

**CONSERVATION
COMMISSION**

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Town of Walpole
Commonwealth of Massachusetts
MINUTES



CONSERVATION COMMISSION
DECEMBER 8, 2021
7:00 PM
Approved 1-26-2022

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

Commissioners Present: Jack Wiley (Chairman), Al Goetz (Vice Chair), Betsey Dyer, Emidio Di-Virgilio (arrived at 7:12PM) Doug Burchesky, Dean Bebis, and Bailey Ziemba.

Also present: Landis Hershey, Conservation Agent

Guests: John Hasenjager, Lou Petrozzi,

The Conservation Agent Report dated December 8, 2021 was given to members.

Wiley opened the meeting at 7 PM

PUBLIC HEARINGS AND DISCUSSIONS (vote required for action)

7:00PM – Cont. Land Disturbance Permit – 585 Washington Street, Drew Haugton

Wiley read the legal ad into the record.

Applicant has requested a continuance to the January 12th meeting.

Motion to continue the public meeting to January 12th at 7:30 by Dyer, second Goetz. Motion carries 6-0-0. (Wiley, Goetz, Dyer, Burchesky, Bebis, Ziemba)

Minutes – 11/10/21

Motion to approve minutes from 11/10/2021 by Dyer, second by Bebis. Motion carries 6-0-0. (Wiley, Goetz, Dyer, Burchesky, Bebis, Ziemba)

Request for Extension

DEP #315-1173 – Renmar & West Street AQV

Applicant has requested an 18-month continuation. A representative from JR Price Company presented the status of the project and future plans. Currently, material is being removed and the hope is

to be building houses in 2023 and the extension will allow that to take place. They stated they submitted revisions to the Planning Board to determine if they were major or minor. Revised plans will be submitted to the Commission in February.

Motion to extend the Order 18 months by Goetz, second by Dyer. Motion carries 6-0-0. (Wiley, Goetz, Dyer, Burchesky, Bebis, Ziembra)

Request for Certificate of Compliance

Pine Street-Brookside Village, DEP #315-1093

Landis explained that the conditions agreed upon at the 9/3/21 meeting have been met. The following documents have been submitted and a site inspection was made on 12/3/2021.

1. Stormwater System Operation and Maintenance Report 11/30/2021-submitted
2. Post Construction Stormwater Management Operation and Maintenance Plan- submitted
3. Stormwater management Contact received
4. Letter from GLM regarding roof leaders received 9/28/2021
5. Email received on 12-03-21 regarding work on the rock retaining wall
8/22/2021=8/24/2021 and 9/21/2021- 9/24/2021

Motion to issue the COC by Goetz, second by Dyer. Motion carries 7-0-0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Bebis, Ziembra)

7:10 PM Request for Determination of Applicability – 31 Plimpton Street, George Ransom

Wiley read the legal advertisement into the record. Wiley read a letter from the town engineer into the record stating that the Town Engineer, Carl Balduf reviewed the flow of the stream and believed the path to be clear and that the additional culvert would not be an issue.

John Glossa , Glossa Engineering represented the Applicant and presented the project. The project consists of connecting the existing home to sewer and replacing an existing failed culvert that consists of a rubble-stone culvert with two pipe culverts. The culvert replacement will occur within the footprint of the driveway and will not extend further into the resource area. It's believed that two culverts are necessary to handle the volume of water that intermittently flows through the stream, as upgradient flooding has occurred in the past.

Commission Comment:

Landis asked clarifying questions regarding the culvert replacement.

Bebis - asked about dewatering.

Dyer - asked about the sizing of the pipes and the need for two pipes over the existing single pipe.

Goetz - stated that the double culvert is a better idea to prevent water from flowing over the gravel driveway, which will push material into the resource area and result in an adverse impact.

Wiley - asked if the pipes would be side by side and if there would be a headwall. Glossa replied that the slope would be rip rapped.

George Ransom - homeowner - stated that during a large storm his yard floods and eventually dissipates.

Motion to close the public meeting by Dyer, second by Goetz. Motion carries 7-0-0. (Wiley, Goetz, Dyer, Burchesky, Bebis, Ziembra)

Motion to issue a Determination of Applicability as a Negative 3 by Goetz, second by Dyer. Motion carries 7-0-0. (Wiley, Goetz, Dyer, Burchesky, Bebis, Ziembra)

7:20PM – Notice of Intent – 48 Bubbling Brook Road, Michael & Sarah Maden

Landis read the legal advertisement into the record.

Bernard Hammil from H-Star Engineering presented the project for the applicant.

There is an open Order of Conditions for the construction of the house, driveway and associated grading and utilities. This project consists of installing an inground pool within a lawn area. A file number hasn't been issued for the project yet.

Landis stated that the proposed project does not alter any Riverfront Area beyond what was approved with the previous Order of Conditions. Landis recommended that the wetland placards be installed prior to the installation to the pool. Landis states that there should be roof infiltration .

Commission Comment:

Burchesky - asking if there would be signage on the property to prevent discharging chlorinated or saline water to the wetlands.

DiVirgilio - Asked where the placards should be installed. Landis stated that the original plan identified 9 locations and that they should be installed prior to work.

Wiley - asked that the placard locations be shown on the plan showing the pool.

Goetz - Asked how high the retaining wall is. The Representative replied that it's up to 9 feet in places. Goetz, asked how the water goes through the wall. The Representative replied that the wall will allow for leaching between the blocks because they're stacked with 1/8-inch gap between. Goetz also asked that the detail for the fence should address the durability of the fence at the top of the wall and the type of wall should be identified in the details.

Motion to continue to January 12th at 7:40 by Dyer, second by Goetz. Motion carries 7-0-0. (Wiley, Goetz, Dyer, Burchesky, Bebis, Ziembra)

7:30PM Stormwater and Erosion Control Bylaw

Wiley read the legal advertisement into the record.

Wiley suggested opening and continuing to later in the meeting.

Motion to continue to later in the meeting.

Motion to return to this hearing later in the meeting by Dyer, Second by DiVirgilio. Motion carries 7-0-0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Bebis, Ziembra)

Pinnacle Point Trail:

John Hasenjaeger and Lou Petrozzi attended the meeting to discuss the issue of a trail easement included on the Pinnacle Point Definitive Subdivision plan 1989 and referenced in the Order of Conditions for the Pinnacle Point subdivision. The easement was not given to the town and recorded at the registry of deeds. A letter requesting Mr Hasenjaeger to do so was issued by the Commission to Mr. Hasenjaeger.

Hasenjaeger - pledge to put the Commission at ease that the end goal is to always provide recreational amenities to the community for hiking or walking and potential kayaking once the lot was developed. Landis cautions the chairman and the Commission about portions of the project currently under appeals with DEP, which should not be discussed during this discussion.

The Commission and Hasenjaeger and Petrozzi discussed the wording of the previous Order of Conditions, a Planning Board decision that included the easement that was to be recorded for the trail, and the feasibility of installing a trail within that easement. Landis asked why the trail easement has yet to be conveyed to the town and Hasenjaeger stated that it hasn't been conveyed because the lot hasn't been developed and it won't be conveyed until the lot is developed.

7:30PM Stormwater and Erosion Control Bylaw

Jack Wiley went over each section and asked the Commission if they had comments or additions. Wiley recommended several changes that we noted. Commission discussed revisions to the existing Bylaw and what changed will also need to be made to the Regulations following the revisions.

Commission Comments:

Burchesky - removal of material - all exempt even if they remove 400 cubic yard. Landis explains that no, the regulations can make the relegation in the Bylaw more details and explain the normal amount of fill allowed to be removed.

Dyer motion, second by DiVirgilio. Motion carries 7-0-0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Bebis, Ziemba)

Request for Certificate of Compliance

8 Shoreview Lane, DEP# 315-0812

Dyer motion, second by DiVirgilio. Motion carries 7-0-0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Bebis, Ziemba)

Lot 2 Lost Brook Trail, House #3, DEP #315-1156

Landis recommend that the COC be issued.

Motion to issue COC by Dyer, second by Goetz. Motion carries 7-0-0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Bebis, Ziemba)

Enforcement Orders/ Notice of Noncompliance –

Notice of Noncompliance – Wallstreet Development - Boyden Estates

Last time Landis visited the site the area had been sodded. She doesn't believe there will be an issue going forward.

Motion to go into Executive session

Roll Call vote:

Motion to enter Executive Session to discuss legal issue related to the trail easement for Pinnacle Point and then adjourn meeting by Goetz, second Dyer. Roll Call vote: Wiley (yes), Goetz (yes), Dyer (yes), Buchesky (yes), Bebis (yes), Ziemba (yes).

Executive Session Minutes separte

Meeting adjourned at 8:41PM