

**CONSERVATION COMMISSION
MINUTES
Approved 11/12/14**

SEPTEMBER 24, 2014

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

E. DiVirgilio, B. Dyer, R. Turner, J. Finnigan. G. Riggott (8:21)

Absent: D. Sullivan

Also Present: L. Hershey, Conservation Agent

Conservation Agent report given to members

MEETING OPENED: 7:00

DISCUSSION

OPEN SPACE PLAN

Off Fisher and North St.

Mr. Michael Viano, Attorney Vincent O'Brien and Mr. John Glossa, Glossa Engineering came before the Board to discuss the Open Space Plan which is currently before the Planning Board.

Attorney O'Brien stated this project is not a typical subdivision and the plan is to take a large parcel of land and see what can be done with it according to the rules and regulations and using the Open Space Bylaw. He discussed it being three separate projects. Attorney O'Brien showed an existing conditions plan with an overlay showing what can be done according to the regulations. Ultimately this will come before the conservation commission with a more formal filing. He discussed that if the Planning Board accepts the Open Space Plan the next step will be going through subdivision approval.

Ms. Hershey discussed she sent a letter to the Planning Board and discussed the requirements of the Bylaw. She discussed the design process and that the conservation commission should see the whole process instead of the just the end result. She discussed that the need for protecting resources, the 25ft. local bylaw and the need for contiguous open space is the main concern and what needs to be looked at.

The commission discussed the plan and also has questions on the conventional plan as well.

Mr. Goetz discussed his concerns that the wetlands be protected. He questions the connected open space area to other parcels and is looking for walking paths and other areas for the Public.

Mr. Turner concurs with Ms. Hershey

Mr. DiVirgilio discussed concerns with the 25ft no disturb being encroached upon

Attorney O'Brien discussed in order to have open space smaller lots are needed. He discussed the concept is to see what can be done with the entire property. He also discussed one of the goals is to avoid a through street onto North St. as the neighbors have requested this.

Mr. Wiley discussed the 25 ft. no disturb in our bylaw is to give protection to our wetlands. He discussed the need for revisions

Ms. Dyer discussed her concerns with the lot sizes and the 25ft encroachment as well

Attorney O'Brien discussed they are in the process of applying for a Special Permit with the Planning Board at this time

CONT. PUBLIC HEARING

MAIN ST. 1324-1336

(CUMBERLAND FARMS) NOTICE OF INTENT

DEP# 315-1058

OPENED: 7:27

Mr. Wiley read the advertisement from the Walpole Times for this hearing which has been opened and continued

Mr. Matt Lydner of Civil Design Group was present representing the applicant. He stated one of the reasons this hearing has been continued is because the commissioners wanted to reach out to the Fire Dept. to get input on the installation of the gas tanks.

Ms. Hershey stated she received a plan from Norwood showing tanks and the bladder detail from Boch Toyota. After review, Mr. Henry of Civil Design Group proposed an alternative to this design.

Mr. Lydner stated Civil Design Group brought the concerns of the commission back to Cumberland Farms. They feel that the bladder is not necessary but are willing to do an additional triple wall fiberglass tank which they feel is superior to the bladder. Mr. Lydner stated they have used the geomembrane system (bladder) and it can be problematic. Once installed there is no way of testing it. He stated the triple wall system is factory sealed, with monitoring systems in place including a signal with alarm. Mr. Lydner stated this is a more expensive system then the bladder, but they feel if it needs to be done they want a system they are more confident with.

Mr. Lydner reviewed the monitoring system in detail with the commission. He stated a company comes in to do maintenance on the system but was unsure how often

Ms. Hershey stated the regulations show that there is a third party inspection every three years

Mr. Goetz stated he isn't happy that he has not seen any adequate plans to go with this. He stated he is willing to accept there is something better than the bladder

Mr. Lydner stated there are numerous details in the sheets on the back of the plan

Mr. Goetz would like to see manufacturer detail

Mr. Lydner stated they can submit revised plans with detail as a condition. They can also provide cut sheets or manufacturer's information with this as well.

Mr. Goetz stated if this is a condition he will be willing to close the Hearing

Mr. Wiley asked for comments or questions from the audience

Mr. Goetz made the motion to close the Public Hearing

Ms. Dyer seconded the motion

Vote: 6-0-0

Closed: 7:45

The commission discussed special conditions to include seeing the Operating Procedure and receiving an Annual report. Detail of monitoring system with procedures shown to insure it is working correctly, employee training in the O&M plan, trash monitoring on a daily basis including behind the building near the riverfront area, the area below the retaining walls shall be planted prior to construction of the building, concom signage shown on the plan, a dewatering plan submitted prior to construction, woody vegetation along the headwall removed, rip rap stone dissipater shall be installed at outflow of headwall

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

Ms. Dyer seconded the motion

Vote: 6-0-0

Revised plans shall be received prior to issuance

CONT. PUBLIC HEARING

NOTICE OF INTENT

OLMSTED ESTATES SUBDIVISION

DEP 315-1062

Opened: 7:55

Mr. Wiley read the advertisement from the Walpole Times for this Hearing which was continued

Mr. John Glossa, Michael Viano and Attorney Vincent O'Brien was present

No new plans have been received by the representative since the last Public Hearing

Mr. Glossa reviewed some of the issues as discussed at the previous hearing. He stated the commission does not wish to have work done within the 25 ft. no disturb area and the other issue was infiltration and how to recharge back into the ground. Mr. Glossa stated the Planning Board has specific rules for drainage and they have two different options. He showed a plan showing if the basins are below the wetlands there will be water in them year round so infiltration will be a problem due to standing water. He would like to meet with the Town Engineer and Ms. Hershey to go over options. In order to meet the standards he is held to specific elevations and he is unable to make a lot of change with grades. Mr. Glossa stated they need to comply with Planning Board regulations, Stormwater regulations and Conservation regulations

Ms. Hershey stated she feels there is a lot of information out there which should be considered other than solely the use of two large basins. She stated they should look at low impact development and they should look through stormwater educational booklets for other ideas

Mr. Glossa stated Planning Board regulations don't always coincide with the Stormwater methods

Ms. Hershey stated they need to sit down with the Town Engineer to go over it all

Mr. Finnigan asked about stagnant water at the bottom of a detention basin and the possibility of it being a breeding ground. He asked how deep it would be

Mr. Glossa stated possibly a couple of feet. He stated groundwater is constantly changing up and down.

Mr. Turner discussed fencing around the basin for safety purposed

Mr. Glossa stated they haven't gotten that far as of yet

Ms. Dyer stated once Ms. Hershey and Ms. Walker have a chance to review it all there could be some solution

Mr. Wiley stated he has concerns about the retention basin being wet and going into the water table. In the past the commission has requested that not happen

Ms. Hershey stated the commission needs to look at the big picture. The basin is located right next to an already existing wetland. It is really not much different than what is presently there except it will be maintained

Mr. Wiley asked for questions or comments from the audience

Mr. Joe Morasci, Buckboard Dr. asked if the Planning Board does not approve the Open Space Plan does this plan go away and become redundant

Mr. Wiley stated this plan stands on its own

Mr. Morasci asked if this plan will go forward if Planning Board denies Open Space. He stated the decision about the open space should be decided first

Mr. Wiley stated this filing is a formal application the board needs to rule on. We have concerns regarding the overall picture of the other two sections, and want to look at the whole thing but need to act on what is presented. Revisions can be made; the application can be approved, denied or modified.

Mr. Philip Sanford, North St. stated concerns about the stream coming out of the wetlands and the definition of it being perennial or intermittent

Mr. Riggott arrived at meeting (8:21)

Mr. Wiley explained this project went through an Abbreviated Notice of Resource Area Delineation (ANRAD) previously, was reviewed with an Outside Consultant and it was found an area in question does dry up. Based on DEP it was determined to be Intermittent

Mr. Goetz made the motion to continue the Public Hearing until October 8, 2014 at 7:30

Ms. Dyer seconded the motion

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

MINUTES

SEPTEMBER 10, 2014

Mr. Goetz made the motion to approve the Minutes for 9/10/14

Ms. Dyer seconded the motion

Vote: 7-0-0

APPLE TREE LANE #16

A discussion took place regarding Apple Tree Ln. and how to resolve the issue of who is responsible for payment of putting a catch basin on the street which will help rectify the ongoing water issues. Mr. Wiley discussed the estimated cost is \$3000 to have the Town put this in, and it is less than the estimate of having a private contractor do the job. He would like to go back to the Graveline's and propose that they pay for the Town to do the work. Mr. Wiley asked the conservation agent to look into how this could be done. The Order of Conditions references the plan showing something will be done with the drainage issue on the street and the applicant will work with the Town Engineer

Mr. Wiley discussed meeting with the Town Engineer, Bob LeBlanc and Ms. Hershey to discuss Apple Tree Ln. It was discussed that when the Notice of Intent was submitted, the applicant was not the owner at the time. There is question as to whether the NOI is valid.

The commission discussed the validity of the Notice of Intent as it was discovered the applicant was not owner at the time it was submitted.

Mr. Finnigan suggested Town Council should be asked how to proceed and if the process needs to start over.

OTHER BUSINESS

CONSERVATION MEETING FOR OCTOBER 22, 2014

The commission discussed that Town Meeting falls on the 20th of October, and since the commission has an Article for Town Meeting it may be a good idea to cancel the scheduled conservation meeting on the 22nd as Town meeting most likely will continue until that night.

Mr. Goetz made motion to cancel the October 22nd meeting due to conflict with Town Meeting

Ms. Dyer seconded the motion

Vote: 7-0-0

TOWN WARRANT

Mr. Wiley discussed that he and Ms. Hershey went before the Finance Committee. They discussed the changes/revisions to the Bylaw which will be on the Warrant. This was given to the commission for review. He explained this will go out to the RTM members.

CONSERVATION LAND MAINTENANCE

Ms. Hershey discussed someone came into the office to ask permission to hunt on conservation land to try and help police find those who are doing this illegally. The commission discussed no hunting is allowed without permission of the Police Chief

BOARD COMMENTS

ZBA – Spring St. #49 & #51 – The commission has issued an Order of Conditions for this property

PLANNING BOARD – Cumberland Farms – The commission discussed this is before us and we will be receiving revised plans again

PLANNING BOARD – Zoning Articles. These articles pertain to solar panels and there are no comments

Other Business can be found in the Conservation Agent report as attached to the Minutes

CORRESPONDENCE

The following correspondence was discussed and available for review

- NSTAR Maintenance Notification – ROW 4 & ROW 10

Mr. DiVirgilio made the motion to close the Public Hearing

Ms. Dyer seconded the motion

Vote: 7-0-0

Closed: 9:45