

# **CONSERVATION COMMISSION**

## **MINUTES (Approved 4/24/13)**

**APRIL 10, 2013**

**Present: J. Wiley, Chairman**

**A. Goetz, Vice Chairman**

**B. Dyer, R. Turner, D. Adams, J. Finnigan**

**Absent: S. Sparks**

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

**Conservation Agent report given to members**

**MEETING OPENED: 7:05**

**PUBLIC HEARING**

**NOTICE OF INTENT**

**SUMMER ST. #11**

**DEP# 315-1009**

Mr. Wiley stepped down as he is an abutter to 11 Summer St.

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

Mr. Goetz read board comments into the record.

Mr. William Buckley of Carroll Construction was present representing the owner and applicant, Roy Belcher who was also present. Plans were submitted entitled "Assessors Map 52, Parcel 64 #11 Summer St. Walpole MA" dated 3/4/13 for the commission to review. An additional submission was given dated 4/1/13 in response to Engineer comments which the applicant's representative received earlier.

Mr. Buckley stated this filing consists of constructing a single family house, driveway and utilities located at 11 Summer St. He stated this parcel was created in 1989 and was ANR'd (Approval Not required) by the Planning Board which was prior to the Rivers Act. The Neponset River is located in the rear of the property, the land slopes from Neponset St. to the river. Mr. Buckley stated the proposal for the construction of the house is as close to the street as possible, they have tried to keep it as far out of the riverfront as possible. He stated there will be no activity within the inner riparian with the closest activity occurring 110 ft. from the riverbank area. Erosion controls are shown on the plan and includes a stone pad for truck access.

Ms. Hershey stated this project occurs within the outer riparian zone of the riverfront area to the Neponset River. The parcel was created before The Rivers Act, and, as written in her agent report, she discussed the requirements the project needs to meet. The board only needs to look at the lot itself. Ms. Hershey discussed the flagging that was done and she would recommend there be a clearer delineation of where the undisturbed vegetative buffer is located

Ms. Dyer discussed that fields should be considered habitat and would like to see bounds or something to that effect, indicating to future homeowners that no activity can occur in the area. She also discussed limiting cutting or mowing in that area.

Mr. Goetz concurred with Ms. Dyer and stated he felt mowing once a year should occur after nesting season at the end of June or July. Bounds should be installed indicating this area is managed as a resource area.

Mr. Adams stated no fertilizers should be used as well

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

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

**Mr. Turner seconded the motion**

**Vote: 5-0-0**

**Closed: 7:25**

Special conditions include: installing “no alteration area” signs stating the area is an unaltered vegetative 100-foot riparian zone under the MA Wetland Protection Act placed on bounds along the 100’ riparian zone. Mowing and/or haying shall be allowed one time per year only within the no alteration area to maintain the meadow habitat as a continuing condition. The roof drain recharge system shall have an observation port as well. Street sweeping shall occur as needed during construction. Revised plans are needed prior to issuance

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

**Ms. Dyer seconded the motion**

**Vote: 5-0-0**

**PUBLIC HEARING**

**NOTICE OF INTENT**

**INDUSTRIAL RD. #33 (SOLAR PANELS)**

**DEP# 315-1012**

**MEETING OPENED: 7:30**

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

Mr. Wiley read Board comments into the record

Mr. Dan Merrikin, of Merrikin Engineering was present representing the applicant Mr. David Albrecht, of Borrego Solar Systems, Inc. Plans were submitted entitled "S.M. Lorusso Notice of Intent 33 Industrial Rd." and dated March 20, 2013 for the commission to review. A Stormwater Management Report dated March 5, 2013 was also submitted.

Mr. Albrecht stated the intent of this filing is for the installation of a solar project at the end of Industrial Rd. on S.M Lorusso property. Mr. Albrecht is one of the designing engineers of this project. He stated an ORAD has been issued for this so the wetlands have been reviewed. He also stated the wetland line was re-established this past week at the suggestion of Ms. Hershey. Mr. Albrecht stated that board comments have been reviewed and addressed, and the plan is to submit revised plans once the conservation hearing is closed to include their comments. Mr. Albrecht stated the proposal is for a renewable energy generating facility. This includes the installation of solar panels with portions of the project to be constructed within the 100 ft. buffer to a BVW. Underground electrical trenches will be installed, and he stated this will be an un-manned site except for a few times a year the area will need to be mowed and cleaned with water only, no chemicals. Mr. Albrecht stated the portion of the site where the panels will be installed is approximately 4 acres. There are a total of 11,947 panels to be installed. Mr. Albrecht showed an aerial view of the 20 acre property pointing out the area where cedar swamp and the watershed protection district is located. He discussed the sedimentation swale which is currently in place and the fact that will remain unchanged. Grading was discussed and the need for some trees to be cleared as depicted on the plan. Any other work within the 100 ft buffer consists of grubbing and clearing. Mr. Albrecht stated that in no instance will they be working in the BVW and not beyond the 25ft no disturb. Mr. Albrecht stated Scott Goddard, of Goddard Consulting had been contracted to look at the habitat in the area to see if there are Atlantic White Cedar trees which is where the Hessel's Hairstreak Butterfly breed, as this was of special concern. Mr. Goddard concluded that the project will not have an adverse impact on the habitat, and they are waiting for a report from Natural Heritage who has been given a 30 day review.

Mr. Albrecht stated erosion controls are in place, and Ms. Hershey suggested putting in straw wattles due to erosion issues coming off site at the easterly end of the area. The slope has been repaired and a diversion berm put in place. He stated once construction commences, silt fence, filter socks will be placed around the site. He stated a double row of erosion control measures will be put in if needed. He stated everything is included in the SWWP and construction phases are in the notes. Mr. Albrecht projects this is a four month project. All areas will be loamed and seeded at the conclusion

Mr. Merrikin stated in conclusion that the vast majority of the area is disturbed now and this will be redeveloped from a dirt area to grassy condition. He stated that there will be the transformation of site net reduction in rate and volume of runoff. Mr. Merrikin stated

the work in the buffer is limited to cutting trees. He stated they expect Natural Heritage will probably come back and say there is no impact on habitat

Ms. Hershey stated she has been out on site and asked that the flags be re-hung. She stated the wetland line was the same but some sedimentation was going into the wetlands so wattles were installed. An earthen berm was put in as well. Ms. Hershey stated on a site visit she questioned whether she located what could be a vernal pool and would like to have it reviewed. She stated she would like a second row of haybales put in for erosion controls. Ms. Hershey stated also that the sediment basin that is in place needs to be cleaned out and that the owners need to be contacted regarding this.

Mr. Turner discussed the tree situation and what happens as they grow

Mr. Albrecht stated they would work with the commission and would like to keep the height managed. He suggested a five year program be implemented to top the trees off as needed.

Ms. Dyer agreed with Ms. Hershey that the owner be notified and required to clean the basin, as well as the vernal pool should be looked at and certified if found. She asked about the cleaning materials of the panels and if in fact only water will be used and not chemicals. She also discussed invasive species becoming an issue

Mr. Albrecht stated no chemicals will be used in cleaning. He also stated the O&M plan will show the caretakers of the property what they need to take care of.

Mr. Goetz discussed the need for a Vegetation Management Plan. He stated if one is put in place there will be no need for them to come back and cut again.

Mr. Wiley asked whether erosion controls will be located between where the trees will be removed and the wetlands.

Mr. Albrecht stated straw wattles or silt fence will be used.

Mr. Wiley stated he like the silt fence better

Ms. Hershey stated she also liked the idea of requiring a Vegetation Management Plan as well. She would like the vernal pool looked at.

The commission discussed continuing the Public Hearing

**Mr. Goetz made the motion to continue the Public Hearing until April 24, 2013 at 8:30 p.m.**

**Ms. Dyer seconded the motion**

**Vote: 6-0-0**

**CONT. PUBLIC HEARING  
ABBREVIATED NOTICE OF RESOURCE AREA DELINEATION  
SUMMER ST. #315  
DEP # 315-1010**

**OPENED: 8:50**

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

Mr. Wiley read a letter into the record from GLM Engineering, which was emailed to the office on April 8, 2013. Mr. Truax stated the applicants respectfully have withdrawn their application.

**OTHER BUSINESS**

A Letter was received from the Department of Conservation and Recreation, Office of Dam Safety on April 13, 2013, issuing a Certificate of Non-Compliance on Turner Pond Dam. Ms. Hershey stated the main issues are trees along the earthen dam that need removal. She stated the Engineering Dept. is working with GZA to address this. There is nothing needed from the conservation commission at this point.

**TURNER POND** – Ms. Hershey stated the ponds committee are hosting a Fishing Derby or program in May and want to increase the pond level. The commission discussed putting back a six inch board at the end of April Landis feels it can be brought up with six inch board at end of April

**MINUTES**

**MARCH 27, 2013**

**Ms. Dyer made the motion to accept the Minutes for March 27, 2013**

**Mr. Turner seconded the motion**

**Vote: 6-0-0**

**BOARD COMMENTS**

ZBA - 7 Woodland Rd. – The Zoning Board of appeals is requesting comments in reference to a filing on 7 Woodland Rd. Ms. Hershey stated that in reviewing this she found no wetland issues.

PLANNING BOARD– 623 Route 1 – The Planning Board is requesting comments in reference to the Dedham Auto Mall which is coming before them. Ms. Hershey stated there are no wetland issues

## **ENFORCEMENT ORDER**

Plimptonville Crossing – Ms. Hershey stated she is monitoring this and has nothing new to report

South St. #400– Ms. Hershey stated nothing there is new to report

Hollowdale Farm Ln. #18– Ms. Hershey told the commission she did not send out an Enforcement Order as discussed at the last meeting. She received a call from Delapa Construction and was told that they are working together with the owners, without Attorney's to rectify the situation. They were advised to keep sediment off the street. Ms. Hershey also contacted Derba Construction who is working on another site to remind them to keep the streets clean.

## **CORRESPONDENCE**

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

- TEC Associates –Mass Bay Commuter Railroad 2013 Operation Plan
- Norfolk County Mosquito Control – Proposing water management activities at MacDonald Cir./Norfolk St. and Gould/North St. locations

General Business was discussed in Agent report

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

**Ms. Dyer seconded the motion**

**Vote: 6-0-0**

**Meeting Closed: 9:30**