

CONSERVATION COMMISSION

MINUTES (Approved 6/10/15)

MAY 27, 2015

**Present: J. Wiley, Chairman
A. Goetz, Vice Chairman
B.Dyer, J. Finnigan, E. DiVirgilio, R. Turner**

Also Present: L. Hershey, Conservation Agent

Conservation Agent report given to Board Members

MEETING OPENED: 7:00

**PUBLIC HEARING
NOTICE OF INTENT
NORTH ST. #651
DEP # 315-1086**

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

Mr. Wiley read board comments into the record

Mr. Russ Waldron, of AES was present representing the applicant. Plans were presented entitled "Notice of Intent Plan, 651 North St." dated 4/22/15.

Mr. Waldron stated a Determination of Applicability was issued in 2013 as the proposed work was outside the buffer. Work has begun that is encroaching the 100 ft. buffer as the owners want to create additional lawn to the 25 ft. no disturb, so a Notice of Intent is required. Mr. Waldron stated the driveway was flipped to the opposite side of what was proposed, and the owners would like as much backyard as possible

Ms. Hershey stated most of the work has been done at this point with the exception of extending the backyard lawn, and she requested they file a Notice with the commission.

Ms. Dyer discussed if the lawn is going near the edge of wetlands, she agrees with Board of Health there should be no use of fertilizers, pesticides etc.

Mr. Wiley stated it is part of standard Order and making everything Organic is a good idea.

Mr. Waldron discussed he had proposed a planting plan to Dunn-McKenzie and was happy they added it to their plan. He would like to make the 25ft no disturb more habitat- friendly.

Mr. Goetz stated he was not happy the owners ignored the decision regarding work in the buffer

**Mr. Goetz made the motion to close the Public Hearing
Ms. Dyer seconded the motion**

Vote: 6-0-0
Closed: 7:15

The commission discussed special conditions to include only slow release nitrogen fertilizer shall be used, and no pesticides and herbicides in the buffer area. Revisions to the plan will be made

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

PUBLIC HEARING
NOTICE OF INTENT
NSTAR/ELECTRIC DBA EVERSOURCE ROW 4
DEP# 315-1085

OPENED: 7:21

Mr. Wiley read the advertisement from the Walpole Times

Mr. Wiley read board comments into the record

Plans were presented as part of the Notice of Intent packet which was given to the commission for review.

Ms. Denise Bartone, Environmental Scientist from Eversource Energy was present along with a VHB representative

Ms. Bartone gave an overview of the project which is to improve the transmission system to enhance reliability and increase capacity from Walpole to Holbrook; a 14.7 mile project. The existing ROW will need the addition of new structures. Ms. Bartone discussed the plan included in the Notice. She stated some of the impacts to the resource area and discussed Best Management Practices to limit impact to resource areas. Swamp matting will be used across wetlands when needed and straw wattles for erosion control as needed. Ms. Bartone described methods of hanging the new lines and they are planning on using existing access roads along the way. This project extends from Walpole to Holbrook

Ms. Hershey stated she has reviewed the filing. She stated this has been filed as Limited Project Construction of Utilities including transmission lines. Ms. Hershey stated there are no new structures proposed in the resource area, and no permanent resource area alterations. She asked the applicant how long the project would take in Walpole

Ms. Bartone stated it could take between two to three months. She stated everything will be restored once the construction has ended.

The commission had no issues with the project

Mr. Goetz made the motion to close the Public Hearing
Ms. Dyer seconded the motion
Vote: 6-0-0
Closed: 7:36

The commission discussed special conditions to include requiring site supervisor contact information to have in the office, the conservation agent would like a timeline of the project and summary reports of erosion controls and all other reports shall be sent to the commission.

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

Ms. Dyer seconded the motion

Vote: 6-0-0

OTHER BUSINESS

LOT 2 ATLANTIC CT.

DEP# 315-1073

REQUEST FOR MINOR MODIFICATION

Plans were submitted with revised date 4/6/15. Mr. John Glossa, Glossa Engineering was present representing owner Larry Stern. Mr. Glossa presented plans with what was approved for Lot 2 Atlantic Ct. and what is being proposed. He stated the limit of work has not changed and the no disturb plaques have not changed. Foundation dimensions have changed, the driveway will be bigger, but still outside the 100 ft. buffer. More grading will be necessary as the owner has chosen not to have a walkout basement to the rear of the yard, and the garage is now located on the side. Mr. Glossa is requesting the latest revised plan to be considered plan of record

The commission discussed that in general, these types of plans should come to the board as an amendment, as minor modifications are usually administrative.

After discussion Chairman Wiley called for a vote.

Mr. Turner made the motion to consider changes shown on revised plans as a Minor Modification to the approved Order of Conditions

Mr. Finnigan seconded the motion

Vote: 4-1-1 (Mr. Goetz voted against, Ms. Dyer abstained)

PUBLIC HEARING

NOTICE OF INTENT

MOOSEHILL RD. #272

DEP# 315-1087

OPENED: 7:54

Mr. Wiley read the ad from the Walpole Times. Green cards were collected

Mr. Wiley read board comments into the record

Mr. Rob Truax, GLM Engineering was present representing the applicant .Plans were submitted entitled “Site Development Plan, The Residences at Moose Hill, Walpole MA” dated 4/9/15. A Stormwater Management Report dated 4/9/15 was also submitted. This filing is for a Notice of Intent under Mass General Law Chapter 131, section 40 and not the local bylaw

Mr. Truax gave the back history on the project, and stated the Zoning Board of Appeals has issued their decision for a comprehensive permit. He also stated the wetlands have been delineated and an ORAD

issued by the conservation commission. After an appeal was made the resource area as approved by the conservation commission and DEP was upheld.

Mr. Truax stated the proposal is to build 157 units of rental housing on a 14.3 acre site. He presented plans with the proposal to raze the existing structure on site and develop the parcel comprised of three multi-story buildings with a driveway, parking, passive recreation areas, swimming pool, clubhouse and associated appurtenances. Mr. Truax stated that Chessia Consulting Services, LLC has performed a supplemental review of stormwater management system and engineering design. Their report dated 4/14/15 was submitted to the office. He stated the commission could have Chessia Consulting come to a meeting to discuss stormwater issues if they would like.

Mr. Truax went over the sheet plans with the commission and audience. He discussed there is only one access proposed where the house #272 is located, with a two lane road. He discussed the drainage system and three major discharge areas handled by an underground recharge system. It will pass through a separator and recharge system and overflow will discharge to BVW. Mr. Truax discussed the BVW's are tributary to Traphole Brook which is in the process of being officially designated as a cold water fishery. Stormwater regulations classify cold water fisheries as critical areas, and the proposed design is as if the brook has already been designated.

Ms. Hershey stated this filing is under the Wetlands Protection Act, not the local Bylaw. She stated she is comfortable that Chessier Consulting addressed the stormwater management design quite thoroughly. Ms. Hershey stated the applicant should stake the limit of work and show where the retaining walls are going. She included specifics in her agent report which will be attached to the Minutes. Ms. Hershey stated a Landscape plan was just submitted and she hasn't had a chance to really review them. Ms. Hershey discussed the cold water fishery and this is an important resource area.

Mr. Truax stated work will be close to the isolated wetland which was shown on the plan. He discussed there will be an enclosed recycling building with roof and doors and a dumpster inside so no trash will be stored outside. The location of this is away from abutting neighbors at the rear of the site. Mr. Truax discussed the limit of work in specific areas shown on the plan where the attempt was made to stay within the 25 ft. no disturb. There are two areas located at the retaining wall where in one area the limit of work is 19 ft. from the wetlands with four feet of disturbance from the wall to the limit of work. All will be restored after the wall has been constructed. Along the parking area there is five ft. of disturbance to the limit of work. Mr. Truax discussed erosion controls plan will be in place

Mr. Truax stated more revisions to the landscape plan are needed, buffering will occur on the neighboring side out of consideration to the neighbors.

Ms. Hershey stated there is no enhancement to the buffer area, and the pump station is located very close to the spring. She asked about another location for this

Mr. Truax stated sewer comes to the lowest spot and it is the best location for it. There is emergency storage and alarms will go off if necessary.

Mr. Goetz asked if someone was onsite at all times

Mr. Truax stated maintenance people are onsite during the day only.

Ms. Hershey stated the commission has concerns with trash and sewer pump locations. She would like to see the limit of work and keep the activity away from the wetlands if possible.

Mr. DiVirgilio stated the area has a steep slope and he would like to see the area staked out to get a better scope of the project

Mr. Goetz was not happy with the oil/water separators chosen; he wanted to know if it had a brand name, specifications and the type they are installing. He is concerned of the quality of stormwater prior to going to leaching chambers. He asked if the chambers are designed for truck traffic. Mr. Goetz they are going in the right direction, but need to make sure the right equipment is being used to deal with TMDL and make sure bacteria is removed as it recharges. Mr. Goetz also stated concerns that during construction of the retaining walls how will the workers and machinery be kept out of the wetlands.

Mr. Truax discussed the process of how the drainage works and stated it is all sized and approved by DEP standards. He will get more information to Mr. Goetz to show him this

Ms. Hershey discussed the importance of having vegetation adjacent to a stream and it being beneficial having a buffer next to a resource area. She stated the area needs to be staked and looked at.

Mr. Turner spoke of his concern with the proximity of the dumpster to the wetland area and the potential of hazard material spillage.

Ms. Dyer stated the commission needs to be vigilant about the resource area. The area is dense and if buffers are dropped off to the wetlands it is risky. She asked about alternatives to the location of structures and stated some could be pulled back from resource areas.

Mr. Wiley asked about the O&M Plan and who is responsible

Mr. Truax stated owners are responsible

Mr. Wiley stated his concerns with the location of the pump station, and would like to see details on the recycle/trash building with how liquids are contained.

Mr. Wiley asked for questions or comments from the audience pertaining to conservation issues

Michael Vaites asked about the distance from the wetlands to the pump station and capacity as well. He discussed the pump design and whether it is active or active passive and about flush tests.

Mr. Truax stated everything is sized on factors of safety, and there are calculations with plans submitted to the water and sewer dept.

Ms. Laura Vaites thanked the commission for their concern for the cold water fishery. She discussed the appeal is not closed and final at this time. Her biggest concern is the retaining walls location as being close to the origins of the stream. Concerns of sedimentation and runoff with heavy equipment being brought in, and how could the applicant certify there will be no dumping into the stream. She discussed Traphole Brook and amount of trout that was found and her concerns with the cold water fishery being wiped out.

Ms. Hershey stated she needs an updated O&M plan as revisions have been made. She also stated annual reports would need to go to the commission

Mr. Finnigan stated since there seem to be no issues with stormwater management he doesn't feel the need to have Chessier come before the board

Ms. Dyer stated she agrees there are other things the commission has concerns about and need to focus

Ms. Hershey stated she feels a site visit is needed to look at protecting the resource area

The commission discussed they will conduct a site visit at 272 Moosehill Rd. on Sunday, June 7, 2015 at 6:00 p.m. Abutters are welcome to attend

Ms. Dyer made the motion to continue the Public Hearing until June 10, 2015 at 7:30 p.m.

Mr. Goetz seconded the motion

Vote: 6-0-0

MINUTES

MAY 13, 2015

Mr. Goetz made the motion to approve the Minutes for May 13, 2015

Ms. Dyer seconded the motion

Vote: 6-0-0

EXTENSION

400 SOUTH ST.

DEP# 315-987

A letter was received requesting a one year extension for Southridge Farm which is due to expire in June 2015. They are anticipating the project will be completed this year.

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

Mr. Goetz seconded the motion

Vote: 6-0-0

MINOR/MODIFICATION

400 SOUTH ST

DEP 315-987

A revised plan dated 5/11/15 was reviewed by the commission. Mr. Truax stated the owner is putting a building on-site. Drainage calculations will not change and there is nothing planned within the 100 ft. buffer. Mr. Truax stated he will be going before the Planning Board to modify the site plan for this. He also stated there are no issues as far as the Town Engineer is concerned, and the impervious will not change.

Mr. Goetz made the motion to approve the submitted plans as a minor modification to the approved Order of Conditions.

Ms. Dyer seconded the motion

Vote: 6-0-0

BOARD COMMENTS

Planning Board – 164 Pine St. - After review, the commission determined a filing with the conservation commission will be required for this project.

Planning Board – 470 East St. (Eastside Place) – After review, the commission determined a filing with the conservation commission will be required for this project.

Zoning Board of Appeals – 44 Bubbling Brook – The commission has previously approved and issued an Order of Conditions on this project

Correspondence was reviewed and discussed by the commission

Mr. DiVirgilio made the motion to adjourn

Mr. Turner seconded the motion

Vote: 6-0-0

Meeting closed: 10:00 p.m.