

**CONSERVATION
COMMISSION**

Town Hall
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Town of Walpole
Commonwealth of Massachusetts
MINUTES



CONSERVATION COMMISSION
MAY 12, 2021
7:00 PM

This meeting was taped and will be available on walpolemedia.tv

Commissioners Present: Jack Wiley (Chairman), Al Goetz (Vice Chair), Betsey Dyer, Doug Burchesky, Emidio DiVirgilio, Bailey Ziemba, and Dean Bebis.

Also present: Conservation Agent, Landis Hershey; Board Secretary, Allary Braitsch

Guests: Daniel Merrikin, Chris Timson, Gre Testa, Mark Brooks, Romildo Silva, David Hale, Shawqi Alsarabi, Leslie French, Mike, Lou Petrozzi, Katie Enright, Marta Nover, Brian Butler, Patrick Bogle, Robin, Christman, Guest 456, Guest 1, Call-In User 1

The Conservation Agent Report dated May 12, 2021 was given to members.

Wiley opened the meeting at 7 PM

PUBLIC HEARINGS AND DISCUSSIONS (vote required for action)

7PM – Cont. NOI 32 Starlight Drive, Shawqu A. Alsarabi Family Revoc. DEP#315-1219

Jack read the legal advertisement into the record.

Dan Merrikin with Legacy Engineering presented the project on behalf of the applicant. Summarized the project is a subdivision of an existing single family lot into four single family lots. This portion of the project is for the new access road and two of the stormwater basins only. Dan outlined the changes to the plan:

- Increase to 20 foot wide access drive per fire department request
- Removal of the island within the cul de sac
- Shifted a stormwater basin further from the wetland so it's within the outer buffer zone. Once the lot is developed there is an opportunity to move the basin further from the wetland.

- Existing garage and chicken coop will be relocated outside of the 100-foot planning board buffer zone. This buffer zone will be revegetated.

Landis had questions about basins 2 and 3 because fore bays aren't shown on the plan though the O&M plan references a fore bay. Dan will look into that and correct the proposal. Landis asked what the depth to groundwater was during soil testing for basin 2. Dan replied that they did not encounter groundwater down to 212 feet, which is 2 feet below the basins. Landis asked that the elevation number be listed on the grading plan for the bottom of the basin. Landis stated that comments haven't been issued by the town engineer yet. The wetland line has changed since the original filing for the house, but Landis confirmed the wetland boundary on site with the Applicant's consultants. Landis believes that the rock outcrop and boulder pile be reviewed carefully since they can affect the hydrology of the site. The restoration area should be constructed prior to any other work on the site. No Alteration placards should be added along the 256 elevation line.

DiVirgilio - asked what the existing conditions looked like in regards to the access driveway to the home.

Dyer - Asked if the boulders were placed there during the construction of the home or if they're the result of receding glaciers. Dan replied that they're from the glaciers and a natural occurrence. How will the home be constructed with the rock outcrop and boulder pile there? Dan replied that the house footprints shown on the plan are only placeholders, they won't be designed until later in the project.

Goetz - asked who will maintain the basins. Dan replied that the planning board requires that the owner of the lots where the basins exist are responsible for their maintenance.

Dan asked that the hearing be continued.

Chris Timson - on behalf of the gun club - he is addressing the current issues with Dan Merrikin and Phil Macchi.

Motion to continue the hearing to June 9 at 7:15PM by Goetz, second by Dyer. Motion carries 7-0-0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

7:15PM – Cont. RDA Pinnacle Point Historic Mill Complex

Jack read the legal advertisement into the record.

The Applicant has requested a continuance.

Motion to continue the hearing to the June 23 at 7PM by Goetz, second by Dyer. Motion carries 7-0-0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

7:25PM – Cont. NOI 55 Summer BH LLC/55 Summer Street, Multi residential, roadways and stormwater management. DEP #315-1227

Wiley read the legal advertisement into the record.

Katie Enright presented the changes to the project plans.

- Building 5 was shifted to avoid work within jurisdiction.
- Reduction of parking area adjacent to model homes
- Multifamily Building 1, which runs along the rail line - retaining wall was added to create a 15-foot area for wildlife passage. Addition of no snow storage in this area placards. This will prevent blocking wildlife passage during winter months when snow is being stored onsite.
- Relocated the dog park south of the parking area to the west of Building 1 to allow unhindered wildlife passage.

- Previously 24-inch proposed pipe between wetland south of Building 2 has been replaced with 4x4 foot open bottom box culvert, which will allow for easier wildlife passage.
- Replication Areas - planting density has been increased by 10% and a “living screen” of densely planted arborvitae will be planting between the wetland areas and the development.

Marta Nover with BETA noted that the stormwater modifications were made based on their review and BETA is satisfied with the changes that have been made. Marta noted that BETA does have some recommended special conditions should the Commission vote to issue an Order of Conditions. Marta believes that the Commission has sufficient information to issue an Order at this point.

Landis asked that the 25 foot No Alteration markers be pushed out so they're closer to the developed area and the applicant agreed.

Burchesky - asked if the snow storage is eliminated from the area of Building 2 where will the snow be placed. Katie Enright stated that only one area was eliminated and there's other areas on the site for snow storage.

Goetz - Asked how the test pits were conducted. Katie stated that the pits were excavated with a soil evaluator on site observing the pits as they are excavated. They also conducted infiltration rate testing, which was also witnessed by the town's engineering department.

Wiley - asked how the infiltration units are set up. How does the sediment drop into the first chamber and how are they cleaned out? Katie Enright described how the infiltration units function.

Landis - asked that the detail of the extended wetland be shown. Patrick stated that the pocket wetland is a constructed wetland area for smaller treatment areas. The depths and planting communities vary throughout the system. Landis asked how this system is maintained. Patrick stated that the system is checked for invasive species, die off, large roots that erode the bank and maintenance of the sediment fore bay.

William Hamilton -

Motion to close the public hearing by Dyer, second by DiVirgilio. Motion carries 5-0-2. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky) Ziembra and Bebis abstained.

Silva

Landis witnessed clearing within the 25' and recommends that the area be replanted with a native seed mix. She suggests that the Applicant submit a plan for the restoration. Jack requested that the plan be provided prior to the meeting on June 9th when this will be discussed again. The Applicant agreed.

Planning Board Comments

1427-1429 Main Street Definitive Subdivision – Marini

Landis stated that there aren't any wetlands on the site. She thinks they'll just subdividing the land.

Correspondence:

- Wallstreet Development letter dated 4/27/21 RE: Kevin's Way and BL 2 Boyden Lane, 8
- Letter to Mark Christman, 7 Kevin's way from Landis Hershey -5/4/21
- MA Coastal 2021 Vegetation Management Plan
- 2021 Capital Budget letter from Patrick Shields
- DEP SOC #315-1233 Wallstreet Development, Burns Ave.-5/3/21

Enforcement Orders/ Notice of Noncompliance (Vote may be required)

Notice of Noncompliance – Wallstreet Development - Boyden Estates Drainage

Wiley informed the Commission that he and Landis conducted a site visit during a rain event two weeks ago. Wiley stated that letters have been send to Kevin's Way stating that their downspouts need to be infiltrated into the ground per their Order of Conditions. Landis provided a summary of current site conditions on Kevin's Way and potential resulting impacts to Boyden Lane.

Robin from 3 Kevin's Way attended the meeting and provided a summary of all of the actions outlined in Landis's letter that have already been addressed.

Mark Christman provided a summary of the actions they're taking per Landis's letter. He stated that his roof drains will be infiltrated this week and the stormceptor will be cleaned out by WindRiver soon and the detention basin has been maintained. He also filled the storm drain in Kevin's Way and they observed water flowing into the basin and they have a video. Mark also stated that the two drains in front of his property are functioning properly based on the fact that he doesn't have water issues on his property and his basement has never had any water in it.

Landis asked that all maintenance records from this structures be sent to the Conservation Office.

Main St. #1900, DEP #315-1043 - nothing new

Notice of Noncompliance Brookside Village, DEP #315-1093 - nothing new

Palmer Lane, 3 and 4 - nothing new

4 Lost Brook Trail – Notice of Violation-issued 4-20-21 – nothing new

70 Anderson Way- tree clearing in Open Space

No representative present.

Landis provided a summary of the property and stated that Conservation holds a CR for a portion of the parcel. The 70 Anderson Way owners removed all vegetation up to the rock wall adjacent to their property. This area is within the open space that is not part of their property. Landis spoke to the homeowners and explained that they cleared a property that's not theirs and that it will need to be replanted.

Wiley stated that we should send a letter to the Homeowner's Association asking for a plan by the June 9th meeting.

Minutes – (vote required for action)

4/28/21

Motion to approve the minutes as edited by Dyer, second by DiVirgilio. Motion carries 7-0-0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

Request for Certificate of Compliance (vote required)

110 Norfolk Street – Rolls Royce Marine – 315-1210

They haven't submitted their revised as-built.

Motion to adjourn by Dyer, second by DiVirgilio. Motion carries 7-0-0. (Wiley, Goetz, Dyer, DiVirgilio, Burchesky, Ziemba, Bebis).

The meeting adjourned at 9:28 PM.