

**CONSERVATION
COMMISSION**

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Town of Walpole
Commonwealth of Massachusetts

Approved on 6/22/2022



CONSERVATION COMMISSION
JUNE 8, 2022
7:00 PM

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

Commissioners Present: Jack Wiley (Chair), Betsy Dyer, Emidio DiVirgilio, Doug Burchesky, Bailey Ziemba and Dean Bebis

Absent: Al Goetz (Vice Chair)

Also present: Landis Hershey, Conservation Agent

The Conservation Agent Report dated June 8, 2022 was given to members.

Wiley opened the meeting at 7 PM.

PUBLIC HEARINGS AND DISCUSSIONS

Notice of Intent – 295 Union Street - John Meador/295 Union Street Fee Owner, LLC. – DEP# 315-1262

Wiley read the Notice of Public Hearing into the record.

He then read a letter from the Town Engineer, which detailed specific expectations regarding the intended plans. The applicant received a copy of the letter.

Wiley then read a letter from the DEP, detailing the restoration replication on the property. The applicant confirmed that he received a copy as well.

Brian McCarthy, represented the project, along with Chris Lucas, wetland scientist and John Meador, property owner. He then discussed the existing property and its structure, and then reviewed the proposed project. They intend to make improvements to the current site, including upgrades to the buildings and paving to add parking to the site.

McCarthy then discussed the stormwater system, sediment forebays, and detention and infiltration systems that would be added to the site, which currently has no treatment. They also intend on adding a hydrodynamic particle separator adjacent to the loading docks. They are introducing the best management practices throughout the site, and have created an Operational Maintenance Plan.

Chris Lucas, Lucas Environmental, delineated the site in November of 2021. He then discussed how they meet the regulatory requirements on the site. He explained that there had been 7800 sqft. of wetland that had been filled at a previous time, not with the current owner, and that they intend to restore 93% of that altered area. He explained how the project meets all requirements, and is requesting a waiver for work that would be done on the berm area near Union Street. He claimed that the large basin at the entrance will be a great improvement to Traphole Brook. The total area for restoration on the site is 28,000 sqft. and will be fully vegetated upon completion of the project.

Lucas also indicated that there was a miscalculation by the DEP, and they would have 36 trees and 45 shrubs, and that this will be documented with them as a correction. He also discussed a special condition requested by the DEP, and that the client is willing to do all the work, but is concerned with timing of the project, and that they may run into seasonal issues.

Hershey had reviewed the plans and submitted her comments to the applicant and their team. She discussed her comments with the applicant. She then recommended the location, size and shape of the basin be reviewed, so that more of the 25 ft. buffer zone could be restored.

Bebis asked about the transformer, and if it would be connected off of the current utility pole, and if it would have a containment system, which McCarthy replied yes. He also asked where the water runs to from the South-East side of the property, and McCarthy explained that it runs behind Dunkin' and likely flows to Traphole Brook. Bebis asked about the sewer and septic, and asked that the details be provided on the plans, specifically indicating stockpile areas. Bebis asked if the area in the SE portion of the site that is compacted gravel would be restored and converted back to wetlands, and McCarthy explained that the gravel will be removed and become a planted grass area.

Burchesky asked about the gravel verge, and if the snow or maintenance would disturb the area. McCarthy will add this a detail to the OMP.

DiVirgilio asked about the proprietary stormwater treatment, and McCarthy explained how it functions, adding that there is a detail in the set of plans.

Dyer asked where they intend to add snow storage to the site, since the property is essentially surrounded by wetlands. McCarthy explained that he could put some behind the dumpsters, and that there are locations throughout the site that it could be placed, since it is a large area. She also asked if there are invasive plants in the degraded wetlands, and if there is any plan to plant things that will not be killed by the existing invasive. Lucas said that this is something they can consider. She then asked about test pits on the site, and McCarthy pointed out the locations on the plans, and they intend to add the soil log into the plan.

Wiley asked about the existing water connection from Union Street, and suggested that the conditions reference the previous decision.

Nick Gulla, 1 Charity Place, asked about a 40 ft. landscape buffer, and if that is new plantings, or is it just being left alone, and McCarthy replied that it is being left alone.

Hershey raised her concern with the gravel verge, and that plows could create a barrier, so she would like to make sure this is prevented.

Wiley asked about future Union Street improvements, and asked if there would be sidewalks included on the plan. McCarthy explained that they will include that on the plans, but that the Town will be funding the project, and this will all be at a later date.

Wiley also suggested to run the plans by the Fire Department, so that they are aware of the project, and if they have any requirements.

Motion to continue - 6/22 at 7:10 Unanimous 6-0-0

Motion to continue the Public Hearing for the Notice of Intent for 295 Union Street, John Meador, DEP #315-1262 to June 22, 2022 at 7:10PM by Dyer, seconded by DiVirgilio. Motion carries 6-0-0. (Wiley, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

Notice of Intent and Land Disturbance Permit – Northwoods Estates IV – DEP# 315-1261

Wiley read the Notice of Public Hearing into the record. He then read a letter from the Town Engineer and DEP into the record.

Rob Truax, GLM Engineering, represented the applicant, and discussed the project with the Commission. They are proposing 3 roads in the development, two off of Delaney Drive and one off of Delaney Drive. There is a wetland that divides two of the streets. He pointed out 3 retention areas that would be located throughout the project. The site will be serviced by town sewer, and two water lines will be places to service the development. They are proposing to the Planning Board a waiver plan to reduce the roadway, remove a house, and to have less impact on runoff water. Truax also pointed out that they have respected the 25' buffer zone throughout the entire site. He also explained that they are waiting on Planning Board input, and that they would request to continue to a later date, once Planning has met.

Hershey explained that Wetland Resource Areas were delineated under DEP#315-1213 issued 1/24/2020. She also wants to the applicant to be clear that no houses can be constructed under this Notice of Intent, and that the Commission will only be approving grading and drainage. She also indicated that an abutter raised concerns with water levels that can accumulate in the area.

Bebis asked a question regarding the utilities, and if trees would be cleared for the easements. Truax said they would be cleared at about a 20' width, and that the Town would then take responsibility. Bebis asked for that clearing to be added to the plan. He then asked how the clearing would take place, if the lots would be cleared, and asked Truax explained that they will be doing some cutting for stockpiling and equipment, but they are not intending to clear out the house lots, as its not needed, and he plans to include this on the plan.

Wiley expects to see a revised roadway plan, which the Town Engineer will review. Truax agreed, and will also detail the clearing and grading plans.

Richard Spellman, 29 Delaney Drive, spoke regarding water located on the location where these homes are proposed. He pointed out the study done for the water was done in October, which he feels is not accurate for the amount of water accumulating there. He cannot support a homeowner who is responsible for maintaining a retention area, and having something fail, to then become a failure to a neighbor. He feels that this development is more than this location can support.

Dave Polaski, 24 Heritage Drive, shared concerns with clear cutting that would happen in the future, since it would impact his property. He worries that animals would be displaced, and the various other impacts this development would have on the surrounding homes.

Dyer asked if the trees would be cut right up to the lot line to install the water line, and Truax explained that this is part of the installation of the water line.

Joe Kennedy, 3 Indian Lane, shared his concerns with the timing of the wetland survey being in October as well. He is concerned that any work done in the proposed development could push water into his property.

Hershey explained that the wetlands are delineated based on Massachusetts Wetlands Protection Act, and that a wetland botanist inspects the site. This is done in a very specific way, including soil testing, and because of this, wetlands can be delineated in October. They also review vegetation and hydrology.

Motion to continue the Public Hearing for the Notice of Intent for Northwoods Estates IV, DEP#315-1261 to September 14 at 7:00pm was made by Dyer, seconded by Bebis. Motion carries 6-0-0 (Wiley, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

Request for Certificate of Compliance

Walpole to Holbrook Reliability Project – DEP#315-1085

Motion to grant the Certificate of Compliance for Walpole to Holbrook Reliability Project – DEP#315-1085 was made by Ziemba, seconded by DiVirgilio. Motion carries 5-0-1 (Wiley, Dyer, DiVirgilio, Burchesky, Ziemba – Bebis Abstained)

GENERAL BUSINESS/OLD BUSINESS/NEW BUSINESS

Minutes –No minutes were approved

Capital Budget Discussion

Hershey discussed a capital budget item for the North Street property, and creating parking area, pathway and boardwalk would cost total of 130k, not including permitting and signage.

The commission members were surprised at the cost, and suggested to try and trim costs or see if volunteers or donations would be possible. Capital budget needs to be submitted by 6/17.

Dyer asked to reduce the ask to \$50k and see what the commission can do with the smaller amount. She also suggested that we consider the cost of town employee labor and material costs that DPW would be able to get.

Wiley suggested reducing the scale of the project to just a walking path, and Dyer insisted that the commission at least make the attempt to acquire funds.

Hershey believes that there is benefit to create a safe location for someone to get off the road and observe the property, and if people utilize the location, then possibly to build it out to allow canoe access.

Members discussed the various requirements needed for the project, included ADA compliance or building code. They also discussed a revised cost that would be suitable for the scaled down version of the project, an approximate \$20k.

Motion to request \$20K for the Conservation Commission Capital Budget item was made by Dyer, seconded by DiVirgilio. Motion Carries 6-0-0 (Wiley, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis)

Master Plan Update

Bebis provided an update regarding the Master Plan. He explained that at the May 31st meeting, they discussed the previous meeting and are planning an info session, waiting on consultant to address comments and concerns.

Pinnacle Point Update – no update

Board Reorganization

The Commission decided to wait until the following meeting, so that Goetz could be present.

Enforcement Orders

1900 Main Street, DEP#315-1043 - Hershey will write a letter to the owner.

Burns Ave – Wallstreet Development – Discussed in Executive Session

Appeals

DOA Wallstreet Development – Pinnacle Historic Mill Complex

Hershey explained that a new presiding officer was assigned to the case, and the hearing has been postponed until July or August. No date has been set at this time.

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

Documents referenced:**6/8/2022 Agenda****295 Union Street Plan of Land****295 Union Street Town Engineer Letter****295 Union Street DEP Letter****Northwoods Estsates IV Proposed Plan****Conservation Agent Report (dated 6/8/2022)**