

CONSERVATION COMMISSION



Town Hall

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Town of Walpole Commonwealth of Massachusetts

MINUTES CONSERVATION COMMISSION JUNE 26, 2019 7:00 PM

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

Present: Jack Wiley (Chairman), Al Goetz, Betsey Dyer, Emidio Di Virgilio, Roger Turner, Doug Burchesky

Also present: Conservation Agent, Landis Hershey; Board Secretary, Amy Messier

The Conservation Agent Report dated June 26, 2019 was given to members.

Wiley opened the meeting at 7PM

7:00 PM /7:01 PM:

Continued Notice of Intent/ Amended Notice of Intent, SR II Ventures LLC, 8 Gigi's Way, DEP #315-1184:

Wiley opened both hearings, and read board comments. John Glossa of Glossa Engineering was present, along with Applicant Michael Viano and Tom Liddy of Lucas Environmental. Glossa explained that the largest change to the plan is the driveway relocation to the proposed house and garage, with the 14 ft. wide driveway going up and above the wetlands and cutting across the intermittent stream with a box culvert. Furthermore, instead of constructing a bridge, the newest plan depicts a bridge solely for foot traffic only. It was stated that even though the placement of the driveway has changed, the trail will still be maintained. Liddy provided the Commission with an invasive species mgmt. plan regarding the removal of invasive species in the pond area and replacing with adaptable, native species. Hershey addressed comments in her agents report. An additional boardwalk will be added to the plan along the trail. Wiley opened up the hearing to the public for comment, which there was none. With revised plans and other items needed, Goetz made a motion to continue the hearing to 7/10/19 at 7:10 PM, seconded by Dyer, the motion carried 6-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio, Burchesky)

7:15 PM:

Continued Notice of Intent, Supa Cars, LLC., 1900 Main St., DEP #315-1186:

Wiley opened the hearing, no new information has been submitted, and the Applicants or a representative was present. Goetz made a motion to continue the hearing to 7/10/19 at 7:15 PM, seconded by Dyer, the motion carried 6-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio, Burchesky)

7:20 PM:

Notice of Intent, Joseph Verderber, lot 2 Portland Way, DEP #315-1204:

Wiley opened the hearing and read board comments. Rob Truax of GLM Engineering was present on behalf of the applicant. Lot 2 Portland Way is part of the 4 lot subdivision "Pine Acres", and the proposed project is for a single-family house with lawn, utilities lawn and grading. A proposed leeching system is shown on the plan for roof runoff, along with 8 bounds along the property regarding the areas of work. Hershey stated that the actual location of the culvert should be specified on plan, and read comments from DEP regarding stream crossing standards. Wiley opened the hearing to the public for comment, which there was none. Goetz made a motion to close the hearing, seconded by Dyer, the motion carried 6-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio, Burchesky). Goetz made a motion to issue an Order of Conditions contingent upon a revised, surveyed plan showing the pipe and downspout locations, seconded by Dyer, the motion carried 6-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio, Burchesky)

7:30 PM:

Stormwater and Erosion Control Bylaw Regulation/ Walpole Wetland Protection Bylaw Regulations:

Wiley opened the hearing, Goetz made a motion to table discussion until later in meeting after other hearings, seconded by Dyer, the motion carried 6-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio, Burchesky). 9:30 PM- the Commission revisited the hearing items. The Commission discussed revisions to Bylaw regulations of both the WPA and Stormwater Regulations. Discussion regarding Item 1.0 took place about rainfall calculations. Goetz made a motion to use the NRCS method instead of TP40 for all new filings going forward, seconded by Dyer, the motion carried 6-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio, Burchesky). The Commission had further discussions on other proposed revisions relating to MS4 2016 permit. Goetz made a motion to continue to 8/14/19 at 7PM, seconded by Di Virgilio, the motion carried 6-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio, Burchesky)

7:35 PM:

Notice of Intent, Brush Hill Partners, LLC, lot 13 Arlington Ln., DEP#315-

Wiley opened the hearing and read board comments, and it was noted that there are outstanding taxes on the property. Project engineer John Glossa of Glossa Engineering was present on behalf of the applicant. Hershey suggested that before going into project details, that it be determined if any additional filling can be done on the property since the amount of wetlands previously filled in this subdivision has already been met. Goetz stated that this issue should go to DEP regarding the fill, and referenced two occasions in the past that additional filling of the wetlands on this property has been denied by DEP. With no DEP number assigned to the property, outstanding taxes owed, and the question of whether additional fill can be used, Goetz made a motion to continue the hearing to 7/10/19 at 7:30 PM, seconded by Dyer, the motion carried 6-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio, Burchesky)

8:00 PM:

Continued Notice of Intent, by Wall Street Development Corp., Burns Ave., DEP #315-1200:

Wiley opened the hearing, there were no additional comments from other boards to be read. Applicant Lou Petrozzi of Wall Street Development was present, along with Rob Truax of GLM Engineering and Paul McManus of Ecotec. BETA group was not present due to the contract in place covering the scope of work that has been done and one Conservation meeting attendance. Hershey stated that she has an additional proposal from BETA for additional review and meeting attendance. Hershey stated that BETA's peer review and Ecotecs submission have conflicting outlooks on the degraded riverfront area. Wiley stated that Town Counsel has indicated that they are in agreement with BETA's position regarding the degraded riverfront area of the prior Order of Conditions of the previous filing. Dyer read comments from DEP dated 4/9/19 that also have similar outlooks as BETA regarding the subject. Wiley recommended that the Commission, Ecotec, and BETA meet in the field to look at the degraded riverfront area together. Petrozzi stated that he is willing to spend an additional one-thousand dollars for BETA to review the project and to gain clarification on outstanding items. Wiley outlined other items that BETA mentioned in their report, which include the following;

- Degraded riverfront area; emergency access; public utilities; debris removal and restoration

Hershey stated that she will reach out to BETA to go over the most important items that need to be addressed within the Applicants one-thousand dollar budget. Goetz made a motion to hire the peer reviewer for the additional one-thousand dollars paid for by the Applicant, seconded by Dyer, the motion carried 6-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio, Burchesky) Goetz made a motion to continue the hearing to 7/10/19 at 8PM, seconded by Dyer, the motion carried 6-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio, Burchesky)

GENERAL BUSINESS/OLD BUSINESS/NEW BUSINESS:

Minutes: 6/12/19: Dyer made a motion to accept minutes, seconded by Di Virgilio, the motion carried 6-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio, Burchesky)

Enforcement Orders/ Notice of Noncompliance:

Main St. #1900, DEP #315-1043 (deadline 5/1/18): No update, hearing on 6/26/19

Boyden Estates – Summer Street DEP #315-1099 – Notice of Noncompliance 4/25: Magistrate hearing scheduled.

Correspondence/ Other Business:

Gilmore Rees & Carlson PC, re: Map 7, Lot 6- Wiley stated that the Commission is interested in the purchase of the property. Dyer motioned to go into Executive Session, seconded by Goetz, roll call vote (Wiley, Goetz, Dyer, Turner, Di Virgilio, Burchesky) 6-0-0. Dyer motioned to come out of Executive Session, seconded by Di Virgilio, roll call vote (Wiley, Goetz, Dyer, Turner, Di Virgilio, Burchesky) 6-0-0.

MACC FY 2020 dues- annual dues for Commissioners and staff

Board Comment Requests:

N/A

Turner made a motion to adjourn, seconded by Di Virgilio, the motion carried 6-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio, Burchesky)

The meeting adjourned at 10:45 PM.

Accepted 7/10/19