

CONSERVATION COMMISSION

MINUTES (Approved 11/12/15)

OCTOBER 28, 2015

**Present: J. Wiley, Chairman
A. Goetz, Vice Chairman**

R. Turner, B. Dyer, K. Watson, E. DiVirgilio

Absent: J. Finnigan

Also Present: L. Hershey, Conservation Agent

Conservation Agent report given to the board

**PUBLIC HEARING
NOTICE OF INTENT
MAIN ST. #1075
DEP# 315-1095**

Opened: 7:00

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

Mr. Wiley read board comments into the record. Plans were submitted entitled "1075 Main St. Existing Conditions Site Plan of Land in Walpole, MA" dated September 28, 2015. Stormwater calculations were also submitted with the same date.

Mr. Dan Merrikin, Merrikin Engineering was present representing the applicant. The proposal is to construct a one-story addition to an existing commercial building at 1075 Main St. Mr. Merrikin submitted a letter responding to concerns of the Town Engineer dated October 28, 2015 and discussed them. Mr. Merrikin stated this is a redevelopment project involving the demolition of small portions of walkway and installing a 1,770 sq.ft addition in an area which is gravel and previously disturbed. This will be for additional tenant space. He stated there are resource areas near the site, including Bordering land subject to flooding, BVW, Land under waterways and the Riverfront area. Mr. Merrikin stated no work would be in the buffer zone except for the riverfront. Mr. Merrikin stated as there will be stormwater improvements to the site including underground infiltration; new infiltration units off roof drains and infiltration ditch. Mr. Merrikin discussed soil conditions and a proposed landscape area.

Ms. Hershey stated she is familiar with the site and reviewed the plan. She stated it needs to meet the stormwater standards as a redevelopment project. Her recommendation is they use drought resisted plantings and comply with new phosphorus regulations as well as no sodium chloride use for snow removal. Ms. Hershey asked if there were catch basins and about parking lots

Mr. Merrikin stated the front paved areas pitch away from any wetlands. Parking is along the front of the new building. He discussed he focused on roof runoff for infiltration as there was not much he could do in the front of the building although he tried to seek other alternatives to improve runoff as much as possible

Mr. DiVirgilio asked if excavation would occur or would it be on a slab

Mr. Merrikin stated the addition will have a full basement; excavation will occur and materials hauled offsite.

Mr. Turner stated he remembered when it was a gas station and asked if the tanks were removed.

Mr. Merrikin stated they were removed and the site has been remediated due to contamination several years ago. He stated it is all on file with the Board of Health and DEP signed off on it in 2011

Mr. Goetz asked the location of the nearest catch basin and about protection to take care of oil spillage

Mr. Merrikin showed the location on the plan which is across from Greenwood Ave. He stated if there is no hood on the catch basin he could see if an eliminator could be used. He would seek permission from the Town unless it is under State jurisdiction

Mr. Goetz said since it is a redevelopment filing in the riverfront they need to show improvement and that would be one

Mr. Wiley asked about the concrete wall on the plan

Mr. Merrikin stated it drops down and is around each side in the back of the site. Runoff goes over the wall into the lot. The back area is not used for parking

Mr. Goetz made the motion to close the Public Hearing

Ms. Dyer seconded the motion

Vote: 6-0-0

Closed: 7:17

Special conditions were discussed:

The commission discussed if no hoods are in the catch basins, see if it is in the Town's jurisdiction to authorize the use of an eliminator if possible. Mr. Merrikin stated he would discuss with the Town Engineer and if necessary look into dealing with the State

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

Ms. Dyer seconded the motion

Vote: 6-0-0

MINUTES

OCTOBER 14, 2015

Ms. Dyer made the motion to approve the Minutes for October 14, 2015

Mr. DiVirgilio seconded the motion

Vote: 6-0-0

CERTIFICATE OF COMPLIANCE

NORTH ST. # 674 (LOT A)

DEP# 315-1040

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

OTHER BUSINESS

Walden Dr. – Ms. Hershey stated there is a request for a routine work order located at Walden Dr. for the removal of tree growth and vegetation behind the headwall of the drainage culvert. This is approved under the Town Work Order of Conditions DEP 315-683

MINOR MODIFICATION

WALPOLE MALL

DEP #315-911

Ms. Hershey stated Panda Express is requesting some trimming and pruning of trees located in the wetland area located in front of their restaurant. They are concerned that the overgrowth their signage is being blocked and it is hurting their business. Photographs were submitted showing the overgrowth.

Ms. Hershey has been out on the site and stated she would modify a little of what they were asking. She feels selective cutting can be done on some low bushes without doing damage to the trees. She would suggest the applicant hire a Certified Arborist and would consider a minor modification to the Order of Conditions.

Mr. Goetz made the motion to approve a Minor Modification to DEP# 315-911 with the stipulation an Arborist be hired and will take guidance from the conservation agent

Ms. Dyer seconded the motion

Vote: 6-0-0

CONT. PUBLIC HEARING

NOTICE OF INTENT

MOOSEHILL RD #272

DEP# 315-1087

Opened: 7:31

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

Mr. Wiley read a letter into the record requesting a continuance until 11/12/15. Mr. Truax wrote they are waiting for peer reviewer to get his report in

Ms. Dyer made the motion to continue the Public Hearing until November 12, 2015 at 7:30 P.m.

Mr. DiVirgilio seconded the motion

Vote: 6-0-0

OTHER BUSINESS

Elm St. School Recreation Space

A letter from the Town Administrator was submitted discussing a potential project located at Elm St. School may commence next spring. It doesn't appear the use of Conservation land will be necessary, and if there are any ownership issues with Turner Trust they will be addressed during the process.

Ms. Hershey stated the commission doesn't need to do anything as this letter is just to keep the commission informed. Mr. Johnson wanted to know if the commission had any issues with this proposal. She discussed the small wetland areas, but doesn't feel the recreation space would be within 100 ft. of them.

The commission has no issues with the proposal as presented and would be happy to work with whoever is involved.

**PUBLIC HEARING
NOTICE OF INTENT AND LAND DISTURBANCE PERMIT
BIRD LANDFILL – OFF NORFOLK (DYNAMIC ENERGY)
DEP# 315-1096**

Opened: 7:47

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

Mr. Wiley read board comments into the record.

Plans were presented entitled "Bird Inc. Landfill Solar Project Off Norfolk St. Walpole, MA" dated July 13, 2015. An application for a Land Disturbance permit was also submitted as well as a Stormwater report dated October 2015

Mr. Andrew Bakinowski, Sr. Project Scientist of Weston & Sampson was present representing the applicant Dynamic Energy, LLC. Mr. Bakinowski stated this Notice of Intent and Land Disturbance permit is for the proposal to develop a solar project located at the old Bird Landfill. Three areas are identified as wetlands and a variety of the work will occur in the 50-100 ft. buffer. Mr. Bakinowski stated there is more work to be completed and they have been before the Planning Board and are continued. Revised plans were submitted tonight showing areas of land clearing proposed on the south east and west portions of the property. This is required to provide adequate space for the array and prevent shading. Vegetative maintenance is included in an O&M plan. Erosion controls will be in place between the work area and wetland resources. Mr. Bakinowski also stated he will discuss stormwater runoff and calculation issues with the Town Engineer.

Ms. Hershey stated she reviewed the plan but has not been out to the site. Her main problem is the scale of the plan. Under the WPA the plan needs to be at least a scale of 1"=40'. She wants the applicant to show what will occur within the 100 ft. buffer. She would like the applicant to give a description of why there needs to be work up to the 25ft buffer, including mowing. As far as the Land Disturbance permit, she stated they need to show the zones of where they are working so it can be permitted. The Town Engineer reviews for both Planning and Concom so some of her comments are directed to Planning Board concerns

Ms. Watson stated she would like to have a plan that is easier to read. She also stated a maintenance plan is needed

Mr. Bakinowski stated he understands that and the Planning Board and Fire Dept. are asking for more information, and would like an access road

Mr. Turner asked if the roadway which will be used is the original road used for the landfill

Mr. Bakinowski stated it is and that it will be necessary to do pruning and cutting of brush to access.

Ms. Dyer asked about a timeline. What season would the cutting need to take place to get ready for the project?

Mr. Bakinowski stated as there are some new Bat regulations with respect to cutting of trees, the work needs to be done between October and April. The trees need to be checked for Bat habitat. Establishing vegetation including reseeded and re-grading will occur right afterwards.

Mr. Goetz stated the commission learned the hard way during the last solar project the importance of stabilization prior to installation. He discussed the erosion problems that occurred because the areas hadn't stabilized prior to wiring and installation. He also stated he is familiar with the site and thinks it's a great use for this particular site but it needs to be done right. Mr. Goetz is concerned with cutting trees completely down in some areas and would like some vegetation growing. He spoke about the wildlife needing brush, although understands restrictions for shading purposes.

Mr. Bakinowski stated the project would have a phased approach. It can be a condition in the Order that the capped areas be completed first

Mr. Wiley discussed the site as being an area that off road vehicles frequented and tore up vegetation causing erosion. He asked if anything needed to be repaired due to this

Ms. Hershey stated annual reports have come in, barriers are up and the area is in better shape now.

Mr. Wiley asked the applicants approach to maintain security

Mr. Bakinowski stated there will be fencing with signage as the Fire Dept. requested with a locked gate and lock box for the Fire Dept. to access if needed

Mr. Wiley asked about 24-7 monitoring

Mr. Bakinowski stated a condition could be installing a security system with cameras if the board wanted.

Ms. Hershey asked who would be managing the solar field, and is it leased. There are two basins on the site with an existing Order of Conditions

Mr. Bakinowski stated Dynamic Energy will take responsibility for the arrays and the basins

Ms. Hershey stated the applicant needs to come back with more detail to satisfy the commission and a better scale plan to present.

Mr. Goetz made the motion to continue the Public Hearing until November 12, 2015 at 8:00 p.m.

Ms. Dyer seconded the motion

Vote: 6-0-0

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

Opened: 8:21

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

A letter was received from the applicant's representative dated 10/27/15 requesting a continuance until the November 12th meeting which Mr. Wiley read into the record

Mr. Goetz made the motion to continue the Public Hearing until November 12, 2015 at 8:15 p.m.

Ms. Dyer seconded the motion

Vote: 6-0-0

ENFORCEMENT ORDER

1900 MAIN ST

DEP# 315-1043

The commission discussed the Enforcement issues regarding 1900 Main St. A letter was sent to Mr. Santos following the last meeting advising him that the commission voted his request for an amendment as a minor modification to DEP 315-1043. The requirement from Mr. Santos was to submit a new site plan prior to the October 28th meeting. The office received no word from Mr. Santos.

Mr. Wiley directed an email be sent to Mr. Santos expressing the boards disappointment, and requesting them respond to advise when the commission can expect the new site plan

CORRESPONDENCE

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

- BSC Group – Riverwalk Commons Fall report
- Resident letter – Riverwalk commons tree removal
- Army Corp. of Engineers – Rehabilitation of Turner Pond Dam

Mr. DiVirgilio made the motion to adjourn

Ms. Watson seconded the motion

Vote: 6-0-0

Meeting Closed: 8:50