

CONSERVATION COMMISSION



Town Hall

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Town of Walpole Commonwealth of Massachusetts

MINUTES
CONSERVATION COMMISSION
April 25, 2018
7:00 PM
DRAFT

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

Present: Jack Wiley (Chairman) Al Goetz (Vice Chairman) Betsey Dyer, Roger Turner, Emidio DiVirgilio

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

The Conservation Agent Report dated April 25, 2018 was given to members.

Chairman Jack Wiley opened the meeting at 7:00 PM

7:00 PM

Notice of Intent, by David Wakefield, Parcel 21 East St., "Nichols Pond Ln." DEP #315-1138:

Wiley opened the hearing and read a letter from GLM Engineering requesting a continuance to a later date, Goetz made a motion to continue the hearing to 6/13/18 at 7:00 PM, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, DiVirgilio)

7:05 PM

Notice of Intent, by Michael Viano, SR II Ventures, LLC., Lot 30 Gigi's Wy. DEP #315-1146:

Wiley opened the hearing, John Glossa of Glossa Engineering was present as well as the Applicant, Michael Viano of SR II Ventures. Glossa submitted new plans, dated 4/25/18 and explained that the building is smaller and pushed back. Wiley read comments from the Town Engineer, dated 3/27/18 that were referencing the previously revised plans with the submission date of 3/22/18. Hershey stated that the main issue she sees is if the Commission is going to allow a structure within the 25 ft. No Alteration Zone, which is a Bylaw issue that needs to be determined. Dyer stated that she has repeatedly asked to see more of the lot on the plans and her request has not been met, as well as commenting on the size of the lot and the placement of the proposed building- stating it does not appear to be a hardship lot, and she is not in favor of the proposed plans that have been submitted. Wiley opened the hearing up to the public for comment, which there wasn't any. Hershey suggested

to the Commission that if the project is approved, that the fence be removed and beneficial shrubs be planted in that area to add to its quality. Viano stated that he is still currently working with the issues related to zoning. Goetz made a motion to continue the hearing to 5/23/18 at 7:30 PM, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, DiVirgilio)

7:36 PM

Request for Determination, by Richard Whittington, 24 Emerald Way:

Wiley opened the hearing and read Board comments which consisted of comments from the Board of Health and Engineering. Eric Dias of Strongpoint Engineering was present on behalf of the Applicant and submitted revised plans dated 4/24/18 addressing comments from Hershey. Dias explained that the majority of the work is located outside of the wetlands, and that the rooftop stormwater will be collected and infiltrated on site, along with the back and side yard portion of the land to flow towards the roadway where it will be treated and discharged into the basin. Adequate erosion controls around the southerly portion of the lot have been added to the revised plans. It was noted that the house is designed to be kept out of the 100 ft. buffer zone. Hershey stated she is satisfied with the revisions made on the plans, and has no other concerns. Goetz made a motion to close the hearing, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, DiVirgilio). Goetz made a motion to issue a Negative Three Determination, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, DiVirgilio).

7:52 PM

Notice of Intent, by Walsh Bros. Co. Inc., 88 Millbrook Ave. DEP#315-1155:

Wiley opened the hearing, Rob Truax from GLM Engineering was present on behalf of the Applicant. Wiley read Board comments which included comments from the Town Engineer. Truax stated that the proposed project includes the construction of a single family dwelling with associated grading and utilities. Truax explained to the Commission that there is a drainage basin in front of the lot that discharges towards the wetland, with a gravel driveway, and the lot is currently cleared, grassed and graded. The wetlands have been flagged on the other side of the existing stonewall, and the 25 ft. buffer is located behind the gravel driveway and over the stone wall. The house is proposed in the middle of the lot, with a paved driveway, a walkout basement towards the wetlands, and there is no clearing or cutting of trees to take place. Hershey stated that she went out to observe the site and suggested that roof infiltration and 25 ft. no alteration markers (in the area of the house) be added, along with the note that the owner of the lot is to maintain the basin be noted on the plans. Goetz suggested that the plaques should follow the stone wall. Wiley opened the hearing up to the public for comment, which there was none. Dyer made a motion to close the hearing, seconded by DiVirgilio, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, DiVirgilio). Dyer made a motion to issue an Order of Conditions, seconded by DiVirgilio, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, DiVirgilio).

8:25 PM

Notice of Intent, by Pulte Homes of New England, LLC., 767-777 East St. DEP #315-1148:

Wiley opened the hearing and read a letter from Matt Leidner on behalf of the Applicant requesting a continuance to 5/23/2018. Goetz made a motion to continue the hearing to 5/23/18 at 8:15 PM, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, DiVirgilio).

8:05 PM

Notice of Intent, by Susan Brissette, 100 Rustic Rd. DEP# 315-

Wiley opened the hearing, and read Board comments which consisted of comments from the Board of Health, Planning, and the Town Engineer. Frank Gallagher of Gallagher Engineering was present on behalf of the Applicant, along with the Applicant's son Ken Brissette. Gallagher is proposing to divide the existing property, and take down the existing house, with a proposed house on Lot 2. The wetlands on the west side of the property has been flagged. There is encroachment of erosion controls within the 25 ft. No Disturb Area for the removal of the two sheds on the lot. Hershey stated that she went to look at the site, and stated that there is an intermittent stream on the lot, which should be labeled on the plan, along with the resource area identified on the plan, as well as noting that there are materials in the wetlands and buffer zone such as tires, etc. which need to be removed and appropriately disposed of, and the dead and fallen trees should be removed from the wetlands by hand. DiVirgilio asked if there are any permanent wetlands markers, Gallagher stated no, Wiley suggested that they should be incorporated. (Review tape) Wiley opened the hearing up to the public for comment, which there was none. Goetz made a motion to continue the hearing to 5/23/18 at 8:00 PM, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner DiVirgilio).

GENERAL BUSINESS/OLD BUSINESS/NEW BUSINESS:

Minutes:

3/14/18: Goetz made a motion to accept the minutes of 3/14/18, seconded by Dyer, the motion carried 4-0-1 (Goetz, Dyer, Turner, DiVirgilio in favor; Wiley abstained)

3/28/18: Goetz made a motion to accept the minutes of 3/28/18, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, DiVirgilio)

4/11/18: Goetz made a motion to accept the minutes of 4/11/18, seconded by Dyer, the motion carried 4-0-1 (Wiley, Goetz, Dyer, Turner in favor; DiVirgilio abstained)

Enforcement Orders/ Notice of Noncompliance:

Main St. #1900, DEP #315-1043: No further update at this time.

609 Lincoln Rd.: no further updates at this time.

Boyden Estates- Summer St. DEP #315-1099 (Notice of Noncompliance): Lou Petrozzi of Wall Street

Development and Rob Truax of GLM Engineering were present. Hershey stated that Applicant still needs to address the issue of Stormwater flow coming down from the south and onto the Boyden Estates property, where it appears to take two paths: 1) into the replaced culvert; 2) across or under the driveway through a pvc pipe which was removed and now into the replication area. The existing conditions did not include the 2nd path of flow. The Commission expressed concerns with the flow into the isolated wetland, and would like

information with regards to the amount flow increase, where the flow is going following the #2 path, and does the flow affect the replication area/downstream wetlands/isolated wetlands. Petrozzi stated that a field crew will take pictures of the bottom of the replication area and the culvert, and once all information is gathered, they will be able to determine what the correct course of action.

Requests for Extension:

David & Lorraine Friedman, 44 Bubbling Brook Rd. DEP #315-1051: Goetz made a motion to issue a 12 mos. extension, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, DiVirgilio)

NSTAR Electric d/b/a Eversource Energy, DEP #315-1085: Goetz made a motion to issue an extension, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, DiVirgilio)

Requests for Certificate of Compliance:

Northridge Ventures LLC, Northridge Farm (Warren Ln.) Map 12- Lots 98, 99 & 107, DEP #315-994: not issued at this time.

Civil Design Group, LLC., 1324-1336 Main St., DEP #315-1058: Not issued at this time.

Correspondence/ Other Business:

Eversource Energy- 2018-2022 5-yr. Vegetation Management Plan along power line R-O-W.

Worthington Green Report by Chessia Consulting Services, LLC.- was emailed to members prior to meeting.

Board Comment Requests:

ZBA:

20 Marilyns Way: No comments at this time, not within jurisdiction.

Lot 2 Cove Point Way: Plans need to be clarified, otherwise does not appear to be within jurisdiction.

PLNG:

505 South Street: Proposed parking area is not within jurisdiction, however Hershey stated that she is going to contact Dan Merrikin with regards to additional stormwater.

Turner made a motion to adjourn, seconded by Dyer. The motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, DiVirgilio). The Commission adjourned at 9:00 PM.

Accepted 5/23/18