

**CONSERVATION
COMMISSION**



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**Town of Walpole
Commonwealth of Massachusetts**

MINUTES
CONSERVATION COMMISSION
FEBRUARY 12, 2020
7:00 PM

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

Present: Al Goetz (Vice Chair), Betsey Dyer, Roger Turner, Emidio Di Virgilio, Doug Burchesky

Absent: Jack Wiley (Chair)

Also present: Conservation Agent, Landis Hershey; Board Secretary, Amy Messier

The Conservation Agent Report dated February 12, 2020 was given to members.

Goetz opened the meeting at 7PM:

7:00 PM:

ANRAD, John Hasenjaeger, Map 19, Lot 138 Pinnacle Pt., DEP #315-1217:

Goetz opened the hearing Applicant John Hasenjaeger was present along with Briscoe Lang from Pare Corp. Goetz read bd. comments and a letter from the NRWSA. Lang explained to the Commission that the parcel of land on Pinnacle is approx. 3.6 acres and is currently vacant. The property was flagged by Pare Corp. in late 2018, and there is no work being proposed at the moment. Hershey stated that her and Lauren (PWS of Pare Corp.) reviewed the wetland resource line in the field and is in agreement with the A & B series flags, with adding flags between A5 and A6. Hershey recommends that the Commission look further into the P series flags (P1- P32) for further review, with a peer review suggested to determine delineation of the bank and Bird Pond regarding riverfront area and its conditions of flow/characteristics. Goetz and Di Virgilio stated that they believe Bird Pond is a part of the Neponset River from beginning to end. Lang and the applicant were on board with hiring a peer reviewer. There were no comments from the public. Dyer motioned to continue to 3/11/20 to allow time for a peer reviewer to be selected and has reviewed the property, seconded by Turner, the motion carried unanimously 5-0-0.

7:15 PM:

Notice of Intent, Walsh Bros. Building Co., 300 Stone St., DEP #315-1218:

Goetz opened the hearing and read bd. comments. Rob Truax of GLM Engineering was present on behalf of the applicant and explained to the Commission that the property is a single-family lot and approx. 27,000 s.f. in area, and the entire lot is within the 100 ft. buffer and riparian , with 90% located within the 100 yr. flood plain. There is a perennial stream across the property, with a BVW associated with the river, and work located in the 100 ft. buffer zone is proposed. The wetlands were flagged by EcoTec, along with a wildlife study. Truax stated that the applicant has not met with engineering yet to review stormwater, and would like to coordinate with Baldur and Hershey to a time next week to review. Hershey stated that the NOI needs to be revised regarding

the bordering land subject to flooding. Di Virgilio motioned to continue the hearing to 2/26/20 at 7:15 PM, seconded by Dyer, the motion carried unanimously 5-0-0.

7:30 PM:

Notice of Intent, Scott Tillinghast, 100 Rustic Rd., DEP #315-1220:

Goetz opened the hearing and read bd. comments. Frank Gallagher of Gallagher Engineering was present on behalf of the applicant, and explained to the Commission that the proposed project is to construct a single-family home with associated driveway, garage, deck and swimming pool. There is existing S&W that the new house will tie into. All proposed work is outside of the 25 ft. no alteration area, with most of the work falling within the 100 ft. buffer. No alteration plaques are proposed on the property, along with erosion control. Hershey walked the wetlands line and stated that a construction pad needs to be shown on the plan regarding the excavation process to avoid tracking materials onto the road. The Commission recommended that no alteration plaques be placed all the way down to WF #32, and that the dead trees and wood be on the property be cleaned up, the addition two additional roof drains to the rear of the home, and construction entrance that is a min. 15 ft.W x 30 ft. L.

Public comment:

Raisa Karpovsky of 58 Rustic Rd.: occasional flooding of grass in front yard.

Dyer motioned to close the hearing, seconded by Turner, the motion carried unanimously 5-0-0.

Dyer motioned to issue an OOC contingent upon a revised plan submitted showing: erosion control, construction entrance, additional roof drains, no alteration plaques and removal of dead trees/wood, seconded by Turner, the motion carried unanimously 5-0-0.

7:45 PM:

Notice of Intent, Wall Street Development Corp. 11 (lot 6) Boyden Ln., DEP# 315-1214:

Goetz opened the hearing and read a letter from the Applicant addressed to the Commission requesting a continuance to the next meeting on 2/26/2020. Dyer motioned to continue to 2/26/2020 at 7:30 PM, seconded by Di Virgilio, the motion carried unanimously 5-0-0.

Minor Modification: Brookside Village Condominium Trust, Fillmore Ln., DEP #315-1093:

Rob Truax of GLM Engineering was present, as well as Brookside Village Trustees Kevin Flaherty and Bob Atwood. Hershey explained to the Commission that a boulder wall was built instead of an interlocking wall that was previously approved, and the structural engineer has recently provided documentation that the boulder wall is structurally sound, and is therefore requesting a minor modification for the change in the design and materials of the wall. Truax stated that the boulder wall is still a retaining wall with the same location as approved, and the same amount of disturbance was required to construct it. Hershey stated that the building inspector and town engineer reviewed the documents submitted and did not have any issues or concerns. It was stated that this request for the minor modification is solely to address the materials that the wall was built out of.

Public comment:

Atwood & Flaherty of Brookside Village: does not feel that the existing wall is adequate for erosion, and had the following specific concerns:

1. argues that the constructed wall is taller in height and does match the pictures submitted by the engineer, states that the slopes are currently eroding
2. inadequate stabilization that will fail to protect the wetlands or houses
3. roof drain galleys on the property have no manways

Atwood submitted photos of the wall that he has taken, and suggested that the rock wall remain, and another wall (interlocking) that was approved, be built around it. The Commission agreed that the current wall does not look stable or adequate. Hershey suggested that the wall be fixed in order to stabilize site. The Commission was in favor of the wall being fixed to adequately meet the purpose of the retaining wall, and would be accepting of

a properly designed boulder wall. Atwood suggested a site visit, Dyer motioned to schedule a site visit on 2/22/20 at 9AM, seconded by Di Virgilio, the motion carried unanimously 5-0-0.

Rte. 1 A project : Hershey updated the Commission that MassDOT will be filing a NOI soon for the reconstruction of Rte. 1 A (Main St.). They will be reconstructing the bridge over Neponset at North St., which will be exempt from the WPA and the Bylaw.

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

Main St. #1900, DEP #315-1043 (deadline 5/1/18): No updated at this time.

Boyden Estates – Summer Street DEP #315-1099 –Notice of Noncompliance 4/25: No update at this time.

Minutes: Dyer made a motion to accept the minutes of 1/22/2020, seconded by Di Virgilio, the motion carried 4-0-1 (Dyer, Turner, Di Virgilio, Burchesky in favor; Goetz abstained)

Request for Certificate of Compliance (vote required)

The Manzo Company, West St. Parking lot (#2 & #5), 315-1132: not ready to issue at this time.

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

Anthony Laham, 23 Walden Dr., DEP #315-553 (WPA and Bylaw): Dyer motioned to issue, seconded by Di Virgilio, the motion carried unanimously 5-0-0.

Donald Parsons, 19 Homeward Ln., DEP #315-349 (WPA and Bylaw): Dyer motioned to issue, seconded by Di Virgilio, the motion carried unanimously 5-0-0.

Board Comments.

ZBA: 51-53-55 Summer St. 40B “Cedar Crossing & Cedar Edge”: Hershey to recommend to ZBA that the project is required to be filed w. Con. Comm. under the MA WPA- at which will be reviewed for compliance w. 310 CMR reg. incl. compliance w. DEP Stmwtr. Standards.

P.B: TMC, 100 Elm Street (site plan mod.): modification already approved in con comm. plan,

P.B.: Alsarabi Estates- 32 Starlight Dr. (definitive sub.div.): on agenda for hearing on 2/26/20 at 7:05 PM.

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

The meeting adjourned at 10:00 PM.