

**CONSERVATION
COMMISSION**

Town Hall
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Town of Walpole
Commonwealth of Massachusetts

Approved on 6/22/2022



CONSERVATION COMMISSION
MAY 25, 2022
7:00 PM

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

Commissioners Present: Jack Wiley (Chair), Al Goetz (Vice Chair), Emidio DiVirgilio, Doug Burchesky, Bailey Ziemba and Dean Bebis

Absent: Betsey Dyer

Also present: Landis Hershey, Conservation Agent; Stephanie Ackley, Board Secretary

Guests: Joel Kent, Fontaine Brothers; Wayne Lestan, Russell Waldron, AES; John Glossa, Glossa Engineering; Will Schreefer, Nitsch Engineering; Chin Lin, Compass; Matt Barnhart, Tappe Architects; Corey Manchester, 5 Cardinal Lane; Michael Freiburger, 965 West Street; MaryLou and Joseph Scimone, 911 West Street;

The Conservation Agent Report dated May 25, 2022 was given to members.

Wiley opened the meeting at 7 PM. At the time, Wiley, Goetz, Burchesky, Ziemba and Bebis were the members present.

PUBLIC HEARINGS AND DISCUSSIONS

Continuance of Notice of Intent and Land Disturbance Permit – 965 West Street – Michael Freiburger –DEP #315-1259

Ackley read the Notice of Public Hearing into the record.

Scott Henderson and Russ Waldron represented Michael Freiburger.

DiVirgilio joined the meeting at 7:05PM.

Henderson explained that they are exploring different options for the replication area, that erosion controls and snow storage have also been added to the plans. Preliminary soil testing was done, and 6 six additional test pits were dug. Drainage has been updated, and retaining wall details have been added. They have also updated the tree line and specified the work area line.

Hershey has reviewed the revisions.

Burchesky asked about the truck wash-out areas, and Henderson explained that the one near the entrance is temporary for construction.

Goetz asked about the fuel storage indicated on the plans, and Henderson explained that it is optional for the equipment on site, and would require permits beyond conservation if they did pursue the fuel tank installation. He also explained that the tank would be a double wall containment system.

Goetz suggested that these details be included on the plan, as well as how it would be installed, and where the containment area is. Henderson explained that they could strike it from the plans, or the Commission could condition it in their decision.

Joe Scimone, 911 West Street, shared concerns about the usage and traffic concerns. He also asked if they intend to service vehicles on-site, and the volume of trucks that are currently owned by the business.

Hershey asked if salt would be stored on the site, and asked for these details to be included on the plans. Henderson explained that it would be stored, covered, and pitched appropriately.

Motion to continue the Public Hearing for the Notice of Intent and Land Disturbance Permit, for 965 West Street, Michael Freiburger, DEP #315-1259 to June 22, 2022 at 7:00PM by Goetz, seconded by DiVirgilio. Motion carries 6-0-0. (Wiley, Goetz, DiVirgilio, Burchesky, Ziemba, Bebis).

Notice of Intent – 5 Cardinal Lane – Corey Manchester – DEP# 315-1260

Wiley read the Notice of Public Hearing into the record.

Russ Waldron, AES, represented the applicant, Corey Manchester.

Waldron explained that the block wall detail, fencing and erosion controls around the stockpile and side yard have been added to the plan. He asked the requirements for the 25' plaques.

Hershey explained that once final materials have been chosen for the block wall, they must notify the Commission.

DiVirgilio asked if there is a barrier in the 25', and Waldron explained that there is no barrier because work will be done from the front of the property.

Wiley asked Waldron to verify/correct the amount of batter used on the wall construction.

Motion to close the Public Hearing for the Notice of Intent for 5 Cardinal Lane, Corey Manchester, DEP#315-1260 was made by Goetz, seconded by DiVirgilio. Motion carries 6-0-0 (Wiley, Goetz, DiVirgilio, Burchesky, Ziemba, Bebis).

Hershey reviewed the conditions.

- Erosion controls shall remain in place until approved by Conservation Agent.
- If the wall construction changes the Commission should be notified and minor modification requested.

Motion to approve the Notice of Intent for 5 Cardinal Lane, Corey Manchester, DEP#315-1260 was made by Goetz, seconded by DiVirgilio. Motion carries 4-0-2 (Goetz, DiVirgilio, Ziemba, Bebis – Wiley and Burchesky Abstained).

Continuance of Land Disturbance Permit – 625 Washington Street – Bird Middle School – Town of Walpole

Wiley read the Notice of Public Hearing into the record.

Will Schreefer, Chin Lin, Matt Barnhart and Joel Kent represented the applicant.

A letter from the Town Engineer was read into the record.

Schreefer reviewed Temporary Stormwater Management Plan with the Commission, which details the “worst-case scenario” calculations and design for the site.

Hershey explained that BETA has seen most of its comments resolved, and remaining comments have been deferred to the Town. Hershey recommend to condition the following:

SW 7 – Interim condition plan for construction period stormwater management. **Suggest special condition:** A plan shall be provided to the Commission prior to each phase of work addressing stormwater management.

SW 10 and SW11– Should existing conditions survey and questions be completed prior to permit issuance?

Suggested Condition: that the survey be submitted upon completion prior to construction with the analysis demonstrating that the two 12” pipes on Bird Middle School and the 18” RCP to the west of Edward Drive (East Street and Edward Drive drains) are adequate to convey the flow without flooding, or provide the Commission with revisions to the plans to adequately address any issues that were revealed by the survey and analysis in regards to the East Street and Edwards Drive pipes and drainage.

SW40 SWPPP

Suggested condition: The final SWPPP shall be submitted to the Commission for approval prior to construction.

SW44 Construction Phasing.

Suggested condition: The Applicant shall submit an update prior to each construction phase regarding completion of each phase, timeline and stormwater interim plan as per SW7 for review.

SW52 O & M should be approved by DPW.

Hershey also recommended that the DPW attend a workshop on maintenance of bio-retention areas, porous pavement, and other BMP's.

Bebis asked if perc tests had been done in the areas where the new swales have been added, and Schreefer explained that they are not in the exact locations, but in the general area, and that infiltration is for dead storage.

Burchesky asked if in the event of a 10-year storm would the calculations change, and Schreefer explained that it has improved.

Goetz asked about the timeframe for the project, and Kent explained that the school plans to open for September of 2024, they would then demolish the old school after the new school is occupied, and try to wrap up the site by Thanksgiving/November 2024, with the intention of final landscape completed in Spring of 2025.

Schreefer discussed the Pipe Plan from 5/5/2022. A new pipe with higher capacity will be installed and the flow will be improved. He then referenced Civil Plan C503, explaining that if East Street pipes are full, the excess is brought back on-site. They are looking to replace or upgrade pipes in the South-West corner of the property.

Burchesky asked about the existing culverts, and if they are checking for obstructions, to which Schreefer replied that all culverts will require upgrading, regardless of their condition.

Bebis asked if the pipes are asbestos, and Schreefer explained that it is likely, and they will be removed appropriately.

Wiley has concerns with the pipe, and wants to see it removed if it is asbestos.

Hershey recommended that the DPW attend workshops on how BMP's function and how to maintain them.

Motion to close the Public Hearing for the Land Disturbance Permit located at 625 Washington Street, Bird Middle School was made by DiVirgilio, seconded by Goetz. Motion carries 5-0-1 (Goetz, DiVirgilio, Burchesky, Ziemba, Bebis – Wiley Abstained).

Hershey discussed conditions:

Basins shall be as-built and as-built plan submitted to the Conservation Commission for approval prior to becoming active.

A preconstruction meeting shall be held with the Conservation Agent, contractor and engineers prior to beginning each phase.

A plan shall be provided by the contractor to the Commission one week prior to the beginning of **each phase** of work addressing stormwater management.

Removal or change to the 12-inch pipe referenced in the 05-18-2022 Memo -Existing Drainage Infrastructure and Plan shall be subject to condition #11 – further review by the Commission for approval.

The final SWPPP shall be submitted to the Commission for approval prior to construction.

The Applicant shall submit an update prior to each construction phase regarding completion of each phase, timeline and stormwater interim plan as per condition #42

Any changes to the Operation and Maintenance Plan shall be approved by the Commission and Town Engineer.

All the Stormwater BMP's (basins, bio-retention areas, subsurface infiltration, water quality units, sediment forbays and piping) shall be as-built, certified by a certified engineer, and the as-built plan submitted to the Conservation Commission for approval prior to activating each system. **This is prior to the full As-built plan for the Certificate of Compliance.**

A preconstruction meeting shall be held with the Conservation Agent, contractor and engineers prior to beginning each phase.

Motion to approve the Land Disturbance Permit located at 625 Washington Street, Bird Middle School as conditions was made by Goetz, seconded by DiVirgilio. Motion carries 5-0-1 (Goetz, DiVirgilio, Burchesky, Ziemba, Bebis – Wiley Abstained).

GENERAL BUSINESS/OLD BUSINESS/NEW BUSINESS

Minutes – 5/11/2022

Motion to approve the Minutes from May 11, 2022 was made by Bebis seconded by DiVirgilio. Motion carries 4-0-2. (Goetz, DiVirgilio, Ziemba, Bebis – Wiley and Burchesky Abstained.)

Conservation Agent Update

North Street - Hershey explained that the Norfolk survey will provide a plan by early June and that the Commission will work with engineering on a quote for access to the North Street property.

Master Plan Update – Bebis explained that there is no update, but the next meeting is being held on May 31st, 2022.

Pinnacle Point Update - No Update

Enforcement Orders

1900 Main Street, DEP#315-1043 - No Update regarding the sale or other activities on the site.

Palmer Lane, 3 and 4 – Hershey visited the restoration area with the Willet Pond Group and was satisfied with the plantings. The Enforcement Order can be vacated.

Motion to vacate the Enforcement Order for 3 and 4 Palmer Lane was made by Goetz, seconded by DiVirgilio. Motion carries 6-0-0. (Wiley, Goetz, DiVirgilio, Burchesky, Ziemba, Bebis)

Burns Ave – Wallstreet Development – No Update

Extensions

Rainbow Ponds, DEP#315-1149

Motion to grant extension for treatment of nuisance vegetation at Rainbow Ponds, DEP#315-1149 was made by Goetz, seconded by DiVirgilio. Motion carries 5-0-1 (Goetz, DiVirgilio, Burchesky, Ziemba, Bebis – Wiley Abstained)

Industrial Road, 18 DEP#315-850

Motion to grant extension at 18 Industrial Road, DEP#315-850 was made by Goetz, seconded by DiVirgilio. Motion carries 6-0-0 (Wiley, Goetz, DiVirgilio, Burchesky, Ziemba, Bebis)

Appeals

DOA Wallstreet Development – Pinnacle Historic Mill Complex - The appeal is still on for June. A revised plan of Wallstreet Developments Historic Mill Complex designation is available for review. This was provided for the Adjudicatory Hearing on June 14.

Board Comments**Comprehensive Permit 40B Application – The Residences at Darwin Commons – ZBA**

The density of this proposed project should not be detrimental to the town's water supply.

Definitive Subdivision – 24 Heidi Street – Planning Board

Hearing June 16- If any portion of the proposed project is within the jurisdiction of the Wetlands Protection Act or Bylaw or the Stormwater Bylaw a filing with the Conservation Commission is required.

Comprehensive Permit 40B Application – The Residences at Pinnacle Point – ZBA

The Historic Mill Complex is still in appeal until this is resolved the Conservation Commission requests to reserve their comments other than that related to the Pinnacle point trail. The Pinnacle Point trail has been used across this property for many years (over 25) to access the Pinnacle Point town Conservation Land at the end of Pinnacle and Misty lane. The Order of Conditions and subdivision plan for the Pinnacle Point subdivision addressed the trail and an easement was to be conveyed to the town as a condition of approval. Unfortunately, this did not occur. It is strongly recommended for the benefit of the residents of this development and the town residents that a trail along the river be included in the approved plan.

Motion to close the Public Meeting and enter into Executive Session was made by Goetz, seconded by DiVirgilio. Motion Carries 6-0-0 (Wiley, Goetz, DiVirgilio, Burchesky, Ziemba, Bebis)

Documents referenced:

5/25/2022 Agenda

5 Cardinal Lane Plan of Land (dated 5/16/2022)

Walpole Middle School Civil Plans (dated 5/5/2022)

Walpole Middle School – Town Engineer Letter

Draft Meeting Minutes – 5/11/2022

Conservation Agent Report (dated 5/25/2022)