

Conservation Commission
 One Liberty Lane
 Norfolk, MA 02056
 February 14, 2018
 7:00 P.M.

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

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:

41 Myrtle Street, NOI, #240-597

Present were Karon Skinner Catrone, for John Glossa, engineer; Robert Ringuette, applicant

Plans and documents referred to were entitled “#41 Myrtle Street On Site Sewage Treatment and Disposal Plan of Land in Norfolk, MA,” prepared by Glossa Engineering, dated January 25, 2018

Ms. Skinner submitted proof of mailing for the record. Ms. Skinner gave an overview of the property. It is currently a vacant lot; was subdivided from #43 Myrtle Street in 1957. There is current disturbance on the lot – possible buildings, it is known that the previous owner did some farming; disturbance is not in the resource area. Lot is 13.3 acres; the previous owners granted a flood management to the Army Corps of Engineers which is maintained naturally; parcel has 317’ frontage on Myrtle, side lot lines go back about 800’ toward a stream in the back.; there is an intermittent stream on the south side of the property; Ms. Skinner Catrone pointed out the intermittent stream and the bordering vegetated wetland (BVW) surrounding it on the plan. Most of the lot is wooded and will remain so. The erosion control is set at 50’ from the wetland. Land to the north of the driveway is mostly ledge and will also remain so. Mr. Weddleton asked why the work area was butted up to the wetland line, and Ms. Skinner Catrone said it was due to ledge on the north.

Ms. Catrone stated that the proposal is for a single family house with a gravel driveway, well, septic systems, inground pool and an outbuilding, which is a barn; proposed construction is entirely outside of the 50’ buffer; grading is in the vicinity of the house only; 4” PVC french drain is proposed to avoid the possibility of water in the basement. Septic has not yet been approved by Board of Health; test pits are shown on the plan. Grading was discussed in terms of possibly moving the driveway further from the wetland line; Ms. DeLonga discussed details of her visits to the site, and agreed with the placement of the driveway. Ms. DeLonga noted that the house at 43 Myrtle Street has a well, which location she had approximated on the plan, and care should be taken to stay 100’ away; the owner of that property, Jordan Tynes, was present and stated that the location seemed correct. Ms. DeLong also noted an area at the southwest corner of the house where the erosion control is very close, and questioned if the house could be turned a little bit. The applicant, Mr. Ringuette, had no objections to this. Mr. Ringuette also stated that one of the reasons for placement of the driveway is not to shine lights in the home of the property across the street; they are trying to keep the land as close to it is now as possible.

In response to Mr. Weddleton, Ms. DeLonga stated that she has been in touch with John Glossa regarding changes to the plan, but had not mentioned the well at #43. Ms. Skinner Catrone will relay to Mr. Glossa that the well should be shown on the plan; in addition, the SW corner of the house and its proximity to the erosion control/buffer line should be addressed. Mr. Weddleton noted that the numbers for disturbance in the 50-100' buffer need to be added to the plan, and also stated that it will be necessary to show mitigation on the plan, as well as demarcation at the 50' line, such as post & rail, boulders, shrubbery etc., as cited in the Regulations. Mr. Weddleton also suggested that the Board of Health should approve plans before the next Conservation meeting.

Mr. Wilson asked if the applicant would be required to put anything between the side of the gravel driveway and the resource area to prevent washout into the resource area. Mr. Weddleton suggested that the driveway could be paved and pitched appropriately; the applicant is agreeable to paving the driveway.

Mr. Weddleton suggested that the Board of Health should approve plans before the next Conservation meeting.

Mr. Turi made a motion to continue the hearing for 41 Myrtle Street to March 14, 2018, at 7:00 P.M.; Mr. Touhey seconded the motion; the vote on the motion was unanimous.

The Enclave at Norfolk, Village Green, NOI, #240-591 (cont'd from 1/10/18)

Mr. Touhey made a motion to continue the hearing for The Enclave to April 11, 2018, at 7:05 P.M.; Mr. Norton seconded the motion; the vote on the motion was unanimous.

60 River Road, NOI, #240-596 (cont'd from 1/19/18)

Mr. Touhey made a motion to continue the hearing for 60 River Road to March 14, 2018, at 7:15 P.M.; Mr. Norton seconded the motion; the vote on the motion was unanimous.

Lawrence Street, NOI, #240-598

Present were William Scully, Danielle Spicer and Erik Atkins, Green International Affiliates (GIA), Chase Bernier, BSC Group.

Plans referred to were entitled "Lawrence Street Improvement Project, Notice of Intent Submission," dated 1/31/18, prepared by GIA; "Aerial Locus Map, Norfolk – Resurfacing and Related Work on Lawrence Street, from Cranberry Meadow Road to Park Street," dated 12/18/17, prepared by GIA, and included as Figure 2; "Typical Section, Figure 11," dated 2/12/18, prepared by GIA; "Lawrence Street Improvement Project, Wildlife Habitat Evaluation, Wildlife Habitat Mitigation Plan" dated 1/30/18, prepared by BSC Group.

Mr. Weddleton requested that Mr. Scully give a general overview of the project, and then give an indepth description of how the wall is going to be installed and the impacts to the resources area, and then the bridge demolition and rebuilding, including the fact that the abutments will be kept in place and the significance of that on the project.

Ms. Spicer stated that there will be no fill within the pond, and no impacts on bordering vegetated wetlands (BVW), and stormwater runoff from the site will be increased.

Mr. Atkins stated that the project begins at Park Street and extends about 900' toward Cranberry Meadow. Roadway is currently 20-22' wide; project proposed to achieve a 24' width. Existing abutments will be retained and the deck of the bridge will be replaced. A new sidewalk is included on the

north side of the road, with a cantilevered boardwalk over the bridge; a timber guardrail is proposed along the south side. Mr. Atkins said that much time was spent evaluating the current roadway alignment in order to evaluate options to maximize roadway while minimizing impacts, holding southern edge and expanding to the north, installing retaining wall on the north, from the walkway will be cantilevered.

Mr. Atkins introduced the "Typical Section" plan, giving an overview, and then handing it back to Ms. Spicer for further comment on the resource area impacts. Ms. Spicer referred to not only Bush Pond, but land underwater areas, state and local bank areas and BVW. Impacts will be mostly related to shading on the north side from the cantilevered sidewalk; impacts will be to state and local banks on north, and minimally on south, where there is some fill for installing the guardrail. Mitigation is being proposed in the northwest corner for these impacted areas. Roadway is currently crowned, and stormwater flows north and south into the pond with little to no treatment; because a curb is being installed on the north side, a closed drainage systems can be installed on either side of the bridge to capture and treat some of the stormwater before it goes back into the pond.

Mr. Weddleton what type of mitigation is going in. Mr. Bernier replied that snags and fruit bearing trees (winterberry, dogwood, etc.) would be used, as well as rock piles, all to provide insects, cover and perches. In response to Mr. Weddleton's question, Mr. Bernier said that a mitigation plan had been submitted as an attachment to the Wildlife Habitat Evaluation [Appendix B of NOI]. 410 l.f. of state bank and 465 l.f. of local bank is being disturbed. When asked about mitigation on the other side of the bridge (north side, closer to Park Street) Ms. Spicer said that there is a better success rate in doing mitigation in one area, rather than breaking it up. Treating stormwater will also be part of the mitigation. Ms. DeLonga asked if root systems would be disturbed on the south side of the bridge, under the walkway; Mr. Atkins responded that they plan to cut to grade, but leave root systems intact; Ms. DeLonga inquired about removing plants by the roots and replanting in the mitigation area; Ms. Spicer said that it would start to erode the slope too much. Mr. Weddleton requested that complete and formal answers to questions submitted last week be received; Ms. Spicer responded that all questions will be responded to in an email. In response to Ms. DeLonga, Ms. Spicer said that there will be a flared end to the discharge pipes with riprap at the outlet to further slow the stormwater before it reaches the pond; there is also a proprietary separator and a bypass manhole, and no erosion or scouring is expected from the discharge. Mr. Weddleton inquired as to how the guardrail posts will be placed, and Mr. Atkins responded that they are not sure how the causeway was constructed he believes they will drive in the sheet walls, and auger out to place the wooden posts; a turbidity curtain will be placed all around the bridge area, and this is shown on the plan.

Mr. Atkins said they anticipated that the contractor would go in with a pile driving machine to pre-trench the area and drive the sheet piles into the ground, perhaps about 10' (he is not the structural engineer, so is estimating); this work happens inside the roadway structure and so will not impact the resources; although this is a more expensive process, it greatly reduces impacts. Next the concrete cap will be placed and then the post will be placed; from that the cantilevered walkway will be installed. They anticipate the roadway will be reconstructed using full-depth pavement reclamation, and then paving on top of that. Mr. Weddleton asked if the concrete cap would be precast, and Mr. Atkins replied that it will be cast in place. The connection for the cantilevered walkway would be from the side of the concrete cap. Mr. Turi asked about the lifespan of the material, and was told that the decking has a 50 year design life, and the rest of the structure would be much longer, similar to the current bridge's lifetime. Ms. DeLonga asked how the bridge surface will be constructed; Mr. Atkins responded that the current plan is that existing decking would be removed, the existing abutments would be repaired, and the new deck would be cast in place. Ms. DeLonga asked how long people will not be able to walk or drive on it; Mr. Weddleton responded that it's outside of the purview of the Commission, but he had heard it would be about 60 workdays.

Mr. Wilson asked for clarification on widening the road; if widening from 22' to 24', with one side, the south, not being impacted, then the north would protrude an additional 2' into the pond; Mr. Atkins responded that the protrusion would be above the water, not in it.

Mr. Weddleton opened the meeting to public comment. Lawrence Wilson, 22 Lawrence Street, asked if the piling would be exposed, Mr. Atkins responded it would be covered with bank; Mr. Wilson asked what the protrusion would be made of, Mr. Atkins responded steel; Mr. Wilson asked what kind of steel and how it would be maintained to which Mr. Weddleton responded that is not within the purview of the Conservation Commission. Mr. Wilson stated that there were certain plants important to pollination that he didn't see on the list, including clethera and wild cherry; Mr. Weddleton suggested that Mr. Lawrence send his suggestions to the Conservation Agent, as ConCom will have input into the mitigation plan; Mr. Bernier responded that they would try to include any that are requested, keeping in mind that the plan for the mitigation is to replicate the function, not necessarily plant-for-plant. Mr. Weddleton state the Commission's goal is to come up with a comprehensive plan that works for everyone, primarily the area residents and the Commission.

Margaret Kahaly, Cranberry Meadow, expressed concern over the impact of removing trees on the water temperature and on perches and cover for wildlife; Mr. Bernier responded that most of the pond is exposed, and the temperature will not be impacted; regarding perches and cover, he said that is the reason for the mitigation area; Ms. Spicer elaborated, stating that mitigation is being made to town bylaw standards, which are more stringent than state standards. Mr. Kahaly expressed concern that the wood posts being driven into the bank may be chemically laden. Mr. Weddleton responded that they would not be, and further stated that the original plan was for metal guardrails, but that was changed to the steel-reinforced wooden guardrail, as used on the Cape.

Brian Kahaly, Cranberry Meadow, expressed concern that the shading created by the walkway would change the plantlife underneath. Ms. Spicer responded that that impact was taken into consideration in the mitigation plan. Mr. Kahaly stated that he understood that, but was concerned that washout or erosion would occur when plant life on that slope died; Mr. Weddleton assured him that the area would have to be stabilized, whether by new growth or the addition of riprap, so that nothing will go into the water. Mr. Weddleton also stated that testing of the water for a different project several years ago revealed the water to be very clean, and said that result would be enforced after this project as well.

Mr. Weddleton continued, noting that salt, debris and other runoff currently goes directly into the pond, and the closed drainage system being proposed would be an improvement. Regarding shading, Mr. Weddleton pointed out that the pressure treated wooden decking can be placed further apart than Trex, allowing more light into the pond, and will stand up to snow plows better.

Mike Guidice, 6 Eagle Drive, expressed concern with the limited amount of room around the pre-trenching area, and questioned if the amount of impact was fully considered; Mr. Weddleton asked Mr. Atkins how the trench would be constructed, and how wide it would be; Mr. Atkins said that he didn't know precisely how the contractor would approach that, but one solution would be an articulated backhoe. Mr. Weddleton asked how far in from the water line the trench would be; Ms. Spicer responded that it's about 5'; the cross section shown is the worst case area that extends for about 50' of the 800 l.f. It was confirmed that turbidity curtain will be installed on both the north and south sides of the bridge before work starts, explaining that it is a floating curtain with a weighted bottom and a buoyant tube at the top. The difficulties in driving sheeting in tight spaces were discussed, and the controls that would be in place. Mr. Guidice asked if the stormwater report was being peer reviewed; Mr. Weddleton said that in this case it may not be, since it is a Town project, and they feel the engineers are qualified.

Paul Citarell, Brett's Farm Road, asked if studies had been done to determine if any nesting fish were there, including Bridle Shiners; Mr. Bernier responded that Natural Heritage had updated their maps in August, 2017, which indicated that there were no known rare species living there (Mr. Bernier encouraged residents to report if they had seen rare species there.); he said given the shallow depth, there may be common species such as blue gills, which could relocate during construction; Mr. Bernier feels that area is very exposed and has a relatively high temperature due to shallowness, which is not attractive for nesting to most species. Mr. Citarell asked if this specific area had been studied recently, and Mr. Bernier said not that he knew of.

Arthur Wagner, Park Street, asked about nesting turtles on either side of the causeway; Ms. Spicer said they had heard about nesting turtles on the south side, which is part of the reason for not disturbing that side; they did not expect any disturbance to turtles on the south side. Mr. Wagner asked if the turbidity curtain would be permanent, and was informed it would not. Mr. Weddleton clarified that the Commission had a report of one non-endangered turtle nesting on the south side only; for perspective, he stated that a law had been enacted 5 years ago that would not prohibit work in the area, even if the turtles were endangered.

Peg Bedard, 28 Lawrence Street, asked for the meaning of riprap, which is stone put on slope to stabilize it and stop any runoff, and whether that would impede any reestablishment of wildlife; she was informed it would not. Ms. Bedard asked how the stormwater is treated; Ms. Spicer responded that the water that goes through the drainage system will go through a catch basin with deep sumps and hoods, which provides 25% solid removal, and that discharge will go through a proprietary CDS separator, which provides a higher level of treatment than a catch basin; solids will settle to the bottom of the catch basin, and will then be removed by a vac truck. Ms. Bedard asked what the life span of the road and sidewalk should be; Mr. Weddleton said that would be addressed by the town's engineers, it is outside of the purview of the ConCom. Ms. Bedard also commented that the look would be "imbalanced," and asked if that was a concern of the Commission, to which Mr. Weddleton responded that it is not.

David Mastro, 26 Lawrence Street, expressed concern with new plantings near an existing old foundation that may need to be removed; Mr. Weddleton said that new plantings are required to be warrantied for at least a year.

Mr. Wilson, asked how salt would be removed from the drainage water, and Mr. Atkins responded that it would not remove salt from a solution, but it would catch solids; Mr. Weddleton added that curbing would help to prevent some salt and other solids from going into the pond.

Bill Gross, 21 Essex Street, asked who would carry the bonds; Mr. Weddleton responded that the state would hold the bonds and release periodically upon various inspections. Mr. Gross suggested that the townspeople should be assured they would be protected, and Mr. Weddleton referred him to the Board of Selectmen.

Sandra Myatt, Eric Road, expressed concern about taking down trees and dumping stormwater where she has seen swans with their young; Mr. Weddleton responded that this has all been reviewed by the Department of Environmental Protection and Natural Heritage and they had no comments or findings in this area. Mr. Wilson commented that he thought the Commission was not open to comment; Mr. Weddleton responded that all questions had been responded to, to the best of the Commission's ability, within the scope of their jurisdiction.

Mr. Mastro commented that the contractors need to be aware of the truck staging proposed in the proposed mitigation area; Mr. Weddleton reiterated that the plantings would have to be warrantied for at least a year.

In response to Ms. DeLonga, Ms. Spicer stated that she would follow up with an email of all sketches submitted tonight, and questions submitted by Ms. DeLonga. They will also finalize mitigation plans.

Mr. Turi made a motion to continue the hearing for Lawrence Street to March 14, 2018, at 7:20; Mr. Touhey seconded the motion; the vote on the motion was unanimous.

Adopt revised “Town of Norfolk, Conservation Commission, Wetlands Protection Regulations”

Mr. Weddleton opened the public meeting, stating that there were 2 minor changes to the Regulations proposed: to change the various delineation Town bylaw fees to be in alignment with the single State fee of \$2.00 per l.f. Ms. Brady noted that the reference to “single hour” on the rough draft has been corrected to “single family house” on the final; Mr. Norton noted that the word “ares” needs to be corrected to “area.” Mr. Weddleton noted that the number of copies to be submitted for applications has been revised down to 3 hard copies and an electronic copy.

Mr. Touhey made a motion to accept the Area Delineation fee and administrative changes to the Regulation; Mr. Norton seconded the motion; the vote on the motion was unanimous.

Mr. Norton made a motion to accept the revision to the number of copies to be submitted; Mr. Wilson seconded the motion; the vote on the motion was unanimous.

MINUTES:

Mr. Touhey made a motion to approve the minutes of December 13, 2017; Mr. Turi seconded the motion; the vote on the motion was unanimous.

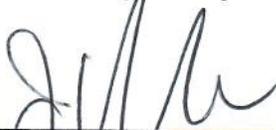
Mr. Touhey made a motion to approve the minutes of January 10, 2018; Mr. Norton seconded the motion; the vote on the motion was unanimous.

NEW BUSINESS:

Discuss May Meeting Date - it was decided to hold the May meeting on the 3rd Wednesday of the month, in order to avoid potential conflict with Annual Town Meeting.

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

The meeting was adjourned at 9:03 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.