

CONSERVATION COMMISSION

**MINUTES
(Approved 10/10/07)**

September 26, 2007

**PRESENT: J. Wiley, Chairman
A. Goetz, Vice Chairman
B. Dyer, E. DiVirgilio, K. Phelps**

ABSENT: R. Jones, R. Turner

**ALSO PRESENT: L.Hershey, Conservation Agent
P. Smith, Board Secretary**

Conservation Agent report given to members

MEETING OPENED: 7:05

**DISCUSSION/ENFORCEMENT
516 MAIN ST.**

Ms. Hershey stated she issued an enforcement order to Mr. Joseph Kelly for doing paving work at 516 Main St. without any discussion or filing with the Conservation Commission. Mr. Kelly was present and explained he did not realize the need for a filing and would work with the commission to make things right. After discussion, the commission stated a Request for Determination was required to be filed.

**PUBLIC HEARING
NOTICE OF INTENT
WALPOLE MALL REDEVELOPMENT
DEP # 315-911**

Opened: 7:29

Mr. Wiley read the advertisement from the Walpole Times

Attorney Macchi, Don Myers, of Norwood Engineering and Joseph Ingoldsby, Landscape Design, was present representing the applicant

Mr. Wiley read additional board comments that have been submitted since the last Public Hearing

Mr. Macchi addressed stormwater issues from the last meeting and Mr. Myers presented revised plans. Mr. Macchi stated they have provided additional information showing the capacity of the culverts on Route One. He also stated the information has been put into a single format and a full and final set of plans have been submitted to the commission tonight.

Mr. Joseph Ingoldsby presented revisions showing an access path to the wetlands as well as energy dissipation chambers. Maintenance issues have been included in a supplement along with revised wetland plans.

Ms. Hershey stated she is happy with the revisions and satisfied that all of the Stormwater issues have been addressed. She stated that Mr. Ingoldsby did a wonderful job designing the wetland area.

Mr. Goetz stated he is happy with fact all stormwater management is going to be brought up to current standards which complies with Phase 3 mandates. He stated he is impressed with the project as well.

Mr. Wiley asked for comments or questions from the audience

Mr. Goetz made the motion to close the Public Hearing

Mr. DiVirgilio seconded the motion

Vote: 5-0-0

Closed: 7:50

The commission discussed drafting the Order of Conditions at the next meeting on October 10, 2007

**CONT. PUBLIC HEARING
SOUTHRIDGE BUSINESS PARK
NOTICE OF INTENT
DEP# 315-909**

OPENED: 7:51

Mr. Wiley read the advertisement form the Walpole Times.

Mr. Wiley read additional board comments into the record that have been received since the last Public Hearing

Attorney Phil Macchi, Rob Truax, GLM Engineering and applicants David Wakefield and A.J. Lorusso were present

Attorney Macchi stated that when the applicant went before the Planning Board it was proposed the S curve on South St. would be realigned. The other proposal was the

donation of land to the Town at no cost if three waivers would be considered. These waivers include 1) expansion of the road 2) no sidewalks would be required and 3) asphalt berm would be used. Mr. Macchi stated the Planning Board was amenable to these waivers and the next step was to go before the Board of Selectmen for the Town to agree to accept this land.

Mr. Truax presented revised plans to the board. Mr. Truax stated the plan shows two detention basins one of which was located on two separate lots. Since the original submittal, the applicant is now proposing that one owner be responsible for the maintenance of the basin that is shared on two lots. Mr. Truax stated he has addressed comments that were received from Ms. Hershey. Erosion control issues were addressed as well as two stockpiling areas are now included. The parking and storage areas will be surrounded by haybales and silt fence. Mr. Truax discussed this project being divided into two phases. Phase #1 is to get the road in place and clean the area up. He stated that approximately 5.5 acres would be disturbed. Phase #2 is when the grading begins. Temporary seeding will be done and work would be done in small amounts at a time, approximately 2.5 acres. The site will be closed up at night. Detail will be provided on the plan including dewatering information.

Mr. Truax stated that South Street and the S curve was not in the original submittal. There will be about 750 ft. totally reconstructed as far as utilities go. This plan shows a couple catch basins with manholes. There will be a forebay set up with small retention basin with a riprap dike at the end. Mr. Truax stated the 25ft. buffer would be maintained.

Ms. Hershey stated that the information provided tonight needs to meet bylaw and draft regulations. She stated the land disturbance permit is for stormwater issues during construction. Ms. Hershey states she would recommend additional erosion controls rather than haybales because of the slope. Ms. Hershey would like to review the revisions with the applicant and the Town Engineer.

Ms. Dyer stated she would like time to review the plan.

Mr. DiVirgilio stated he is happy the street will be redesigned.

Mr. Goetz stated the commission needs to review the plans.

Ms. Phelps stated the buffer zone should be shown on the plan along with the tree line.

Mr. Wiley asked for questions or comments from the audience.

Mr. Macchi asked the commission to give them a timeline when plans or comments are due to make things clear and easier at Public Hearings.

Mr. Goetz made the motion to continue the Public Hearing until October 24, 2007 at 8:30

Mr. DiVirgilio seconded the motion

Vote: 5-0-0

**CONT. PUBLIC HEARING
WALPOLE WOODWORKERS
ABBREVIATED NOTICE OF RESOURCE AREA DELINEATION
DEP# 315-902**

Mr. Goetz stepped down from the Hearing

Opened: 8:32

Mr. Wiley read the advertisement from the Walpole Times for the continued Public Hearing for the Abbreviated Notice of Resource Area Delineation (ANRAD) for Walpole Woodworkers.

Michael Seekamp, of Seekamp Environmental was present representing the applicant, as well as Walpole Woodworkers treasurer and counsel Jim Ward. Amy Green, Environmental Consultant for the applicant was also present.

Mr. Seekamp stated they have been dealing with Enforcement issues since the last Public Hearing. There were recycled materials including fence posts, plastic and woody debris which has been removed. A site visit was held last week with Ms. Hershey as well as the independent consultant Mary Trudeau. The cleanup areas were reviewed. Mr. Seekamp stated that invasive species were removed as well. Mr. Seekamp stated that aerial photographs from as far back as 1982 were looked at to determine the original wetland line as close as they are able. The next step would be to reverse survey the land and excavate to see hydric soils underneath.

Ms. Hershey stated that substantial product was removed from site. There are a few areas that need work and the applicants are willing to do it. Ms. Hershey stated she would like aerial photos submitted for the record. She also stated the applicant has complied with the enforcement order that was issued. Mary Trudeau will go back once the work is completed to review the line.

Ms. Phelps stated she would like a site visit once the reverse survey is complete

Mr. Seekamp stated they would submit a progress report to the commission before the October 10th meeting date

Mr. DiVirgilio made the motion to continue the Public Hearing until October 24, 2007 at 9:00 p.m.

Ms. Dyer seconded the motion

Vote: 4-0-0

Mr. Wiley asked for comments or questions from the audience

Mr. Robert O'Leary, Washington St. stated his confusion with the wetland area and the use of the property.

Mr. Wiley reminded the audience that this filing is for the sole purpose of determining the location of the wetland line.

Ms. Shirley Thoms, 28 Hartshorn Pl. inquired whether the commission itself actually tests the soil.

Ms. Hershey stated the Mass Contingency Plan in conjunction with the Board of Health would have to test it.

Mr. Craig Hiltz, Kendall St. asked if the Public could attend a future site visit

Ms. Hershey stated it would be a Public meeting if a quorum of the commissioners were present. When a date is decided it will be posted in the Town Hall.

Mr. Seekamp asked the commission for an extension of the enforcement order until the work is completed

Ms. Phelps made the motion to issue an extension of time for the Enforcement Order cleanup of Walpole Woodworkers

Mr. DiVirgilio seconded the motion

Vote 4-0-0

**PUBLIC HEARING
RIVERWALK LANE
NOTICE OF INTENT
NO DEP # ISSUED**

OPENED: 8:55

Mr. Wiley read the advertisement from the Walpole Times

Mr. Wiley read board comments and green cards were collected.

Mr. Jim Cornblatt, of OHC Bird Pond LLC was present representing the applicant. Mr. Cornblatt stated the purpose of the Notice of Intent is for the replacement of a previously approved retaining wall in need of repair. Mr. Jim Turner of Stevens Engineering was present as well.

Ms. Hershey stated the plans are difficult to read and needs to include the property line and wetland boundary as shown on the original and As-Built plan

Mr. Jim Turner of Stevens Engineering stated the existing wall will not be disturbed and the new one will be constructed in front of it. He stated that fill behind the wall had

construction debris that caused the wall to move. He also stated riprap will be replaced at the end of the new wall.

Ms. Hershey asked how the fill would be brought in

Mr. Turner stated an agreement with neighbors has been made and access will be through the Hogan's driveway.

Ms. Hershey stated this access needs to be shown on the plan and relocation of the path needs to be really clear on the plan

Mr. Turner states the path will stay where it is, but there will be a 3 ft. jog around the area.

Mr. Goetz stated he believes the wall would need to be certified by an engineer if it is over 3 ft.

Mr. Wiley asked for questions from the audience

Mr. George Urban, 28 Riverwalk Pl. stated his concerns with drainage issues

Mr. Cornblatt stated crushed stone, which is permeable and drains well will extend the length of the wall

Mr. Phelps made motion to continue the Public Hearing until October 10, 2007 at 7:50 p.m.

Ms. DiVirgilio seconded the motion

Vote: 5-0-0

The commission would like the 100 and 200 ft. riparian from the river shown on plan

The commission would like the applicant to get a letter from the abutter agreeing to the access to have on file

**PUBLIC HEARING
REQUEST FOR DETERMINATION
BEETHOVEN AVE. #83**

Opened: 9:21

Mr. Wiley read the advertisement from the Walpole Times and collected green cards

Mr. Bob Blaine, of Andrews Pools and applicant and owner Mr. Santangelo were present.

Mr. Wiley read board comments

Mr. Blaine stated this filing is for the construction of an inground gunite pool at 83 Beethoven Ave. A request for Determination was filed. Mr. Blaine also stated a non chlorinating system was going to be used with no chance of chemicals being discharged

Ms. Hershey stated the deck should be shown on the plan. She also stated the work is 50 ft. away from the wetland line and she sees no impact to the wetlands or grade changes. Ms. Hershey states her recommendation for a Negative 3 Determination with special conditions

Mr. Goetz made the motion to close the Public Hearing

Ms. Phelps seconded the motion

Vote: 5-0-0

Closed: 9:40

The commission discussed the materials need to be hauled offsite and an inspection of erosion control by the Conservation Agent prior to construction shall take place

Mr. Goetz made the motion to approve and issue a Negative 3 Determination

Ms. Dyer seconded the motion

Vote: 5-0-0

OTHER BUSINESS

Norfolk County High School – A letter was received from the Superintendent of Schools stating a drawn down of the pond is being done along with the cleaning of sediment for algae control. She stated the pond is used as an agricultural pond to irrigate their fields.

BOARD COMMENTS

The Planning Board requested comments regarding Town Meeting Article regarding the Zoning Article, and the board stated they have no comment

The Planning Board requested comments regarding Southridge Business Park. The commission stated this filing is before us presently.

The Planning Board requested comments on 395-419 High Plain St. The commission discussed their concern regarding stormwater issues and the containment and proper storage of materials

ENFORCEMENT ORDERS

MAIN ST. # 516

The commission discussed the need to ratify the Enforcement Order for 516 Main St.

Ms. Phelps made the motion to ratify the Enforcement Order

Mr. Goetz seconded the motion
Vote: 5-0-0

INDUSTRIAL RD. #3

The commission discussed continuing this discussion until October 10, 2007

The following correspondence was discussed and available for the board to review

- **Attorney Letter – Frontier Dr.**
- **Attorney Letter – Algonquin Gas**
- **Town Clerk – Wisteria Ways Documents**
- **GeoInsight Letter – 1075 Providence Hwy**
- **Weekly Swpp report – 333 Coney St**
- **Release Notification Form – 917 Main**

MINUTES

Mr. DiVirgilio made the motion to accept the minutes for September 12, 2007

Ms. Dyer seconded the motion

Vote: 5-0-0

Ms. Phelps made the motion to adjourn

Mr. Goetz seconded the motion

Meeting Closed: 10:00