

Conservation Commission

One Liberty Lane
Norfolk, MA 02056

January 9, 2019
7:00 P.M.

Commission Members	Other
David Turi, Chairman ----- Present	Janet DeLonga – Agent ----- Absent
Jim Wilson – Clerk ----- Present	Amy Brady–Administrative Assistant ---- Present
Bruce Jacobson – Member ----- Present	
Alexandra Fraher – 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. Turi announced that the meeting was being audio- and videotaped.

Mr. Turi made an announcement that the Conservation Commission is seeking new members.

MINUTES:

December 12, 2018

Mr. Jacobson made a motion to accept the minutes of December 12, 2018; Ms. Fraher seconded the motion; the vote on the motion was unanimous.

PUBLIC HEARINGS:

The Enclave, NOI (cont'd from November 14, 2018)

Ms. Fraher made a motion to continue the hearing for The Enclave to February 13, 2019, at 7:10, P.M. at the Norfolk Town Hall; Mr. Jacobson seconded the motion; the vote on the motion was unanimous.

273 Dedham Street, NOI

Present was Jim Susi, United Consultants, Inc. (UCI)

Plans presented and referred to were prepared by UCI, entitled “Site Development Plan, 273 Dedham Street, Lots 4 & 5 Dedham Street, Norfolk, MA,” dated 11/13/18 (11 pages)

Mr. Susi gave an overview of the existing conditions, and the new site layout plan. Mr. Susi outlined the proposed new drainage system; sediment forebay to detention area, which will outlet to a raingarden; roof leader system will tie into the rain garden, which will require simple monthly maintenance. Mr. Turi asked how much work is being done within the 100’ buffer to the wetland; Mr. Susi said a small portion of work is proposed within the 50’ buffer zone, but it is all previously disturbed. Mr. Turi asked what was talked about in the recent meeting between Mr. Susi and the Agent, Janet DeLonga. Mr. Susi responded that an easement line was added back to the plan, as was a 5’ construction line; also field data forms and operation & maintenance plan were missing, and had been emailed that day, and hard copies brought this evening. Mr. Wilson asked about some wetland flags that Ms. DeLonga; Mr. Susi responded that Ms. DeLonga didn’t really disagree with the line, but as she was walking out there and said that a couple were missing, but they didn’t need to be replaced.

Anthony Martucci, 25 Cleveland Street, asked if the pavement would be pervious or impervious; the answer was impervious; Mr. Martucci asked who would be responsible for the monthly maintenance, and Mr. Susi responded that the owner would be responsible, and would need to complete paperwork to keep onsite. Mr. Martucci asked if the wetland flags were certified by the agent, Mr. Susi responded that she didn’t disagree with anything. Mr. Turi stated that since Ms. DeLonga is not here tonight, the hearing will need to be continued.

Mr. Wilson made a motion to continue the hearing for 273 Dedham Street to February 13, 2019, at 7:00, P.M. at the Norfolk Town Hall; Ms. Fraher seconded the motion; the vote on the motion was unanimous.

Cranberry Heights Subdivision, Request for Determination (Cont'd from December 12, 2018)

Ms. Fraher made a motion to continue the hearing for Cranberry Heights to February 13, 2019, at 7:15, P.M. at the Norfolk Town Hall; Mr. Jacobson seconded the motion; the vote on the motion was unanimous.

Mass Audubon/Stony Brook, Request for Determination

Present was Doug Williams, Sanctuary Director at Stony Brook.

Mr. Williams said he was proposing to install two "Beaver Deceivers" (water level control devices, or WLCD) along a no-name perennial stream that flows out from Bristol's Pond. Mr. Turi asked if the company has good success with these, and Mr. Williams said yes, they do, and they guarantee their work. Mr. Williams said that the state had one installed across the street at Bristol Blake State Reservation, and it has worked well for the 6-7 years that it has been there; it does need to be maintained once or twice a year, and the Audubon will take care of the ones at Stony Brook.

Ms. Fraher made a motion to close the public hearing for Stony Brook Request for Determination; Mr. Jacobson seconded the motion; the vote on the motion was unanimous.

Mr. Wilson made a motion to issue a Negative 2 (state) and Negative 6 (local) Determination of Applicability; Ms. Fraher seconded the motion; the vote on the motion was unanimous.

DCR, Lakes & Ponds, Notice of Intent

With no one from the State present, Doug Williams of Stony Brook stated that he had brought a water chestnut issue to the attention of the state, and the Lakes & Ponds Division had come out and done an assessment on the three bodies of water there, agreeing that there was a problem with water chestnuts, as well as pond weed.

Mr. Martucci expressed an interest in seeing the aquacade and herbicide that would be used, and was concerned about the possibility of killing of bees. Mr. Turi said that the chemicals being used is the main concern of the ConCom as well.

Ms. Fraher made a motion to continue the hearing for DCR, Lakes & Ponds to February 13, 2019, at 7:25, P.M. at the Norfolk Town Hall; Mr. Jacobson seconded the motion; the vote on the motion was unanimous.

NStar dba Eversource, Notice of Intent

Present was David Klinch, Epsilon Associates, representing NStar, dba Eversource.

Plans presented and referred to were prepared by Eversource, entitled "Eversource Line 325-344 DCT Project," revised 12/14/18. (18 pages)

Mr. Klinch explained that the NOI was for a geotechnical boring program, which is part of a larger "circuit separation" project that will come before the Commission later in the year. Mr. Klinch said this project encompasses 6 towns, with 75% of the work length in Norfolk and Franklin. There are 18 structures in Norfolk; 7 borings are within bordering vegetated wetlands (BVW), 1 within a riverfront area, and 2 within 100' buffer zone. The biggest impact is from construction matting being used, even though it is temporary. Restoration generally consists of filling in ruts, removal of debris, and seeding and mulching where necessary for stabilization. Although much of the work is in graveled access roads, some areas of those roads themselves are actually jurisdictional areas; a chain mower would be utilized where there is no access road to the area to be worked in. Impacts to BVW will be 15,875 s.f. ; riverfront area impact will be 7,000 s.f. adjacent to the Charles River, or 2% of the total 460,000 s.f. of riverfront area on the right of way (ROW). A 4-1/4" hollow stem auger will be used, leaving a 6" hole, which is then seeded and mulched. Typically a fiber mulch log is used, unless the Commission has additional requirements for erosion control.

Mr. Klinch noted that there is an error in the Notice of Intent that was filed: the box for "limited project" was not checked; he will resubmit that form if required. Mr. Klinch said it is preferable to do this work under frozen ground or snow conditions as it is less impactful. The larger NOI for the larger project will be coming, and will have some permanent impacts to wetlands, with "significant" mitigation proposed.

Mr. Turi asked how close the construction vehicles would get to the wetlands? Mr. Klinch said sometimes it is actually in the wetland; each boring can take between 1 and 4 hours; Eversource specifications do not allow for fueling within the wetland. The total geotechnical boring project should take about 2 weeks. Mr. Klinch mentioned the danger of having a drill rig mast next to live lines, and committed that no rigs will be left overnight, and none should be there for more than about half a day. Worst case scenario besides a spill would be a drill rig breaking down that needs to be towed out, but it would minimally be towed out of the wetland, into an upland to store overnight. A site walk prior to the project commencing will be offered. Mr. Turi asked if the applicant had spoken to the ConCom Agent, Janet Delonga; Mr. Klinch said that a representative had spoken to her about this project, but not the larger one; he would be happy to do that. Mr. Klinch said that local environmental oversight and photo-documentation are common requests that they are happy to comply with. Mr. Wilson said it would be good to provide neighbors with an email contact; Mr. Klinch said Eversource has a full time outreach program that has been provided with the abutter list. There is an 800 number, there will be door hangers and the green card notification; a contact email address can be provided.

Theresa Knowles, 20 Dean Street, asked how close this will be to the gas lines; Mr. Klinch said further from the gas lines than the current structures. Ms. Knowles said an email address is not good enough when the workers are out in the field, and she would prefer they come door to door. Ms. Knowles also stated that Eversource just did new poles and although the construction work was well done, the cleanup was not, and so she would be wary of that aspect of this project. Ms. Knowles stated that Eversource had used herbicides before; Mr. Klinch said no herbicides have been used in at least 12 years on the section in question. Mr. Klinch continued that there is constant work being done in the ROW, most of it maintenance that doesn't require additional regulatory approvals, like this project does.

Mr. Martucci disagreed about the herbicides, saying he has documentation that they were used in that utility line 3 years ago. Mr. Martucci asked why they were doing test borings instead of "GPR." Mr. Klinch said GPR is not suitable because the caissons would be too deep; Mr. Martucci said he was surprised because the area was recently found to be all ledge. Mr. Martucci asked about erosion control methods; Mr. Klinch said there would be down-gradient erosion control from the borings, and a biodegradable mulch fiber log that can be cut open and the mulch spread out when the job is complete will be used. If the access road goes into a wetland where there is no road, the entranceway would have erosion controls in a Y formation where the mats go into the wetland. The mats are clean before they come into the ROW and are cleaned in place before they are taken away, as are the truck tires. Mr. Martucci said that the access road stops at the top of the hill between Cleveland Street and Route 115 and then goes down a very steep hill into the wetlands and to a very polluted stream. There is an area under the towers where nothing grows, since being sprayed about 25 years ago by the then-current utility (Boston Edison?). Mr. Martucci and Mr. Klinch consulted the plans to identify this area; after some time, Mr. Turi suggested this area could be identified after the hearing. Peter Lopes, Seekonk Street, stated he owns some acreage under the lines, but has always kept a border of trees between that area and his house. He said that recently the activity has become very heavy, and part of his natural barrier has been cut, and they left a mess of brush and limbs behind. He asked for clarification of the project, and Mr. Klinch said that each of the 7 monopoles has 2 circuits on it; each pole will have a new monopole constructed next to it, and one circuit will be moved from the existing pole to the new pole, in order to provide additional resilience if a tree falls, if there is a catastrophic accident, etc. Mr. Lopes stated that Eversource removed about 150' of his rock border wall during their last project, and he has not been able to get anybody to answer the phone or respond to voice messages. Mr. Turi suggested that the Town Planner, Rich McCarthy, might be able to help, and Mr. Klinch said he would give Mr. Lopes his business card. Len Kaufman, 113 Wildwood Road, asked for confirmation of how long the project would take; Mr. Klinch said if the weather was good, it would be a month or less. Mr. Kaufman asked about noise; Mr. Klinch said the drill rigs would be noisy. Mr. Kaufman wanted to address other questions for the engineer for the future project, and Mr. Klinch said he would answer those questions after the meeting; George Grey, 45 Wildwood Road, volunteered to be a point of contact. Mr. Turi said that Mr. Klinch didn't need to be present at the next meeting, and he would be sure Ms. DeLonga has his contact information if she required any further information. Mr. Wilson emphasized the need for the neighbors to have contact information. Mr. Martucci asked if Eversource has a hazmat plan in place in the case of a hydraulic blowout

from the drill rigs; Mr. Klinch said there is a spill control prevention plan (SCPP) for the entire ROW that includes all fluid types, including hydraulic fluid, diesel, gasoline, lubricants, etc. Discussion continued regarding the spill plan vs. a hazmat plan. Mr. Klinch said there is a response plan within the SCPP, and DEP would be notified of all spills; if within a jurisdictional area, ConCom would be notified and cleanup would be permitted; it's all state law, and therefore not specifically spelled out in the Notice of Intent/Order of Conditions. The SCPP and the Stormwater Pollution Prevention Plan (SWPP) would be kept on site.

Mr. Jacobson made a motion to continue the hearing for NStar dba Eversource to February 13, 2019, at 7:30, P.M. at the Norfolk Town Hall; Ms. Fraher seconded the motion; the vote on the motion was unanimous.

APPOINTMENT:

Sandy Myatt – Ms. Myatt referred to an email she had sent on January 8, 2019, to the Commission. The first issue she brought up was whether the tail race was a river, protected by riverfront area guidelines; Ms. Myatt showed Figure 7 from the Environmental Notification Form, showing 200' riverfront markings around the tailrace. Jim Wilson stated that the Conservation Commission has not received the project yet, and it is therefore hard to make any determinations. Mr. Turi said he would discuss the map with the Conservation Agent, and relay comments to the ZBA with regard to the riverfront buffer. Ms. Myatt said that removal of the overburden is a big concern with regard to waterflow, and whether or not it has been addressed in the time to travel calculations. Mr. Turi said that the Commission cannot make determinations because the project is not before the Commission at this time. Ms. Myatt asked if groundwater flow is within the Commission's purview, and Mr. Turi said it is, but not at this time. Mr. Wilson referred to the ongoing Public Information Process (PIP) and suggested that concerns be brought forward there; Ms. Myatt said that several letters have been written, and they are currently waiting for the Scope of Work to be completed. Mr. Wilson also stated that the Commission cannot do anything at this time because the project is not in front of them, but it is being actively worked on through the DEP and the PIP process. Once the Scope of Work is completed, and boundaries delineated, then the project may come before the Commission.

OLD BUSINESS:

Request for quotation, 144 Seekonk Street consultant – Mr. Turi noted that, in accordance with the vote at the last meeting, a letter had been sent Certified Mail to the owner of the subject property; although the letter was received by the owner, the Commission has not been contacted. A Request for Proposal (RFP) has been developed by the Town Planner and reviewed by the Agent and Commission Chairman.

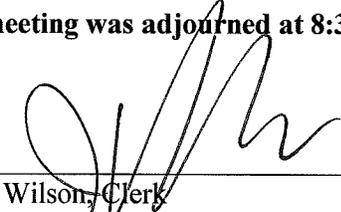
Ms. Fraher made a motion to accept the RFP as presented; Mr. Jacobson seconded the motion; the vote on the motion was unanimous.

CORRESPONDENCE:

12/31/18 Pondview HOA Letter re: December Monthly Report. Mr. Turi said the Commission may want to talk to them about alternative methods for getting rid of the pond lilies.

Ms. Fraher made a motion to adjourn the meeting; Mr. Jacobson seconded the motion; the vote on the motion was unanimous.

The meeting was adjourned at 8:37 P.M.



James Wilson, 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.