

CONSERVATION COMMISSION

MINUTES (Approved 3/9/16)

FEBRUARY 24, 2016

Present: A. Goetz, Vice Chairman

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

Absent: John Wiley

Also Present: L. Hershey, Conservation Agent

Conservation Agent report was given to the board.

This meeting is televised. Any additional information can be found on walpolemedia.tv.

CONTINUED PUBLIC HEARING NOTICE OF INTENT ROSCOMMON SUBDIVISION DEP# 315-1094

MEETING OPENED: 7:00

Mr. Goetz read the advertisement from the Walpole Times for this Cont. Public Hearing.

Mr. Goetz read new board comments into the record

Mr. John Glossa, of Glossa Engineering was present with Tom Liddy, of Lucas Environmental, and SR II Ventures managers, Sean McEntee and Michael Viano.

Mr. Goetz referenced a letter submitted from Mr. Glossa dated February 22, 2016 which Mr. Glossa will discuss in his presentation. He also referenced a letter from Lucas Environmental dated 2/16/16 which will be discussed.

New plans had been submitted dated February 9, 2016. Mr. Glossa handed out demonstration plans showing the preferred roadway crossing and the alternative one dated February 23, 2016 for the board to review in reference to Mr. Liddy's letter.

Mr. Liddy stated at the last conservation meeting the board discussed wanting to see alternative access to the location of the roadway. The board was concerned over the location of the proposed roadway which will be the primary access for the residential development. He discussed an alternative roadway access and the differences in the wetland fill and the impact between the two. Mr. Liddy discussed the extent of flooding, waters with hummocks, hollows and organic soils. These are what make the wetlands significant to controlling floods, pollution and wildlife

habitat. Mr. Liddy stated that although there is less fill at the alternative location, there would be more impact to the important wetland type, and have greater impact to the environment and be more difficult to replicate. Mr. Liddy would ask the commission to take into consideration the type of wetland being impacted.

Ms. Hershey stated that after review, she agrees with Mr. Liddy's findings. The wetlands toward the southern alternative crossing would be more difficult to replicate. She took some photographs when she was on the site as well and concurs that the proposed preferred crossing would be best rather than the alternative

Mr. Glossa stated another change since the last meeting was instead of one wide open culvert, two other culverts have been added. There will be three in a row with walls in between. He discussed the water will spread out as it does now and they are taking out the hummocky area from side to side. He stated other significant changes aren't conservation issues; the street has been changed from 24" to 26" width per instruction from the Planning Board. Other changes were made per the Town Engineer and Planning Board. Mr. Glossa discussed Bordering Land Subject to Flooding, replication, and gave out calculations and elevations to the board for review.

Ms. Hershey stated she feels the applicants have presented the information really well showing the differences in the crossings showing which has the least impact on the wetlands. She asked if the applicant feels the three culverts are in the best position. Her other issue is the Vernal pool and No -Alteration area. Ms. Hershey stated based on the Vernal Pool Association fact sheet, protecting migratory pathways to the breeding pools is essential for the populations. She stated that 100ft or more of a buffer is recommended and that in the past the commission has urged there be a greater no-alteration area near the location of a vernal pool. Ms. Hershey gave a few examples of locations that have greater than a 25ft No- Alteration area. She also stated a fair amount of maintenance is needed to the berm, and the slopes to the berm as well as maintenance to the area that will be collecting water. The O&M plan says it needs to be mowed. The wooded areas and shrub areas are also important to the vernal pool.

Mr. Glossa stated he will look into raising the outlet coming from the catch basin so the toe of the slope of the berm is away in the field. He stated there is some leeway to get to the tree line and he will try to get it further away. The berm does need to be mowed a few times a year

Ms. Hershey stated the basins are not well defined and there should be a defined easement area

Mr. Glossa stated it does need to be defined. If there is question of where the limits of the basin begin and end it does need to be defined

Ms. Hershey stated that along with that, part of it is to keep it open space as it is a benefit for habitat

Ms. Hershey stated those are her main comments. She stated the commission should give direction to the applicant regarding which crossing they prefer. The applicant goes to the Planning Board next.

Mr. Glossa stated they would appreciate the board agreeing on a crossing so they can move forward once it is decided

Ms. Watson stated she agrees with Ms. Hershey that it is a fragile area around the vernal pool and she would like increased limits of protection around that area. She asked where the replication work is and she asked if the soils being disturbed are going to the replication area. Ms. Watson stated that works best rather than bringing in organics which was what she read in the Notice of Intent

Mr. Liddy stated she is correct and that should be in the Notice rather than a boiler plate statement.

Ms. Watson discussed some of her recommendations for planting choices in the replication area.

Mr. DiVirgilio stated that he has the same comment regarding the vernal pool protection as Ms. Hershey. He stated that during the site visit he agrees the proposed preferred crossing is the better choice in his opinion as well

Mr. Turner discussed concerns with snow being pushed in the wetlands and the culvert being blocked and obstructed with heavy snow or debris.

Mr. Glossa stated there is adequate room for snow storage. He stated the three culverts will allow runoff to go through without restrictions and without the velocity changing.

Ms. Dyer stated she is grateful to have a Horticulturist on the board. She is not feeling good about the buffer surrounding the vernal pool and instead of being told they will “pull it back” she would like more specific information. Ms. Dyer thinks it is too vague to just say it will be pulled back

Mr. Glossa stated that he estimates it will be more than 50 ft. away, more like 70ft. away from the wetland edge. He would like to put the berm in without having to take down any trees, that is the goal

Mr. Liddy stated that part of the Army Corp process was that some lots had to be eliminated to enhance the buffer for the Vernal Pool. He stated this is not a typical development with just parking lots, pavement etc., and that it still will be grassland

Ms. Dyer stated she went to Walden Dr. to look at an example of a crossing. Although the calculations reassure us it can handle a storm, if a dam –like structure goes across any water, the flow of water will go. Why not put it as close to the Walden Dr. situation. She stated she is not convinced it won’t have effect on the wetlands.

Mr. Glossa stated they have given alternatives. They are not increasing velocity any differently than when it goes through the culvert now. The water will just meander. He discussed the differences between the two locations

Ms. Hershey discussed the alternative crossing will alter the areas that are out there now and get more pronounced through the South. If it is filled in it will be hard to re-create and is important for habitat. If the culverts are placed properly it shouldn't be a dam-like situation, the flow will be equal as it goes through the three culverts.

Mr. Glossa suggested they stake it out prior to the next meeting and it can be looked at.

Ms. Hershey stated it would need to be right on the property line if done the other way, and that the three culverts are better than one.

Mr. Goetz stated he is appreciative of having the two plans showing the choices to look at side by side. He questions the location of the three culverts and why they chose to put the two additional ones right next to the middle one instead of spreading them out. Secondly, he stated he appreciates the calculations shown. He stated in keeping with the fact there is change of weather patterns the thinking is to accommodate change in climate as much as we can. The southern alternate crossing has significantly more wetland disturbance and fill, but the key is not the number, but the kind of wetland it is. Hummocky areas are difficult to replicate, so on that basis he feels the original crossing location is the least disruptive to natural conditions. Seeing the two crossings side by side answers many questions, so he is agreeable to what was proposed. Mr. Goetz spoke about the importance of vernal pools for habitat and would like an increase in the buffer zone for that purpose.

Ms. Dyer asked if the three culverts should be spread out

Mr. Glossa stated it didn't need to be decided tonight and that he will stake it out and let the board look at it.

Mr. Goetz asked if there were questions or comments from the audience

Ms. Dyer made the motion to accept the applicants proposed crossing for the roadway and to look at other spacing alternatives of the three culverts

Mr. DiVirgilio seconded the motion

Vote: 4-0-2 (Mr. Finnigan and Ms. Watson abstained)

Mr. Finnigan asked some questions regarding the Conservation Easement documents that were emailed to the commission on February 19, 2016. He asked Mr. Viano for clarification on the difference between the trail and the trail easement. He found the document confusing.

Mr. Viano stated he will ask Counsel for some clarifications

Ms. Dyer made the motion to continue the Public Hearing until March 23, 2016 at 7:00 p.m.

Mr. DiVirgilio seconded the motion

Vote: 6-0-0

**PUBLIC HEARING
NOTICE OF INTENT**

MOOSEHILL RD. #250 (LEAGUE SCHOOL)
DEP# 315-1101

Opened: 8:27

Mr. Goetz read the advertisement from the Walpole Times. Green cards were submitted by the applicant

Mr. John Massauro, of High Point Engineering was present with Mr. Frank Gagliardi, Director of the League School of Greater Boston

There were no new comments to be read into the record as a filing for an amendment and extension came before the board previously. An amendment was voted with the stipulation that if the Town Engineer and Conservation Agent felt it was a major change the applicant would file a Notice of Intent and come back after notifying abutters for this project. The one-year extension was approved and issued

Mr. Massauro stated there are no new plans to submit. They are currently before the Planning Board and he provided a letter from the Town Engineer dated February 16, 2016. Mr. Massauro stated test pits witnessed by the Town Engineer were completed and the location of the new drainage basin was done. He stated there were no issues with the soil and groundwater. Mr. Massauro stated there are improvements to the site, with the biggest change being the introduction of a stormwater basin. The existing septic system will be gone. Mr. Massauro stated the holding tank is well oversized with a three day holding capacity should there be any issues. There will be a huge change in water quality with the new stormwater system so they feel this is a big improvement to the site.

Ms. Hershey stated that since abutters were not notified last time both herself and the Town Engineer felt a Notice of Intent was appropriate. They both wanted to insure that the design of the basin meet stormwater standards and the soils be evaluated. She stated they found no issues and the soil is good for infiltration. She has no issues

Mr. Goetz stated having a new stormwater system on a site that didn't have one isn't a minor change so he agreed a Notice of Intent was necessary. He stated he looks forward to seeing the improvements with this project

Mr. Dyer made the motion to close the Public Hearing

Mr. DiVirgilio seconded the motion

Vote: 6-0-0

Closed: 8:40

The commission discussed standard special conditions and the Operations and Maintenance Plan shall be incorporated in the Order of Conditions

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

CONTINUED PUBLIC HEARING
NOTICE OF INTENT AND LAND DISTURBANCE PERMIT
ELM ST. #100
DEP# 315-1100

Opened: 8:41

Mr. Goetz read the advertisement from the Walpole Times.

Mr. Goetz read an email from the applicant received in the office on February 22, 2016 requesting a continuance until March 9, 2016.

Ms. Watson made the motion to continue the Public Hearing until March 9, 2016 at 7:45 p.m.

Ms. Dyer seconded the motion
Vote: 6-0-0

MINUTES

FEBRUARY 10, 2016

Mr. DiVirgilio made the motion to approve the Minutes for February 10, 2016

Ms. Dyer seconded the motion
Vote: 5-0-1 (Mr. Turner abstained)

BOARD COMMENTS

PLANNING BOARD – OLMSTED ESTATES MODIFICATION Ms. Hershey stated she put in her Agent report that there are deficiencies with the basins which need to be addressed. She will provide a letter to the Planning Board with conservation issues

PLANNING BOARD – PRODUCTION RD. #23 & 27 – Ms. Hershey stated the proposed building construction is within 100 feet of a BVW and a Notice of Intent will be required

PLANNING BOARD – PRODUCTION RD. #24 & 28 – Ms. Hershey stated that this proposed building construction will require a Notice of Intent with the conservation commission

PLANNING BOARD – ROSCOMMON SUBDIVISION – Ms. Hershey stated comments from this evening as well as comments regarding the Open Space and CR, trails and tree maintenance will be submitted to the Planning Board prior to their next hearing with Roscommon

GENERAL BUSINESS

A discussion amongst the commissioners took place regarding the Conservation Restriction language for the SR II Ventures, LLC Emerald Way parcels. Some members feel that Town Counsel should review, or come to one of the meetings, as they have questions regarding implications in having a commercial building and Equestrian facility on Open Space and also maintenance of a Trail Easement.

Ms. Watson made the motion to adjourn

Mr. DiVirgilio seconded the motion

Vote: 6-0-0

Meeting Closed: 9:30