



CONSERVATION COMMISSION

Town Hall

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Town of Walpole Commonwealth of Massachusetts

MINUTES
CONSERVATION COMMISSION
April 12, 2017
7:00 PM
DRAFT

This meeting was taped and will be available on walpolemedia.tv

Present: Jack Wiley (Chairman), Al Goetz (Vice Chairman), Betsey Dyer, Roger Turner and James Finnigan

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

The Conservation Agent Report dated April 12, 2017 was given to members.

Chairman Jack Wiley opened the meeting at 7:00 p.m.

Request for Determination of Applicability, Rte. 1A Main St., D.O.T- Hwy Div. - Dist.5:

Mr. Wiley opened the meeting and there were no comments from other Boards to address at this time. Michael Clements with the Mass. D.O.T. was present and explained the proposed work of a paved waterway which would aid in the collection of undesirable debris at the end. Ms. Hershey mentioned in her Agent's Report that this proposed work would benefit the wetlands, and that it is typical highway maintenance. Mr. Goetz asked Mr. Clements what the dimensions of the paved waterway would be, Mr. Clements stated that it would be approximately 4 ft. wide and 8-10 ft. long with a 4x4 storm base. Mr. Turner asked if there was any water treatment in place, in which Mr. Clements replied that there is not. There were no further comments from the Board or the public. Mr. Goetz made a motion to close the hearing, the motion was seconded by Ms. Dyer. The vote carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Finnigan). Mr. Goetz made a motion to grant a negative five determination, the motion was seconded by Ms. Dyer. The vote carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Finnigan).

Minutes of March 22, 2017

Ms. Dyer made a motion to accept the minutes from the March 22, 2017 meeting with the correction of the vote regarding the 95 West Street (Corcoran) DEP #315-1119 vote from 5-0-0 to the correct vote of 4-0-1 (Dyer, Turner, DiVirgilio, Watson in favor, Wiley abstained). The motion was seconded by Goetz, the vote carried 4-0-1 (Wiley, Goetz, Dyer, Turner in favor, Finnigan abstained)

Arlington Lane Lot #11 & 17/ Evergreen Lane Lot #18 Extension Request re-signs:

Due to old versions on the Extension Request Forms being used on the March 22, 2017 meeting for Arlington Lane Lot #'s 11, 17, and Evergreen Lot #18, Ms. Hershey advised the Board to re-sign using the updated versions of the Extension Request Forms. Ms. Dyer made a motion accept the Extension Request of Lot 11 Arlington Lane, the motion was seconded by Mr. Goetz. The vote carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Finnigan). Ms. Dyer made a motion accept the Extension Request of Lot 17 Arlington Lane, the motion was seconded by Mr. Goetz. The vote carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Finnigan) Ms. Dyer made a motion accept the Extension Request of Lot 18 Evergreen Lane, the motion was seconded by Mr. Goetz. The vote carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Finnigan)

Certificate of Compliance, Dynamic Energy, LLC, Off Norfolk Street, DEP #315-1096

A Certificate of Compliance was requested by Dynamic Energy LLC for work regulated by a final Order of Conditions off of Norfolk Street. A site visit was made on April 10, 2017, Ms. Hershey recommended that a Certificate of Compliance be issued due to the completion of the solar array per the plans at the Bird Landfill. Mr. Goetz made a motion to issue a Certificate of Compliance to Dynamic Energy Solutions, LLC., the motion was seconded by Ms. Dyer. The vote carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Finnigan).

Request for Determination of Applicability, 767 East Street, Walpole Woodworkers:

Mr. Wiley opened the hearing, Mr. Goetz announced that he would be abstaining from this specific hearing due to the fact that he is a direct abutter of the property. Mr. Wiley read comments from other Boards, which consisted of the Board of Health, in which they suggested that appropriate controls should be in place regarding the issue of contamination. Colleen Puzas from SWCA Environmental was present, along with Eric Teale from HTE Northeast and Chuck O'Donnell who is the current CFO of the Walpole Woodworkers. Ms. Puzas explained the proposed work, which included the following; removing disturbed soil and replacing it with clean, uncontaminated soil. The disturbed soil will be piled and covered with polyethylene tarps outside of the buffer zone. Ms. Puzas also explained that a portion of this proposed work will be within the 100ft buffer zone and the 25 ft. buffer zone of the wetlands. Ms. Hershey asked if there are erosion controls in place, Ms. Puzas stated yes, and that silt fences are in place. Ms. Hershey asked if there are areas on the plans that could be remediated due to findings that aren't already shown, Ms. Puzas stated that yes, depending on what is found in the soil, there could be some slight additional area remediation that is not shown on the current plan, however it will not be within the wetlands. Mr. Teale explained that the contaminants in the soil would be removed off site and will be disposed of in the MASS. D.E.P. landfill. There were no further questions from the Board or the public at this time. Ms. Dyer made a motion to close the hearing, the motion was seconded by Mr. Finnigan. The vote carried 4-0-1

(Wiley, Goetz, Dyer, Finnigan in favor; Goetz abstained). Ms. Dyer made a motion to grant a negative 5 determination, the motion was seconded by Mr. Finnigan. The vote carried 4-0-1 (Wiley, Goetz, Dyer, Finnigan in favor; Goetz abstained)

Michael Dowling, 20 Emerald Way, DEP #315-1125:

Mr. Dowling submitted a letter to the Board with a brief update on the work on 20 Emerald Way. The letter stated that he intends to move the proposed foundation 2 ft. closer to the wetlands. Ms. Hershey and the Board did not have any questions or concerns at this time with the 2ft. difference regarding the placement of the foundation. There was no vote required.

Notice of Intent, 50 South Street, Town of Walpole C/O James Johnson, DEP #315-1128:

Mr. Wiley opened the hearing, comments from other Boards were read, which consisted of the Town Engineers comments, dated March 29, 2017 which focused on drainage. William Murray from Places Associates was present, along with Brian Jarvis. Mr. Murray explained the proposed project which includes the following; a one level (approximately 12,000 sq/. ft) senior center which encroaches in the buffer zone, with lots of grading. Mr. Murray explained that the amount of grading that is proposed is necessary due to the materials from the Police Station site being mildly contaminated, which would be very costly to be taken off site. He furthermore explained that there would be no riprap, and there will be plantings along the slope that would consist of indigenous plants to this area and there would be a conventional closed drainage system in place with catch basins and pipes. It was noted that no stormwater will be infiltrated because of the site constraints. Stormwater will be collected, treated with a proprietary structure, and then discharged into the river with no increase in pre- and post-rates of discharge. Due to this being a municipal project, Mr. Murray explained that waivers for stormwater controls and the Town filing fee be taken into consideration. Ms. Hershey stated that the Applicant needs to submit revised plans showing the roof drain piping with a splash pad, along with more information on landscaped areas, especially along the slope, in which the Applicant's did bring revised plans to the meeting regarding that matter. Ms. Hershey recommended the installation of a low chain-link fence at the top of the slop going downward to the river with access points to prevent disturbance of wetlands and prevent trash from going into the wetlands/ river from the patio area. Mr. Murray expressed that the installation of a decorative aluminum fence would not be a problem. Mr. Goetz expressed his desire for a fence due to his concern with the elderly and the possibility of people falling into the river. Mr. Goetz asked what the usage would be with the slightly contaminated soils, in which Mr. Murray explained that it would be used for the parking aspect of the project. Mr. Murray furthermore explained that there will be a 6 inch curb barrier made of wood for safety reasons. There were no further questions from the Board or from the public at this point. Mr. Goetz made a motion to close the hearing, the motion was seconded by Ms. Dyer. The vote carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Finnigan). Mr. Goetz made a motion to issue an Order of Conditions with the submission of revised plans and conditions generated by the Conservation Agent, Landis Hershey. The motion was seconded by Ms. Dyer, the vote carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Finnigan)

Request for Determination of Applicability, 234 Stone Street, Walsh Brothers Building Co. Inc.:

Mr. Wiley opened the hearing and read comments from other Boards which consisted of comments from the Town Engineer. Rob Truax from GLM Engineering was present on behalf of the applicant. Mr. Truax explained that the proposed project is to build 3 single family dwellings on one lot, in which the wetland area is approximately 60 ft. from the corner of the lot. Mr. Truax explained furthermore that the roof run-off will be re-charged into the site, and the ground was dug 12-14 ft deep, in which no ground water was found. There is an existing fence to the right of the property and a chain-link fence running along the back of the property. There is currently not a plan to install a silt fence for erosion controls, in which Ms. Hershey stated that silt fence should be in place during the construction. Ms. Hershey explained that the wetland area in question is isolated and is jurisdictional only under the Walpole Wetland Protection Bylaw. The work within the jurisdiction of the Walpole Wetland Protection Bylaw will not impact the isolated wetlands as conditioned with erosion controls placed along the existing fence, and maintained throughout construction until site is stabilized. There were no further questions from the Board or the public at this time. Mr. Goetz made a motion to close the hearing, the motion was seconded by Ms. Dyer. The vote carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Finnigan). Mr. Goetz made a motion to make of a negative 1 determination, the motion was seconded by Ms. Dyer, the vote carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Finnigan).

Notice of Intent, Edgewood Development Co. LLC., 1034 East Street, DEP #315-1126:

The applicant submitted a letter requesting a continuance without testimony to May 10, 2017. Mr. Goetz made a motion to continue the hearing to May 10, 2017 at 7:00 pm, the motion was seconded by Ms. Dyer. The vote carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Finnigan).

Enforcement Orders/ Notice of Noncompliance:

Main St. #1900, DEP #315-1043: Ms. Hershey stated in her Agents Report that a requested update from Bruce Norwell, the Attorney representing 1900 Main Street was made, however, no response was given.

Notice of Non-compliance: Eastover Road Retaining walls- In the Conservation Agents Report Ms. Hershey stated that the wall adjacent to the wetlands was constructed with large size boulders rather than a manufactured concrete rock wall as specified on the plans. They were asked to provide information to the Commission regarding the April 26, 2017 meeting.

Notice of Non-compliance: 295 Union Street- In the Conservation Agents Report Ms. Hershey stated that untreated dirty water is coming from the parking lot of this site and snow is being stored right up against the river. Ms. Hershey noticed an increasing amount of cars stored on the site and is concerned with the quality of direct stormwater discharge to the Traphole Brook. The notice asked them to contact the Conservation Agent, Landis Hershey and address the issued at the April 26, 2017 meeting.

Board Comments:

Planning Board:

Walpole Senior Center (50 South Street) The Board had no comments at this time.

Echo Estates (Main Street): This project is scheduled to come before the Conservation Commission at the April 26, 2017 meeting, therefore, the Board has no comments at this time.

Union Square Village (off Burns Ave): This case is before the Conservation Commission on at the April 26, 2017 meeting, therefore, the Board has no comments at this time.

Zoning Board of Appeals:

Verizon Wireless (along Washington Street): The Board has no jurisdiction or concerns/comments at this time.

Michael Manzo/ TMC 100 Elm LLC. (West & Elm Streets): Needs to file a Notice of Intent with the Conservation Commission regarding the upgrading of the lots.

Al Goetz made a motion to adjourn the meeting, the motion was seconded by Betsey Dyer. The vote carried 5-0-0 (Goetz, Wiley, Dyer, Turner, Finnigan)

The Commission adjourned at 8:45 p.m.