

**CONSERVATION  
COMMISSION**

**Town Hall**  
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**Town of Walpole**  
Commonwealth of Massachusetts

MINUTES  
APPROVES 4/27/2022



CONSERVATION COMMISSION  
MAY 26, 2021  
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, Emidio DiVirgilio, Bailey Ziemba, and Dean Bebis.

Also present: Conservation Agent, Landis Hershey; Board Secretary, Allary Braitsch

Guests: Robert Tubbs, John Glossa, Jim Glaropoulos, Terry, Timothy Moses.

The Conservation Agent Report dated May 26, 2021 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 Application – 38 Peach Street – New World Estates. RDZ Associates, Erich Wohler.**

Proposed five lot subdivision.

Landis read the legal advertisement into the record.

Landis explained that Dan Merrickan from Legacy Engineering has requested a continuance to the first meeting in July.

**Motion to continue the hearing to July 14 at 7pm by Goetz, second by Dyer. Motion carries 7-0-0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).**

Summer Street

Landis is working with BETA on the draft Order of Conditions and will distribute to the Commission on June 2nd, one week prior to the June 9th meeting.

**Request for Certificate of Compliance**

Brookside Village, DEP# 315-1093

Landis has set up a site walk for Tuesday, June 1st.

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

**Main St. #1900, DEP #315-1043**

Landis hasn't been informed of a transfer of ownership and has reached out to various departments to gather information on the status of the property.

Betsey asked if the imaging tool used by Conservation could be used to determine was activities are ongoing. The latest imaging was March 2021 and Landis stated it looks like the site has been regrav-eled and there are a lot of vehicles being stockpiled there.

**Palmer Lane, 3 and 4**

Landis stated that a restoration plan was pulled together by Glossa Engineering and submitted to Neponset Land Holdings, Tom Palmer and Landis. She believes there will be a site visit between the parties.

**4 Lost Brook Trail – Notice of Violation-issued 4-20-21**

Clearing of buffer zone without a permit. Landis visited the site last evening the homeowners have already started installing shrubs and No Alterations placards per a plan prepared by Glossa Engineering. Landis asked for additional placards and the homeowners agreed.

**7:15 – Request for Determination of Applicability – 78 Cascade Terrace**

Decommissioning of three cesspools and replacing with septic system.

Landis read the legal advertisement into the record.

John Glossa presented the project on behalf of the Applicant. John explained that the system has already been installed because of a contractor error, who though the Board of Health permit application was sufficient to conduct the replacement. John explained that the install was done per plan and all erosion controls were installed.

Landis stated that the site looks okay and was being seeded during her site visit.

Dean asked if there was any erosion from the compost tubes and Landis stated there was no erosion and she explained to the homeowners that they need to remain in place until the site is stable.

**Motion to issue a Determination of Applicability with a Negative 2 by Goetz, second by Dyer.**

**Motion carrier 7-0-0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).**

**7:25PM – Request for Determination of Applicability – 643-703 Main Street – Village Realty Trust.**

Facade replacement and sidewalk repair.

Jim Glaropoulos, one of the property owner's presented the project. He explained that the project will repair and replace sidewalks, add a facade to a portion of the building, replace a roof and add another section of the roof.

Landis doesn't have any specific comments related to the filing. The project is within the Riverfront Area but there's no encroachment into the resource area. Landis stated that the dumpsters should be contained more appropriately. Mr. Glaropoulos stated that landscapers clean the area annually to remove debris and notices are sent to the tenants to keep the dumpsters closed.

Doug asked that the owner add signage at the dumpster to remind tenants to keep the dumpsters sealed and the owner agreed.

Al asked that all refuse from demolition be disposed of appropriately and measures should be taken to prevent any debris from entering into the river. Al stated that since he's become owner the property appears to be cleaner and better maintained.

**Motion to issue a Determination of Applicability as a Negative 2 by Goetz, second by Dyer. Motion carrier 7-0-0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).**

**7:35 PM – Request for Determination of Applicability - 17 Pheasant Hill Road**

Replacement of leach field.

John Glossa presented the project on behalf of the Applicant. He explained that there are wetlands along both sides of the driveway and along the back of the property. The septic system has failed and the project proposed to decommission the old system and replace it east of the existing system. The existing distribution box will remain and the new leach field will connect to that d-box. Erosion controls will be installed along the perimeter of the work area, as shown on the plan.

Landis asked that the erosion controls be extended along the driveway since the equipment will be traveling up and down the driveway. She asked if all excavated materials would be removed from the site and John stated that any material needed to create the side slopes will be repurposed on site and any excess will be hauled off site. She asked if they'd need to dewater and John replied that they're not anticipating that they'll need to dewater.

Dean asked why not dig up the old system and replace it in kind. John replied that the old system isn't piercing at all so the sewage would need to be dealt with and they want to avoid that because of health concerns and cost.

**Motion to issue a Determination of Applicability as a Negative 2 by Goetz, second Dyer. Motion carries 7-0-0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).**

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

**Notice of Noncompliance – WallStreet Development - Boyden Estates Drainage**

Landis explained that she sent a letter to the homeowners at Boyden Lane saying that Rob Truax, the representative for WallStreet Development would be presenting a plan to mitigation for the overflows from the wetland on 11 Boyden Lane. Landis was informed by Rob and Lou that they would not be presenting a plan at this meeting following sending out that letter.

Robert Tubbs of 11 Boyden Lane - he took ownership of the property after the flooding events. He stated that his understanding Lou was planning the installation something to mitigation for flows from the wetland. He is having a pool installed and final landscaping will be finished following that installation.

Wiley stated that if the plan isn't received by the next meeting, June 9th, Rob and Lou would both be subject to fines.

Dyer stated she supports that and hopes that the Commission follows through with issuing fines if this condition isn't met. She'd also like it put into writing to the Applicant and his engineer.

Landis stated she will send them both an email saying that they need to submit the plan by noon on June 7th or they will be subject to a fine for failing to produce requested information.

Dean asked if the pool will be installed within jurisdictional area and Landis replied that the pool should be outside of jurisdiction.

Tim Moses from Lot 5, Boyden Estates - stated that it happened twice this past winter and there hasn't been any issues since. Wiley stated that it shouldn't have happened in the winter based on the permits issued to the developer. Wiley went on to state that a Certificate of Compliance is outstanding for their property and Mr. Moses stated that they were made aware of that last week by Lou. Wiley informed

Mr. Moses that some issues occurred prior to him becoming the homeowner that needs to be completed prior to the issuance of a Certification of Compliance, which he should address with Lou to see if he can clean those up.

**GENERAL BUSINESS/OLD BUSINESS/NEW BUSINESS**

Conservation Agents Report

**Minutes** – 5/12/21

**Motion to approve the minutes by Dyer, second DiVirgilio. Motion carries 7-0-0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).**

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

**The meeting adjourned at 8:07 PM.**