

MINUTES
CONSERVATION COMMISSION

AUGUST 12, 2020
7:00 PM

Approved 10-28-20

The meeting was conducted through Zoom a live virtually accessible video to the public through login and password numbers as provided. In accordance with Governor Baker's March 10, 2020 Order titled

"Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, § 20" and recorded and will be available on walpolemedia.tv Youtube.

Present via Roll Call:

Jack Wiley (Chair), Al Goetz (Vice), Betsey Dyer, Doug Burchesky, Emidio DiVirgilio, and Bailey Ziemba

Also present: Conservation Agent, Landis Hershey.

Wiley opened the meeting at 7:00 PM with a quorum of four Commissioners.

7:00 PM Stormwater & Erosion Control Bylaw Regs and Wetland Protection Bylaw Regs
Betsey Dyer Motion to Continue until October 14, 2020, Seconded Emidio DiVirgilio
Roll Call Vote: Ziemba /Burchesky /DiVirgilio/Dyer/Goetz/ Wiley 6-0-0

7:01 PM NOI, 55 BH LLC/ 55 SS LLC, 55 Summer Street, Multi-residential, DEP #315-1227
Joanna Hilvert, Macchi and Macchi- Request to continue without testimony. Received BETA Report two days ago. Need time to review report.
Motion by Goetz to continue to September 23, 2020 at 7:15pm, second by DiVirgilio
Roll call vote: Ziemba /Burchesky /DiVirgilio/Dyer/Goetz/ Wiley 6-0-0

J. Wiley discussed possible days and times to have site visit at 55 Summer Street with Applicant/ BETA and Commissioners. J.Wiley asked if 9/5 or 9/12 would suit Commissioners.

J. Hilvert wanted to find out if Applicant will be available on 9/5 and 9/12.

L. Hershey- Let J. Hilvert confirm with Applicant of which date works better.

J.Wiley – stated that either 9/5 or 9/12 at 9:00 am.

J. Hilvert confirmed that she will check with applicant

J.Wiley- Next hearing is at 7:45PM so other business will be taken until that time.

J.Wiley- Minutes from July 7, 2020 Motion to approve Minutes Dyer/DiVirgilio
Roll call vote: Ziemba /Burchesky /DiVirgilio/Dyer/Goetz/ Wiley 6-0-0

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Request for Certificate of Compliance - 1324-1326 Main Street, Cumberland Farms, DEP #315-1058

DiVirgilio – is there still a trash issue?

LHershey – Clean when I've looked.

J.Wiley include note about trash

Motion by DiVirgilio to issue a Certificate of Compliance to 1324-1326 Main Street second Dyer

Roll call vote: Ziemba (abstained) /Burchesky /DiVirgilio/Dyer/Goetz/ Wiley 5-0-1

Request for Extension 255 Bullard Street, John McChesney, DEP #315-971

Dyer Motion to extend for one year the Order of Conditions second DiVirgilio

Roll call vote: Ziemba (abstained) /Burchesky /DiVirgilio/Dyer/Goetz/ Wiley 5-0-1

Request for Certificate of Compliance -965 West Street, Michael Freiburger, DEP #315-1216, M. Freiburger.

LHershey –completed

Dyer Motion to issue Certificate of Compliance second DiVirgilio

Roll call vote: Ziemba (abstained) /Burchesky /DiVirgilio/Dyer/Goetz/ Wiley 5-0-1

Request for Certificate of Compliance 263 Lincoln Rd., Frank Kent, DEP #315-1188

L. Hershey- Landscaping complete.

Dyer Motion to issue Certificate of Compliance second DiVirgilio

Roll call vote: Ziemba (abstained) /Burchesky /DiVirgilio/Dyer/Goetz/ Wiley 5-0-1

J.Wiley- Did we hear anything from the Brookside Enforcement Order on the wall?

J. Wiley- Palmer Avenue E.O?

LHershey- I met with the parties regarding the work that needed to be completed to restore the wetlands and the wall. Report back on 9/8/2020 next meeting.

J.Wiley- Nothing has changed at 1900 Main street. Need to talk with Administration regarding the activity at 1900 Main street.

J. Wiley- Questioned the correspondence regarding Roscommons.

L. Hershey explained the letter sent by Neponset River Watershed Association regarding violations on the open space CR. I have a meeting on the 19th with Whitman Homes engineer to discuss some of the issues on individual lots.

BDyer- Annual monitoring report for Bird Land Fill.

L.Hershey – there is nothing new in the report.

LHershey- Green International letter regarding minor changes to the Route 1A reconstruction. The changes are minor in nature.

J. Wiley – Minor modification for lot 6 Boyden Estates.

L. Hershey – request was to direct stormwater directly to the wetlands rather than to an infiltration unit. This can't be done because the subdivision Order of Conditions includes infiltration from the individual roof drains.

J.Wiley- The request does not comply with the subdivision plan. Send out a letter to Wallstreet development.

J.Wiley- Do we have anything for the fall town meeting.

L. Hershey- I did put in capital budget or treatments and monitoring for both Clarks, Turners and Memorial ponds.

Betsey Dyer- Roger Turner wanted us to keep an eye on the growth of the purple loose strive. Will this be looked at.

L. Hershey- Ive noticed it popping up all over also. We will have to have the management look at this.

J. Wiley- "No motorized Boats" signs need to be put up again at Turners Pond.

BDyer- Ask for a reminder of the boiler plate conditions for swimming pools. What are our typical special conditions?

Lhershey- These have changed over the years because of the change in pool technology. No discharge of pool water to the wetlands.

J. Wiley- Explained hearing procedure to Baily Ziemba our newest Commissioner. .

Lhershey- Pre-covid all Commissioners would have plans in a packet. Now I upload all plans onto the Conservation Commission website. I can get them to you if you prefer. Explained where they are on website. Applications and plans under review by the Conservation Commission.

7:45 PM NOI,, 8 Lacivita Dr., Gregory Clinton-In ground pool, DEP # 315-1228

J.Wiley read the advertisement.

J.Wiley – Read Board of Health letter into the record. Concerned with storage of chemicals.

LHershey- Planning Board no comment

L Hershey- Read Letter from Town Engineer Carl Balduf

Joyce Hastings, GLM Engineering – wanted to share screen.

L Hershey- Did not know how to do this.

JHastings printed plans so that she could hold them up.

JHastings explained that the houses were permitted under another Order f Conditions with no alteration plaques. All work is outside of the 25-foot no alteration area. This NOI is for a pool and patio.

L.Hershey- No specific comments except how was the excavated materials going to be removed from the site, no discharge of pool water to the wetlands, and a compost sock should be used.

DBurchesky- Please describe want type of water is used for the pool and how it will be treated before discharging.

L.Hershey- Either pool water is let sit before the water is discharged or chemicals are put into the pool to de-chlorinated.

DBurchesky – Discussed the process to neutralize the pool water prior to discharge.

EDiVirgilio- Where the new limit of work is, is that where the fence is.

Joyce Hastings showed where the fence goes.

BDyer- No comments

AGoetz- Concerned with the slopes and stabilizing the slopes after construction.

JWiley- Excavated materials, where are you coming from and going out?

Add condition about street cleaning during construction. Are the roof drywells?

LHershey-Will add street cleaning conditions. Roof drywells should be checked to be operational after construction.

JWiley- Wetland Bound on next lot? Move bound to correct location. Add bound.

Goetz Motion to close Hearing BDyer second.

Roll call vote: Ziemba /Burchesky /DiVirgilio/Dyer/Goetz/ Wiley 6-0-0

Goetz Motion to issue Order of Conditions as stated, second Dyer -

Roll call vote: Ziemba /Burchesky /DiVirgilio/Dyer/Goetz/ Wiley 6-0-0

7:47 PM NOI, 12 Lacivita Dr., Kevin McDonald - In ground Pool, DEP# 315-1230

Jack Wiley read advertisement into the record.

Board of Health letter, Town Engineer letter, Finances good, No comment from Planning Board.

Joyce Hasting- Described plan for the pool and patio behind a house.

L.Hershey-pool water shall be de-chlorinated, and compost sock shall be used.

BZiemba- No comments

DBurchesky- Questioned the use of plywood over the infiltration units.

Joyce Hastings stated that the infiltration unit would be replaced if damaged.

EDiVirgilio- Where is the 25-foot on the plan. All set

BDyer- No comments.

AGoetz- Stabilize the slope.

JWiley-Clean up any sediments to the street, protect drywell, confirm that it is functional after equipment is used.

Goetz Motion to close Hearing second. BDyer

Roll call vote: Ziemba /Burchesky /DiVirgilio/Dyer/Goetz/ Wiley 6-0-0

DiVirgilio Motion to issue Order of Conditions as stated, second BDyer

Roll call vote: Ziemba /Burchesky /DiVirgilio/Dyer/Goetz/ Wiley 6-0-0

7:46 PM NOI, 11 Lacivita Dr., Kimberly Goguen - In ground Pool, DEP# 315-1229

J.Wiley read the Advertisement

L. Hershey- Reminded J. Wiley to ask if there are any questions from the public.

Joyce Hastings GLM Engineering – Pavilion and patio added to original plan. Explained the project.

Lhershey- Same comments from previous hearings.

BZiemba-It looks like this pool is within the 100-foot buffer zone. Please explain.

Joyce Hastings- Explained where the activity is located.

L. Hershey -explained the 25-foot no alteration area and how all work is up grade of the 25-foot no alteration area. If within 50-feet of the wetlands you need to file a NOI.

DBurchesky- The plans that is on the website is an older plan.

Joyce Hastings- Yes the plan is slightly different because the owners made some changes. All the plans will be revised with your comments from tonight.

Lhershey- Put note on the plans about checking drywells being protected and checked after construction.

EDivirgilio-No Comment

BDyer-No comment

AGoetz-Plan is different. Concerned with slope at back corner.

JWiley-same comments has previous hearings.

BDyer Motion to close Hearing EDiVirgilio second.

Roll call vote: Ziemba /Burchesky /DiVirgilio/Dyer/Goetz/ Wiley 6-0-0

BDyer Motion to issue Order of Conditions as stated, E. DiVirgilio second -

Roll call vote: Ziemba /Burchesky /DiVirgilio/Dyer/Goetz/ Wiley 6-0-0

7:48 PM NOI, 15 Lacivita Dr., Kelli McKenna -In ground Pool, DEP# 315-1231

Joyce Hasting- Described plans for a pool and patio on lot 6 . Wetlands boundary and 25-foot no alteration where shown on plan along with the 100-foot buffer zone. Access was described.

LHershey-sharing is now available. Described same comments as above.

Ziemba – No comment.

Burchesky – No comment

DiVirgilio – fence, can you walk around the pool without going into the 25-foot no alteration area.

Joyce Hastings- Yes there is about 2-feet. There will be no reason to go back there.

Dyer – No comments

Goetz – No comments.

Wiley –No comments

BDyer Motion to close Hearing EDiVirgilio second.

Roll call vote: Ziemba /Burchesky /DiVirgilio/Dyer/Goetz/ Wiley 6-0-0

Goetz Motion to issue Order of Conditions as stated, BDyer second -

Roll call vote: Ziemba /Burchesky /DiVirgilio/Dyer/Goetz/ Wiley 6-0-0

8:00 PM NOI, 15 Evergreen LN, David Zaleznick - SFH, DEP #315-1231

John Glossa- Glossa Engineering presented the project to construct a single-family house connected to the sewer. Extensive grading to the back and the rear. There was another filing approved by the Commission however the project changed and a new NOI was requested to be filed.

Corner of evergreen and Arlington Lane. This lot faces Evergreen Lane.

LHershey- So there seems to be quite a bit of fill to be brought in.

Where is the fill going to come from?

JGlossa- Fill will come from a local provider.

LHershey- Clean fill with no construction materials should be used on site. Slope should be stabilized with a tacifier not netting. No on the plan should clarify that the slope to be stabilized at final grade.

Ziemba-No comments.

Burchesky- Questions 25-foot maintenance and construction easement?

J.Glossa- Explained during construction of the roadway these easements where put in. Not related to the house construction. Only for the road construction.

DiVirgilio-No comments

Dyer- Re-inforce that the slope needs to be stabilized as addressed before.

Goetz- Concerned with the slope stabilization. The slope should be stabilized right away after the fill is installed.

J.Glossa- agrees that this needs to be addressed.

Jack Wiley- (4) four plaques starting at the property line at Arlington at each turn. Question on the sewer line form 11 Arlington. How deep?

JGlossa – About 11 feet. Service pipe was installed along Evergreen.

JWiley- Utility lines needs to be protected during construction. This will be discussed with the Town Engineer to see what he wants done where the driveway is going to protect the existing sewer line.

BDyer Motion to close Hearing EDiVirgilio second.

Roll call vote: Ziemba /Burchesky /DiVirgilio/Dyer/Goetz/ Wiley 6-0-0

Bdyer Motion to issue Order of Conditions as stated, DiVirgilio second -

With special conditions:

Stabilizes lope

Sewer line protection.

4 Plaques installed

Clean fill Only

Roll call vote: Ziemba /Burchesky /DiVirgilio/Dyer/Goetz/ Wiley 6-0-0

Dyer Motion to issue Order of Conditions-DiVirgilio with special conditions as noted:

Stabilizes lope

Sewer line protection.

4 Plaques installed

Clean fill Only

Roll call vote: Ziemba /Burchesky /DiVirgilio/Dyer/Goetz/ Wiley 6-0-0

8:15 PM NOI, 71 Emerson Rd, Kristen Lindeman – retaining wall, DEP #315-1234

JWiley Read the advertisement

JGlossa, Glossa Engineering – 71 Emerson is in Meadow Ridge. The lot abuts the large detention basin with water and wetlands. There is a steep embankment to the pond. The Applicant is looking to flatten the rear yard out to create some flat area before the steep drop. A retaining wall is proposed at the rear to flatten out rear yard. Some hemlocks will remain between the wall and the pond.

LHershey- all set.

JGlossa- Clarified the trees on the lot and the proposed grades.

LHershey- The type of wall should be specified on the plan rather than using “similar” So if Allen wall is specified that is what should be used if it changes then just need to come back.

BZiemba- Will any additional trees be planted?

JGlossa- No there will be no additional plantings.

Ben Lindeman, Owner and Applicant - No additional planting

DBurchesky- No comments.

EDiVirgilio- Is there a wall detail?

JGlossa- John will check on the type of wall and that is what will be on the plan.

EVirgilio- Will there be a fence or rail?

JGlossa- Not required.

BDyer- Suggests that there should be fence.

JWiley- the fence should be on the plan.

JWiley-No alteration plaques should be installed on each property line and in the middle.

JWiley- Can you get around corner without cutting trees?

Ben Linderman – No tree removal needed.

BDyer Motion to close Hearing DBurchesky second.

Roll call vote: Ziemba /Burchesky /Dyer/Goetz/ Wiley 5-0-0

Bdyer Motion to issue Order of Conditions as stated, DiVirgilio second -

With special conditions:

Fence on the wall

Plaques

Roll call vote: Ziemba /Burchesky /Dyer/Goetz/ Wiley 5-0-0

Motion to adjourn BDyer/ DBurchesky

Roll call vote: Ziemba/Burchesky/ /Dyer/ Goetz/Wiley. Closed hearing 5-0-0