

CONSERVATION COMMISSION

MINUTES

(Approved 10/9/13)

SEPTEMBER 25, 2013

Present: J. Wiley, Chairman

A. Goetz, Vice Chairman

D. Adams. B. Dyer , R. Turner

Absent: J. Finnigan

Also Present: L. Hershey, Conservation Agent

Conservation Agent report given to the board

Meeting Opened: 7:00

CONTINUED PUBLIC HEARING

AMENDMENT

WALPOLE COUNTRY CLUB

DEP# 315-839

Opened: 7:00

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

Mr. Wiley read board comments into the record

Mr. Mark Gagne, Golf Course Superintendent, Walpole Country Club was present. Mr. Gagne stated that he has had communication with Ms. Hershey regarding the existing Order of Conditions, and it was discussed that an updated Pond Management Plan is needed. Mr. Gagne gave handouts to the commission dated 4/22/13.

Mr. Gagne stated he is also seeking a modification to the plan based on his experience with managing the pond which will improve the effectiveness of the plan. There are five elements which he discussed:

- Aquatic Vegetation Control
- Management of Vegetation around the ponds
- Tree removal and remediation plantings
- Periodic removal of silt
- Reporting of water quality testing.

Mr. Gagne discussed and summarized these elements. He stated with regard to aquatic control he would like to introduce a new application called Clipper, which is quick acting on the weeds and he feels it

would be a good fit. Mr. Gagne is requesting, as a modification, that aquatic weed control notification of applications be reduced from five days to 24 hrs. as often times around Allen Pond the applications need.

Mr. Gagne stated he would also like a modification to the current way of trimming invasives to prevent growth. He discussed cutting to the ground and applying herbicide to prevent growth, and seed with desirable plantings. With regard to non invasive plants he would like to continue the trimming and requests the pruning height be 3-4 ft. to prevent multi-point growth. Mr. Gagne discussed tree removal and stated that nine (9) have been removed around Allen Pond and the planting plan has been completed. Mr. Gagne discussed silt removal around the wishing well being cleaned out. Mr. Gagne then discussed the club has, and will continue to test and report water quality to the commission

The commission discussed the five elements. Ms. Hershey state that since the pond has been dredged she thought it was time to update the management of it.

Mr. Gagne stated it has been two seasons since the dredge and he has seen a reduction in weed growth.

Mr. Turner asked about the depth of Allen Pond and stated he felt trimming and cutting should occur more

Mr. Gagne stated it varies but is up to 9 ft. deep and there is weed growth even in the deeper areas.

Ms. Dyer discussed that some of the plantings listed, including Cattails are listed as invasive when they are not. She feels it should be corrected. She asked what happens to the dead plants after using the rapid active herbicides.

Mr. Goetz wanted more information on the affect on fish and turtles etc.

Mr. Wiley asked for comments and questions from the audience

The commission stated they wanted to review the handout and digest the information given. They discussed Best Management Practices and the restriction of fertilizers around specific areas be included. The commission discussed the list of invasive plantings be listed with only actual invasives.

Mr. Goetz made the motion to continue the Public Hearing until November 13, 2013 at 7:00 p.m.

Ms. Dyer seconded the motion

Vote: 5-0-0

CONT. PUBLIC HEARING

INDUSTRIAL RD. #4

DEP# 315-1023

OPENED: 7:45

Mr. Wiley read the advertisement for this continued Public Hearing. Certificates of mailing were collected

Applicant, Mr. John DiSangro was present. Mr. DiSangro handed out photographs of the work which has been completed on this site. He stated other than minor cleanup between the wall and lower building, he is finished. He did state he may go back to the building inspector to discuss making the retaining wall higher with a safety railing in the future.

The commission discussed no-disturb plaques should be placed along the boundary line every 50 ft. Erosion controls shall be placed at the end of the retaining wall and replaced annually if not sooner as needed. This shall be a continuing special condition

Mr. Goetz made the motion to close the Public Hearing

Ms. Dyer seconded the motion

Vote: 5-0-0

Closed 7:55

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

CONT. PUBLIC HEARING

NOTICE OF INTENT/LAND DISTURBANCE PERMIT

MAIN ST. # 1901 (ALLIED RECYCLING)

DEP# 315-1025

Opened: 7:58

Mr. Wiley read the advertisement from the Walpole Times.

Mr. Wiley read a letter into the record received by the applicant's representative. They are once again requesting a continuance of this Public Hearing as more information is needed

Mr. Goetz made the motion to continue the Public Hearing until October 23, 2013 at 7:30 p.m.

Ms. Dyer seconded the motion

Vote: 5-0-0

CONT. PUBLIC HEARING

NOTICE OF INTENT

MAIN ST. #1900

DEP# 315-1026

Opened: 8:00

Mr. Wiley read the advertisement from the Walpole Times

Mr. Wiley read new board comment from the Board of health into the record.

Mr. Wiley stated the Finance Dept. letter shows that there continue to be unpaid monies due the Town of Walpole and that this needs to be resolved before the issuance of any permit.

Mr. John Santos and his associate Melissa Magnison were present. They gave out a packet for the board to review including a DEP Non-Compliance Action Plan and photographs showing the work completed on the site and also a MassDEP BVW delineation field data form. She stated they are working with DEP to establish a time frame to deal with outstanding issues. She stated they are also working with a clean-up specialist with DEP. Ms. Magnison stated the property has been graded and there is no longer water flooding from the street into the driveway. She stated the purpose of tonight's hearing is they be approved to pave the driveway as the first step so they can continue on with the ZBA.

Ms. Hershey stated the filing before us is for the repaving of the driveway. She also stated there are other outstanding issues and there has been a long problem with enforcement issues. Ms. Hershey stated one issue is stormwater management from the rear of the property as well as in the front. Both wetlands and buffer zone are on the property. Ms. Hershey stated another issue is that once the plan was surveyed it showed that there has been some activity onsite and that the fence is on either Town or Conservation property.

The commission discussed addressing the filing before the commission first.

Mr. Turner stated the front of the property with the landscaping looks better than a year ago.

Ms. Dyer discussed the pavement line and Mr. Goetz stated this is a redevelopment project

Mr. Goetz stated the pavement is necessary to stabilize the area and prevent oils and such from going into the wetlands. Regarding the fence, he stated it could be moved along the property line. Mr. Goetz stated as far as water coming off of Route 1A, it is a tough situation but the State will be repaving and re-grading along Route 1 sometimes in the spring which should help

Mr. Wiley asked about the curb cut, and why isn't the water coming into the driveway now

Mr. Santos explained a berm has been put in, and that has made the difference

Ms. Hershey discussed a sump area in the trap rock needs to be cleaned out periodically

After discussion, the board agreed to issue an Order of Conditions contingent upon the applicant submitting a receipt showing the taxes have been paid.

Mr. Wiley stated the fence issue could be handled by bringing it along the property line.

Ms. Hershey stated that both the fence and some of the landscaping is partly on Town property.

Mr. Wiley stated the applicant needs to identify where the property line is located. The commission decided to schedule a discussion in October 9, 2013 once this has been established.

Mr. Goetz made the motion to close the Public Hearing

Ms. Dyer seconded the motion

Vote: 5-0-0

Closed: 8:45

The commission discussed special conditions including three no-disturb plaques be placed on the fence line and maintained on both sides, Westerly and Easterly, along the property line. This shall be shown on the As-built plan when submitting a request for a Certificate of Compliance.

Mr. Goetz made the motion to approve and issue an Order of Conditions with special conditions and contingent upon unpaid monies to the Town of Walpole be paid.

Ms. Dyer seconded the motion

Vote: 5-0-0

The commission discussed activity which is ongoing behind the fence and to the back of the lot. The commission discussed once the property gets staked out, the extent of the activity can be looked at and more than likely an Enforcement Order with recommendations of remediation can be discussed.

The commission discussed scheduling a discussion for October 9, 2013 to discuss the Enforcement issues.

**PUBLIC HEARING
NOTICE OF INTENT
LADY SLIPPER DR. #10 LOT 106
DEP# 315-1033**

Ms. Stacy Minihane, Beals and Thomas, Sean McShane and Jeff Heidelberg representing Toll MA I, MA were present for the following High Oaks Estates filings.

Opened: 9:00

Mr. Wiley read the advertisement from the Walpole Times. Certificates of mailing were accepted for the High Oaks Filings before the commission this evening.

Mr. Wiley read board comments into the record

The commission received plans entitled "High Oaks Estates Lot 106 #10 Lady Slipper Dr." dated 9/4/13

Ms. Minihane stated these filings show the typical homes that may be developed as in previous filings of the subdivision. In this particular lot wetlands are shown at the back of the lot and significant clearing has occurred. Tree clearing is necessary on this lot. Per the engineer comments she stated a driveway apron will be added to the plan.

Ms. Hershey stated she has been out on the site and walked the line for all of these lots. She stated the wetland line as be renewed, new flags have been hung that were more conservative than before which is good. She stated the detention basin needs to be cut, and it should be shown on the plan. Ms. Hershey has listed recommended conditions in her Agent report which will be attached to these minutes.

Mr. Turner discussed the stormceptor and whose responsibility it is

Mr. Heidelberg stated for now it is the owner's responsibility but will be under a Homeowner Association once established.

Mr. Goetz discussed roof water infiltration

Mr. Wiley discussed the no alteration plaques should go along the 25 ft. no disturb and the far side of the basin

Mr. Wiley asked if anyone in the audience had questions or comments

Mr. Goetz made the motion to close the Public Hearing

Ms. Dyer seconded the motion

Vote: 5-0-0

Closed: 9:15

Special conditions in the Agents report were discussed. Revised plan will be needed prior to issuance of these filings. Some conditions include the sewer and water installation shall be shown on the final construction plan, the stormwater detention basin and vortex units located on this lot are conditioned under DEP# 315-501 (includes the O&M plan) issued for the subdivision, As-Built plans shall show the location of the drywells, siltsacs shall be placed in catch basin at Millbrook Ave and maintained until site

is stabilized, driveway shall be graded so it doesn't not take stormwater from Lady Slipper Dr. and no alteration plaques shall be shown on the plan and maintained in perpetuity.

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

LADY SLIPPER DR. #5 LOT 161

315-1030

OPENED: 9:20

Mr. Wiley read the advertisement from the Walpole Times.

Mr. Wiley read comments into the record

Plans were presented entitled "High Oaks Estates Lot 161 #5 Lady Slipper Dr. dated 9/4/13

Ms. Minihane stated that on Lot 161 there needs to be a fair amount of tree clearing. She stated all the other issues from the other lot filings have been addressed.

Ms. Hershey stated that plans need to be reviewed before any sign-offs as they may change slightly and need modification

Mr. Goetz stated he has an issue about the size of the backyards. He suggested possibly putting a fence up to deter filling in the wetlands to make more lawn area.

Ms. Hershey stated the area is heavily vegetated

Ms. Minihane stated sometimes a fence is worse as they can dump over it.

The commission decided plaques would suffice

Mr. Goetz made the motion to close the Public Hearing

Ms. Dyer seconded the motion

Vote: 5-0-0

Closed: 9:30

The commission discussed special conditions as listed in the other filings

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

LADY SLIPPER #7 LOT 162

DEP# 315-1031

Opened: 9:31

Mr. Wiley read the advertisement from the Walpole Times

Board comments were read into the record

Plans entitled “High Oaks Estates Lot 162 #7” dated September 4, 2013 were given to the board for review

Ms. Minihane stated clearing will be needed along the southern end of the site off of the deck. She stated all other comments from Ms. Hershey were addressed.

Ms. Hershey stated it is her opinion there is enough room to get around the deck or patio without disturbing the no alteration area. Her recommendation is that the applicant should make it smaller or take a portion off the corner

Mr. Turner feels they are pushing the envelope on this size lot

Mr. Wiley wanted another plaque added on the corner of the deck

Mr. Goetz made the motion to close the Public Hearing

Ms. Dyer seconded the motion

Vote: 5-0-0

Closed: 9:35

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

Special conditions as noted above will be in the Order of Conditions

PUBLIC HEARING

NOTICE OF INTENT

LADY SLIPPER #9 LOT 163

DEP 315-1032

Opened: 9:37

Mr. Wiley read the advertisement from the Walpole Times

Mr. Wiley read board comments into the record. Plans entitled “High Oaks Estates Lot 163 #9 Lady Slipper Dr.” and dated 9/4/13 were given to the board

Ms. Hershey stated there are no additional comments for this lot and the same special conditions should apply.

Mr. Goetz made the motion to close the Public Hearing

Ms. Dyer seconded the motion

Vote: 5-0-0

Closed: 9:45

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
LADY SLIPPER #11 LOT 164
DEP# 315-1034

Opened: 9:47

Mr. Wiley read the advertisement from the Walpole Times

Board comments were read into the record.

Plans were submitted to the board entitled “High Oaks Estates Lot 164 #11 Lady Slipper Dr. and dated 9/4/13

Ms. Minihane stated this is a different style home which was designed specifically for this lot to accommodate the size and area.

Mr. Heidelberg stated that Toll needed to go to the drawing board to come up with plans for this lot and it is not being offered to any other lot for design.

Ms. Hershey stated there needs to be detail shown on the plan showing how the wall will be constructed with an engineered plan. She also stated there may be erosion occurring at the end of the wall from stormwater flow off the driveway and down the slope.

Ms. Minihane stated she spoke with the Engineer and roof runoff will be infiltrated. She also stated there will not be the volume of water once stabilized and vegetated

Mr. Wiley stated the driveways need to be graded correctly so neighbors won’t have water flow issues

Ms. Minihane stated catch basins are on the road and they will make sure there are not water issues

Mr. Goetz made the motion to continue the Public Hearing until October 9, 2013 at 7:45 p.m.
Ms. Dyer seconded the motion
VOTE: 5-0-0

PUBLIC HEARING
NOTICE OF INTENT
LADY SLIPPER DR. #12 LOT 165
DEP# 315-1035

Opened: 9:55

Mr. Wiley read the advertisement from the Walpole Times

Plans were submitted entitled “High Oaks Estates, Lot 165 #12 Lady Slipper Dr.” dated 9/4/13

Mr. Wiley read the Town Engineer comments into the record. The Town Engineer stated documentation should be provided showing the lot lines and easements have been altered to fit the new lot. This information has not come from the Registry of Deeds.

Ms. Minihane stated they are working with the Town regarding the easement. She stated a small clearing of trees are needed on this lot. Driveway aprons will be looked at as well as the other lots, and all the same information as stated in the above lots will be addressed.

Ms. Hershey stated there is a little intermittent stream in the back, and she would like to see no alteration plaques moved to the 168 contour line giving the wetlands and stream more existing treecover. She stated there is a stonewall in that area as well.

Mr. Turner stated some of the driveways on these lots are very steep and his concern with chemicals going straight down to the wetlands. He discussed adding stipulation about fertilizers, pesticides and de-icers to the Orders.

Mr. Goetz made the motion to close the Public Hearing

Ms. Dyer seconded the motion

Vote: 5-0-0

Closed: 10:05

The commission discussed special conditions as listed in the other Orders and includes the use of organic fertilizers as well.

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

Revised plan with moving up alteration area for this lot

The commission discussed on Lot 164 another no-alteration plaque should be added.

MINUTES

SEPTEMBER 11, 2013

Ms. Dyer made the motion to accept and approve the Minutes for September 11, 2013

Mr. Turner seconded the motion

Vote: 5-0-0

BOARD COMMENTS

PLANNING BOARD – KINGSWOOD ESTATES – The Board discussed this two house subdivision coming before Planning Board. After review the commission discussed they will need to file with the Conservation Commission as it is within their jurisdiction.

ZBA– 17 SANDRA RD – Ms. Hershey stated this is for a farmers porch and would not require a filing

ENFORCEMENT ORDER

INDUSTRIAL RD. #4

Mr. Goetz made the motion to vacate the Enforcement Order for 4 Industrial Rd

Ms. Dyer seconded the motion

Vote: 5-0-0

PLIMPTONVILLE CROSSING– Ms. Hershey stated no erosion control report was received and she needed to speak with them

SOUTH ST. #400 – Status quo

WEST ST. PARKING LOT – Status quo

CORRESPONDENCE

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

- Attorney General Letter – Walpole Town Meeting Warrant Articles 32, 35 and 33

Mr. Adams made the motion to adjourn

Mr. Turner seconded the motion

Vote: 5-0-0

Closed: 10:30