



**CONSERVATION
COMMISSION**

Town Hall
Room 212
135 School Street
Walpole, MA 02081
Phone (508) 660-7268
Fax (508) 668-2071

Town of Walpole
Commonwealth of Massachusetts

MINUTES
CONSERVATION COMMISSION
January 25, 2016
7:00 PM

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

Present: Betsey Dyer(Acting Chair), James Finnegan, Emidio Di Virgilio, Roger Turner and Kathleen Watson

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

The Conservation Agent Report, 1-25-2016 was given to members.

7:00 pm Request for Determination of Applicability by NSTAR

In accordance with Massachusetts General Laws, Chapter 131, Section 40, the Wetlands Protection Act, and the Town of Walpole Wetlands Protection Bylaw, notice is hereby given of the intent of NSTAR to make Station 447 improvements located at 1477 Main Street.

Betsey Dyer read the comment letters from the Tax Collector, Board of Health and Town Engineer (1/20/2017) in which the Boards did not have any concerns with the proposed work.

Amanda Crouch-Smith was present from Tighe & Bond to present the proposed plan of work to improve Station 447. The fence replacement will require access improvements along the western side of the station yard. A 15-foot wide area, which expands outside the existing fence line, will be grubbed to create an unobstructed and stable work area for construction access and fence installation. Vegetation removal will facilitate clear access around the station. All vegetation will be removed from site. Erosion controls will be installed at limit of work.

Landis Hershey addressed comments from her Agent's Report and said the proposed work is within the 100 ft. buffer zone, the correct erosion controls are in place and therefore she has no further questions of concerns.

Betsey Dyer agreed. There were no other questions or comments from the Board.

A motion was made by Roger Turner to close the hearing, the motion was seconded by Jim Finnigan. The vote carried 5-0-0 (Kate Watson, Emidio Di Virgilio, Jim Finnigan, Roger Turner, Betsey Dyer).

A motion was made by Roger Turner to issue a Negative #3 Determination, the motion was seconded by Jim Finnigan. The vote carried 5-0-0 (Kate Watson, Emidio Di Virgilio, Jim Finnigan, Roger Turner, Betsey Dyer).

Request for Extension for Kingswood Estates at 44 Bubbling Brook Road DEP#315-1051

Attorney Gerald Blair was present on behalf of David and Lorraine Friedman (current owners) and Tom and Martha Taylor (previous owners). Attorney Blair explained that the previous Order of Conditions for this property had expired on June 30, 2014, and that he was requesting an extension for the Order of Conditions that would expire on June 30, 2018, which would give ample time for construction to be completed.

There were no further questions or concerns from the Board.

A motion was made by Roger Turner to issue an Extension to the Order of Conditions to June, 30, 2018, the motion was seconded by Jim Finnigan. The vote carried 5-0-0 (Kate Watson, Emidio Di Virgilio, Jim Finnigan, Roger Turner, Betsey Dyer)

7:15 pm Notice of Intent by John M. Corcoran for 95 West Street

In accordance with Massachusetts General Laws, Chapter 131, Section 40, the Wetlands Protection Act, and the Town of Walpole Wetlands Protection Bylaw, notice is hereby given of the intent of John M. Corcoran to propose construction of a mixed used building located at 95 West Street.

Betsey Dyer read the comment letters from the Board of Health, Planning, Finance and Town Engineer. Planning and Finance did not have any comments at this time. The Board of Health expressed concerns in their comments from 1/18/17 about the placement of trash and recycling since the plans did not provide any information. Other BOH comments include; encouragement of bike racks since the project is located in a downtown area, exterior lighting for parking areas need to be addressed and adequate recreational/ play area for children needs to be present. There is a serious concern about the amount of parking offered, and a strong recommendation for there to be protected covered walkways to parking areas across the street to encourage use.

Betsey Dyer read comments from the Town Engineer, dated 1/11/2017.

Steve Chouinard of Allen & Major Associates, Inc., the Project Engineer, explained the proposed project to construct 192 apartment/ mixed used development with a total of 5 floors. Further details were mentioned of creating a new discharge point for drainage from West Street to the Neponset River, which is located within the 200 ft. riverfront area.

Steve Chouinard described the stormwater management system which will include proprietary treatment and an under-ground detention system. He also described the work within the riverfront area and the areas which are degraded and those which are not degraded.

Landis Hershey stated that the Applicant needs to address in greater detail Section 10.58 of the Wetlands Protection Act specifically an alternative analysis addressing alteration of non-degraded riverfront area and proposed improvements to the riverfront area. She also stated the west street parking lot across the street should be included in consideration of improvements to the riverfront area.

Phill Macchi, representing Applicant stated that this was not part of their project.

Landis Hershey stated that since it is owned by the same person as the property of the project it can be considered for improvements.

Betsey Dyer stated that the owner should be present to address this issue.

Betsey Dyer stated that she would like to see more landscaping vegetation in the plans, and expressed concern about the monitoring of the actual construction during the project since the runoff will be going directly into the Neponset River.

Mr. Chouinard agreed that this is a valid concern and that monitoring will be in place during the construction.

Roger Turner asked if there have been any environmental assessments done.

Peter Mahoney (representing John M. Corcoran) responded and stated that petroleum by-products have been present in the soil and remediation will take place prior to construction.

Kate Watson expressed concern about the size of the project and any water that will be infiltrating the soil. She requested that she would like to see a better landscape plan with more suitable plants/vegetation for the area than what is currently provided in the plans.

Landis Hershey addressed the Order of Non-compliance that was issued to Manzo (lot owner) regarding the parking lot across the street from the project. Since Corcoran is planning to purchase the subdivided lots from Manzo, the Order of non-compliance needs to be corrected. Landis suggested that Manzo be contacted and made aware of the situation in order to correct it. Attorney Philip Macchi and Corcoran agreed that Manzo should be present at the next hearing regarding this project.

A motion was made by Roger turner to continue the hearing on February 22, 2017 @ 7:00pm with Manzo being present, the motion was seconded by Jim Finnigan. The vote carried 5-0-0 (Kate Watson, Emidio Di Virgilio, Jim Finnigan, Roger Turner, Betsey Dyer)

8:00 pm continued Notice of Intent, Gigi's way, Lot 30, DEP#315-1117

A continuation of the hearing to March 22, 2017 was requested by the applicant Michael Viano.

A motion was made by Jim Finnigan to continue the hearing to March 22, 2017 @ 7:00 pm, the motion was seconded by Roger Turner. The vote carried 5-0-0 (Kate Watson, Emidio Di Virgilio, Jim Finnigan, Roger Turner, Betsey Dyer)

Enforcement Orders/ Notice of Noncompliance

Main Street # 1900, DEP#315-1009

Active enforcement- No further action at this point. The Board of Selectmen issued Class II- Used car Dealers permit with conditions to comply with other boards and Commission. They must comply with Conservation Commission conditions by June 1, 2017.

Request for Certificate of Compliance, 9 Warren Lane, DEP#315-1027

Placed on hold until more information is presented to the Board, such as roof infiltrators shown on As-built plan and NAP to be secured on posts.

Board Comments:

Request for Board comments were read by Betsey Dyer, which included requests for comments from the Planning Board regarding 95 West Street and the Zoning Board regarding 315 Bullard Street, Industrial Road, 28 Alton Street, 380 Lincoln Street and 234 Stone Street.

Landis Hershey stated that she recommended comments to the Planning Board and Zoning Board as follows:

West Street and Elm Street – Make note of Notice of noncompliance regarding the west street parking lot and state that improvements should be required to the Elm Street parking lot.

315 Bullard Street has an Order of Conditions.

234 Stone street should require at least a Request for Determination of Applicability

Industrial Road, 28 Alton Street, and 380 Lincoln Street – no comments

Jim Finnigan made a motion to approve the minutes of the meeting of January 11, 2017, the motion was seconded by Roger Turner. The vote carried 5-0-0 (Kate Watson, Emidio Di Virgilio, Jim Finnigan, Roger Turner, Betsey Dyer)

Roger Turner made a motion to close the meeting, the motion was seconded by Kathleen Watson. The vote carried 5-0-0 (Kate Watson, Emidio Di Virgilio, Jim Finnigan, Roger Turner, Betsey Dyer)

The Commission adjourned at 8:22 pm