

**CONSERVATION  
COMMISSION**

**Town Hall**  
Room 212  
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**Town of Walpole**  
Commonwealth of Massachusetts

**MINUTES**  
**Approved**



**CONSERVATION COMMISSION**  
**FEBRUARY 28, 2024**  
**7:00 PM**

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

**Commissioners Present:** Betsey Dyer (Vice Chair), Al Goetz, Emidio DiVirgilio, Doug Burchesky, Bailey Ziemba, Dean Bebis

**Staff Present:** Landis Hershey (Conservation Agent), Joshua Baker, Board Assistant

**Absent:** Jack Wiley (Chair),

Dyer opened the meeting at 7:00PM.

**PUBLIC HEARINGS AND DISCUSSIONS:**

***Continued Land Disturbance Permit: 1377 North Street; Kearsage Walpole LLC:***

Dyer read the public notice into record as well as comments from the Town Engineer. The Town Engineer does not recommend installing solar panels over the vegetated swale on site.

Rob Makowski, Weston & Samson, provided an update on the project. As before the project is proposed under review of a Land Disturbance Permit and not the Wetlands Protection Act. The western slope's grading was adjusted as per comments and as per the Town Engineer's comments, the applicant has moved the panels away from the swale. Test pits showed that the ground water was slightly higher than what was assumed but the soil was consistent with assumptions, the stormwater plans were modified accordingly. The proposed erosion control barriers were changed to compost socks as per Commission comments and screening along the fence line was extended.

Hershey commented that the Town Engineer witnessed the test pits and confirmed the findings.

Dyer inquired where the access road will be. Makowski confirmed that the access road will come up from the south.

Burchesky inquired where the riprap spill way will be. Makowski confirmed that it will be at the catch basin.

Goetz inquired if the catch basin can handle strong storms. Hershey noted that the basin was designed to handle 100-year storms as defined in the NOAA 14 index. Goetz asked how the maintenance access will be maintained. Makowski answered that the pathway is grass and will be simple mowing. Goetz inquired about the stone size of the riprap. Makowski answered that it was around 3-4 inches. Goetz asked if there was any chance of vandalism. Makowski reminded that the area was enclosed in a 7-foot high fence.

Dyer noted that a legal letter was provided to the Commission from the abutters and explained that even if the proposed project is in court, the applicant can still file for permits and that a permit doesn't mean a project will be able to begin immediately.

Goetz asked if there is a final Operations and Maintenance plan. Makowski confirmed that there was. Goetz asked if it has language requiring the replacement of riprap should it be washed away. Makowski confirmed that the Operations and Maintenance plan includes general replacements.

A motion to close the Land Disturbance Permit hearing for 1377 North Street was made by DiVirgilio; seconded by Burchesky. Motion carries 5-1-0 (Dyer, DiVirgilio, Burchesky, Ziemba, Bebis vote yes, Goetz votes no).

A motion to issue a Land Disturbance Permit for 1377 North Street was made by DiVirgilio; seconded by Burchesky. Motion carries 6-0-0 (Dyer, Goetz, DiVirgilio, Burchesky, Ziemba, Bebis) **with revisions to the plan including the language "access easement"**.

***Continued Notice of Intent & Land Disturbance Permit: 241 Norfolk Street, DEP#315-1302; S.M. Lorusso and Sons***

A motion to continue the Notice of Intent and Land Disturbance Permit hearing for 241 Norfolk street, DEP#315-1302, to 3/13/2024 at 7:10PM was made by Bebis; seconded by DiVirgilio. Motion carries 6-0-0 (Dyer, Goetz, DiVirgilio, Burchesky, Ziemba, Bebis).

***Continued Notice of Intent: 233 Baker Street, DEP#315-1303; Walpole Country Club***

Dyer read the public notice into record.

Matt Watsky, Walpole Country Club, provided an update on the proposed project breaking the restoration areas into 10 distinct areas. Area 1 is to be left alone as an emergent marsh save for the removal of buckthorn and trimming cattails to four feet. Area 2 will manage the cattails similarly and remove buckthorn and phragmites. Area 3A will manage the cattails to four feet and 3B will manage any invasives but not the cattails. Area 4 will focus on removing buckthorn and phragmites. Area 5 will be cut and replaced with a low growing native such a blueberries. Area 6 will remove buckthorn and replace with low growing fruit shrubs. Area 7 will manage invasive pressure and cattails up until the southern tree line where cattails will be allowed to grow freely. Area 9 is currently clear but the applicant is asking for permission to trim in case cattails grow there. Area 10 is proposing to remove the understory shrub layer on the backside of the small pond, no tree removal is proposed. Area 11 encompasses the perimeter of the small pond and includes tending to the turf lawn up to the pond edge and removing potential cattails. In addition to the management areas, the applicant is proposing to dredge silt build up from the wishing well.

Hershey inquired if the applicant would like to have the aquatic treatment of the ponds included in the Order of Conditions. Watsky agreed.

Dyer noted that the updates were a great improvement on the previous proposal.

Burchesky inquired if the applicant could provide a copy of the herbicide treatment licenses to the Conservation Offices. Watsky confirmed that they could.

Ziembra inquired how many acres of land along area 10 were proposed to be cleared of underbrush. Watsky answered that the area is long and thin and so not much area will be displaced. Ziembra requested that if the applicant finds small pines while clearing the underbrush to leave them for successional tree growth. Ziembra asked if the wishing well served as a natural filter and if it was possible to turn it into a filter. Watsky answered that the wishing well was originally a sump and is serving as a filter.

Bebis noted that there was no area 8. Watsky explained that area 8 was combined with area 7.

A motion to close the hearing and issue an Order of Conditions for 233 Baker Street, DEP#315-1303, was made by Goetz; seconded by DiVirgilio. Motion carries 6-0-0 (Dyer, Goetz, DiVirgilio, Burchesky, Ziembra, Bebis).

### **GENERAL BUSINESS:**

#### **Certificate of Compliance:**

##### ***Request for Certificate of Compliance, 23 Daisy Drive, DEP#315-1240:***

A motion to issue a Certificate of Compliance for 23 Daisy Drive, DEP#315-1240, was made by Goetz; seconded by DiVirgilio. Motion carries 6-0-0 (Dyer, Goetz, DiVirgilio, Burchesky, Ziembra, Bebis).

#### **Minutes**

##### ***Approval of the 2/14/2024 Conservation Commission Meeting Minutes:***

A motion to approve the 2/14/2024 meeting minutes was made by DiVirgilio; seconded by Burchesky. Motion carries 4-0-2 (Dyer, Goetz, DiVirgilio, Burchesky voted yes and Ziembra and Bebis abstained).

#### **Correspondence:**

##### ***15 Pinnacle***

Wall Street Development appealed the fine issued and is going to be brought up in Wrentham District Court on 3/26/2024

##### ***Brook Lane***

A letter was provided to the ZBA stating that the applicants are required to file with the Conservation Commission. In addition, Traphole Brook was erroneously not present on the plan.

##### ***Pinnacle 40B***

A letter was provided to the ZBA stating that the applicants are required to file with the Conservation Commission. In addition, the Commission would like to see the trail on site maintained with an easement as required by the Order of Conditions issued to Pinnacle.

**The meeting adjourned at 8:17PM.**