

CONSERVATION COMMISSION

MINUTES

(Approved 2/26/14)

FEBRUARY 12, 2014

Present: A. Goetz, Vice Chairman

B. Dyer, R. Turner, E. DiVirgilio, D. Adams, J. Finnigan

Absent: J. Wiley

Also Present: L. Hershey, Conservation Agent

Conservation Agent report given to the board

MEETING OPENED: 7:00

PUBLIC HEARING

NOTICE OF INTENT

NORTH ST. #465

DEP# 315-1042

Opened: 7:01

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

Board comments were read into the record

Mr. Brian Murphy, of Glossa Engineering was present representing the applicant. Plans were submitted entitled “#465 North St. Sewer Connection Plan” and dated 12/30/13

Mr. Murphy stated the house is surrounded by wetlands and the septic system is failing. He stated the filing is to connect to the municipal system. Erosion controls are in place and a dewatering plan shall be provided prior to construction

Ms. Hershey asked about the existing culvert and whether the line would be snaked under it. She stated that previously there were issues there when a gas connection was installed. Ms. Hershey stated if there are any issues or problems with the culvert the commission needs to be notified as soon as possible.

Mr. Goetz agreed the property is surrounded by water and feels this is a good idea to connect with the municipal system.

The commission had no other issues with this filing

Ms. Dyer made the motion to close the Public Hearing

Mr. DiVirgilio seconded the motion

Vote: 6-0-0

Closed: 7:10

The commission discussed special conditions to include a dewatering plan shall be provided to the commission prior to construction, and any issues with the culvert need to be provided to the commission as soon as possible.

Ms. Dyer made the motion to approve and issue an Order of Conditions with special conditions

Mr. DiVirgilio seconded the motion

Vote: 6-0-0

CERTIFICATE OF COMPLIANCE

GLENDAL RD. #10

DEP# 315-1044

Ms. Hershey stated she is fine with the issuance of a Certificate of Compliance with the special continuing condition that the dock shall have a permanent ID tag

Ms. Dyer made motion to issue a Certificate of Compliance

Mr. DiVirgilio seconded the motion

Vote: 6-0-0

ENFORCEMENT ORDER

33 INDUSTRIAL RD.

Borrego representatives were asked to come before the board to address concerns with the enforcement issues which occurred at 33 Industrial Rd. Mr. David Albrecht representing Borrego Solar Systems, and Rachel Watsky of Goddard Consultants were present.

Mr. Goetz asked the representative what the plan was to clean up the mess which occurred.

Mr. Albrecht discussed the erosion controls which are in place and being monitored more diligently. He discussed that in the event a precipitation event Matt Kerr will be there and insure the proper erosion controls are working properly.

Ms. Rachel Watsky of Goddard Consulting went onsite with Ms. Hershey and they looked at breaches which have occurred. She submitted a report, and discussed that once the ground thaws the clean up can occur. Her fear is more damage could occur if they attempted to begin now due to snow cover and frozen soil, but they believe the area is stabilized as well as possible now.

Ms Hershey stated the site is much improved since the violations have occurred, and would like to have a chain of command to call in case there are issues in the future. She explained she had been on the site at least three times and no one was there. She discussed sedimentation going down the swale and discharging out of the existing pipe

The commission agreed clean up will occur in the spring and reiterated the need for someone to be present on a daily basis, and especially when a precipitation event is in the forecast.

Mr. Albrecht stated the check for the fine issued from the conservation commission has been processed.

**CONTINUED PUBLIC HEARING
ABBREVIATED NOTICE OF RESOURCE AREA DELIENATION
NORTH ST.
DEP# 315-1041**

Opened: 7:35

Mr. Goetz read the advertisement from the Walpole Times for this Public Hearing that has been continued a few times.

There were no new board comments read into the record

Mr. Michael Viano was present. He stated that the commission has appointed Eco Tech for Peer review for this site. Due to weather conditions Mr. Viano stated it is in the best interest to continue the Public Hearing until March 26, 2014, as it is not a good time to delineate the wetlands.

Ms. Hershey agreed with Mr. Viano. Ms. Hershey requested that since work is occurring on the site she would like to see survey stakes at the boundary of the 100 ft buffer from the wetlands line. She also stated once the ground thaws to keep an eye on erosion controls and make sure they are in place.

**Ms. Dyer made the motion to continue the Public Hearing until March 26, 2014 at 7:00 p.m.
Mr. DiVirgilio seconded the motion
Vote: 6-0-0**

**CONTINUED.PUBLIC MEETING
REQUEST FOR DETERMINATION OF APPLICABILITY
NORTH ST. LOT C**

OPENED: 7:45

Mr. Goetz read the advertisement from the Walpole Times. Certificates of Mailing were accepted

Mr. Michael Viano was present.

Ms. Hershey stated that since the last meeting, she was able to get on site and review the wetland line. She stated she verified wetland flags #1-1 through #1-20, and made a small change at flag #1-14 which she wanted moved up-gradient. She stated she would recommend issuing a Negative 4 Determination as the work is not within the buffer

The commission had no other issues

Ms. Dyer made the motion to close the Public Hearing

Mr. DiVirgilio seconded the motion

Vote: 6-0-0

Closed: 7:50

Ms. Dyer made the motion to approve and issue a Negative 4 Determination

Mr. DiVirgilio seconded the motion

Vote: 6-0-0

PUBLIC HEARING

NOTICE OF INTENT

GLEN DR. #2

DEP 315-1044

Opened: 7:51

Mr. Goetz read the advertisement from the Walpole Times. Certificates of mailing were accepted

Mr. Goetz read the board comments into the record. Plans were submitted entitled “#2 Glen Drive Notice of Intent Plan of Land in Walpole MA” dated January 17, 2014

Mr. Brian Murphy, Glossa Engineering was present representing the applicant He stated this site is located on Glen Dr. and the proposal is for a garage addition to the existing house, including a driveway and grading. Mr. Murphy stated in the rear of the house is a drainage ditch and the wetlands have been flagged. Mr. Murphy stated the existing garage will be converted to a breezeway. All work is located outside the 25 ft. no disturb. Mr. Murphy stated erosion controls including silt barrier shall be around the deck to the front of the property. Mr. Murphy stated a dewatering plan can be submitted if requested and stated the project shall take 2-3 months to complete.

Ms. Hershey stated she went out on site and the BVW was flagged along the stream. She stated erosion controls need to be in place during construction and silt needs to be kept off the street.

Mr. Goetz asked if there was any question of whether the stream was perennial or intermittent. He also discussed excavated materials should be removed from the site.

Ms. Hershey stated the stream is intermittent

The commission had no issues with this filing

Ms. Dyer made the motion to close the Public Hearing

Mr. DiVirgilio seconded the motion

Vote: 6-0-0

Closed: 8:00

Special conditions were discussed to include street sweeping if needed and excavated materials shall be removed from site

Ms. Dyer made the motion to approve and issue an Order of Conditions

Mr. DiVirgilio seconded the motion

Vote: 6-0-0

PUBLIC HEARING

LAND DISTURBANCE PERMIT

LESTER GRAY DR & MILLBROOK AVE

HIGH OAKS ESTATES

Opened: 8:04

Mr. Goetz read the advertisement from the Walpole Times. Green cards were accepted

Board comments were read into the record. Plans were presented entitled "Erosion and Sedimentation Control Plan" prepared by Beals and Thomas dated 1/17/14

Mr. Eric Laas of Beals and Thomas, Bill Keaton and Britton Bradford of Toll Brothers were present. Mr. Laas stated the High Oaks Subdivision came before the Town's bylaw was in place, so in order to disturb over 40,000 square feet Ms. Hershey explained a permit would be needed to address Stormwater.

Mr. Laas stated this Land disturbance Permit filing is for the proposed disturbance on 24 upland lots in the High Oaks Estates Subdivision, and submitted for the Town's Stormwater Management and Erosion Control Bylaw Regulations. Mr. Laas stated this Land Disturbance Permit has been prepared consistent with the existing SWPPP. Mr. Laas stated that a number of Notice of Intents have been previously submitted, with more coming before the commission at the next scheduled meeting. These 24 upland lots are not covered under the previous filings but are under this Land Disturbance Permit.

Beals and Thomas handed out supplemental information to the commission addressing Town Engineer comments dated 2/12/14.

Mr. Laas stated the lots are generally wooded although some clearing has occurred as part of the prior construction of the subdivision roadways. An Order of Condition was issued for this and

partial Certificate of Compliance issued in 2011. Mr. Laas discussed, the stormwater management system detention basin in this area was constructed based on the seasonal high groundwater and based on the commissions approval. Mr. Laas discussed the phasing of the plan, erosion controls shown along Lester Gray and MillBrook Ave. and the management of minimizing erosion with barriers located along the limit of work. Detailed construction fencing and straw wattles and construction entrance will be in place as well. Mr. Laas stated each lot is up for sale individually and the intent is not to clear all of the lots at once, but in groups. Some are fill lots and others cut lots. The proposed plan is based on typical house models.

Mr. Turner stated it appears no erosion controls are located between the house lots but only around the lots. He discussed the use of loam and clear cutting

Mr. Bill Keaton of Toll stated they plan on handling the earthwork in an efficient manner and stabilize the lots. He stated they would be willing to use loam, but find that hydrograss does a great job. He stated they will only grade in advance of selling a house and avoiding stockpiling is a priority

The commission discussed an erosion control monitor shall be appointed to oversee erosion control emergencies and have authority to stop construction if necessary. They need to be available including weekends if needed. A name and number shall be submitted to the commission

Ms. Dyer made the motion to close the Public Hearing

Mr. DiVirgilio seconded the motion

Vote: 6-0-0

Closed: 8:31

The commission discussed Street sweeping, silt sacs in catch basin, and erosion control report be made available for the commission

Ms. Dyer made the motion to approve and issue a Land Disturbance Permit with conditions

Mr. DiVirgilio seconded the motion

Vote: 7-0-0

PUBLIC MEETING

RDA

ROUTE 95-MASS DOT HIGHWAY-DIV 5

Opened: 8:36

Mr. Goetz read the advertisement from the Walpole Times

Mr. Goetz read board comments into the record

Plans submitted entitled “Walpole – Route 95 USGS Locus Map, dated 1/16/14 and Walpole Route 95 – Spray/No spray Sketches dated 2010 and 2014 were submitted.

Mr. Mike Clements of District 5 Mass DOT was representing. He stated he is before the commission for the 5 year Vegetation Management Plan for Route 95. He stated this program is regulated under the Dept. of Agriculture and DEP. They need to have an approved plan in order to be in this program. He stated the program is primarily mowing, applying herbicides and trimming and mulch work. He stated there are some applications of herbicides under the guardrails. Mr. Clements stated all herbicides have been reviewed by DEP and the Dept. of Agriculture. A copy of Pesticide Board (333 CMR) was given to the board for review. Mr. Clements stated a yearly operational plan is given to the commission

The commission had no issues with the Vegetation Management Plan. They discussed there should be no spraying during inclement weather, including wind, and they need to be certified in order to do the spraying.

Ms. Dyer made the motion to close the Public Hearing

Mr. DiVirgilio seconded the motion

Vote: 6-0-0

Closed: 8:48

Ms. Dyer made the motion to approve and issue a Negative 3 Determination

Mr. DiVirgilio seconded the motion

Vote: 6-0-0

PUBLIC HEARING

RDA

ROUTE ONE - MASS DEPT. OF TRANSPORTATION

Opened: 8:51

Mr. Goetz read the advertisement from the Walpole Times

Mr. Goetz read board comments into the record

Plans were submitted entitled Walpole Route 1- USGS Locus Map dated 1/16/14 and Walpole Route 1 – Spray Sketches dated 2010 and 2014 were submitted

Mr. Mike Clements of District 5 Mass DOT was representing. Mr. Clements presented the request for determination showing the areas for the proposed herbicide spraying along route 1 will occur.

The commission had no issues with the application of this under the Vegetation Management Plan

Ms. Dyer made the motion to close the Public Meeting

Mr. DiVirgilio seconded the motion

Vote: 6-0-0

Closed: 8:58

Ms. Dyer made the motion to approve and issue a Negative 3 Determination

Mr. DiVirgilio seconded the motion

Vote: 6-0-0

EXTENSION

WINTER ESTATES

DEP# 315-889

Ms. Hershey stated the Order of Conditions for this was issued prior to the Bylaw, and the applicant needs to comply with Stormwater Management regulations. The Order expires in May but the request came in now. The applicant has been told by the Town Engineer they need to go before the Planning Board for revisions to the subdivision plan.

Ms. Dyer made the motion to approve and issue a one-year extension for Winter Estates

Mr. DiVirgilio seconded the motion

Vote: 6-0-0

MINUTES

JANUARY 22, 2014

Ms. Dyer made the motion to accept and approve the Minutes for January 22, 2014

Mr. Adams seconded the motion

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

Mr. Adams made the motion to adjourn

Mr. Turner seconded the motion

Vote: 6-0-0

Meeting Closed: 9:30