

**CONSERVATION COMMISSION
MINUTES
(Approved 5/13/15)**

APRIL 22, 2015

Present: J. Wiley, Chairman
A. Goetz, Vice Chairman
B. Dyer, J. Finnigan, R. Turner

Absent: E. DiVirgilio

Also Present: L. Hershey, Conservation Agent

Conservation Agent report given to members

**PUBLIC HEARING
NOTICE OF INTENT
TURNER POND DAM REHAB PROJECT
DEP# 315-1084**

Opened: 7:02

Mr. Wiley read the advertisement from the Walpole Times

Mr. Wiley read board comments into the record

Ms. Maggie Walker, Town Engineer and Kristina Ekholm of GZA Environmental who designed the project were present.

Mr. Wiley stated that board member Roger Turner is an abutter and will not participate in this Hearing.

Plans were presented entitled "Rehabilitation of Turner Pond Dam Walpole MA" and dated May25, 2015

Ms. Ekholm discussed the background of why the Dam Rehab project needs to be done. She stated the dam is in poor condition and the repair of it has been mandated under DCR Dam Safety Order. She discussed issues with tree growth and how it causes severe problems. Ms. Ekholm stated trees could blow over in high winds causing more erosion, and root encroachment is also a major problem. Ms. Ekholm stated a rainfall analysis was completed when preparing the design. She stated they will rehab the embankment slope to protect the existing wetland and waterway resource. The channel will be retrained and turn the water downstream. Ms. Ekholm stated no change to the flood elevation was made and this was designed to minimize impact to the wetlands. A construction sequence was discussed, and sediment and erosion controls will be in place including turbidity curtain and filter sock. Ms. Ekholm stated the pond needs to be

drawn down 3 ft. to begin and a coffer dam may need to be in place to hold back the water while the work is being completed. Construction will be started on the upside slope and will require fill to be re-graded. Riprap will be placed on the downstream slope, trees will be cut and the channel will be retrained away from the tow. The area will then be loamed and seeded.

Ms. Hershey stated she has looked at the plans and spoken to Ms. Ekholm regarding this project. It is considered a limited project and necessary due to the Dam Safety order. She stated some wetland resources will be altered, some temporarily and some permanent, but the Dam needs to be fixed.

.Mr. Goetz asked about the limit of work on the plan and will they be required to use machinery

Ms. Ekholm stated they may not need to use heavy machinery, but if so wetland mats would be required.

Mr. Goetz asked about impact to the road and access during construction. He discussed armoring the slope and asked what would be used.

Ms. Ekholm stated there would not be significant impact to the road

Town Engineer, Maggie Walker stated they have no plan to close the roadway during the work, but it may go to one lane for a short time.

Ms. Ekholm stated rip rap would be used on the slope as it is Mass Dot standard

Mr. Goetz discussed armoring the slope. He would like the stones fit together, if they are dumped there are lots of places where there would be weakness when it should be filled. He stated otherwise there would be openings for erosion to occur. Mr. Goetz stated he understands it needs to be done, but would like it done right.

Mr. Wiley asked for the cover sheet to be updated with the new Town Administrators name. He asked when the project was projected to begin.

Ms. Walker stated they would like to start in early Fall

Mr. Wiley stated if the work is not completed prior to skating season he would like the pond be brought back up to normal levels for the season. He asked who is supervising the project

Ms. Walker stated the Town Engineering office will be monitoring the project at all the critical points.

Mr. Wiley asked what kind of guardrail would be considered and would an opening be on the upside area so pedestrians could get through

Ms. Ekholm stated the type would have to depend on price as it needs to fit in the budget. Ms. Walker stated she would work with Ms. Hershey to discuss the best area.

Mr. Wiley discussed the staging area and what protection is in place for gas and oil spills

Ms. Ekholm stated the water side would have filter socks in place for protection

Mr. Wiley asked if the roadway is in need of repaving after the construction, would they have the means to repave it

Ms. Walker stated if it is in need of repair the Town would have to repave.

Mr. Wiley asked for comments and questions from the audience pertaining to conservation issues

Mr. Ruppenthal, 8 Elmcrest Circle asked why this project even has to be done

Mr. Wiley stated it has been ordered by Dam Safety

Ms. Ekholm stated that trees located in a dam make it considered in poor condition, and Dam Safety requires the Town to repair it.

Mr. Dan Flaherty, 21 Mill Pond Rd. stated his dissatisfaction that the commission is allowing this to happen

Ms. Walker stated the State is the one who sets the standard and the Town is required to follow. The dam is registered and has been inspected and considered to be in poor condition. Fees to the Town could be implemented if the work is not completed

Mr. Michael Turner, Elm St. spoke of his concerns of a mud flat being created and his concerns of bugs and mosquitos

Mr. Wiley stated this is not valid to this project

Mr. Turner spoke that there have always been trees there, and his concern of controlling massive amounts of snow once trees are removed.

Mr. Wiley stated it is a valid point, but the State says the trees need to be removed. The Town will have to address snow issues when the time comes.

Mr. Flaherty discussed issues with public parking along the area.

Mr. Wiley stated parking issues are not conservation issues

Ms. Judy Flaherty, 21 Mill Pond asked about staging areas for the trucks.

Ms. Ekholm stated it would be located at the Skate house

Mr. Philip Dubois, 18 Mill Pond Rd. discussed snow coming off the pond once trees are gone

Mr. Wiley stated the DPW will need to clear the roads

Ms. Laura Garritty, Elmcrest Circle, discussed conservation terminology and asked for clarification of some of the meanings. She discussed concerns with the potential loss of vegetation and wildlife, water quality, and concerns of losing a buffer due to the recent purchase of the railroad tracks. She has a concern regarding mitigation of sound and view.

Ms. Ekholm stated the drawdowns in the past were looked at, and that a 3 ft. draw down is a safe one.

Mr. Wiley reiterated that this project has been mandated by the State, and a time frame has been implemented at this time. The Town is subject to \$500 per day fines if this directive is not followed

Mr. Turner stated the only way to prevent this is if the citizens talk to their Representatives. The State of Massachusetts is holding a gun to our heads.

Ms. Garritty asked if the work could start in the Fall so neighbors could enjoy the summer prior to the disruption

Ms. Hershey stated the work has to occur in the dry season

Mr. Wiley stated that if the neighbors have complaints and issues with parking problems, loitering, snow issues etc... they would have to speak with the Town Engineers office, the DPW or the Police to enforce these issues.

Mr. Wiley stated he would like to continue the hearing to have the representative supply more specifications on the plans.

Mr. Goetz made the motion to continue the Public Hearing until May 13, 2015 at 7:00 p.m

Ms. Dyer seconded the motion

Vote: 4-0-0

EXTENSION

WINTER ESTATES

DEP# 315-889

Mr. Goetz made the motion to approve and issue a one-year extension

Ms. Dyer seconded the motion

Vote: 5-0-0

MINUTES

APRIL 8, 2015

Ms. Dyer made the motion to approve the Minutes for April 8, 2015

Ms. Goetz seconded the motion

Vote: 4-0-1 (Mr. Finnigan abstained)

ENFORCEMENT ORDER/COMPLAINT

Industrial Rd. #33- Nothing new

Main St. #1324-1336 – Nothing new

South St. #120 – Ms. Hershey stated an Enforcement Order was issued on 4/21/15 after it was reported that demolition debris, stumps and other man-made materials have been piling up and pushed into the 100 ft. buffer to BVW. It is also within the 200 ft. river front area of the Neponset River. Ms. Hershey stated she is working with the property owner.

Mr. Goetz made the motion to ratify the Enforcement Order

Ms. Dyer seconded the motion

Vote: 5-0-0

APPEALS

Frontier Dr.

Ms. Hershey stated her understanding is surveyors have been out and the wetland line has been delineated and everyone is waiting for plans from Mr. Walsh showing the wetland line. The conservation commission is interested in following this

OTHER BUSINESS

EAGLE SCOUT PROJECT

The commission will send a letter of thanks to the Eagle Scout, Paul Ferraro for his hard work in constructing a walking bog bridge on the Endean Trail

MMA/SUFFOLK

Ms. Hershey discussed she would like to apply for a University Certificate Program for Local Government Leadership and Management which would run every Friday from Sept. 2015-May 2016. She has previously discussed this with the Town Administrator and he is fine with it

Mr. Goetz made the motion to approve this request

Ms. Dyer seconded the motion

Vote: 5-0-0

Mr. Goetz made the motion to adjourn

Mr. Turner seconded the motion

Vote: 5-0-0

Meeting Closed: 9:00