

**Conservation Commission**  
One Liberty Lane  
Norfolk, MA 02056

**Meeting of June 10, 2015**  
**7:00PM**

Commission Members	Others
John Weddleton –Chair ----- --present	Janet DeLonga ---Agent -----present
Joyce Terrio-----V. Chair ----- present	Marie Simpson –Ad. Asst.-----present
Patrick Touhey ----Member ----- <b>absent</b>	
Dan Crafton -----Member ----- present	
Michelle Lauria --- Member ---- present	
Jim Gursha --- Member ----- present	

The duly posted meeting of the Norfolk Conservation Commission convened at 7:05 p.m. in room 124 at the Norfolk Town Hall. The meeting was videotaped by NCTV.

**VOUCHERS:**

The members signed two vouchers for **Wetland Strategies, Inc.** (47 Leland & 47 Seekonk St)

**MINUTES:**

*Mrs. Terrio made the motion to accept the Minutes of May 27, 2015 as drafted. Mrs. Lauria seconded the motion. The vote on the motion was unanimous.*

**APPOINTMENTS:**

7:10 p.m. - Bisher Hashem, owner/developer of 106-108 Main St., Mark Liao, P.E. and Jim Pavlik, P.E. from Outback Engineering were present to discuss the soil boring procedure at **106-108 Main Street**. Also present were Peter C. Diamond of 84 Seekonk Street and Peter N. Diamond of 114 Main Street.

Mr. Liao explained the procedure of drilling two holes on each side of the driveway and one hole on the upper portion of the driveway. He presented a photograph of the drilling rig, which will be located on the driveway. The rig will not encroach into the wetlands only the buffer zone. It will take one day to perform the procedure. They will drill to a depth of approximately 15 feet to reach suitable soils for the bridge footing. They may have to drill beyond 15 feet however. The size of the hole will be approximately 8 inches. A small column of mud in addition to soils may be extracted, which will be deposited next to the hole. The volume of soils extracted from the three holes should be less than a wheelbarrow. Mr. Weddleton recommended that another hole be placed near the drilling to deposit the slurry. Hay bales will line the drilling areas. The drilling will occur during dry times. The Applicant will contact the Commission's office the day before the drilling occurs.

Mr. Peter N. Diamond questioned if water would gush out of the drill holes when they hit the water table and how it will be controlled. Mr. Crafton noted that any underground water will rise to the existing level of the ponds unless the drilling hits an underground aquifer. Mr. Peter C. Diamond stated that when he constructed his garage in the 1980's they hit the water table at eight feet below the surface. Mr. Weddleton noted that the Applicant should be prepared for any unforeseen events. The Applicant was instructed to notify the Agent and the Commission's office when they will be doing the work.

7:25 p.m. – **Samuel Grant** of 40 Grove Street, an **Eagle Scout candidate**, was present to discuss his proposed project. Sam proposed clearing the entrance to the Campbell Town Forest off Alice Avenue, refurbishing the existing sign and entrance area, clear the overgrown trail system and possibly connect the loop trail in the forest. Also present was his mother, Sally Grant. Copies of the Service Project Proposal were passed out to the members. Sam would also request assistance from the DPW and enlist the aid of approximately 6 other scouts. He would like to start the project in July of 2015 and complete the project by September. The Agent or Mr. Crafton would be able to accompany Sam to the site and advise him on what work he will be able to do within the restricted wetland. Sam will mark out any new loop trails and present this to the Commission prior to implementing the work. Mr. Weddleton requested periodic reviews.

Mr. Weddleton signed the proposal.

*Mrs. Terrio made the motion to approve the project as presented. Mr. Crafton seconded the motion. The vote on the motion was unanimous.*

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**PUBLIC HEARINGS:**

7:35 p.m. - **Request for Determination of Applicability - Camger Coating Systems/364 Main Street.** Present was Dan Ianuzzi, president of Camger and Robert Calluci. Proposed work is partly within the 200 foot outer riparian. Project might not be subject to review as it is not changing any impervious area and also an historic Mill area.

Project proposed is concrete pad; applicant wants to restore that to an indoor mixing room. Project will not increase the impervious surface. There is no concrete containment for trucks at present. Hoping to put in a concrete mat to contain the contents of a truck should there be any spill. Everything is proposed to pitch towards the concrete pad.

Mr. Weddleton stated that they are barely working in the 200 foot Riverfront. This area is completely disturbed; proposing to convert asphalt surface to concrete. A complete spill would be contained. The tanks themselves have their own containment.

Ms. DeLonga had visited the site. The areas are already disturbed; doesn't consider this major. No further questions; good information provided.

*Mrs. Terrio made the motion to close the hearing and issue a Negative Determination of Applicability as the work described in the Request is within an area subject to protection under the Act, but will not remove, fill, dredge, or alter that area and therefore said work will not require the filing of a Notice of Intent. Mr. Crafton seconded the motion. The vote on the motion was unanimous.* The hearing closed at 7:45 pm.

7:45 p.m. - **47 Seekonk St.** Present were Mr. Ray, Tracy Sharkey and Lisa Caladonia. Mr. Weddleton stated that the information was just received. We have our consultant coming in and we will give her all the information for her to review. If Lenore has a problem with the flags, Lisa can join her to reconcile. Ms. Caladonia provided her resume; she has been in the business for 15 years. The surveyor picked up the new flags. Data plots were provided. In 2006 the owners cleaned up a big portion of the site including 9000 pounds of tires and trucks and clearing car path of invasive species. The cart path, which has been in existence for over thirty years, goes through the wetland. Owner got signatures attesting that there never has been a stream flowing under the culver. Cart path will be used for water and electricity.

No tree removal on the site. Also have some aeriels that show the existing cart path.

Mr. Weddleton suggested that a narrative be prepared and submitted to the Commission and Wetland Strategies for the entire filing. The plan was not submitted by Thursday prior to the meeting so Wetland Strategies did not have sufficient time for review and therefore is not present for this hearing.

*Mrs. Terrio made the motion to continue the hearing to July 8 at 7:30 pm. Mr. Crafton seconded the motion. The vote on the motion was unanimous.* The hearing closed at 7:53 pm.

8:00 p.m. - **ANRAD - Frederickson Road.** Dan Merrikin submitted a revised plan. Vernal pool flags are inside of the wetland lines.

*Mrs. Terrio made the motion to close the hearing. Mr. Crafton seconded the motion. The vote on the motion was unanimous.* The Order of Resource Area Delineation has been prepared and the Commission reviewed.

*Mrs. Terrio made the motion to issue an ORAD FOR BVW AND IVW AS MARKED. MR. CRAFTON SECONDED THE MOTION. THE VOTE ON THE MOTION WAS UNANIMOUS. THE HEARING CLOSED AT 8 PM.*

10 MINUTES BREAK...

8:15 P.M. - **20 VALLEY ST-** AL QUAGLIERI AND JAMIE BISSONETTER PRESENT AND HANDED OUT REVISED PLANS TO MEMBERS.

JOHN WEDDLETON HAD RECENTLY MET WITH AL, JAMIE, THE AGENT AND THE PLANNER. APPLICANT HAS TO PRESENT A VIGOROUS ALTERANTIVE ANAYLSIS AND MITIGATION. THE MITIGATION MUST IMPROVE AND ENHANCE THE SAME WETLAND RESOURCE.

NEW PLAN VS OLD PLAN. CONSERVATION HAS TO DETERMINE IF THE MITIGATION PRESENTED COVERS THE LOSS OF BUFFER.

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THE APPLICANT PULLED IN THE LIMIT OF WORK MINIMIZING THE BUFFER IMPACTS. SPLIT RAIL FENCE IS PROPOSED AND VEGETATION WILL BE PUT IN THAT WILL ENHANCE THE BUFFER. PROPOSING TO PLANT STREET TREES; SOME WOULD BE PLANTED IN THE 100' AND OTHERS OUTSIDE. APPROXIMATE 4400 S.F. IN DISTURBANCE. THEY HAVE MOVED EROSION CONTROLS AND SPLIT RAIL FENCE FORWARD. AS FAR AS MITIGATION, THEY'VE INCREASED THE NUMBER OF PLANTS TO HELP OFFSET THE BUFFER ZONE DISTURBANCE. 2,044 SF OF MITIGATION. TO OFFSET THE MITIGATION AREA REQUIRED FOR THE 493 SF. DISTURBANCE OF THE 0-50' BUFFER FOR THE DECK, THEY'VE PROVIDED 540 SF OF BRUSH PILES, BIRD BOXES ON THE SPILT RAIL FENCES AND PLACING PLACARDS ON THE FENCE TO NOT DUMP BEYOND THE FENCE. PLANT *species proposed will enhance the buffer.*

Ms. DeLonga stated that the plan she received today is 5/22. The plan tonight is stamped 6/10.

Ms. DeLonga stopped by the lot today and noted that the site has been disturbed; tall grasses, big piles of fill, invasive species. This area can be improved.

Ms. DeLonga asked what planning board changed and Jamie stated street trees for every 35 feet of frontage.

Mr. Crafton stated that the applicant provided 2,044 s.f. of mitigation between 50-100 foot area which consists of plantings (counted the ball of the plants). He stated that the bylaw or regulations allow for mitigation in the same mitigation area. There is a lot more room to do the mitigation. He feels that this is enhancement of the back yard of the people that will live in these units.

Jamie stated that further up the road there are disturbed areas in the woods that could be looked at; piles of sand and rock could be pulled out. He suggested a site walk with Janet to find areas for mitigation.

Mr. Crafton wants the mitigation numbers to be as close as possible to the numbers disturbed.

Jamie stated that they could plant conservation mix to help stabilize the site.

Mr. Weddleton asked if any invasive species were present. Jamie was unsure.

Betsy Whitney, 26 Valley St., commented that the area of disturbance dropped from 19,000 to 15,000 sf. but still seems like a lot of disturbance to her and wants mitigation to the fullest extent. She agrees with Dan and is very worried about the future of this remaining land. She was at the planning board meeting as well.

William Ricci, abutter, stated that the place looks like a dump; people dump there.

Mrs. Whitney doesn't consider the place is a mess. She has spent over 32 years picking up trash along the road. She does not consider mother nature a mess and wants that on the record.

Mr. Quaglieri stated that previous to his ownership someone dumped 5 to 10 piles of gravel on the site.

Jamie will take photos and provide sketches for next meeting.

*Mrs. Terrio made a motion to continue hearing to 7:40 on July 8<sup>th</sup>. Mr. Crafton seconded. Vote on the motion was unanimous.* Public hearing adjourned at 8:40 pm.

8:40 p.m. **47 Leland Road** – Present were Jim Susi, Mr. Foley and Lenore White.

Lenore stated that the May 25<sup>th</sup> plan is an improvement. Plants are more suitable for the setting and wildlife value. The plan looks great; only suggestion would be to have a condition requesting an as-built plan.

*Mrs. Terrio made a motion to close the hearing. Mr. Crafton seconded the motion. Vote on the motion was unanimous.*

Members have an OOC with one amendment added regarding requiring an as-built plan.

*Mrs. Terrio made a motion to issue the amended Order of Conditions. Mr. Crafton seconded. The vote on the motion was unanimous.* Public hearing closed at 8:45 p.m.

8:45 p.m. - **Callahan Pond** – Present were Barbara Rogers, Mr. McCormick, Maryann Magner and Keith Gaizelle from Aquatic Technologies. They submitted additional information that was requested. Mr. Weddleton stated that they have to determine if there is danger on any part of the lake; any environmental impact. They still have to get their permit from DEP. Feels that the group is doing everything they can to address concerns.

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Ed. McCormick stated that Barbara Rogers opposes this and he prepared a short memorandum stating that he would consider this a trespass by damaging Barbara Rogers property unless there is some guarantee that nothing goes on her property. If the Conservation Commission allows the petition, then put on 2 conditions, one requiring that the petitioner pay for well testing of private water supply and part of the pond that she owns to see if any of the chemical migrated. This should be done shortly after the application and then a follow up. Mrs. Rogers is adamantly opposed to this procedure. This does not drop their objections.

Mr. Weddleton asked if it makes sense to remove the lilies by hand within the area near Mrs. Rogers. Maryann Magner stated that they would be at least 50 feet from the property line in the center of the pond and more than 350 feet way from the shoreline of her upland.

Ed McCormick stated that the problem is that Mrs. Roger is concerned with the health risks. No matter how far away from her property line they go, the wind could impact her property. They still are not happy with plan.

Ed. McCormick wants testing of drinking water and the pond.

Mr. Weddleton stated that can they make the buffer zone larger; they could stay 100 feet away.

Mrs. Rogers questioned the property lines. Maryann Magner stated that the property lines are from the town.

John Weddleton requested to extend the time to issue an OOC. The Commission is not meeting again until July 8<sup>th</sup>.

*Mrs. Terrio made a motion to close the hearing. Mr. Crafton seconded. The vote on the motion was unanimous. Public hearing closed at 9:05 pm. The Commission will discuss this again at 7:05 on July 8.*

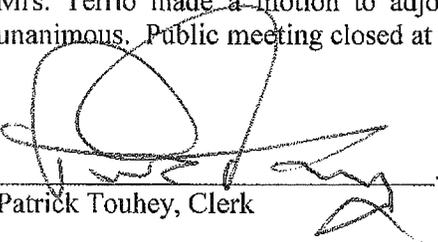
**COC - 9 Willow Place, Bylaw filing #B2013-1 - Mrs. Terrio made a motion to issue a Full COC for 9 Willow Place under the local bylaw. Mr. Crafton seconded. The vote on the motion was unanimous.**

**COC - 9 Willow Place, state filing #240-532 - Mrs. Terrio made a motion to issue a full COC under the state act. Mr. Crafton seconded. The vote on the motion was unanimous.**

Mr. Crafton stated that there wasn't anything new for CPC.

**Discussion-Pondview herbicide treatment.** Mr. Crafton stated just test the water once. Mrs. Terrio noted that Mr. McCormick only suggested one testing of well water and one testing of the pond. Let Aquatic Technology propose dates of testing of water samples. They will submit another plan showing the 100 foot setback from the property line. Mr. Gursha feels that they should test drinking water prior to treatment.

Mrs. Terrio made a motion to adjourn the Public Meeting. Mr. Crafton seconded. The vote on the motion was unanimous. Public meeting closed at 9:20 pm.

  
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.