**CONSERVATION COMMISSION**

**MINUTES**

**(Approved 9/25/13)**

**SEPTEMBER 11, 2013**

**Present: J. Wiley, Chairman**

**Also Present: A. Goetz, V. Chairman**

**B. Dyer, J. Finnigan (7:15), D. Adams, R. Turner**

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

**Conservation Agent report given to the board**

**MEETING OPENED: 7:00**

The board acknowledged Mr. Sean Sparks resignation from the commission. A letter will be sent thanking him for his time served on the board.

**PUBLIC HEARING**

**WARREN LN. LOT 9**

**NOTICE OF INTENT**

**DEP# 315-1027**

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

Mr. Wiley read board comments into the record

Mr. John Glossa, Glossa Engineering was present representing Mr. Michienzi who was also present. There is an open Order of Conditions (DEP# 315-1007) which was approved by the commission 3/9/13 for the construction of the house, sewer, grading etc. Since that time, the owner has decided to construct a pool, shed, cabana and grading which requires this new Notice of Intent. Mr. Glossa stated the barn has been relocated from where it was on the original Order. Mr. Glossa stated the street has been paved and Lot 9 is the last one on the left of the cul-de-sac with 108,000 of the lot being upland. The rest of the lot includes the pond with wetlands around it as well as wetlands bordering the seasonal stream that goes behind Buckboard Ln. Mr. Glossa states that the wetlands were flagged as part of original filing with concom. Starting behind the house it is proposed to put in a concrete patio, and in-ground pool. Behind the pool another patio and cabana will be constructed with a fence around the pool leading to the cabana. The remaining area will be leveled off so it is above wetland elevation, and will be seeded with grass and used as lawn. Mr. Glossa stated most of the material coming from the site and will be spread around and re-used. Erosion controls including silt fence will be in place and no-disturb plaques are shown on the plan. Mr. Glossa state some of the proposed work in the front has already been approved under the first Order, and stated wetland plantings will be put in after construction

Ms. Hershey stated she has been out on site. She stated this wetland line was approved previously by an outside consultant. Ms. Hershey stated the plan needs to be clearer as it is difficult to read the existing grades. Ms. Hershey also stated she noticed the replication and no-alteration area has been mowed and this needs to be reviewed. Ms. Hershey stated references to the correct Order of Conditions need to be clearly shown on the plan, as some work was approved under the DEP# 315-1007

Mr. Glossa stated he will show references to the correct Order of Conditions on a revised plan

Mr. Turner discussed the proposed sewer service located by the pool and cabana area, and it’s proximity to wetlands.

Mr. Glossa stated the applicant is using a Gunite pool using a salt water system so there is no chlorine.

The commission discussed standard boiler plate pool conditions will be put in the Order.

Mr. Wiley asked for comments or questions from the audience

Mr. Charles Hede, 7 Buckboard Dr. discussed his concern regarding runoff issues after the issues his neighborhood had once construction began from the previous filings.

Mr. Brad Perham, SunnyRock Farm Dr. discussed the pool and groundwater flow and surface issues due to water problems on his property

Mr. Glossa discussed the rate of runoff and there will be no change to this. He also stated no added volume will be going into the pond

Mr. John Niack, 15 Sunnyrock Farm disagreed and feels the water table has been affected

Mr. Glossa stated he will be glad to meet with the neighbors again to address their concerns

**Mr. Goetz made the motion to close the Public Hearing**

**Ms. Dyer seconded the motion**

**Vote: 6-0-0**

**Closed: 7:35**

The commission discussed special conditions to include verbiage that any salt from pool needs to be removed from site and not discharged into the ground should the pool need to be emptied. Revised plans will be submitted prior to issuance of this permit.

**Mr. Goetz made the motion to approve the Order of Conditions with conditions**

**Ms. Dyer seconded the motion**

**Vote: 6-0-0**

**CONT. PUBLIC HEARING**

**MILLBROOK AVE #55 (Lot 127)**

**DEP# 315-1022**

**Opened: 7:40**

Mr. Wiley read the advertisement for this Cont. Public Hearing

Ms. Stacy Minihane, of Beals and Thomas along with Jeff Heidelberg and Sean McShane of Toll MA I, LLP were present. Plans entitled “High Oaks Estates Walpole MA Lot 127 #55 MillBrook Ave.” dated 8/20/13 and revised 9/4/13 were given to the commission for review. Ms. Minihane stated that they revised the plans after receiving comments from the commission at the last Public Hearing. She stated the footprint of the house has been established, erosion controls have been added and no-alteration plaques put on the plan. Ms. Minihane stated the other issue is the utility easement, and she stated they are working with the Town on this and it will be resolved prior to construction.

Ms. Hershey has been out on the site. Ms. Hershey stated elevations and proposed grades need to be shown on the plan. She stated she would like a copy of the recorded easement showing book and page to be included with the building sign off

Mr. Turner asked about the location of the driveway

Ms Minihane stated on this particular lot it is within an easement

Mr. Goetz asked about the proposed drywell and wants to know more about it including location

Ms. Minihane stated the revised plan includes calculations to size them and detail on the plan as well for it to be installed.

Ms. Minihane stated that the footprint of the house is the most popular model, and if future homeowners wish to change this they will need to file for either an amendment or a new Notice of Intent

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: 7:50**

The commission discussed special conditions including calcs and detail of the vortex unit shown, the recorded access and utility easement showing book and page will be included in the Order and no-alteration plaques will be installed per the commission’s direction.

**Mr. Goetz made the motion to approve the Order of Conditions with conditions**

**Ms. Dyer seconded the motion**

**Vote: 6-0-0**

**PUBLIC HEARING**

**MILL BROOK AVE. #71 (AMENDMENT)**

**DEP# 315-883**

**Opened: 7:55**

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

Mr. Wiley read board comments into the record.

Ms. Stacy Minihane, of Beals and Thomas along with Jeff Heidelberg and Sean McShane of Toll MA I, LLP were present. Plans entitled “High Oaks Estates Walpole MA Lot 110 #71 MillBrook Ave.” dated 8/20/13 were given to the commission for review.

Ms. Minihane stated this filing is for the request for an amendment and extension to the existing Order of Conditions which was issued in 2006, and extended until 9/27/13. Therefore a request for an extension applies. Ms. Minihane stated the house footprint has been selected and there are fairly minor changes. She stated the impact to the wetlands are actually less as the wetlands were re-delineated and is more upgradient of the original delineation. Ms. Minihane stated the drywells have been sized and calculated, no-alteration plaques and erosion control lines are in place and shown on the plan.

Ms. Hershey stated she has been out on site and would like orange snow fence in front of the straw wattles. She also discussed putting in spot shots in the driveway entrance

The commission had no concerns with this filing as presented

Mr. Wiley asked if there were 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: 8:00**

**Mr. Goetz made the motion to approve and accept the Order as amended**

**Ms. Dyer seconded the motion**

**Vote: 6-0-0**

**EXTENSION**

**MILLBROOK AVE. #71**

**DEP# 315-883**

Ms. Minihane stated they are requesting a one-year extension for 71 MillBrook Ave as the existing Order of Conditions is due to expire in September

**Mr. Goetz made the motion to approve and issue a one-year extension**

**Ms. Dyer seconded the motion**

**Vote: 6-0-0**

The commission discussed that revised plans are needed with driveway detail, and silt fence detail

**PUBLIC HEARING**

**SHADY LN. LOT 105, #10**

**DEP# 315-1028**

**Opened: 8:04**

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

Mr. Wiley read the board comments into the record

Ms. Stacy Minihane, of Beals and Thomas along with Jeff Heidelberg and Sean McShane of Toll MA I, LLP were present. Plans entitled “High Oaks Estates Lot 105 #10 Shady Ln.” dated 8/20/13 were given to the commission for review.

Ms. Minihane stated this is a new Notice of Intent submitted for the construction of a single family house. The original Notice was for site clearing and grading only and an Order of Conditions was issued 11/20/07 under DEP# 315-916. Ms. Minihane stated they have tried to incorporate what the commission has required for previous filings including the addition of no-alteration plaques and erosion controls. Ms. Minihane stated spot shots on the driveway will be shown on a revised plan. She stated access and easements are shown for future use in case the Town needs it for access to Conservation land. The easements have been recorded but are not in use at this time.

Ms. Hershey stated she has been on site. She would like the existing stone wall shown on the plan and recommends the slopes be stabilized after the backfill of the foundation. Ms. Hershey would also like language provided regarding the easement.

Ms. Minihane stated the site prep is being done under the open Order of Conditions for the grading and fill. They have filed this Notice of Intent in order to continue on with the work once the site prep is complete.

Mr. Turner discussed the slope of the property and his concerns of water becoming an issue.

**Mr. Goetz made the motion to close the Public Hearing**

**Ms. Dyer seconded the motion**

**Vote: 8:15**

The commission discussed special conditions to include showing the existing stonewall on the plan as a boundary for Town Land, the slope must be stabilized. The commission discussed in the previous Order of Conditions issued in 2007, they asked for a deed restriction on the remaining undeveloped land which shall be recorded. The commission discussed looking into this before a Certificate of Compliance is requested.

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

**Ms. Dyer seconded the motion**

**Vote: 6-0-0**

**PUBLIC HEARING**

**ABBREVIATED NOTICE OF RESOURCE AREA DELINEATION**

**MOOSEHILL RD. #272**

**DEP# 315-1029**

**Opened: 8:25**

Mr. Wiley read the advertisement from the Walpole Times.

Mr. Rob Truax of GLM Engineering was present representing the applicant. Mr. Jim Williamson, representative of Barberry Homes was also present. Mr. Truax apologized and stated he had forgotten to bring the green cards from his office.

Mr. Wiley read board comments into the record. He stated a letter from the Finance Dept. shows there are unpaid monies due the Town and this needs to be resolved as well before the hearing will be closed and a permit issued. The Hearing needs to be continued but Mr. Wiley stated that the representative can present as there are many abutters and interested parties in the audience. Mr. Wiley stated this filing is for an Abbreviated Notice of Resource Area Delineation only and any comments or questions need to be related to this filing only.

Mr. Truax stated all he is representing tonight is where the wetland line is. He discussed existing plan layout, wood lines and BVW which is located to the rear of the site. Mr. Truax stated there was an intermittent stream located which discharges into Traphole Brook.

Ms. Hershey stated she has been on the site and walked it with Joyce Hastings of GLM. She discussed finding many grass clippings and leaf litter in the area, and is requesting soil pits be done and reviewed in that area. She stated there is considerable weeping of water along the boundary of the land and would like to see soil profiles. Ms. Hershey stated there is a lot of grass growing in the wetlands.

Mr. Truax provided revised plans entitled “Wetland Delineation Plan, 272 Moose Hill Rd. Walpole MA” dated 9/10/13 to the commission and the audience.

Ms. Dyer suggested the commission complete a site visit

Mr. Goetz stated this hearing needs to be continued. He would like more investigation of the inlet that was found

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

Mr. Tom Palmer, of Neponset River Watershed Assoc. was present and gave handouts dated 9/11/13 to the commission. He discussed his concern with Traphole Brook being considered an intermittent stream and stated, according to USGS maps, in his opinion it is a perennial stream as it never stops flowing. He discussed his concern of the quality of water entering the brook from runoff etc. from this project and wants the brook not to be adversely affected. He stated his feeling there needs to be lots of focus on stormwater management.

Mr. Dante Ferrara, 275 Moosehill Rd discussed the plan and the 100 ft buffer

**Mr. Goetz made the motion to continue the Public Hearing until October 9, 2013 at 7:30**

**Ms. Dyer seconded the motion**

**Vote: 6-0-0**

**MINUTES**

**August 14, 2013**

**Mr. Goetz made the motion to approve the Minutes for August 14, 2013**

**Mr. Adams seconded the motion**

**Vote: 5-0-1 (Ms. Dyer abstained)**

**BOARD COMMENTS**

Planning Board is requesting comments for a major modification to the filing for Plimptonville Crossing. A landscape plan was submitted and the board discussed they liked the diversity of the plant. They discussed using minimum amounts of fertilizer for the plantings and to choose plants that do not require much water. The board discussed the need for monitoring invasive plants for prevention purposes and recommended the plantings be maintained as an ongoing condition.

**ENFORCEMENT ORDERS**

Industrial Rd. #4 – The board discussed vacating the enforcement order once there is an Order of Conditions in place

West St. Parking lot – Ms. Hershey stated the lot has been cleaned up quite a bit. The commissioners discussed the possibility of putting up fencing or a barrier. Ms. Hershey will revisit the site and speak with the owners about keeping the area clean

South St. #400 – Everything is status quo

**MODIFICATION – 400 OLD POST RD.**

**TALL PINES SUBDIVISION**

**LAND DISTURBANCE PERMIT 2013-1**

A letter dated 8/22/13 submitted by Merrikin Engineering was received requesting a modification to the current Land Disturbance Permit issued in March of 2013. The most significant modification relates to roof infiltration fields which have been eliminated from the drainage calculations at the request of the Town Engineer, and larger infiltration fields were adjusted to reflect the change. The O&M format was revised and drainage calculations were submitted dated June 25, 2013. The commission discussed the changes and voted to accept the updated plan as a modification to the previously approved Land Disturbance permit

**Ms. Dyer made the motion to accept the plan submitted as a modification to the previously approved Land Disturbance plan**

**Mr. Goetz seconded the motion**

**Vote: 6-0-0**

**MUNICIPAL WORK ORDERS**

Boyden School playground – Under DEP# 315-683 the Walpole Parks Dept cut back brush along the length of the playground border using hand tools

Neponset River Dam – Under DEP# 315-683 the Parks Dept. removed trees and provided vegetation management on the dam structure. This request was submitted and approved by the Mass Division of Dam Safety

**CORRESPONDENCE**

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

* Lycott Environment – Treatment notifications Rainbow Pond & Swan Ponds
* AMEC report – 100 Neponset St.
* GES letter – 750 Main St.
* NSTAR- Maintenance notification ROW 4

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

**Ms. Dyer seconded the motion**

**Vote: 6-0-0**

**Meeting Closed: 10:00 p.m.**