

CONSERVATION COMMISSION

MINUTES (Approved 1/26/11)

DECEMBER 8, 2010

Present: J. Wiley, Chairman,
A. Goetz, Vice Chair
B. Dyer, D. Adams, R. Turner, J. Finnigan

Also Present: L. Hershey, Conservation Agent
P. Smith, Board Secretary

Conservation Agent report given to members

New member Jim Finnigan was welcomed to the board

MEETING OPENED: 7:00

DISCUSSION PONDS COMMITTEE

The Ponds Committee members gave a power point presentation to the board. They are seeking a temporary management plan for 90 days to run activities at Turners Pond Lodge. Activities will include birthday parties, skating, campfires, educational classes and community involvement. They plan on using Turners Lodge as a home base. While the commission supports the enthusiasm of this group, the board discussed the need for the committee to keep the conservation commission apprised of the activities that are planned. The board also discussed that any physical changes or alterations to the pond and property is still under the management of the conservation commission, and the proposed changes need to be submitted in writing to them. The commission stated they support the efforts of the Ponds Committee in seeking money from the Capital Budget

A discussion was held regarding pond level and what the appropriate level is for winter months. The commission will further discuss this and get back to the Ponds committee.

Ms. Dyer made the motion to approve the issuance of a 90 day management plan for activities at Turners Pond to the Ponds Committee beginning immediately

Mr. Finnigan seconded the motion

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

**CONT. PUBLIC HEARING
NOTICE OF INTENT
ROW NEAR WEST ST. (CULVERT REPL.)
DEP#315-966**

Opened: 8:15

Mr. Wiley read the advertisement from the Walpole Times. There were no additional Board comments to be read into the record

A letter was received from the applicant dated December 8, 2010, requesting a continuance of this Public Hearing until January 12, 2011. The applicant's representative stated they are in the process of finalizing hydrologic calculations per the request of the conservation commission at the last Public Hearing.

Mr. Goetz made the motion to continue the Public Hearing until January 12, 2011 at 7:00 p.m.

Ms. Dyer seconded the motion

Vote: 6-0-0

**PUBLIC HEARING
NOTICE OF INTENT
NSTAR – OFF HIGH ST.
DEP# 315-967**

Opened: 8:20

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

Mr. Wiley read Board comments into the record.

Mr. Marc Bergeron, project manager from VHB, Inc. was present representing NSTAR. The proposed activity consists of routine maintenance of existing access roads within a right-of-way located off High St. Mr. Bergeron stated this involves the placement of swamp mats which will be placed across vegetated wetlands. He also stated NSTAR would like a more uniformed roadway for safety and access. The wetlands have been flagged. Mr. Bergeron stated the work will take approximately one week and the mats will then be removed immediately. He stated straw wattles would be used for erosion control measures.

Commission members had no specific concerns regarding this project

Mr. Goetz made the motion to close the Public Hearing

Ms. Dyer seconded the motion

Vote: 6-0-0

Closed: 8:25

The commission discussed standard special conditions

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

PUBLIC HEARING
NOTICE OF INTENT
HORSESHOE CIR. #4
DEP# 315-968
Opened: 8:30

Mr. Wiley read the advertisement from the Walpole Times

Mr. Wiley read a letter submitted by the applicants' representative dated December 6, 2010 requesting this Public Hearing be continued until the next scheduled meeting.

Mr. Goetz made the motion to continue the Public Hearing until January 12, 2011 at 7:30 p.m.
Ms. Dyer seconded the motion
Vote: 6-0-0

PUBLIC MEETING
REQUEST FOR DETERMINATION OF APPLICABILITY
HOUND PACK CIR. LOT 73

OPENED: 8:30

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

Mr. Wiley read board comments into the record.

Mr. Rich Kirby, of LEC Environmental stated this filing is for the construction of a single family dwelling with site appurtenances. Plans were presented "Lot 73 Resource Area plan of land in Walpole" dated 11/16/10. He stated a Determination of Applicability was approved and issued back in 2004 but has since expired and Toll Bros. is now ready to get underway with this project. He stated there is no proposed work to be done within the 100' buffer and erosion controls will be installed along the limit of work. Mr. Kirby is asking the commission for a Negative determination

The commission discussed no specific concerns with this project

Mr. Goetz made the motion to close the Public Hearing
Ms. Dyer seconded the motion
Vote: 6-0-0
Closed: 8:35

There are no special conditions other than the standard boiler-plate ones to be included

Mr. Goetz made the motion to approve and issue a Negative 3 Determination
Ms. Dyer seconded the motion
Vote: 6-0-0

OTHER BUSINESS

STERLING LANE CONDOMINIUMS

This filing came before the commission in 2006 for Oak St. which was a 40B condominium project. Mr. Viano made an agreement to provide a conservation easement. The project has since been renamed as Sterling Lane Condominiums.

Mr. Goetz made the motion to accept the Conservation Easement on the Sterling Lane Condominiums located off Oak St.
Ms. Dyer seconded the motion
Vote: 6-0-0

OTHER BUSINESS

BOARD OF SELECTMEN GOALS AND OBJECTIVES

The commission reviewed the letter received from the Board of Selectmen's Goals and Objectives. A specific discussion took place regarding the Pond Management Program. The board discussed working with the Ponds committee regarding programs and activities, while at the same time assuring the Walpole Wetlands Act and local Bylaw are in compliance

DISCUSSION

The commission continued the discussion regarding the appropriate water level for Turners Pond. It was decided there should be both a winter and summer plan. The commission feels two boards should be removed at this time dropping the pond 12 inches for winter conditions and potential flood control as well. A letter will be sent to the Ponds committee directing them of this decision

OTHER BUSINESS

Ms. Hershey gave the commission a draft with an evaluation of Conservation land and is asking for feedback from the commission. The board will review the parcels via aerials, Google earth and GIS. The information should be cataloged.

MINUTES

NOVEMBER 10, 2010

Ms. Dyer made the motion to accept the Minutes of November 10, 2010

Mr. Adams seconded the motion
Vote: 5-0-1 (Mr. Finnigan abstained)

MUNICIPAL WORK ORDER
DEP# 315-683

Ms. Hershey stated the following requests under the municipal work order were received:

Memorial Pond – removal of the fountain for the winter months

255 Coney St. – request to clean out the culvert

BOARD COMMENTS

The Planning Board is requesting comments regarding revised plans of Longview Farm. The commission discussed they have no additional concerns or comments.

CERTIFICATE OF COMPLIANCE

LAVENDER LN. # 24
DEP#. 315-804

This request is for the expired Order of Conditions for the construction of an in-ground swimming pool

Mr. Goetz made the motion to approve and issue a Certificate of Compliance
Ms. Dyer seconded the motion
Vote: 6-0-0

LAVENDER LN. #24
DEP# 315-948

This request is for the current Order of Conditions on Lavender Ln. for the construction of a retaining wall. Ms. Hershey stated the plantings are in and this is ready for the issuance of a Certificate of Compliance

Mr. Goetz made the motion to approve and issue a Certificate of Compliance
Ms. Dyer seconded the motion
Vote: 6-0-0

EXTENSION

A request for an extension was received from the Town of Walpole for its Municipal Work Order

A letter will be sent stating this falls under the automatic two-year extension per General Court under sec. 173 that was passed.

ENFORCEMENT ORDER

SOUTH ST #400

Ms. Hershey stated this is still ongoing and she is working with Joyce Hastings from GLM Engineering

TANGLEWOOD DR. #8/DEEPWATER LN #8/WEST ST. #440

Ms. Hershey stated these enforcement orders are still ongoing and plantings will be checked in the spring

PONDS COMMITTEE

Mr. Goetz made the motion to ratify the Enforcement Order to the Ponds Committee

Ms. Dyer seconded the motion

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

The Board discussed going into executive session. They will return to a regular business meeting afterwards

Mr. Goetz made the motion to go into Executive Session at 9:30 p.m. to discuss the performance evaluation for the Conservation Board Secretary and also on-going litigation of Frontier Dr.

Ms. Dyer seconded the motion

Vote: 6-0-0

The chairman asked for a roll call vote

Mr. Wiley – aye; Mr. Goetz- aye; Ms. Dyer- aye; Mr. Adams – aye; Mr. Finnigan – aye; Mr. Turner – aye

Mr. Goetz made the motion to go out of Executive Session at 10:15 p.m. and back into a regular business meeting

Ms. Dyer seconded the motion

Vote: 6-0-0

The Chairman asked for a roll call vote

Mr. Wiley – aye; Mr. Goetz – aye; Ms. Dyer – aye; Mr. Adams – aye; Mr. Finnigan – aye; Mr. Turner - aye

MINUTES

EXECUTIVE SESSION

NOVEMBER 10, 2010

Mr. Goetz made the motion to accept the Executive Session minutes of November 10, 2010

Ms. Dyer seconded the motion

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

Ms. Dyer made the motion to adjourn

Mr. Adams seconded the motion

Vote: 6-0-0

Meeting closed: 10:30