

CONSERVATION COMMISSION

**MINUTES
(Approved 9/26/12)**

SEPTEMBER 12, 2012

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

B. Dyer, R. Turner, S. Sparks, D. Adams, J. Finnigan

Also Present: L. Hershey, Conservation Agent

OPENED: 7:00

**PUBLIC HEARING
NOTICE OF INTENT
STARLIGHT Dr. #4
DEP# 315-997**

Mr. Wiley read the advertisement from the Walpole Times. Certificate of Mailings were received

Mr. Wiley read board comments into the record. Plans entitled "Proposed Plan Walpole MA 4 Starlight Dr." dated 7/30/12 were given to the board to review

Ms. Karen Skinner Catrone, Wetland specialist and Mikhail Deychman were present representing the applicants.

Ms. Catrone stated this filing is for the installation of an in-ground swimming pool with patio and fencing located at 4 Starlight Dr. All work falls outside of the 25 ft. no disturb zone. A small portion of pervious patio will fall within the 50 ft. buffer. The area is currently lawned. Erosion controls will be in place during construction of this activity.

Mr. Goetz stated the fence needs to be shown on the plan

Mr. Wiley discussed requiring plaques to show the no disturb area. It will be noted that the shed already exists in this area but no other activity shall occur

The commission discussed putting four (4) plaques to show the no disturb area. Standard boiler plate conditions regarding pools will be on the Order of Conditions.

Mr. Goetz made the motion to close the Public Hearing

Ms. Dyer seconded the motion

Vote: 7-0-0

Closed: 7:15

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

Ms. Dyer seconded the motion

Vote: 7-0-0

MINUTES

August 8, 2012

Ms. Dyer made the motion to approve the Minutes for August 8, 2012

Mr. Goetz seconded the motion

Vote: 6-0-1 (Mr. Finnigan abstained)

CERTIFICATE OF COMPLIANCE

WALPOLE MALL

DEP# 315-911 (Partial)

Ms. Hershey stated the applicant's representative has requested to postpone this request until the commission's next scheduled meeting and will discuss requesting a complete certificate at that time.

OTHER BUSINESS

PERMIT EXTENSIONS

The commission discussed notification that the Permit Extension Act section 173 has now expanded the Act to four years beyond expiration dates of permits that were in existence during the tolling period beginning August 15, 2008

LINCOLN ST. #499

Ms. Hershey stated she received word from the Board of Health and Norfolk County Mosquito that an Emergency Certificate is being requested to deal with issues pertaining to beaver debris on Lincoln St. Ms. Hershey stated she would like a vote from the commission to approve the Emergency Certificate which she issued.

Mr. Goetz made the motion to approve the Emergency Certificate

Ms. Dyer seconded the motion

Vote: 7-0-0

TURNERS POND

Mr. Wiley stated the board is waiting to hear from the Ponds Committee regarding vegetation management. Water levels and protocol for pond management was discussed.

PUBLIC HEARING NOTICE OF INTENT CARL RD. #44 DEP# 315-996

Opened: 7:40

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

Mr. Wiley read board comments into the record. Plans entitled "44 Carl Rd. Plan for Notice of Intent in Walpole MA" dated 8/21/12 were received and presented to the board.

Mr. Paul Cutler, Landmark Engineering was present representing the applicant. He stated the filing is for the installation of a new septic system due to the failure of the existing one. Mr. Russ Waldron of AES Sciences flagged the wetlands and Mr. Cutler stated the 100 ft. buffer is shown on the plan. The proposal is for installation of a 1,500 gallon septic tank with 1000 gallon pump chamber and five lines of infiltrators. Mr. Cutler stated this project has previously been approved by the Board of health. Haybales will be installed around the limit of work as an erosion control

Ms. Hershey asked about access to the work, she stated she has no issues with this proposal

Mr. Cutler stated it would be down the driveway

The board members had no issues

Mr. Goetz made the motion to close the Public Hearing

Ms. Dyer seconded the motion

Vote: 7-0-0

Closed: 7:55

The commission discussed the area shall be loamed and seeded as a special condition

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

w/conditions

Ms. Dyer seconded the motion

Vote: 7-0-0

**CONTINUED PUBLIC HEARING
NOTICE OF INTENT
NORTHRIDGE FARM
DEP# 315-994**

Opened: 8:00

Mr. Wiley read the advertisement for the continued Public Hearing which was first opened on July 11, 2012 and has been continued. A revised stormwater report dated 8/15/12 was submitted. Revised plans dated 8/9/12 were received in the office on 8/15/12 and a sewer connection plan as well.

Mr. John Glossa, Glossa Engineering was present representing applicant Michael Viano and Sean McGinty, principals of Northridge Ventures LCC. Mr. Glossa stated a site visit was completed and revisions were made to the original plan based on recommendations from Ms. Hershey. Revisions to the drainage system were made. Instead of one detention basin, a series of three retention areas are now in place. Mr. Glossa presented details to this as found on the revised plans and reviewed them with the board. Mr. Glossa discussed infiltration and explained the basins will hold water up to 100 yr. storm. There will be no discharge from the paved surfaces going into the pond or wetlands, all go to areas closed off by berms and will be allowed to seep into the ground. Overflow rip rap swales will be in place, revised drainage calculations were submitted.

Mr. Glossa discussed changes in replication areas per comments from the commission at the last meeting. He stated it has been broken up into two areas, one in the back of the cul-de-sac and the other being on the left side of the roadway where the commission wanted it.

Mr. Glossa stated a construction period plan be a part of the plans as well in response to the commission's wishes. Construction staging is included in this as well as erosion plan, and stockpile area detail. A sewer connection plan was discussed in detail and is now part of the plans. Individual grinder pumps will be used and are built to network together with a force main which will run down Covey Rd. Mr. Glossa stated some of the areas will be within 100 ft. of wetlands so he would like it included as a part of the plan set.

Ms. Hershey asked if the plans include the demolition of the farm stand

Mr. Glossa stated it did and notes/detail are on the plans

Mr. Wiley stated a letter from Attorneys dated 9/11/12 regarding permission for work to be done on the property where the farm store is located will be kept in the file.

Mr. Wiley stated another letter from Attorneys dated 9/6/12 will be kept in file regarding the Towns option to purchase the property

Mr. Turner stated his concerns with safeguards should the grinder pumps not work

Mr. Glossa stated they could be hooked up to generators if necessary

Mr. Goetz discussed that with the purchase of the homes, the deed could include instructions, information and restrictions regarding the grinder pumps

Mr. Wiley asked if there were questions or comments from the audience

The commission discussed special conditions that had been drafted by Ms. Hershey

Mr. Goetz made the motion to close the Public Hearing

Ms. Dyer seconded the motion

Vote: 7-0-0

Closed 8:35

Special conditions will be included in the Order of Conditions and recorded. Street sweeping as needed, maintenance of catch basins including inspections twice a year and reports sent to commission, notification in writing 72 hours before mowing detention basins so inspection for potential nesting birds may be conducted, and catch basins and gasoline traps shall be maintained.

Individual Lots 5,6,7,8 and 9 will all require a separate filing for lot construction with the conservation dept.

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

Ms. Dyer seconded the motion

Vote: 7-0-0

**PUBLIC HEARING
NOTICE OF INTENT
BYLAW ONLY
WARREN LN. LOT 1**

Opened: 8:35

Mr. Wiley read the advertisement from the Walpole Times. Certificates of mailing were collected.

Mr. John Glossa, Glossa Engineering was present representing the applicants. Mr. Michael Viano, Northridge Ventures LLC was also present. Plans entitled "Lot 1 Warren Lane Notice of Intent Plan of Land in Walpole MA" dated 8/17/12 were given to the commission for review.

Mr. Glossa stated this filing is only applicable under the local Bylaw only. The proposed activity is for the construction of a single family residential house within 100 ft. of isolated wetland under the jurisdiction of the Town. This lot is not part of the five lot subdivision. The wetlands have been delineated and flagged; the 25 and 100 ft. no disturb zone has been shown on the plan. Mr. Glossa stated the house has a side garage and will be at ground level with retaining walls to create a walk out to the back of the yard. Mr. Glossa stated that grinder pumps will be used as in the subdivision lots with leaching chambers sized to catch 1 ½ inch of rainfall over the entire roof surface. Erosion controls shall be in place including silt fence and haybales during construction around the limit of work.

Ms. Hershey stated the area should be loamed and seeded as well

Mr. Glossa stated he would make a note on the plan

Mr. Adams asked about plaques being placed in the 25 ft. no disturb area

Mr. Wiley thinks five (5) plaques would be sufficient and the board specified location of them to be put on the plan

Ms. Dyer asked about water issues

The commission discussed neighborhood concerns with water issues and the direction of the flow of runoff.

Mr. Glossa stated the roof drains have a leach pit and the water slopes away from North St. He stated the drainage calculations took all the water issues into account.

Mr. Goetz stated the leaching chambers are only located in one corner on the plan but all need to be shown

Mr. Goetz made the motion to close the Public Hearing

Ms. Dyer seconded the motion

Vote: 7-0-0

Closed: 8:55

The commission discussed revised plans shall be submitted showing five (5) plaques with their location as determined by the commission, and a note regarding downspout locations

Mr. Goetz made the motion to approve the Order of Conditions which is falls under the local Conservation Commission Bylaw only

Mr. Dyer seconded the motion

Vote: 7-0-0

**PUBLIC HEARING
NOTICE OF INTENT
WARREN LN. LOT 2
DEP# 315- 998**

Opened: 8:57

Mr. Wiley read the advertisement from the Walpole Times
Certificates of mailing were received.

Mr. Wiley read board comments into the record

Mr. John Glossa, Glossa Engineering was present representing the applicant Mr. Michael Viano of Northridge Ventures, LLC. Plans entitled "Lot 2 Warren Ln. Notice of Intent Plan of Land in Walpole MA" dated August 17, 2012 were given to the board to review.

Mr. Glossa stated this filing is for the construction of a single family residential house located at Lot 2 Warren Ln. He stated the proposed house will be located outside of the 100 ft. buffer, but grading and other work making a formal lawn will be within this buffer. The house has a side garage and walk out to the back of the yard. He stated it is similar to Lot 1 with siltation controls to be placed along the 25 no disturb buffer and lot line. He has shown downspout leaching chambers and a grinder pump which will connect to the force main on the plans. He also stated a headwall will be located at the end of the easement, and he will be working with the planning board regarding this. Mr. Glossa stated there are plans which show a pipe located outside of the 100 ft. buffer which he can swale along the lot line into the wetlands.

Ms. Hershey stated she would like a note regarding the downspout locations put on the plan and loam and seed. She also stated no-alteration bounds should be in place

The commission discussed the location of no-alteration plaques and revised plans shall be submitted with downspout note and the bounds on them

Mr. Goetz made the motion to close the Public Hearing

Ms. Dyer seconded the motion

Vote: 7-0-0

Closed: 9:00

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

Ms. Dyer seconded the motion

Vote: 7-0-0

**PUBLIC HEARING
LAND DISTURBANCE PERMIT
PROVIDENCE HWY. #555**

Opened: 9:10

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

Mr. Dan Merrikin, Merrikin Engineering and Attorney Phil Macchi II were present representing the applicant. Mr. Donnell Murphy was also present. Mr. Merrikin stated that it was brought to their attention that some abutters were not noticed regarding the public hearing in error. Under the Stormwater Management and Erosion control Bylaw it is required the applicant provide an abutters list to the commission, but does not state abutters need to be noticed. Mr. Merrikin has notified those on the list received by the assessor's office and as a courtesy stated he would send the property owners who were left off the list a notice should the hearing be continued.

Plans were presented to the commission entitled "Walpole Place Site Plan of Land in Walpole MA" dated 8/13/12. Also submitted was "Walpole Place Stormwater report" dated 8/13/12. An O&M plan is included in this report

Mr. Wiley read board comments into the record.

Mr. Merrikin stated the applicant is seeking to construct a 19,960 sq.ft. Multi-tenant, commercial/retail building located at 555 Route One. The site is 2.8 acres in size. Included in this proposal is driveways, parking, loading areas, utility systems and landscaping. There will be public access from the front, and the parking will be placed in front and on either side of the building. A small loading area will be placed in the back Mr. Merrikin stated erosion controls will be in place. Mr. Merrikin discussed the stormwater management system. He stated a SWPPP is included in the plan and complies with the permit as well as the local bylaw. The plan is the contractor will be given the documentation to adhere to and weekly copies of reports shall be submitted to the conservation commission. Mr. Merrikin states there is not a groundwater issue on this site. There is little flow onto Rte. 1, but a filter sock will be in place. Mr. Merrikin described a grading plan and stated most of the flow runs downhill and drains into an isolated depression area and infiltrates into the ground. Catch basins as shown on the plan will be located in back and three in the front as well as one in the driveway. Roof runoff is piped into this isolated depression. TSS removal is included for treatment. He has met with Ms. Hershey and at her suggestion is including extra haybales and filter socks onsite to manage the area during construction. Orange snow fence shall be installed showing the limit of work. An area is designated on site to stockpile materials during the earthwork process as shown on the plan.

Mr. Merrikin stated an O&M report will be attached to the permit along with the stormwater calculations as well to be recorded. Mr. Merrikin stated Town Engineer

comments have been addressed and he attached a letter presented this evening dated 9/12/12 with his responses. Once they have met with the Planning Board Mr. Merrikin stated revisions to the plan and stormwater reports shall be given to the conservation commission.

Ms. Hershey stated she walked the site with Mr. Merrikin and was satisfied. She asked about slope stabilization

Mr. Merrikin stated the area will be loamed and seeded. A row of trees will be planted for privacy for the neighbors and a wildflower mix will be planted.

Mr. Turner asked about the basin design

Mr. Merrikin stated it is designed for the 100 yr. storm. The bottom of the basin will be grassed. It is a natural depression but they will excavate to make it larger. The Town Engineer wanted the isolated depression protected so a line of haybales will be installed.

Mr. Goetz asked if the catch basins would have hoods

Mr. Merrikin stated they would have eliminator hoods with deep sumps. He also stated the roof of the building will be a flat one and hard piped into the depression

Mr. Wiley stated he wants erosion controls labeled on the plan

Mr. Wiley asked for questions or comments regarding conservation issues only from the audience

Ms. Susan Pierson, abutter, asked about the covering of the grading and how it will be handled

Mr. Merrikin showed the abutters the landscape island, with either mulch or grass

Ms. Jennifer Gillis, Squire Ct. asked where the trees were being planted and why was there an opening. She also asked why the buildings were completed as shown in the past.

Mr. Merrikin stated it backs up to someone's property. He stated they will be working with both the Planning Board and the neighbors. He stated the land has been marked for several years as "build to suit" as a way for the broker to illustrate. He stated the land is being developed slowly

Mr. Gerard Higgins, Old Post Rd discussed the depression area

Mr. Merrikin stated the catch basins are round and will lead to a manhole structure without clogging. He discussed the design of drainage has evolved and vegetated, grassed basins are now preferred.

The commission discussed continuing the Public hearing until after Planning Board meets in order to see revisions made on the plans per their concerns

Ms. Dyer made the motion to continue the Public Hearing until September 26, 2012 at 7:45.

Mr. Adams seconded the motion

Vote: 7-0-0

**PUBLIC MEETING
REQUEST FOR DETERMINATION OF APPLICABILITY
MILL BROOK AVE #64**

Opened: 10:00

Mr. Wiley read the advertisement from the Walpole times. Green cards were collected.

Applicant Todd Collins and his contractor Kevin Smith were present.

Mr. Collins stated his proposal is to put in a 20x40 sports court in the rear of his yard located at 64 Mill Brook Ave.

Ms. Hershey stated this house had come before the board a few years ago as there was alteration which occurred along the stream. She stated the as-built shows that a minimal change of grade would occur in order to put in the sports court. The area has been staked by the applicant and minimal excavation will occur. Plaques are located in the 25 ft no-alteration area already from the previous filing

Mr. Sparks stated fiber rolls or haybales need to be located around the southeast corner during construction

Mr. Turner asked about how stormwater runoff will be handled and if there will be drains

Mr. Smith stated there will be no drains, the rain will hit the asphalt and infiltrate onto the grass

Mr. Goetz stated he has no problem with this as long as erosion controls are shown on the plan

Mr. Wiley stated a revised plan showing erosion controls would be required

Mr. Goetz made the motion to close the Public Hearing

Ms. Dyer seconded the motion

Vote: 7-0-0

Closed: 10:10

The commission discussed a revised plan will be needed showing erosion controls on the plan as discussed

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

Ms. Dyer seconded the motion

Vote: 7-0-0

OTHER BUSINESS

The commission discussed a memo received by Jim Johnson, Assistant Town Administrator regarding comparison filing fees. He would like to know if the commission wishes to take any action or make changes to the current filing fees after seeing other local community fees. The commission, after discussion, stated they would like no action to be taken as they are satisfied with the current fee schedule

BOARD COMMENTS

The commission has been requested to comment on the following filings from the Planning Board:

#555 Providence Hwy – The board discussed this filing is before the conservation commission

Northridge Farm revised subdivision plans – The board stated this is before the conservation commission at this time

High Oaks IV subdivision – The commission discussed they are in support of receiving a monetary value in place of developing the ballfields as originally planned. The commission discussed looking into having the current litigation with Walsh Construction dismissed.

The commission has been requested to comment on a filing from the Zoning Board of Appeals:

Pinnacle Dr. – The commission stated this filing is out of the jurisdiction of the conservation commission

ENFORCEMENT ORDERS

Ms. Hershey stated there was nothing new to report on Main St. (Triton Car Wash) or 400 South St.

CORRESPONDENCE

The following correspondence was discussed and available for review:

- MassDot Yearly Operational Plan for Herbicide application on Rte 1-95 & Rte 1
- Aquatic Control email re: Turners and Clark Pond treatments
- EcoTech, Inc. letter re: League School planting plan
- VHB project notification re: stormwater study on Rt. 95, Rte 1 and 1A
- Lycott Environmental re: Swan Ponds treatment notification

Mr. Adams made the motion to adjourn

Mr. Sparks seconded the motion

Vote: 7-0-0

Meeting closed: 10:50