

Conservation Commission

One Liberty Lane
Norfolk, MA 02056

June 12, 2019
7:00 P.M.

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

PUBLIC HEARINGS:

The Enclave, Village Green NOI #240-610 (cont'd from 5/8/19) – Present was Randy Miron, Bohler Engineering, Tom DiPlacido, for Norfolk Holdings, LLC. Plans presented and referred to were entitled “Final Plan for Comprehensive Permit proposed “The Enclave at Norfolk,” prepared by Bohler Engineering, dated 6/13/17, rev. through 5/24/19.

Mr. Turi called the continued public hearing to order. Mr. Miron said that since they last appeared before the Commission on May 8, a decision had been issued by the Zoning Board of Appeals (ZBA) and a final set of plans submitted for approval by their peer reviewer, Tetra Tech, as well as to the Commission. Mr. Miron said that Tetra Tech had indicated to them that, although they may have some other comments, they were comfortable with work within the 100’ buffer zone.

Mr. Weisheit made a motion to close the hearing for The Enclave; Ms. Fraher seconded the motion; the vote on the motion was unanimous.

Ms. Fraher made a motion to issue the Order of Conditions for The Enclave; Mr. Weisheit seconded the motion; the vote on the motion was unanimous.

29 Needham Street, NOI #240-612 – Present were Scott Henderson, Henderson Consulting, Eric and Erin Andersen, applicants. Plan presented and referred to were entitled “Site Redevelopment Plan,” prepared for “Plan of Land, 29 Needham Street, Norfolk, MA,” dated 5/8/19

This is a 3 acre site on the southeast side of Needham Street, presently improved with a single family home, septic, driveway, lawn and meadow, with some wooded areas along north/northwest property line. There are three wetland resource areas adjacent to the site. To the southwest is an intermittent stream; to the north of that is a bordering vegetated wetland (BVW) with a 100’ buffer zone that extends partially onto the site; on the rear of the site is bordering land subject to flooding (BLSF). The application is for an addition to the existing house, which will be a 2 car garage and room above. Mr. Henderson pointed to the existing gravel driveway; the intent is to construct a new bituminous concrete driveway to access the new garage. Work within the buffer zone totals 700 s.f., 154 s.f. of which will be converted from gravel driveway to pavement; the remainder will be converted from gravel driveway to grass. Roof infiltration is proposed capturing downspouts and gutters from the new section, and the lawn extends to property now, 6 native species are proposed to be planted. Ms. DeLonga said that besides the driveway, the only other impact seemed to be infiltration from the roof, and this is already a disturbed area with the lawn; alternative locations for the addition had been considered, but none worked with the structure of the house. Mr. Wilson said Conditions should include specifications for stockpiling and vehicles during construction, and mitigation for

blueberry bushes; Mr. Henderson pointed to the area on Page 2 which addresses the stockpiling question, and said a Condition stating all stockpiling outside of resource areas is reasonable. Mr. Wilson said a Condition should also limit construction vehicles in the 50-100' buffer area; Mr. Henderson suggested having vehicles parked in the old gravel drive on the north side of the house, which Mr. Wilson agreed to. Mr. Wilson mentioned stockpiling in the northern side of the site, not on the lawn.

Mr. Weisheit made a motion to close the hearing for 29 Needham Street; Ms. Fraher seconded the motion; the vote on the motion was unanimous.

Lake Street Paving, NOI #240-613 – Present were Bob McGhee, DPW Director; Barry Lariviere, Asst. DPW Director; Greg Berube, Engineer, Pare Corporation; Lauren Gluck, Sr. Environmental Scientist, Pare Corporation. Plans presented and referred to were prepared by Pare Corporation, entitled “Lake Street Paving and Permitting,” sheet C2.3 (40 Scale), dated June 2019; and entitled “Town of Norfolk Lake Street Paving Project, Preliminary Submission” 9 pp, dated April 2019.

Mr. Berube gave an overview of the paving project: approximately ½ mile section of the road, up to Medway Street; the paving will consist of about a 16' wide roadway, with 3" thick asphalt surface; shoulder treatments will include stone aprons to help with sediment removal and runoff where topography allows, as well as asphalt berms to direct roadway runoff into those locations; loam and seed along with erosion reinforcement where necessary will also be used. Continuous erosion problems around the culvert pipes will also be addressed; stone headwalls will be installed surrounded by stone to help filter; all work will be within the town right of way and each driveway will have an asphalt apron. Ms. Gluck reviewed the resource areas. First, a stream crossing that is an unnamed tributary of Cress Brook and Bordering Vegetated Wetland (BVW) around the brook; a second perennial stream crossing that is Cress Brook with BVW on both sides, with 100 year flood plain area on the downstream side, which they are staying entirely out of; Cress Brook Pond, aka Crystal Lake, whose edge hugs the shoulder of the roadway with a BVW area across the street; there might be a pipe or other hydrogeologic connection, but it is unclear. There is a 200' Riverfront area with the two perennial stream crossings; 100' buffer zones around the BVW areas, as well as the 50' no-disturb area. Direct impacts are limited to where the pond hugs the roadway; there is significant erosion there, not too much established vegetation, mostly invasive species and shrubs, etc.; they will be putting in stone slope protection; there will be about 23 l.f. of the bank and 30 s.f. of bank below the pond that will be impacted by placing the stone. Impacts to the vegetated wetland and floodplain areas have been avoided. Impacts to riverfront areas are all in previously disturbed areas. Vegetation within the work limits will be removed. There is a mapped Natural Heritage (NHESP) area surrounding Cress Brook; a letter should have been received saying there are no adverse impacts. Roadway will be bituminous asphalt throughout the length; stormwater improvements will be stone clearing pads. In response to Mr. Weisheit, Mr. Berube pointed out where the stormwater management pads will be, and discussed how stormwater will flow; in response to Mr. Turi, Mr. Berube said flow from Medway Street will not be reduced, but will be managed as best as possible. Mr. Wilson expressed concern about the potential need to re-disturb some areas in order to comply with the town's Stormwater Permit; Mr. Lariviere said that everything here will comply with needs for the SW Permit; the town will also now maintain the road through street sweeping. Mr. Lariviere expressed his support for the project. Mr. Turi opened the meeting to public comment.

Karen Gallup, 22 Lake Street, asked if previously placed materials would be removed, Mr. Berube explained the process; Ms. Gallup also asked which way the stormwater is expected to go near her house; Mr. Berube said the water is expected to go ½ and ½ to each side, and the driveway aprons will be engineered to ensure the water doesn't enter. Elizabeth McCormick, 51 & 51-½ Lake Street, said she and her husband were very much in support of this overdue application, and they thought it should have been done years ago. Ms. McCormick said that they had expressed concerns to the Commission which were not addressed; they have been there 32 years, the gravel road was not a problem until more recently, after improvements were made on Medway Street; she said the problems with drainage on Medway street are still not resolved, and she is disappointed to hear they will not be addressed in the scope of this project, feeling that all the runoff from Medway Street will “sheet down” Lake Street; she said the problems caused by work the town did are “abominable” and expressed frustration that the Conservation Commission has not been involved. She asked that it be noted that the town has not been held to the same standards that a developer would be; also that this application has claimed exemption from the riverfront protection district, stating that this is not a maintenance project and there is not an applicable exemption. Ms. Maitland also said that

the shoulders near the Main Street end have been collapsed by boulders placed there; that it is her understanding that none of the damage which has already occurred will be addressed, it will just be paved over, with no significant drainage structures installed.

Mr. Turi responded that the Commission has not turned a blind-eye to this project, stating that the agent had gone out to the area several times with the DPW to provide comment. Ms. DeLonga pointed to the "total riverfront area on the site" section of the application, and asked that Pare Corp revisit those calculations; also that DEP comments mentioned stormwater information that needs to be provided. Ms. DeLonga asked if there had been discussion regarding removing siltation from the lake in the area where 30 s.f. of stone will be placed, since machines will already be out there, and asked the engineers to consider it. Mr. McGhee said pavement is the 95% cure for drainage; he said the water coming in from Medway Street has been coming in for many years, but now it will come down over asphalt, not gravel; he contended that Ms. McCormick's statements were misleading, and the wetlands are being destroyed precisely (in large part) because the road is not paved; he referred to plan 5 years ago to pave the street, and then come back a place drainage; Mr. Turi asked if it will now be a one-step project. Mr. McGhee said he had discussed with Ms. DeLonga pulling sedimentation up that is covering vegetation; Mr. Lariviere said that, although that is not formally in the application, it had been discussed, and is planned. Ms. Fraher expressed strong concern for planning for 100 year storms; Mr. McGhee said that this area is limited in scale for catch basins, sedimentation devices, oil water separators, etc., and that the plan here is more for natural drainage. Edward McCormick, 51 & 51-½ Lake Street, said the State had stopped work being done by the DPW; he asked if calculations had been done on the amount of water coming from Medway Street and going into Crystal Lake. Mr. Berube said a basic estimate within the scope of work was done to get an estimate; to do more would be a significant undertaking due to the watershed that feeds it, and that is not part of this project. Mr. McCormick said there is a pipe that has been there for many years between Crystal Lake and the BVW on the other side of the road, and it ends up in their yard, where it pools. He also pointed on the plan to the area where headwalls are to be installed and asked exactly what will be there, stating that it is not in his agreement with the town. Mr. Berube said that there is only a pipe there now, and the erosion travels over and around the pipe, causing channels to form, which then act as a siphon for the next storm; stone will be placed across the top of the pipe, under the roadbed; Mr. McCormick asked how much stone, how much does it weigh, has the pipe been tested to see what it could bear; Mr. Berube said it would be hand-placed stone, and the maximum amount at the edge of the pipe will be about a foot; Mr. Berube said the pipes are designed to hold vehicle weights, which is less than a foot of stone; Mr. McCormick said he disagreed, because the pipe has been there a very long time. Anna O'Neill, 12 Lake Street, gave her view of the deterioration that has happened on the road, and siltation in the ponds.

Mr. Weisheit made a motion to continue the hearing for Lake Street to July 10, 2019, at 7:00 P.M.; Ms. Fraher seconded the motion; the vote on the motion was unanimous.

ACTION ITEMS/ORDERS/EXTENSIONS:

12 Hampton Street, Request for Certificate of Release, #240-305 - *Ms. Fraher made a motion to issue the Certificate of Release for 12 Hampton Street; Mr. Weisheit seconded the motion; the vote on the motion was unanimous.*

31 Union Street, Request for Certificated of Compliance, #240 -593 - *Mr. Weisheit made a motion to issue the Certificate of Compliance for 31 Union Street.; Ms. Fraher seconded the motion; the vote on the motion was unanimous.*

102 & 104 Cleveland Street, 13 & 17 Fruit Street – OOCs #240-608 & -605 and -606 & -607 - *Mr. Weisheit made a motion to issue the Orders of Conditions for these 4 properties; Ms. Fraher seconded the motion; the vote on the motion was unanimous.*

273 Dedham Street – OOC #240-601 - *Mr. Wilson made a motion to issue the Order of Conditions for 273 Dedham Street; Mr. Weisheit seconded the motion; the vote on the motion was unanimous.*

CORRESPONDENCE:

A butter email regarding Lake Street Paving – everyone received

MACC Handbook memo – *Mr. Turi made a motion to purchase an electronic MACC Handbook subscription for each member, and for the agent; Mr. Weisheit seconded the motion; the vote on the motion was unanimous.*

NEW BUSINESS:

Potential new member application – Allen Phinney was present in the audience; he has applied to the Commission; the Select board is scheduled to vote on his appointment at the end of the month, and after being sworn in, he hopes to be joining the Commission for the July meeting.

Vote Board Reorganization – The current organization was reviewed: David Turi is Chair and ConCom representative to the Community Preservation Committee; Jim Wilson is Vice Chair and Clerk of ConCom.

Mr. Weisheit made a motion to accept the positions as they currently stand; Ms. Fraher seconded the motion; the vote on the motion was unanimous.

OLD BUSINESS:

Discuss status of Eagle Scout Project – Sam Woodward has everything signed off; is raising money selling submarine sandwiches (with Board of Health approval). The last time Mr. Turi spoke to him, he said he could begin flagging, and Ms. DeLonga could look at it.

Signs – Conservation Commission Properties – Mr. Turi is working on the sign with rules. He also mentioned a second idea for signs, based on a seminar he attended at the library regarding walking trails, presented by the author of 3 books covering 152 trails. To be included in the book, trails must have an identifying sign on the street, indicating where the walking trail is. Mr. Turi will work with DPW to design a standardized sign for Norfolk trails, and to decide on locations for the signs.

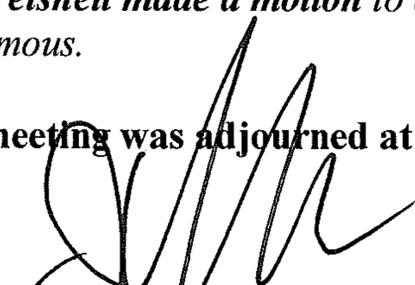
MINUTES:

Release of prior Executive Session minutes – Mr. Turi said the Commission would go in to Executive Session at the July meeting to review old Executive Session minutes. A meeting was proposed for the following Tuesday. Ms. Brady will arrange and post agenda.

May 8, 2019 - *Ms. Fraher made a motion to accept the minutes of May 8, 2019; Mr. Weisheit seconded the motion; the vote on the motion was unanimous.*

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

The meeting was adjourned at 8:31 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.