

CONSERVATION COMMISSION

MINUTES

(Approved 11/13/13)

October 23, 2013

Present: J. Wiley, Chairman

A. Goetz, Vice Chairman

B. Dyer, J. Finnigan, D. Adams, E. DiVirgilio

Absent: R. Turner

Also Present: L. Hershey, Conservation Agent

Conservation Agent report given to the board

MEETING OPENED:

PUBLIC HEARING

NOTICE OF INTENT

UNION ST. #295 (Rear)

DEP# 315-1036

Opened: 7:00

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

Mr. Wiley read board comments into the record

Mr. Don Meyers, of Norwood Engineering was present representing the applicant Prime Motor Group. Mr. Joe Rose of Acura and Mr. Chuck Berity represented the owner of land. Plans entitled "Overall Plan Proposed Driveway Connection 103 Providence Hwy to 295 Rear Union St. Walpole MA" and dated September 19, 2013 was given to the board.

Mr. Meyers stated the area at 295 Union St is currently a trucking facility with a large 60,000 sq.ft. warehouse located in the back area. The applicant would like to construct a driveway on the Union St. property from the rear of Acura to this warehouse. He stated it would be for personnel to access the proposed, relocated auto repair facility. Twelve of the service bays and parts department would like to relocate from the Acura dealership to the back 22,000 sq. ft. of the warehouse. The driveway will allow access for personnel without having to go on Route One or Union St. He stated no buildings will be expanded or other changes on the Acura site, with the exception of installation of a pump station to discharge to municipal sewer. Mr. Meyers stated the limit of flood plain is shown on the plan, and the wetlands have been delineated. Elevations were discussed and the BVW was flagged in proximity to the project. The 25 ft. no- touch area has been shown on the plan and 40 ft. of vegetated buffer. Mr. Meyers stated they are asking the commission for a variation to work within the 25 ft. no touch in a small area. Mr. Meyers stated they are planning a low impact environmental design that will minimize impact by

using a permeable, porous pavement for the driveway, and new quality rain gardens which will both adhere to the Stormwater Management Standards. Mr. Meyers stated the limit of work is the existing pavement. Drainage Calculations and an O&M plan is included in the Notice of Intent. He also stated they are going before the Planning Board in November for site plan review.

Ms. Hershey stated she reviewed the site with Mr. Meyers and looked at the wetland line, and the area is located in a no-alteration area. Ms. Hershey stated she did see spoil piles located along the chain link fence and would like them removed and have plantings put in the area for mitigation. She also suggested no-alteration plaques along the driveway and rain garden. The snow storage area needs to be identified and shown on the plan. Ms. Hershey stated the rain garden needs to be referenced in the O&M plan as it takes special maintenance. It should be inspected bi-annually and a report submitted annually to the commission. Ms. Hershey asked about a PVC pipe and whether the driveway is designed so water flow stays on site.

Mr. Meyers stated they will re-grade to keep the drainage on the Acura Site

Ms. Dyer asked about the specifics regarding the driveway and how often it needs to be replaced. She stated her concern that future owners may want to seal coat it etc.

Mr. Meyers stated this style of low impact design has been around but not used a lot in the Northern climate. He stated ConComs are using it in small areas for light use.

Ms. Dyer discussed the rain garden. She asked if it was sufficient for oil separators etc. with vehicles coming in and out. She stated in her opinion it does not seem like a low impact area, but more industrial.

Mr. Goetz stated he does not agree that catch basins are not needed because of a rain garden. He also stated rain gardens need to be inspected and replaced and wants to make sure that is taken into consideration. He asked about vacuuming of the new driveway and it should be part of the O&M as well.

Mr. Meyers stated both maintenance of the rain garden and the driveway is in the O&M. He stated the purpose of the low impact design and the rain gardens is to get away from catch basins etc. He stated this is the perfect opportunity for the low impact development

Mr. Wiley asked about the back of Acura and its design as a retention basin. He discussed elevation and ice and snow removal. Sodium and sand are prohibited

Mr. Wiley asked for comments or questions from the audience dealing with conservation issues only

Mr. Darren Phinney, abutter from Killeen Rd. spoke about concerns with the driveway and the absorption of water. He feels a road should not be put between two wetlands with the distraction to habitat, oil spills and upsetting neighbors.

Mr. Meyers discussed the infiltration and the use and purpose of the rain gardens

Ms. Mary Jane Coffey, abutter from Killeen Rd. discussed being a resident for several years and her concern that the area is extremely wet and at one time there was a frog pond located there. She feels the applicant is oversimplifying the project and does not see the need for it.

Mr. Wiley asked what kind of auto service would be done within the garage and about the fluids.

Mr. Meyers stated the work is done in the garage and there are no floor drains

Mr. Joe Rose, Facilities Director stated there is protocol they follow for disposal of fluids

Ms. Hershey asked about servicing of the vehicles and leaking issues on the driveway

Mr. Robert Massarelli, abutter on 17 Killeen Rd., spoke about icy conditions and cars slipping into the wetlands. He discussed car carriers.

The commission came to the decision they would like to conduct a site visit on Saturday November 2, 2013 at 8:00 A.M. This will be posted for the public

Mr. Goetz made the motion to continue the Public Hearing until November 13, 2013 at 8:00 p.m

Ms. Dyer seconded the motion

Vote: 6-0-0

MINOR MODIFICATION

NORFOLK ST. DRAINAGE IMPROVEMENTS

DEP 315-1014

Ms. Dianne Velardocchia of CDM Smith came before the commission requesting a Minor Modification to the Norfolk St. Drainage improvement filing. They have an open Order of Conditions which was approved and issued in May 2013. Ms. Velardocchia would like to install a 30 inch concrete pipe with headwall and leave the existing pipe in for bypass piping and additional capacity, instead of removing the existing pipe as planned. A catch basin with sump in lieu of a gutter inlet is also being requested.

Ms. Ms. Velardocchia and Ms. Walker, Walpole Town Engineer discussed this with the conservation agent who felt a request for modification was sufficient for this change instead of an amendment.

Mr. Goetz made the motion to approve the request for the proposed changes to be considered a minor modification to the approved Order of Conditions

Ms. Dyer seconded the motion

Vote: 6-0-0

PUBLIC HEARING

NOTICE OF INTENT

BERKELEY DR. #7

DEP 315-1037

Opened: 8:25

Mr. Wiley read the advertisement from the Walpole times. Certificates of Mailing were collected

Mr. Wiley read board comments into the record

Mr. John Glossa, Glossa Engineering was present representing the applicant, Mr. Pat Compagnone who was also present. Mr. Glossa stated this property is owned by Brush Hill Realty and there currently is an open Order of Conditions that had been issued by the commission for a smaller house. After discussion with the conservation Agent, Mr. Glossa stated a new Notice of Intent is required as the plans have changed. Mr. Glossa stated the wetland have been recently re-delineated and a wall will be constructed along the 25 ft. no disturb limit. Mr. Glossa stated the single family house is a one –story ranch with a three car garage. All disturbed areas will be loamed and seeded; he discussed infiltration chambers and erosion controls. Mr. Glossa stated they will be connecting to Town Water and Sewer.

Ms. Hershey stated she has been on site and reviewed the wetland line. She also stated there is a wetland area located across the street from this property and it should be shown on a revised plan. No-alteration plaques should be placed upgradient of the no alteration line. Ms. Hershey stated she also would like to see what kind of wall will be constructed on the plan. Ms. Hershey stated the stone wall located at the rear of the property and the headwall needs to be shown on the plan as well

Mr. Wiley asked for questions or comments from the audience

Mr. Goetz made the motion to close the Public Hearing

Ms. Dyer seconded the motion

Vote: 6-0-0

Closed: 8:35

The commission discussed special conditions to include showing the location of the leaching field shown on the as-built, no-alteration plaque, and the stonewall and headwall needs to be shown on the plan.

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 MEETING

REQUEST FOR DETERMINATION

WALPOLE COUNTRY CLUB (Bunkers)

Opened: 8:36

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

Mr. Wiley read comments into the record

Mr. Mark Gagne, Golf Course Superintendent of Walpole Country Club was present

Mr. Gagne stated this project is for the construction of two golf course bunkers between Baker St. and Allen Pond. He stated all the work is expected to be complete within two weeks. No work will take place within the 100 ft. buffer, and straw wattles will remain in place as erosion controls until vegetation has been re-established.

Ms. Hershey stated she met with Mr. Gagne on site and the project was described to her. She stated that since the work was occurring outside of the 100 ft. buffer she recommended he file a Request for Determination so the commission could review and issue as such. She stated the Country Club would be coming before the commission at our next meeting with a request to replace the drain as a separate filing.

Mr. Wiley asked for questions from the audience

Mr. Goetz made the motion to close the Public Meeting

Ms. Dyer seconded the motion

Vote: 5-0-1 (Mr. Finnigan abstained)

Closed: 8:40

Mr. Goetz made the motion to approve and issue a Negative 1 Determination

Ms. Dyer seconded the motion

Vote: 5-0-1 (Mr. Finnigan abstained)

CONT. PUBLIC HEARING

ABBREVIATED NOTICE OF RESOURCE AREA DELINEATION

MOOSEHILL RD. #272

DEP 315-1029

Opened: 8:42

Mr. Wiley read advertisement for the Continued Public Hearing

Mr. Wiley stated a letter from Neponset River Watershed Association dated 10/21/13 was given to the commission and will be discussed during the meeting by Mr. Tom Palmer

Ms. Joyce Hastings and Mr. Rob Truax, of GLM Engineering were present representing the applicant, Barberry Homes. Mr. Jim Williamson was present as their representative.

Ms. Hastings stated a site walk was conducted on October 19, 2013, and some commissioners and abutters attended. She stated that since the last meeting there was discussion on whether the stream in question was perennial or intermittent.

Mr. Wiley stated that in reviewing the site the commission needs to go by the regulations based on guidelines given in them. He stated the stream does not qualify as perennial

Ms. Hershey stated she had also spoken with DEP about running Stream Stats. Tom McGuire from DEP calculated the watershed and found it under the 0.5 Sq. mile and not on the USGS.

Ms. Dyer gave a printout of the Environmental Handbook for MA Conservation Commissioners to the Board. She stated there are lots of standards to make judgment, and, on principle, she feels the word intermittent does not belong here.

Mr. Finnigan stated he disagrees with Ms. Dyer and since the criteria has been met he agrees with Ms. Hastings and her findings

Ms. Dyer also discussed the spring and channel and stated they are legitimate words to be put on the plan.

Mr. Adams discussed that the whole area was wet and the spring was flowing, he would like it labeled on the plan

Mr. Goetz discussed the two streams shown on the site visit. He would like to see the second channel shown

Ms. Hershey stated the decision should approve the wetland flags as BVW # 12-2 through #12-40 and approve wetland flags #13-200 through #13-206 as isolated wetlands that are jurisdictional under the Walpole Wetlands Protection Bylaw only. She would like the applicant to revise the plan property line so the wetland line can be seen clearer.

Ms. Dyer would like the tributaries to be labeled on the plan as tributaries to Traphole Brook

Ms. Hastings stated she would have no problem labeling the tributaries on the plan

Mr. Wiley asked for questions or comments from the audience

Mr. Tom Palmer, of Neponset River Watershed Association, discussed the content of the letter he submitted to the commission members dated October 21, 2013.

Ms. Kathy Hines, abutter, spoke about the site visit and the fact she has never seen the area dry

Mr. Michael Moore, abutter, discussed Mr. Palmers letter

Mr. Goetz made the motion to close the Public Hearing

Ms. Dyer seconded the motion

Vote: 6-0-0

Closed: 9:40

The commission discussed issuing the Order of Resource Area Delineation after receiving revised plans showing the tributaries to Traphole Brook and designating the correct areas that are to be protected.

Mr. Adams made the motion to approve and issue an Order of Resource Area Delineation

Mr. Goetz seconded the motion

Vote: 6-0-0

ENFORCEMENT ORDER

1900 MAIN ST.

Mr. Jay Santos was present to discuss Enforcement issues that have occurred on site at 1900 Main St.

Mr. Goetz made the motion to issue an Enforcement Order for 1900 Main St.

Ms. Dyer seconded the motion

Vote: 6-0-0

Some commission members attended a site visit on October 19, 2013. Mr. Wiley stated no further work is to occur on-site within the 100 ft. buffer prior to a filing being submitted to the board. The commission discussed the Notice should include a restoration plan and he needs to put everything on the plan that he wants to do.

CERTIFICATES OF COMPLIANCE

**NORTH ST. LOT 1
DEP# 315-969**

**Mr. Goetz made the motion to approve and issue a Certificate of Compliance with ongoing conditions
Ms. Dyer seconded the motion
Vote: 6-0-0**

**CASCADE TERR. #81
DEP # 315-937**

**Mr. Goetz made the motion to approve and issue a Certificate of Compliance
Ms. Dyer seconded the motion
Vote: 6-0-0**

BOARD COMMENTS

Planning Board – 295 Union ST. – Comments are that this filing is before our board presently.
Planning Board – 960 Main ST. (Jalapeño's) Comments are that internal work is being proposed, no comments
Zoning Board of Appeals – 20 RockHill ST. – Comments are there are no conservation issues
Zoning Board of Appeals - 2275 Boston-Prov. Hwy (RSA Media) - Comments are this is for a billboard and the commission has no jurisdiction

CORRESPONDENCE

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

- High Point – League School
- Master Plan Committee

**Mr. DiVirgilio made the motion to adjourn
Mr. Finnigan seconded the motion
Vote: 6-0-0**

Meeting Closed: 10:30