

CONSERVATION COMMISSION

MINUTES (Approved 8/14/13)

JUNE 26, 2013

Present: A. Goetz, Vice Chairman

B. Dyer, R. Turner, D. Adams, J. Finnigan, S. Sparks

Absent: J. Wiley

Also Present: L. Hershey, Conservation Agent

Conservation Agent Report given to the board

MEETING OPENED: 7:00

MINUTES

MAY 22, 2013

Mr. Sparks made the motion to approve the Minutes for May 22, 2013

Mr. Adams seconded the motion

VOTE: 5-0-1 (Mr. Turner abstained)

JUNE 12, 2013

Ms. Dyer made the motion to approve the Minutes for June 12, 2013

Mr. Adams seconded the motion

Vote: 6-0-0

OTHER BUSINESS

DISCUSSION – TURNER POND

Attorney Michael Turner came before the board to discuss his concerns with silting issues on Turner Pond due to sand coming off of Elm St. He also discussed his concerns with the Ponds Committee requesting the use of trolling motors on the Pond. The commission discussed deed restrictions and looking further into this issue after waiting for word from Town Council

PUBLIC HEARING

BERKELEY DR. LOT 3

AMENDMENT FOR ORDER OF CONDITIONS

DEP# 315-832

Opened: 7:25

Mr. Goetz read the Advertisement from the Walpole Times. Certified mailings were received.

Mr. Goetz read the board comments into the record

Mr. John Glossa, Glossa Engineering, was present representing Mr. William Duggan who is in the process of purchasing Lot 3 Berkeley Dr. Plans were presented entitled "11 Berkeley Dr. Amended Plan of Land in Walpole, MA "and dated May 15, 2013. Mr. Glossa stated this is part of the Brush Hill Estates subdivision and has an open Order of Conditions. The applicant is requesting an amendment to this Order and hopes to build a larger house, 45x90, than is on the original plan. Currently this is a wooded lot with a stone wall and no-disturb plaques shown on the plan. Mr. Glossa stated the wetlands have been reflagged and the 25 ft. No-disturb area is on the plan. Mr. Duggan would like the driveway relocated to the other side of the house which is actually away from the wetlands. Mr. Glossa stated he would like to fence in the backyard and add vegetation to the rear to screen the property off from neighbors. Mr. Glossa stated there will be underground leaching chambers and all will connect to Town sewer and water, all outside of the 25ft no disturb. The driveway pitches towards the street into the catch basins. He stated silt sacs and other erosion controls including haybales, silt fence and orange construction fence will be in place

Ms. Hershey stated she has been out on site. She would like to see the stone wall located on the plan which is front of the wetland line. She stated she has reviewed the Order and it references the drainage for the room and the plaques. She has no issues with this proposal. She would like the erosion control line be installed to the street and a rumble pad put in for access and egress.

Mr. Goetz stated he would like to see a revised plan showing the stone wall located on the plan

Ms. Dyer made the motion to close the Public Hearing

Mr. Adams seconded the motion

Vote: 6-0-0

Closed: 7:40

Ms. Dyer made the motion to accept this as an Amendment to the Order of Conditions as will be reflected in the revised plan

Mr. Finnigan seconded the motion

Vote: 6-0-0

CONTINUED PUBLIC HEARING

NOTICE OF INTENT

SHADY LN., #7, Lot 111

DEP# 315-1017

Opened: 7:45

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

Ms. Minihane of Beals and Thomas and Mr. Jeff Heidelberg of Toll Bros. were present. They presented revised plans for the High Oaks Estates lots dated June 18, 2013, along with a letter reflecting the changes requested at the last Public Hearing

Ms. Minihane stated the main concern with the commission was their dissatisfaction with a permissible building approach. She stated the revised plan for lot 111 depicts the actual home footprint, porch and deck, walkway and driveway, as well as revised grading. Utility connections, drywell locations and detail are shown as well. Ms. Minihane stated the easement that crosses the lot is shown on the plan as well. Some tree clearing is proposed, but outside the 25ft. no disturb.

Ms. Hershey discussed the wetland line shown on the plan. She stated she has drafted some special conditions for the lots before us tonight. She would like orange construction fence in front of erosion controls to the rear of the house and along the front, after fill and final grade. She stated a rumble pad should be in place for access and egress, and fill and grading shall occur in dry weather. No alteration signs shall be installed and shown on the plan. Ms. Hershey stated the commission should be provided with written documentation that the vortex unit has been inspected and cleaned out with the request for Certificate of Compliance. On all of the plans there needs to be a verified wetland line. Documentation of the final location of and installation for the drywells should be provided as per engineering standards, and the lawn area needs to be shown on the plan.

Ms. Minihane stated what they are showing on the plans is the most popular home design and size

Mr. Heidelberg stated they were being conservative when designing the plan and chose one of the larger homes with structural options offered as well.

Mr. Goetz discussed the detention basin and it being the homeowner's responsibility

Mr. Heidelberg stated the Homeowner Association will work together to keep the structures and detention basin cleaned.

Ms. Dyer made the motion to close the Public Hearing

Mr. Turner seconded the motion

Vote: 6-0-0

Closed: 8:00

The commission discussed five (5) no alteration plaques be on the plan.

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

Mr. Sparks seconded the motion

Vote: 6-0-0

CONTINUED PUBLIC HEARING

NOTICE OF INTENT

SHADY LN. #5, LOT 112

DEP# 315-1016

Opened: 8:04

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

Ms. Minihane stated there have been revisions to this plan, and all of the work has been pulled out of the 100 ft. buffer.

Ms. Hershey stated she would recommend the commission issue a Negative Determination with conditions for this filing and checked with DEP to see that this would be acceptable as it was filed as a Notice of Intent. They concurred it was fine.

Mr. Finnigan made the motion to close the Public Hearing

Ms. Dyer seconded the motion

Vote: 6-0-0

Closed: 8:05

Mr. Finnigan made the motion to approve and issue a Negative 4 Determination

Ms. Dyer seconded the motion

Vote: 6-0-0

CONTINUED PUBLIC HEARING

NOTICE OF INTENT

MILLBROOK AVE. #55, LOT 127

DEP# 315-1022

OPENED: 8:06

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

Ms. Minihane stated they are requesting this hearing be continued until August 14, 2013 due to changes pending on the plan. A letter was given to the board with this request

Ms Dyer made the motion to continue the Public Hearing until August 14, 2013 at 7:00 p.m.

Mr. Sparks seconded the motion

Vote: 6-0-0

**CONTINUED PUBLIC HEARING
NOTICE OF INTENT
MILLBROOK AVE, LOT 129, #51
DEP# 315-1021
Opened: 8:08**

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

Ms. Hershey stated that because of the way this lot is cleared it made sense to have the no-alteration line at the top of the hill where the tree clearing ends. She stated a rumble pad for egress and access is recommended and the addition of orange construction fence. She also stated there should be certification of the final location and installation of drywells with the request for a Certificate of Compliance.

The commission discussed four (4) no alteration plaques should go along the tree line.

Ms. Minihane stated there is no tree clearing associated with this lot, and there is no trail easement issue.

**Ms. Dyer made the motion to close the Public Hearing
Mr. Adams seconded the motion
Vote: 6-0-0
Closed: 8:10**

**Ms. Dyer made the motion to approve and issue an Order of Conditions with special conditions
Mr. Turner seconded the motion
Vote: 6-0-0**

**CONTINUED PUBLIC HEARING
NOTICE OF INTENT
MILLBROOK AVE, LOT 130, #47
DEP# 315-1020
Opened: 8:14**

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

Ms. Minihane stated no tree clearing is involved in this lot.

Ms. Hershey stated the special conditions were the same as the other lots. She has verified the wetland line and stated the erosion controls should extend along the barrier

along the ridge. The commission discussed five (5) no alteration plaques should be in place there.

Ms. Dyer made the motion to close the Public Hearing

Mr. Finnigan seconded the motion

Vote: 6-0-0

Closed: 8:16

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

Mr. Sparks seconded the motion

Vote: 6-0-0

CONTINUED PUBLIC HEARING

NOTICE OF INTENT

MILLBROOK AVE, LOT 158

DEP# 315-1018

Opened: 8:18

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

Ms. Minihane stated they could not avoid tree clearing on this lot. Grading has been minimized to the extent they could.

Ms. Hershey stated she has been on site and special conditions should include the rumble pads, extension of erosion controls, orange construction fence and no alteration plaques

The commission discussed five (5) no alteration plaques be in place.

Ms. Dyer made the motion to close the Public Hearing

Mr. Adams seconded the motion

Vote: 6-0-0

Closed: 8:22

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

Ms. Dyer seconded the motion

Vote: 6-0-0

CONTINUED PUBLIC HEARING

NOTICE OF INTENT

MILLBROOK AVE, #43, LOT 159

DEP# 315-1019

Opened: 8:24

Mr. Goetz read the advertisement from the Walpole Times.

Ms. Miniham stated the clearing of trees were not necessary for this lot.

Ms. Hershey stated she has the same comments for this lot. No alteration line should be along the tree line, and special conditions are included in the Order.

The commission discussed four (4) no alteration plaques be included

Mr. Finnigan made the motion to close the Public Hearing

Mr. Adams seconded the motion

Vote: 6-0-0

Closed: 8:28

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

Mr. Sparks seconded the motion

Vote: 6-0-0

PUBLIC HEARING

NOTICE OF INTENT/LAND DISTURBANCE PERMIT

MAIN ST. # 1901 (ALLIED RECYCLING)

DEP# 315-1025

Opened: 8:30

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

Mr. Goetz read comments into the record

Ms. Hershey stated the Town Engineer was on vacation and did not have time to review this filing. She also stated the applicant is also before the Planning Board for Site Plan review

Mr. Shane Oates, Coneco Engineers and applicant Michael Sciaba from Allied Engineering was present. Plans entitled "Allied Recycling Center Permitting Plans; Stormwater Management Report, Allied Recycling Center" dated May 23, 2013 was given to the board for review.

Mr. Oates stated this filing is for a Land Disturbance Permit and Notice of Intent. The proposed site work consists of demolition of structures, building a new 25,000 sq. ft. facility building, associated parking and paved driveway access and expansion and improvement of the existing stormwater management system. Mr. Oates stated the plan is to reuse many of the existing treatment measures but they may be relocated or resized to meet the demand of the proposed changes. A parking lot with 20 spaces is being

proposed, additional surface drains and berms will be installed around the building to capture and direct stormwater runoff. There will be re-grading of the site to allow for the new proposed structure. Expansion of existing forebays is proposed which will be cleaner than existing conditions. Mr. Oates stated they want to prevent recharge and get it off site. A proposed parking lot with twenty (20) spaces is proposed. Mr. Oates stated erosion controls will be in place with staked haybales and silt fence until disturbed areas are stabilized. Mr. Oates went over the presented plans with the board members.

Ms. Hershey stated she would like to set up a meeting with the Town Engineer to review the plans. Ms. Hershey also stated the wetland line needs to be delineated and a letter from Natural Heritage has not come in as well.

The board discussed previous enforcement issues with DEP and is unsure where that stands as well.

Mr. Turner is concerned with the oil separator for this site

Mr. Oates discussed the internal drains are conventional and go to stormceptors that take care of the oil and grease. He stated the objective to clean the site is to their benefit

Ms. Dyer stated she had been on a site visit a while back and agrees they are doing a good job cleaning up the site.

Mr. Goetz discussed the location of where stormwater is treated

Ms. Dyer made the motion to continue the Public Hearing until July 10, 2013 at 7:45 p.m.

Mr. Finnigan seconded the motion

Vote: 6-0-0

OTHER BUSINESS

PONDS COMMITTEE

Mr. Snuffer and Mr. Ryan came before the board to present a letter from Aquatic Control regarding the use of trolling motors at Turner Pond. They are anxious for the board to act and move forward. A discussion was held regarding limited recreational use on the pond and what should and shouldn't be included in this. The board discussed they are the managers of the pond.

Phil Dubois, 18 Mill Pond Rd expressed he was against the trolling motors as it would open the pond up to other motors as well

ENFORCEMENT ORDERS

INDUSTRIAL RD. #4

The commission discussed the Enforcement Order on Industrial Rd. Some of the board members completed site visits since our last meeting. It was discussed that Mr. DiSangro, the owner missed the first two deadlines that were given to file a Notice of Intent. He missed first deadline, second deadline missed. The commission discussed that fines should be levied for work being done within the jurisdiction of the local bylaw beginning on June 20, 2013 which was the extended deadline.

Mr. Sparks made the motion to issue fines of \$300 per day for work done within the 100 ft buffer and wetlands without filing a Notice of Intent beginning June 20, 2013

Mr. Adams seconded the motion

Vote: 6-0-0

The commission discussed the fines would stop once Mr. DiSangro complies

WEST ST PARKING LOT

Ms. Hershey stated she had previously met with the owners and gave them a deadline of July to remove sand and broken pavement away from the river and propose a boundary to prevent further erosion. They have requested more time to work on this improvement of the parking lot.

PLIMPTONVILLE

Ms. Hershey stated she inspected the site and pointed out erosion control issues with sediment packed up against the silt fence that needed to be addressed.

Mr. Sparks made the motion to adjourn

Mr. Adams seconded the motion

Vote: 6-0-0

Meeting Closed: 9:45