

CONSERVATION COMMISSION

**MINUTES
(Approved 1/13/16)**

DECEMBER 9, 2015

**Present: J. Wiley, Chairman
Al Goetz, Vice Chairman**

E. DiVirgilio, R. Turner, B. Dyer, K. Watson

Absent: J. Finnigan

Also Present: L. Hershey, Conservation Agent

Conservation Agent report given to members

**CONT. PUBLIC HEARING
NOTICE OF INTENT
PINE ST. #164 (BROOKSIDE VILLAGE)
DEP# 315-1093**

Opened: 7:00

Mr. Wiley read the advertisement from the Walpole Times. This hearing was opened October 14, 2015 and continued

Mr. Wiley read a letter into the record from an abutter who emailed it to the office this morning. Her concerns are with the ecosystem and wildlife habitat protection.

Mr. Rob Truax, GLM Engineering was present representing the applicant. He also submitted the revised plans dated December 1, 2015. Mr. Paul McManus of Eco Tech Inc. was also present and submitted a detailed Wildlife Habitat Evaluation dated 12/2/15. A Riverfront analysis was also provided dated 12/1/15

Mr. Truax stated per the conservation commission and Town Engineer comments they have revised the plan. The drainage system has been broken up and recharge systems which pick up road runoff is included in the plan. The proposed basin size has been reduced although it is still necessary because of the downgradient system. It is in an area which was previously disturbed in the past and is there as it is out of the 100 ft. riparian. This is the biggest revision on the plan Mr. Truax stated. There are other revisions pertaining to neighbor concerns, fencing and other issues which do not involve conservation, as well as drainage breakdown comments that pertain to the Town Engineer questions

Mr. McManus, of Eco Tech Inc. provided a Riverfront Analysis that he discussed. He stated there will be no adverse impact as defined by the regulations as well as no practicable and substantially equivalent economic alternatives to the project with less adverse effects.

Mr. McManus discussed the four factors to be considered as far as practicable alternatives as described in his report. They include cost, existing technology, proposed use and logistics as described in the report. Alternatives were considered in the evaluation which leads to the current site plan. The first alternative

would be no-build, the second was a single family, and zoning restriction prohibited this. Alternative 3 is the original plan which did not include the house lot as part of the project but due to street access issues more work would be in the riverfront.

Mr. McManus discussed economic alternatives. He stated single family homes are not allowed in this district. The original plan did not include the house lot as part of the project but due to street access issues more work would have to be in the riverfront area and they wanted to avoid that. Mr. McManus stated that a Riverfront Analysis requires you to look at other alternatives. Alternative 4 they looked at what would happen with no riverfront alteration and the project would be reduced from 30-22 units. He discussed reduction in percentages not being substantial as taking units out of the riverfront piecemeal would be a minor percentage. Mr. McManus stated the potential modest benefits don't weigh against project impact. He discussed they are pulling back the stormwater basin and putting in a 5 ft. restoration protocol bringing in topsoil and native plantings and cleaning up the area. After looking at alternative they feel this alternative is preferable and meets the standards

Ms. Dyer discussed the change in regulations and the economic times.

Mr. McManus discussed the Rivers Act which passed in 1995 and the regulations which were in place at the time. The regulations say for a commercial site they need to look at adjacent properties to get out of the riverfront area. It is pertinent for this analysis

Mr. McManus discussed the Wildlife Habitat Evaluation dated 12/2/15. He stated there is a typo on page 2 and there are actually 30 units and not 24 as stated. GLM staked the boundaries and an extensive evaluation was completed. They looked at what would be altered and the broader site and remainder of the resource area. Specific plantings located on the site were discussed. Mr. McManus described the invasive species of Buckthorn which is all over the site. Nesting habitat and large woody debris that provides habitat was also common on the site. There is a large boulder pile on site as well. They are proposing a layer of top soil with the exception of the area where the slope is too steep. Plant saplings within a 5 ft. radius will go in and the Buckthorn will be pulled out. They propose to lift out the boulders and relocate them into part of the riverfront where it can be used by wildlife. Mr. McManus stated they are proposing a cross country sewer line which will be a temporary alteration

Ms. Hershey stated she has reviewed all the information submitted and the revised plans where the detention basin was pushed up and out of the 100 ft. buffer. A wildlife evaluation was reviewed and alternative analysis as well. The applicant is saying there is no economic alternative and they appear to have met the practicable and substantially equivalent economic evaluation. Ms. Hershey stated the Riverfront area is being altered so it would be nice to see some mitigation. She has no other recommendations

Ms. Watson stated she likes the 22 unit property plan best but unfortunately the board needs to go by the regulations and not what you want. She stated she attended a conference last week where invasives such as Buckthorn was discussed. It was discussed that bringing goats in to eat the Buckthorn was a recommendation. She stated it is something to consider as an alternative. Ms. Watson also stated that pulling out the buckthorn and only having a five ft. radius is not enough for the establishment of other plantings

Mr. DiVirgilio asked about the history of the site, how much fill will be needed and asked to be shown where the boulders are being relocated

Mr. Truax stated it was a farm prior to being purchased in 1999. He stated the area will be used as a basin and will not be filled and showed the location of the boulders

Mr. Turner talked about the stonewall that was existing and it is too bad it can't be used for farm design. He discussed clean-up and keeping sand, silt and pesticides out of the pond. He spoke of concerns with flooding of the river

Mr. Truax stated the soils are very good and there will be 100% recharge

Ms. Dyer also discussed the Buckthorn and that she had been reading about the goats eating it as well. She stated if it works it will leave an improved habitat to make up for the loss of habitat. She agrees with Ms. Watson that a five ft. radius is too close and it will grow back.

Mr. Goetz stated he does not like the idea that the most important thing is how much profit the developer can make on this project. He would like to see figures on the amount of use within the 200 ft. riverfront with what is there now.

Mr. McManus stated much time and money was put on developing alternative #1 and it did not work as the Riverfront regulations prevented it.

Mr. Goetz asked why the sewer line needs to go through the riverfront

Mr. Truax discussed the elevation difference in the site. He stated if it ran the other way the new sewer line would need to go down Pine St. and be pumped

Mr. Goetz stated they are going to the extreme of benefiting the developer and not the environment

Mr. Wiley asked for questions or comments from the audience

Mr. Bill Hamilton, Eldor Dr. discussed that work within the water supply needs to have a Notice of Intent and has that been submitted to DEP as it is in Area 3. He discussed the public water supply is covered under the WPA. If this has not been done he will seek a 10 member citizen to petition this.

Mr. Truax stated there is a requirement in Area 3 to file a special permit and it is being sought under the purview of the Planning Board

Mr. Hamilton spoke of his concerns that Town has been told to reduce water and the resource is under distress. If a Notice of Intent is required he will seek to have this done

Ms. Annemarie O'Keefe, Ganawattee Dr. discussed her concerns as well with the water supply. There is a Dam which sits on the curve of the road that was constructed in the 1940's. She described how the water has become stagnant and has a horrific stench. She is afraid of wetland changes on the North side of the culvert and the problem could become worse. Ms. O'Keefe spoke about the amount of units and that 22 units is more tolerable and will have less impact on the creatures as well. She would like to ask the commission to consider asking the applicant to downsize the project

Mr. McManus asked if the end goal is practical as far as the goats are concerned. He stated usually they are used in fields to restore them. He stated if it were a field with a management program it may have some feasibility but it is wooded everywhere.

Mr. Wiley stated the applicant is concerned with the number of units and the commission is concerned with Buckthorn so it could be in the Order

Ms. Watson stated the scope of plan is huge and wish it was more confined. She stated she didn't like the sewer system going through wetlands

Mr. Wiley stated the number of units is not a conservation commission issue, only the wetland and riverfront. He stated the board has the jurisdiction to require invasives be removed from the riverfront as a continuing condition

Ms. Hershey made recommendations for special conditions in her agent report. She stated it would be very costly for the applicant/owners to eradicate invasives as an on-going condition

Mr. Truax stated that unless the commission is going to make eradicating invasives as on-going conditions for each project it really should not be imposed on just this one.

Mr. McManus stated there are six (6) acres surrounded by buckthorn on this site and it would be impossible to ever satisfy that requirement

Mr. Wiley stated most of the area is going to be in a construction site, moving gravel from one side to another. In the residential area it will need to be removed so this condition would be beneficial to the wildlife and an improvement to the site.

Mr. McManus stated that looking at the Riverfront Regulations he feels this project satisfies the requirement there is no significant adverse impact on the ability of the Riverfront area to protect the interest of the Act.. As nice as it would be to eradicate all the buckthorn there are other things that can be done to improve the environment. He stated the applicant has met the burden of satisfying the standards and that should be looked at.

Ms. Watson made the motion to close the Public Hearing

Ms. Dyer seconded the motion

Vote: 6-0-0

Closed: 8:21

The commission discussed boiler plate conditions and will incorporate all suggestions from wildlife evaluation and stormwater management standards, so there will be no additional impact to the riverfront, soil tests conducted as required by Town Engineer., two signs located at the detention basin and the other at the sewer easement with verbiage as shown in the Order of Conditions. The O&M plan will be attached to the Order of Conditions

Ms. Hershey discussed the use of goats to take care of the buckthorn problem. She stated it is so costly for an owner to mitigate invasive species in perpetuity and although it is a good idea it also oversteps in her opinion. She thinks maybe one sweep to get rid of the Buckthorn would be reasonable.

The commission discussed that instead of removing the buckthorn and keeping a 5 ft. radius it would be better to have a 20 ft. area instead.

Mr. Goetz stated if they are taking a place that is degraded and going to construct a basin in the area they should have to restore those two areas. A continuing plan including mowing and clearing to keep the buckthorn away needs to occur. He stated it is up to the project owner to decide how the area is maintained free of the invasives as the intention is to restore to the natural environment. Mr. Goetz stated it is important the sewer easement have no invasives such as buckthorn. The purpose of an easement is to provide access. This cleaning will also help with habitat as they will be affected with all the clearing.

The commission discussed special conditions to include having a 20 ft. radius around new plantings, burlap and baskets shall be removed entirely from plantings and irrigator bags used for new trees for mitigation purposes. A yearly report on requirements for invasives shall be given to the commission. Riverfront area shall be removed of debris and reviewed at the end of construction. A continuous conditions is the riverfront stay clean

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

Ms. Dyer seconded the motion

Vote: 6-0-0

**CONT. PUBLIC HEARING
NOTICE OF INTENT
ROSCOMMON SUBDIVISION
DEP# 315-1094**

Opened: 8:51

Mr. Wiley read the advertisement into the record. This Hearing was opened in October, continued until November 12th and again until this evening.

Mr. John Glossa, Glossa Engineering was present representing the applicant. Mr. Tom Liddy, Lucas Environmental and managers of SRII Ventures were also present.

Lucas Environmental submitted additional information regarding the Notice of Intent and 401 Water Quality Certification application dated 12/7/15

Mr. Glossa stated the Beals and Thomas peer review report for stormwater management dated 12/7/15 was received by the applicant on Monday and they see no issues which can't be resolved. Mr. Glossa reviewed the report. One comment from the Town Engineer was regarding the ground water table and Mr. Glossa stated additional test pits will be completed at her request, and data will be put on the plans. The applicant looks forward to working with Beals and Thomas. Mr. Glossa stated another issue that has been discussed is the issue a putting in a bridge at the main crossing closer to Fisher St. The DPW director Bob O'Brien is not a proponent of bridges; says they are expensive and require constant inspection and maintenance. Mr. Glossa stated Mr. O'Brien asked him to formalize a letter to the Town Engineer and get a response from her regarding this, but he suggests the commission do so as well as they may get a response. He stated there is a big difference between regulations that govern how bridges are maintained and used and those of culverts. Bridges are very costly and constant maintenance.

Mr. Glossa stated the other issue was the crossing of the driveway closer to North St. The applicant has decided to put in a private bridge there that the only purpose is for the driveway. It will be wooden, there will be zero alteration to the wetlands but some of the work would occur within the 25 ft. no disturb and can be offset with wetland replication. The advantage of this is that the Town Engineer keeps asking how the water main can be maintained. Mr. Glossa stated Tom Liddy will now speak and if there are questions they can ask after

The commission discussed the stormwater report by Beals and Thomas be discussed first.

Ms. Sara Stearns and Dan Gagne of Beals and Thomas were present and stated their intent to run through the stormwater review. Their report is dated 12/7/15. Ms. Stearns stated the applicant has proposed a low

impact design, with small scale infiltration units that run along the roadway. Mr. Gagne went through all of the plans, the stormwater reports and calculations and wanted to see a drainage design they feel the commission will be comfortable with and they are requesting minor clarifications from the applicant. She stated this report was submitted to Ms. Hershey and the representative's applicant and they have asked them to provide a narrative based on their review

Mr. Glossa stated a formalized report is not ready but will be provided. He would like the opportunity to ask Mr. Gagne questions as they go through the points if it is okay with the commission.

Mr. Wiley stated he would have no problem if the applicant wanted to question Mr. Gagne. Mr. Glossa stated at the end a final drainage design or an amended one can be submitted

Mr. Turner questioned the drainage and infiltration

Mr. Gagne stated the design includes small infiltration basins to prevent ponding areas. He stated they infiltrate to the wetlands as they do now and BMP's are implemented to catch oils and grease at the catch basin

Ms. Dyer stated a lot of the discussion is regarding calculations but if it is recommended to design each house lots using low impact design what would an example of this be

Ms. Dyer stated it is unclear whether Olmsted is included in this and how important is that as far as stormwater is concerned

Mr. Gagne stated he is unsure how the Olmsted property is being taken into account with stormwater. More information is needed

Ms. Hershey stated a concern about the location of the constructed berm. The idea was to move disturbance out of that area as it is adjacent to a vernal pool. It is also within the protected open space. The commission has required no alteration areas greater than 25ft. to protect vernal pool habitat. Ms. Hershey questioned the unusual size of the basin which is not within a defined area, are there times when portions of the open space flood, and how often.

Mr. Glossa suggested he and Ms. Hershey sit down and go over the numbers of the different sized storms so he can provide answers to this. He stated most berms are very low

Ms. Hershey stated she has concerns with the water spreading out in open space areas. She would like to see during various storm events how long the water will stand, and how it will change the environment. Basins are different than nature

Mr. Glossa stated at each outlet there will be water coming out onto the ground. It is a large area that is going to be left natural. He can go over numbers with her.

Ms. Hershey stated it is water funneling out from the roadway and not just rainfall from the sky. She would like to see numbers from different storm events with information

Mr. Gloss stated he would propose the berm be built without taking down trees.

Mr. Glossa asked Mr. Gagne based on the analysis what they thought.

Mr. Gagne stated it seemed reasonable and Ms. Stearns stated she doesn't care for basins and she applauds the use of landscape for infiltration

Ms. Hershey asked if there would be a conflict with vernal pool habitat and Ms. Stearns stated not that she sees.

Mr. Wiley asked for questions or comments from the audience regarding stormwater issues

Mr. Morasci, Buckboard Dr. asked if the commission has received comments about the effects of low impact design on Covey and Walden Dr. and does it have impact

Ms. Hershey stated that under the Wetlands Protection Act there should be no change in impact of water pre and post construction

Mr. Morasci asked if there were an unusual rainstorm would it be affected

Mr. Wiley stated the design is for the 100 yr. storm

Mr. Gagne stated based on review it has met this standard

Ms. Hershey stated the applicant will respond and get back to the commission

Mr. Tom Liddy, Lucas Engineering, stated he submitted a letter dated 12/7/15 in response to Beals and Thomas, DEP and the conservation commission. He stated the location of the roadway crossing was a big concern. He stated the wetlands narrows and the decision not to move further south is based on different reasons. The location was based on the proximity of the roadway to the vernal pool, the stream channel to the south and the residences along Walden Dr. He stated they tried to balance the needs of all. Mr. Liddy stated the driving force was as they moved further south the stream channel meanders and zig zags. He showed what the roadway would look like. The stream widens and the box culvert is 10 ft. wide. Any wider would entail a bridge span. If the box culvert were wider they would have to dredge and alter the stream causing more impact.

Ms. Hershey asked about reconstruction of the stream and the open box culverts. She stated it is possible to reconstruct stream through an open culvert

Mr. Liddy discussed the reconstruction of the stream would be harder to permit with both the WPA and the 401 and 404 permits as well. They wanted to avoid work in the stream channel. He stated it would have greater impact and they are taking the neighbors into consideration as well

Mr. Wiley asked if this alternative was presented to the Army Corp. of Engineers.

Mr. Liddy stated they did not. Once it was seen how wide the stream channel was they were more concerned with the stream crossing standards and vernal pool

Ms. Hershey asked why the roadway needed to be 10ft. above grade

Mr. Glossa detailed a combination of factors of why the stormwater standards are the way the Town has them do.. One factor is if starting at the wetlands the commission requires a 25 ft. no disturb. He discussed the pipe needs to slope to the street and catch basins be in place, all adding to the 10 ft. above grade

Ms. Hershey stated there is also maintenance required of box culverts as well as bridge spans. She stated she has spoken with the Town Engineer regarding bridge spans and feels the commission should get a comment letter from Ms. Walker and the Planning Board as well, stating that a bridge span would not be approved. Ms. Hershey stated that there is documentation from the Streamwater Crossing Handbook that show that box culverts sometimes fail and can get washed out during heavy rains.

Mr. Glossa agrees there should be a comment letter from the Town Engineer but one also from Bob O'Brien as the DPW controls the budget and completes the inspections and maintenance. Mr. Glossa stated the applicant has decided to put a private bridge at the driveway closer to North St. The advantages are there will be no impact to the wetlands, fire apparatus can cross if necessary and the water main can be maintained. Mr. Glossa stated that though it would be installed without alteration of the wetlands, part would be within the 25 ft. No- disturb. He stated that wetland replication can compensate for this.

Ms. Dyer asked if the relocation of the road is because it needs to be joined on the other side at Olmsted

Mr. Glossa stated it is all coordinated that way and both are before the Planning Board at this time

Ms. Dyer stated she was at Planning Board meeting and it occurred to her that it was interesting that we need to approve just ½ of the road now and the other ½ later.

Ms. Hershey stated all the wetland crossings fall under the Roscommon filing

Mr. Glossa discussed the plan showing GiGi Way. He stated the crossing that was proposed there was going to impact the wetlands, but now using a private bridge there would be zero alteration to the wetlands but some of the work would occur within the 25 ft. no disturb. It can be offset with wetland replication.

Mr. Glossa stated that Lot 30 is eventually going to have a barn, paddock and riding area on the Open Space

Mr. Wiley asked if there were questions or concerns from the audience

Mr. Goetz made the motion to continue the Public Hearing until January 13, 2016 at 8:00 p.m.

Ms. Dyer seconded the motion

Vote: 6-0-0

CONT. PUBLIC HEARING

NOTICE OF INTENT

MOOSEHILL RD. #272

DEP# 315-1087

Opened: 10:05

Mr. Wiley read the advertisement from the Walpole Times

Mr. Rob Truax, GLM Engineering and Attorney Adam Costa were present. Revised plans had been submitted prior dated 12/8/15

Mr. Wiley read a letter into the record from the Neponset River Watershed Association, Ian Cooke and Sara Bounty which is in support of the MooseHill developers modifications dated 10/26/15

Ms. Hershey stated there are reports from Chessia Consulting Services and revised plans dated December 8, 2015. The first report dated November 5, 2015 had been discussed which changes that were basically minor administrative ones were. The next report was discussion calculations and Mr. Wiley read a summary of recommended conditions into the record.

Mr. Truax gave an overview of the changes which were made. He stated a drainage swale stone check dam was added to the plan, oil and grit separators were added for TSS removal and the SWPPP was updated. The infiltration system will move throughout the site and no other changes have been made. Mr. Truax stated the commission will get a full set of plans with all revisions to the office
Ms. Hershey stated she has been satisfied that all requests have been made by the applicant

Mr. Wiley asked for questions or comments from the audience

Ms. Laura Vaites asked about the pumping station location

Mr. Truax stated both the pumping station and trash has been moved outside the 100 ft. buffer.

Ms. Vaites asked what would happen if it failed

Mr. Truax stated it is designed to run into the parking lot to make the managers have to take care of the problem

Ms. Vaites spoke about the cold water fishery and would like the commission to follow up and see when the brook will be considered a cold water fishery

Mr. Goetz made the motion to close the Public Hearing

Ms. Dyer seconded the motion

Vote: 5-0-1 (Ms. Watson abstained)

Closed: 10:19

The commission discussed special conditions that will be found and included in the Order of Conditions

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

Ms. Dyer seconded the motion

Vote: 5-0-1 (Ms. Watson abstained)

PUBLIC HEARING

LAND DISTURBANCE &

NOTICE OF INTENT

BIRD LANDFILL-OFF NORFOLK

DEP# 315-1096

OPENED: 10:25

Mr. Wiley read the advertisement from the Walpole Times.

Mr. Bakinowski, Sr. Project Scientist of Weston & Sampson was present representing the applicant. Mr. Bakinowski presented a sequencing plan that was submitted to the office for the commissioners to review prior to the Public Hearing dated November 2015

Mr. Bakinowski discussed the goal to put some plantings in that will grow quickly.

Ms. Watson referenced New England Wildflowers and some suggested plantings that would be good and provide nourishment.

Mr. Bakinowski stated receiving specific planting suggestions can be part of special conditions

Ms. Dyer discussed some plantings that are fast growing could be invasive and the need to be careful of that.

Ms. Hershey stated they could use alternative groundcover seeding

Mr. Wiley stated they should come back for review

Ms. Dyer stated that is a good idea and she is concerned about invasives and will be glad they will be required to come back

Mr. Goetz made the motion to close the Public Hearing

Ms. Dyer seconded the motion

Vote: 6-0-0

Closed: 10:38

Special conditions will include plantings in the buffer will need review and approval. No invasives shall be used. The area shall be stabilized as quickly as possible in consideration of the Fire Dept. A phasing schedule shall be provided, the name and number of the manager in charge shall be reported to the commission and an annual stormwater report be sent to the conservation commission

Mr. Goetz made the motion to approve the Order of Conditions with special conditions

Ms. Dyer seconded the motion

Vote: 6-0-0

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

Ms. Dyer seconded the motion

Vote: 6-0-0

A revised plan will be sent in

**PUBLIC HEARING
AMENDMENT TO ORDER OF CONDITIONS
OLMSTED ESTATES
DEP# 315-1062**

OPENED: 10:45

Mr. Wiley read the advertisement from the Walpole Times. Certificates of mailing were received

Mr. Wiley read board comments into the record

Mr. John Glossa, Glossa Engineering was present representing the applicant Mr. Sean McEntee and Mr. Michael Viano who were present. Mr. Tom Luddy of Lucas Environmental was also present. Plans were discussed dated 7/21/15.

Mr. Glossa stated this is the request for an amendment to the approved Order of Conditions issued to Olmsted Estates on November 25, 2014

Mr. Glossa stated the only changes to this Order are that the applicant wants to remove the cul de sac located on Emerald Way and extend the roadway. Mr. Glossa stated there will still be eleven (11) lots and all meet zoning requirements. There are minor changes to drainage to allow for the extension, but the elevation of the basin and outlet structures are the same. At the 25ft no disturb line a temporary retaining wall will be constructed and it will retain the infrastructure outside the 25ft no disturb.

Ms. Hershey stated these changes appear to be under the Roscommon filing and not Olmsted

Mr. Glossa stated they will build the retaining wall and show its location at the end of the construction.

The commission discussed how confusing the two filings are to follow

Mr. Wiley stated a note needs to be put on the plan to show a portion of the roadway is part of the Roscommon Filing

Ms. Hershey stated there is an Order of Conditions for Olmsted. An amendment is in addition to what has been approved, and not something replaced or added. The permit is the Order and this does not replace it. All that is amended is the removal of the existing cul-de-sac and extension of the roadway. The applicant needs to submit a plan showing amended activity only

Mr. Wiley stated for Mr. Glossa to show on the plan whatever has changed

Ms. Hershey reviewed the regulations and stated there is no provision in the Wetland Protection Act for amendment

Mr. Wiley stated the amendment can be approved subject to the conservation agent's review

Mr. Goetz made the motion to close the Public Hearing

Ms. Dyer seconded the motion

Vote: 6-0-0

Closed: 11:10

Mr. Goetz made the motion to approve the plan as an amendment to Order of Conditions DEP# 315-1062 once revised and reviewed by the conservation agent

Ms. Dyer seconded the motion

Vote: 6-0-0

The commission discussed the revised plan needs to show the amended activity only with a note that clearly indicates the boundary between the Olmsted amendment and the Roscommon filing.

GENERAL BUSINESS

WISTERIA WAYS II – CONSERVATION RESTRICTION

Mr. Wiley stated to the audience that there will be a discussion amongst the commissioners in regards to Wisteria Ways II and the Conservation Restriction. There is a dispute among neighbors of Wisteria Ways in regards to use of a skating rink. Mr. Wiley stated the audience would not be able to participate in this discussion and it is on the Agenda for January 13, 2016 where at that time it would be open to public input. Ms. Hershey reached out to Town Counsel for input and direction in regards to the Conservation Restriction and a response was not received until today. Mr. Wiley stated the commissioners have not had a chance to review this and feel it necessary at this point to not engage in discussion until they have had the opportunity to do so.

Attorney Bill O'Connell, who is representing one of the neighbors requested the audience be able to participate in the discussion and was adamant that they should be able to do so.

Mr. Wiley stated the commission would review Town Counsel's letter and would get back to interested parties in the neighborhood prior to the January meeting after Town Counsel's letter was reviewed.. He stated in the meantime it would be in the best interest of all involved for the Homeowner Association to try and work this out

MINUTES

NOVEMBER 12, 2015

Ms. Dyer made the motion to approve the Minutes for November 12, 2015

Mr. Goetz seconded the motion

Vote: 6-0-0

2016 MEETING DATES

Ms. Watson made the motion to approve the Conservation Commission Meeting Dates for 2016

Mr. Goetz seconded the motion

Vote: 6-0-0

EXTENSION

TOWN OF WALPOLE

MUNICIPAL ORDER OF CONDITIONS

DEP# 315-683

Ms. Watson made the motion to approve and issue a one year extension for the routine Town of Walpole Order of Conditions

Mr. DiVirgilio seconded the motion

Vote: 6-0-0

CERTIFICATE OF COMPLIANCE

WASHINGTON ST. LOT B

DEP# 315-1060

Ms. Watson made the motion to approve and issue a Certificate of Compliance with on-going conditions

Mr. DiVirgilio seconded the motion

Vote: 6-0-0

**LACIVITA DR. #11
DEP #315-1081**

Ms. Dyer made the motion to approve and issue a Certificate of Compliance with On-going conditions

Mr. DiVirgilio seconded the motion

Vote: 6-0-0

**NORTH ST. #651
DEP #315-1086**

Mr. Goetz made the motion to approve and issue a Certificate of Compliance with on-going conditions

Ms. Dyer seconded the motion

Vote: 6-0-0

**MINOR MODIFICATION
HANCOCK CT. LOT 5
DEP# 315-809**

Ms. Hershey stated that Mr. Sullivan came in the office requesting a minor modification to the approved Order of Conditions for Lot 5 Hancock Ct. The request is to pull back the haybales which would enable the rainwater to slope towards the wetlands.

Ms. Dyer made the motion to approve the change as a minor modification to the approved Order of Conditions

Mr. DiVirgilio seconded the motion

Vote: 6-0-0

**ENFORCEMENT ORDER
MAIN ST. #1900 315-1043**

The commission discussed they would like to hold a site visit at 1900 Main St. on December 19, 2015 at 9:00 a.m. This will be posted and Mr. Santos will be notified

Mr. DiVirgilio made the motion to adjourn

Ms. Watson seconded the motion

Vote: 6-0-0

Meeting Closed: 11:45