



## **CONSERVATION COMMISSION**

### **Town Hall**

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## *Town of Walpole Commonwealth of Massachusetts*

MINUTES  
CONSERVATION COMMISSION  
March 22, 2017  
7:00 PM  
DRAFT

**This meeting was taped and will be available on [walpolemedia.tv](http://walpolemedia.tv)**

Present: Jack Wiley (Chairman), Betsey Dyer, Emidio DiVirgilio, Roger Turner and Kathleen Watson

Also present: Landis Hershey, Conservation Agent  
Amy Messier, Board Secretary

The Conservation Agent Report dated March 22, 2017 was given to members.

Chairman Jack Wiley opened the meeting at 7:04 p.m.

### **Continued hearing, Notice of Intent, by SR II Ventures, Lot #30 Gigi's Way, DEP #312-1117:**

Jack Wiley read the applicants' request to continue the hearing to a later date, Betsey Dyer moved to continue this hearing to April 26, 2017 at 7:00 p.m. as requested by the applicant, Michael Viano, of SR II Ventures, 1210 Greendale Ave, Unit 326, Needham, MA 02492, the motion was seconded by Emidio DiVirgilio. The vote carried 5-0-0 (Wiley, Dyer, Turner, DiVirgilio, Watson)

### **Continued hearing, Notice of Intent, by Wallstreet Development Corp, off Burns Ave., Union Sq. Village, DEP #312-1120:**

Chairman Jack Wiley read comments from the other Boards, which consisted of the Town Engineer, Board of Health and the Sewer and Water Commission. Paul Mcmanus from Ecotec, representing the applicant, Lou Petrozzi was present, along with the applicant himself. Mr. Mcmanus explained that a revised plan had been submitted to the Board last week, and that extensive changes have been made in comparison to the first plans that had been originally submitted, which included; a modified layout of the project and the addition of the designation of Pickerel Brook as a river, with riverfront area, and the alteration to the entrance of the proposed street of the project, from Union Street originally, to Burns Avenue on the revised plan. Conservation Agent, Landis Hershey

addressed comments and concerns from her Agents' Report, which included the following; that the applicant provide a more in depth explanation of the designation of Pickerel Brook due to conflicting information submitted, submission of a revised Notice of Intent and resubmit supporting documentation with the name of the reviewer, along with the correct river designation and any documents supporting their plan design, and a revised stormwater management report. The Agents' Report also stated that any mitigation proposed shall be shown on a plan with notes, and a site visit by the Commission is recommended, which is scheduled for April 1, 2017 at 8:30 a.m., which will only include visual observations by the Commission, and is also open to any interested persons of the public. Brian Butler from Oxbow Associates Inc. was present, and referenced the "Habitat Management Plan" that was submitted to the Board on March 16, 2017. Ms. Hershey commented that the infiltration basin on the plan seems to be very close to Traphole Brook, and recommends that smaller basins with a larger area be introduced in the plan, in which Kate Watson and Emidio DiVirgilio agreed. Roger Turner expressed his concern about the lack of information on the plans regarding stormwater runoff and roof drainage, he also made the comment that it is imperative to maintain the cleanliness of the Brook, and keep the Brook occupied by the trout. Betsey Dyer states that the applicant should consider the following; fewer units, less impervious surface, and an all-around smaller project due to the proposed detention basin and the possible negative effects on the trout. Jack Wiley asked who would be responsible for property maintenance, in which Mr. Petrozzi stated that the Homeowners Association would resume responsibility. Ms. Hershey stated that there needs to be more test pits in place, Mr. Wiley expressed that a more in-depth review of the ground water elevations needs to take place. Ms. Hershey asked why the sewer line can't be on Burns Ave, in which Mr. Petrozzi explained that the Burns Ave. line isn't deep enough to service the units, therefore it is located on Union Street instead. Ms. Hershey stated that their plan to eradicate invasive species is costly to the Neighborhood Association, in which Ms. Watson stated that their plan should involve more than two seasons, and a 5-10 year plan is much more realistic, along with revisiting the type of grass they plan on planting. The hearing was opened to the public for their input, which includes the following; Joyce Bradley of 144 Pleasant Street- asked the Board if any of them had been on site to see the actual project area, in which Ms. Hershey stated that she has been on the property. Tom Palmer, an employee of the Neponset River Watershed Assoc. expressed his concern of the possible significant adverse impact to the riverfront area this project may bring due to the density of the project because of the minimization of the wetlands and lack of area for floodwaters to go, and the temperature of the water in the proposed detention basins. Joseph Shea of Burns Ave expressed his concern about the possible warming of the water in the basins due to the project. Liz Barrows of Union Street submitted letters on behalf of the previous neighbors, disagrees with the type of grass proposed to be planted, and asked if the Oxboro habitat report is going to be revised, which it is. James Usevich of Union Street expressed his concerns about water drainage. Bill Campbell of 8 Brook Ln. expressed his concerns about the type of fertilizer that would possible be used on the lawns after the project is completed, in which the Board reassured him that the type of fertilizers that could be used would be a condition in the Order of Conditions. There were no further questions from the Board or public at this time, **Betsey Dyer made a motion to continue the hearing to April 26 at 7:15 p.m., the motion was seconded by Emidio DiVirgilio. The vote carried 5-0-0 (Wiley, Dyer, Turner, DiVirgilio, Watson)**

**Notice of Intent, by Edgewood Development Co. LLC, Liberty Village Condominium, 1034 East Street, DEP #315-1126:**

Phil Macchi of Macchi & Macchi representing the applicant- Edgewood Development, was present. Jack Wiley read comments from the other Boards, which included comments from the Town Engineer and the Board of Health. Tim Higgins and Jacob Murray from Edgewood Development were also present, Mr. Murray explained the current state of the property of the proposed project, which is that it is currently a 100% impervious surface. Mr. Murray then explained that there are no work proposed in the specific elevations in regards to the 100 year flood plan, and that they do plan on increasing approximately 13,000 ft. of pervious surface, along with adding a deep sump pump, catch basins and particle material. Mr. Murray and Mr. Higgins went on to explain that the river will be protected during construction with hay bales, silt fences and silt sacks located at the catch basin. Ms. Hershey suggested that a meeting between the applicant and the Town Engineer would be helpful in regards to going over Board comments and concerns, especially the stormwater plan. Ms. Hershey also recommended that there be more landscaping along the river compared to what is currently being proposed on the plans. Roger Turner expressed his concern about the rising water levels during storms, and is also concerned about water contamination from the parking lot runoff into the river. Mr. Higgins stated that a stormwater and hazardous materials report will be submitted. Mr. Murray had mentioned that in the FEMA report, that the river does not overflow underneath Elm street onto the over-bridge, however Betsey Dyer and Roger Turner expressed concerns regarding over-flow since they have both seen the water over-flow over the years. Jack Wiley asked what the underground storage drainage is sized for, in which Mr. Murray replied that they are sized for a 100 yr. storm. The Board had no further comments at this time, and look forward to the submittal of the stormwater and hazardous materials report to look over, and also a meeting with the Town Engineer. **Betsey Dyer made a motion to continue the hearing to April 12, 2017 at 8:00 p.m., the motion was seconded by Emidio DiVirgilio. The vote carried 5-0-0 (Wiley, Dyer, Turner, DiVirgilio, Watson).**

**Continued hearing, Notice of Intent, by John M. Corcoran & Co., 95 West Street, DEP #315-1119:**

Attorney Phil Macchi, representing the applicant John M. Corcoran was present, along with Stephen Chouinard from Allen & Major Engineering, Dave Mackwell from Kelly Engineering and Michael Manzo from TMC 100 Elm LLC. Mr. The Applicant submitted revised plans and a comment letter that addressed the Town Engineers comments and the Conservation Boards' comments from 2/22/17, in which the Town Engineers comments have been addressed. Mr. Chouinard addressed improvements to the West Street parking lot and Mr. Mackwell showed a drafted plan that provides stormwater management and green space improvements to the parking lot, and explained that the plans show a slight decrease in the amount of pervious pavement by 7.2%. Roger Turner expressed his concerns about flooding. Mr. Manzo stated that he plans to file a separate Notice of Intent for the West Street parking lot, which Ms. Hershey had advised. Mr. Manzo mentioned that Lot # 6 of the proposed project would consist of 4500 ft. of green area and also rain guards. Jack Wiley stated that Lot #6 should be included in the 95 West Street Orders of Condition, and that the separate Notice of Intent should be filed within 6 mos. of the issuance of the Orders of Condition. Ms. Hershey stated that improvements still need to be made to the proposed project. There were no further questions from the Board at this time. **Betsey Dyer made a motion to close the hearing, Emidio**

DiVirgilio seconded the motion. The vote carried 5-0-0 (Wiley, Dyer, Turner, DiVirgilio, Watson). Betsey Dyer made a motion to issue an Order of Conditions with Special Conditions in place, Emidio DiVirgilio seconded the motion. The vote carried 5-0-0 (Wiley, Dyer, Turner, DiVirgilio, Watson)

**Open Space and Recreation Plan Update:**

Conservation Agent Landis Hershey notified the Board that she had received a letter stating that the Towns' Open Space and Recreation Plan had expired, and that it should be renewed in the near future. The Board agreed and are in favor of the renewal of the Open Space and Recreation Plan.

**Proposed Remedial Soil Excavation, 767 East Street NEE letter, 1/30/2017 :**

The letter addressed information on what the project will consist of, a representative for NEE expressed that they would like to come before the Board to go over the project prior to the RDA at the current meeting (March 22, 2017), in which they were not present. Conservation Agent, Landis Hershey stated that the Walpole Woodworkers have filed for a Request for Determination of Applicability for the location of 767 East Street, and that they are scheduled to come before the Board at the next meeting, April 12, 2017.

**Minutes:**

A motion was made by Betsey Dyer to accept the minutes from the March 8, 2017 meeting, the motion was seconded by Emidio DiVirgilio. The vote carried 3-0-2 (Dyer, Turner, DiVirgilio in favor, Wiley and Watson abstained)

**Enforcement Orders/ Notice of Noncompliance:**

**Main St. #1900, DEP #315-1043:** The deadline of March 1, 2017 has passed, and they owners have yet to comply with the Order of Noncompliance that has been issued. The Board was made aware that the property owners have hired a lawyer in regards to this matter, steps towards compliance and improvements are being worked on. The Conservation Agent, Landis Hershey received a CC. letter to Jim Johnson from Bruce H. Norwell addressing issues multiple departments have regarding 1900 Main Street, "Supa Sales". A tentative site visit has been scheduled for April 1, 2017. It was noted that the two issues to focus on first would be the update of the septic system and payments for delinquent taxes.

**Requests for Extension:**

**Arlington Lane, Lot #11, DEP #315-830:**

Betsey Dyer made a motion to grant the applicant a 12 month extension for the property of Lot #11 Arlington Lane, the motion was seconded by Emidio DiVirgilio. The vote carried 5-0-0 (Wiley, Dyer, Turner, DiVirgilio, Watson)

**Arlington Lane, Lot #18, DEP #315-843:**

Betsey Dyer made a motion to grant the applicant a 12 month extension for the property of Lot #18 Arlington Lane, the motion was seconded by Emidio DiVirgilio. The vote carried 5-0-0 (Wiley, Dyer, Turner, DiVirgilio, Watson)

**Arlington Lane (Evergreen Ln.), Lot # 17, DEP #315-831:**

Betsey Dyer made a motion to grant the applicant a 12 month extension for the property of Lot #17 Arlington Lane (Evergreen Lane), the motion was seconded by Emidio DiVirgilio. The vote carried 5-0-0 (Wiley, Dyer, Turner, DiVirgilio, Watson)

Conservation Agent, Landis Hershey read a letter from the Planning Board requesting comments regarding the public meeting that their Board is holding on April 6, 2017 at 7:05 p.m. in regards to Article 31 of the Zoning Bylaw.

**Board Comments:**

**Planning Board: Maplewood Condos, McSharry Brothers, Case No. 16-5**

Conservation Agent, Landis Hershey stated that there could possibly be a re-file needed regarding this specific project. The Board had no further comments at this time.

**Planning Board: 95 West Street, John Corcoran, Case No. 16-12**

Conservation Agent, Landis Hershey stated to the Board that this particular case is presently before the Conservation Commission tonight, and therefore there are no further comments to the Planning Board at this time, other than to update the Planning Board of any information/actions that would take place tonight during the hearing.

**Planning Board: 1034 East Street, Liberty Village, Case No. 17-02**

Conservation Agent, Landis Hershey stated to the Board that this particular case is presently before the Conservation Commission tonight, and therefore there are no further comments to the Planning Board at this time, other than to update the Planning Board of any information/actions that would take place tonight during the hearing.

**Betsey Dyer made a motion to adjourn the meeting, the motion was seconded by Emidio Divirgilio. The vote carried 5-0-0 (Wiley, Dyer, Turner, DiVirgilio, Watson)**

The Commission adjourned at 9:50 p.m.