

# CONSERVATION COMMISSION

## MINUTES (Approved 10/24/07)

OCTOBER 10, 2007

**Present: J. Wiley, Chairman**  
**A. Goetz, Vice Chairman**  
**R. Turner, E. DiVirgilio, K. Phelps**

**Absent: B. Dyer, R. Jones**

**Also Present: L. Hershey, Conservation Agent**  
**P. Smith, Board Secretary**

Conservation Agent Report given to the board

**MEETING OPENED: 7:15**

General Business was discussed

The following correspondence was available for review and discussed

- Baker Hughes – Ruck-a-duck-pond
- Attorney's Letter – Lot 18 Frontier Dr.
- Weston solutions – Phase II site assessment report – Former Bird Machine Co
- Town Administrators letter – South St. S curve

### **DISCUSSION**

#### **ENFORCEMENT ORDER**

#### **3-5 INDUSTRIAL RD.**

Mr. Rick Merrikin and Mr. William Duggan were present to discuss enforcement issues on 3-5 Industrial Rd. Mr. Merrikin presented restoration plans on 3 Industrial Rd. Mr. Merrikin stated that as part of the restoration they are proposing plantings of high bush blueberry bushes to be put in and act as a barrier and indicator as to where the limit of work is. He also stated plaques could be placed as well.

Ms. Hershey stated that the applicant hasn't addressed what has happened to the wetland line

Mr. Goetz stated there are damaged trees that need to be replaced or restored

Mr. Wiley stated the commission would continue working under the present enforcement order at this time. He would like to see the wetland line back to 1999 located on the plan as well.

**PUBLIC HEARING  
STORMWATER MANAGEMENT  
REGULATIONS AND FEES**

**Opened: 7:45**

Mr. Wiley read the advertisement from the Walpole Times. The commission is interested in any public comment regarding the Stormwater Bylaw Regulations and fee schedule that will be implemented.

The commission reviewed and discussed the draft submitted by Ms. Hershey. The next step is for the Board of Selectmen to approve the fee structure.

Mr. Wiley asked for questions from the audience

The commission would like further review, and a continuance was discussed

**Ms. Phelps made the motion to continue the Public Hearing until November 14, 2007 at 7:15 p.m.**

**Mr. DiVirgilio seconded them motion**

**Vote: 4-0-0**

**CONT. PUBLIC HEARING  
NOTICE OF INTENT  
RIVERWALK LN.  
DEP #315-917**

**Opened: 8:00**

Mr. Wiley read the advertisement from the Walpole Times for the continued Public Hearing. A DEP number was not assigned before the last hearing but has been received at this time.

Mr. Jim Cornblatt, of OHC LLC was present representing the applicant for the proposal of the repair of the wall at Riverwalk Ln.

Mr. Cornblatt stated the commission requested specific items to be added to the plan at their last Public Hearing. A revised plan was submitted to the board. The commission requested the 100 and 200 riparian areas to be shown on the plan. The commission requested the existing wetland line be shown on the plan. Mr. Cornblatt stated that access to the construction has been shown on the revised plan and a letter was submitted with

written permission from a neighbor for this access. A fence has been shown on the top of the retaining wall as well

Ms. Hershey stated she feels all the commissions concerns were addressed.

Mr. Goetz stated he felt there should be no impact to the river

Mr. Wiley asked for questions from the audience

**Mr. Goetz made the motion to close the Public Hearing**

**Ms. Phelps seconded the motion**

**Vote: 4-0-0**

**Closed: 8:15**

The commission discussed special conditions. A revised plan will be submitted showing the resource area along with the 100 ft. riparian zone. The buffer zone location shall be shown from where the isolated wetland is. The commission would like a full size plan as well. Street sweeping, restoring the area to the original grade and stabilization is included as a special condition

**Mr. Goetz made the motion to approve and issue an Order of Conditions**

**Ms. Phelps seconded the motion**

**Vote: 4-0-0**

**PUBLIC HEARING  
NOTICE OF INTENT  
SUMMER ST. #335  
DEP: 315-912**

**Opened: 8:20**

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

Mr. Wiley read the board comments into the record

Mr. Don Myers, of Norwood Engineering was present representing the applicant Peter Commerford who was also present. A letter of response to the board comments from Mr. John Rhoads of Norwood Engineering was submitted to the board.

Mr. Myers presented plans to the commission for the proposed subdivision infrastructure work. He stated the wetlands were flagged in two phases and has been provided to the commission in the Notice of Intent. Mr. Myer stated the overall project proposal is to divide the property into two lots with the roadway, but this filing is for the infrastructure for the road and drainage. Mr. Myers stated that no work is being proposed in the 25ft buffer, and the wetlands will not be disturbed. A drain for the road, and catch basin with

stormceptor complies with the Stormwater Management Act. Mr. Myers stated that a separate filing would be submitted when Lot 3 is to be constructed.

Ms. Hershey stated she reviewed the plan. The plan that has been submitted is for the subdivision that was submitted to the planning board. She stated that the commission requires the plan to show what is being requested under the Notice of Intent.

Mr. Myers agreed with Ms. Hershey and suggested the commission consider the plan as submitted to base the Order of Conditions on. The house and grading will all be included under this Notice of Intent filing in addition to the subdivision infrastructure work. This way the project will be seen in it's entirety. Mr. Myers stated the plan submitted is the plan of record.

Ms. Phelps asked about test pits done in area of detention basin and a vegetated swale

Mr. Goetz asked about elevations and the requirements of when a wall needs to be certified by an engineer

Mr. Wiley stated the plans need to indicate where the roof drains will be and a recharge plan if the house is to be included.

Mr. Rhoads took over the presentation from Mr. Myers

Mr. Rhoads stated riprap would be in place for emergency overflow

Mr. Wiley asked if there were questions from the audience

Ms. Hershey asked for detail on the plan for emergency overflow. She also stated she would like a revised Notice of Intent to include the house.

**Mr. DiVirgilio made the motion to continue the Public Hearing until October 24, 2007 at 8:15**

**Ms. Phelps seconded the motion**

**Vote: 4-0-0**

**PUBLIC HEARING  
WILLET POND VEGETATION MANAGEMENT  
AMMENDMENT  
DEP 315-870**

**Opened: 8:59**

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

Mr. Ian Cooke, President of Neponset River Landholding Assoc. was present with Laura Hallowell.

Mr. Cooke presented handouts to the commission for a vegetation management policy and plan for the Dike at Willett Pond. He stated the commission issued an Order of Conditions for a comprehensive shoreline management plan last year, and this is being proposed as an amendment to that Order. Mr. Cooke stated the Dike has to be maintained differently than the pond, which is why this vegetation plan was created. This policy advises homeowners what they are allowed to do and the plan will show what the association will do to maintain the Dike. There will be water quality improvement as well as putting in native plants. Mr. Cooke stated that a herbicide program would be needed as well

Ms. Hershey asked if the work was going to be contracted out and who will supervise it

Mr. Cooke stated he or Laura would supervise the work that is being contracted out.

Mr. Turner commented on the herbicide treatments

Mr. Goetz stated he has seen the site and would like to see the debris cleaned up along the shoreline

**Mr. Goetz made the motion to close the Public Hearing**

**Ms. Phelps seconded the motion**

**Vote: 4-0-0**

**Closed: 9:20**

The commission discussed being notified about Herbicide treatments as a special condition

**Mr. Goetz made the motion to approve and issue an amendment to the Order of Conditions**

**Ms. Phelps seconded the motion**

**Vote: 4-0-0**

**PUBLIC HEARING  
NOTICE OF INTENT  
ALBANY RD. #14  
DEP # 315-914**

**Opened: 9:25**

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

Mr. Wiley read the board comments

Mr. John Glossa, Glossa Engineering was present along with the applicant Mr. John Lear. Mr. Glossa stated the filing is for the proposal to remove an existing porch off the back of 14 Albany Rd. and replace it with a 24x24 addition. Mr. Glossa states the work is within the 100 ft. wetland line, but outside of the 25ft. no disturb area and very little change of grade will occur.

Ms. Hershey stated she completed a site visit and reviewed the wetland line. She had no additional comments.

Ms. Phelps asked about construction access, erosion controls and the removal of materials during construction.

Mr. Glossa stated the driveway will provide the access and silt barriers and orange construction fence will be used as erosion controls

Mr. Goetz stated the need to stabilize the area as quickly as possible.

**Mr. Goetz made motion to close the Public Hearing**

**Ms. Phelps seconded the motion**

**Vote: 4-0-0**

**Closed: 9:35**

The commission discussed proper stabilization be noted as a special condition.

**Mr. Goetz made the motion to approve and issue an Order of Conditions**

**Ms. Phelps seconded the motion**

**Vote: 4-0-0**

## **PUBLIC HEARING**

### **ABBREVIATED NOTICE OF RESOURCE AREA DELINEATION**

**NORTH ST. #461**

**DEP# 913**

**Opened: 9:37**

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

Mr. John Glossa, Glossa Engineering was present representing the applicant.

Mr. Wiley read board comments

Mr. Wiley read a letter into the record that was submitted from abutters Philip and Rosemary Sanford who were present at the Public Hearing

Mr. Glossa stated a Botanist has flagged the wetlands and made the observation in August that the stream was barely flowing. The stream stopped flowing completely on August 15, 2007 and Mr. Glossa states it still isn't. Mr. Glossa stated that the Rivers Act would not apply if the stream were considered to be intermittent. Mr. Glossa stated he understands the weather has been extremely dry and the commission will need time to make a determination. He does not feel the previous four months would be considered drought conditions but understands the weather has been very dry.

Ms. Hershey stated the blue line on the USGS map signifies a perennial stream. She stated the observations were made in August with extremely dry conditions and may be considered drought conditions by DEP. Ms. Hershey feels the commission needs more information and time. She needs to review the line as well.

Ms. Phelps stated that she wants to check with DEP and a site visit is needed as well.

Mr. Goetz stated the commission needs to know the size of the watershed that feeds this stream to make this decision. Because it has been so dry the commission needs to review this very carefully

Mr. Wiley asked if there were questions from the audience

Mr. & Mrs. Sanford, 455 North St. stated to the commission they have lived in their home on North St. for years and have always seen flow. The Sanford's state this area is one of the few underdeveloped areas that provides habitat for a variety of wildlife

**Ms. Phelps made the motion to continue the Public Hearing until November 14, 2007 at 7:30 p.m.**

**Mr. DiVirgilio seconded the motion**

**Vote: 4-0-0**

Ms. Hershey will schedule a site visit with Mr. Glossa at a future date

## **OTHER BUSINESS**

### **WALPOLE MALL**

**DEP# 315-911**

### **ORDER OF CONDITIONS**

**Mr. Goetz made the motion to approve and issue an Order of Conditions with special conditions 1-44**

**Ms. Phelps seconded the motion**

**Vote: 4-0-0**

## **CERTIFICATE OF COMPLIANCE**

### **OLD TOWN RD.**

**DEP# 315-836**

**Ms. Phelps made the motion to issue a Certificate of Compliance on an Order of Conditions that never commenced**

**Mr. DiVirgilio seconded the motion**

**Vote: 4-0-0**

**OLD TOWN RD.**

**DEP 315-590**

**Mr. Goetz made the motion to issue a complete Certificate of Compliance**

**Ms. Phelps seconded the motion**

**Vote: 4-0-0**

**OLD TOWN RD.**

**DEP 315-489**

**Mr. Goetz made the motion to approve and issue a Partial Certificate of Compliance**

**Ms. Phelps seconded the motion**

**Vote: 4-0-0**

**MINUTES**

**Ms. Phelps made the motion to approve Minutes for September 26, 2007**

**Mr. DiVirgilio seconded the motion**

**Vote: 4-0-0**

**ENFORCEMENT ORDER**

**WALPOLE WOODWORKERS**

The commission discussed the Walpole Woodworkers site and issued a second enforcement order showing what additional areas and materials that needed to be cleaned out.

**Mr. Goetz made the motion to ratify the Enforcement Order for the Walpole Woodworkers**

**Ms. Phelps seconded the motion**

**Vote: 4-0-0**

The commission will conduct a site visit at Walpole Woodworkers on October 14, 2007 at 12:00 p.m. This will be posted in the Town Hall.

**Ms. Phelps made the motion to adjourn**

**Mr. DiVirgilio seconded the motion**

**Vote: 4-0-0**

**Meeting Closed: 10:30**