

Town of Norfolk
Inland Wetlands Agency
Town Hall
Special Meeting
September 5, 2023 @ 7:00 p.m.
Approved Minutes

Present: Hartley Mead-Chair, Byron Tucker, Rich Kessin, Myron Kwast
Marinell Crippen-recording secretary

Also Present: IWO Michael Halloran

1. **Call to Order**-7:01 pm
2. **Roll Call**-
3. **Agenda Review**-
A motion to move #7, #8 and #9 to after approval of minutes was made by Rich Kessin, seconded by Byron Tucker and approved unanimously.
4. **Approval of Minutes**-A motion to approve minutes as amended of the August 7th, 2023 regular meeting was made by Myron Kwast, seconded by Byron Tucker and approved unanimously.
5. **Public Comment**- none
7. **Old Business**-none
8. **WEO Report**-
Coolwater LLC application last month
Bannerman application was approved
McCue-Upland review, approval
9. **Communications and Bills**
Minutes P&Z August 8, 2023 were passed out
CFPZA Quarterly newsletter was distributed
Minutes from the Conservation Commission of August 14th, 2023 meeting were distributed
Byron Tucker made a motion to move #6B to before #6A, seconded by Myron Kwast and approved unanimously.
6. **New Business**-

B. 23-023 305 Mountain Road Laughlin regulated activity in a watercourse.

Michael Halloran said that the property owners have a brook on the site less than 2 feet wide and they had done 2 concrete abutments on either side of the brook and it was determined they needed a Wetlands permit to continue. They did not damage the brook.

Rich Kessin made a motion to approve the permit for 23-023 Mountain Road for Laughlin as a regulated activity in a watercourse, seconded by Byron Tucker and approved unanimously.

A. Public Hearing 7:15 pm. 23-021 Alfred Benesch & Co. Town of Norfolk redevelopment of Norfolk firehouse work in wetlands and upland review area.

There were no recusals. The legal notice was read into the record. Roll call was conducted. Michael Halloran has all the certified letters that were sent out.

Matt Riiska introduced Will Walter and Emily Bousaada from Alfred Benesch Engineering, who are civil engineers in charge of this project, who are hired by Silver, Petrucelli and Associates Inc., who are the architects. Mr. Walter then proceeded to explain the project. He showed drawings of the site and explained the existing structures and topography. He stated that none of the storm water on this site is currently being treated. He said that the most offending surfaces are bituminous pavements which are accessed by vehicles and that under current conditions there is no treatment of water coming off the site. He said that what they are proposing is to produce a program that will meet the needs of the fire department. They are planning on building a new firehouse parking, and a wooden sidewalk to City Meadow. He said it is not a large site and all of the water captured will go to an underground detention system, which is basically a concrete box. Prior to the water getting to the detention system, it is getting captured by area drains and catch basins that directly flow to a couple of hydrodynamic separators and those will separate out the sediment which contains the pollution. He said that will make the water cleaner than it currently is and the peak flows will be less, which will be better for erosion. He said that they will disturb some wetlands but that their soil scientist said it is a small amount of low quality wetlands, and now it is just a lawn. He said they are improving ecologically what is there now. Walters explained how he had come to this agency in October of 2022 informally to present a very similar plan to see if they had any concerns and the agency stressed that they did not want them to increase the imperviousness of the site. In their plans, they are making the two front parking lots concrete pavers that are pervious, so they are not increasing the imperviousness. He then went through an email that Matt Riiska forwarded to him from a member of the Agency.

He addressed the questions 1-needs testing for soil on the entire property for wetlands since it hasn't been tested in a long time, answer-their soil scientist looked at the entire site and determined that only the small area of lawn was wetlands.

2-need more thorough plan of the underground processing tank, does this system clean the water and/or prevent flooding, answer-this is a closed tank so nothing from groundwater will get in the tank. They looked at peak flows coming in at the 100 year storm the water level is right below the top of the tank 3-need report that shows there is no other reasonable site, the processing tank alone will be in excess of \$250,000, answer-Matt Riiska will talk later that there is no other site in town and he said that the \$250,000 is an error-it will be around \$50,000. 4-an environmental impact study should probably be done and not prudent to leave it to team firefighter to do this, answer-he said it is an exciting project but not a huge project so it is not what you would necessarily do an environmental impact study for. He said that typical things that an environmental report would look at would be the impact storm water and he said they have already done that with their storm water report. The report would look at the impact to wetlands-they have already done that and it is a low quality wetlands and the Army Corp of Engineers does not consider this to be a wetlands. They would also look at traffic-this is an existing firehouse and this is a proposed firehouse, very minimal impact to the roads. They would look at water and sewage but there is already a firehouse now. 5-proposed land to be given to the fire dept from city meadow is larger than previously thought-answer, none 6-the city meadow has been approved for 6 or 7 parking spots and Michael Halloran needs to check that now there will only be 4 none of which are handicapped accessible, answer-he said this was a zoning question but he said that with those spots they will make one for handicapped and that they will designate some for city meadow. 7-access to the city meadow from Shephard Road will be reduced to a 4' wide boardwalk that hugs along the back side of the building, not very inviting, answer-he said that it is a small space and they are doing all they can 8-the buildings will obscure views from Shephard, answer-this an issue for zoning and they will have renderings for them and show the height 9-they have mentioned some replantings and you may want to get a closer look at this, answer-he said they are open to suggestions of things to plant.

He said they are seeking approval tonight to construct the project. He said he is now open to questions. He was asked about the flow of the water and he showed how it would flow and that they have a long trench drain and they have catch basins and the water goes into the pipes and then gets into the tank and is filtered. Michael Halloran asked about the

detention basin and Mr. Walter said it was designed for a 10 year storm and the underground basin is designed for 100 year storm.

Clint Webb from the Agency could not attend the meeting and he sent in questions to ask. Myron Kwast read Mr. Webb's letter and Mr. Walter answered his questions. 1-There should be a functions and values report, answer-they have done a soils report that documented the conditions of the wetlands and a functions and values report is a more thorough report and they have not done that. Mr. Walter said that typically for an application for wetlands they would have a soils report and it would be up to the discretion of the agency to ask for a functions and values report. A functions and values is not required by the regulations unless the commission requests it. 2-need some more test pits or geoprobe borings inside and outside of the existing building to understand the subsurface soil conditions, answer-Mr. Walter said if they are talking about soil under the building or pavement and if that soil is wetlands, they can go back to their soil scientist and ask about that 3-is this site mostly formerly filled wetlands?, answer-Mr. Walter said he can't answer that 4-has any testing been undertaken to determine if there are contaminated soils?, answer-Mr. Walter said that their wetlands scientist is also a LEP, licensed environmental professional, and he does not specifically look for contamination but he will often notice something amiss and let Mr. Walters know and he did not notice anything amiss with this site 5-how will the wetlands that are being fill and/or removed be mitigated and where will the wetlands mitigation be located?, answer-in this plan they are not proposing any wetlands mitigation and he said there is no room on this site to mitigate. 6-is the 10 year storm design adequate to treat storm water run off?, answer-yes. 7-will the high ground water level 18" impact the proposed foundations of the proposed structures?, answer-they will design it so it doesn't lower the water level of the pond.

Michael Halloran stated that a function and values report was done for City Meadow and Haystack.

Matt Riiska spoke about deciding that this was the best location for a new firehouse. He said they looked at other sites, for example next to Town Hall, and that was a problem with Firetrucks entering Rt. 44. Town Farm is too far. They looked at Old Colony and there were site development problems. Hartley Meade then expressed concerns about the pipe size and flow of the water. Mr. Walter explained how they have taken care of that. They use a minimum of 12" pipes.

The discussion was then open to the public.

1-Edward Hinman-who is a 35 year resident of Norfolk and a 35 year member of the Fire Department, a past member of the Wetlands Agency and past chair, an arborist and environmental science teacher and talked in support of the application. He provided photos showing the history of

the site. The site was a school after 1915. He started with explaining the point of the wetlands laws and said it was enacted in 1974 and the whole point was environmental protection. They decided that wetlands were wetlands because of their soil. He showed photos where it was a pasture, no wetlands soil or plants or standing water, nothing like it is now with City Meadow. Then it was a school and now a building. The firehouse was built in 1972 so it predates the wetlands laws. The question is for environmental reasons are we looking at the site as wetlands that are ecologically valuable and he said this is a lawn, a parking lot and a building and it has no wetlands ecological value. He thinks it is better to build here if you are building on an already built on site, if you use an undeveloped site you are disturbing that area.

2-Matt Ludwig-45 year resident of Norfolk and part of the Fire Department for 27 years and he supports the application. He spoke that this is the best site for the fire department. It is important for them to have access to water. Their response time now is very good and they want to keep it that way. The current location is centrally located. Their entrance to Rt 44 is best from their location as it currently is.

3-Susannah Wood is chair and is representing the Conservation Commission and she said they mostly have questions. 1-why using closed tank instead of open?, answer-Mr. Walter stated that there is not room for an above ground. 2-how do you handle the run off during construction into City Meadow?, answer-they have provided an erosion control plan which includes a catch basin, double row of silt fences, will have street sweeping etc. The design is provided by the 2000 DEEP, department of energy and environment protection, Erosion Control manual. The swale is the existing swale.

4-John Anderson-42 year resident of Norfolk has been a Chairman of the Wetlands agency and he is the Chairman of the Conservation Commission. He stated that he thought the design of the parking areas to bring water to the swale is great and not to increase the amount of imperviousness. He asked which weather station they used and it was the Norfolk station. Mr. Anderson stated that even though the wetlands was made into a lawn it is still important wetlands. He suggested making the parking area for City Meadow into a rain garden.

5-Dan Wuori-60 year resident of Norfolk, they own the house across from the Firehouse. He said that the property was thick forest before it was used for any building and there was a camper on it for 20 or 30 years and there was no water on the property at all.

6-Amy Bennett-raised and born in Norfolk supports the project. She said it is not just considering the Wetlands but the current building they have is unsafe.

7-Keith Byrne-he is our Fire Marshall. He has been with the department almost 35 years and he was born and raised here for 52 years. He supports the new fire department. He said last year they gave over 8,000 hours to the fire department. The building is 50 years old.

Matt Riiska said that they will utilize the old building till the new one is up and then take down the old fire house.

Michael Halloran asked if the diesel tank and the outbuilding would both be in wetlands and Mr. Walter said they would.

8-Molly Ackerly spoke in favor of the proposal. She used to be chair of the City Meadow committee.

Michael Halloran said that the handicapped parking spaces were approved for City Meadow and could not be taken away for a rain garden. Will Walter said that they would be open to putting preferred parking for City Meadow on some of the spaces.

9-Paul Padua-Norfolk Fire Department, stated that they will be making another entrance to City Meadow and they will work with them on the parking spaces.

Myron Kwast made a motion to continue the public hearing for October 2nd at 7:05pm at Botelle School, including a phase 1 and functions and values report, Rich Kessin seconded and it was approved unanimously.

- 10. Adjournment-**Byron Tucker made a motion to adjourn the meeting at 9:20 pm, seconded by Myron Kwast, and approved unanimously.

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Respectfully submitted,
Marinell Crippen, Secretary