

**CONSERVATION  
COMMISSION**

**Town Hall**  
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**Town of Walpole**  
Commonwealth of Massachusetts

**MINUTES**  
**Approved 11/8/2023**



**CONSERVATION COMMISSION**  
**JUNE 28, 2023**  
**7:00 PM**

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

Commissioners Present: Jack Wiley (Chair), Betsey Dyer, Bailey Ziemba, Dean Bebis, Al Goetz, Landis Hershey, Conservation Agent

Absent: Emidio DiVirgilio, Doug Burchesky

Wiley opened the meeting at 7:00PM.

**PUBLIC HEARINGS AND DISCUSSIONS:**

***Continued Notice of Intent: North Street, DEP# 315-1284; Town of Walpole:***

Wiley read the public hearing notice into record.

Hershey provided an update of the project, citing that the fill area has been reduced to about 20 feet with the intention of the area to service as trail access. Additionally, the opening in the stone wall is now 8 feet. On the other side of the road, there is an existing turnout which is going to be improved with a gravel expansion. A five foot boardwalk will be constructed over the wetland, allowing flow of water and light.

Katie Sissell, 536 Fisher Street, inquired about how much gravel is being added to the turnout and if the plan referenced any dimensions. Wiley answered that there was no exact amount at this point. Hershey clarified that the gravel will be added to the very specific flat weeded area present on the map and only there. Sissell further asked if the project would be evaluated by the fire department. Wiley explained that the project has already received comments from the fire department. Hershey reconfirmed that all the work will occur in the town right of way.

Kathy Campbell, Burns Avenue, and Laura Fiske, 930 North Street, inquired if project will be ADA compliant. Hershey explained that the building commissioner had sent a letter in reply to Campbell and Fiske's letter explaining compliance and requirements and expressed that further inquiries should be

posted to the building inspector who is the authority over compliance. Fiske and Campbell further inquired if there would be opportunity for public comment if this plan is to go before the Select Board. Dyer advised they observe the Select Board agendas, since it will ultimately be their decision.

**A motion to close the hearing and issue an Order of Conditions was made by Goetz; seconded by Dyer. Motion carries 5-0-0 (Wiley, Goetz, Dyer, Ziemba, Bebis).**

***Continued Amended Order of Conditions: Renmar & West Street, DEP #315-1173; Bristol Brothers Dev Corp.***

Wiley read the public hearing notice into record.

Josh Green, Crocker Design Group, and Stephen McCarthy, JF Price, provided an update on the project. Specifically, they have been working with the Conservation Commission and Town Engineers comments to answer all the concerns that were addressed including adding more detail regarding the dry wells. The dry wells were added to account for roof runoff and will function similarly to other infiltration systems. Further, the wet basin, located at the center of the plan, will be excavated to be slightly deeper but ultimately won't be a major change of design or function. A retaining wall covering a 2:1 slope along the west of the property was accurately placed on the plan while detail on a 1:1 slope on site is outstanding but is able to be added to the plan with detail before construction. The plan proposes rip rap to slow water along the forebay which has been used before, however Beta is asking for hard bottoms, which the Conservation can provide preference. Lastly, the berms around the tops of the swales are included in the plan, and their function is to prevent overgrowth. A liner is included along the infiltration system to prevent breakout. Infiltration basin 6 will be lowered, but functionality will remain the same.

Wiley read comments from the town engineer into record, expressing the test pits which the Town Engineer requires details for as well as showing support for the Conservation Commissions ultimate decision.

Hershey read further comments into record, expressing the need for hard bottom forebays, a signed SWPPP permit, as well as a condition requiring submission of the final O&M plan to the Commission prior to the start of Construction.

Bebis inquired if the drywells are subsurface, which Green answered that they are. Bebis then asked if stormwater would enter the drywell and then overflow into the swales. Green answered that the drywells will likely have an overflow at the downspout. Bebis inquired what the cost difference was for cleaning rip rap versus hard bottom for the basins. Green said any difference would be minimal and both designs would have to be cleaned regularly, it comes down to a design choice. Bebis asked what the impervious barrier that protects the infiltration system from backflow would be made of. Green answered that it could be made of artificial or natural impervious layers and asked that the Commission leave it open ended so they could fit the best material to the site.

Dyer asked Hershey what plantings would be acceptable for a wet basin. Hershey explained that the applicant will have to provide a planting plan. Green added that the appropriate plantings can be found using the recommendations for rain gardens and constructed wetlands. Hershey suggested working with a wetland scientist, Green agreed.

Goetz inquired the size of the stone being used for the rip rap as well as the retaining walls. McCarthy answered that they will be using purple stone. Goetz requested that the plan show this detail as well as rip rap detail.

**A motion to close the hearing and issue a decision on July 12<sup>th</sup>, 2023, for Renmar Avenue and West Street, DEP# 315-1173, was made by Goetz; seconded by Dyer. Motion carries 5-0-0 (Wiley, Goetz, Dyer, Ziemba, Bebis).**

***Notice of Intent: Lot 1, East Street, DEP# 315-1293; Mario Gomes***

Wiley read the public hearing notice into record as well as comments from the Town Engineer and Board of Health. The Town Engineer agrees with the calculations regarding stormwater infiltration. The Board of Health expressed that they are not in favor of any new construction within the 100-foot Buffer Zone of a Wetland and urges applicants to employ best practices for mosquito management.

John Glossa, Glossa Engineering, provided an overview of the project which includes the construction of a new single-family home on a vacant lot. The lot will be serviced by a well and DPW will be contacted along with the Town Engineer to facilitate a curb cut along the road to allow the installment of a driveway to service a proposed two-car garage. The lot itself is relatively flat, with the wetlands not being much lower in elevation than the buildable space. Due to the recent paving of East Street, no gas lines will be excavated, meaning the house will be serviced by oil for heat. Infiltration chambers for roof runoff will be placed in the front of the building. Run off from the driveway will be treated by a crushed stone trench.

Hershey noted that most of the proposed work is outside of the 100-foot Buffer Zone and that the applicant is proposing to demarcate the wetland and its 25-foot buffer with plaques. Hershey inquired about the status of the ground up to the limit of work. Glossa confirmed that there will be lawn up to the limit of work. All lawn inside of the limit of work will be maintained as lawn while meadow or field outside of the limit of work will be mowed only a few times a year, same as it is being maintained presently.

Bebis inquired about stockpiling and if any soil will be removed from site. Glossa assured that all soil will remain on site and that stockpiling will occur along the edge of excavation.

**A motion to close the hearing and issue an Order of Conditions for Lot 1, East Street, DEP# 315-1293, was made by Goetz; seconded by dyer. Motion carries 5-0-0.**

***Notice of Intent: 5 Filetto Way, DEP# 315-1294; Marco Gioioso***

Wiley read the public hearing notice into record as well as comments from the Town Engineer and Board of Health. The Town Engineer noted that they have no substantive comments at this time. The Board of Health expressed that they are not in favor of any new construction within the 100-foot Buffer Zone of a Wetland and urges applicants to employ best practices for mosquito management.

John Glossa, Glossa Engineering, provided an overview of the project consisting of the construction of a 32X48' barn by the house of the applicant. The barn will be situated on a slab foundation and be placed more than 25-feet back from the onsite wetlands. Most of the construction will occur on existing lawn, with one corner of the barn extended into a wooded area. No disturb plaques will be placed to demarcate the 25-foot no disturb area.

Hershey inquired what the barn will be used for. The applicant answered general storage of what he can't fit in his existing garage. There may be some cars but it won't be a car workshop or have a lift.

Ziemba inquired if the applicant will be installing a new chain link fence along the back of the barn where the existing chain link will be removed to accommodate the construction. The applicant assured that the entire fence is being removed and won't be reinstalled. No disturb plaques on granite posts will be put in its place.

Goetz inquired if there was going to be any roof drains. The applicant answered that there would be no gutters installed, just a pitched roof.

**A motion to close the hearing and issue an Order of Conditions for 5 Filetto Way, DEP# 315-1294, was made by Goetz; seconded by Dyer. Motion carries 5-0-0 (Wiley, Goetz, Dyer, Ziemba, Bebis).**

***Request for Determination of Applicability: 14 Elmcrest Circle; Ann Burke***

Wiley read the public hearing notice into record as well as comments from the Town Engineer and Board of Health. The Town Engineer noted that they have no substantive comments at this time. The Board of Health expressed that they are not in favor of any new construction within the 100-foot Buffer Zone of a Wetland and urges applicants to employ best practices for mosquito management.

John Glossa, Glossa Engineering, provided an overview of the project, consisting of an upgrade to the existing septic system. The new system will use a 1,500 gallon two compartment septic tank as well as a leeching field using a Presby septic pipe which will provide greater treatment than a conventional system. The new system will meet Title V requirements and has been approved by the Board of Health. A revised plan showing the removal of two dead and hazardous pine trees to allow the installation of the system will be issued to the Conservation Commission prior to construction.

**A motion to close the hearing and issue a negative 3 determination for 14 Elmcrest Circle, was made by Goetz; seconded by Dyer. Motion carries 5-0-0 (Wiley, Goetz, Dyer, Ziemba, Bebis).**

***Amended Order of Conditions: 8 Gigi's Way, DEP# 315-1184; Alan Gary***

Wiley read the public hearing notice into record as well as comments from the Town Engineer. The Town Engineer stated that they have no concerns with the change, which will be from a 4x8 foot concrete culvert to a 6-foot diameter CMP. Further, the Town Engineer noted a similar change was made on Lost Brook Trail, which in turn worked well with no further comments or concerns.

John Glossa, Glossa Engineering, provided an overview of the project, which originally proposed installing an eight foot wide and four foot high culvert containing a flashboard to raise the pond by six inches to eradicate some invasive plants. In the revised proposal, the plan to lift the pond will be removed in favor of manual removal of the invasive plants. Further, it was explained prior to the meeting that the intermittent stream being serviced through the proposal is wider than the Lost Brook Trail stream which the 6-foot diameter CMP was based off of, and so the applicant is now proposing an 8-foot diameter CMP. The 8-foot diameter is similar to the 8-foot width already approved for the concrete culvert. All other aspects of the original proposal will remain unchanged.

Hershey reminded Glossa that the proposed change has to meet the river crossing standards and while it meets most of them, the new culvert design needs to prove that it meets the appropriate the openness ratio. Glossa answered that the previous design of 8x4 met the standards and anticipates the similarities with the CMP will also meet the standard. Hershey requested that it be shown on the new plan. Hershey then inquired about two walls on the new plan that aren't present on the original plan and requested that be labeled along with their dimensions. Glossa agreed. Hershey also requested a specific restoration plan be devised for the replication area.

Bebis inquired how the original structure looked in the original order of conditions. Glossa explained that the original plan was a bridge, but this change would be easier financially. Bebis asked if there will be running water during construction, it was answered that no, the stream only runs in March.

Goetz expressed concern over what could be stored in the 2-story garage being proposed. Glossa explained that the garage will be used for personal use and no work gear or oil will be stored in the garage. The applicant accepted a new condition stating that the garage will not contain adverse chemicals.

Jennifer Coggin, pleasant hill road, inquired if the stream was being redirected. Glossa answered that the stream was simply being covered. Coggin also asked about potential impacts on abutting properties if the pond is raised by six inches, Glossa reminded that the applicant is no longer proposing to raise the water level. Coggins inquired what invasive species are on site, Hershey answered that they have documented the invasive plants present and includes bittersweet and multi-flora rose.

**A motion to continue the hearing for 8 Gigi's way, DEP #315-1184, to July 12<sup>th</sup>, 2023 at 7:20 pm was made by Goetz; seconded by Dyer. Motion carries 5-0-0 (Wiley, Goetz, Dyer, Ziemba, Bebis).**

### **GENERAL BUSINESS:**

#### ***Order of Conditions Discussion; 15 Pinnacle***

Hershey opened the discussion by giving an overview of the project site, citing that the single-family house being proposed was a standard design, but the work being done in the riverfront and how to condition it was the reason for this discussion. Hershey explained the riverfront redevelopment standards and cited that the proposed conditions must pose as an improvement over the existing conditions in relation to the resource area. The applicant is currently proposing a twenty-foot re-vegetated strip though Hershey advises that more be done to protect the riverfront area on site. One suggestion was to condition an existing trail easement that runs along the boundary of the river bank area on site to be deeded to the Conservation Commission and kept in a natural condition except for the walking trail which will be kept in three feet width or less. This will be done in addition to the plantings.

The Commission agreed that there should be a condition requiring the removal of unsuitable man-made material from the site. In addition, the Commission agreed that the Order will be conditioned so that no work other than facilitation of the trail easement shall be permitted under this Order of Conditions until all administrative appeals are resolved. Further, a test pit witnessed by the Town Engineer for the infiltration chamber will be required and a Licensed Site Professional shall be on site during foundation excavations. A grading plan, if applicable, will be provided for the planting area.

**A motion to issue the Order of Conditions for 15 Pinnacle Drive, was made by Dyer; seconded by Ziemba. Motion carries 4-0-0 (Wiley, Dyer, Ziemba, Bebis).**

### **Extensions**

#### ***Swan Pond***

**A motion to extend the Order of Conditions for Swan Pond for two additional years was made by Goetz; seconded by Dyer. Motion carries 5-0-0 (Wiley, Goetz, Dyer, Ziemba, Bebis).**

**The meeting adjourned at 9:50 PM.**