

**CONSERVATION  
COMMISSION**



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**Town of Walpole**  
Commonwealth of Massachusetts

MINUTES  
CONSERVATION COMMISSION  
JANUARY 22, 2020  
7:00 PM

**This meeting was taped and will be available on walpolemedia.tv**

Present: Betsey Dyer, Roger Turner, Emidio Di Virgilio, Doug Burchesky

Absent: Jack Wiley (Chair); Al Goetz (Vice Chair)

Also present: Conservation Agent, Landis Hershey; Board Secretary, Amy Messier

The Conservation Agent Report dated January 22, 2020 was given to members.

Dyer opened the meeting at 7PM

**7:00 PM:**

**Stormwater & Erosion Control Bylaw Regulations and Wetland Protection Bylaw Regulations:**

Dyer opened the hearing, the Commission discussed possible changes to the regulations which included the following;

1. Possible addition of wording from DEP Guidance and Regulations regarding delineations in the winter months/ weather.
2. Taking another look at the 25 ft. no alteration area regarding any wording that may need to be clarified/ language regarding vernal pools.
3. Incorporating MS4 Regulations into existing Stormwater Bylaw

With two members of the Commission absent, Di Virgilio made a motion to continue the hearing to 3/25/2020 at 7PM, seconded by Turner, the motion carried 4-0-0 (Dyer, Turner, Di Virgilio, Burchesky)

**7:30 PM:**

**Notice of Intent, Michael Freiberger, 965 West St., DEP #315-1216:**

Dyer opened the hearing and read board comments. Applicant Michael Freiberger was present and explained to the Commission that the couple are proposing to extend the backyard space, remove a layer of trees (approx. 20-30 Pine trees), and place clean fill. A potential pool will be a future project, along with extending the deck, which would be placed outside of the buffer zone. Hershey stated that she observed the wetlands line, and that the majority of the work is outside of the buffer zone. Fill is to be brought in, graded, filled and seeded, and riprap will be placed on the backside of the slope to stabilize it. Revised plans should reflect the following;

1. correction of the 198 proposed contour
2. show the riprap stabilization of the slope

Dyer opened the hearing up to the public which included the following;

1. John Richmond of 971 West St.: question regarding future plans to the rear of the property, permission to fill, etc.

2. Nina Staley of 1025 West St.: questions that should be directed to the Building Commissioner  
 Di Virgilio made a motion to close the hearing, seconded by Turner, the motion carried 4-0-0 (Dyer, Turner, Di Virgilio, Burchesky). Di Virgilio made a motion to issue the OOC contingent upon the submission of revised plans containing the revisions discussed above, seconded by Turner, the motion carried 4-0-0 (Dyer, Turner, Di Virgilio, Burchesky)

**7:45 PM:**

**Amendment to an Order of Conditions, Pulte Homes of N.E., 767-777 East St., DEP #315-1148:**

Dyer opened the hearing and read board comments. Matt Leidner of Civil Design Group was present on behalf of the applicant. Leidner explained to the Commission that the amendment is for the addition of a small private club house and remove what was previously approved regarding the property managers office and gazebo. The proposed clubhouse will be in an area that is fully within the previously approved area of work, therefore no change to the limit of work and does not require any grading. Leidner stated that the amendment does require the applicant to slightly reshape the stormwater basin, which hydroCAD calculations were submitted. The basin function is not being changed at all, along with the outlet control structure. There is also no change to the treatment chain that was approved with the original OOC. The roof runoff of the clubhouse is proposed to go into the basin to be infiltrated, which has been accounted for in the hydroCAD calculations that were submitted. Hershey stated that the applicant has submitted adequate plans of the revised construction, and that she has spoken to the Town Engineer, and that everything has been rectified that was included in the Engineer comments. Dyer opened the hearing up to the public for comment, which there was none. Di Virgilio made a motion to close the hearing, seconded by Turner, the motion carried 4-0-0 (Dyer, Turner, Di Virgilio, Burchesky). Di Virgilio made a motion to issue an amended OOC, seconded by Turner, the motion carried 4-0-0 (Dyer, Turner, Di Virgilio, Burchesky)

**8:00 PM:**

**ANRAD, High Oaks, LLC., off Delaney & Dover Dr. (Maps 11 & 12, Lots 49 & 84) DEP# 315-1213:**

Dyer opened the hearing, Rob Truax of GLM Engineering Consultants was present on behalf of the applicant. No additional board comments had been submitted since the last hearing, and Truax submitted revised plans to the Commissioners. The revised plan depicted revised wetlands flags, Hershey stated that the revised plan that was submitted accurately reflects the changes made in the field. Dyer opened the hearing up to the public for comment which included the following;

1. Richard Spellman of 25 Delaney Dr.: concerns about future development of the property that is currently not in front of the Commission, and possible water retention in basement.

Di Virgilio made a motion to close the hearing, seconded by Turner, the motion carried 4-0-0 (Dyer, Turner, Di Virgilio, Burchesky) Di Virgilio made a motion to issue an ORAD based on the revised plan dated 1/20/2020, seconded by Turner, the motion carried 4-0-0 (Dyer, Turner, Di Virgilio, Burchesky)

**8:15 PM:**

**Notice of Intent, Wall Street Development Corp. 11 (lot 6) Boyden Ln., DEP# 315-1214:**

Dyer opened the hearing, Lou Petrozzi of Wall Street Development Corp. was present, and stated that he has staked out the 25 ft. no disturb zone under the new flagging and is now prepared for a site visit with his wetlands specialist and the Conservation Agent to verify the wetland line. Petrozzi stated that he is hoping that the remaining snow will be gone by the weekend, and that next week's weather looks ideal to go onsite to review and go over anything in question. Dyer opened up the hearing for public comment, which there was none. Lou requested that the hearing be continued to 2/12/2020. Hershey stated that she will try to coordinate a time to review the wetlands if the weather is ideal to do so. Di Virgilio made a motion to continue the hearing to 2/12/2020 at 7:45 PM, seconded by Turner, the motion carried 4-0-0 (Dyer, Turner, Di Virgilio, Burchesky)

**Discussion: Brookside Village Condominium Trust, Fillmore Ln., DEP #315-1093:**

Brookside Village Trustees Kevin Flaherty and Bob Atwood were present and expressed their concern regarding the notice of noncompliance for the retaining wall. They explained that the retaining wall was

supposed to be an interlocking block wall, and boulders were placed instead. Hershey stated that within the last few days they have submitted a letter from a structural engineer regarding the wall, and are placed on the 2/12/2020 agenda requesting a minor modification. Hershey suggested that the Trustees attend the next Conservation meeting where the minor modification will be presented.

**Peer Review consultant re: Pinnacle Pt.:** Hershey suggested that the Commission should look into peer reviewing the ANRAD that will be before the Commission at the next meeting. Hershey stated that she received a quote from BETA Group, and will seek out additional quotes from other peer reviewing firms with the permission from the Commission. Di Virgilio made a motion to allow Hershey to seek out additional quotes for peer review, seconded by Turner, the motion carried 4-0-0 (Dyer, Turner, Di Virgilio, Burchesky)

**Enforcement Orders/ Notice of Noncompliance** (Vote may be required)

Main St. #1900, DEP #315-1043 (deadline 5/1/18): No updated at this time.

Boyden Estates – Summer Street DEP #315-1099 –Notice of Noncompliance 4/25: No update at this time.

**Minutes:** Di Virgilio made a motion to accept the minutes of 1/8/2020, seconded by Turner, the motion carried 4-0-0 (Dyer, Turner, Di Virgilio, Burchesky)

**Request for Certificate of Compliance** (vote required)

The Manzo Company, West St. Parking lot (#2 & #5), 315-1132: not ready to issue at this time.

Frank Kent, 263 Lincoln Rd., DEP #315-1188: not ready to issue at this time.

**Board Comments.**

ZBA: 1363-1391 Main St.: Applicant will need to file with the Conservation Commission due to a portion of the property being located in the buffer zone.

**Correspondence**

N/A

Di Virgilio made a motion to adjourn, seconded by Turner, the motion carried 4-0-0 (Dyer, Turner, Di Virgilio, Burchesky)

**The meeting adjourned at 8:40 PM.**

Accepted 2/12/2020