

**CONSERVATION
COMMISSION**



Town Hall

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**Town of Walpole
Commonwealth of Massachusetts**

MINUTES
CONSERVATION COMMISSION
MAY 27, 2020
7:00 PM

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

Present on ZOOM Conference: Jack Wiley (Chairman), Al Goetz (Vice), Betsey Dyer, Emidio Di Virgilio, Doug Burchesky

Absent: Roger Turner

Also present: Conservation Agent, Landis Hershey; Amy Messier

Wiley opened the meeting at 7:00 PM

Roll Call: Wiley- Aye; Goetz Aye; Dyer-Aye; Di Virgilio- Aye; Burchesky-Aye

7:00 PM: ANRAD, Walsh Construction, 533 Lincoln Road, DEP #315-1225:

Wiley opened the hearing, and read a letter from GLM Engineering on behalf of the Applicant, requesting a continuance to 6/10/2020. Dyer motioned to continue the hearing to 6/10/2020 at 7:05PM, seconded by Di Virgilio, the motion carried 5-0-0 (roll call: Burchesky, Di Virgilio, Dyer, Goetz, Wiley)

7:15 PM: Notice of Intent, Jason Martucci, 11 Dover Drive, DEP #315-1223:

Wiley opened the hearing, Craig Cygawnoski of RIM Engineering was present on behalf of the Applicant, and explained to the Commission that the Applicant is proposing an in-round pool within the rear of the property of an existing single-family home. The existing patio and retaining wall are to be removed, and landscaping is proposed around the pool area, including 430 s.f. of plant mitigation along the existing stone wall, where there was previously disturbed area (existing lawn) within the 25 ft. no alteration zone. Hershey read Town Engineer comments. Hershey also stated that the stone walls are a good boundary between the proposed activity and the wetlands area. The additional plantings will be an improvement to the 25 ft. no alteration area, and believes that that the original stone wall was the limit of work for the construction of the house back in the 1990's. Hershey also stated that the pool shall be maintained so as to not discharge pool water directly into or towards the wetlands, and recommends issuing an Order of Conditions for this proposal. Wiley and Goetz recommended that plaques be in place (total of 3). Wiley opened the hearing up to the public for comment, which there was none. Dyer motioned to close the hearing, seconded by Di Virgilio, the motion carried 5-0-0 (roll call: Burchesky, Di Virgilio, Dyer, Goetz, Wiley). Dyer motioned to issue an Order of Conditions, with boiler plate conditions and the special condition regarding the pool and plaques, as mentioned above, seconded by Di Virgilio, the motion carried 5-0-0 (roll call: Burchesky, Di Virgilio, Dyer, Goetz, Wiley)

7:30PM: RDA, RDZ Associates LLC, Lot 1 Bubbling Brook:

Wiley opened the hearing, Dan Merrikin of Legacy Engineering was present on behalf of the Applicant. Hershey read comments from the Town Engineer and an abutter of the property. Merrikin explained to the Commission that the site is currently partially developed, with a stormwater drainage system for the Bubbling Brook road extension, and the proposed work lies on the upslope side of the stormwater management system. The proposed work is the construction of a single-family dwelling, along with all appurtenant utilities, driveways, and landscaping in the outer portion of the buffer zone area that is noted on the approved subdivision plan, upslope of an approved stormwater basin. Hershey stated that the construction of the house is well away from the wetlands, with the approved infiltration basin between the wetlands and the house construction. An abutter brought up a buffer zone requirement of the Planning Board so the Applicant should make sure that the construction addresses this concern, and recommends that the Commission issue a Negative 3 Determination. Wiley opened the hearing up to the public for comment, which there was none. Dyer motioned to close the hearing, seconded by Di Virgilio, the motion carried 5-0-0 (roll call: Burchesky, Di Virgilio, Dyer, Goetz, Wiley). Dyer motioned to issue a Negative 3 Determination, with the conditions that the foundation drain is taken care of, seconded by Di Virgilio, the motion carried 5-0-0 (roll call: Burchesky, Di Virgilio, Dyer, Goetz, Wiley).

7:45PM: Notice of Intent, RDZ Associates, Lot 3 Bubbling Brook, DEP #315-1226:

Wiley opened the hearing, Dan Merrikin of Legacy Engineering was present on behalf of the Applicant, and explained to the Commission that the Applicant is proposing the construction of a single-family residential dwelling within 200 ft. of the riverfront area. Hershey read comments from the Town Engineer, and also stated that the proposed development meets the requirements of section 10.58 of the Wetlands Protection Act with 4,654 s.f. of riparian area proposed to be altered within the 100-200 foot river front area, with all work to be done outside the 25-foot no alteration area, and recommends issuing an Order of Conditions for this proposal. Wiley opened the hearing up to the public for comment, which there was none. Goetz suggested that the compost sock along the wall and fill, to be changed from 12 to 18 (revised plan to be submitted). Dyer motioned to close the hearing, seconded by Di Virgilio, the motion carried 5-0-0 (roll call: Burchesky, Di Virgilio, Dyer, Goetz, Wiley). Dyer motioned to issue an Order of Conditions, with the following conditions in place; there will be no further alteration to the riverfront area, no alteration plaques will be installed and the driveway construction is to be supervised and the driveway grades certified by the engineer upon the As-built, seconded by Di Virgilio, the motion carried 5-0-0 (roll call: Burchesky, Di Virgilio, Dyer, Goetz, Wiley).

8:00 PM: Notice of Intent, Sayed Halabi, 1363-1365 Main St., DEP #315- (Bylaw Only):

Wiley opened the hearing, Applicant Sayed Halabi was present, along with the Applicants Engineers, Kevin Riopelle and Fred King of DGT Associates. Hershey read comments from the Town Engineer. Halabi explained to the Commission that he is proposing the construction of a 3-story mixed-use building (1st floor commercial, with 2nd & 3rd floor residential), with a below grade parking structure with associated parking area, stormwater management, and utilities. Hershey stated that this project is only jurisdictional under the Bylaw, with the isolated wetlands located just off of the property. Hershey's main concern with this redevelopment project is to address the stormwater management on site. Hershey asked the Applicant to catch as much of the untreated stormwater currently flowing into Main St. and treat as much as possible on site. The stormwater is directed to an infiltration system 4 ft. above the annual ground water, and the proposal includes deep-sump catch basins, stormwater treatment units and a stormwater pumping station. Hershey recommended that the stormwater Operation and Maintenance Plan that was included with in the stormwater Report should be attached to the Order of Conditions and recorded. It was also mentioned that a long term pollution Prevention Plan was submitted with the filing. Hershey recommends that the Commission issue an Order of Conditions for this project under the Bylaw. Wiley opened the hearing up to the public for comment, which there was none. Dyer motioned to close the hearing, seconded by Di Virgilio, the motion carried 5-0-0 (roll call: Burchesky, Di Virgilio, Dyer, Goetz, Wiley). Dyer motioned to issue an Order of Conditions under the Bylaw, with the addition of the following conditions; routinely keep the area clean of debris; a sign in the rear of the property stating to clean up animal waste, and the installation of two plaques at the boundary/ property line of the no

alteration zone, seconded by Di Virgilio, the motion carried 5-0-0 (roll call: Burchesky, Di Virgilio, Dyer, Goetz, Wiley)

GENERAL/NEW/OLD BUSINESS: (vote required for action)

n/a

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

Main St. #1900, DEP #315-1043: no action

Boyden Estates – Summer Street DEP #315-1099: no action

Notice of Noncompliance Brookside Village, DEP #315-1093: Hershey stated that the Applicant is working with the Building Inspector to resolve the issue of the wall.

Minutes – (vote required for action)

5/13/2020: Dyer motioned to accept the minutes of 5/13/20, seconded by Di Virgilio, the motion carried 5-0-0 (roll call: Burchesky, Di Virgilio, Dyer, Goetz, Wiley)

REQUESTS for Certificate of Compliance: (vote required)

The Manzo Company, West St. parking Lot (#2 & #5), 315-1132: Dyer motioned to issue a Certificate of Compliance, seconded by Di Virgilio, the motion carried 5-0-0 (roll call: Burchesky, Di Virgilio, Dyer, Goetz, Wiley)

Frank Kent, 263 Lincoln Rd., DEP #315-1188: not issued at this time.

James DeCelle, 525 Cedar Street, DEP #315-583: Dyer motioned to issue a Certificate of Compliance, seconded by Di Virgilio, the motion carried 5-0-0 (roll call: Burchesky, Di Virgilio, Dyer, Goetz, Wiley)

Request for Extension: (vote required)

Callahan Company, DEP #315-850: Dyer motioned to grant a 14 mos. extension, seconded by Di Virgilio, the motion carried 5-0-0 (roll call: Burchesky, Di Virgilio, Dyer, Goetz, Wiley)

Board Comments: N/A

Correspondence:

Tigh&Bond – Utility Maintenance activities

TEC Associates : MA Costal Railroad 2020 Vegetation Control Program

National Grid VMP

Dyer made a motion to adjourn, seconded by Wiley, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Di Virgilio, Burchesky)

The meeting adjourned at 8:31 PM.