

# **CONSERVATION COMMISSION**

## **MINUTES (Approved 10/10/12)**

**SEPTEMBER 26, 2012**

**Present: J.Wiley, Chairman**

**B. Dyer, S.Sparks, R. Turner, D. Adams**

**Absent: A. Goetz, J. Finnigan**

**Also Present: L. Hershey, Conservation Agent**

**Conservation Agent report given to the board**

**PUBLIC HEARING  
NOTICE OF INTENT  
SUMMER ST. # 135  
DEP# 315-999**

Meeting Opened: 7:00

Mr. Wiley read the advertisement from the Walpole Times. Green cards were collected.

The applicants, Mr. and Mrs. Witham were present.

Mr. Wiley read board comments into the record

Plans were presented to the board entitled “135 Summer St. Plot Plan of Land for Proposed Addition in Walpole MA” and dated August 28, 2012. A Site evaluation and wetland delineation dated August 23, 2012 was prepared by Russ Waldron of AES and included in the filing.

Mr. Witham stated his proposal is to build a two car garage with in-law apt. above. He stated this will be located on the right hand side of the property

Ms. Hershey stated she went out and saw the site to review the wetland line. She noted a shed had been constructed in the rear of the yard. Ms. Hershey stated the area where the proposed garage will be is currently a lawned area. She stated no removal of vegetation is proposed and that the owners have agreed to enhance some areas as mitigation for the project. She also discussed infiltration and suggested it be moved to the back

Ms. Dyer asked if the vegetable garden could be relocated to an area not in a wetland.

Mr. Witham stated it could be moved with no problem.

The commission discussed planting blueberry bushes and shrubs along the low area. The sheds are up against the chain link fence

Mr. Wiley stated the garden should be moved to the Eldor Dr. side.

Mr. Russ Waldron of AES came in to the meeting and the commission discussed the changes that needed to be revised on the plans. No-alteration bounds on the chain link fence were also requested by the commission as almost the whole lot is in the buffer zone. The commission discussed the need for continuous mitigation around the corner and up some of the driveway.

**Ms. Dyer made the motion to close the Public Hearing**

**Mr. Adams seconded the motion**

**Vote: 5-0-0**

**Closed: 7:15**

The commission discussed relocating the filtration, adding four (4) plaques onto the chain link fence. Revisions needed prior to issuance of the Order of Conditions

**Ms. Dyer made the motion to issue and Order of Conditions with special conditions**

**Mr. Adams seconded the motion**

**Vote: 5-0-0**

## **PUBLIC HEARING**

### **NOTICE OF INTENT**

#### **WIND CHIME WAY #16**

#### **DEP# 315-1000**

**Opened: 7:20**

Mr. Wiley read the advertisement from the Walpole Times.

Green cards were collected.

Revised plans were given to board members entitled "Proposed Site Plan for Land in Walpole MA" and dated 9/26/12.

Mr. Evan Wilmarth, Dover Land Surveying was present on behalf of the applicant Aardvark Realty Trust

Mr. Wiley read board comments into the record

Mr. Wilmarth presented plans for the proposal to build a single family house with a driveway. He stated the majority of the work is outside the 100 ft. buffer, but a portion of the house with grading and retaining walls are within the 50 ft. buffer. Mr. Wilmarth

stated three to five yards of stone need to be moved to the erosion control line and will be used as a second indicator of the limit of work area. Mr. Wilmarth stated drywalls with detail have been added to the plan per Town Engineer comments, and the driveway has been relocated so there are no curb cut changes. He also stated the existing detention basin has been shown on the plan, and it is very overgrown. Mr. Wilmarth stated the Board of Health has approved the plan and the septic has already been installed.

Ms. Hershey stated she went out to the site and met with Mr. Wilmarth. The wetland line is fine. She stated she has no issues except the detention basin needs to be cleaned as it is very overgrown with saplings and under-brush. She stated there is quite a bit of erosion at the outflow structures as well. Ms. Hershey had a copy of the O&M plan from the Windchime Subdivision filing and stated this maintenance is a part of the Order of Conditions and needs to be reviewed to see that it is functioning as designed. She spoke about fast moving water in the area and stated her concerns regarding the basin. Ms. Hershey also stated that any materials brought in need to be controlled with wattles/erosion controls if they are going to be stockpiled.

Mr. Wiley asked for comments and questions from the audience.

Mr. Paul Saegh, of Wendy St. is an abutter to the property. He stated his concerns about drainage coming off site as it is a steep hill and migrates to his property.

The commission and representative discussed this and stated there are three sets of catch basins on the street and runoff should not affect the abutter. Mr. Wiley suggested he check the catch basins during the next heavy rain to insure they are working properly.

The commission discussed that the Detention basin and its upkeep is the responsibility of the owner.

**Ms. Dyer made the motion to close the Public Hearing**

**Mr. Adams seconded the motion**

**Vote: 5-0-0**

**Closed: 7:45**

As noted in the original subdivision filing with details on the detention basin, the commission discussed the necessity of the detention basin being cleaned, and repaired if necessary. The commission discussed the issuance of an Enforcement Order should this not be dealt with in a timely manner

The commission discussed special conditions to include: all stockpiled materials need to be removed from site following construction, erosion controls shall be in place, the slope shall be to final grade and stabilized prior to construction, filter socks shall be put in catch basin, and a crushed stone apron at the access site should be put down to keep the access area clean during construction

**Ms. Dyer made the motion to approve and issue an Order of Conditions with special conditions**

**Ms. Adams seconded the motion**

**Vote: 5-0-0**

**CONTINUED PUBLIC HEARING  
LAND DISTURBANCE PERMIT  
PROVIDENCE HWY. #555**

**Opened: 7:55**

Mr. Wiley read the advertisement from the Walpole Times.

Mr. Wiley read an email into the record dated 9/26/12 from the applicants representative Dan Merrikin, Merrikin Engineering. Mr. Merrikin is requesting a continuance of the public hearing.

**Ms. Dyer made the motion to continue the Public Hearing until October 10, 2012 at 7:30**

**Mr. Adams seconded the motion**

**Vote: 5-0-0**

**MINUTES**

**SEPTEMBER 12, 2012**

**Ms. Dyer made the motion to approve and accept the Minutes for September 12, 2012**

**Mr. Adams seconded the motion**

**Vote: 5-0-0**

**CERTIFICATE OF COMPLIANCE**

**WALPOLE MALL**

**DEP# 315-911**

Ms. Hershey stated they are still not ready for a Certificate to be issued

**BOARD COMMENTS**

The Planning Board is requesting comments for Article 17, an amendment of the Walpole Zoning Bylaw. The commission discussed they have no issues with this

**OTHER BUSINESS**

**TURNER POND-** Ms. Hershey stated there is nothing new at this time in regards to the pond management plan. The commission discussed the plan for a gradual let down of the pond by changing over the boards, and decided it is in the best interest to contact Dominic from Aquatic Control for his professional advice regarding the pond level as treatments occurred in August and slow-release pellets were used.

Ms. Hershey stated discussions have occurred with the Town Engineering office and Ponds Committee regarding Memorial Pond plans. The management of vegetation and cattails were discussed. The Engineering Dept. will assist in completing the plans for a Notice of Intent when needed.

## **TOWN FOREST SCOUT ISLAND**

A complaint had been made to the conservation commission regarding disturbance to the wetlands due to work that had been completed at Scout Island located in the Town Forest. No one was present in the audience to discuss this issue, although they were aware a discussion would take place. In the month of May, as noted in the minutes, the commission had discussed ways to have better access to Scout Island as the existing path area was very overgrown. The commission has no problem with this work meeting requirements under a maintenance issue covered under the general Town Order of Conditions. Last week, the DPW and under direction of Bob LeBlanc put in three 12 inch pipes and a gravel and soil mix over the wetland area to achieve a wider approach to the island. Woodchips were also used in the upland area. Straw wattles have since been installed for erosion control measures. The commission discussed this area is public land and they want to provide access to the public at minimal cost. The commission also discussed this wider access improves the fire protection of the forest and a safety factor for those walking.

## **ENFORCEMENT ORDERS**

Ms. Hershey stated there the Enforcement Orders on Main St. at Triton Car Wash, and 400 South St. are status quo.

## **OTHER BUSINESS**

### **FRONTIER DR. LOT 18 APPEAL**

As outlined in the conservation agent report, Ms. Hershey stated the suit against the Town of Walpole has been dropped

## **CORRESPONDENCE**

The following correspondence was discussed and available for the commission to review:

- H & V letter: re: 112 Washington ST.- lowering water level notification
- Water and Sewer letter- re: 100 Neponset St. Phase IV final inspection report

- Office of Attorney General- re: Walpole Town Meeting Articles 27 & 33
- MACC Fall Conference Registration
- Letter from resident – Eleanor Rd. Re: NSTAR

**Mr. Sparks made the motion to adjourn**

**Mr. Adams seconded the motion**

**Vote: 5-0-0**

**Meeting Closed: 9:00 p.m.**