

Conservation Commission
 One Liberty Lane
 Norfolk, MA 02056
 November 8, 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 ----- Absent	
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.

Mr. Weddleton announced that he would be recusing himself from the first hearing, 32 Fredrickson Road.

PUBLIC HEARINGS:

32 Fredrickson Road, #B2017-02 Bylaw Only

Present were John Glossa, Engineer; Nathaniel Morse, potential purchaser of property

Plans presented were entitled “#32 Fredrickson Road, On-Site Sewage Treatment and Disposal Plan of Land in Norfolk, MA,” dated October 5, 2017, Revised through 10/18/17; four (4) photographs entitled “Photo 1,” “Photo 2,” “Photo 3,” and “Photo 4.”

Ms. Lauria, Vice Chair, recognized Mr. Glossa, who gave an overview of the project. The property is an Estate Lot that was subdivided from the property known as 14 Fredrickson Road, in 2012 via Special Permit by the Planning Board; that plan, prepared by Landmark Engineering who is now out of business, showed a driveway going up the middle of the property. In reviewing the plan, Mr. Glossa noticed an isolated wetland, which would not qualify as wetlands under state regulations, but does qualify under town regulations. Mr. Glossa also notice that there is also a “huge chunk” of ledge, and the original plan shows the driveway going right through it; he has redesigned the driveway to go around and over the ledge, with a retaining wall up to 4’, in order to avoid any blasting; although this brings the driveway closer to the wetland, Mr. Glossa believes the wetland will be better protected with this plan, than with one which requires blasting. Regarding the septic system, Mr. Glossa noticed areas marked “NG,” and in checking with the town’s Board of Health Agent, learned that there are areas where there is not enough good soil cover, and that there is a slow perc rate and probably areas of ledge. Mr. Glossa designed a system using gravity and a pump that sends effluent from a tank in front of the house, out to the front of the property; this system has been approved by the Board of Health. Mr. Glossa also noted that there is a NHESP area, and he has submitted to MESA.

Ms. DeLonga expressed a concern with the retaining wall, and suggested a condition that it go in first, before other work is done. Mr. Glossa replied that is an acceptable condition and further suggested that he could go out there and supervise placement of the wall. In response to Mr. Touhey, Mr. Glossa stated that it will be a fieldstone wall, and nowhere will it be in excess of 4’. Mr. Touhey asked Mr. Glossa to

show on the photographs where the wall will be, and Mr. Glossa stated that he could not guarantee a tree won't be taken down. Ms. Lauria opened the meeting to public questions.

Jeremy Sink, 14 Fredrickson, asked about existing stone walls, and Mr. Glossa pointed out the one area that will be opened up, stating that no other stone wall areas will be touched. Mr. Sink asked for clarification on which regulation is being addressed. Mr. Glossa explained the need for an Order of Conditions for work within the 100' buffer zone. Mr. Sink asked how close to the vernal pool the work will come, and Mr. Glossa responded that it will come very close, but it will still be better than blasting nearby. Mr. Glossa also stated that perhaps 6-12 trees will be taken down for the whole project.

Ms. DeLonga confirmed with Mr. Glossa that he has not heard back from NHESP, and stated that it would be conditioned that no work would begin before that is received.

Mr. Touhey made a motion to close the hearing for 32 Fredrickson Road; Mr. Norton seconded the motion; the vote on the motion was unanimous.

Mr. Touhey made a motion to issue the Order of Conditions for 32 Fredrickson Road, with conditions as discussed: NHESP paperwork must be received before work commences; NHESP conditions must be adhered to, retaining wall must be built first with Mr. Glossa present, the lot will be re-surveyed ; Mr. Jacobson seconded the motion; the vote on the motion was unanimous.

144 Seekonk Street, ANRAD (cont'd)

Present were Ed Hutchinson, TetraTech, Sr. Project Scientist, Tetra Tech; Ted O'Harte, applicant; Steve O'Connell, Andrews Survey & Engineering, Inc.

Documents presented were a letter, "Review of ANRAD, 144 Seekonk Street," dated November 1, 2017, prepared by Tetra Tech; plans

Mr. Weddleton called the continued hearing to order for 144 Seekonk Street at 7:35 P.M. and asked Mr. Hutchinson to give a quick overview of the peer review report that was just received. Mr. Weddleton stated that the applicant should go back in the field and replace all of the missing flags, and prepare a proper document; then the wetland scientists for the applicant and for the town would go out with the town's agent and come to consensus on the flagging; the applicant will not be present. Mr. Hutchinson stated he went into the field October 23 with the town's agent, Janet DeLonga. Regarding the southern wetland, all flags were confirmed and soils upland of the flags didn't exhibit any hydro characteristics, and it was felt that the flags were accurate, with only a small portion of the 100' buffer zone extending onto the subject property.

In the central portion of the property, flags 60 & 61 were missing, although they were used for data plots; flag 80 or 81 was missing and the area between 70 & 72 should be revisited. In response to Mr. Weddleton's question regarding the potential vernal pool, Mr. Hutchinson replied that it does show vernal pool characteristics and should be re-examined in the Spring. Mr. O'Connell stated that delineation of missing flags has been scheduled; Mr. Weddleton asked Mr. O'Connell to give the office a call when everything was back in place so that a visit could be scheduled. Mr. Weddleton asked if the springtime check of the vernal pool would affect the project, and Mr. O'Connell was unsure, but noted that the vernal pool would have no buffer zone under state regulations; Mr. Weddleton responded that the town does reserve the right to not waive that local regulation, so the confirmation was necessary.

Mr. Touhey made a motion to continue the hearing for 144 Seekonk Street to December 13, 2017, at 7:00 P.M.; Ms. Lauria seconded the motion; the vote on the motion was unanimous.

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

Mr. Weddleton announced that this hearing would be continued, as information had not been received from the consultants.

Mr. Touhey made a motion to continue the hearing for The Enclave to December 13, 2017, at 7:15 P.M.; Ms. Lauria seconded the motion; the vote on the motion was unanimous.

11 Old Cart Path, NOI, #B2017-03, Bylaw Only

Present was Steve O'Connell, Andrews Survey & Engineering, Inc. (ASE)

Mr. Weddleton began by noting that the original hearing had been closed due to insufficient information, but no vote had yet been taken on issuance of Orders.

Ms. Lauria made a motion to deny the issuance of Orders of Conditions for 11 Old Cart Path initial filing; Mr. Norton seconded the motion; the vote on the motion was unanimous.

Mr. Weddleton announced that the material change allowing the applicant to refile within one year, is the fact that the necessary information has now been received. Mr. Weddleton suggested that due to multiple filings, the application fee for the initial filing be waived.

Ms. Lauria made a motion to waive the application fees for the 11 Old Cart Path initial filing; Mr. Touhey seconded the motion; the vote on the motion was unanimous.

Mr. Weddleton opened the public hearing, recognizing Mr. O'Connell, who stated that the applicant wished to construct a single family home with onsite sewage disposal; the resource area in question is the 100 year flood plain. All work will take place outside of the 50' buffer zone; septic, house and most of driveway is out of 100' buffer; some grading takes place between 50 & 100'. Travis Brown, of ASE walked the site with the town's agent, Janet DeLonga, denoting stakes at the limit of work. Ms. DeLonga confirmed that all was in order, and the plans have been updated with any changes since the first filing. With no further questions from the Commission or from the audience, Mr. Weddleton asked for a motion.

Mr. Touhey made a motion to close the hearing for 11 Old Cart Path; Ms. Lauria seconded the motion; the vote on the motion was unanimous.

Mr. Weddleton noted that Ms. DeLonga had prepared the Order of Conditions, which had been emailed to the Commission. With no discussion forthcoming,

Mr. Touhey made a motion to issue the Order of Conditions for 11 Old Cart Path; Ms. Lauria seconded the motion; the vote on the motion was unanimous.

44 Lakeshore Drive, NOI #240-

Present were Rick Goodreau, United Consultants, Inc. (UCI)

Plans presented were entitled "Site – Septic System Design, Lots A-275, A276 & A-277, Lakeshore Drive, Norfolk, Massachusetts," prepared by UCI, dated October 23, 2017.

Mr. Weddleton opened the public hearing for 44 Lakeshore Drive, recognizing Mr. Goodreau, who gave an overview of the project, submitted proof of mailings, and distributed copies of plans. Mr. Goodreau stated that the rear of the property has a bordering vegetated wetland (BVW) that was delineated by AES Services. The proposal is to construct a single family house with garage, driveway, water service connection, and septic system; work will be within the 50' – 100' buffer zone to the BVW. Erosion controls, 50' & 100' buffer zones, and floodlines are shown on the plans. Mitigation options have been noted for the Commission's review.

Ms. DeLonga noted that DEP has not yet assigned a number, and proceeded to note her comments, the first being a typo that says BVM, instead of BVW; Ms. DeLonga asked that the bordering land subject to flooding, elevation 137' be made more clear on the plans; dimensions for the garage and the garage floor elevation should be added. Mr. Weddleton asked the elevation of the walk-out; Mr. Goodreau responded that it is 143', and existing grade there is about 141'. Mr. Weddleton noted that the back of the garage will be 10' higher than the house; Mr. Goodreau said they are proposing to pour the wall from 4' below grade, and above grade will be covered with faux siding, which Mr. Weddleton asked to have noted on the plan. Mr. Weddleton stated that there are two regulations at issue: erosion control and mitigation. Mr. Weddleton noted that silt fence and hay bales would be required, as well as mitigation plans, which need to be substantial in order to stop runoff toward the pond; Ms. DeLonga requested that human trash cleanup be the mitigation.

Ms. Lauria made a motion to continue the hearing for 44 Lakeshore Drive to December 13, 2017, at 7:30 P.M.; Mr. Norton seconded the motion; the vote on the motion was unanimous.

ACTION ITEMS/ORDERS/EXTENSIONS:

85 Leland Road – Request COC, #240-574

Ms. Lauria made a motion to approve the Certificate of Compliance for 85 Leland Road.; Mr. Touhey seconded the motion; the vote on the motion was unanimous

25 Myrtle Street – Request COC, #240-580

Ms. Lauria made a motion to approve the Certificate of Compliance for 25 Myrtle Street; Mr. Norton seconded the motion; the vote on the motion was unanimous

20 Castle Road – Request COR, #240-80D (\$100.00 payment due)

Mr. Touhey made a motion to approve the Certificate of Release for 20 Castle Road; Mr. Norton seconded the motion; the vote on the motion was unanimous

38 Needham Street – Request for COC, #240-583

Ms. Lauria made a motion to approve the Certificate of Compliance for 38 Needham Street; Mr. Touhey seconded the motion; the vote on the motion was unanimous

MINUTES:

7/12/17 Minutes

Mr. Norton made a motion to approve the Minutes of July 12, 2017; Mr. Touhey seconded the motion; the vote on the motion was unanimous

9/19/17 Minutes

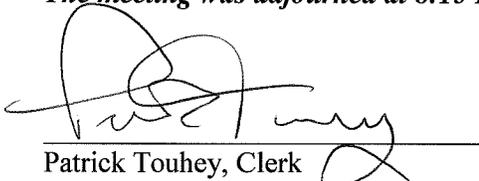
Mr. Norton made a motion to approve the Minutes of September 19, 2017; Mr. Touhey seconded the motion; the vote on the motion was 4-1, with Mr. Jacobson abstaining.

10/11/17 Minutes

Mr. Touhey made a motion to approve the Minutes of October 11, 2017; Ms. Lauria seconded the motion; the vote on the motion was unanimous

Mr. Norton made a motion to adjourn the meeting; Mr. Touhey seconded the motion; the vote on the motion was unanimous.

The meeting was adjourned at 8:15 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.