

Conservation Commission
 One Liberty Lane
 Norfolk, MA 02056
August 14, 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
Alexandra Fraher – Member ----- Present	
Alex Weisheit – Member ----- Present	
Fred Laberge – Member ----- Present	
Allen Phinney – Member ----- Present	
VACANT – Member ----- VACANT	

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:

35 Leland Street, NOI #240-616

Present were Rick Goodreau, United Consultants, Inc. (UCI); Mark Gilmore, applicant. Plans presented and referred to were entitled “Site Plan, Located in Norfolk, Massachusetts, for Mark Gilmore, 35 Leland Road,” dated June 28, 2019, prepared by UCI.

Site includes an existing single family house; septic system was installed 7 years ago; serviced by town water; stone driveway; retaining walls and patios in rear. Proposal is to demolish existing house, build a new house with asphalt driveway, utilizing existing utilities, with a new retaining wall, elevated will be constructed; disturbed areas from construction will be loamed and seeded. Ms. DeLonga suggested moving erosion controls; a construction fence will be added so that septic leaching area will not be disturbed; there will be a basement; there will be no stockpiling of materials. 12” compost sock will be utilized. This is not in a flood area. Project should take 4-6 months.

Mr. Laberge made a motion to continue the hearing until September 11, 2019, at 7:00 P.M.; Ms. Fraher seconded the motion; the vote on the motion was unanimous.

39 Mirror Lake Ave, NOI #240- 618

Present was Bill Gottwald, engineer. Plans presented and referred to were entitled “On Site Sewage Disposal System, 39 Mirror Lake Ave, Norfolk MA,” dated June 21, 2019, prepared by DMG Associates, Berkley, MA.

Existing house is currently serviced by a cesspool; new septic system with pump is proposed; leaching field will be beyond the 100’ buffer of the bank, and about 40-50’ forward of the existing cesspool. An existing cantilevered deck in back projects about 4’, and is about 3-4’ off of the bank; there is also a deck on the side. Ms. DeLonga said the decks had already been removed when she was made aware of the project. Rob O’Donnell, 11 Centennial St, Foxboro, MA, presented photos, but the decks had already been removed in the photos; Ms. DeLonga asked for flood zone elevations to be identified. Mr. Phinney noted that the new sewer line will be crossing the water line, and will need to be sleeved, and that should be shown on the plans. Ms. DeLonga requested additional erosion controls be shown on the plan.

Ms. Fraher made a motion to continue the hearing until September 11, 2019, at 7:10 P.M.; Mr. Wilson seconded the motion; the vote on the motion was unanimous.

7 Old Campbell At, NOI #240-617

Present were Krista Forti, Woodard & Curran, consultant for Division of Capital Asset Management (DCAM); Giovanni Caceres, Dept. of Corrections (DOC). Plans presented and referred to were encompassed in "Notice of Intent Application, Norfolk-Walpole Correction Complex Waste Water Treatment Facility Upgrades, Norfolk, MA," dated July, 2019, prepared by Woodard & Curran.

Ms. Forti said the site is currently under a Consent Order with Mass DEP due to phosphorus limits, and Woodard & Curran has been tasked with upgrading the system to ensure future compliance. Many existing concrete tanks and infrastructure will be utilized and repurposed; two new concrete tanks will be constructed, and a concrete channel will be extended around 2 existing concrete tanks. Work is within a predisturbed area, outside of the bordering vegetated wetland (BVW) but within the buffer zone and the riverfront area to the Stop River. New plant will be a conventional activated sludge plant; current membrane tank does not include primary clarifiers; existing concrete equalization tanks will be retrofitted to secondary clarifiers. Extension should be no more than 4'; fence may have to be removed, mini excavator may be required. Ms. DeLonga is concerned about debris falling into river if fence is removed; Woodard & Curran is proposing silt fence and haybales along the perimeter; someone will be onsite watching; fence will be put back once work with that closest clarifier is complete; Woodard & Curran will notify ConCom when that is done; should be about a month (entire project about 18 mos.). One tank at a time will be worked on. Regarding safety, Mr. Caceres said the area is very remote and is guarded; Project is scheduled to go out to bid in Jan/Feb 2020, construction to begin spring/early summer.

Ms. Fraher made a motion to continue the hearing until September 11, 2019, at 7:20 P.M.; Mr. Phinney seconded the motion; the vote on the motion was unanimous.

75 Cleveland Street, NOI #240-615 (cont'd from 7/10/19)

Present was Russ Waldron, Applied Ecological Sciences. Plans presented and referred to were entitled "Title 5 Sewage Disposal Upgrade for a 3 Bedroom Dwelling, Location 75 Cleveland Street, Norfolk, MA," dated August 28, 2018, prepared by Dunn-McKenzie.

Mr. Waldron reviewed that last month they did not have a DEP file number, or a letter from the Natural Heritage & Endangered Species Program (NHESP), but have both now; Dunn-McKenzie supplied updated plan; erosion controls can be worked out in the field.

Ms. Fraher made a motion to continue the hearing until September 11, 2019, at 7:30 P.M.; Mr. Laberge seconded the motion; the vote on the motion was unanimous.

Lake Street Paving, NOI #240-613 (cont'd from 7/10/19)

Present were Barry Lariviere, Department of Public Works (DPW); Greg Berube, Pare Corp; Briscoe Lang, Pare Corp. Plans presented and referred to entitled Lake Street Paving and Permitting, Sheet C2.3, dated June 2019, prepared by Pare Corp.; letter from Mr. & Ms. McCormick, dated 8/9/19, to the Conservation Commission, associated photographs.

Mr. Lariviere said that since the last meeting, some straw wattles had been re-adjusted, and some large stone gravel had been placed to stop sedimentation from going through in some areas. Mr. Turi referred to a letter received from Mr. & Ms. McCormick, dated 8/9/19, and invited them to speak. Ms. McCormick stated that the primary concern, and the primary damage, is coming from Medway Street, and showed copies of the pictures included with the letter. She said that the runoff damage into their yard during the last storm was terrible. In response to a question from Ms. Fraher, Ms. McCormick said that

she is hoping for that flow of water to be stopped, before paving is done; Ms. Fraher said it looked like the fact that it isn't paved is a large part of the problem; Ms. McCormick said even if the road is paved, the water will still be sheeting down the road and flowing into the lake; she proposed that a catch basin at the top of Medway Street would be warranted, to minimize the water coming down, whether the road was paved or not; sedimentation has blocked the silt barriers, and the water and silt is now going onto her property; Ms. McCormick said she wants the town to deal with the problem "they created on Medway Street." Mr. McGhee said it would be a consideration to put catch basins at the top of Medway Street, but that would be hundreds of thousands of dollars, and the water would still be directed to the lake; the main goal right now is to ensure that water gets into the lake clean; Mr. Weisheit asked if the intersection of Lake Street and Medway Street is within ConCom's jurisdiction; it is not. Ms. McCormick referred to other work that has contributed to the problem, such as grading which has over time destroyed vegetation along the side of the road that used to stop the water, and the way a hydrant was installed. Mr. Phinney said the hydrant was installed at a resident's request, and was put in the way it had to be put in. Mr. Turi reiterated that the Conservation Commission does not have jurisdiction over the intersection; although it may be the source of the water, the point of the project is to stop the erosion that is happening in the wetland area; he said the Commission could work with the DPW to see what could be done before paving takes place; paving will not happen before next spring because of funding. Mr. McGhee said there is just enough money to grade and pave the street; if they could do that, it would prevent erosion, maintain the grade, and facilitate plowing. They could then work off the pavement on a rubber-tired machine to install the drainage solutions being proposed by Pare Corp. when the full funding is received. Ms. McCormick said they don't mind the paving, but they insist that the drainage be dealt with, and that the Commission address the concerns delineated in their letter, in any decision they make. She doesn't think it's fair if the road is paved now, and then the drainage doesn't get funded in the spring; Mr. Wilson said that if the Commission states the drainage must be addressed in the spring, then it must, and the town must find a way to pay for it; Mr. Wilson also said that paving now would give the added benefit of seeing how it was working, or if adjustments could be made before the drainage is installed. Ms. Fraher reiterated that the Commission cannot vote on areas not within their jurisdiction. Mr. Lariviere said that the drainage they are proposing is what DEP is looking for; a recharge system utilizing large stones, mitigating velocity, pushing the water back in the ground, and settling out solids; a closed drainage system would require a point source discharge into the lake, detention basins, etc., and would be difficult to maintain; Mr. Wilson added that catch basins would probably require that the road be paved to wider than planned in order to accommodate all the structures. Ms. McCormick thanked the board for their thoughtful consideration and said they (the McCormicks) had entered into a contractual agreement with the town, which they feel is not being honored, and she hopes this is a turning point. Tony Lancellotti, 21 Lake Street, appealed to the Commission to move the project along, citing dangerous circumstances as his property since the paving at the Main Street end of Lake Street. Mr. McCormick said that, with regard to the widening of the road that was mentioned, there used to be at least 3' of vegetation between the road and the lake. Ms. Fraher said that the paving will only be 16', and the shoulders will be restored. Mr. Berube added that the shoulder treatments are designed to address the erosion; some areas will be stone, others will be loamed and seeded, and other natural vegetation will grow in rapidly. Mr. McCormick asked that all correspondence, letters, pictures, and plans that have gone into the file be marked as part of the record of the file. Mr. Turi asked Ms. DeLonga to have an Order of Conditions prepared for the next meeting.

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

ACTION ITEMS/ORDERS/EXTENSIONS:

44 Lake Shore Drive, Request for COC, #240-594 – Ms. DeLonga noted that she had sent the Commission a copy of the plan cited in the OOC, along with a copy of the as-built plan including a list of the changes, and mentioned that she hopes the new owners will know where the "do not disturb" line is.

Mr. Laberge made a motion to issue a full Certificate of Compliance.; Ms. Fraher seconded the motion; the vote on the motion was unanimous.

18 Keeney Pond Road, Request for Minor Change Amendment, #240-546 – Ms. DeLonga noted that since the Order of Conditions was written, the house location and septic information changed a little bit, so an amendment is necessary. In her opinion they are minor changes that do not affect the original Order; the only change will be the plan reference in the Order.

Mr. Laberge made a motion to accept the proposed change as minor; _____ seconded the motion; the vote on the motion was unanimous.

CORRESPONDENCE:

Letter from L. Sweeney, dated 8/12/19, regarding status of 144 Seekonk Street review – Mr. Turi said that a consultant had been commissioned to visit the property and report on findings. A report has been written and a final draft received which has been reviewed in Executive Sessions; a meeting is tentatively being set up for 9/11/19 to present it to Mr. O’Harte and to the community.

Richard Tobin, 179 Seekonk Street, asked if old denials for development of this property will be looked at; Mr. Turi said no, the Commission is using a clean slate and Mr. Wilson explained that land changes over the course of time, and it is only fair to use the most current techniques for delineation. Mr. Tobin asked about blasting, and Mr. Turi explained that that is outside of the scope of what the Commission is currently looking at. Debra Gursha, 143 Seekonk Street, asked if a larger room could be used for the next meeting

MBTA – Franklin 2T SWPPP Inspection Updates – monthly report was discussed.

OLD BUSINESS:

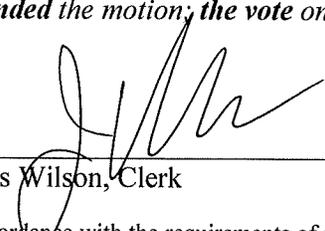
Status of Eagle Scout Project – the agent needs to walk the site with Sam Woodward before he begins cutting the trail.

Signs – Conservation Commission Properties – Mr. Turi said that the cost for double-sided was not included in the estimates he had, but the Community Preservation Committee (CPC) will pay for the trail location signs (pending Town Meeting vote,) and ConCom will buy the “Property Rules” signs. Mr. Wilson suggested that in the future, perhaps corporate sponsors could be enlisted.

MINUTES:

July 10, 2019 - **Ms. Fraher made a motion to accept the minutes of July 10, 2019; Mr. Laberge seconded the motion; the vote on the motion was unanimous.**

July 24, 2019 - **Mr. Weisheit made a motion to accept the minutes of July 24, 2019; Ms. Fraher seconded the motion; the vote on the motion was unanimous.**



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.