

CONSERVATION COMMISSION

MINUTES (Approved 9/29/11)

SEPTEMBER 14, 2011

PRESENT: J. Wiley, Chairman

B. Dyer, J. Finnigan, S. Sparks, D. Adams, R. Turner

ABSENT: A. Goetz

ALSO PRESENT: L. Hershey, Conservation Agent

MEETING OPENED: 7:00

Conservation Agent report given to members

**CONT. PUBLIC HEARING
NOTICE OF INTENT
ELM ST/TURNERS POND
DEP# 315-973**

Mr. Wiley read the advertisement from the Walpole Times. This Public Hearing was opened and continued until this evening

Mr. Dan Ryan and Cliff Snuffer was present representing the Ponds Committee

Mr. Wiley stated the majority of the commission completed a site visit as discussed at the last Public Hearing. He stated the general consensus from the board was that the area should be allowed to be cleared and returned to its pre-existing condition

Mr. Turner discussed that only elevations and not dimensions are shown on the plan. He also stated concerns that many motor boats have been seen on the pond and is requesting the signs be re-posted.

A discussion was held and the commission decided the best course would be for the Ponds committee to put the gate which was taken down back up, and put the sign back up prohibiting motor boats. The gate will be up until winter months and then be taken down in order to allow for snow removal, and be put back in place for the spring, summer and fall months. The DPW will be requested to provide the sign with the appropriate verbiage. Mr. Ryan and Mr. Snuffer agreed this would be appropriate.

Ms. Dyer stated she is in favor of the clean-up and agrees with Mr. Turner the commission should not set the precedent of accepting only elevations and not dimensions shown on plans.

Mr. Snuffer stated the goal of the committee is to open the beach area up and keep it clear and clean as it was not maintained in the past.

Mr. Wiley asked the commission if there are any objections to the proposal for the clean up and removal of invasive material. The board is in agreement of this proposal

Ms. Dyer made the motion to close the Public Hearing

Mr. Adams seconded the motion

Vote: 5-0-1 (Mr. Turner abstained)

Closed: 7:15

The commission discussed special conditions including the use of hand tools for the removal of vegetation and brush and stating the beach area can be maintained without the need for further filings. The project should be completed during dry weather. The commission discussed the location of the sand being in front of the outer edge of the lodge to the existing ramp

The commission stated they do not approve of any dredging, as DEP is in request of additional information. This order of conditions is approved for the clean up of the beach area only.

Ms. Dyer made the motion to approve and issue an Order of Conditions for the clean up of the Beach area at Turners Pond

Ms. Adams seconded the motion

Vote: 5-0-1 (Mr. Turner abstained)

OTHER BUSINESS

TURNERS POND DOCKS

The commission will discuss the Turners Pond docks later in the evening, but Mr. Wiley wanted to give the Ponds committee the heads up that the commission will be discussing the implementation of fees to dock owners as the conservation commission are owners of the property around the pond.

CONT. PUBLIC HEARING

NOTICE OF INTENT/LAND DISTURBANCE PERMIT

NORFOLK COUNTY AGRICULTURAL SCHOOL

DEP# 315-974

Opened: 7:40

Mr. Wiley read the advertisement from the Walpole Times. This Public Hearing was opened August 10, 2011 and continued until tonight.

Mr. Wiley read new board comments into the record.

Mr. Joshua Alston of Nitsch Engineering was present representing the applicant. Revised plans dated 9/9/11 were submitted the office prior to the Public Hearing and presented to the board. He stated a site walk took place on August 13, 2001 and he addressed comments and concerns of the board and the Town Engineer. Mr. Alston stated they revisited their design and put in expanded infiltration trenches, he also stated construction notes were added showing information regarding the surface infiltration and the bioretention area. Mr. Alston stated that a meeting took place with Ms. Hershey and the Town Engineer to address additional comments. Inspection reports will be submitted to the commission with an O&M plan including details of structures. A map of the location of infiltration units will be attached to the O&M plan as well. All Stormwater units will require survey approval prior to backfill. Catch basins with deep sumps will help promote infiltration

Ms. Hershey stated she felt the work was thoroughly completed and all comments and site visit comments were addressed.

Mr. Turner stated concerns with the drainage ditch going to Cobbs Pond and the object to maintain the pond. He is also concerned about reducing bacteria.

Mr. Alston assured him the area has new closed drainage and it is sized to capture, so there is great improvement.

High School Principal Suzanne Green stated the number of animals is reduced and they are managing the property much more efficiently. She stated they would make a commitment to work with an environmental program and would love the opportunity for the students to work with the Town.

The commission discussed the benefits of a program such as this and the school's commitment to working towards this goal.

Ms. Dyer made the motion to close the Public Hearing

Mr. Adams seconded the motion

Vote: 6-0-0

Closed: 8:16

The commission discussed that once planning board approval is reached final plans need to be submitted to the conservation commission

Special conditions to include sedimentation controls in place, and an O&M and SWPP plan to include showing the diagram of structures

Ms. Dyer made the motion to approve and issue an Order of Conditions and Land Disturbance permit

Mr. Adams seconded the motion

Vote: 6-0-0

PUBLIC HEARING

NOTICE OF INTENT

LEWIS AVE. #78

DEP # 315-977

Opened: 8:20

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

Mr. Wiley read Board comments into the record

Mr. Cecil O'Brien was present representing the applicant. Plans were submitted entitled "Proposed Addition, #78 Lewis Ave Walpole MA" and dated July 20, 2011. Mr. O'Brien stated this filing is for a proposed addition to an existing house

Ms. Hershey stated Mr. O'Brien came before the board with a Request for Determination last month and it was determined a Notice of Intent was required due to the proximity of the riverfront area. She stated she had no additional comments as no vegetation is to be removed and the work will occur where the existing lawn is.

The board members had no additional issues or comments

Ms. Dyer made the motion to close the Public Hearing

Mr. Adams seconded the motion

Vote: 6-0-0

Closed: 8:25

The commission discussed the following special conditions including the removal of excavated materials, and erosion controls being in place. Inspection will occur prior to construction.

Ms. Dyer made the motion to approve and issue an Order of Conditions

Mr. Adams seconded the motion

Vote: 6-0-0

PUBLIC HEARING

NOTICE OF INTENT

ADRIENNE RD. #17

DEP# 315-978

Opened: 8:30

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

Board comments read into record

The owner Mr. Dionne was present. This proposed project is for the construction of a 4-season room to be constructed on the first floor of the existing home.

Ms. Hershey stated no vegetation is being removed in order to build the structure. She stated the existing concrete pad will be removed be replaced with a more solid foundation. She stated the applicant is not changing grades but needed to file as the location is within 200 ft. of riverfront area.

Ms. Dyer made the motion to close the Public Hearing

Ms. Sparks seconded the motion

Vote: 6-0-0

Closed: 8:35

The commission discussed Special conditions to include the installation of erosion controls and an inspection shall take place prior to construction.

Ms. Dyer made the motion to approve and issue an Order of Conditions

Mr. Finnigan seconded the motion

Vote: 6-0-0

DISCUSSION

Atlantic Ct. Extension

Mr. Michael Viano requested to come before the board to discuss Atlantic Ct. Extension. This property is located off Bird Estates and consists of 4 lots. He discussed that now that the last phase of this development is opening he is preparing to finalize his plan to gift an area to the conservation commission. He is requesting maintaining an easement to provide access to the waters edge and also a visual enhancement easement. Mr. Viano and his counsel are looking for input from the board. A discussion was held and the board would like to schedule a site visit to view the property and get a better perspective

A site visit will be posted and take place on Sunday September 25, 2011 at noontime at Atlantic Ct.

OTHER BUSINESS

BUTTNER PROPERTY

Mr. Wiley gave an update to the board regarding the Board of Selectmen's stance on supporting the purchase of the Buttimer property. He said they will support a letter by the conservation commission requesting this purchase and be put on the warrant as an Article for the Spring Town Meeting. He stated the letter should be comprised by December. Mr. Wiley also told the commission they should know within the month if the State Grant came through.

MINUTES

AUGUST 10, 2011

Ms. Dyer made the motion to approve and accept the Minutes for August 10, 2011

Mr. Adams seconded the motion

Vote: 5-0-1 (Mr. Sparks abstained)

TURNERS POND DOCKS

After having time to review the letter from Kopelman & Paige regarding the docks on Turners Pond, the commission discussed the possibility of requiring the residents to obtain a license and paying an annual fee in order to have a dock. The option would be to remove the existing dock if they choose not to pay the fee. The commission discussed a survey should be sent to abutters looking for information and be followed up with a Public Hearing.

ENFORCEMENT ORDERS

Ms. Hershey stated there is nothing new on 8 Tanglewood Dr. and 440 West ST.

400 South St. – Ms. Hershey stated that GLM has excavated out the area and will be replanting soon. The plan had been to get it done sooner but the tropical storm set the work back.

KEVIN'S WAY #3

Ms. Hershey told the commission she issued an enforcement order on Sept. 1st due to a considerable amount of fill located within the 100 ft. buffer and had not been permitted under the approved Order of Conditions which is for the construction of the roadway, utilities and associated grading at Commerford's Corner Subdivision. She stated that once the Enforcement order was received, erosion controls were installed and material removed per her request.

Mr. Adams made the motion to ratify an Enforcement Order for 3 Kevin's Way

Ms. Dyer seconded the motion

Vote: 6-0-0

BOARD COMMENTS

The Planning Board is requesting comments on Norfolk County Agricultural School. The commission wanted to report to them that they have come before the conservation commission and an Order of Conditions was approved and will be issued

APPEALS

Ms. Hershey stated there is nothing new to report on Lot 18 Frontier Dr.

CORRESPONDENCE

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

- DEP – Notice of Non-compliance 100 Neponset St.
- Lycott Environmental – Aquatic Vegetation treatment Swan Pond
- Lycott Environmental – Rainbow Pond Treatment
- MACC workshop
- Spectra Energy- Algonquin Gas Transmission
- AMEC – 100 Neponset ST.

Mr. Sparks made the motion to adjourn

Mr. Adams seconded the motion

Vote: 6-0-0

Closed: 10:00