

**CONSERVATION
COMMISSION**

Town Hall
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Town of Walpole
Commonwealth of Massachusetts

MINUTES
Approved 1/11/2023



CONSERVATION COMMISSION
DECEMBER 14, 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, Emidio DiVirgilio, Doug Burchesky, Bailey Ziemba, Dean Bebis

Absent: Landis Hershey, Conservation Agent

Wiley opened the meeting at 7:00PM.

PUBLIC HEARINGS AND DISCUSSIONS

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

Wiley read the Notice of Public Hearing, along with a letter from the Town Engineer.

Rob Truax represented the project on behalf of the applicant. He explained that he has met with the Conservation Agent and Town Engineer regarding the project, that the plans have been revised, and the subdivision now consists of 13 lots. He added that Lot 11 will be responsible for Drainage Basin #11. He also explained that a sewer easement will be cleared up to the 25' buffer zone. The Planning Board has continued the public hearing on this subdivision pending Conservation Commissions decision.

DiVirgilio asked if Parcel A is a buildable lot, Truax explained that it does not have proper frontage at this time, and that the developer will retain ownership.

Dyer asked if the Town Engineer comments have been addressed, and Truax replied that most comments have been addressed, but he will ensure that all minor points have been met with the next revision.

Goetz asked if they have plans to clear cut the lots, and Truax replied no.

Wiley explained that all home lots will require roof infiltration systems.

The Commission agreed that they would like the Conservation Agent to review before closing this public hearing, and discussed continuing the public hearing to January.

Motion to continue the Public Hearing for Continued NOI & LDP – Northwoods Estates IV – High Oaks LLC – DEP# 315-1261 to January 11, 2023 at 7:30PM was made by Goetz, seconded by Dyer. Motion carries 7-0-0 (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

NOI - 16R Eldor Drive – Winter Estates Realty Trust – DEP# 315-1277

Wiley read the Public Hearing Notice.

Dan Merrikan, Legacy Engineering, represented for the applicant, and discussed the project. An order for the same project was issued in 2005, but had expired. He explained that the wetlands have been delineated, and they intend to construct a single-family home.

Bebis asked if the wetlands have been flagged, and Merrikan replied yes. He asked if plaques were included on the plan, and Merrikan pointed them out on the plan.

Dyer asked if water tracks across the driveway, and Merrikan explained how the water flows, adding that the culverts are intended to prevent any obstruction of flow.

Goetz asked about the specifications of the culverts, and Merrikan explained that they will be using two 15” round HDPE culverts, he does not anticipate any silt accumulations, and that the contours allow the water to flow down the riprap into the wetlands.

Wiley asked the length of the culvert, and Merrikan replied 30-35’.

The Commission agreed that they would like the Conservation Agent to review before closing this public hearing, and discussed continuing the public hearing to January.

Motion to continue the Public Hearing for Continued NOI - 16R Eldor Drive – Winter Estates Realty Trust – DEP# 315-1277 to January 11, 2023 at 7:20PM was made by Goetz, seconded by Dyer. Motion carries 7-0-0 (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

RDA – 9 Cardinal Lane – Matthew Moran

Wiley read the Public Hearing Notice, along with letters from the Town Engineer and Board of Health.

Matthew Moran, owner and applicant, presented his plan for modifications to the existing home, including an addition and window replacement. He intends to stockpile on the front lawn, being mindful of the septic system, and that he is improving wetland encroachment by 4 feet.

Bebis asked why he filed for the RDA and not an NOI, and Moran explained that all the work is outside the 50’ buffer zone, and that the modifications are insignificant. Bebis asked that all construction vehicles stay within the erosion controls.

Ziemba suggested that the erosion controls extend the perimeter of the driveway, rather than cut across like in the existing plan. Ziemba then asked if the shed on the plan is existing, to which Moran replied yes.

DiVirgilio asked what was currently existing in the 25’ buffer zone, and Moran replied lawn.

Dyer appreciated the details included on the plan, and that the applicant had done a great job presenting. Dyer suggested that given the nature of the project, that the Commission could close and vote at the meeting.

Goetz agreed with Dyer, and agreed that the project is simple and the applicant has covered concerns.

Motion to close the Public Hearing for the RDA – 9 Cardinal Lane –Matthew Moran was made by Dyer, seconded by Goetz. Motion carried 7-0-0 (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

Wiley discussed conditions, asking that the plan be revised to show new locations of the erosion controls on the driveway, stockpile locations. He also added that any excavated material must be kept off the street.

Motion of issue a Negative 3 Determination of Applicability for 9 Cardinal Lane was made by Goetz, seconded by Dyer. Motion carried 7-0-0 (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

NOI – 533 Lincoln Road (Lots 3 & 4) – Walsh Brothers Construction Co., Inc.

Wiley read the Public Hearing notice, along with a letter from the Town Engineer.

Rob Truax, GLM Engineering, represented the applicant. He explained that the NOI is under local Bylaw only, and not WPA. He discussed the plans, detailing that there is an isolated wetland on the opposite side of the road, and the work needs to be done in this area in order to create the entrance for the subdivision. The work is within the 50'-100' buffer zone, and that the project is under appeal by the Planning Board.

Bebis asked if only lots three and four would be used for building the road and Truax replied yes, that grading would be done early on and slopes would be stabilized to create the entrance for the subdivision.

Wiley asked if any work would be done on the road, and Truax replied that no work would be done because they are still under appeal.

Motion to continue the Public Hearing for 533 Lincoln Rd. (Lots 3 & 4) to January 11, 2023 at 7:40 PM was made by Goetz, and seconded by Dyer. Motion carries 7-0-0 (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

NOI- 132-136-140 Washington Street – Thomas Powers – DEP# 315-1278

Wiley read the public hearing notice into the record

Dan Merrikan, Legacy Engineering, represented the applicant and gave a brief description of the site which abuts bird pond, and is within 200 feet of the riverfront area.

He also explained that a similar project was presented in the past, but at this point in time they are proposing a smaller building built around the clocktower.

Bebis asked a question regarding Stormwater and Merrikan explained that catch basins on several locations on the property will be installed and underground retention systems will be used to capture runoff.

Ziemba commented that she is excited to see the progress on this property.

Burchesky asked questions regarding parking spaces, and Merrikan explained that there are 21 proposed parking spaces with three parallel parking spaces on Chestnut Street

DiVirgilio asked if there is excavation on site, and Merrikan explained that they will cut and fill in areas of the wall but the project is close to net zero.

DiVirgilio asked what the use of the building will be, and Merrikan explained that it will be a mixed used building, with commercial space on the first floor and six living spaces above.

DiVirgilio asked if there was an area for snow removal, and Merrikan explained that there are several locations, including the corners of the lots.

Dyer explained that she approves this project.

Motion to continue the public hearing for 132-136-140 Washington Street to January 11, 2023 at 7:45 PM was made by Goetz, and seconded by Dyer. Motions carries 7- 0-0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

GENERAL BUSINESS/OLD BUSINESS/NEW BUSINESS

Minutes –

Motion to approve the minutes from October 12, 2022 was made by Dyer, seconded by Ziemba. The motion carries 5–0–2. (Wiley, Goetz, Dyer, Ziemba, Bebis - DiVirgilio and Burchesky abstained.).

Motion to approve the minutes from October 26, 2022 was made by Dyer, seconded by DiVirgilio. The motion carries 6–0–1. (Wiley, Goetz, Dyer, DiVirgilio, Ziemba, Bebis – Burchesky Abstained).

Motion to approve the minutes from November 9, 2022 was made by Burchesky, and seconded by DiVirgilio. The motion carries 4 – 0–3. (Goetz, DiVirgilio, Burchesky, Ziemba - Wiley, Dyer and Bebis abstained).

Extension Requests

Motion to grant a 12-month extension for the Order of Conditions to the Town of Walpole DEP, number 315-683 was made by Goetz, seconded by Dyer. The motion carries 7-0–0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

Motion to close the December 14, 2022 conservation commission meeting was made by Dyer, and seconded by DiVirgilio. Motion carries 7– 0–0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

Documents referenced:

Conservation Commission Meeting Agenda – 12/14/2022

Meeting Minutes – 10/12/2022

Meeting Minutes – 10/26/2022

Meeting Minutes – 11/9/2022