

**CONSERVATION
COMMISSION**



Town Hall

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*Town of Walpole
Commonwealth of Massachusetts*

MINUTES
CONSERVATION COMMISSION
OCTOBER 10, 2018
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

Absent: Regen Milani

The Conservation Agent Report dated October 10, 2018 was given to members.

Chairman Jack Wiley opened the meeting at 7:00 PM

7:00 PM:

Continued Notice of Intent, by David Wakefield, Parcel 21 East St., "Nichols Pond Ln.", DEP #315-1138:

Wiley opened the hearing, there was no new material, and the applicant/ representative was not present. Goetz made a motion to continue the hearing to October 24, 2018 at 6:59 PM, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Divirgilio).

7:05 PM:

Request for Determination of Applicability, Peter & Kathleen Messina, 651 North St.

Wiley opened the hearing, and read Board comments which included; Board of Heath. Russ Waldron of AES was present, along with applicant Kathleen Messina. Waldron explained to the Board that they are proposing an in-ground salt water pool within the 100 ft. buffer zone. It was stated by Waldron that the pool equipment will be stored on the right corner of the lot, and that the existing backyard is lawn, and has an existing 6 ft. fence surrounding it. The Applicant stated that additional fencing will have to be put up on the right side of the property that will not be within the buffer zone. Goetz voiced a de-watering concern. The Commission advised that water is to be de-chlorinated before it is discharged; any water shall be diverted towards the street and contained; and an As-built to be provided to the Commission. Wiley opened up the hearing for public 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, Divirgilio). Goetz made a motion to issue a Negative 3 determination with the conditions discussed above, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Divirgilio).

7:15 PM:

Continued Notice of Intent, by Rojo Inc., N.E. Pine St./ Rte. 1 (Map 54/ Lot 22), DEP #315-1171

Wiley opened the hearing, John Glossa of Glossa Engineering was present. Glossa explained that there has been small changes in the site plan and the grading and drainage plan. The site plan changes reflect comments from the Fire Dept. and the changes in grading & drainage plans include; revised drainage basin, monitor wells and O & M plan. Hershey stated that additional information was submitted on 10/9/18 & 10/10/18 that has yet to be reviewed in detail. The Commission stated that a revised O & M plan is needed and should include inspections and to add that the stormceptor shall be vacuum pumped when sediments accumulated to 15% of total storage (or at least 2x per year – Spring & Fall). Since more information was needed, Goetz made a motion to continue the hearing to October 24, 2018 at 7:15 PM, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Divirgilio).

GENERAL BUSINESS/OLD BUSINESS/NEW BUSINESS:

Minutes:

9/12: Dyer made a motion to accept the minutes with necessary edits, seconded by Divirgilio, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Divirgilio)

9/26: Goetz made a motion to accept the minutes with necessary edits, seconded by Divirgilio, the motion carried 4-0-1 (Wiley, Goetz, Dyer, Divirgilio in favor; Turner abstained)

Orders/ Notice of Noncompliance:

1900 Main St. DEP#315-1043: no updates at this time.

Boyden Estates- Summer Street, DEP #315-1099: Hershey stated that she went out during the last rain storm and observed that there was flow coming from the 4” pvc pipe shown on the plan as the emergency outlet, even though there was only a few inches of water in the basin.

Echo Estates (Main St.) DEP# 315-1129, Anthony Rosetti 9/20: Hershey stated that erosion controls were replaced, and that she tried to serve fines to Mr. Rosetti, however the wrong address was listed in the NOI. It was stated that since then that Mr. Rosetti has contacted Hershey through email. Hershey stated that at this time she believes that Mr. Rosetti is doing everything he can to protect the wetlands, and had mentioned that he had tried to get someone to repair the erosion controls between 9/20/18 & 9/26/18 and was not successful. Hershey recommended that since there is communication, she would recommend retracting the fines. Goetz made a motion to issue a one time \$300.00 fine for the violation, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Divirgilio).

243 Bullard Street: The Jansen’s were present at the hearing, and discussed the pipe and drainage issued. Pictures taken by Hershey were seen of the property and the abutting property. It was stated that the pipe was installed without a valid Order of Conditions and the area appears to have been filled adjacent to the stream bed. There are wetlands to the rear of the property which are now cut off from the stream. The Commission stated that the pipe needs to be removed, along with the fill from the site. Goetz made a motion to issue an Enforcement Order, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Divirgilio). The Commission gave the Jansen’s a target date of 12/15/18 to remove the pipe and fill, and for them to keep the Commission up to date on progress and contact info for anyone they hire to do the work.

Dynasty Harbor: 1419 Washington Street: No updates at this time.

Requests for Certificate of Compliance:

Civil Design Group, LLC., 1324-1336 Main St., DEP #315-1058: not issued at this time.

John Felice, 20 Emerald Way, DEP# 315-1125: Goetz made a motion to issue a Certificate of Compliance, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Divirgilio).

Kenneth Cimeno, 57 Lake Ave., DEP# 315-1110: Goetz made a motion to issue a Certificate of Compliance, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Divirgilio).

Requests for Extension:

N/A

Correspondence/ Other Business:

MASS DOT Superseding Order of Conditions (10/1/18)

Board Comment Requests:

P.B.: Bristol Brothers Dev. (Renmar AQV)- stormwater analysis report: Currently being peer reviewed.

Goetz made a motion to adjourn, seconded by Dyer. The motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Divirgilio). The Commission adjourned at 9:10 PM