

# **CONSERVATION COMMISSION**

## **MINUTES**

**(Approved 3/12/14)**

**FEBRUARY 26, 2014**

**Present: A. Goetz, Vice Chairman**

**B. Dyer, E. DiVirgilio, D. Adams, R. Turner**

**Absent: J. Wiley, J. Finnigan,**

**Also Present: L. Hershey, Conservation Agent**

Conservation Agent report given to the board

**MEETING OPENED: 7:00**

**CONT. PUBLIC HEARING  
NOTICE OF INTENT &  
LAND DISTURBANCE PERMIT  
DEP# 315-1025**

Opened: 7:01

Mr. Goetz read the advertisement from the Walpole Times. This hearing was originally opened on June 26, 2013 and has been continued several times.

Mr. Goetz read a letter into the record from the applicant's representative Coneco Engineers dated 2/25/14. The applicant is requesting to withdraw the application without prejudice. They are requesting the allowance of a resubmission once the existing issues with DEP and the Attorney General have been resolved. They are also requesting a waiver of the original filing fees, but will re-notify abutters prior to the resubmission

**Ms. Dyer made the motion to accept the withdrawal of these filings without prejudice; to waive the filing fees for the Wetlands Protection Act and local Bylaw when resubmitted, with the exception that advertising fees and notification of abutters being required**  
**Mr. DiVirgilio seconded the motion**  
**Vote: 5-0-0**

**OTHER BUSINESS**

**REQUEST FOR MINOR MODIFICATION  
LOT 2 WARREN LANE**

**DEP# 315-998**

Mr. John Glossa was present to discuss his request for a Minor Modification to the approved Order of Conditions for Lot 2 Warren Ln. DEP# 315-998. He gave the commission a revised plan dated 2/25/14 showing the proposed changes. An easement was given to the Town of Walpole and the proposal is to install a pipe within this easement to convey stormwater from the Town catch basin to 25 ft from the wetlands and to the rear of Lot 2 Warren Ln.

Ms. Hershey and the Town Engineer have reviewed the plan, and it was approved by the Engineering Office. The commission discussed that it is the Town of Walpole's responsibility for the maintenance of the pipe and the easement, not the homeowner.

**Ms. Dyer made the motion to approve and accept the plan submitted as a Minor Modification to the approved Order of Conditions**

**Mr. DiVirgilio seconded the motion**

**Vote: 5-0-0**

**PUBLIC HEARING****NOTICE OF INTENT****MAIN ST. #564****ROCKLAND FEDERAL CREDIT UNION****OPENED: 7:15**

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

Mr. Goetz read board comments into the record

Mr. Dan Merrikin, Merrikin Engineering was present representing the applicant Rockland Federal Credit Union. The future owner Mr. Greg Salvatore and representatives from RFCU Tom White and Joanne Lowe were present as well. Plans were submitted entitled "564 Main St. Plan of Land in Walpole MA" dated 1/28/14 and "Attachment A: Stormwater System O&M Plan" dated 1/28/14.

Mr. Merrikin stated the proposal of this filing is for the construction of a commercial building (Rockland Federal Credit Union) in the buffer zone with a small amount of work occurring in the riverfront area located at 564 Main St. The current site is a residence with attached beauty salon, so most of the proposed work area is in a previously disturbed and developed site. Mr. Merrikin stated the areas around Cobbs Pond, Cobbs Brook and a BVW has been delineated and flagged. He stated a portion of the existing house and yard is in the buffer. Mr. Merrikin stated he has shown an area with Land subject To Flooding on the plan but no work is being proposed in that area, only work in the outer corner of the outer riparian. Mr. Merrikin showed these areas located on the plan. Mr. Merrikin stated the proposed building is single story with a triple drive-thru lane. None of the proposed work on the site lies within a resource area nor will it alter it, the work is proposed in the buffer with erosion controls around the construction site including filter socks and orange snow fence. Mr. Merrikin stated there will also be two construction entrances as well.

Mr. Merrikin stated the work in the riverfront area will only affect 200 square feet of disturbance, and includes reconfiguration of the existing shoulder and sidewalk into a new driveway. This is located on the opposite side of Main St. and Cobbs Brook, therefore will not affect the Riverfront area. Mr. Merrikin discussed drainage, including infiltration basins, and stated test pits have been done and the soils are good for drainage with plenty of room. Three catch basins are on the plan with a Forebay to re-treat. Mr. Merrikin stated this is a redevelopment project, but they are complying with stormwater management standards. A SWPPP has been provided to the commission and general EPA requirements have been met. He stated inspection reports, O&M plan and Long Term Pollution prevention plan is included. Mr. Merrikin has met with Ms. Hershey and the Town Engineer to go over this plan, and stated he is working on revisions regarding the comments they made. Mr. Merrikin would like to request a continuance until Ms. Hershey can go out with him and review the wetland line once the snow is gone.

Mr. Adams asked about access to Cobbs Pond, and would there be consideration to the right side of the property line for the public to have access

Mr. Merrikin stated they have proposed a possible trail and will work with Ms. Hershey. He stated the applicant is willing to entertain this.

Mr. Turner spoke of his concerns with fire apparatus getting to Cobbs Pond

Mr. Goetz stated he would like to request getting back a curb cut that was lost when the Stop and Shop Supermarket went in across the street. He stated airboats are unable to get to the pond to complete vegetation management.

The commission discussed the Town would need to discuss this with MassDOT

There were no comments or questions from the audience

**Ms. Dyer made the motion to continue the Public Hearing until March 26, 2014 at 6:45 p.m.**

**Mr. DiVirgilio seconded the motion**

**Vote: 5-0-0**

**PUBLIC HEARING  
LAND DISTURBANCE PERMIT  
KEANY ESTATES (OFF MOOSEHILL)**

Opened: 7:56

Mr. Goetz read the advertisement from the Walpole Times

Mr. Goetz read board comments into the record

Mr. Dan Merrikin, Merrikin Engineering was present representing the applicant Richard Shields

Ms. Hershey stated that the wetland line was reviewed at the time when Lot 5 was given to the Town, and no filing was required at the time of this subdivision plan. Because the applicant is proposing to alter over 40,000 square feet, a Land Disturbance application is necessary simply to review stormwater management, phasing, and erosion controls.

Mr. Merrikin stated this subdivision was approved in 2006 prior to the Land Disturbance and Stormwater Management Bylaw, and Mr. Shields has purchased the property with the intent to build a house for himself and sell the other lots. The development is Keaney Estates and the roadway is Virginia Way. Mr. Merrikin stated that the Engineering firm who provided the plan for the subdivision was Toomey-Munson and Association, and they are no longer in existence. Merrikin Engineering has been asked to take over. He reiterated that there were originally five lots, but Lot 5 was given to the Town. Plans have been submitted entitled "Keaney Estates Definitive Subdivision Plan of Land in Walpole MA" dated October 10, 2005 and revised January 12, 2006 by Toomey Munson. And "Keaney Estates Definitive Subdivision Walpole MA Storm Drain Analysis" dated October 12, 2005. A copy of a SWPPP was prepared and submitted and copy of the Stormwater O&M plan for review.

Mr. Merrikin stated the site consists of sand and gravel and there will be very little runoff during construction from the site. A line of haybales and silt fence will be in place as erosion controls and will run down the property and the buffer. He stated the site is almost entirely upland. Mr. Merrikin stated they would like to start clearing and putting in the road as soon as possible. They need a condition of approval as Toomey Munson is defunct. A construction entrance will be in place, and there will be three drywells for each house. When the septic design is complete it can be provided to the commission as a special condition

Ms. Hershey stated she would like to see the footprint of the house on a plan when they come for a building permit sign off

Mr. Goetz asked for comments from the audience

Ms. Dawn Leonard, 5 Johnson Dr. discussed water flow issues and her concerns

Mr. Merrikin assured her that this project as presented should not contribute to any additional water issues

**Ms Dyer made the motion to close the Public Hearing**

**Mr. DiVirgilio seconded the motion**

**Vote: 5-0-0**

**Closed: 8:16**

The commission discussed special conditions to include extra erosion controls on site in case they are needed, plans must show the location of drywells and a sketch of the construction entrance.

**Ms. Dyer made the motion to approve and issue a Land Disturbance Permit**  
**Mr. DiVirgilio seconded the motion**  
**Vote: 5-0-0**

**PUBLIC HEARING**  
**NOTICE OF INTENT**  
**LADY SLIPPER DR. #8 LOT 107**  
**DEP# 315-1046**

**OPENED: 8:20**

Mr. Goetz read the advertisement from the Walpole Times.

Mr. Goetz read a letter into the record from the applicant's representative dated February 26, 2014 requesting a continuance for the High Oaks Filings until the next available conservation meeting.

**Ms. Dyer made the motion to continue the Public Hearing until March 12, 2014 at 7:10 p.m.**  
**Mr. DiVirgilio seconded the motion**  
**Vote: 5-0-0**

**PUBLIC HEARING**  
**NOTICE OF INTENT**  
**LADY SLIPPER DR. #6 LOT 108**  
**DEP# 315-1045**

**OPENED: 8:21**

Mr. Goetz read the advertisement from the Walpole Times.

Mr. Goetz read a letter into the record from the applicant's representative dated February 26, 2014 requesting a continuance for the High Oaks Filings until the next available conservation meeting.

**Ms. Dyer made the motion to continue the Public Hearing until March 12, 2014 at 7:11 p.m.**  
**Mr. DiVirgilio seconded the motion**  
**Vote: 5-0-0**

**PUBLIC HEARING**  
**NOTICE OF INTENT**  
**HIGH OAKS CT. LOT 142**  
**DEP# 315-1049**

**OPENED: 8:22**

Mr. Goetz read the advertisement from the Walpole Times.

Mr. Goetz read a letter into the record from the applicant's representative dated February 26, 2014 requesting a continuance for the High Oaks Filings until the next available conservation meeting.

**Ms. Dyer made the motion to continue the Public Hearing until March 12, 2014 at 7:12 p.m.**

**Mr. DiVirgilio seconded the motion**

**Vote: 5-0-0**

**NOTICE OF INTENT**

**LESTER GRAY DR. #35 LOT 140**

**DEP# 315-1047**

**OPENED: 8:23**

Mr. Goetz read the advertisement from the Walpole Times.

Mr. Goetz read a letter into the record from the applicant's representative dated February 26, 2014 requesting a continuance for the High Oaks Filings until the next available conservation meeting.

**Ms. Dyer made the motion to continue the Public Hearing until March 12, 2014 at 7:13 p.m.**

**Mr. DiVirgilio seconded the motion**

**Vote: 5-0-0**

**PUBLIC HEARING**

**NOTICE OF INTENT**

**LESTER GRAY DR. #39 LOT 141**

**DEP# 315-1048**

**OPENED: 8:24**

Mr. Goetz read the advertisement from the Walpole Times.

Mr. Goetz read a letter into the record from the applicant's representative dated February 26, 2014 requesting a continuance for the High Oaks Filings until the next available conservation meeting.

**Ms. Dyer made the motion to continue the Public Hearing until March 12, 2014 at 7:14 p.m.**

**Mr. DiVirgilio seconded the motion**

**Vote: 5-0-0**

## **MINUTES**

**FEBRUARY 12, 2014**

**Ms. Dyer made the motion to approve the Minutes of February 12, 2014**

**Mr. DiVirgilio seconded the motion**

**Vote: 5-0-0**

## **CERTIFICATE OF COMPLIANCE**

**NIGHTINGALE FARM ROAD #12**

**DEP# 315-970**

**Mr. DiVirgilio made the motion to approve and issue a Certificate of Compliance**

**Ms. Dyer seconded the motion**

**Vote: 5-0-0**

## **BOARD COMMENTS**

Planning Board - Kingswood Estates – Ms. Hershey reported that this filing coming before Planning Board is for the proposal of a 3- lot subdivision located on Bubbling Brook Rd. She stated there are wetland resources out there. The commission strongly recommends the area be delineated before the subdivision gets approved.

Planning Board and Zoning Board of Appeals – Main St. #564 (RFCU) The Board's only comment is that this filing is before the conservation commission presently

Zoning Board of Appeals – Pleasant St. #119 – The board has no comment

Zoning Board of Appeals – Cedar St. #759 – The board has no comment

## **CORRESPONDENCE**

The following correspondence was discussed and available for the board to review:

- NSTAR ROW 4 – Vegetation Management
- VHB letter – Maintenance Activities NSTAR Electric Towner Repl.
- Commonwealth of Massachusetts – Warrant Article #13 & 14

**Mr. DiVirgilio made the motion to adjourn**

**Mr. Adams seconded the motion**

**Vote: 5-0-0**

**Meeting Closed: 8:45**

