

**CONSERVATION
COMMISSION**

Town Hall
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Town of Walpole
Commonwealth of Massachusetts

MINUTES
Approved 12/14/2022



CONSERVATION COMMISSION
OCTOBER 12, 2022
7:00 PM

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

Commissioners Present: Jack Wiley (Chair), Al Goetz (Vice Chair), Betsy Dyer, Bailey Ziemba, Dean Bebis, Landis Hershey, Conservation Agent

Absent: Emidio DiVirgilio, Doug Burchesky

The Conservation Agent Report dated October 12, 2022 was given to members.

Wiley opened the meeting at 7 PM.

PUBLIC HEARINGS AND DISCUSSIONS

Continued NOI & LDP – Northwood Estates – High Oaks LLC – DEP# 315-1261

The applicant requested a continuance, and the Commission agreed to continuing the public hearing in December.

Motion to continue the Public Hearing for NOI & LDP – Northwood Estates – High Oaks LLC – DEP# 315-1261 was made by Dyer, seconded by Goetz. Motion carries 5-0-0. (Wiley, Goetz, Dyer, Ziemba, Bebis).

GENERAL BUSINESS/OLD BUSINESS/NEW BUSINESS

Minutes – 9/28/2022

Motion to approve 9/28/2022 minutes was made by Dyer, seconded by Goetz. Motion carries 4-0-1 (Wiley, Goetz, Dyer, Bebis, Ziemba Abstained).

5 Cardinal Lane – Request for Minor Modification

Corey Manchester, owner of 5 Cardinal Lane, discussed minor changes to the previously approved plan, explaining that the shape of the fire pit, angle of driveway and propane tank location have been changed.

Hershey suggested that these changes were minor.

Bebis asked if the tank would be underground or below the water table, and Manchester explained that it would be underground, but not below the water table.

Goetz asked if the tank would be secured to the ground, and Michael Freiberger, the contractor, explained that Kerivan-Lane has specifications that they will follow for the installation. He added that the tank would be mounted to a pre-cast concrete slab and bolted to it.

Motion to approve the Minor Modifications for 5 Cardinal Lane – DEP# 315-1260 was made by Dyer, seconded by Bebis. Motion carries 5-0-0 (Wiley, Goetz, Dyer, Ziemba, Bebis)

12 Comstock Way – Request for Minor Modification

A request for a Minor Modification was made as the pool has been slightly resized.

Motion to approve the Minor Modifications for 5 12 Comstock Way – DEP# 315-1256 was made by Goetz, seconded by Dyer. Motion carries 5-0-0 (Wiley, Goetz, Dyer, Ziemba, Bebis)

PUBLIC HEARINGS AND DISCUSSIONS

LDP – 195 Lincoln Road – Andrew Adams/Legacy Engineering

Dan Merrikan, Legacy Engineering, represented the project on behalf of Andrew Adams. He reviewed the project with the Commission, explaining that prior to 2010, there was a home on the property, which was demolished. The applicant intends to build a single-family home, garage, pool and septic system. The tennis court in the rear of the lot will be demolished. All surface runoff will be caught in a BMP. There will also be small infiltration basins to the right of the home for roof runoff.

Hershey had reviewed the site, and noted that some site work had been done. Erosion controls were in place.

Merrikan explained that some fill will be used to fill around the foundation and the rear of the lot.

Bebis asked if the work being done would modify runoff to the abutters, and Merrikan explained that it should not, as it would be caught in the swales.

Goetz asked where the nearest stream is located, and Merrikan explained that there is no stream nearby, but the water table is high in the area.

Motion to close the Public Hearing for the LDP – 195 Lincoln Road – Andrew Adams/Legacy Engineering was made by Goetz, seconded by Dyer. Motion carries 5-0-0. (Wiley, Goetz, Dyer, Ziemba, Bebis).

Wiley and Hershey explained the conditions.

Motion to Issue the LDP – 195 Lincoln Road – Andrew Adams/Legacy Engineering was made by Goetz, seconded by Dyer. Motion carries 5-0-0. (Wiley, Goetz, Dyer, Ziemba, Bebis).

GENERAL BUSINESS/OLD BUSINESS/NEW BUSINESS

Lot 30, Gigi's Way – Discussion of Culvert

Allen Garry discussed proposed changes to the culvert, and that they would prefer to install corrugated metal pipe rather than concrete.

Hershey explained that the new design will better suit the owners needs but also meet standards. They will need to file an amendment to go forward with the corrugated pipe, so that the Commission can approve the design.

Bebis confirmed that the specs will be relatively the same.

Ziembra asked the benefits of using the corrugated metal pipe, and the owner explained that cost saving is a big reason for the decision to change the pipe.

Dyer asked about the control structure on the pond, and the owner explained that it is no longer needed as they will not be raising the level of the pond. Dyer followed up by asking if there is a perennial stream behind the pond, and the owner agreed.

Goetz explained that as long as the pipe is installed correctly, he has no issue with the CMP being used, but they should expect a shorter lifespan.

Wiley asked if the driveway is located near the culvert, and the owner replied yes. Wiley then asked is the Fire Department has any issues with the crossing, and the owner explained that it will be engineered properly.

Hershey reminded the Commission that the owner will have to file an amendment based on the discussion.

Enforcement Orders

965 West Street

Michael Freiburger provided an update regarding his property at 965 West Street. He had removed the boardwalk, planted ferns, and spread 150lbs of wetland seed.

Hershey has seen photos.

Freiburger will no longer be using the land for running trails.

GENERAL BUSINESS/OLD BUSINESS/NEW BUSINESS

Conservation Land – North Street Parcel Capital Budget Item

Hershey explained that FinCom had met, but there was no discussion. It will be presented at Town Meeting on October 17th, 2022.

Request for Certificate of Compliance

11 Dover Drive – DEP# 315-1223 – Request for COC

Motion to grant a Certificate of Compliance for 11 Dover Drive – DEP# 315-1223 was made by Goetz, seconded by Dyer. Motion carries 5-0-0 (Wiley, Goetz, Dyer, Ziembra, Bebis)

GENERAL BUSINESS/OLD BUSINESS/NEW BUSINESS

Willett Pond Access Gifts

No Update

Pinnacle Trail

No Update

Appeals

DOA Wall Street Development

No Update

GENERAL BUSINESS/OLD BUSINESS/NEW BUSINESS

Master Plan Update

Bebis explained that the consultant is making revisions and the next meeting will be held in late October. The final draft is expected in December.

Enforcement Order

Burns Ave. – Wall Street Development

Hershey informed Town Counsel of the Commissions response to the request regarding the frequency of reports from the owner.

Board Comments

195 Lincoln Road – Scenic Road Hearing

The applicant is going before the Planning Board regarding the stone wall on Lincoln Road.

Warwick Road Extension – Definitive Subdivision Plan

The applicant is going before the Planning Board, and will be before the Conservation Commission regarding a 2 lot subdivision and road construction.

Correspondence

Letter of Completion from Dam

Hershey informed the Commission that the work to the dam was complete, and that they will be fixing up a small area where erosion occurred.

Motion to adjourn the October 12, 2022 Conservation Commission meeting was made by Goetz, seconded by Dyer. Motion carries 5-0-0. (Wiley, Goetz, Dyer, Ziemba, Bebis).

Documents referenced:

10/12/2022 Agenda

Northwood Estates – Web Packet

195 Lincoln Road - Web Packet

Draft Minutes – 9/26/2022

Conservation Agent Report (dated 10/12/2022)