

**CONSERVATION
COMMISSION**

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Town of Walpole
Commonwealth of Massachusetts

MINUTES
Approved



CONSERVATION COMMISSION
SEPTEMBER 27, 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
Staff Present: Landis Hershey, Conservation Agent & Joshua Baker, Board Assistant

Absent: None

Wiley opened the meeting at 7:00PM.

PUBLIC HEARINGS AND DISCUSSIONS:

Continued Amended Order of Conditions, 55 Summer Street, DEP#315-1227:

Wiley read the public notice into record as well as a letter from the Town Engineer. The Town Engineer noted that he is content with the proposed infiltration system and supports the amendment.

David Hale and Patrick Bogle, Howard Stein Hudson, provided an overview of the proposed amendment. The amendment is proposing to group the proposed replication areas together into a single larger space and to place them further away from the developed area to reduce potential disturbance. The amendment also proposed to change the elevated manifolds to maintain a 6-inch storage of an initial flush, which was supported by the Town Engineer.

Hershey commented that everything except for the soil test which is addressed in her report has been discussed at an appreciable length.

Burchesky inquired if the geotextile requires preventative maintenance and how long it will last. Bogle answered that the geotextile fabric is in the isolator row and will remain for the life of the system. There is an inspection port in the design which will allow quick inspection of the system and it can be cleaned out periodically with a reverse vac which rinses and then vacuums up sediment.

DiVirgilio confirmed with Bogle that the restoration rates are 1.5:1.

Goetz asked how big the inspection ports are. Bogle answered that the ports are six inches and are used only to inspect the system. All cleaning will occur in the manholes themselves. Goetz asked how often inspections will occur. Bogle answered that they will occur twice a year and if sediment has built up to three inches, it will be cleaned out.

Dyer inquired about the lifespan of the system. Bogle confirmed that the system will exceed the life of the development. Dyer asked for clarification. Hale answered that it could potentially last 100 years.

Jack clarified that as per the operation maintenance manual, if there was need of a replacement, it would be the responsibility of the owners to do so and asked if the Operation and Maintenance plan would cover long term maintenance. Bogle answered that long term maintenance would likely be under the manufacturer with applicable warranties. Hershey commented that long term maintenance and the responsibility of the owner to replace and maintain the system as needed is a common condition in the Order of Conditions and can be applied to this project.

A motion to close the hearing and issue an Amended Order of Conditions was made by Dyer; seconded by Goetz. Motion carries 7-0-0 (Wiley, Dyer, Goetz, DiVirgilio, Burchesky, Ziemba, Bebis).

Notice of Intent, 410 North Street, DEP#315-XXXX:

A motion to continue the Notice of Intent hearing for 410 North Street, DEP#315-XXXX, to October 11th, 2023 at 7:45, at the request of the applicant, was made by Dyer; seconded by Goetz. Motion carries 7-0-0 (Wiley, Dyer, Goetz, DiVirgilio, Burchesky, Ziemba, Bebis).

Chick-Fil A Discussion:

Joey Fonseca, Bohler Engineering, updated the commission on the stormwater changes required for the Chick-Fil A to be constructed at the Walpole Mall. The site was permitted in 2018 for the construction of a Chick-Fil A but was paused and during the interim Chick-Fil A decided to renegotiate with the current owners and reconfigure the proposed construction. The site is currently completely paved and is used as a parking area. The previously approved construction plan included sub surface drainage in the form of 36-inch perforated pipes. In the prior approval of the site, the drainage pipes located under the proposed location of the new building and drive-thru were to be relocated to still account for volume changes. The relocation was to keep the drainage pipes in locations where they can be reasonably maintained and inspected without impacting the drive-thru or the building itself. The new areas were located via soil testing and coordination between town staff and engineers. This plan was approved in 2018. The new configuration has put the trash enclosure area closer to the Chick-Fil A and increased the drive-thru to a two lane. This will require the relocation of 200-linear feet of the subsurface pipes. An additional 100-linear feet of pipe was added to the plan to help offset any volume increases. The new layout increases the landscaped area by 1,300 feet.

Hershey clarified that the previous approval didn't go before the Conservation Commission but the approval to put the current stormwater system under the lot did go before the commission since the water would discharge near the wetlands across Route One. Since the volume doesn't change, Hershey wasn't sure if this discussion warranted a formal permit, but wanted to bring it before the Commission.

Bebis inquired if the pipes that will be cut out and relocated will be tested for viability before being reused. Fonseca confirmed that they will be evaluated and the ends of the cut pipes will be capped. If anything needs to be replaced, they will be replaced.

Burchesky inquired how the revisions will impact snow removal. Fonseca answered that the additional landscape areas will provide opportunities to lose some of the snow and all remaining snow will be removed based on the snow removal plan set up by the owners. Fonseca is unsure if the snow is currently

stored behind the mall building, but there would presumably be coordination between the landowners and the mall.

Goetz inquired if there would be environmental hoods on the catch basins to prevent oil from entering the system and if they would be inspected and maintained regularly. Fonseca confirmed that they would be maintained and inspected regularly as a part of the operations and maintenance plan.

Wiley asked that Fonseca confirm and ensure that when the old pipes are removed that the system is inspected to ensure it is working as expected. Fonseca confirmed and clarified that they will be working closely with the contractor and city engineer. Wiley asked how they could ensure that this will occur. Hershey suggested writing a letter to the Building Commissioner who will be permitting the work.

GENERAL BUSINESS:

Enforcement Orders

Pinnacle Mill Complex

A judge performed a site visit. Both the Conservation Commission and the Applicant were instructed that the site walk would occur without them. The decision of the judge is pending.

Warwick Road

Warwick Road is still pending in the Office of Appeals and Disputes and the extension of Warwick Road still needs to be approved by the Planning Board and Select Board.

Other

Bird Mansion Discussion

Dyer noted that a no trespassing sign has been put up on the way to the pinnacle of the bird mansion site. Dyer suggested contacting the Home Owners Association and finding the correct contact point to discuss why the sign was put up and if public access will be allowable on the site as it had been for the past 15 years.

The meeting adjourned at 8:21 PM.