

# **CONSERVATION COMMISSION**

## **MINUTES (approved 5/12/10)**

**APRIL 28, 2010**

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

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

Conservation Agent report given to members

### **MEETING OPENED:**

#### **CONT. PUBLIC HEARING**

#### **ABB. NOTICE OF RESOURCE AREA DELINEATION**

#### **COUNTY ST.**

#### **DEP#315-952**

Mr. Wiley read the advertisement from the Walpole Times into the record. This Public Hearing for the County St. ANRAD has been opened and continued.

Mr. Wiley read into the record a letter that was faxed over this afternoon from Hancock Associates requesting a continuance for this County St. Hearing

**Mr. Goetz made the motion to continue the Public Hearing until May 12, 2010 at 7:45 p.m.**

**Ms. Dyer seconded the motion**

**Vote: 5-0-0**

A copy of the AES delineation report submitted by Russell Waldron will be copied and mailed to Mr. Nagle an abutter per his request.

### **EXTENSIONS**

#### **MAIN ST. #1342**

#### **DEP# 315-905**

**Mr. Goetz made the motion to approve and issue a one-year extension**

**Ms. Dyer seconded the motion**

**Vote: 5-0-0**

**WINTER ESTATES SUBDIVISION  
DEP# 315-889**

Ms. Hershey stated the commission should hold off on this extension request as Attorney Phil Macchi is in the process of obtaining information for this project

**ENFORCEMENT ORDERS**

**TANGLEWOOD #8  
CEDAR ST. #120**

Ms. Hershey stated we will keep these enforcement orders on the agenda as reminders to keep an eye on them. She stated both owners have been given specific guidelines but nothing is happening with either one at this time.

**BOARD COMMENTS**

**MAIN St #1065  
BECKETTS RESTAURANT**

The Planning Board is requesting comments for a filing before them. Ms. Hershey stated the applicant is planning on putting in an outdoor patio. The commission discussed this is not within our jurisdiction.

**CORRESPONDENCE**

**The following correspondence was discussed and available for review**

- **Letter – MacDonald Circle**
- **Baker Hughes – 100 Neponset St**
- **GeoInsight – 1075 Providence Hwy**

The commission discussed putting MacDonald Circle on next meetings agenda at the request of the owners and neighbors who are having a dispute

**PUBLIC MEETING  
REQUEST FOR DETERMINATION  
LAND DISTURBANCE PERMIT  
LONGVIEW FARMS – 399 LINCOLN ST.**

**Opened: 7:30**

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

Mr. Anthony Warren, Sr. V. President of Jones Lang LaSalle, Ms. Kirsten Brown and Mike Rondell of Jones Lang LaSalle and David LaPointe of Beals and Thomas were present representing The Home for Little Wanderers filing for both a Land Disturbance Permit and a Request for Determination of applicability.

Mr. Wiley read the board comments into the record.

Mr. Warren presented plans for Longview Farm, the site of the Home for Little Wanderers. He began a presentation and overview of the site. Mr. Warren stated the filing is to determine whether the work is subject to the Wetlands Protection Act and whether any of the work is subject to the jurisdiction of the Walpole bylaw as well. He stated there are areas where the proposed work will occur within the outer most portions of the 100-ft. buffer zone. The proposed work includes the expansion of the Longview Farm existing school and the construction of two new residence buildings as well as two small residential cottages. This project includes construction of a new driveway, parking areas and grading, and utility work.

Mr. LaPointe stated there are a fair amount of wetlands near Lincoln Rd. and the intent is to comply with the local bylaw and stormwater management bylaw. Mr. LaPointe stated he has walked the site with Ms. Hershey and a few changes of placement of flags took place. These changes are depicted on the plans submitted to the board. He stated a small amount of work at the edge of the 100 ft. buffer will need to be done. One of the buildings which they are planning to demolish is within that buffer, as well as another area where the proposed grading for the septic system will take place. Mr. LaPointe discussed erosion controls including silt fence and haybales are included on the plans. He also stated the NPDES permit will become a part of the document for the record. The project will be phased for construction and will depend on fundraising and a capital campaign. Phase one will include the construction of cottages, phase two will be the school addition and larger residence and the driveway and sewer. The smaller residences will be phase 3.

Mr. LaPointe discussed erosion controls. He explained detail of these controls is on the plans. Silt fence will be placed on the high side of the haybales, he stated detail on the plans show how stockpiling will take place, the construction entrance shall crushed stone pad for additional protection. Mr. LaPointe stated filter bags will be placed in the catch basins on site, and the new catch basin will have this as well. He stated there are notes on the plan indicating diversion trenches or temporary swales which will prevent runoff. There is a water truck to be located on site for dust control, and street sweeping on the roadway will be cleaned. Mr. LaPointe stated temporary stabilization including seeding will occur if the area will not be complete within 14 days.

Mr. Wiley explained to the audience that the first issue of this filing is for the Determination of Applicability. The second part will include the land disturbance and stormwater management

The board discussed the erosion controls and stated they would like more erosion controls following the pavement edge as well

Mr. Turner discussed the use of orange snow fence for added protection and for sight purposes.

Ms. Hershey would like to see the wetland area that is shown on the plans revised to show us without the insert over it.

Mr. Goetz agrees orange snow fence would be a good idea. His concern with the site is the area found by the little pond. He would like erosion controls or some barrier put around it. He stated all the other areas are delineated to protect the resource area. Mr. Goetz stated he feels this is a beneficial project and recommends a Negative Determination with conditions

Mr. Wiley asked for questions and comments from the audience

The commission discussed wanting revised plans and siltation controls shown near the demolition areas

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

**Ms. Dyer seconded the motion**

**Vote: 5-0-0**

The Determination of Applicability will be issued once revised plans are received in the office.

## **LAND DISTURBANCE PERMIT LONGVIEW FARM**

Mr. LaPointe stated more than 40,000 s.feet of earth is being disturbed and that is why this Land Disturbance Permit is being requested. Mr. LaPointe gave the commission and audience a presentation showing the drainage system which includes deep sumps with hoods being used that will discharge into an infiltration system. Mr. LaPointe discussed erosion controls including temporary drainage swales and sediment basins which will help collect runoff. All measures will be taken to monitor, inspect and clean these out. Mr. LaPointe discussed these are all depicted in the stormwater pollution prevention plan and in the Operation and Maintenance plan as well. Mr. LaPointe stated these plans in place will give the owner guidance on how to maintain the site. He also discussed stabilization including seeding and mulching an area if it is not completed within 14 days.

Mr. Warren explained the detail in these additional plans are very lengthy and are found in the O & M plan and SWPPP plan

Ms. Hershey stated it is hard to find some of the information because of the lengthy detail. She stated she would like some text on the plan discussing a wash out area and dewatering plan if necessary.

Mr. LaPointe stated as time got close to construction they would be in close contact with the conservation agent as well as the Town Engineer for guidance.

Mr. Turner discussed the historic property and they should be cautious of artifacts that may be found

Mr. Goetz agrees with Ms. Hershey that he has concerns about a wash out area for the washing of trucks and paint etc. He also has concerns regarding all the verbiage and the difficulty to find all the information.

Mr. Wiley discussed the time frame and phasing.

Mr. Warren discussed the cottages may begin possibly in late summer or fall

Mr. Wiley asked for comments or questions from the audience

Cheryl Gustafson, Lincoln Rd discussed the area where the building is going to be demolished and if anything else can be put there.

Mr. Wiley stated if it is located outside the buffer they would not need to come back to the commission for that, but they may have to for a Land Disturbance Permit. They may have to go before the Planning Board again.

Ms. Gustafson asked about the current driveway

Mr. LaPointe stated it will remain

Ms. Hershey stated the applicants have addressed everything in our regulations and she feels she has received enough information to justify approving a Land Disturbance Permit.

**Mr. Goetz made the motion to close the Public Hearing**

**Ms. Dyer seconded the motion**

**Vote: 5-0-0**

**Closed: 8:40**

The commission discussed requiring having the conservation agent be included in any pre-construction meetings. They commission would also like the name of the contractor/project manager to have on file

**Mr. Goetz made the motion to approve and issue a Land Disturbance Permit**

**Ms. Dyer seconded the motion.**

**Vote: 5-0-0**

**PUBLIC MEETING  
REQUEST FOR DETERMINATION  
MASS HIGHWAY  
RTE 1,1A & 1-95**

**OPENED: 8:50**

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

Mr. Wiley read board comments into the record.

Mr. Thomas McGuire, District Environmental Engineer of MassDot Highway District 5, was present representing the Mass Dept. of Transportation for the request for determination for areas located on Rte. 1,1A and 1-95. Mr. Michael Clemons who also works in the environmental division was also present.

Mr. McGuire presented the commission with a pamphlet, "Tree Trimming and Removal Guidelines, March 29, 2010", showing tree trimming and removal guidelines and stated this filing is for trimming or removal of all dead and dying, or unsafe trees located within the State Highway along Rte. 1, 1A & 1-95 that present a hazard to roadways, pedestrians or residences within the buffer zone. Mr. McGuire states this is a public safety project. The plan is to remove materials from the area.

Ms. Hershey stated she had no comment or concern with this project

Mr. Wiley asked about the removal of the materials

Mr. McGuire stated it will go into a chipper

The commission had no other concerns with this project and discussed issuing a Negative Determination

**Mr. Goetz made the motion to close the Public Meeting**

**Ms. Dyer seconded the motion**

**Vote: 5-0-0**

**Closed: 9:00**

**Mr. Goetz made the motion to approve and issue a Negative 2 Determination**

**Ms. Dyer seconded the motion**

**Vote: 5-0-0**

The Tree Trimming Guidelines will be attached and referenced in the Determination of Applicability.

**PUBLIC MEETING  
REQUEST FOR DETERMINATION  
RTE 1**

**OPENED: 9:01**

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

Mr. Wiley read Board comments into the record.

Mr. Thomas McGuire, District Environmental Engineer of MassDot Highway District 5, was present representing the Mass Dept. of Transportation for the request for determination for areas located on Rte. 1. Mr. Michael Clemons who also works in the environmental division was also present.

Mr. McGuire stated this request for determination is for the proposed work consisting of the application of herbicides approved for use in sensitive areas located on Rte. 1. Mr. McGuire stated a 5 year Vegetation Management Plan is in affect and every year a Yearly Operational Plan will be submitted. The areas discussed within the state highway right-of-way include beneath median, roadside and ramp guardrails. He stated that the herbicides that are used are approved by the Dept. of Agriculture and the applications are done only once every 12 mos.

Mr. McGuire submitted a list of sensitive area restrictions for the board

Mr. McGuire discussed the use of DEP's water protection area maps to set up appropriate spray/no spray areas

Mr. Wiley asked for questions and comments from the audience

The commission had no other concerns with this project and discussed issuing a Negative Determination

**Mr. Goetz made the motion to close the Public Meeting**

**Ms. Dyer seconded the motion**

**Vote: 5-0-0**

**Closed: 9:15**

**Mr. Goetz made the motion to approve and issue a Negative 5 Determination**

**Ms. Dyer seconded the motion**

**Vote: 5-0-0**

**PUBLIC MEETING  
REQUEST FOR DETERMINATION  
ROUTE 1-95**

**OPENED: 9:20**

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

Mr. Wiley read Board comments into the record.

Mr. Thomas McGuire, District Environmental Engineer of MassDot Highway District 5, was present representing the Mass Dept. of Transportation for the request for determination for areas located on Rte. 1-95. Mr. Michael Clemons who also works in the environmental division was also present.

Mr. McGuire stated this request for determination is for herbicide applications located along Rt. 1-95 going from Rhode Island to Canton. These will occur in spot locations under an approved Vegetation Management Plan, and no wetlands will be adversely impacted. He stated these applications will only take place where guardrails are shown. He stated there are no-spray zones allocated due to the Traphole Brook area

The commission had no concerns with this and discussed approving a Negative Determination

**Mr. Goetz made the motion to close the Public Meeting**

**Ms. Dyer seconded the motion**

**Vote: 5-0-0**

**Closed: 9:35**

**Mr. Goetz made the motion to approve and issue a Negative 5 Determination**

**Ms. Dyer seconded the motion**

**Vote 5-0-0**

**EXTENSION**

**WALPOLE COUNTRY CLUB  
DEP# 315-839**

Mr. Mark Gagne of Walpole Country Club came before the board to discuss continuing work which is occurring at Walpole Country Club. Mr. Fran O'Leary, greens and grounds chairman was also in attendance. Mr. Gagne stated the extension for this Order of Conditions expires on May 23, 2010 and they are requesting a one-year extension to



complete the necessary work. Mr. Gagne gave an overview of the work which is to include removing 8 trees along Allen Pond. He discussed trimming of the brush as well.

Ms. Hershey asked about pond management and the continuation of the pond dredging Mr. Turner discussed the analysis of the ponds and his concern about Clarks Pond and the aquatic vegetation which is there.

**Mr. Goetz made the motion to approve and issue a one-year extension for Walpole Country Club**

**Ms. Dyer seconded the motion**

**Vote: 5-0-0**

## **MINUTES**

**April 14, 2010**

**Mr. Adams made the motion to approve the minutes for April 14, 2010**

**Ms. Dyer seconded the motion**

**Vote: 5-0-0**

## **OTHER BUSINESS**

### **ARTICLE 25, SECTION 18**

The commission discussed Article 25 and their disappointment that the letter submitted to the Planning Board with concerns and objections regarding the wetlands and resource area being included in the Biotech Overlay District were never read into the record or discussed.

The conservation commission took a vote and it was unanimous to request the wording of item 18 be replaced entirely. They strongly feel it is in the best interest of the Town for the protection of our resources.

Under section 18 the commission would like the following verbiage to replace the original under Article 25

### **WETLANDS & NATURAL RESOURCES PROTECTION**

**“All the protected resource areas as defined by the Wetlands Protection Act and the Town of Walpole Wetlands Bylaw shall not be included in the Walpole Biotech Overlay District.”**

**Mr. Goetz made the motion to substitute the language on section 18, under Article 25 with the above statement**

**Mr. Turner seconded the motion**

**Vote: 5-0-0**

General Business was discussed

**MEETING CLOSED: 10:15**