



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 November 8, 2017 7:00 PM DRAFT

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

Present: Jack Wiley (Chair), Al Goetz (Vice Chairman) Betsey Dyer, Roger Turner, Emidio Di Virgilio
Absent: Jim Finnigan, Amy Messier

Also present: Landis Hershey, Conservation Agent

The Conservation Agent Report dated November 8, 2017 was given to members.

Chairman Jack Wiley opened the meeting at 7:00 PM:

7:01 PM

Continued Notice of Intent, by David Wakefield, Parcel 2A East St. "Nichols Pond Ln." DEP #315-1138: (Continued from 9/27/17)

A letter was submitted to the Commission by GLM Engineering, dated November 2, 2017 requesting a continuance until the next meeting of December 13, 2017 due to the Applicant currently being before the Planning Board for their plan review. Goetz made a motion to continue the hearing to December 13, 2017 at 7:00 PM, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio).

7:14 PM

Notice of Intent, by Richard Whittington, 48 Emerald Wy. Lot 7, DEP #315-1141: (Advertised 10/26/17)

Wiley read comments from other Boards, which consisted of comments from the Board of Health and engineering. Eric Dias, P.E. from Strong Point Engineering Solutions was present on behalf of the Applicant and explained to the Board that in the back of the lot there is a buffer zone, along with vegetation. The proposed plan is to construct of a single family house, with everything out of the 100 ft. buffer zone with the exception of a small portion of the corner of the house and half of the back deck. It was also stated that the only activity that would happen within the jurisdictional areas would be along the side of the house such as some clearing and grading for the backyard. It was stated that the roof runoff of the proposed house will be infiltrated, and the plans presented at the hearing did show an infiltrated roof design, which is intended to infiltrate runoff from the entire roof in order to add a manifold system to the house. With regards to the engineering

comments about the extension bending of erosion control barriers, it was stated that the lots will be cleared and developed simultaneously to limit disturbances, and straw waddles will be substituted with compost sock. Goetz asked about how much clearing of the property is anticipated, in which Mr. Dias mentioned that the revised plan dated 10/18/17 shows a 70 percent reduction of the clearing compared to the original plan that was originally submitted. Wiley opened the meeting up for public comment, Bill Morasi of 20 Covey Road asked questions and expressed concerns about the amount of wetlands to be cleared. No one else had any questions or comments at this time, Goetz made a motion to close the hearing, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio). Goetz made a motion to issue an Order of Conditions based on the plan dated 10/18/17 submitted at the public hearing with a condition of placing 25 ft. "No Alteration" plaques on each property line and in the middle, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio)

7:34 PM

**Notice of Intent, by Richard Whittington, 52 Emerald Wy. Lot 8, DEP #315-1142:
(Advertised 10/26/17)**

Wiley read comments from other Boards, which consisted of comments from the Board of Health, and engineering. Eric Dias, P.E. from Strong Point Engineering Solutions was present on behalf of the Applicant and explained that the proposed project is the construction of a single family home with lawn grading and utilities within the 100 ft. buffer zone and 25 ft. no alteration zone. Mr. Dias explained that this proposed home is similar to one listed above at the prior hearing for Lot 7 Emerald way, and that primary difference with this one from the last is that the wetland boundary of lot 7 stays closer to the rear of the lot, compared to Lot 8 where the wetland boundary is closer to the proposed road, resulting in a larger portion of the house in the wetland buffer than Lot 7. The proposed clearing for the backyard is up to the 25 ft. buffer zone, and in order to keep some of the grading out of the buffer zone, a small stone retaining wall is being proposed along the limit of clearing in the backyard, with a height of no more than 2 ft. high. Conservation Agent Landis Hershey had the same recommendations as the prior hearing; to install 25 ft. no alteration plaques and substitute straw waddles with compost sock. Wiley opened the hearing up for public comment, Bill Morasi of 20 Covey Road asked questions about the proposed stone wall and no alteration plaques. Goetz made a motion to close the hearing, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio). Goetz made a motion to issue an Order of Conditions based on the plan dated 10/18/17 submitted at the public hearing with conditions in place, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio)

8:00 PM

**RDA by Richard Whittington, 44 Emerald Wy. Lot 6:
(Advertised 10/26/17)**

Wiley read comments from other Boards, which consisted of comments from Board of Health. Eric Dias, P.E. from Strong Point Engineering Solutions was present on behalf of the Applicant and explained to the Board that there is no proposed work being done in the buffer zone, however, there is a buffer zone on the lot, located on the back corner of the property that a single family house is being built on. Conservation Agent Landis Hershey recommends that the Board issue a Negative 3 determination. Wiley opened the hearing up to the public for comment, which there was none. Goetz made a motion to close the hearing, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio). Goetz made a motion to issue a Negative 3 determination, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio).

8:05 PM

**RDA by Richard Whittington, 40 Emerald Wy. Lot 5:
(Advertised 10/26/17)**

Wiley read comments from other Boards, which consisted of comments from Board of Health. Eric Dias, P.E. from Strong Point Engineering Solutions was present on behalf of the Applicant and explained to the Board that there is no proposed work being done in the buffer zone, however, there is a buffer zone on the lot. Mr. Dias stated that unlike Lot 6, this lot is not located in the 25 ft. no alteration zone, and therefore does not think plaques will be necessary and that like Lot 6, he will be substituting the straw wattles with compost sock for erosion controls. Wiley opened the hearing up for public comment, which there was none. Goetz made a motion to close the hearing, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio). Goetz made a motion to issue a Negative 3 determination, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio).

8:10 PM

**RDA by Mike Khoury, 17 Rose Marie Ln.:
(Advertised 10/26/17)**

Wiley read comments from other Boards which consisted of comments from engineering. Debbie Anderson, a wetlands consultant was present and representing the Applicant. Ms. Anderson explained to the Board that she had delineated the bordering vegetated wetlands along the existing limit of lawn back in September, and that the proposed project is a rebuild/ reconstruction of a deck and stairway, which are currently leaking and causing water damage within the house. She stated that the builder has to remove the deck, stairs, and roofing materials in order to rebuild. The proposed deck rebuild will be slightly larger than the original deck by 96 sq.ft., with sonotubes in place in order to expand the deck, and plan to reconfigure the stairs. It was stated that this proposed project area is currently lawn, and will not require the removal of trees, and that a portion of the existing deck is within the 25 ft. buffer zone. The erosion controls proposed will be approximately 5 ft. from the boundary of the wetland. Conservation Agent Landis Hershey stated that with the plan showing the delineation of the wetlands and with the proper erosion controls in place, that the proposed project should not need to require a Notice of Intent. Wiley opened the hearing up for public comment, which there was none. Goetz made a motion to close the hearing, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio). Goetz made a motion to issue a Negative 4 determination, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio).

8:13PM

**Notice of Intent, by Town of Walpole, Jarvis Farm Trail, Map 48/ Lot 10, DEP #315-1143:
(Advertised 10/26/2017)**

Wiley read comments from other Boards, which there were none. Gary Riggott, the chairman of the Walpole Trails Committee was present, along with Joe Grant, a volunteer who will be helping with the construction of the boardwalk. Mr. Riggott explained to the Board that the proposed project would be located at Jarvis Farm and connect to the Town forest, and constructed through the wetlands. The boardwalk and observation deck would be held in place by augers that would screw into the ground, the width of the boardwalk to be 60 inches, with handrails built on the sides, and with railings on the inside of the handrails, making the finished width of the boardwalk 40 inches. Conservation Agent Landis Hershey stated that the construction and placement of this boardwalk will not constrict the flow of the water, and does not shade a large amount of vegetation. Riggott stated that he would like to construct as much as possible during the winter months contingent upon the weather. Wiley opened up the hearing for public comment, which there was none. Goetz made a motion to close the hearing, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio). Goetz made a motion to issue an Order of Conditions with conditions in place, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio).

GENERAL BUSINESS/OLD BUSINESS/NEW BUSINESS:

Minutes of 10/25/2017: The Board did not have a chance to previously review the minutes prior to the hearing, the minutes will be reviewed at the next meeting of 12/13/17.

2018 Meeting Schedule: Di Virgilio made a motion to accept the 2018 Meeting schedule, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio)

Enforcement Orders/ Notice of Noncompliance:

Main St. #1900, DEP #315-1043: Ms. Hershey stated that the deadline was met, and is now currently waiting for confirmation on the fence and signs.

609 Lincoln Rd.: no further updates until spring.

Boyden Estates- Summer St. DEP #315-1099 (Notice of Noncompliance): Conservation Agent Landis Hershey stated that she had sent a notice of noncompliance to Lou Petrozzi after items were not addressed with verbal reminders to stabilize the site and maintain erosion controls and put in silt sacs as required by OOC. She stated that when visiting the site, she observed stormwater flow coming out of the replication area and down the roadway. The stormwater should be going under the roadway and into the wetlands on the other side, which needs to be addressed in her next site visit in the near future.

Requests for Extension:

Walsh Bros., 15 Daylily Ln. (Lot 27), DEP #315-1070: Goetz made a motion to grant a 1 yr. extension, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio)

Walsh Bros., 19 Daylily Ln. (Lot 26), DEP #315-1069: Goetz made a motion to grant a 1 yr. extension, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio)

Requests for Certificate of Compliance:

Mark Robinson, 7 Boulder Trail, DEP #315-938: Currently on hold due to As-Built plan still needed.

Walpole Country Club, 233 Baker St., DEP #315-109: Goetz made a motion to issue a certificate of compliance, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio)

Town of Walpole, Mill Pond Rd. (Map/ Plat 24-45; 25-4; 25-5), DEP #315-1084: Goetz made a motion to issue a certificate of compliance, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio)

Wisteria Ways Corp., 23 Daylily Ln., DEP #315-1068: Goetz made a motion to issue a certificate of compliance, seconded by Dyer, the motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio)

Correspondence:

EcoTec, Inc.: Completion Report for wetland replication area, construction, planting and seeding for activities at the end of Eastover Rd, DEP #315-1072: The report describes with pictures the two replication areas constructed as a part of the Order of Conditions.

Eversource: Distribution Pole Placement: Exempt work that will begin 11/13/17.

28 Industrial Rd (notice of noncompliance): Conservation Agent Landis Hersey stated that she sent out a notice of noncompliance letter on 11/2/17 regarding sediments flowing from the site during heavy rain. There has

been no response received, therefore Ms. Hershey stated she will go out to the site in the near future to talk to people on the site.

Board Comment Requests:

ZBA: Wall Street Development- Off Burns Ave. SP. # 23-16: Ms. Hershey stated that due to the project having an Order of Conditions, the Applicant is required to put in to writing to the Conservation Commission any changes to the plan to determine if any additional action is required.

Goetz made a motion to adjourn, seconded by Dyer. The motion carried 5-0-0 (Wiley, Goetz, Dyer, Turner, Di Virgilio). The Commission adjourned at 9:00 PM.

Accepted 12/13/17