

CONSERVATION COMMISSION

**MINUTES
(Approved 9/12/07)**

AUGUST 8, 2007

Present: J. Wiley, Chairman
A. Goetz, Vice Chairman

Absent: K. Phelps

Also Present: B. Dyer, R. Turner, E. DiVirgilio, R. Jones

Conservation Agent report given to members

**CONT. PUBLIC HEARING
RUSTIC RD. #69
ABBREVIATED NOTICE OF RESOURCE AREA
DELINEATION
DEP# 315-845**

Opened: 7:05

Mr. Wiley read the advertisement from the Walpole Times

Mr. Glossa, Glossa Engineering and Jamie walker, Carr Research was present for this Continued Public Hearing. The commission was presented with an updated soil testing report submitted by Carr Research Labs. Mr. Glossa stated the commission had requested additional test pits and these locations were pointed out on the plan

Ms. Hershey stated that she believes isolated wetlands should be included in the BVW line. She recommended to the board to accept CRL series flags 1-35 as accurate, and to modify flags I-1 –10.

Ms. Dyer asked about the history of this site

Mr. Goetz stated he is satisfied that the applicant has done his homework

Mr. Goetz made the motion to close the Public Hearing

Mr. Jones seconded the motion

Vote: 5-0-0

Closed: 7:20

For the record, the commission wanted it noted that the plans have been modified

Mr. Goetz made the motion to issue an Amended Order of Resource Area Delineation

Mr. DiVirgilio seconded the motion

Vote: 5-0-0

**PUBLIC HEARING
NOTICE OF INTENT
MAIN ST. # 752
DEP# 315-907**

Opened: 7:27

Mr. Wiley read the ad from the Walpole Times

Mr. Wiley read board comments

Mr. Jim Susi, United Consultants was present. Mr. Susi handed out his responses to the board comments to be read into the record

Mr. Susi stated he is proposing to construct a 40x90 s.ft. Commercial building with associated utilities, grading and pavement at 752 Main St. In this filing two drainage systems are being proposed with a small infiltration system.

Ms. Hershey stated that many of her concerns have been answered in the letter submitted at the meeting tonight. She had wanted the location and labeling of stormceptor units shown on the plan, catch basin detail, grading detail of the parking lot and confirmation of test pits and perk testing of the infiltration units shown on the plan. Ms. Hershey stated she would like to see more landscaping completed along North Ave with more stabilization materials than the mulch. Some of the vegetation had been cut down prior to this filing and the neighbors want this replaced.

Mr. Susi stated he would submit landscaping plans

Mr. DiVirgilio stated he would like to see more landscaping as well.

Mr. Goetz stated there is no way to monitor the condition or the cleaning of the recharge areas shown.

Mr. Susi stated that clean outs can be added on the plan

Mr. Wiley stated the commission would like to see both a planting plan and O&M plan. He stated this Public Hearing should be continued until the Town Engineer can review these plans.

Mr. Goetz made the motion to continue the Public Hearing until September 12, 2007 at 8:45 p.m.

Mr. DiVirgilio seconded the motion

Vote: 5-0-0

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

Opened: 7:45

Mr. Wiley read the advertisement from the Walpole Times

Mr. Wiley read Board Comments into the record

Attorney Phil Macchi, and Rob Truax, GLM Engineering represented applicant David Wakefield who was also present

Mr. Truax stated this filing is for the construction of a roadway for a 12-lot subdivision, which will become a business park. This is located on the S curve off of South St. Mr. Truax stated two buildings already there will remain, and the site towards the rear of the buildings appear like it was disturbed a long time ago. Mr. Truax stated this site is divided towards South St. and towards the wetlands. Two detention basins will be constructed, one going at the end of the cul-de-sac and the other will be on the opposite side of the road. The basin off the cul-de-sac will handle runoff from roadway utilities and partial development of the lots. Mr. Truax stated the basins will handle small storms and leaching galleys will be in place. The other basin will release into the wetlands across the street. He also stated he wants to keep the basin on the lot line between lots 5 and 6 and make one owner be responsible. Mr. Truax stated that soil testing has been done. An erosion control plan is in place showing where haybales and stabilization will take place. Silt sacs will be located in the catch basins. Detail regarding access to the site is on the plan as well. Mr. Truax stated his plan would be to close up the work site at the end of the day to prevent erosion issues. Mr. Truax also presented the commission with an enlarged USGS map showing the riverfront area for the board to review.

Ms. Hershey stated she has walked the site with Joyce Hastings from GLM and found the wetland boundary to be okay. She stated this filing falls within the Stormwater Management Bylaw and she would like to sit down with Mr. Truax and the Town Engineer to go over the issues.

Mr. Turner asked Mr. Truax if something could be done about the S curve.

Mr. Truax stated this has been taken into consideration

Ms. Dyer stated for the record she wants to support Town Engineer about having the detention basin be located on one lot. She stated she is not fond of shared detention basins

Mr. Macchi stated that historically the Town experienced issues on shared detention basins. He stated that the Town is given a conveyance of easement and this is in perpetuity. .

Ms. Hershey stated she feels maintenance of the basin should be just one person's responsibility.

Mr. Wiley stated that this concern should be brought up with the Planning Board.

Ms. Dyer asked about water being directed off the property and if there could be issues with this.

Mr. Truax stated they are planning to upgrade the head wall that is already there

Mr. Goetz stated he has not walked this site a long time ago and would like to revisit it. He also stated he is in agreement that the basin should be located on one lot.

Mr. Wiley asked for comments or questions from the audience

Mr. Wiley stated the applicant and representatives need to set up a meeting with the Town Engineer and Conservation Agent to go over the revisions

Mr. Goetz made the motion to continue the Public Hearing until 9/26/07 at 7:30

Mr. DiVirgilio seconded the motion

Vote: 5-0-0

**CONT. PUBLIC HEARING
NOTICE OF INTENT
PLIMPTONVILE CROSSING
DEP# 315-881**

Opened: 8:25

Mr. Wiley read the advertisement from the Walpole Times

Mr. Wiley read a letter submitted by abutters Gary & Kathy Cieplac and Charlie Carr into the record

Mr. Rick Merrikin, Merrikin Engineering was present representing the applicant for the Continued Public hearing. Mr. Merrikin stated that revisions have been made to the plan including moving the haybale line and revising the standard detail for the catch basin to include the removal of oil and grease. A no-disturb line has been established showing

plaques every 50 ft. Detail has been put on the plan regarding the fence and the wall. A planting plan has been revised and a marked trail shall be established.

Mr. Merrikin stated they will be discussing screening issues with the Zoning Board of Appeals after having a meeting with neighbors prior to this hearing. He stated they are proposing two rows of trees and fencing for screening purposes. Mr. Merrikin stated there is a road for detention basin access where trees can be planted as well. Mr. Merrikin stated he feels all comments to date have been addressed.

Ms. Hershey stated she feels the representative, as requested by the commission, has covered the points requested by the commission. The revised plans were not submitted to the office until this morning and Ms. Hershey would like for the Town Engineer to review the plans. She would like to see exactly where the plaques would be located on the plan and detail of the wall. Ms. Hershey stated that the design has been modified for the commission and the riverfront area.

Mr. Merrikin stated he would like to close the Public Hearing tonight and any comments or concerns from the Town Engineer would be taken care of prior to the Planning Board hearing.

Mr. Goetz stated that the letter from abutters which was read into the record are issues which are not in the conservation commissions jurisdiction but is more relative to the Zoning and Planning Board. He stated that the applicant has addressed our issues and done what was requested. Mr. Goetz is willing to close the Public Hearing.

Mr. Wiley asked for questions from the audience

Mr. Goetz made the motion to close the Public Hearing

Mr. DiVirgilio seconded the motion

Vote: 5-0-0

Closed: 8:50

The commission discussed writing the Order of Conditions and voting on them at the next meeting September 12, 2007.

CONT. PUBLIC HEARING

ABBREVIATED NOTICE OF RESOURCE AREA DELINEATION

WALPOLE WOODWORKERS

DEP# 315-902

Opened: 8:55

Mr. Goetz stepped down from the Public Hearing

Mr. Wiley read the advertisement from the Walpole Times

Mr. Wiley stated a letter has been received from the applicant stating they are requesting a continuance of this Public Hearing until September 26, 2007.

Mr. Wiley stated the commission has hired Mary Trudeau as an Outside Consultant and Wetland Specialist who will discuss her findings at this time

Ms. Trudeau introduced herself to the board and the audience and stated she has been out in the field and reviewed the wetland delineation at the Walpole Woodworkers site. Ms. Trudeau stated she concentrated on field delineation and the review by Mike Soraghan , PE to determine whether the three stream channels to are intermittent or perennial. In her review, Ms. Trudeau stated that she has determined the streams to be intermittent. Ms. Trudeau also stated she felt Amy Green had done a good job and her numbers only slightly differed. Ms. Trudeau did state this site has had a long history of filling and alteration, and some flags could not be confirmed because of fill piles and debris found along the lines. In order to be accurate Ms. Trudeau stated the fill and debris needs to be pulled back. She stated in her opinion some areas need to be looked at and restored where Walpole Woodworkers have been dumping.

The commission discussed specific flags and areas where encroachment has taken place.

Ms. Trudeau stated in conclusion that her problem with this ANRAD is that she is hesitant to confirm flags without some work being done prior.

Mr. DiVirgilio stated the commission needs to investigate this more deeply with possibly an enforcement order being issued.

Mr. Wiley asked for comments from the audience

Gisele Sullivan, 1 Eastover Rd. stated the Walpole Woodworkers has been encroaching for years and nothing has ever been done.

Phil Sullivan, 1 Eastover Rd. agreed with the consultant that the debris needs to be cleaned up.

Speaking for Walpole Woodworkers, Steve Clapp stated he sits on the Board of Walpole Woodworkers and that what the commission and consultant is calling debris is mostly “product”. He does not feel an enforcement order is necessary if they are willing to work with the commission

Mr. Wiley stated a “friendly” enforcement order will be issued to Walpole Woodworkers requiring the fill to be pulled back to determine the appropriate Wetland line.

Ms. Hershey stated the commission is not asking to go back and address things that happened 50 years ago, only current fill piles need to be pulled back and addressed

Maureen O'Malley – 88-90 Kendall stated she is against any construction on the site and that the area is filled with cement blocks and tires as well.

Don Faulkner, 18 Hartshorn Pl. asked if in light of these findings could the proposed project be stopped.

Ms. Trudeau stated her job is only to delineate the wetlands and not look at any other project involved.

Linda Dillon, 22 Hartshorn Pl. asked if aerials of the site had been looked at

Ms. Trudeau stated they had been reviewed at in the office, but most of her work was done in the field.

Robert O'Leary, Washington St. asked if Ms. Trudeau would be able to determine a wetland line.

Ms. Trudeau stated she is hopeful to define a wetland line within the past 20 years

Don Faulkner, 18 Hartshorn stated his concerns with water issues

Mr. DiVirgilio made the motion to continue the Public Hearing until September 26, 2007 at 8:00 p.m.

Mr. Jones seconded the motion

Vote: 4-0-0

The commission discussed enforcement issues. Some work needs to be done by hand. The commission discussed that work to be completed needs to be witnessed by a third party. The work needs to be completed prior to the commissions meeting on September 26, 2007 and an initial report needs to be submitted by Friday September 21, 2007 in order for the agent to review and verify it. The office is requiring to be advised when the work is to commence.

Mr. DiVirgilio made the motion to issue a friendly Enforcement Order

Ms. Dyer seconded the motion

Vote: 4-0-0

PUBLIC HEARING

NOTICE OF INTENT

BOSTON-PROVIDENCE HIGHWAY #50-60

DEP # 315-908

Opened: 9:40

Mr. Wiley read the advertisement form the Walpole Times

Mr. Wiley read board comments

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

Don Myers, Norwood Engineering, provided a supplemental letter to the commission addressing issues that the Town Engineer had in regards to the filing. Mr. Myers stated this filing includes the demolition of old Lexus dealership building and the blue building that is next to it. This property was recently acquired and needs to be addressed prior to a subsequent filing for the expansion of the Walpole Mall. Mr. Myers stated the work will occur within 100 ft of the wetlands and the removal of some pavement will be included. Mr. Myers stated the catch basins would be maintained and sediment controls would be in place. The site will be stabilized with materials on-site which are suitable to work with.

Ms. Hershey stated that the commission now has a Stormwater Management Bylaw in place, and this can be discussed under the Order of Conditions but the whole site needs to be looked at. She questioned how the rate would change as compared to when a building was there.

Mr. Myers stated that this is a short-term situation. The owners are anxious to move ahead with this project once the buildings and partial pavement are removed. Sediment controls are going to be built up 6 inches to prevent sediment from running into the basin. A Notice of Intent will be submitted shortly for the rest of the project.

Mr. Turner spoke about the parking lot and low areas that are provided for ponding within the existing mall parking lot.

Mr. Goetz stated he would like to see orange construction fence added along with the haybales and silt fence. He agrees with Ms. Hershey that a long-term stabilization plan needs to be looked into if this turns into more than a couple of months.

Mr. Wiley stated his concerns that during construction what will be done to keep the water clean

Mr. Myers stated details would be provided on the plan

Mr. Wiley asked for audience questions

Mr. Goetz made the motion to close the Public Hearing

Mr. DiVirgilio seconded the motion

Vote: 4-0-0

Closed: 10:00

The commission discussed special conditions to be added to the Order of Conditions. All Refueling shall be done away from the paved area as long as it exists, and outside of the buffer zone

Stabilization shall occur within 24-48 hours and dust control on site. The discharge point at Traphole Brook shall be maintained after a rain event. Reports of this shall be sent to the commission. Temporary stabilization shall include clean gravel with no clay. There shall be a daily inspection of the wetland area and all debris shall be cleaned up.

Mr. Macchi stated that the Zoning Board of Appeals has granted permits that are required

Mr. Wiley stated that the applicant should come in to discuss stabilization and make adjustments as construction is commencing with the Agent on April 1, 2008

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

Mr. DiVirgilio seconded the motion

Vote: 4-0-0

Mr. Myers gave a brief overview of the Walpole Mall expansion at the request of the Board.

CERTIFICATE OF COMPLIANCES

MILLBROOK AVE. LOT 109

DEP# 315-890

Ms. Hershey states this property is ready for a Certificate of Compliance to be issued

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

Mr. DiVirgilio seconded the motion

Vote: 4-0-0

NEW FISHER LN. LOT 2

DEP# 315-873

Ms. Hershey stated that a Certificate of Compliance including continuing conditions should be issued

Mr. Goetz made the motion to approve and issue a Certificate of Compliance to include ongoing special conditions

Mr. DiVirgilio seconded the motion

Vote: 4-0-0

OLD TOWN RD. #29

DEP# 315-489

Ms. Hershey stated a Partial Certificate of Compliance should be issued for lot. The house itself does not have an Order of Conditions, but because of the detention basin located on the property the Attorney's are requesting this so the title will be clear and the house can be sold.

**Mr. Goetz made the motion to approve and issue a Partial Certificate of Compliance
Ms. Dyer seconded the motion
Vote: 4-0-0**

EXTENSIONS

**HANCOCK CT. LOT 4
DEP# 315-813**

**Mr. Goetz made the motion to approve and issue a one-year extension for Lot 4
Hancock Ct.
Mr. DiVirgilio seconded the motion
Vote: 4-0-0**

**HANCOCK CT. LOT 5
DEP# 315-809**

**Mr. Goetz made the motion to approve and issue a one-year extension for Lot 5
Hancock Ct.
Mr. DiVirgilio seconded the motion
Vote: 4-0-0**

**HANCOCK CT. EXTENSION
DEP# 315-740**

**Mr. Goetz made the motion to approve and issue a one-year extension for Hancock
Ct. Ext.
Mr. DiVirgilio seconded the motion
Vote: 4-0-0**

MINUTES

JULY 11, 2007

**Ms. Dyer made the motion to approve the minutes for July 11, 2007
Mr. DiVirgilio seconded the motion
Vote: 4-0-0**

BOARD COMMENTS

The Zoning Board of Appeals is requesting comments on the re-filing of Plimptonville Crossing. The commission stated this is still before our board as a continued Public Hearing

The Planning Board is requesting comments on the following filings:

Renmar Ave Lot 1 – The commission discussed that this project is out of the Conservation Commission’s jurisdiction.

Commerford’s Corner – The commission discussed that this project is within the jurisdiction of the Conservation Commission and a filing will be needed.

OTHER BUSINESS

The commission discussed Capital Budget requests and decided there were no requests from the Conservation Commission for the Fall Town Meeting.

General business meeting was held

The following correspondence was discussed and available for review:

- Frontier Dr. DEP# 315-867 Attorney letter
- Oak St. – Erosion control report
- Weston Solutions report – 100 Neponset St
- Toll Bros. report – Estates at Walpole
- Walpole Park South – Draft phase IV
- Rainbow pond – treatment notification
- GZA report – 18 Industrial Rd

Mr. Goetz made the motion to adjourn

Mr. DiVirgilio seconded the motion

Vote: 4-0-0

Closed: 10:50