

**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**  
**Approved 12/13/2023**



**CONSERVATION COMMISSION**  
**NOVEMBER 8, 2023**  
**7:00 PM**

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

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

Absent: None

Wiley opened the meeting at 7:00PM.

**PUBLIC HEARINGS AND DISCUSSIONS:**

***Continued Notice of Intent/LDP: 120 & 126 South Street, DEP#315-1298; Arcadia Brothers***

Wiley read the public notice into record as well as a letter from the Town Engineer stating that the Engineering office has reviewed the plans and all outstanding items have been addressed and although the current design is adequate, the Town Engineer does not object to adding more inspection ports.

Bill Buckley, Bay Colony Group, provided an overview of the project. The site has 6690 square feet of Riverfront Area of which 5197 square feet is currently degraded which includes 1133 square feet of building, with the rest being pavement. The applicant is proposing a restoration area of 1,900 square feet which will be planted with shrubs and trees. In addition, the rest of the degraded area will be replaced with a seeded stormwater basin, leaving only 87 square feet of degraded area on the southerly corner of the Riverfront Area. The area will have a detailed invasive removal plan. The environmental assessment of the site has been completed via five separate borings. The LSP recommends that any soil removed from the site should be tested at an approved facility as per Mass Law, further the site will be following all demolition requirements which includes a hazardous material assessment. Additional erosion control barriers were added as per the request of the Commission. The construction entrance has a minimum clearing of 25 feet and a silt fence has been added to the compost sock.

Bebis inquired about the material on site and what will become of it. Buckley answered that all the material on site will be removed or reused. Bebis asked how much soil was to be removed. Buckley

answered that they don't have that number as of yet. Bebis advised that all soil be brought to a licensed soil disposal facility. Bebis then inquired about the basement, which Buckley informed that there won't be one and the new building will be on a slab. Bebis further asked what style the stormwater basin will be. Buckley confirmed it will be a dry basin. A snow storage plan is proposed to keep snow from the basin and there will be a fence around the basin. Bebis asked if there could be a "no snow stockpiling" sign on the fence, Buckley confirmed that it was possible.

Buchesky inquired if the area where the snow is stored will be paved. Buckley answered that it will be and run off will flow to the basin. Burchesky asked if there were signs to keep people from parking in the 100-foot Buffer Zone. Buckley answered that there are no specific signs for that purpose but there are several signs as per the fire chief which prohibit parking in that area.

DiVirgilio asked if there will be any delay between the demolition and the construction. Buckley confirmed that there will not be any delay. Hershey added that there should be temporary stabilization where applicable.

Goetz inquired about the Jersey barrier near the tracks. Buckley answered that they weren't sure what its purpose was and that it could be a vestigial boundary when the town acquired the land to stop encroachment but otherwise it is on town land. Bebis asked if the dumped items on the town land on the applicant facing side of the Jersey barrier could be removed. It was confirmed that the removal of the debris could be conditioned or required through a notice of non-compliance. Dyer asked if the dumping has ceased. Buckley answered that they are not aware of the status of the dumping as their client has no relation to the dumping that had occurred.

Wiley asked if there will be a record of the materials removed from the site. Buckley answered that there is a notice where the debris is exported to and while it might not be as detailed as a notice sent out for each individual truck load, they will have a record of notices.

A motion to close the Notice of Intent hearing and issue an Order of Conditions for 120 & 126 South Street was made by Goetz; seconded by Dyer. Motion carries 7-0-0 (Wiley, Dyer, Goetz, DiVirgilio, Burchesky, Ziemba, Bebis).

***Request to Amend Order of Conditions: 485 Lincoln Road, DEP#315-1274;***

Wiley read the public notice into record as well as a comments from the Board of Health. The Board of Health expressed that they are not in favor of construction within the 100-foot Buffer Zone and ask the applicants to implement best management practices in regards to standing water and mosquitos.

Donald Seaburg, representing the applicant, provided an overview of the amended project. In relation to the previously approved plan, the footprint of the proposed single-family dwelling will be expanded and a barn and pool house will be added to the property. Infiltration for the pool and shed will be added to the plan. Drawdown from the pool will go into the infiltration basin off to the side. There will be selective cutting on the northern end of the property, but still within the current proposed limit of work. The barn will not house any animals but will be used for storage and workshop space.

Hershey inquired if there would be any pavement to connect the barn to the driveway. Seaburg confirmed that they would like to extend pavement to the barn. Hershey requested they show this on the plan. Hershey then asked if there would be any fill or grading in the wooded area. Seaburg confirmed that there wouldn't be and that the Erosion Control Barrier would be the limit of work. Bebis inquired if there would be tree leaning in the limit of work. Seaburg answered that there would be. Bebis further asked if the roofs drained into the infiltration basins, which Seaburg confirmed.

Ziemba asked if there is a fence that is not depicted on the plan for the pool house. Seaburg explained that the limit of the pool house will be the fence.

Burchesky inquired if the driveway over the septic system will be paved. Seaburg answered that they would prefer to have it paved.

Wiley requested that the applicant revise the plan to show the driveway.

A motion to close the Request to Amend the Order of Conditions hearing for 485 Lincoln Road, DEP#315-1274, and to hold the order until a revised plan was submitted was made by Goetz; seconded by Dyer. Motion carries 7-0-0 (Wiley, Dyer, Goetz, DiVirgilio, Burchesky, Ziemba, Bebis).

***Continued Land Disturbance Permit: 231 Moosehill Road; League School***

Wiley read the public notice into record as well as notes from the Town Engineer which mentioned that there were some outstanding minor items to be addressed by the applicant.

Joe Piccirilli, Highpoint Engineering, provided an update on the changes to the project. Changes included adjusting the limit of work to remove encroachment towards the abutters, reduction in tree removal, and the addition of sediment basins to the plan. Further, the generator was moved to allow for more treeline to remain. Piccirilli added that the infiltration system has been shown to be able to handle up to a 100 year event. There is no overflow for the underground infiltration system but there is an emergency spillway for the catch basin towards Moosehill road.

Hershey inquired how the development team was planning on stabilizing the steep slope along the back of the property. Piccirilli answered that the slope will be stabilized with a wildflower seed mix.

Burchesky inquired if the sewer discharges to the sewer main via gravity. Piccirilli confirmed that this was correct. Burchesky then asked if there was any chance that the sewer could overflow. Piccirilli answered that there is a holding tank outside the building with an alarm, making it easy to catch before an overflow event.

Goetz inquired how the back slope will be stabilized while the wildflower seed mix is still taking hold. Piccirilli clarified that they will be working with the contractor to install some sort of temporary stabilization in the form of netting or mats.

A motion to close the Land Disturbance hearing and issue a Land Disturbance permit for 231 Moosehill Road was made by Goetz; seconded by Dyer. Motion carries 7-0-0 (Wiley, Dyer, Goetz, DiVirgilio, Burchesky, Ziemba, Bebis).

**GENERAL BUSINESS:**

**Conservation Land**

***North Street Parcel:***

The North Street trail has been marked.

**Certificates of Compliance**

***Request for Certificate of Compliance: Pennington Crossing, DEP#315-1148***

A motion to issue a Certificate of Compliance for Pennington Crossing, DEP#315-1148, was made by Dyer; seconded by DiVirgilio. Motion carries 6-0-1 (Wiley, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis in favor – Goetz abstaining).

***Request for Certificate of Compliance: 16 Hayden Lane, DEP#315-1285***

A motion to issue a Certificate of Compliance for 16 Hayden Lane, DEP#315-1285, was made by Dyer; seconded by Burchesky. Motion carries 7-0-0 (Wiley, Dyer, Goetz, DiVirgilio, Burchesky, Ziemba, Bebis).

**Enforcement Orders*****1900 Main Street:***

The property has been sold and the Enforcement Order will be removed from the agenda, but not closed or vacated. The Enforcement Order is still in effect.

**Minutes*****Approval of the 10/25/23 Conservation Commission minutes:***

A motion to approve the 10/25/23 Conservation Commission meeting minutes as edited was made by Bebis; seconded by Dyer. Motion carries 7-0-0 (Wiley, Dyer, Goetz, DiVirgilio, Burchesky, Ziemba, Bebis).

***Approval of the 6/28/23 Conservation Commission minutes:***

A motion to approve the 6/28/23 Conservation Commission meeting minutes as edited was made by Dyer; seconded by Ziemba. Motion carries 5-0-2 (Wiley, Dyer, Goetz, Ziemba, Bebis in favor – DiVirgilio and Burchesky abstaining).

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