

Conservation Commission

One Liberty Lane

Norfolk, MA 02056

April 8, 2020

7:00 P.M.

Commission Members	Other
David Turi, Chairman ----- Present	Janet DeLonga – Agent ----- Absent
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 7:0 P.M. In accordance with the Governor’s Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20, relating to the 2020 novel Coronavirus outbreak emergency, the April 8, 2020, public meeting of the Norfolk Zoning Board of Appeals was physically closed to the public to avoid group congregation. Alternative public access to this meeting was made available utilizing the Zoom virtual meeting software <https://zoom.us> for remote access. This software allowed users to view the meeting and send a comment or question to the Chair via the “Raise your Hand” function. The Meeting was recorded for future rebroadcast by Norfolk Community Television.

Mr. Turi opened the meeting at 7:00 P.M., and stated procedures to follow for the zoom recording, including asking all speakers to identify themselves.

PUBLIC HEARINGS:

15 Lincoln Road, NOI #240-624 (cont’d from 3/11/20)

Present were Marta Nover, BETA Group; Brian Yergatian, BSC Group; Matthew Creighton, BSC Group; Daniel Serber, NextGrid; Jonathan O’Brien, Coneco

Plans presented were entitled “Photovoltaic System 15 Lincoln Street, Norfolk, MA,” prepared by BSC Group, dated 9/27/19, rev. through 4/3/20; “15 Lincoln Street, Norfolk, MA,” prepared by Coneco Engineers & Scientists, dated 4/1/20; BETA Group ltr. to ConCom dated 3/30/20; BSC Group response ltr. dated 4/2/20; Coneco response ltr. dated 4/3/20; BETA Group ltr. to ConCom dated 4/7/20

Mr. Yergatian began by stating that they had met with town staff and BETA on 4/2/20 to review BETA’s comments, to which they submitted responses on 4/3/20; BETA submitted their most recent comment letter this morning, 4/8/20. Mr. Creighton said they want to permit the project under redevelopment of riverfront area. The site is an old junkyard; efforts have been made to keep development to previously impacted areas. On the northern side is a ditch where there has been some clearing; east to west along northern edge is the old drainage system, and an old access road. They will need to go into the riverfront area in order to clear out some areas that were previously disturbed, but are growing back in. They plan to remove the old drain pipe in order to regrade and improve stormwater in that area. The existing overall disturbed area is more that 10%. Mr. Creighton said that a provision does allow them to clear more if they are going to provide restoration; they have provided plans that he says are restorative, but he does not believe it is necessary, because he believes they are staying within the confines of the previously disturbed areas.

In response to Ms. Nover, Mr. Yergatian said that all of the overburden and materials within the area of the footprint of the proposed system will be removed, and they will excavate down to the apparent existing material and then build

the system up from there. Ms. Nover referred to several recommended conditions outlined in her letter dated 4/7/20, highlighting two main points the Commission should discuss.

First, regarding clearing in a wooded area, Ms. Nover said there is a very wooded area on the northern portion of the site, and questioned if that was being considered part of the degraded area. Mr. Creighton said yes, there is an old driveway or path in that area, and piles of debris that have been consumed by vegetation, as well as the old drainpipe; images go back to 2001. Ms. Nover said that it is not clear that area meets the requirements of a “degraded area.” One criteria to meet the definition of “degraded” is a lack of topsoil; the mature forest makes this questionable. Mr. Creighton said one criteria is lacking topsoil, one is a junkyard, one is an abandoned dumping ground; he believes they meet these other criteria. Ms. Nover said it would be helpful to show on the plan where the previously disturbed area is; currently the plans appear to show them cutting into the existing treeline. The bordering vegetated wetland (BVW) line was adjusted since the working session; Mr. Creighton confirmed that it was pulled upslope, a proposed wall has been removed; some grading will still be required within the buffer zone. Ms. Nover questioned if the drainpipe needs to be removed; Mr. Creighton said he believes it does because it is an untreated discharge. Ms. Nover said with the proposed regrading, there won’t be any source of water to the pipe. Mr. Yergatian said they still need to grade to where the existing outfall is in order to create the riprap swale, about 2’ shy of the pipe; he said they could leave the drain pipe in place. Mr. Yergatian said the applicant is not opposed to replanting some trees in that area. Ms. Nover suggested that white pine seedlings on the site could be used.

Ms. Nover reiterated it would be helpful to have a sheet that shows the limit of the degraded area boundary and further description on the plan as to why it is considered degraded, so it does not appear that they are cutting into non-degraded areas. Mr. Creighton said they could do that, and they will include the 2001 images. He said they could easily transplant the existing saplings. Mr. Yergatian said the grading north of the riprap swale is necessary because they need to capture all of the runoff, rather than letting it run down into the stream. It is thought that shading is not an issue due to the orientation of the site; the area would be allowed to be naturalized.

Ms. Nover asked Mr. O’Brien, the LSP if there is remedial work planned, and if perhaps that should be incorporated into this NOI. Mr. O’Brien has been conducting Phase II comprehensive site investigation activities at the property in order to further delineate the documented release of contaminants, and to augment the existing soil and groundwater data obtained in 2010 and earlier. The focus of the Phase II investigation has been to look at historical activities involving car crushing. Release mechanism was mainly spills to the ground surface. In a fill pile located to the west, materials of concern are petroleum hydrocarbon (PHC) related, as well as heavy metals, and low concentrations of PCBs. Extent of release generally follows topography north downslope to the existing drainage ditch. Contaminants in the area (SS-2 and SS-04) are below DEP residential standards. Two other areas have been looked at. Near SS-1, corresponding to the outfall area for the drainage pipe, removal of surficial soil materials is proposed. Historical data shows PHCs in an area within the footprint of the subsurface infiltration system in the near surface soil. Most findings are within the top foot of soil; depth of excavation is expected to be shallow. Much of remedial activity will involve scraping the surface and removing junk. Contaminated soil will be disposed of offsite. Two groundwater monitoring wells have been installed next to the former car crushing operation, and a third was installed within the proposed infiltration area, and a fourth downgradient of the former leaching area for the former office building. The groundwater data shows that historical operations did not affect groundwater quality to the point where remediation would be necessary. It will be a soil-only response action.

Ms. Fraher asked if they had tested for PFAS; Mr. O’Brien said that it was not tested for on this site, because historical operations did not involve PFAS, and also because the property is not located within any current or potential drinking water areas. Ms. Nover indicated an area on the Coneco where a pipe is shown, that is inaccurate. Straw wattles shown on the plan are temporary during construction; Ms. Nover recommends a 12” silt sock instead.

Mr. Turi said the action items are to put a sheet together showing the limits of the degraded area, and include in the Order of Conditions; update the Coneco drawing correct the pipe shown; change erosion control from straw wattles to compost silt socks. Ms. Nover suggested adding stockpile areas to the plan, which should be outside of the riverfront area.

Mr. Weisheit made a motion to continue the hearing for 15 Lincoln Road to May 13, at 7:00 P.M.; Mr. Laberge seconded the motion; the vote on the motion was unanimous.

360 Main Street, NOI #240-627 (cont'd from 3/11/20)

Present was Katie Enright, Howard Stein Hudson (HSH); Dan Iannuzzi, Tom Meisner, and Joe Meisner, Camger Coating Systems.

Plans and documents presented and referred to were entitled "Camger Coating Systems, Inc.," prepared by HSH, dated 12/6/19, rev. through 4/3/20; Camger ltr. to Planning Board dated 4/6/20; BETA Site Plan Review ltr. to R. McCarthy, dated 4/8/20; HSH Riverfront Area Narrative, dated 4/13/20; HSH SWPP and OM Plan, dated 4/3/20; HSH ltr. to Planning Board, dated 4/3/20.

Ms. Enright said that new drawings were prepared and forwarded to BETA for review since the last Conservation meeting; a new peer review letter from BETA has been received. She believes all comments have been resolved, except for a few regarding the Stormwater Prevention Plan (SWPP), which she believes will be conditions of the Order of Conditions (OOC.)

A new sheet entitled "Locus Plan" was inserted between the Title Plan and the Demolition and Erosion Control Plan, which shows the entire site and surrounding abutters in 40 scale, as requested by Ms. DeLonga (the rest of the sheets remained at 30 scale.) Another comment from Ms. DeLonga was to tighten up the tree line; the tree line and the erosion control line were moved inside of the 100' inner riparian; no tree clearing or grading is being done within that zone. On the Grading and Drainage sheet, Ms. Enright indicated an area on the west side of the site, behind the existing barn, that is shown as treed but is actually only canopy, stems do not extend into this area. Tree lines were also tightened up around the septic area behind the existing house. Ms. Enright said there has been significantly more soil testing done; two test pits around each of the rain gardens, two in the front, two in the back. Two test pits also done in the area of the underground infiltration area, and in the septic area. Water tables have been confirmed, subsoils for infiltration rates have been confirmed. On the Landscape Plan, two areas have been planted, and planting lists have been added; the rain gardens are very shallow, water contained underground, plants at surface clean the water going into the ground. A Riverfront Alternatives Analysis has been provided. The applicant's ability to utilize the lot next to their existing business makes this an economically and ecologically friendly project. Building is 150' from abutter, and outside of the 200' riparian area. Fully compliant drainage has been attained; roof runoff is collected and infiltrated directly back into the ground. A concrete pad for the water tank is the only permanent impervious impact. The 23,000 s.f. of impervious impact noted in the NOI includes stormwater management which is exempt if it's proven to be necessary. Everything on the lot drains down towards the river; parking is on the east, drainage related activities on the west, which is lower and towards the river. Estimated highground separation is being met, and full TSS removal, infiltration and detention do not increase flow to the river. An Operation & Management and Pollution Prevention plan has been provided at BETA's request.

Mr. Laberge made a motion to continue the hearing 360 Main Street, NOI #240-627 to May 13, at 7:15 P.M.;
Ms. Fraher seconded the motion; the vote on the motion was unanimous.

Meetinghouse Road Solar Array, NOI #240-626 (cont'd from 3/11/20)

Present was Daniel Serber, NextGrid

Mr. Weisheit made a motion to close the hearing Meetinghouse Solar Array, #240-626; Mr. Phinney seconded the motion; the vote on the motion was unanimous.

Mr. Weisheit made a motion to issue the Order of Conditions for Meetinghouse Solar Array, #240-626;
Mr. Phinney seconded the motion; the vote on the motion was unanimous.

MINUTES:

January 8, 2020 – *Mr. Phinney made a motion to approve the minutes of January 8, 2020; Mr. Laberge seconded the motion; the vote on the motion was unanimous.*

February 12, 2020 – *Mr. Phinney made a motion to approve the minutes of February 12, 2020; Mr. Weisheit seconded the motion; the vote on the motion was unanimous.*

March 11, 2020 – *Ms. Fraher made a motion to approve the minutes of March 11, 2020; Mr. Weisheit seconded the motion; the vote on the motion was unanimous.*

ACTION ITEMS/ORDERS/EXTENSIONS:

COC, 11 Old Cart Path – applicant will submit additional requests, delay until received

COC, 39 Mirror Lake Avenue – letter received from P.E.

Ms. Phinney made a motion to issue the Certificate of Compliance for 39 Mirror Lake Avenue; Mr. Laberge seconded the motion; the vote on the motion was 5-0, with Mr. Weisheit abstaining.

COR, 22 Essex Street –

Ms. Weisheit made a motion to issue the Certificate of Release for 22 Essex Street; Ms. Fraher seconded the motion; the vote on the motion was unanimous.

CORRESPONDENCE:

Email from 1 Old Colony Drive – Mr. Turi said this is not a Conservation matter, and Ms. DeLonga has advised the resident of such.

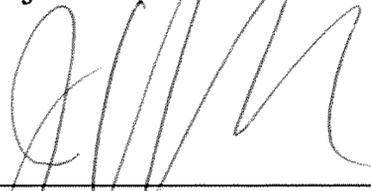
Trout Club Annual Report – all members received
EverSource herbicide notification – all members received

NEW BUSINESS:

Unanticipated new business as required – Mr. Weisheit drafted a letter that would allow a single signatory for Conservation Commission documents during the current health crisis. Mr. McCarthy has forwarded the document to Town Counsel for review. To be voted upon next month.

Mr. Phinney made a motion to adjourn the meeting; Mr. Laberge seconded the motion; the vote on the motion was unanimous.

The meeting adjourned at 8:48 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.