

CONSERVATION COMMISSION



Town Hall

Room 212
135 School Street
Walpole, MA 02081
Phone (508) 660-7268
Fax (508) 668-2071

Town of Walpole Commonwealth of Massachusetts

MINUTES CONSERVATION COMMISSION APRIL 24, 2019 7:00 PM

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

Present: Jack Wiley (Chairman), Betsey Dyer, Emidio Di Virgilio, Roger Turner

Absent: Al Goetz (Vice Chair)

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

The Conservation Agent Report dated April 24, 2019 was given to members.

Wiley opened the meeting at 7PM

7:00 PM:

Notice of Intent, New Pond Village, 160, 170, 180 Main St., DEP #315-1199:

Wiley opened the hearing and read a letter dated 4/23/19 from Macchi & Macchi on behalf of the Applicant requesting a continuance to 5/22/19. Dyer made a motion to continue the hearing to 5/22/19 at 7:45 PM, seconded by Di Virgilio, the motion carried 4-0-0 (Wiley, Dyer, Turner, Di Virgilio)

7:15 PM:

Request for Determination, Georges Almacari, 23 Old Town Road:

Wiley opened the hearing, the Applicant was present and explained to the Commission that he proposed project is the installation of an 18x36 in-ground pool with associated lawn within 100 ft. of the BVW. Hershey recommended that no chlorinated or salt water shall be discharged in the wetlands and any stock piling for the pool should be stock piled away from wetlands and then removed, along with chemicals for the pool to be stored in a secure area. Wiley opened the hearing up to the public which there wasn't any. Dyer made a motion to close the hearing, seconded by Di Virgilio, the motion carried 4-0-0 (Wiley, Dyer, Turner, Di Virgilio). Dyer made a motion to issue a Negative 3 Determination, seconded by Di Virgilio, the motion carried 4-0-0 (Wiley, Dyer, Turner, Di Virgilio)

7:30 PM:

Notice of Intent, Metco Realty LLC., 2 Lois Drive, DEP #315-1201:

Wiley opened the hearing and read board comments. Marc Mariano of Oakhill Engineering was present on behalf of the Applicant. Mariano explained that the Notice of Intent is for the replacement of a failed Title 5

septic system, with the new proposed system will fall within the buffer zone to the BVW. It was stated that the septic system cannot be located in the front of the house due to the ledge, and therefore the septic system needs to be placed in the proposed area to the back of the property. Hershey suggested that if an OOC is granted, that it be contingent upon the final plan that the Health Dept. approves. No Alteration plaques (5) are to be shown on plan, and the 25 ft. no alteration area is to be staked by an engineer so no further work is done in that area.. Hershey stated that the owner of property cleared trees on the site prior to approval from the Commission, with some trees cut within the 25 ft. buffer zone, and suggested that shrubs to be planted in that area. Hershey also suggested that a retaining wall be placed in the backyard due to the downward slope of the property. Wiley opened the hearing up to the public for input, which included the following;

Dave R. of 6 Lois Dr.: wetland area questions.

Dyer made a motion to close the hearing, seconded by Di Virgilio, the motion carried 4-0-0 (Wiley, Dyer, Turner, Di Virgilio). Dyer made a motion to issue an Order of Conditions contingent with these above conditions with a revised/ approved plan by the Health Dept., seconded by Di Virgilio, the motion carried 4-0-0 (Wiley, Dyer, Turner, Di Virgilio).

7:45 PM:

Continued Notice of Intent, by Supa Cars, LLC., 1900 Main St., DEP #315-1186:

Wiley opened the hearing, the Applicant was not present, nor was anyone present on behalf of the Applicant. Dyer made a motion to continue the hearing to 5/22/19 at 8 PM, seconded by Di Virgilio, the motion carried 4-0-0 (Wiley, Dyer, Turner, Di Virgilio)

8:00 PM:

Continued Notice of Intent, by Donald Urquhart, 2080 Main St., DEP #315-1185:

Wiley opened the hearing and read Board comments. Paul De Simone of Colonial Engineering was present on behalf of the Applicant, and submitted a revised plan dated 4/24/19 with stormwater infiltration units for the roof drainage and an Operations and Maintenance plan. Hershey stated that the leeching chambers need observation and clean out port, Paul stated that they are standard and do have an observation and clean out port. Hershey stated that all stockpiled excavated materials shall be enclosed with erosion controls, along with the catch basins to be inspected twice a year. Wiley opened up the hearing to the public for comment, which there was none. Dyer made a motion to close the hearing, seconded by Di Virgilio, the motion carried 4-0-0 (Wiley, Dyer, Turner, Di Virgilio). Dyer made a motion to issue an Order of Conditions with conditions in place discussed above, seconded by Di Virgilio, the motion carried 4-0-0 (Wiley, Dyer, Turner, Di Virgilio).

GENERAL BUSINESS/OLD BUSINESS/NEW BUSINESS:

Minutes:

3/13/19: Dyer made a motion to accept the minutes, seconded by Di Virgilio, the motion was 3-0-1 (Dyer, Turner, Di Virgilio in favor; Wiley abstained).

4/10/19: Dyer made a motion to accept the minutes, seconded by Di Virgilio, the motion carried 4-0-0 (Wiley, Dyer, Turner, Di Virgilio).

Enforcement Orders/ Notice of Noncompliance:

Main St. #1900, DEP #315-1043 (deadline 5/1/18): On-going hearing on NOI.

231 Bullard Street – Notice of Noncompliance: No additional information.

275 Bullard Street- Notice of Noncompliance: No additional information.

3 Covey Rd.- Notice of Noncompliance (deadline 2/25): Plantings have started.

1720 Washington Street: no additional information.

Boyden Estates – Summer Street DEP #315-1099 – Notice of Noncompliance 4/25: Hershey and Wiley are scheduled to walk the site on 4/29/19. If stabilization and significant progress has not taken place at that time, a motion was made by Dyer to issue the Applicant a fine of \$300 per day until the site is stabilized, seconded by Di Virgilio, the motion carried 4-0-0 (Wiley, Dyer, Turner, Di Virgilio)

Requests for Certificate of Compliance:

High Oaks Estates, 39 Lester Gray Dr. (lot 141), DEP #315-1048: Dyer made a motion to issue a Certificate if Compliance with continuing conditions, seconded by Di Virgilio, the motion carried 4-0-0 (Wiley, Dyer, Turner, Di Virgilio).

High Oaks Estates, 10 Lady Slipper Dr. (lot 106), DEP #315-1033: Dyer made a motion to issue a Certificate if Compliance with continuing conditions, seconded by Di Virgilio, the motion carried 4-0-0 (Wiley, Dyer, Turner, Di Virgilio).

High Oaks Estates, 7 Lady Slipper Dr. (lot 162), DEP #315-1031: Dyer made a motion to issue a Certificate if Compliance with continuing conditions, seconded by Di Virgilio, the motion carried 4-0-0 (Wiley, Dyer, Turner, Di Virgilio).

High Oaks Estates, 55 Mill Brook Ave. (lot 127), DEP #315-1022: Dyer made a motion to issue a Certificate if Compliance with continuing conditions, seconded by Di Virgilio, the motion carried 4-0-0 (Wiley, Dyer, Turner, Di Virgilio).

High Oaks Estates, 51 Mill Brook Ave. (lot 129), DEP #315-1021: Dyer made a motion to issue a Certificate if Compliance with continuing conditions, seconded by Di Virgilio, the motion carried 4-0-0 (Wiley, Dyer, Turner, Di Virgilio).

High Oaks Estates, 47 Mill Brook Ave. (lot 130), DEP #315-1020: Dyer made a motion to issue a Certificate if Compliance with continuing conditions, seconded by Di Virgilio, the motion carried 4-0-0 (Wiley, Dyer, Turner, Di Virgilio).

Al- Marhama Islamic Burial Services, Rte. 1 (Map 53/ Lot 34), Bylaw only & Land dist.: Dyer made a motion to issue a Certificate if Compliance for the expired OOC, seconded by Di Virgilio, the motion carried 4-0-0 (Wiley, Dyer, Turner, Di Virgilio). Dyer made a motion to issue a Certificate if Compliance for the Land Disturbance Permit, seconded by Di Virgilio, the motion carried 4-0-0 (Wiley, Dyer, Turner, Di Virgilio).

Requests for Extension:

Wall Street Development, Boyden Estates Subdiv., DEP #315-1099: Dyer made a motion to issue a 12 mos. extension under the Wetlands Protection Act only, and to fine \$300 per day per violation if work takes place without receiving a check from the Applicant for the extension under the Bylaw within a week, seconded by Di Virgilio, the motion carried 4-0-0 (Wiley, Dyer, Turner, Di Virgilio)

Correspondence/ Other Business:

Lewis Pond EPA photos

Board Comment Requests:

13 McKinley Ave.: no jurisdiction

Renmar: If any changes are related to Conservation, the Applicant shall provide the Commission with a letter and plan.

Dyer made a motion to adjourn, seconded by Di Virgilio, the motion carried 4-0-0 (Wiley, Dyer, Turner, Di Virgilio)

The meeting adjourned at 8:45 PM.

Accepted 5/22/19

