

CONSERVATION COMMISSION

MINUTES

(Approved 7/9/14)

JUNE 25, 2014

Present: J. Wiley, Chairman

A. Goetz, Vice Chairman

E. DiVirgilio, (7:05) B. Dyer, J. Finnigan, G. Riggott, (7:15) R. Turner

Absent: D. Sullivan

Also Present: L. Hershey, Conservation Agent

Conservation Agent report given to the board

PUBLIC HEARING

NOTICE OF INTENT

MAIN ST. # 1324-1336 (CUMBERLAND FARMS)

DEP# 315-1058

OPENED: 7:00

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

Mr. Philip Henry, Civil Design Group, and Tom Liddy of Lucas Environmental was present representing the applicant, Cumberland Farms

Mr. Wiley read board comments into the record.

Plans were presented entitled "Site Plan Set for Cumberland Farms Store 1324-1336 (RT-1A) Main St. Walpole, MA" dated May 22, 2014

Mr. Henry stated the applicant proposes a redevelopment program which consists of the removal of existing buildings and construction of a 4,513 square foot stand-alone Cumberland Farms convenience store with four gas dispensers and parking space at 1324-1336 Main St. Mr. Henry stated the proposed conditions maintain the two curb cut entrances that exist now, they are reducing the size of the building and are proposing an outside seating area and 19 parking spaces. Mr. Henry also stated there will be two new 20,000 gallon underground storage tanks. Mr. Henry stated portions of the work will occur within the 200 ft. Riverfront area and 100 ft. buffer zone to the bank. Landscaping is also proposed and

will include 18 new trees, 210 shrubbery and groundcover. Mr. Henry discussed the existing retaining walls located on the site, and stated they will need to extend one of them.

Stormwater management was discussed and it was stated it has been designed to the DEP Stormwater Management standards. Mr. Henry stated measures have been taken to treat runoff from impervious areas prior to discharging offsite. He stated rooftop infiltration to achieve recharge has been included in the proposal. Drainage systems consist of deep sump catch basins, and he discussed BMP's to adequately treat runoff from the site. The infiltration system provides mitigation of the flow rates for storm events. Mr. Henry discussed some grading where the driveway dips down is mostly untouched, but they want to bring it to grade to result in a reduction of runoff in that area as well. The new stormceptor will tie into the end point prior to the headwall. Mr. Henry stated a meeting has been set up with the Town Engineer in mid- July to discuss comments

Ms. Hershey stated she would like to know the proposal of replacing what is being disturbed. Are they planning on perfect landscaping, or plantings similar to what is in the 100 ft. She stated there is a large amount of debris, sand and dirt and the area needs cleaning and management of the cleaning. The headwall also needs to be cleaned and maintained. She asked about TSS removal and if they were using oil and grease traps. Ms. Hershey discussed problems with bacteria issues on the Neponset

Mr. Henry stated TSS removal is 81% and that all the catch basins have deep hooded sumps, the skimmer will hold up to 95 gallons of oil

Mr. Riggott asked questions about the headwall. He also asked about the retention basin recharge

Mr. Henry stated they are not proposing to touch the existing headwall, and explained that only clean runoff will recharge into the ground.

Mr. DiVirgilio asked about erosion controls during demolition.

Mr. Henry stated the retaining walls will remain, erosion controls include wattles but they can use silt fencing if the commission would like

Mr. Turner discussed storm event questions and asked about protection from fuel leakage

Mr. Henry discussed the pipe design for the 25 yr. storm and how the volume within the pipes can handle this. He discussed the two dual underground tanks and the piping from the underground storage is also double walled. He discussed audio and visual alarms that show if there is leakage of liquid. Mr. Henry discussed the site being graded towards the catch basins and the grooves in the pavement directing leakage as well. He stated all will drain to basins with hooded pumps as preventative measures.

Mr. Turner stated his concerns about the brook and the Neponset and the need for preventative measures.

Ms. Dyer stated the site is packed, and where is the snow being put currently and in the future

Mr. Henry stated the snow has been pushed toward the edges near the retaining walls. In the future it will be along the edge of landscaping and a note on the plan states that snow should not exceed 6 ft.

Ms. Dyer also asked about what is beyond the retaining wall and what is to prevent trash and debris from continuing to be an issue in that area. She stated it would be easy to throw things over the wall.

Mr. Goetz stated he completed a site visit and found the property to be disgusting. He stated there were six or seven dumpsters in disrepair, junk all over the place and he had to walk through grease to get to the retaining wall. He stated his disappointment the owners were not present at the Hearing to address this. He noted on the other side of the retaining wall was piles of sand, tires and garbage, and he watched young boys jump over the headwall to hang out in the area. He stated the fence on the headwall is not high enough to prevent this. He stated he saw no system to capture spillage of gas on the plan, no mention of the abandonment of old tanks properly and how the applicant plans to put the new ones in. He stated in the Town of Norwood they require bladders outside of the double walled tanks and a canopy over the dispensing of gas. He feels the plan is lacking and would like to see information on the new tanks, removal of old ones and demolition plan. Mr. Goetz stated under the regulations for redevelopment the key words are to show improvement to the environment, and he wants to see the owners do much more than they have done.

Mr. Henry stated there is an O&M plan, and that Cumberland Farms Redevelopments are starting to go up in New England and are much improved. He plans to meet with Ms. Walker and Ms. Hershey in July to review issues

Mr. Wiley stated he would like to see orange construction fence in place and no disturb plaques. He also stated that instead of a guard rail he would like to see a fence put in to keep debris and people out of the area. Mr. Wiley stated the owners should be given a week to begin improvements and the commission should consider this being done under an Enforcement Order

Mr. Wiley asked for questions from the audience

Ms. Christina Moore, owner of the Veterinary Hospital next door stated that trash in the back has become a big issue and it would help if it were in an Order of Conditions to keep the area better maintained.

Mr. Goetz made the motion to continue the Public Hearing until August 13, 2014 at 7:00 p.m.

Ms. Dyer seconded the motion

Vote: 7-0-0

The commission discussed issuing an Enforcement Order so the owner may begin cleaning up the area immediately. The board would like to see progress within one week or fines could be implemented. They would like to see plans for further restoration

Mr. Goetz made the motion for the issuance of an Enforcement Order on 1324-1336 Main St., Cumberland Farms

Ms. Dyer seconded the motion

Vote: 7-0-0

PUBLIC HEARING

**NOTICE OF INTENT
AUDUBON DR. #4
DEP# 315-1057
Opened: 8:15**

Mr. Wiley read the advertisement from the Walpole Times and green cards were collected

Mr. Wiley read board comments into the record

Plans were submitted entitled "4 Audubon Dr. Notice of Intent Plan in Walpole MA" dated May 29, 2014

Mr. Paul Cutler, Landmark Engineering was present representing Mr. Jeffrey Forster, who was also present. Mr. Cutler stated this filing is for the reconstruction of an existing stone retaining wall located at 4 Audubon Dr. He stated there was an automobile accident in September of last year, and the vehicle ended up hitting the wall and went into the pond. Mr. Cutler presented photographs for the commission to see.

Mr. Cutler stated he would like to do the repairs during the dry time of the year. He is proposing to use straw wattles as erosion control and stated the work will be done by hand; no machinery. He stated they hope to salvage the rocks which ended up in the pond to rebuild

Ms. Hershey stated completing the work during the dry season will have minimal impact. She stated the location used to be a pond, but turned into a detention pond. Ms. Hershey stated any mixing should be done away from the pond. She questioned what material, cement or mortar was to be used

Mr. Wiley asked for questions from the audience

Mr. John Glossa stated if the applicant uses mortar to be aware it will put weep holes in the joints that will affect the retaining wall. He also stated that the water table is very high

**Mr. Goetz made the motion to close the Public Hearing
Ms. Dyer seconded the motion
Vote: 7-0-0
Closed: 8:28**

Special conditions include the applicant have a dewatering plan in case it is needed. The commission discussed the outflow structure needs to be shown on the plan. The work area shall be revegetated upon completion, and any material removed from site after construction

**Mr. Goetz made the motion to approve and issue an Order of Conditions with special conditions
Ms. Dyer seconded the motion
Vote: 7-0-0**

**CONTINUED PUBLIC HEARING
NOTICE OF INTENT
BUBBLING BROOK RD. (KINGSWOOD ESTATES)
DEP# 315-1051**

OPENED: 8:32

Mr. Wiley read the advertisement from the Walpole Times

Mr. John Glossa, Glossa Engineering, along with applicants, Tom and Marty Taylor were present. Mr. Glossa presented a revised O&M Plan on June 25, 2014, per Ms. Hershey and Town Engineer comments. He stated nothing had changed on the plans which had been revised June 9, 2014. Mr. Glossa went over the comments with the board. Three test pits had been completed, two being where the road will go, and the other where the retention basin will be located, drainage calculations were redone due to the change in road width and there were no changes in the runoff curve number. Elevations were discussed; detail of the berm has been put on the plan. Mr. Glossa stated the headwall has been relocated to the bottom of the slope and the intermittent stream located on the plan. Mr. Glossa discussed the location of the detention basin and stated it is the best spot for it to go as a berm can fit without removing trees

Ms. Hershey stated she had concerns with the detention basin, and how the homeowner would know their responsibilities and that they cannot alter it.

Mr. Glossa stated signage could say it is a flood detention area and no alteration area. Plaques could be in place showing permanence.

The commission discussed seven (7) plaques should be put on Lot 2 and showed Mr. Glossa the locations on the plan. The commission also discussed that this subdivision is less than four lots so this filing is not subject to stormwater regulations

Mr. Turner discussed his concern with the location of the berm and its proximity to the trees.

Mr. Glossa stated they will be able to snake it around the trees so as not to disturb.

Mr. Wiley stated the Order should reflect that Lots 1 and 3 will require a filing with the conservation commission

Mr. Goetz made the motion to close the Public Hearing

Ms. Dyer seconded the motion

Vote: 7-0-0

Closed: 9:00 p.m

Special conditions include the Utility easement shall be staked in the field and inspected by the agent, seven (7) no-disturb plaques shown on plan with verbiage regarding flood storage area, O&M plan shall be included in the Order

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

Ms. Dyer seconded the motion

Vote: 7-0-0

MINUTES

JUNE 11, 2014

Ms. Dyer made the motion to approve the Minutes for June 11, 2014

Mr. Goetz seconded the motion

Vote: 6-0-1

EXECUTIVE SESSION MINUTES

JUNE 11, 2014

Ms. Dyer made the motion to approve the Executive Session Minutes for June 11, 2014

Mr. Goetz seconded the motion

Vote: 6-0-1

EXTENSION

INDUSTRIAL RD. #18

DEP# 315-850

Mr. Goetz made the motion to issue a 12-month Extension for 18 Industrial Rd.

Ms. Dyer seconded the motion

Vote: 7-0-0

OTHER BUSINESS

APPEAL

Ms. Hershey informed the commission a scheduling order from DEP was received in the office for the Moosehill SORAD. There is a pre-conference hearing in Lakeville to discuss mediation and Town Counsel recommends the commission respond whether they will go to the conference or not. The commission discussed it was not necessary for them to attend but would like to be copied on results of the Hearing.

MUNICIPAL WORK ORDER

DEP# 315-683

A request for work order came in to clean out Spring Brook by the headwall at the outlet

LAND MAINTENANCE

Ms. Hershey informed the commission that the purchase of conservation logos was made with monies allocated for land maintenance. These plaques will designate areas of protected open space

TURNER POND

Ms. Hershey discussed the upcoming meeting with the ponds committee regarding the design of the garage located on the pond. The commission discussed the fact the committee has not put the sign up

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on the gate after receiving direction to do so several times. The commission discussed the use of paddleboats on the pond, and they stated they would like a letter requesting the DPW to direct the removal of these, and to copy the Ponds Committee on this. The commission would like a reminder to be sent out to the abutters on Turner Pond reminding them that no motors are allowed on the pond, including paddleboats. The Town is spending money attempting to control weeds, and the use of these boats increase the weed problem

REORGANIZATION OF THE BOARD

Ms. Dyer made the motion to have the Chairman remain as Jack Wiley and Vice Chairman remain as Albert Goetz

Mr. Riggott seconded the motion

Vote: 7-0-0

CORRESPONDENCE

The following correspondence was discussed and available for review

- VHB, Inc. – Gillette Stadium traffic and access improvements
- Lycott Environmental – Rainbow Pond Treatment 315-803
- TEC Assoc. – Keolis Commuter Services 2014 Veg. Control Program

Mr. Goetz discussed the Town of Norwood is working with the State Congressmen to obtain funding for a Dredge Study. They have been very supportive of this effort. He asked if Walpole would like to partner with Norwood as part of a regional program and put together a cooperative dredging in Walpole for Clarks, Memorial and Cobbs Pond etc. The funding for the work would be combined, but Walpole would be responsible for the permitting and design. Ms. Hershey will discuss this with Jim Johnson who is the acting Town Administrator

Mr. DiVirgilio made the motion to adjourn

Mr. Turner seconded the motion

Vote: 7-0-0

Meeting closed: 9:45