

**CONSERVATION  
COMMISSION**



**Town Hall**

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*Town of Walpole  
Commonwealth of Massachusetts*

MINUTES  
CONSERVATION COMMISSION  
JANUARY 9, 2019  
7:00 PM

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

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

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

The Conservation Agent Report dated January 9, 2019 was given to members.

Chairman Jack Wiley opened the meeting at 7:00 PM

**7:00 PM: Notice of Intent, SR II Ventures LLC, 8 Gigi's Way, DEP #315-1184:**

Wiley opened the hearing and read bd. comments. Present was applicant Michael Viano and John Glossa of Glossa Engineering. Glossa explained to the Commission the proposed construction of a single family house, garage, driveway and utilities w/in 100 ft. of the wetland, along with a narrow area of wetland being bridged to avoid alteration. Hershey stated that the plan submitted does not address the wetlands replication area adjacent to the pond, and that there are currently two additional intermittent streams coming through the slope out of the wetlands/pond area down the slope towards the driveway for the proposed structures. Hershey mentioned that the driveway area has been consistently wet every time she does a site visit, and although the slope and driveway areas may not have been delineated as a wetland, it clearly has water and flooding issues. Hershey recommended that the areas be reviewed again by a wetland specialist, along with rectifying the expired ORAD on the property. Wiley opened the hearing up to the public for comment, which there was none. With further information needed, items needing to be rectified, and an on-going sedimentation issue from Gigi's Way that is currently unstable, Goetz made a motion to continue the hearing to February 13, 2019 at 7PM, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio).

**7:15 PM: Notice of Intent, by Donald Urquhart, 2080 Main St., DEP #315-1185:**

Wiley opened the hearing and read bd. comments. Present was Paul DeSimone of Colonial Engineering on behalf of the Applicant. Paul explained to the Commission the proposed construction of an addition between the 50ft and 100ft buffer zone. It was stated that this addition would be for the Applicant to store work equipment and trucks. There are already trucks on that property, and the addition would allow for the applicant to store them inside, versus outside. Paul explained that part of the addition will be going on an existing paved area, while the rest of the addition will be going on a concrete pad. There is no change

of grade proposed, as well as no increase in run-off. The base of the addition will be made out of concrete slabs, with a metal roof, with no proposed gutters- there will be no diversion of water to any place besides the drains where it is currently going already. Hershey stated that the plan submitted is not a surveyed plan with contour lines showing elevations, and it is unclear why the application was “checked off” as not being subject to the MA Stormwater Standards. Hershey stated that the stormwater needs to be addressed, along with revisions needed on the plan. Wiley opened the hearing up to the public for comment which included the following;

- Dave Marascio of 12 Summerfield Dr.: general concern regarding increase in water on property; vegetation for screening due to lights, etc.
- Frank Moy of 2106 Main St.: questions regarding mitigation exemption; number of trucks on gravel parking lot; fencing and screening

With revisions on plans needed and stormwater needing to be addressed, Goetz made a motion to continue the hearing to February 13, 2019 at 7:15PM, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio).

**7:30 PM: Continued Notice of Intent, by Town of Walpole, Rte. 1A, Main St. (btwn. 2400 Main St. & Norfolk Town Line), DEP# 315-1183:**

Wiley opened the hearing and read a letter addressed to the Commission from Weston & Sampson Engineers, Inc. requesting a continuance without testimony on behalf of the Applicant. Goetz made a motion to continue the hearing to January 23, 2019 at 7:15 PM in Room 112, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio)

**8:00 PM: Continued Notice of Intent, by Supa Cars, LLC., 1900 Main St., DEP #315-1186:**

Wiley opened the hearing, there was no one present at the hearing to represent the Applicant, nor was the applicant present. Goetz made a motion to continue the hearing to February 13, 2019 at 7:30 PM in Room 112, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio).

**8:15 PM: Notice of Intent, Rachel Marrinan, 12 Elmcrest Cir., DEP# 315-1187:**

**\*Roger Turner abstained from this hearing\***

Wiley opened the hearing and read bd. comments, John Glossa of Glossa Engineering was present on behalf of the applicant. Glossa explained to the Commission the proposed construction of an addition to an existing single-family house within 100 ft. of the bank of Turner Pond. Hershey stated that erosion controls should be extended up to the property line to the 100 ft. contour on southwesterly side and 96 contour on the northeasterly property line. The plan needs to show where the excavated materials will be stockpiled and where the roof drainage will be directed. Glossa explained that columns will be placed into the ground for the addition, and the excavation materials for the footing of the columns will be removed off-site. 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 4-0-1 (Wiley, Goetz, Dyer, Di Virgilio in favor; Turner abstained). Goetz made a motion to issue an Order of Conditions contingent upon the submission of revised plans and conditions in place, seconded by Dyer, the motion carried 4-0-1 (Wiley, Goetz, Dyer, Di Virgilio in favor; Turner abstained).

**8:30 PM: Notice of Intent, by Mark O'Malia, 263 Lincoln Rd., DEP# 315-1188:**

Wiley opened the hearing and read bd. comments, John Glossa of Glossa Engineering was present on behalf of the Applicant. Glossa explained to the Commission the proposed demolition of a single-family house and construction of a new replacement single-family house within 100 ft. of the BVW, in which the majority of the work is located outside of the 100 ft. buffer zone. Glossa acknowledged that some trees were previously taken down in the buffer zone, however no others shall be removed. It was stated that the owners of the property plan on re-seeding the rear yard for grass. Hershey stated that the erosion controls should be extended across the rear yard to clearly define the limit of work area, along with all work shall

be shown on the plan regarding the landscaping of the rear yard. The wetland northeast of the property is a wetland and Town land, Glossa addressed that since his clients do not own the property it is not within his scope of work on this proposed project. Hershey stated that the plans need to show wetlands flags within the 100 ft. buffer. 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 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio). Goetz made a motion to issue an Order of Conditions contingent upon revised plans and conditions in place, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio).

### **GENERAL BUSINESS/OLD BUSINESS/NEW BUSINESS:**

Minutes: Goetz made a motion to accept the minutes of 12/12/18 as edited, seconded by Dyer, the motion carried 5-0-0 (Goetz, Dyer, Turner, Di Virgilio, Wiley).

### **Orders/ Notice of Noncompliance:**

Main St. #1900, DEP #315-1043 (deadline 5/1/18): Notice of Intent remains incomplete, and additional information that the Commission has requested has not been submitted by the applicant.

Boyden Estates – Summer Street DEP #315-1099 – Notice of Noncompliance 4/25: There is still no As-built submitted and some erosion is still occurring on the property.

231 Bullard Street – Notice of Noncompliance: Pipe was taken out and a letter was sent to 243 Bullard Street regarding maintaining the flow of stream. Hershey stated she is meeting w. Mr. Jansen in the coming week.

275 Bullard Street – Notice of Noncompliance: Piles of dirt deposited along the driveway at the edge of wetland. Hershey stated she met with the owner and told her that she needs to move the piles, a letter of noncompliance was also sent. Hershey observed the property on 1/8/19 and saw that the piles were moved, however there has not been any further communication with the owners.

3 Covey Road – Notice of Noncompliance: Hershey stated that she met with the owner on this property and he is going to compose a planting plan to submit to the Commission for the spring in order to add some plantings along the edge of the pond. Vegetation has been cut along the pond, with the Order of Conditions stated that there should be a 20 ft. vegetative strip along the edge of the pond. The owner of the house on the other side of the pond (7 Covey Rd.) was also given a letter regarding maintaining the vegetation. Nicole Manganiello of 7 Covey Rd. was present and expressed her concern about the depletion of vegetation of 3 Covey Rd. as well.

1720 Washington Street – Notice of Noncompliance: Hershey explained to the Commission that there is an issue with stormwater backing up to yards located on South St. The order of Conditions for 1720 Washington St. shows an above ground swale conveying the stormwater along the side of the house to the wetlands on 1724 Washington St. a ceramic culvert was to be removed and the swale constructed. At some point, a pipe was installed instead. Hershey met with the owners of 1720 Washington St. and the DPW. The owner is looking into cleaning out the pipe which will hopefully solve the issue. Di Virgilio made a motion to issue an Enforcement Order regarding conforming to the Order of Conditions on the property, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio).

### **Requests for Certificate of Compliance:**

Andrew Pelletier, 183 High Street, DEP #315-1097: Goetz made a motion to issue a Certificate of Compliance, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio).

Town of Walpole, 50 South Street, DEP#315-1128 (COA): Goetz made a motion to issue a Certificate of Compliance, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio).

Town of Walpole, 50 South Street, DEP #315-1108 (police): Goetz made a motion to issue a Certificate of Compliance, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio).

Francis & Melanie Foley, 4 Paddock Ct., DEP#315-989: Goetz made a motion to issue a Certificate of Compliance, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio).

**Requests for Extension:**

N/A

**Correspondence/ Other Business:**

-87 Lewis Ave Planning Bd. decision:

-Roscommon Subdivision 2018 Wetland Monitoring Report

**Board Comment Requests:**

**PLNG:**

1350 North Street: sediment forbay design should be revised and a Land Disturbance permit filed w. con comm.

Goetz made a motion to adjourn, seconded by Dyer ,the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Divirgilio). The Commission adjourned at 10:00 PM