

CONSERVATION COMMISSION

MINUTES (APPROVED 8/10/11)

JULY 13, 2011

Present: J. Wiley, Chairman

A. Goetz, Vice Chairman

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

Also Present: L. Hershey, Conservation Agent

Conservation Agent report given to board members

CONT. PUBLIC HEARING

NOTICE OF INTENT

NIGHTINGALE FARM RD. #12

DEP# 315=970

Meeting Opened: 7:01

Mr. Sparks recused himself from the Public Hearing

Mr. Wiley read the advertisement from the Walpole Times for the continued Public Hearing which was opened on June 22nd and continued until tonight.

Ms. Joyce Hastings, of GLM Engineering was present representing the applicant. Revised plans entitled "Proposed Garage Plans, 12 Nightingale Farm Rd." and dated 7/7/11 were submitted to the commission for review. Ms. Hastings stated she went out in the field with Ms. Hershey to review the wetland line in the area of the proposed garage. She stated three (3) bounds have been added to the plan to show the no-touch area. Contours have been shown on the plan and in response to the Town Engineer comments; the opening has been revised to maintain a 10 ft setback from the pole into the driveway

Ms. Hershey stated she wanted the line reviewed as she found it different from a filing that was done for the patio area. She stated she was satisfied with the wetland line but found the detention basin needs to be cleaned. She stated she had no other concerns with this proposal

Mr. Goetz asked if the garage was going to have floor drains, as that was a concern. Ms. Hastings said it was not.

Mr. Goetz made the motion to close the Public Hearing

Ms. Dyer seconded the motion

Vote: 6-0-0
Closed: 7:10

The commission discussed standard boiler plate conditions and that no floor drains shall be used will be a special condition

Mr. Goetz made the motion to approve and issue an Order of Conditions
Ms. Dyer seconded the motion
Vote: 6-0-0

CERTIFICATES OF COMPLIANCE

Gristmill Ln. #28
DEP# 315-896

Ms. Hershey stated this property is ready for a Certificate of Compliance to be issued

Mr. Goetz made the motion to approve and issue a Certificate of Compliance
Ms. Dyer seconded the motion
Vote: 7-0-0

HIGH OAKS IV SUBDIVISION (PARTIAL)
MILLBROOK AVE
DEP 315-501

Ms. Hershey stated this request is for a Partial Certificate of Compliance. She stated she would like to hold off on issuance as the replication area is not shown on the as-built. The commission concurred. This will be put on the agenda for the next scheduled meeting in August.

MAIN ST. #600
DEP# 315-956

Ms. Hershey stated this request is for a Certificate of Compliance on the Remax Building located at 600 Main St. She says it is all set and ready for issuance

Mr. Goetz made the motion to approve and issue a Certificate of Compliance
Ms. Dyer seconded the motion
Vote: 7-0-0

OTHER BUSINESS

Beals & Thomas
100 Neponset St.

The commission discussed a letter received from Beals and Thomas regarding the former Bird Machine site located at 100 Neponset St. There are two Orders of Condition which are open, one of which includes the demolition of the building. Beals and Thomas want to remove some pavement which is close to the riverfront and wanted direction from the commission. The commission discussed they would like to see testing of the soils for contamination once the pavement is pulled up to make sure it is clean before landscaping takes place. They discussed this could be considered a minor modification to the plan if the results are good, otherwise an amendment would need to be filed. The commission would like to know how they plan to test the soils once it is removed.

Mr. Goetz made the motion to direct Beals & Thomas for the testing of soils for contamination at the 100 Neponset St. site

Ms. Dyer seconded the motion

Vote: 7-0-0

PUBLIC HEARING

NOTICE OF INTENT

BULLARD ST. #255

Opened: 7:30

Mr. Wiley read the advertisement from the Walpole Times and certificate of mailings were collected

Mr. Wiley read board comments into the record.

Mr. McChesney, the Applicant was present and represented himself. Plans were handed to the commission including landscape construction plans, Notice of Intent plans, site preparation, detail and construction phasing plans. Mr. McChesney stated these are the same plans the commission reviewed in 2006 and approved. He explained to the commission that he let the Order of Conditions expire due to financial difficulties as he was unable to construct the single family house and associated landscaping. He is ready now to begin, and his hope is to get approval to complete this project in phases. Grading and plantings are to be first followed by the construction of the house. Mr. McChesney is aware there are concerns with the septic design, but wants to begin the process with the phasing now.

Ms. Hershey stated to the commission members who were not on the board at the time this was originally approved and issued that it is a complicated project. There had been an Enforcement Order due to the removal of trees originally and the owner decided to file a Notice of Intent to put in the new house, and work with a landscaper to replicate. Due to an economic hardship Mr. McChesney was unable to complete the work and the Order expired. Unfortunately it fell four months short of the tolling period for extensions under section 173 which recently passed. Ms. Hershey stated she would like to propose that due to the circumstances of hardship as well as the differential in the tolling period that the commission may consider waiving the bylaw fees for the applicant. She stated there have been no changes to the plan since it was originally approved.

Mr. Goetz made the motion the commission waive the local Bylaw fee due to economic hardship circumstances

Ms. Dyer seconded the motion

Vote: 7-0-0

There was discussion regarding the review of the original special conditions that applied to the Order which was issued.

The commission discussed continuing this Public Hearing to insure the Town Engineer's comments are addressed. The applicant stated he would get in touch with the Town Engineer to go over the plans

Mr. Goetz made the motion to continue the Public Hearing until August 10, 2011 at 7:30 p.m.

Ms. Dyer seconded the motion

Vote: 7-0-0

PUBLIC MEETING

COUNTRY CLUB DR. #18

REQUEST FOR DETERMINATION OF APPLICABILITY

Opened: 8:00

Mr. Wiley read the advertisement from the Walpole Times.

Mr. Glossa, Glossa Engineering was present representing the applicant.

Mr. Glossa, presented plans to the board entitled "#18 Country Club Dr. On-Site Sewage Treatment and Disposal Plan of Land in Walpole MA" dated 6/22/11. He stated this request for determination is for the repair of a failed septic system at 18 Country Club Dr. He stated the owner is in process of selling his house and the proposal and design is to put a new septic tank in the same location behind the existing home which is in the buffer zone. Mr. Glossa stated there have been other homes on this street the commission has reviewed for failed systems and approved as a Negative Determination. He stated after meeting with the owner it was decided a leach bed and retaining wall will be constructed and located from the back corner of the house to the neighbor's house. The lot has a steep slope and the retaining wall is 35 ft. to the nearest wetland flag and no grading will occur past the wall. Mr. Glossa stated this project has been reviewed by the Board of Health. He stated 11 infiltration chambers will be put in. Leaching chambers shall be covered with loam and seed

Ms. Hershey stated she is familiar with this lot and has no concerns. She stated stabilization needs to occur prior to removing erosion controls.

The commission discussed the project and had no issues

Mr. Goetz made the motion to close the Public Hearing

Ms. Dyer seconded the motion

Vote: 7-0-0

Closed: 8:10

The commission discussed standard boiler plate conditions and stated inspection of erosion controls by the conservation agent shall take place prior to construction

Mr. Goetz made the motion to approve and issue a Negative 3 Determination

Ms. Dyer seconded the motion

Vote: 7-0-0

PUBLIC HEARING

NOTICE OF INTENT

VOLLEYBALL COURTS- ADAMS FARM

DEP# 315-972

Opened: 8:15

Mr. Wiley read the advertisement from the Walpole Times

Mr. Wiley read Board comments into the record. Certificates of mailing were collected.

Town Engineer, Margaret Walker and Mr. John Glossa, of Glossa Engineering were present representing the applicant.

Mr. Glossa, presented plans to the board entitled "Adams Farm proposed Volleyball Courts Plan of Land in Walpole, MA" and dated 7/13/11. Mr. Glossa stated this project is located off of North St. located in Adams Farm. The limit of work has been outlined on the plan. Mr. Glossa stated the Town Engineer asked him to survey and complete a plan for proposed volleyball courts which will be located near the barn and pavilion. The limit of work has been outlined on the plan. Mr. Glossa stated it is unclear as to when the area was flagged, most likely prior to 2006. He stated behind the barn and pavilion there is an intermittent stream and that a lot of time was spent locating the best area for the courts. He stated four bean poles measuring 110x106 marks the limit of work and flags marking the edge of the wetlands are shown. There will be a 15 ft wide grass strip/buffer and within that 15 ft. there will be 6-8 inches of sand put in for the courts once the top soil is removed. Mr. Glossa stated the proposal is to put in three drains with 4" perforated pipes to assist with drainage. He also stated all work is within the 100 ft. buffer.

Ms. Walker stated the area was looked at very carefully as Adams Farm has a very high water table.

Ms. Hershey stated she has been involved in this project along with Ms. Walker and Mr. Glossa completing testing and delineating the wetland line. She stated the activity proposed goes to the edge of the wetland line. There is a good 50-60' to the stream area and wet meadow which has been hayed for a long time.

Mr. Wiley asked about the DPW requesting to take and use the topsoil. He stated he thinks the use of as much organic soil for grading purposes as possible should be used. Mr. Wiley said whatever is not suitable should be removed off-site

Mr. Wiley stated it was the direction of the Board of Selectmen for the volleyball courts to be relocated at Adams Farm. He stated the Adams Farm Committee chose the area where the least amount of interference with agricultural activity would occur. The courts are located as far away from North St. and the wetlands as possible

Mr. Turner asked about the area between the gravel road and the courts and an access path and who is responsible for the maintenance of it

Mr. Wiley stated the Town would have to be responsible for the maintenance

Mr. Goetz asked about the maintenance of the court area, and his concerns of the sand migrating into the wetlands. He asked if the players are responsible for this maintenance.

Mr. Steven Lee, one of the representatives in favor of the volleyball courts stated the players rake the sand prior to use of the courts. They also clean up after animals as needed and keep the courts free of debris.

Mr. Wiley asked for comments or questions from the audience

Mr. Scott Hughes, 1070 North St. asked about measurements of the courts and if additional parking spaces would be put in. He also asked about schedule of games

Mr. Glossa stated there is no plan for additional parking. The limit of work is 106x110

Ms. Anna Cesary and Jen Karankis two of the volleyball players stated they typically have pick-up games 3 times a week until it is too dark to see.

Mr. Goetz made the motion to close the Public Hearing

Ms. Dyer seconded the motion

Vote: 7-0-0

Closed: 8:50

The commission discussed special conditions to include the members of the volleyball teams to maintain the site of debris and keep the sand in place and from migrating towards the wetlands. Erosion controls shall be implemented and maintained during the construction phase, the drain outlets shall be kept clean and free of debris, and materials not used shall be removed from the site

Mr. Goetz made the motion to approve and issue an Order of Conditions

Ms. Dyer seconded the motion

Vote: 7-0-0

MINUTES

June 22, 2011

Ms. Dyer made the motion to accept the Minutes for June 22, 2011

Mr. Adams seconded the motion

Vote: 7-0-0

OTHER BUSINESS

CLARKS POND

Ms. Hershey stated that Clarks Pond was treated for a second time on Monday, but a full analysis of the pond was not done. Mr. Turner requests a copy of the report and wants to be notified of what is going on.

RIVERWALK COMMONS

Ms. Hershey discussed a letter received from BSC group proposing a three year program to remove invasive species which have taken over along the riverfront area of the Condominiums located along Bird Pond. The commission discussed making individual site visits to look at what is being proposed to be taken down and discussing it at the next meeting.

BUTTIMER PROPERTY

The commission discussed the Buttimer Property. Mr. Wiley told the commission a meeting for those interested has been scheduled for July 20th with Mark Gallivan and private citizens who represent athletic groups. It has been suggest that approximately 67 acres be used for athletic fields. Access would be from Fisher St. Private donations are needed as the Town funds will not be used. An anonymous donor has given money towards the purchase of this property but more is needed. A state grant application has been put together by the Trust for Public Land and was endorsed and signed by the Town of Walpole Selectmen and Conservation Commission members

ENFORCEMENT ORDERS

Tanglewood Dr. #8

West St. #440

South St. #400

Ms. Hershey stated there is nothing new on the current Enforcement Orders
CORRESPONDENCE

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

- DEP- Re: NSTAR Water Quality Certificate
- Mass Wildlife News
- Lycott Environmental – Swan Pond Treatment 315-242

Mr. Goetz made the motion to adjourn

Ms. Dyer seconded the motion

Vote: 7-0-0

Closed: 9:30