Conservation Commission
One Liberty Lane
Norfolk, MA 02056
July 6, 2016
7:00 P.M.

Commission Members	Other
John Weddleton – Chair ---------- Present	Janet DeLonga – Agent ---------- Present
Michelle Lauria – Vice Chair ---------- Present	Amy Brady – Administrative Assistant ---- Present
Patrick Touhey – Clerk---------- Present	
Dan Crafton – Member, CPC Rep------- Absent	
Thomas Norton – Member ---------- Absent	
David Turi – 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.

New Business: Algonquin Gas Line – Ms. DeLonga gave an overview of the project to date, and discussed borings that need to be done.

Minutes: Mr. Turi made a motion to accept the minutes of June 1, 2016, as written; Ms. Lauria seconded the motion; the vote on the motion was unanimous.

Action Items/Orders/Extensions:

WPA Emergency Certificate – Beavers at City Mills Pond – Ms. DeLonga gave an overview regarding Camger Chemical, who has asked to have beavers removed that are damming up their emergency water supply. Mr. Touhey made a motion to approve the WPA Emergency Certificate; Ms. Lauria seconded the motion; the vote on the motion was unanimous.

31 Mirror Lake Ave, NOI, #240-578 – Vote to issue/deny - Present was the applicant, Larry Foran. Ms. Lauria made a motion to approve and issue the Order of Conditions; Mr. Turi seconded the motion; the vote on the motion was unanimous.

19 Union St, NOI, #240-579 – Ms. Lauria made a motion to approve and issue the Order of Conditions; Mr. Turi seconded the motion; the vote on the motion was unanimous.

106/108/130 Main Street, Boyde's Crossing, NOI, #240-575, 40B - Ms. Lauria made a motion to approve and issue the Order of Conditions; Mr. Turi seconded the motion; the vote on the motion was unanimous.

APPOINTMENTS – PUBLIC HEARINGS:

6 Lake Path, #240-576, NOI – cont'd from 6/1/16 –Mr. Weddleton reopened the public hearing at 7:15 P.M.. Present was Mark Ferrell of Green Hill Engineering. Mr. Ferrell presented plans entitled "Proposed Site Plan, Federal National Mortg Assoc, 6 Lake Path Dr, Norfolk, MA" prepared by Green Hill Engineering, dated 24 February 2016, revised 5/3/16; 6/21/16; and 6/22/16. Mr. Ferrell stated that they had put flood plain information on the map and tightened up the hay bale line. Ms. DeLonga recently checked compensatory storage, confirmed the space they are in, and that the dirt will be removed offsite. Ms. DeLonga also confirmed that the 25' "no disturb" area has been added to the plan, and that the new owners are aware of it. Discussion ensued regarding how the 25' zone will be demarked to ensure it is not disturbed by future owners. It was decided that the line would be demarked with a combination of small signs on t-bar posts, and some of the available logs. Mr. Weddleton said to make sure that the contractor, Patrick Trufant is informed, and that he informs the Conservation office once the hay bales have been placed, and the "no disturb" zone is marked.

***Ms. Lauria made a motion to close** the public hearing; **Mr. Touhey seconded; the vote on the motion** was unanimous.* Mr. Weddleton informed the applicant that the OOC will be voted on at the next meeting, on August 10, 2016.

84 Cleveland Street, Lakeland Farms, Comprehensive Permit, #240-577, NOI – continued from 6/1/16 - Mr. Weddleton reopened the public meeting at 7:30 P.M. Present were Edward O'Harte, applicant; Stephen O'Connell, Andrews Survey Engineering; Lenore White, Wetland Strategies; Andrew Ogilvie, BETA Group. Mr. O'Connell stated that stormwater and wetland reviews by the town's consultants, BETA Group and Wetland Strategies, were both received today. Mr. Weddleton asked if Mr. O'Connell had made revisions since the last ZBA meeting, and Mr. O'Connell responded that they are waiting for Conservation's reviews, in order to respond completely. Ms. White stated that she had conducted a site visit and reviewed flags; discussion ensued regarding the Natural Heritage review process currently underway. Also the review included the stream that comes in from the adjacent property to west; Ms. White stated this is a very small watershed, not large enough to create perennial flow. Ms. White stated that the outlet to the pond IS a perennial stream, and she would like to see where 200' riverfront area extends; Mr. Weddleton stated that he would like to see these lines on the next plan. Mr. Weddleton further stated that he would like scientific information on water coming from the north of the property, flooding the neighboring basement. Mr. O'Connell responded that the perennial stream at the outlet of the pond will be shown on the next plan; also that their wetland scientist had determined that the water source to the north is not a resource area. Mr. O'Connell also stated that somebody had hired a landscape company do work on the stream. Mr. Weddleton stated that a narrative including soil test results should be entered into the record, as well as details on the riverine, when utility lines were put in, etc. Mr. Weddleton asked Ms. White to approach the plan, and point out flags that are in question. Ms. White proceeded to detail the findings listed in her report "Wetland Strategies, Inc. Memorandum, To: John Weddleton, Chairman, Norfolk Conservation Commission, Date: June 20, 2016, Subject: Professional Wetland Services Notice of Intent, 84 Cleveland Street, Norfolk, MA." When Ms. White mentioned an area near flag 33 that appeared to have been filled, Mr. Weddleton suggested that the applicant remove the fill so that a soil test can be done.

Mr. Weddleton advised Mr. O'Connell that the applicant's wetland scientists (B&C Associates) should go out to the site along with Ms. White, and reach agreement on placement of the flags; if agreement cannot be reached on some flags, those issued should be brought before the Commission who will determine their placement, and then a new review will be done. Mr. Weddleton stated that detailed diagrams will be required to show exactly how structures will be placed right on the wetlands, without encroaching upon the wetlands, such diagrams to include elevations pre- and post-construction, and a narrative of the work that's going to be done. If the applicant cannot prove that can be done, then the basin should be moved back 5' to 10'. Mr. Weddleton stated that the applicant's wetland consultant can contact Ms. White directly, and also that the applicant should not accompany the consultants.

Mr. O'Harte noted with regard to the area with fill, that his well was located there, and the excavation was due to failure of the well in December. In response to Ms. White's question, Mr. O'Connell stated the flag 36R had been added, and a couple of others moved since the last ConComm meeting, but those are not yet reflected on the plan.

Mr. Weddleton opened the hearing up to the public. Dave Poggi, 89 Cleveland St., shared his observations with regard to the stream from the north, which comes from a pond on his property and crosses the street. Mr. Poggi stated that he believes the "landscape company" observed was actually mosquito control. Mr. Poggi offered to be available if the Commission or consultants would like to speak with him about the property.

Mr. Weddleton next turned to Mr. Ogilvie for the Stormwater Report. Mr. Ogilvie reviewed the comments from the report "BETA Group, Inc., Norfolk, MA – Lakeland Farms Townhouse Community, Comprehensive Plan – Stormwater management Peer Review," Dated June 21, 2016. Mr. O'Connell stated that responses to the review comments are in progress.

Ms. DeLonga asked to clarify that the area around flag 33 should be examined by the experts, who will determine if the fill needs to be removed; regarding Natural Heritage (NH), according to NOI, report was submitted; Mr. O'Connell stated that NH reached out to them in the 2nd week of June, stating that they did not receive a complete set of plans, and a complete set was immediately forwarded to them. Mr. O'Connell stated that they did have pre-submittal consultation, and they are very comfortable this project will be a conditional take. Since the applicant cannot provide mitigation land in the same mapped habitat area, the applicant will have to provide a financial contribution. Ms. DeLonga gave Mr. O'Connell a copy of a town plan showing an inland restricted wetland and requested that a note be put on the plan. In response to a question from the audience, Mr. O'Connell responded that the financial contribution has not been finalized, but will use a formula of 1-1/2 times the number of acres; the project is 8.8 acres. Mr. Weddleton summarized that the applicant needs to get all of the lines discussed on the map, include a narrative on the drainage/stream that comes down the street, the riverine, the detail on the drainage structures, and in the meantime get the flags all lined up.

Mr. Touhey made a motion to continue *the hearing until August 10, 2016, at 7:15 P.M.;* ***Ms. Lauria seconded*** *the motion;* ***the vote on the motion was unanimous.***

Mr. Turi made a motion to adjourn; Ms. Lauria seconded *the motion;* ***the vote on the motion was unanimous. The meeting was adjourned at 8:23 P.M.***

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.

TOWN OF NORFOLK
CONSERVATION COMMISSION

ONE LIBERTY LANE
NORFOLK, MASSACHUSETTS 02056

TEL: (508) 541-8455
FAX: (508) 541-3377

www.virtualnorfolk.org

CERTIFICATION PURSUANT TO G.L., C.39, S 23D
(ACCEPTED UNDER ARTICLE 12
OF THE SPECIAL TOWN MEETING
OF OCTOBER 24, 2006)

DATE: August 10, 2016

APPLICANT'S NAME: _____

PROJECT NAME/LOCATION OF PROPERTY: 6 Lake Path #240-576
& 84 Cleveland St #240-577

DEP/NCC FILE NO: _____

ASSESSORS' REFERENCE: _____

I, Dan Crafton, hereby certify that I have examined all evidence received at the one (1) session of the public hearing in the above matter held on July 6, 2016, including (check all that apply):

- An audio recording
- A video recording
- A transcript

Dan C

Name of commission member