

**CONSERVATION  
COMMISSION**



**Town Hall**  
Room 212  
135 School Street  
Walpole, MA 02081  
Phone (508) 660-7268  
Fax (508) 668-2071

**Town of Walpole**  
Commonwealth of Massachusetts

MINUTES  
CONSERVATION COMMISSION  
OCTOBER 30, 2019  
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 October 30, 2019 was given to members.

Wiley opened the meeting at 7PM

7:00 PM:

**Amendment to OOC, Petrodriver Transportation, 539 Main St., DEP #315-1170:**

Wiley opened the hearing and read board comments. Paul McManus of EcoTec Inc. was present, along with Jeff Corvis. McManus submitted a revised plan reflecting comments made by engineering. McManus explained to the Commission that they are seeing an amendment to the original order of conditions to clean up the site further by injecting Petrofix Activated Carbon into the groundwater through small, temporary injection points. Wiley opened up the hearing to the public, which there was none. With no further concerns from the Commission, 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 an amendment to the order of conditions, seconded by Dyer, the motion carried 6-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio, Burchesky).

7:15 PM:

**Discussion- 757 Main Street Car Wash "Walpole Wash House":**

Owner Stephen of Main Street LLC, was present, Hershey explained to the Commission that the retaining wall that was built is within 100 ft. of the wetlands and within 200 ft. of the Neponset River. It was explained that the owner did not file a Notice of Intent for the existing pre-cast concrete retaining wall. Stephen explained that the wall is to remain as is, and a guard rail is due to be placed within the next week or so. The Commission expressed their desire to have three plaques (one on each end and one in the middle) placed along the white fence in the rear of the property and also the property line indicated on the plan to clarify who owns the retaining wall. Goetz made a motion to deem that a notice of intent is not needed for work previously done, and to place plaques along the fence, and clarify the plan regarding the property line, seconded by Dyer, the motion carried 6-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio, Burchesky)

7:30 PM:

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

Wiley opened the hearing and read a letter from the Applicants engineer Bruce Wilson requesting a continuance, Dyer made a motion to continue the hearing to 11/13/19 at 7:15 PM, seconded by Di Virgilio, the motion carried 6-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio, Burchesky).

7:45 PM:

**Closed Hearing, action on decision only, by Wall Street Devel. Corp., Burns Ave., DEP #315-1200:**

This public hearing was closed at the last regular meeting of the Commission on 10/9/19. Hershey has drafted an Order of Conditions for the Commission to look at. Wiley asked the Commissioners if enough information has been submitted to the Commission, Turner stated he is still concerned about the sewer and water lines being close in proximity to Pickerel Brook. Goetz expressed concern over excavation of the trench next to the Brook. The Commission reviewed the draft Order of Conditions and made edits as necessary. Goetz made a motion to issue the Order of Conditions as drafted with edits discussed, seconded by Dyer, the motion carried 5-0-1 (Wiley, Goetz, Dyer, Turner, Di Virgilio in favor; Burchesky abstained)

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

Main St. #1900, DEP #315-1043 (deadline 5/1/18) : To this date, the Applicant has not submitted additional information that is needed or a response as requested to numerous letters sent via certified mail. Wiley suggested that the Commission to include a letter to the BOS stating that they are still in violation of the local bylaw and have not taken the appropriate steps to rectify. Wiley stated that one \$300 fine should be issued due to not complying with stormwater standards and having an invalid order of conditions. The fine is to be reviewed at the Commission's next meeting on 11/13/19. Goetz made a motion to fine the Applicant one \$300 fine and issue a letter explaining that the Commission is still waiting for them to provide information regarding stormwater mgmt., seconded by Dyer, the motion carried 6-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio, Burchesky).

Boyden Estates – Summer Street DEP #315-1099 – Notice of Noncompliance 4/25: Hershey stated that no As-built plan has been submitted for lot 5, and the deadline to pay fees is 11/18/19.

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

Jeffrey Sudman, 749 North Street, DEP #315-1127: Goetz made a motion to issue a certificate of compliance, seconded by Di Virgilio, the motion carried 6-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio, Burchesky)

Frank & Anna Pitocchelli, 4 Shoreview Lane, DEP #315-1063: Dyer made a motion to issue a certificate of compliance, seconded by Di Virgilio, the motion carried 6-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio, Burchesky)

DOT temporary easement request at Cobbs Pond: No update at this time.

Minutes: Di Virgilio made a motion to approve the 10/9/19 minutes with edits discussed, seconded by Dyer, the motion carried 6-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio, Burchesky)

**Correspondence**

ENF : Rte 1. Fields

Goetz made a motion to adjourn, seconded by Dyer, the motion carried 6-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio, Burchesky)

**The meeting adjourned at 9:30 PM.**