

**CONSERVATION
COMMISSION**

Town Hall
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Town of Walpole
Commonwealth of Massachusetts

MINUTES
Approved 2/8/2023



CONSERVATION COMMISSION
JANUARY 11, 2023
7:00 PM

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

Commissioners Present: Jack Wiley (Chair), Al Goetz (Vice Chair), Betsy Dyer, Emidio DiVirgilio, Doug Burchesky, Bailey Ziemba, Dean Bebis

Absent: None

Wiley opened the meeting at 7:00PM.

PUBLIC HEARINGS AND DISCUSSIONS

LDP – 2250 Boston-Providence Highway – Glossa Engineering

Wiley read the public hearing notice, along with a letter from the Town Engineer and Board of Health.

John Glossa represented on behalf of the applicant, explained the project, and familiarized the board with the location of the property. He explained that this project will take place in the Water Overlay Zone Three area, and that it meets the standards and requirements. They will install two large infiltration basins to allow all of the water to infiltrate back into the ground. A stormceptor will be installed in the front portion of the existing parking area. This project still requires Planning Board and Zoning Board approval. Glossa also explained that erosion controls will be installed along with a stabilized construction entrance.

Hershey asked if the new building will be built on a slab and Glossa replied yes.

Hershey also asked for a landscape plan and Glossa explained that all plans will be included in the final revision.

Burchesky asked how the generator on site will be fueled and Glossa replied that it would be fueled by gas.

Dyer discussed the impervious surfaces, and the need for 100 parking spaces at this facility, and Glossa explained that the investors are asking for 100 parking spaces.

Dyer also asked if the calculations were just for Walpole, or if they included Foxborough as well, and Glossa replied that they calculated based on the property in Walpole only.

Wiley suggested that Glossa provide more detail in the landscape plan
Hershey encouraged landscaping and also wants to see more details included in the final revision

Motion to continue the Public Hearing for LDP – 2250 Boston-Providence Highway – Glossa Engineering to January 25, 2023 at 7:15PM was made by Goetz, seconded by Dyer. Motion carries 7-0-0 (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

ANRAD - 32 Industrial Road – Stantec – DEP# 315-1279

Wiley read the public hearing notice, along with a letter from the Town Engineer and Board of Health.

Michele Simoneaux and Ned Roberge represented on behalf of Jenstar. They explained that they are looking into adding a building and need to delineate the wetlands on the property. A BVW was located in resource Area A. An isolated wetland area was located to the west, and Area 3 was disturbed years ago, but also includes an isolated wetland. This area was delineated in November 2022.

Hershey asked the applicant to address the DEP comments and document the isolated wetland. The applicant reviewed the DEP comments.

Hershey walked the site and agreed that wetlands are isolated. She also indicated that Area E was a low spot. She reviewed old files and found a determination from 2008 and only found a wetland to the rear of the site. She also saw more standing water to the rear of the site.

Goetz asked about a particular triangular marking on the plans and Simoneaux explained that it is a boulder.

Goetz also asked if the trails marked on the plan are active and Simoneaux replied, yes.

Goetz discussed the contours of the wetlands compared to the wetland located along Route 1A.

Goetz asked about the vernal pool located in the rear of the property and Simoneaux reply that it has been marked as a potential vernal pool.

Hershey explained that she is comfortable but is not satisfied with the difference in Area A.

Motion to close the Public Hearing for ANRAD - 32 Industrial Road – Stantec – DEP# 315-1279 was made by Goetz, seconded by Dyer. Motion carries 7-0-0 (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

The commission discussed their vote, and decided to approve wetland series 2/E and area 3/F and area 4/G but specifically excluded area 1/A. They recommend that before work is done that they provide confirmation and information regarding their findings.

Motion to issue the Order of Resource Area Delineation for 32 Industrial Road – Stantec – DEP# 315-1279, specifically approving wetland series 2/E and area 3/F and area 4/G but specifically excluded area 1/A was made by Goetz, seconded by Dyer. Motion carries 7-0-0 (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

Continued NOI - 16R Eldor Drive – Winter Estates Realty – DEP# 315-1277

Wiley read the public hearing notice.

Dan Merrikan, Legacy Engineering, represented on behalf of the applicant and explained the project.

Hershey agreed that the current plan is similar to the previously approved plan that was in front of the commission in the past

The Commissioners had no questions.

Motion to close the Public Hearing for the Continued NOI - 16R Eldor Drive – Winter Estates Realty – DEP# 315-1277 was made by Dyer, seconded by Goetz. Motion carried 7-0-0 (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

Hershey discussed that the homeowner will be responsible for maintaining the culvert on the property as a special condition.

Motion of issue the Order of Conditions for 16R Eldor Drive – Winter Estates Realty – DEP# 315-1277 was made by Goetz, seconded by Dyer. Motion carried 7-0-0 (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

Continued NOI & LDP - Northwoods Estates – High Oaks LLC – DEP# 315-1261

Wiley read the notice of public hearing along with the town engineer letter

Joyce Hastings, GLM Engineering represented for the applicant. She explained that all concerns have been addressed, and there are minimal changes to the plan.

Hershey suggested that the commission close contingent on particular items from the town engineer letter that was dated the day of the meeting. Hershey then discussed the conditions.

Motion to close the Public Hearing for NOI & LDP - Northwoods Estates – High Oaks LLC – DEP# 315-1261 was made by Goetz, and seconded by Dyer. Motion carries 7–0–0 (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

Motion of issue the Order of Conditions and LDP for Lots 1, 2, 4, 5 - 13 and excluding Lots of 3 and 7 at Northwoods Estates – High Oaks LLC – DEP# 315-1261 was made by Goetz, seconded by Dyer. Motion carried 7-0-0 (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

Continued NOI – 533 Lincoln Road (lots 3 & 4) – Walsh Brothers Construction Co., Inc.

Wiley read the public hearing notice.

Joyce Hastings represented on behalf of the applicant and explained that all comments have been addressed.

Hershey discussed the road relocation and the function of the basin, suggesting a condition for the basin to comply with Land disturbance permit in the planning board decision

Motion to close the public hearing for NOI – 533 Lincoln Road (lots 3 & 4) – Walsh Brothers Construction Co., Inc. was made by Goetz, and seconded by Dyer. Motions carries 7– 0–0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

Motion of issue the Order of Conditions Lots 3 & 4 at 533 Lincoln Road – Walsh Brothers Construction Co., Inc. was made by Goetz, seconded by Dyer. Motion carried 7-0-0 (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

Continued NOI – 132-136-140 Washington Street – Thomas Powers – DEP# 315-1278

Wiley read the public hearing notice.

He then explained that the applicant had requested to continue.

Motion to continue the public hearing for NOI – 132-136-140 Washington Street – Thomas Powers – DEP# 315-1278 to January 25, 2023 at 7:30PM was made by Goetz, and seconded by Dyer. Motions carries 7– 0–0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

NOI – 16 Frontier Drive – Patrick Ellard – DEP# 315-xxxx

Wiley read the public hearing notice, along with the Town Engineer letter, and a letter from the Board of Health.

Debbie Anderson and Patrick Ellard were present. Anderson explained the project.

Hershey explained that the house has an existing Order of Conditions with a 25-foot no alteration and an existing wall was where the wetland line was previously delineated. She also explained that all work will occur within the existing lawn area.

Bebis asked if plaques were included in the original order, and they replied no.

Bebis then asked how they will access the site, and the applicant replied that they will be using the existing driveway, and that they have no intention to stockpile.

Burchesky asked if there will be a fence and the applicant replied that the yard will be enclosed.

DiVirgilio suggested that the applicant add 2 plaques on the north end of the retaining wall and the south lot line.

Goetz asked how the sewer line will be protected during construction and the applicant explained that erosion controls that will be used will also show the line of work. Orange construction fence and controls will be used along the easement line for the sewer.

Wiley suggested zero activity occur on the easement.

Motion to close the public hearing for NOI – *NOI – 16 Frontier Drive – Patrick Ellard – DEP# 315-xxxx* was made by Goetz, and seconded by Dyer. Motions carries 7– 0–0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

Hershey discussed conditions suggesting that the applicant revise the plan including plaques and the construction fence.

Motion of issue the Order of Conditions for *16 Frontier Drive – Patrick Ellard – DEP# 315-xxxx* was made by Goetz, seconded by Dyer. Motion carried 7-0-0 (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

Request for Certificate of Compliance

45 Merchant Drive – DEP# 315-571 – Request for COC

Motion to issue a Certificate of Compliance for 45 Merchant Drive – DEP# 315-571 was made by Goetz, seconded by Dyer. Motion Carried 7-0-0 (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

22 Brook Street – DEP# 315-63 – Request for COC

Motion to issue a Certificate of Compliance for 22 Brook Street – DEP# 315-63 was made by Goetz, seconded by Dyer. Motion Carried 7-0-0 (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

Extension Requests

Pennington Crossing – DEP# 315-1148

Motion to grant a 12-month extension for the Order of Conditions to Pennington Crossing – DEP# 315-1148 was made by Dyer, seconded by DiVirgilio. The motion carries 6-0-1. (Wiley, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis- Goetz Abstained).

Roscommon Subdivision – DEP# 315-1094

Motion to grant a 12-month extension for the Order of Conditions to Roscommon Subdivision – DEP# 315-1094 Goetz, seconded by Dyer. The motion carries 6-0-1. (Wiley, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis- Goetz Abstained).

Minutes***December 14, 2022***

Motion to approve the meeting minutes from December 14, 2022 was made by Dyer, seconded by DiVirgilio. The motion carries 7-0-0. (Wiley, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis- Goetz Abstained).

Motion to close the January 11, 2023 conservation commission meeting was made by Dyer, and seconded by Bebis. Motion carries 7- 0-0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).