

CONSERVATION COMMISSION

MINUTES (approved 12/8/10)

NOVEMBER 10, 2010

Present: Mr. Wiley, Chairman
A. Goetz, Vice Chairman
B. Dyer, R. Adams, R. Turner

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

An Open Space Committee workshop was held prior to the Conservation Commission meeting

MEETING OPENED: 7:09

PUBLIC HEARING NOTICE OF INTENT STONE ST#160 (NSTAR)

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

Mr. Wiley read board comments into the record

Mr. Brad Holmes, Environmental Engineer and John Zicko, P.E of NSTAR were present. This proposed filing is for the replacement and installation of two transformers within the existing substation located at 160 Stone St. Mr. Holmes stated that all work is within an existing area which is already disturbed. There are no changes to the impervious area and no change in topography.

Mr. Zicko stated jersey barriers will be in place to slow the rate of migration of oil getting into the wetlands. A membrane shall be installed along the edge of the jersey barriers to prevent seepage of potential spills from migrating outside of the contained areas. Mr. Zicko stated these improvements will lessen the chance of this.

Ms. Hershey stated her concerns of roof infiltration. She stated the drainage in the front of the building could be improved and wants to know if this could be looked at as she does not feel the drainage is suitable.

Mr. Zicko stated the roof is tar and gravel. He stated it could be looked at and improved.

Mr. Turner discussed the underground manhole conduit and the need to keep water away
Mr. Zicko stated some of those manholes will be abandoned which will be an improvement.

Ms. Dyer asked if the maintenance plan could include NSTAR cleaning out the debris that accumulates around the barriers

Mr. Goetz stated his concern with the transformers age and that the procedure of taking the oil off-site needs to be looked at closely. He also discussed that due to stormwater management practices he would like to see as much recharge from roof runoff as possible. Mr. Goetz also stated that if the manhole is going to be abandoned why not pave it over

Mr. Zicko stated they would look into this.

Ms. Dyer asked if a more aesthetic look could be explored rather than just a jersey barrier in the front of the building

Mr. Wiley discussed plantings being put along Stone St. in front of the building. He would like this put on the plan. Mr. Wiley also wants the membrane, along with detail, put on the plan as well.

Ms. Hershey stated she would like the downspouts looked at as well

Mr. Goetz made the motion to close the Public Hearing

Ms. Dyer seconded the motion

Vote: 5-0-0

Closed: 7:35

The commission discussed the need for revised plans showing plantings and the membrane with detail on both. The commission discussed inspecting the downspouts to insure they function properly into the existing drywells and putting a drywell in the front of the building as well.

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

Ms. Dyer seconded the motion

Vote: 5-0-0

PUBLIC HEARING

NOTICE OF INTENT

LINCOLN RD. & WEST ST.

DEP# 315-964

OPENED: 7:45

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

Mr. Wiley read board comments into the record

Mr. Holmes presented a letter including stormwater management standards dated November 5, 2010

Mr. Brad Holmes of NSTAR presented the commission with an after the fact Notice of Intent. He reminded the commission that an Emergency Certificate had been issued due to Beaver destruction. Mr. Holmes stated NSTAR installed a flexible pond leveler and culvert protective fence within right of way 4 located near Lincoln Rd. and West St. He stated these two devices prevent beaver nests from blocking a culvert. The project is within the riverfront area and BVW.

Ms. Hershey stated the commission had required this filing. She would like to see a maintenance plan and maintenance description and asks that reports get copied to the conservation commission to keep them apprised of what is going on.

Mr. Turner stated that in the filing the location of where the activity was taking place in the locus description was confusing. He stated that abutters were unsure where it was.

Mr. Holmes stated they would be more definitive in the future to lessen the confusion

Ms Dyer asked where the water was going and Mr. Holmes explained there was a blockage in the existing culvert under the right of way

Mr. Goetz made the motion to close the Public Hearing

Ms. Dyer seconded the motion

Vote: 5-0-0

Closed: 8:55

The board discussed wanting inspection reports sent to the conservation commission office so they can be kept informed

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

Ms. Dyer seconded the motion

Vote: 5-0-0

PUBLIC HEARING

NOTICE OF INTENT

NORTH ST. (ADAMS FARM)

DEP# 315-965

OPENED: 7:55

Mr. Wiley read the advertisement from the Walpole Times and certificates of mailing were collected.

Mr. Wiley read board comments into the record

Mr. Gary Riggot and his son Stephen were present representing the Trails Committee. Mr. Riggot stated the intent of this project is for the construction of a 4ft. wide by 20 ft. length wooden Foot Bridge over an intermittent stream which is located at Adams Farm on North St. Mr. Riggot provided photographs to the commission of this project. He explained the use of the trails for cross country skiers and hikers. The bridge would help as the path is very worn down. He also stated this is a project that Tri-County school would be a part of. It is a small scale project with little impact to the wetlands. The bridge is made of pressure treated lumber, will be assembled inside and transported to the field and be re-assembled.

Ms. Hershey stated the stream bed is a resource area and she has been out to the site and does not see impact with this proposal

Mr. Turner and Ms. Dyer think this is a great project

Mr. Wiley asked if there are questions or comments from the audience

Mr. Goetz made the motion to close the Public Hearing

Ms. Dyer seconded the motion

Vote: 5-0-0

Closed: 8:05

The commission discussed a standard boiler plate Order of Conditions

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

Ms. Dyer seconded the motion

Vote: 5-0-0

PUBLIC HEARING

NOTICE OF INTENT

ROW NEAR WEST ST (MBCR) CULVERT REPLACEMENT

DEP# 315-966

Opened: 8:10

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

Mr. Wiley read board comments into the record

Ms. Sabrina Hepburn of TRC Environmental Corp. was present representing Mass Bay Commuter Railroad for the proposed culvert replacement installation along the right of way at milepost 19 near West St.

Mr. Wiley read a letter into the record dated 11/4/10, written and submitted by a Trustee of the Homes at Swan Pond Condominiums with concerns and comments regarding this proposal. Photographs were also submitted.

Ms. Hepburn stated the purposed of this filing is to replace an existing culvert. The proposed work includes the installation of a new drainage culvert adjacent to the existing box culvert. Ms. Hepburn states the work location will take place under an active ROW with a stream which flows through the culvert. There is also a very steep slope with wetlands on either side. Because of this, pipe jacking will be the method used to install the underground pipe. Mass Bay Commuter Railroad will implement standard erosion control including haybales and silt fencing to prevent erosion and to stabilize the area during construction. Ms. Hepburn discussed proposed access and stated it would occur along the railroad tracks on West St. She stated a site visit has taken place with Ms. Hershey. She would incorporate any suggestions the board have to help protect the resources. Ms. Hepburn is aware of the flooding issues in this area.

Ms. Hershey stated she went on a site visit with the Assistant Town Engineer. One of the concerns is making sure the culvert is sized properly. It was discussed keeping the existing culvert open for overflow capacity. Ms. Hershey stated she has reviewed DEP culvert guidelines and would like a hydraulic study and watershed analysis done.

Mr. Turner stated that there are many flooding issues and he feels strongly the problems in the area need to be resolved. He would like more information and feels a site visit is in order.

Ms. Dyer stated she agrees with Ms. Hershey that a hydraulic study should be done

Mr. Goetz stated it is the responsibility of the applicant to prove to the commission the culvert is sized properly and more information is needed.

Mr. Wiley asked for questions and comments from the audience

Mr. Christopher Village, Trustee of the Homes of Swan Ponds stated he is the Author of the letter read into the record. He stated he is happy this issue will be addressed and he thoroughly supports the Town Engineer and Conservation Agent comments that it is imperative the culvert is sized properly.

Mr. Hepburn discussed safety issues being of concern as well as flooding issues and the need to make the culvert structurally safe is a major factor

Mr. Wiley stated the drainage area needs to be looked at and the pipe needs to be properly sized. This Public Hearing needs to be continued until further information is received

Mr. Goetz made the motion to continue the Public Hearing until December 8, 2010 at 7:30 p.m.

Ms. Dyer seconded the motion

Vote: 5-0-0

ENFORCEMENT ORDER

WASHINGTON ST. #1724

Ms. Hershey stated she sent a new enforcement order to Mr. Harper for violation of the Wetlands Protection Act and Wetlands Protection Bylaw in regards to on-going alteration of wetlands vegetation and the stream located at 1724 Washington St.

Mr. Harper and his two sons were asked to come to discuss the violations. He stated he is aware he is not supposed to cut anymore, but because of water issues flowing up to his basement and mosquito issues he did.

Mr. Wiley stated there have been numerous discussions regarding this property over the years and Mr. Harper would need to agree to stop

MINUTES

October 27, 2010

Mr. Goetz made the motion to approve and accept the Minutes for 10/27/10

Ms. Dyer seconded the motion

Vote: 5-0-0

CERTIFICATE OF COMPLIANCE

15 PETTEES POND

DEP#315-316

Ms. Dyer made the motion to approve and issue a Certificate of Compliance

Mr. Adams seconded the motion

Vote: 5-0-0

**NEW FISHER LN
DEP# 315-654**

**Mr. Goetz made the motion to approve and issue a Certificate of Compliance
Ms. Dyer seconded the motion
Vote: 5-0-0**

ENFORCEMENT ORDERS

SOUTH ST. #440

Ms. Hershey stated the restoration plan is due on 12/8/10. She is working with Joyce Hastings on this

CEDAR ST. #120

**Mr. Goetz made the motion to vacate the Enforcement Order
Ms. Dyer seconded the motion
Vote: 5-0-0**

TANGLEWOOD DR. #8, DEEPWATER LN. #8 AND WEST ST. #440

Ms. Hershey stated all of these Enforcement Orders are on-going

**2011 MEETING SCHEDULE
CONSERVATION COMMISSION**

**Mr. Goetz made the motion to approve the 2011 Conservation Commission Meeting Schedule
Ms. Dyer seconded the motion
Vote: 5-0-0**

BUDGET

**Mr. Goetz made the motion to approve the Conservation Commission Budget as proposed
Ms. Dyer seconded the motion
Vote: 5-0-0**

EVALUATION

**Mr. Goetz made the motion to go into Executive Session at 9:25 p.m. to review the conservation agent's performance evaluation
Ms. Dyer seconded the motion
Vote: 5-0-0**

The chairman asked for a roll call vote

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

The board discussed going back into regular session once the executive session is completed

Mr. Goetz made the motion to go out of Executive Session at 9:35 p.m.

Ms. Dyer seconded the motion

Vote: 5-0-0

The chairman asked for a roll call vote

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

OTHER BUSINESS

Ms. Hershey discussed the Ponds committee are requesting to take down a Pine Tree located on Turners Pond. Ms. Hershey stated the tree warden Bob Leblanc has looked at it as well as Mr. Wiley and her. They all agree the tree needs to come down. The Ponds Committee also would like to paint Turners Lodge. The commission discussed the on-going drawn at Turners Pond

ELMCREST CIRCLE

Ms. Hershey discussed 14 Elmcrest Circle. A dock was constructed on Town Property that is under management of the conservation commission. The commission discussed this construction is also a violation of the Wetlands Protection Act and Local Bylaw and the owner needs to remove the dock

Ms. Dyer made the motion to adjourn

Ms. Adams seconded the motion

Vote: 5-0-0

Closed: 10:00