

**CONSERVATION
COMMISSION**

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Town of Walpole
Commonwealth of Massachusetts

MINUTES



CONSERVATION COMMISSION
JANUARY 12, 2022
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 DiVirgilio, Doug Burchesky, Bailey Ziemba, and Dean Bebis.

Also present: Landis Hershey, Conservation Agent

Guests: Matt Kennedy, Greg Dickson, Steve Cabral, Bernard Hamill

The Conservation Agent Report dated January 12, 2022 was given to members.

Wiley opened the meeting at 7 PM.

PUBLIC HEARINGS AND DISCUSSIONS (vote required for action)

7PM– Request for Determination of Applicability and Land Disturbance Permit – 455 South Street, Neponset Solar, LLC.

Wiley read the legal advertisement into the record.

Matt Kennedy of Biodiversity Research Institute presented the proposal on behalf of the applicant. The project is a large-scale ground-mounted solar installation and battery-storage facility, which will provide reliable renewable power to the local electrical grid. There is at least a 100-foot buffer around all surrounding wetlands and the site is over 200 feet from the Neponset River.

Burchesky asked where snow cleared off of the solar panels would be stored. This is not an issue because the angle of the panels allows snow to simply slide off during the winter.

Motion to close the public hearing by Goetz, seconded by Dyer. Motion carries 7-0-0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

Motion to issue a Determination of Applicability as a Negative 1 by Goetz, seconded by Dyer. Motion carries 7-0-0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

Matt Kennedy continued on to explain the proposal with regards to Land Disturbance. The total limit of disturbance is 15.3 acres, 9.7 of which contains trees which will be cleared. Erosion sedimentation control measures will be put in place before the area is cleared and graded. When operating, the site will only be visited a few times per year for maintenance.

Landis asked how storm water will be handled during and post-construction. Greg Dickson stated that during operation, vegetation and grasses will be allowed to grow two to three feet high, which will facilitate water absorption. They will also use soil with a high infiltration rate. During construction, vegetation will be removed, but only in five-acre blocks that will be reseeded as the contractor moves across the site. Sediment basins will be placed onsite to store storm water during construction and remain during operation of the solar field.

Landis stated that she would like to see a plan of exactly how the five-acre construction phasing model will be implemented.

Bebis asked if there will be an effort to save the topsoil onsite during clearing. Dixon stated that much of the topsoil has already been removed from other projects, but they will save as much as they can.

DiVirgilio asked how long the project would take to complete. From clearing to completion, it should take five to six months.

Dixon described the vault holding the electrical transformers, which will be surrounded by a three-foot deep moat.

Dyer requested that all invasive vegetative species onsite be properly disposed of.

Motion to continue this case to 8:00pm on 1/26 by Goetz, seconded by Dyer. Motion carries 7-0-0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

7:15 – Land Disturbance Permit – 130 West Street, Paragon Investments, Inc.

Wiley read the legal advertisement into the record.

Steve Cabral of Craftsman Engineering presented the project on behalf of the applicant. The project is to construct 22 townhouse-style units consisting of an office space on the first floor and a living space on the second and third floors. There are no wetlands nearby, the Neponset River is over 500 feet away, and the site is outside of the 100-year flood zone. Two existing buildings on the site will be demolished and soon after construction will commence.

Landis asked if the project can include an additional infiltration unit like Town Engineer Carl Balduf had proposed. Steve Cabral stated that they could look into that to see if it would be worth the cost.

No public questions.

Motion to close the public hearing by Goetz, seconded by Dyer. Motion carries 7-0-0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

Motion to issue the Land Disturbance Permit, with conditions that the applicant provide the Commission a copy of the site plan and that they be notified if there is a lag time greater than 30 days between demolition and construction, by Goetz, seconded by Dyer. Motion carries 7-0-0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

Due to technical difficulties, Doug Burchesky left the Zoom meeting.

7:30PM – Continued Land Disturbance Permit, 585 Washington Street, Garden Estates, Drew Haughton

Wiley read the legal advertisement into the record.

Wiley read a letter from Legacy Engineering requesting a continuance to January 26 without discussion at this meeting.

Motion to continue this case to 8:15pm on 1/26 by Dyer, seconded by Goetz. Motion carries 6-0-0. (Wiley, Goetz, Dyer, DiVirgilio, Ziemba, Bebis).

Doug Burchesky rejoined the Zoom meeting.

7:40PM – Continued Notice of Intent – 48 Bubbling Brook, Michael and Sarah Maden

Wiley read the legal advertisement into record.

Bernard Hamill presented the changes to the project on behalf of the applicant.

Landis voiced worries about the pool and the patio taking up a large portion of the otherwise grassy backyard.

Dyer requested to see alternatives for the Riparian Zone, to which Bernard Hamill stated he can submit them before the Commission's next meeting.

Goetz suggested moving the wall closer to the pool, but Bernard Hamill stated that would decrease the size of the sunbathing area.

No public comment.

Motion to continue this case to 8:30pm on 1/26 by Goetz, seconded by Dyer. Motion carries 7-0-0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

8:00PM – Request for Determination of Applicability, 3 Tanglewood, Elise Dunn

Wiley read the legal advertisement into the record.

Landis described the proposal to put a small addition and breezeway to connect the house to the garage. The lawn is about 80 feet away from existing wetlands.

Goetz stated that the plans provided are very minimal, but Landis and Wiley stated that they are sufficient enough for the Conservation Commission's purposes.

No public comment.

Motion to close the public hearing by Dyer, seconded by DiVirgilio. Motion carries 6-1-0. (Wiley, Dyer, DiVirgilio, Burchesky, Ziemba & Bebis yes; Goetz no).

Motion to issue a Determinacy of Applicability as a Negative 2 with the installation of erosion control as a limit of work within 10 feet of proposed addition as shown on sketch and the provision to the Commission of an adequate design plan, by Dyer, seconded by DiVirgilio. Motion carries 7-0-0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

GENERAL BUSINESS/OLD BUSINESS/NEW BUSINESS

Conservation Agents Report

Minutes – (vote required for action) – 11/29/2021, 12/08/2021

The Conservation Commission decided to postpone approval of minutes to the next meeting.

Trail Grant Letter of Support Request

Landis explained that the town is applying for funds to purchase additional signage and maps to be placed along the trails and are asking the Conservation for a letter of support.

Motion to write the letter of support by Goetz, seconded by Dyer. Motion carries 7-0-0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

Master Plan Update

The Master Plan Steering Committee has chosen a logo after holding a contest with submissions from Walpole High School graphic design students. They are also beginning to hold Kitchen Table Seminars with members of the Walpole Community.

North Street Property Update

The company is surveying the property and will stake it out with respect to the property line and create a topographical map for the engineering department to determine an estimate.

Enforcement Orders/ Notice of Noncompliance – On Agenda until resolved

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

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

Washington Street, 0- Steven Capponi – EO - A conservation agent contacted Landis to say that she had observed some alteration to the river front area and buffer zone and potentially wetlands area from the Norwood side of the property and she would be issuing an enforcement order and requesting a restoration plan for that property.

Motion to approve the enforcement order by Goetz, seconded by Bebis. Motion carries 7-0-0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

Burns Ave – Wall Street Development – The applicant began working and clearing trees from the property even though their building permit was still under appeal. Landis visited the site and noted several violations that the Conservation Commission can issue an enforcement order over.

Dyer suggested fining the applicant for working without an approved permit and the others agreed.

Motion to fine Wall Street Development Corp. \$300 per day per violation (starting after three days) for working without a permit by Dyer, seconded by DiVirgilio. Motion carries 7-0-0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

Request for Certificate of Compliance

539 Main Street, DEP #315-1170

Motion to issue the Certificate of Compliance by Dyer, seconded by DiVirgilio. Motion carries 7-0-0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

Appeals –On Agenda until resolved

SORAD DEP 315-1217 Pinnacle - nothing new.

SDOA Wall Street Development - Pinnacle Historic Mill Complex - nothing new.

Pinnacle Point Trail Executive Session Discussion

Motion to end the regular meeting and enter an Executive Session by Dyer, seconded by Bebis. Motion carries 7-0-0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

Meeting adjourned at 10:30PM