



a

**CONSERVATION
COMMISSION**

Town Hall
Room 212
135 School Street
Walpole, MA 02081
Phone (508) 660-7268
Fax (508) 668-2071

Town of Walpole
Commonwealth of Massachusetts

MINUTES
(Approved 12/9/15)

NOVEMBER 12, 2015

Present: J. Wiley, Chairman
B. Dyer, K. Watson, E. DiVirgilio,

Absent: A. Goetz, R. Turner, J. Finnigan

Also Present: L. Hershey, Conservation Agent

Conservation Agent report given to members

CONT. PUBLIC HEARING
NOTICE OF INTENT
ROSCOMMON SUBDIVISION
DEP# 315-1094

Opened: 7:05

Mr. Wiley read the advertisement from the Walpole Times. This hearing was opened and has been continued until this evening.

Mr. John Glossa, Glossa Engineering, Tom Liddy of Lucas Environmental, and one of the principals Sean McEntee were present. Revised plans dated 10/21/15 were presented

Mr. Glossa stated the conservation commission hired Beals and Thomas as a peer review for the Roscommon Subdivision and a report from Sarah Stearns dated 10/10/15 was submitted with her findings to the board and will be presented this evening.

Ms. Stearns, Sr. Environmental Specialist stated she found the information submitted late last month to be comprehensive. She stated she completed a site walk last week with Mr. Glossa, Mr. Liddy and Mr. McEntee and covered the entire site with the exception of what was completed and approved already in the ORAD. Her report will be attached to these Minutes. Ms. Stearns commended the efforts of the applicant for moving the site away from the vernal pool in effort to preserve the area. She did suggest that as the BVW continues to become narrower when moving further south, that another option be explored minimizing work in that area and providing more protection to the vernal pool. Ms. Stearns stated the applicant is requesting the project to be reviewed as a limited project and there has to be some wetland crossing. She stated all alternatives as far as minimizing impacts need to be explored. Ms. Stearns questioned why a wetland crossing is needed at the proposed Gigi's Way cul-de-sac and private driveway off North St. It appears there are other alternatives to access Lot 30. She stated putting in underground utilities is one thing, but feels they should take another look at this.

Mr. Glossa stated they had a long discussion at the site and feel the commissioners should come out and look at the two crossings. He stated Emerald Way is staked and easy to walk, and a better picture of what it will look like for the commission. Mr. Glossa stated the same goes for the smaller driveway crossing as it is hard to describe just on plans. He stated it is a very defined path, almost like a roadway. Before the commission makes any decisions he stated they should see the area, but it is up to the board

Mr. Wiley stated he has no problem having a site visit and will check Mr. Goetz's availability

Ms. Hershey stated the main purpose for this to be looked at as a limited project is to look at alternatives and see where the least impact to the wetlands can occur. With the exception of moving away from the vernal pool she has seen no other alternatives. Before the commission completes a sight visit she stated it would make more sense for the applicant to come up with alternatives first

Ms. Dyer stated this seems like the best idea because both ways can be looked at when the site visit occurs

Mr. DiVirgilio stated he would like the applicant to provide answers to Ms. Stearns questions and thoughts

Mr. Liddy stated they are in process of preparing formal answers. They wanted to get the boards comments before getting everything together with a formal response

Ms. Hershey stated it would be helpful to have the response before a site visit

Ms. Dyer agrees and wants to see alternatives

Mr. Glossa stated there are not a lot of alternatives. He stated he'd just like the commissioners to visit the site at some point

Mr. Wiley stated a site visit wouldn't be scheduled until after the next meeting on December 9th. He stated the board would like information and alternatives provided to them for review prior to that.

Ms. Dyer stated she would like a discussion about the driveway and crossing

Mr. Glossa showed the location of the driveway on the plan. He stated the plan for the end of Gigi's Way is much more expansive than what has been discussed and include other amenities. The crossing is important to the developer as they are proposing other outbuildings and a horse trail and not just a house at Lot 30. He stated they will provide a written response prior to the next meeting and get some feedback regarding Gigi's Way and the driveway.

Mr. Glossa requested that in order to move forward, the applicant requests that Concom allow Beals and Thomas to review the drainage calculations as the Town Engineer would prefer this. He stated that the Planning Board defers to the Conservation Commission in regards to this and would like the commission to take over that part of it.

Mr. Wiley stated he has no problem asking the Planning Board and having Beals and Thomas complete the review. He stated he was unsure if the quote included that

Ms. Hershey stated we can request a quote from Beals and Thomas and if it is ready and they want the stormwater reviewed it could be done prior to the next meeting

Ms. Dyer asked that a written description of alternatives or a map in the area of the cul- de- sac be provided in December

Mr. Glossa stated both will be provided

Mr. Wiley asked for questions or comments from the audience

Mr. Bill Hamilton, Eldor Dr. requested the easel showing the plans be set up in an area where viewers who watch on cable TV could be able to see it.

Mr. Wiley stated we will look into it but the applicant needs an area to be able and present the plan

Mr. Brian D'Angelo, Covey Rd. asked if interested neighbors would be able to go on the site when the commissioners have a site visit

Mr. McEntee stated he has no problem with that

Mr. Combs, Covey Rd. asked if there are studies available regarding the effectiveness of the drainage system being proposed

Mr. Wiley stated whatever is proposed by the applicant gets reviewed by the Planning Board and Concom. He stated the peer review will also consider drainage in their report. He asked if standard drainage and overland drainage will both be looked at

Mr. Glossa stated there is really not that much difference and is confident that the Planning Board will approve. The proposal is to use roadway and berms to trap the water so they don't need to dig down and remove vegetation. Leaving the topsoil and B-layer will act as a sponge and is a great way to mitigate the rate of runoff and also mitigate the pollutant effect as well of water running off roadways

Mr. Wiley asked if they want to look at both drainage considerations now or possibly have to come back in the future

Mr. Glossa reiterated it is not a big difference. He referenced Audubon Dr. and stated that is where they got the idea as it has worked well. He stated both the Town Engineer and DPW objected to country drainage and just letting the water sheet off. There will be catch basins, forebays etc. in place as well as an outlet structure in this proposal

Mr. McEntee stated he would like to see what the peer reviewer thinks when she looks at it

Mr. D'Angelo stated he is a neighbor of Mr. Combs whose property is constantly under water. Removing the natural footprint with roadway, driveways etc. he has concerns of not having any real retention area and being downstream. He discussed it may be worth considering conventional drainage

Mr. Wiley stated Beals and Thomas can review what happens to downstream abutters. He stated rate of runoff post construction cannot exceed pre-construction

Ms. Dyer made the motion to continue the Public Hearing until December 9, 2015 at 7:30 p.m.

Mr. DiVirgilio seconded the motion

Vote: 4-0-0

CONT. PUBLIC HEARING

NOTICE OF INTENT

MOOSEHILL RD. #272

DEP# 315-1087

OPENED: 7:53

Mr. Wiley read the advertisement from the Walpole Times. This Hearing has been opened and continued several times.

Mr. Jim Williamson, representative from Barberry Homes was present and has requested a continuance due to quorum issues. Mr. Goetz is not present this evening and has sat on all of the other Moosehill hearings. Mr. Williamson requested to the commission that a special meeting be held next week when Mr. Goetz is available. He stated they are going before the Zoning Board of Appeals next Wednesday and would like conservation to be all set prior to this meeting

Mr. Wiley stated it is hard to make a commitment for other members who are present when we don't know their schedules

Ms. Dyer made the motion to continue the Public Hearing until December 9, 2015 at 8:00 p.m.

Mr. DiVirgilio seconded the motion

Vote: 4-0-0

**CONT. PUBLIC HEARING
LAND DISTURANCE PERMIT AND NOTICE OF INTENT
BIRD LANDFILL (SOLAR)
DEP# 315-1096**

Opened: 8:00

Mr. Wiley read the advertisement from the Walpole Times for this hearing which was opened and has been continued.

Mr. Andrew Bakinowski, Sr. Project Scientist of Weston & Sampson was present representing the applicant Dynamic Energy, LLC. Mr. Bakinowski stated revised plans were submitted dated 11/6/15, but additional information was not sent in error. He stated he would like to request a continuance until 12/9/15 in order for the board to have time to review.

Ms. Hershey stated she felt comfortable closing subject to receipt of the information

Mr. Bakinowski stated they are still doing impact study but the Planning Board has closed an approved. He stated conservation conditions will be put into their plan as well.

The commission asked questions about the access road. After discussion it was decided it best to continue the Public Hearing until December

Ms. Dyer made the motion to continue the Public Hearing until December 9, 2015 at 8:15 p.m.

Mr. DiVirgilio seconded the motion

Vote: 4-0-0

**CONT. PUBLIC HEARING
BOSTON-PROVIDENCE HWY (HOTEL)
LAND DISTURBANCE PERMIT**

OPENED: 8:15

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

Attorney William O'Connell and Mr. Drew Garvin of Holmgren Engineering were present representing the applicant. A letter was submitted dated November 9, 2015 from Holmgren Engineering as a response to Town Engineer comments.

Mr. Garvin stated he would like to go over the response letter from the Town Engineer and address changes. He discussed soil testing was completed again and witnessed by the Town Engineer and some improved soils were found. Mr. Garvin stated that drainage calcs were reconfigured and existing drainage structures along route 1 are shown on the existing condition plan. He stated that erosion controls have not changed, there is only one construction entrance and a construction entrance pad will be in place. He stated a vehicle washing station is located on the plan to ensure no sediment is brought off the site. Mr. Garvin stated the construction will be in phases; the hotel construction and drainage structures are included in Phase 1 and the pad site and adjacent parking

areas located in front and behind the building will be Phase 11. Mr. Garvin discussed stormwater runoff is designed to be contained and recharged for up to 100 year storm event. He discussed overflow swales are in place around the perimeter of the site as a safety measure and to help control overflow from going onto route 1. Ms. Hershey stated she thought everything sounded good. She asked how snow removal will be dealt with

Mr. Garvin stated there are designated areas for snow or it would have to be taken offsite if we have a winter like last year.

Ms. Hershey stated her recommendations are that plantings are drought resistance species, and the applicant should abide by the new phosphorous standard regulations

Ms. Watson stated irrigator bags should be used to keep native plants viable and according to the new UMass Ext. planting standards it is recommended removing as much as burlap on the plants prior to planting as it takes many years for it to decompose.

Mr. Wiley asked how close the work is to the retention pond located on the southern side of the property

Mr. Garvin stated the area was flagged and is about 200 ft. from the property line

Mr. Wiley asked for comments from the audience

Mr. Bill Hamilton, of Eldor Dr. referenced Mass General Law and made the comment that since they are working on the water supply, in Zone 2 and on top of an aquifer a Notice of Intent should be filed with DEP.

Mr. Garvin stated it is not Zone 2 but Zone 3 and there are no wetlands on the site

Mr. Wiley stated this filing is under a Land Disturbance permit and it is not a wetland

Ms. Hershey stated this should be addressed to the Zoning Board

Mr. Hamilton discussed that when work is being done in an aquifer DEP needs to be notified. He discussed he would obtain a ten citizen petition against the conservation commission and DEP

Attorney O'Connell stated it is zone 2 and he will defer to the chairman with regards to the zoning classification

Ms. Dyer made the motion to close the Public Hearing

Mr. DiVirgilio seconded the motion

Vote: 4-0-0

Closed: 8:33

The commission discussed including planting conditions in the Land Disturbance permit. Infiltration bags shall be used when possible, and burlap removed. The new phosphorus regulations will be complied with and an O&M plan of drainage galleys will be provided.

Ms. Dyer made the motion to approve and issue a Land Disturbance permit with conditions

Ms. Watson seconded the motion

Vote: 4-0-0

MINUTES

OCTOBER 28, 2015

Mr. DiVirgilio made the motion to approve the Minutes for October 28, 2015

Ms. Watson seconded the motion

Vote: 4-0-0

BOARD COMMENTS

Zoning Board of Appeals – Eastover Rd. (re-file) Ms. Hershey stated an Order of Conditions was issue in April. Any plans revised after 4/6/15 need to be submitted with detail of the revisions to determine if they are minor, or will require the filing of an amendment or new Notice of Intent.

ENFORCEMENT ORDER

Main St. #1900

DEP # 315-1043

The commission discussed the enforcement issues on 1900 Main St. Mr. Santos has not complied with the request for a new site plan to be submitted prior to this evenings meeting. The commission has not received any updates as well. Mr. Wiley would like an email sent to Mr. Santos letting him know that the board expects to have the information requested with a deadline date of 12/2. The next meeting is on 12/9 and it will be discussed then. If the board does not receive this information additional fines will be implemented.

CERTIFICATE OF COMPLIANCE

BROOK ST. LOT 41

DEP# 315-

There was an administrative error on a Certificate of Compliance issued in August with the incorrect book and page. The commission needs to re-sign this Certificate

CORRESPONDENCE

The following correspondence was discussed and available for review

- FEMA letter to BOS
- VHB letter

OTHER BUSINESS

LAND MAINTENANCE

The commission discussed work to be done at the Turner Pond Dam. There is a time restraint for cutting the trees to occur late winter months. The Town Engineer is asking about drawing down the pond a small amount and is going to talk with the Ponds Committee and Town Administrator as well

BUDGET

The 2017 Fiscal Year Budget was discussed

Ms. Watson made the motion to approve the 2017 expense budget

Ms. Dyer seconded the motion

Vote: 4-0-0

Mr. DiVirgilio made the motion to adjourn

Ms. Dyer seconded the motion

Vote: 4-0-0

Meeting Closed: 9:00 p.m.