. Mr. Weddleton also noted that the ConCom agent will need to approve the boring engineer. Ms. DeLonga asked questions to clarify the testing process. Mr. Turi confirmed that the number of borings will be no more than 8.

Mr. Weddleton opened the hearing to public comment. Mike Guidice, 6 Eagle Drive, asked for clarification if approval of the RDA meant approval of the drilling without having to file a Notice of Intent (NOI). Mr. Guidice noted that if the drillings were to be done from a barge in the pond (with hydraulic fluids, gasoline, etc.), ConCom would not be able to impose conditions, as with an NOI. Mr. Weddleton responded that is why ConCom approval of the borings engineer is essential, and that the agent would be available to oversee the project. Margaret Kahaly, Cranberry Meadow Rd, asked if a timeframe was available, and Mr. Scully said the roadway borings would probably take a day, and the pond borings would probably take another day.

With no further questions, Mr. Weddleton asked Ms. DeLonga if a negative #2 determination would allow conditions, and Ms. DeLonga responded that conditions would not technically be enforceable, but if anything went wrong, it would be in violation of state laws.

*Mr. Touhey made a motion to issue a Negative #2 finding with a condition that the Agent will approve the borings consultant before drilling commences, and there will be a maximum of 8 borings; Mr. Norton seconded the motion; the vote on the motion was 5-1, with Ms. Lauria dissenting.*

### **31 Union Street, NOI #240-593**

Present was John Gloss, Engineer

Plan presented were entitled “#31 Union Street On-site Sewage Treatment and Disposal Plan of Land in Norfolk, MA,” dated January 31, 2012, and revised through 10/4/17, prepared by Glossa Engineering, Inc.

Mr. Glossa gave an overview of the project, noting that the house is for sale and is currently serviced by a Cesspool, which needs to be upgraded to a Title 5 acceptable system. Mr. Glossa stated that a few years back, he did design an upgrade system, which was approved by the Board of Health. Mr. Glossa noted that the house has a “walkout” basement, with facilities in the basement; pipes run under the basement to the cesspool. This will now be intercepted with a septic tank for solids, followed by a sizable pump system with on/off switches and an alarm, which will pump through a 2” pipe, with about an 18” cover; this pipe will empty through a weep-hole when the pump shuts off, so as to avoid freezing. There will be a leach bed in the front. Mr. Glossa indicated an area of wetlands that were delineated by botanist Karen Skinner-Petroni (sp????). Mr. Glossa provided more details indicating that all requirements for an upgrade system acceptable for Title 5 will be met. Mr. Glossa indicated the well in the front of the property, to the right of the driveway which will be abandoned, as it is not 100’ from the septic system. (It may be turned into an irrigation well, which only needs to be 20’ from the septic system.) The residence will be connected to the town’s water system.

In response to Mr. Weddleton, Ms. DeLonga stated that Mr. Glossa has been very cooperative in incorporating her comments/observations. Mr. Glossa noted that if this is done in the next 6-8 weeks, all will be fine, but if it is delayed until Spring, “de-watering” from the pump chamber could be a concern (due to higher ground water); to address this Mr. Glossa added a note to the plan to the effect that no watering can be done until approval is received from the Agent.

With no questions from the Commission, Mr. Weddleton opened the hearing to public comment. John Carter, Union Street, asked about trees that will be taken down; Mr. Glossa answered that there are 2 trees in the leach bed that will come down, a 24” oak and a 16” ash, and they are not near the street.

*Mr. Touhey made a motion to close the public hearing for 31 Union Street; Ms. Lauria seconded the motion; the vote on the motion was unanimous.*

*Mr. Touhey made a motion to issue the Order of Conditions for 31 Union Street; Mr. Turi seconded the motion; the vote on the motion was unanimous.*

**144 Seekonk Street, ANRAD (cont'd)**

Documents presented were a letter from Tetra Tech to the Town of Norfolk Conservation Commission, "Re: Wetlands/Stormwater Peer Review Proposal, The Enclave and 144 Seekonk Street, Norfolk, Massachusetts," dated October 10, 2017; and a letter from BETA Group, Inc. to Norfolk Conservation Commission, "Re: Norfolk – 144 Seekonk Street, ANRAD Review," dated October 10, 2017.

Mr. Weddleton noted that since the Commission was simply selecting a peer review consultant from the bids submitted, the applicant did not need to be present. It was noted that the two proposals were virtually the same, with Tetra Tech about \$100.00 less.

*Mr. Norton made a motion to retain Tetra Tech for the peer review of 144 Seekonk Street; Mr. Touhey seconded the motion; the vote on the motion was unanimous.*

*Mr. Touhey made a motion to continue the hearing to November 8, 2017, at 7:10 P.M.; Mr. Turi seconded the motion; the vote on the motion was unanimous.*

**The Enclave at Norfolk, Village Green, NOI #240-591 (cont'd)**

Documents presented were a letter from Tetra Tech to the Town of Norfolk Conservation Commission, "Re: Wetlands/Stormwater Peer Review Proposal, The Enclave and 144 Seekonk Street, Norfolk, Massachusetts," dated October 10, 2017; and a letter from BETA Group, Inc. to Norfolk Conservation Commission, "Re: Norfolk – The Enclave, Notice of Intent – Peer Review," dated October 10, 2017.

Mr. Weddleton noted that again, since the Commission was simply selecting a peer review consultant from the bids submitted, the applicant did not need to be present. It was noted that the two proposals were again very similar, and it was suggested that rather than giving one firm all the work, BETA be awarded this contract. There were no objections.

Verne Rentel, 2 Laurel Path, stated that this property does contain wetlands; Mr. Weddleton clarified that the builder is not proposing to build within the wetlands, and as a 40B, is allowed to build up to the wetland line, and suggested that Mr. Rentel voice his concerns at future meetings, as tonight was simply to choose a peer review engineer.

Ms. DeLonga sked for clarification of the scope, and was informed that they are doing a delineation, a stormwater review and a wetlands review.

*Mr. Touhey made a motion to retain BETA Group for the peer review of The Enclave; Mr. Turi seconded the motion; the vote on the motion was unanimous.*

*Mr. Touhey made a motion to continue the hearing to November 8, 2017, at 7:30 P.M.; Mr. Norton seconded the motion; the vote on the motion was unanimous.*

**11 Old Cart Path, NOI, #B2017-01, Bylaw Only (cont'd)**

With no one present for the applicant, Mr. Weddleton suggested continuing the hearing.

***Mr. Touhey made a motion to continue the hearing for 11 Old Cart Path to November 8, 2017, at 7:45 P.M.;***

Ms. Lauria asked if the hearing could be closed, rather than continued, since no one was present, and some discussion ensued.

***Ms. Lauria made a counter-motion to close the hearing for 11 Old Cart Path; Mr. Touhey seconded the motion; the vote on the motion was 4-2, with Mr. Touhey and Mr. Turi dissenting.***

***Mr. Turi made a motion to adjourn the meeting; Ms. Lauria seconded the motion; the vote on the motion was unanimous.***

***The meeting was adjourned at 8:05 P.M.***



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.