

**CONSERVATION
COMMISSION**



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Town of Walpole
Commonwealth of Massachusetts

MINUTES
CONSERVATION COMMISSION
JANUARY 8, 2020
7:00 PM

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

Present: Jack Wiley (Chairman), Al Goetz, Betsey Dyer, Roger Turner, Emidio Di Virgilio, Doug Burchesky

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

The Conservation Agent Report dated January 8, 2020 was given to members.

Wiley opened the meeting at 7PM

7:00 PM:

Notice of Intent/ Land Disturbance, McNamara Holdings, LLC, 1446-1454 Main St. DEP # 315-1212:

Wiley opened the hearing, Charlie Shepherd of CDW Consultants, Inc., and revised plans were submitted to the Commission. Revisions on the plans included the following; relocation of the building 6.5 ft. forward, parallel parking spaces, reduction of parking spaces from 32 to 24, repositioning of the building in order to avoid the 25 no-alteration area, pavement was pulled back, addition of 2 water quality structures (Stormceptor 450 I'S), slight relocation of the utilities due to Engineering and Fire Dept. comments, size of the pond shown on plan (approx. 65,000 s.f.), placement of a tree on the planting plan was slightly relocated, and the addition of compost sock for erosion controls instead of straw waddles. Shepherd stated that a copy of the 21E report has not yet been provided to him from the applicant, and he is aware that the Commission would like a copy of it when it's available. Hershey recommended that the dumpster pad on the plan should be fenced in, a revised O&M plan should be submitted to address stormwater and that there is no outside storage. Wiley opened the hearing up for public comment, which there was none. Goetz made a motion to close the hearing, seconded by Dyer, the motion carried 6-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio, Burchesky). Goetz made a motion to issue the order contingent upon the submission of the revised O&M plan and revised full sized plans, and the following conditions in place; no outside storage; fence to be placed around the dumpster; the cleanup of manmade material around the bufferzone, the motion was seconded by Dyer, the motion carried 6-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio, Burchesky).

7:05 PM:

Continued Notice of Intent, Georges Almacari, 23 Old Town Rd., DEP #315-1211:

Wiley opened the hearing, no new information has been submitted and no communication has been reciprocated from the Applicant to the Conservation Office regarding the status of the project or any requests to continue the hearing to a later date and time. Goetz made a motion to continue the hearing to 2/26/20 at 7PM in room 112, with the recommendation that if the Applicant does not reply with an update by the continued date, the Commission would close the hearing, the motion was seconded by Dyer, the motion carried 6-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio, Burchesky)

7:15 PM:**ANRAD, High Oaks, LLC., off Delaney & Dover Dr. (Maps 11 & 12, Lots 49 & 84) DEP# 315-1213:**

Wiley opened the hearing, Rob Truax of GLM Engineering was present on behalf of the applicant, and explained to the Commission that he has not had the chance to get out on the site to flag the area. Hershey stated that revised plans are needed regarding the placement of the flag changes that Hershey and Oxbow did. Goetz made a motion to continue the hearing at the applicants request to 1/22/20 at 8PM in room 112, seconded by Dyer, the motion carried 6-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio, Burchesky)

7:30 PM:**Notice of Intent, Wall Street Development Corp. 11 (lot 6) Boyden Ln., DEP# 315-1214:**

Wiley opened the hearing and read a letter from the Applicant requesting a continuance without testimony to 1/22/20. The checks that the applicant paid in fees were not deposited immediately, Wiley recommended that the checks be deposited due to the filing being a completely new one, Goetz made a motion to deposit the applicants checks, seconded by Dyer, the motion carried 6-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio, Burchesky). The Commission stated that even though the applicant is requesting the hearing to be continued to 1/22/20, that the Agent will still be unable to accurately determine the wetland delineation due to the necessity to use soil conditions as criteria for accurate wetlands line prior to Spring weather. Goetz made a motion to continue the hearing to 1/22/20 at 8:15PM with the understanding that the wetland line will depend on the weather/ soil conditions for the ability to accurately do soil testing, seconded by Dyer, the motion carried 6-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio, Burchesky)

7:45 PM:**ANRAD, 55 BH, LLC., 55 Summer St., DEP# 315-1215:**

Wiley opened the hearing, Brian Butler of Oxbow Associates was present on behalf of the applicant. Butler stated that the plans dated 12/10/19 are still what are being presented, and that the borders have been updated. Hershey stated that she reviewed the wetlands line with Oxbow based on the WPA regulations, and said that the area in question is not jurisdictional because it does not maintain bank conditions from the outflow of the wetlands. However, Hershey stated that it should be noted as stormwater does over top the wetlands and flow out of it towards the river and wetlands, and that it is an important connection to maintain even if it's not jurisdictional as a resource area. Wiley opened the hearing up to the public for comment, which there was none. Goetz made a motion to close the hearing, seconded by Dyer, the motion carried 6-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio, Burchesky). Goetz made a motion to approve the wetlands line as per the 12/10/19 plans and issue the ORAD, seconded by Dyer, the motion carried 6-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio, Burchesky)

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

Main St. #1900, DEP #315-1043 (deadline 5/1/18): A Notice of Violation for \$300 was delivered to Supa Sales and Service by constable on November 8, 2019 and signed by Melissa Young. – the fee was not paid by the deadline of 11/28/2019, and still remains outstanding. Wiley stated that per the vote at the last Conservation meeting that an additional fine is to be issued.

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 12/11/19, seconded by Dyer, the motion carried 6-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio, Burchesky). Di Virgilio made a motion to accept the 12/11/19 executive session minutes, seconded by Dyer, the motion carried 6-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio, Burchesky)

Request for Certificate of Compliance (vote required)

The Manzo Company, West St. Parking lot (#2 & #5), 315-1132: Hershey stated that she has not had a chance to look over the site, and recommends placing this on the 1/22/20 Agenda.

Board Comments

Planning Bd: New Pond Village: Commission is fine with the relocation of the pervious pavers.
ZBA: 63 Beethoven Ave.: non-jurisdictional

Correspondence

National Grid Yearly Operational Plan 2020 & VMP
Bird, Inc. Landfill semi-annual GW Monitoring Event (fall 2019)

Dyer made a motion to adjourn the public meeting and enter into executive session, seconded by Di Virgilio ,
the motion carried 6-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio, Burchesky)

The meeting adjourned at 8:40 PM.

Accepted 1/22/2020