

**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  
MAY 13, 2020  
APPROVED 5-27-2020  
7:00 PM

**This meeting was recorded and will be available on walpolemedia.tv**

Present on ZOOM Conference: Jack Wiley (Chairman), Al Goetz (Vice), Betsey Dyer, Emidio Di Virgilio, Doug Burchesky

Also present: Conservation Agent, Landis Hershey; Amy Messier

Wiley opened the meeting at 7:10 PM

Roll Call: Wiley- Aye; Goetz Aye; Dyer-Aye; Di Virgilio- Aye; Burchesky-Aye

**7:00 PM: Stormwater & Erosion Control Bylaw Regulations and Wetland Protection Bylaw Regs:**

Wiley opened the hearing and motioned to continue this hearing to August 12, 2020 at 7PM in Room 112 seconded by Di Virgilio, the motion carried with a roll-call-vote 5-0-0 (Wiley, Goetz, Dyer, Di Virgilio, Burchesky)

**7:15 PM: Continued Notice of Intent, Shawqi A. Alsarabi Family Revoc. Tr., 32 Starlight Dr., DEP #315-1219:**

Wiley opened the hearing and read a letter from the applicants representative requesting a continuance of the hearing to May 27, 2020, Wiley motioned to continue the hearing to June 10, 2020 at 7PM in Room 112, seconded by Di Virgilio, the motion carried with a roll-call-vote 5-0-0 (Wiley, Goetz, Dyer, Di Virgilio, Burchesky)

**7:30 PM: Continued Notice of Intent, Wall Street Dev. Corp. 11 (lot 6) Boyden Ln., DEP# 315-1214:**

Wiley opened the hearing, Rob Truax of GLM Engineering present and stated that the wetlands line has been re-flagged, with the house is primarily in the same location as it was in the previous filing, with the plans depicting siltation and plaques, and the roof run-off will have infiltration system. Hershey stated that the no alteration bounds should be installed and inspected and approved prior to any other work including installation of the foundation. Wiley opened the hearing up for public comment, which there was none. Goetz motioned to close hearing seconded by Di Virgilio, the motion carried with a roll-call-vote 5-0-0 (Wiley, Goetz, Dyer, Di Virgilio, Burchesky). Di Virgilio motioned to issue an order of conditions with special conditions mentioned above, seconded by Dyer, the motion carried with a roll-call-vote 5-0-0 (Wiley, Goetz, Dyer, Di Virgilio, Burchesky)

**7:45 PM: Notice of Intent, Darwin Cevallos, 16 New Fisher Lane, DEP #315-1222:**

Wiley opened the hearing and read board comments. Joyce Hastings was present on behalf of the applicant, and explained to the Commission that the wetlands line was re-flagged last fall, and found that the wetlands and soils moved the wetlands much further away than what was flagged in the early 2000's. Hershey stated that she went out and reviewed the area, and that the swing-set is right on the border of the 25 ft. no alteration area, however everything looked like it was functionally operating. Hastings stated that any excavated material will be removed off site, and the swing-set will be moved away from the 25 ft. no alteration area. Hershey stated that a standard condition in the order will be that there will not be any discharge of water from the pool into the wetlands. Hershey also stated that in the conditions, a detail of the retaining wall will be required before it is constructed, along with another condition that if there is any debris that is in the street it will be swept. Wiley opened the hearing up to the public for comment, which there was none. Goetz motioned to close the hearing, seconded by Di Virgilio, the motion carried with a roll-call vote 5-0-0 (Wiley, Goetz, Dyer, Di Virgilio, Burchesky). Goetz motioned to issue an order of conditions with the conditions mentioned above in place, seconded by Di Virgilio, the motion carried with a roll-call vote 5-0-0 (Wiley, Goetz, Dyer, Di Virgilio, Burchesky)

**8:00 PM: Continued ANRAD, John Hasenjaeger, Map 19, Lot 138 Pinnacle Pt., DEP #315-1217:**

Wiley opened the hearing. Applicant John Hasenjaeger was present. Hershey stated that she recommends that the Commission to exercise Chapter 53 of the Act of 2020 for this filing, which states that the Commission can hold their decisions to up to 45 days after the lift of the State of the Emergency, and that the hearing should be continued to 6/10/2020. Hasenjaeger expressed that he wants the Commission at least approve the wetlands line tonight, and is OK with continuing the hearing to a later date and time to address the other aspects of the pond and the BETA report. Wiley suggested that the Commission does not make any decisions tonight and that the hearing should be continued. Doug stated that the Commission should wait to make any decisions until we hear from the consultant (BETA) that was hired to review this filing. Goetz motioned to continue the hearing to 6/10/2020 at 7:15 PM or within 45 days of the lifting of the State of Emergency in Room 122, seconded by Di Virgilio, the motion carried with a roll-call vote 5-0-0 (Wiley, Goetz, Dyer, Di Virgilio, Burchesky)

**8:15 PM: Continued Notice of Intent, Georges Almacari, 23 Old Town Rd., DEP #315-1211:**

Wiley opened the hearing, Bruce Wilson was present on behalf of the applicant. Hershey explained that a revised plan was submitted to her earlier this afternoon that depicts the retaining wall moved back out of the 25 foot buffer. Wilson explained to the Commission that the purpose of the garage is for the applicants handicap son regarding the type of vehicle to fit his specific needs. Wilson stated that the garage has been shortened, and that applicant has worked with Ross Waldron for a planting plan and replication. Hershey recommends putting in conservation bounds, and stated that the most recent, and current plan is acceptable now that it shows the 25 ft. no alteration area revegetated and left alone. Hershey stated that plaques are to be installed around the wetlands and the retaining wall. Wiley opened the hearing up to the public for comment, which there was none. Goetz motioned to close, seconded by Di Virgilio, the motion carried with a roll-call vote 5-0-0 (Wiley, Goetz, Dyer, Di Virgilio, Burchesky). Goetz motioned to issue an order of conditions as noted with the planting plan and showing the addition of plaques, seconded by Di Virgilio, the motion carried with a roll-call vote 5-0-0 (Wiley, Goetz, Dyer, Di Virgilio, Burchesky)

**8:30 PM: Notice of Intent, Carl Cummings, 180 Stone Street, DEP #315-1224:**

Wiley opened the hearing, Joyce Hastings of GLM Engineering present on behalf of the applicant, and explained to the Commission that the applicant is proposing to construct a garage addition with a room above. The proposed garage is situated coming off of the edge of the existing driveway, and 30 ft. away from the wetlands. Plans depict 4 proposed no alteration plaques going to the edge of the fence line, and

roof infiltration of the proposed addition. Also depicted on the plan is an erosion control barrier running along the inside of the fence and around all of the proposed work. Hastings stated that any excavation is to be removed from the property, and any property that is disturbed will be revegetated. Hershey stated that silt sock shall replace the straw wattles for erosion control that are shown on the plan. Wiley opened the hearing to the public for comment, which there was none. Goetz motioned to close the hearing, seconded by Di Virgilio, the motion carried with a roll-call vote 5-0-0 (Wiley, Goetz, Dyer, Di Virgilio, Burchesky). Goetz motioned to issue an order of conditions with the condition mentioned above, seconded by Di Virgilio, the motion carried with a roll-call vote 5-0-0 (Wiley, Goetz, Dyer, Di Virgilio, Burchesky)

**GENERAL/NEW/OLD BUSINESS:** (vote required for action)

**Request to Amend Superseding Order of Conditions- Wallstreet Development, Burns Ave. 40B DEP 315-1200:**

Hershey explained to the Commission that they should make comments to DEP regarding whether the proposed work should be considered a new filing or an amendment. The Commission agreed that they should make comments prior to next meeting to DEP. Goetz stated that he doesn't consider the proposed changes minor. Wiley suggested that in the comment letter to DEP, the concern about the treatment of the street run-off should be mentioned. Hershey will draft the letter to DEP, with Commission to look over prior to issuance. Hershey stated that DEP is going to ultimately make their ruling based on comments submitted from Commission.

**Minor Modification request: Whitman Homes, Roscommon Subdivision- 15 individual OOC's:**

Hershey stated that she spoke with the applicant and stated that it would be preferred if they submitted requests for certificates of compliance, instead of amendments, since the work has already been done. Wiley and the Commission agreed, this item will be moved to the June 10, 2020 Agenda.

**Enforcement Orders/ Notice of Noncompliance** (Vote may be required)

Main St. #1900, DEP #315-1043: no action

Boyden Estates – Summer Street DEP #315-1099: no action

Notice of Noncompliance Brookside Village, DEP #315-1093: no action

**Minutes** – (vote required for action)

**3/11/2020:** Di Virgilio motioned to accept the minutes of 3/11/2020, seconded by Dyer, the motion carried 4-0-1 (Goetz, Dyer, Di Virgilio, Burchesky in favor; Wiley abstained)

**3/25/2020:** Di Virgilio motioned to accept the minutes of 3/25/20, seconded by Dyer, the motion carried with a roll-call vote 5-0-0 (Wiley, Goetz, Dyer, Di Virgilio, Burchesky)

**5/6/2020:** Di Virgilio motioned to accept the minutes of 5/6/20, seconded by Dyer, the motion carried with a roll-call vote 5-0-0 (Wiley, Goetz, Dyer, Di Virgilio, Burchesky)

**REQUESTS for Certificate of Compliance:** (vote required)

**The Manzo Company, West St. parking Lot (#2 & #5), 315-1132:** not issued at this time.

**Frank Kent, 263 Lincoln Rd., DEP #315-1188:** not issued at this time.

**Franklin Double Track Project, DEP #315-1152:** Di Virgilio motioned to issue the certificate of compliance, seconded by Dyer, the motion carried with a roll-call vote 5-0-0 (Wiley, Goetz, Dyer, Di Virgilio, Burchesky)

**Request for Extension:** (vote required)

\*Wiley suggested that due to the circumstances of COVID-19 that extensions be issued for 14 months instead of the usual 12 months, the Commission unanimously agreed.\*

Liberty Village, 1034 East Street, DEP #315-1126: Di Virgilio motioned to issue a 14 month extension, seconded by Dyer, the motion carried with a roll-call vote 5-0-0 (Wiley, Goetz, Dyer, Di Virgilio, Burchesky)

John Hasenjaeger, Lot 17 Evergreen Lane (Arlington Ln.), DEP #315-843: Di Virgilio motioned to issue a 14 month extension, seconded by Dyer, the motion carried 5 with a roll-call vote -0-0 (Wiley, Goetz, Dyer, Di Virgilio, Burchesky)

Whitman Homes, Roscommon Subdivision DEP #315-1094: Di Virgilio motioned to issue a 14 month extension, seconded by Dyer, the motion carried with a roll-call vote 5-0-0 (Wiley, Goetz, Dyer, Di Virgilio, Burchesky)

Board Comments: N/A

Correspondence: N/A

Goetz made a motion to adjourn, seconded by Di Virgilio, the motion carried with a roll-call vote 5-0-0 (Wiley, Goetz, Dyer, Di Virgilio, Burchesky)

**The meeting adjourned at 8:50 PM.**