

**CONSERVATION
COMMISSION**

Town Hall
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Town of Walpole
Commonwealth of Massachusetts

MINUTES
APPROVED 3/9/2022



CONSERVATION COMMISSION
FEBRUARY 23, 2022
7:00 PM

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

Commissioners Present: Jack Wiley (Chairman), Al Goetz (Vice Chair), Betsey Dyer, Doug Burchesky, Bailey Ziemba, Emidio DiVirgilio, and Dean Bebis

Also present: Landis Hershey, Conservation Agent

Guests: Robert Truax, GLM Engineering; Josh Hasenfus, Project Manager for the Trustees of Reservation

The Conservation Agent Report dated February 23, 2022 was given to members.

Wiley opened the meeting at 7 PM.

PUBLIC HEARINGS AND DISCUSSIONS (vote required for action)

7:00 PM – Continued Land Disturbance Permit – Walsh Brothers Building Co. Lincoln Estates, Lots

Hershey read the legal advertisement into the record.

Robert Truax, GLM Engineering represented the client.

Hershey explained that a revised plan was received on 2/8/2022 along with a letter from GLM addressing the Town Engineers comments.

Truax reviewed the revised plans, explaining that they added erosion controls, phasing plans, added temporary basins and detail of a single lot erosion control. He explained the various phases in which tree removal would be completed, which was explained on the phasing plans detail.

Hershey asked when the houses are expected to be built, and Truax responds that the intention is to have the site all prepped, and then begin to dig foundations. He does not expect any foundations to begin until they reach Phase II. Hershey suggested that House Construction should be included in the Phasing Plan.

Hershey reviewed some of the conditions for approval, which are to a copy of the approved subdivision plan should be received by the Commission 1 week prior to the pre-construction meeting, that the permit is for the lot construction only, and that the road construction would be under a separate land disturbance permit, and that additional infield soil tests will be completed once the project is close to grade. Post-construction storm water basins would be approved under a separate land disturbance permit, and street sweeping would be required.

Dean Bebis asked if house construction lot description could be added as a condition. Hershey explained that it could be a requirement for pre-construction, or it could be a requirement prior to issuing the permit.

Wiley asked Truax to confirm if each lot is on septic and would require percolation testing per the Board of Health and Truax replied yes.

Dyer highlighted that this process is counterintuitive and a strange situation. She also agreed with the Town Engineer's comments that there is a large amount of site work to be done, but with a chance that no homes are built. She asked if the Commission approved the permit, would work start soon, and Truax replied that there are a number of additional approvals that are required prior to them starting, which they do not yet have.

Goetz asked that a water truck and treatment be added to the conditions for approval.

Wiley asked is any lots are requiring any additional review under the Wetland Protections Act. Hershey would make notes to which lots this could apply to.

Wiley suggested clerical changes to the sweep sweeping conditions and asked Truax to discuss bond.

Truax explained that not more than 5 acres at a time would there be disturbance on the site, and that the \$9,000/acre requirement seemed high. He asked if a tripartite bond for \$4,500 would be possible.

Truax explained that the bank guarantee 5 acres at a time. Wiley suggested the bond be discussed with the Town Engineer. Goetz suggested an additional conversation with Town Engineer and Town Counsel.

Abutter Eden Connelly asked questions regarding specifics on the plan and asked for clarification on a number of items.

Motion to continue the public hearing for the Land Disturbance Permit, Walsh Brothers Building Co. Lincoln Estates, Lots to 3/9 at 7:15 PM by Goetz seconded by Dyer. Motion carries 7-0-0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

7:15 PM – Notice of Intent –Trustees of Reservation, 75 Walcott Street – DEP 315-1257

Hershey read the legal advertisement into the record.

Josh Hasenfus, Project Manager from the Trustees of Reservations reviewed intentions of the project. He indicated that the spillway has deteriorated, and has become a safety hazard which should be replaced. He discussed the site plan, and the how the project would proceed. They are addressing comments made by the Town Engineer.

Hershey asked questions regarding water and wildlife management. Hasenfus explained that there will be minimal disturbance. She would like to see additional details added to the next revision.

Bebis asked for detail in the process of de-watering the area. Hasenfus explained that the water would be pumped, sandbags would then be put in place, and then the remaining water would be removed.

Burchesky indicated that a nearby culvert tends to flood lower fields, and if there is a plan in place for management of water or rainfall during hurricane season Hasenfus explained that if there was failure, nothing would be catastrophic.

Goetz looks forward to seeing this work completed.

No public comment.

Motion to continue the public hearing for the Notice of Intent for the Trustees of Reservation, 75 Walcott Street to 3/9 at 7:10PM by Goetz, seconded by Dyer. Motion carries 6-0-0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba).

GENERAL BUSINESS/OLD BUSINESS/NEW BUSINESS

Minutes – 2/9/2022

Motion to approve the minutes for 2/9/2022 as presented by Dyer, seconded by DiVirgilio. Motion carries 7-0-0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

Master Plan Update

Bebis provided an update, explaining that they met on 2/22/2022. The first draft was due, but he had not received it.

Pinnacle Point Updates

No Update or new information

Enforcement Orders/ Notice of Noncompliance –

Main St. #1900, DEP #315-1043 - on-going - nothing new

Palmer Lane, 3 and 4 – on-going - nothing new

Washington Street – Steven Capponi - awaiting information

Burns Ave – Wall Street Development – Applicant has appealed Conservations decision, and a court date is set for 3/31/2022. Hershey has reached out to Town Counsel for guidance.

Request for Extension

None

Request for Certificate of Compliance

None

Board Comments

The Commission members discussed the potential of meeting in person, or possibly a hybrid approach.

Dyer motioned to return to in-person meetings by 3/23, Goetz seconded.

Motion carries 4-3-0. (Ay: Goetz, Dyer, DiVirgilio, Bebis – Nay: Ziemba, Burchesky, Wiley).

Motion to close the meeting by Ziemba, seconded by Dyer. Motion carries 6-0-0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

Meeting adjourned at 9:01PM