

## CONSERVATION COMMISSION



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

MINUTES  
CONSERVATION COMMISSION  
July 11, 2018  
7:00 PM

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

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

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

The Conservation Agent Report dated July 11, 2018 was given to members.

Chairman Jack Wiley opened the meeting at 7:00 PM

#### **7:00 PM:**

#### **Abbreviated Notice of Area Resource Delineation, by Optima Hospitality Group, 990 Providence Highway, DEP# 315-1168:**

Wiley opened the hearing and read bd. comments from water & sewer. Garret Tunis was present on behalf of the applicant, along with David Delucca. The existing wetland delineation flags A25-A26 continuing thru A-38 are in Walpole. Wiley opened the hearing up to the public for comment, which consisted of;

-Cliff Snuffer of Precinct 2: procedural clarity regarding water and sewer comments on a possible future project.

David Delucca (Applicant) clarified there is no project proposed until wetland lines have been delineated and ANRAD is issued. Goetz made a motion to close the hearing, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio).

Goetz made a motion to approve the wetlands delineation if flags A25-A38 with a 25 ft. no alteration buffer area, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio).

#### **7:15 PM:**

#### **Request to Amend Order of Conditions, Town of Walpole 50 South Street, DEP # 315-1128:**

Wiley opened the hearing, Assistant Town Administrator Patrick Shield was present on behalf of the Town of Walpole (applicant). Hershey explained that this is for the proposal of an expansion of the patio into the 100 ft. buffer zone into an existing cleared area adjacent to the rail trail. There will be

minimal excavation will be taking place, a grassed area/landscaping will be going in, and improvements to the rail trail will be made. Wiley opened the hearing up to the public which there was none. Goetz made a motion to close the hearing, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz Dyer, Turner, Di Virgilio) Goetz made a motion to issue an amendment to the Order of Conditions, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio).

#### **7:30 PM:**

##### **Request for Determination, John Glossa, 16 Wendy Street:**

Wiley opened the hearing, John Glossa of Glossa Engineering was present on behalf of the applicant, and explained to the Commission that this lot is at the end of the cul-de-sac, with wetlands located on the lot, the area generally has a high water table, and the proposed new septic tank/system will be located within the only area that is level on the property. Hershey stated she has no issues with the design and the plan. Compost sock will be left on site once grass grows in. Wiley opened the hearing up to the public for comment, which there was none. Goetz made a motion to close the hearing, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio). Goetz made a motion to issue a Negative 3 Determination, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio).

#### **7:45 PM:**

##### **Notice of Intent, Mass DOT, Framingham secondary line, DEP# 315-1169:**

Wiley opened the hearing and read board comments from sewer & water and engineering. Mike Turgeon from Jacobs Engineering was present, along with project manager Brian Marrone. It was explained that the existing track comes from the Foxboro line, which goes to the switch, and adjacent to that is 13.6' offset from center where freight siding will be installed to help move the freight around at the Foxboro station. A portion of that area is currently vegetated, and will be re-seeded with a wildlife seed mix. The project is within riverfront area of the Neponset river, and will consist of the restoration of the second track within the track bed of the existing track, with no clearing of trees. It was stated that freight trains and cars will not be idling, a berm is in between the activity and the wetlands most of the way down that will stay for the majority of the project. Material will not be stored on site anywhere, and a staging area will be located in back of the Post Office. There will be no anticipated storage of fuel/ refueling. Compost sock is to be used in place of the straw wattles as indicated on the plan. The total length of track within Town of Walpole is approx. 660 ft., and the project is anticipated to take 2 months during work hours, with possible one weekend outage to install the switch. Wiley opened the hearing to the public for comment which included the following;

Cheryl R. on Shufelt: opposed to the project, springs on side of the track

Dan R.: sinking parts of railroad/ poorly maintained in the past

Joanne Mulligan of Precinct 5: reiterating above. / accident probability – derailment

Cliff Snuffer of (Precinct 2): restriction of line to no layover

Kathleen Cleary of 3 Shufelt rd: ROW/ state/ town guidelines, etc.

Sarah Barry of Shufelt: idling time

Conditions discussed by the Board were as follows; no long term storage of cars (Not to exceed 6 hrs., no idling in the siding, no layover, no storage of fuels or re-fueling, all equipment shall be monitored and inspected during construction and are sound of leaks, compost sock to be used in place of straw wattles.

Goetz made a motion to close the hearing, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio). Goetz made a motion to issue an order of conditions with the above conditions included, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio).

**9:07 PM:**

**\*Commission Member Al Goetz recused himself from this hearing\***

**Continued Notice of Intent, by Pulte Homes of New England, LLC., 767-777 East Street, DEP #315-1148:**

Wiley opened the hearing, present was John Chessia of Chessia Consulting Services who did a peer review and a report, and explained to the Commission he is going to focus on the DEP issues that were addressed in the report.

- concern with infiltration rate in basins
- concern with recharge percentage

Matt leidner of Civil Design Group was present and explained the location of the watersheds

- setback distances from wetlands for infiltration basin
- meeting TSS/BMP standards
- Operation and Management plan regarding the amount of times of cutting the grass

Matt Leidner addressed Chessias concerns regarding:

- updating plans to account for capture area adjustment – will slightly enlarge the infiltration capacity in the specific watershed
- TSS removal- can add into the design add dry water quality swale
- updating mounding analysis- going to update model based on Chessias recommendations
- moving the outlet control structures from the basins farther into the berm
- Operation and Maintenance plan- infiltration basins to get mowed twice a year
- using flared end sections- proposing HDPE corrugated pipe for outside drainage piping with rip rap aprons w. flared ends
- setback of infiltration basins
- infiltration rate used for the basin

Wiley suggested that the applicant should revise the basin, and possibly use three pipes instead of one, and make the basin bigger. The Commission stated that a condition that should be added into the order should include the addition of no disturb. Plaques at the 25 ft. no disturbance line. Dyer made a motion to close the hearing, seconded by Di Virgilio, the motion carried 4-0-0 (Dyer, Wiley, Turner, Di Virgilio) Dyer made a motion to issue an order of conditions contingent upon the conditions discussed and revised plans, seconded by Di Virgilio, the motion carried 4-0-0 (Dyer, Wiley, Turner, Di Virgilio).

**GENERAL BUSINESS/OLD BUSINESS/NEW BUSINESS:**

Minutes:

Goetz made a motion to accept the 6/13/18 minutes, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio)

Goetz made a motion to accept the 6/27/18 minutes, seconded by Dyer, the motion carried 4-0-1 (Wiley, Goetz, Dyer, Turner in favor; Di Virgilio abstained)

**Enforcement Orders/ Notice of Noncompliance:**

**609 Lincoln Rd.:** No action necessary at this time.

**1900 Main St.:** No new information or action is necessary at this time.

**Boyden Estates:** Hershey stated that the fine has not yet been paid yet, which was due on 7/5/18, and no recent correspondence has been returned. Hershey went out on 6/28 for a visit and silty water was still discharging and site still not stabilized, with sediments flowing down the hill. Goetz made a motion to go forward with a new deadline of 7/26 to complete stabilization, if not met, fining on a daily basis of \$300 per day. Goetz made a motion to have a letter sent to Wall Street Development via constable, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio).

**Requests for Extension:**

John McChesney, 255 Bullard St. DEP# 315-971: Goetz made a motion to issue a 1 yr. extension, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio).

**Requests for Certificate of Compliance:**

Michael Razza, Stone Street, DEP# 315-70: Goetz made a motion to issue a Certificate of Compliance, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio)

Civil Design Group, LLC., 1324-1336 Main St., DEP #315-1058: Not issued at this time.

**Correspondence/ Other Business:**

DEP: re: 315-1158 ANRAD : Correspondence from DEP regarding a letter from an abutter that was sent to them regarding the ANRAD determination.

**Board Comment Requests:**

ZBA: 255 Bullard Street (accessory in-law suite): Property has an Order of Conditions, which has been extended on 7/11/18 for one year.

Goetz made a motion to adjourn, seconded by Dyer. The motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio). The Commission adjourned at  
10:45 PM.

