

**CONSERVATION
COMMISSION**



Town Hall

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*Town of Walpole
Commonwealth of Massachusetts*

MINUTES
CONSERVATION COMMISSION
March 14, 2018
7:00 PM

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

Present: Al Goetz (Vice Chairman) Betsey Dyer, Roger Turner and Emidio Di Virgilio, Jim Finnigan

Absent: Jack Wiley

Also present: Landis Hershey, Conservation Agent

Amy Messier, Board Secretary

The Conservation Agent Report dated March 14, 2018 was given to members.

Vice Chairman Al Goetz opened the meeting at 7:00 PM

7:01 PM

Continued Notice of Intent, by David Wakefield, Parcel 21 East Street "Nichols Pond Ln.", DEP #315-1138:

Goetz read a letter from GLM Engineering on behalf of the Applicant, addressed to the Commission requesting to continue without testimony to a later date. Dyer made a motion to continue the hearing to April 25, 2018 at 7:00 PM, seconded by Finnigan, the motion carried 4-0-0 (Goetz, Dyer, Turner, Finnigan).

7:15 PM

Continued Notice of Intent, by Michael Viano, SR Ventures II, Lot 30 Gigis Way,- DEP #315-1146:

Goetz read a letter from Michael Viano addressed to the Commission requesting to continue without testimony to a later date. Dyer made a motion to continue the hearing to April 25, 2018 at 7:05 PM, seconded by Finnigan, the motion carried 5-0-0 (Goetz, Dyer, Turner, Finnigan, Di Virgilio)

7:30 PM

RDA, by Home for Little Wanderers, 399 Lincoln Rd.

Goetz opened the hearing, Dave Lapointe from Beals & Thomas was present and explained to the Commission that the RDA is for the installation of an 8 ft. chain-link fence within the 100-foot buffer zone, tucked into the tree line with no vegetative clearing, and a 6 ft. architectural fence on the front of the property. The only

clearing that may need to take place is the clearing of brush. The excavation will be backfilled or removed from the buffer zone, with erosion controls employed if necessary at the excavation of poles. Conservation Agent Landis Hershey recommends a Negative 3 Determination. Goetz opened the hearing for public comment, which included the following; Gene Gilmore of 349 Lincoln Rd.: had concerns about wild life, design of the fence and purpose of the fence; Wayne Rice: questions regarding fence design; Carol Johnson: talked about the land that will be fenced in on the property. Recommended conditions by Hershey included the following: appropriate cement wash-out and proper disposal of materials from the pole dig-outs. Finnigan made a motion to close the hearing, seconded by Dyer, the motion carried 5-0-0 (Goetz, Dyer, Turner, Finnigan, Di Virgilio) Finnigan made a motion to issue a Negative 3 Determination, seconded by Dyer, the motion carried 5-0-0 (Goetz, Dyer, Finnigan, Turner, Di Virgilio).

7:49 PM

Notice of Intent, by Royal Crest Country Club Condominium Trust, 10 Rainbow Pond Dr., DEP #315-1149:

Goetz opened the hearing, with no Board comments to read regarding the project. James Lacasse from Solitude Lake Mgmt. was present, and explained to the Board that the application is for the application to apply state registered herbicides and/or algaecides to manage invasive and nuisance aquatic vegetation. It was further stated that the proposed maintenance plan will include a bi-weekly monitoring to prevent treatments unless it's necessary, with a pro-active approach, with the start to take place around the beginning of April and end the end of September. Hershey asked if there is a golf course mgmt. plan for fertilizers, in which Lacasse stated that he has discussions with the golf courses to decide on what herbicides/ algaecides to use. Turner stated that he is concerned about the water chestnuts and water sun-off sampling; Dyer stated that she would like to see a buffer of no fertilizer around the pond. Goetz opened the hearing up for the public to comment, there were no comments. Dyer made a motion to close the hearing, seconded by Finnigan, the motion carried 5-0-0 (Goetz, Dyer, Turner, Finnigan, Di Virgilio). Dyer made a motion to issue an Order of Conditions two conditions in place (fertilizer mgmt. plan, buffer mgmt. plan), seconded by Finnigan, the motion carried 5-0-0 (Goetz, Dyer, Turner, Finnigan, Di Virgilio).

8:03 PM

Notice of Intent, by Keolis Commuter Services, LLC., Mile Post 21.40, Franklin Branch, DEP#315-1151:

Goetz opened hearing, and read Board comments which were from Engineering Dept. Kyle Fair of Fair-Dermody Consultant Engineers was present and explained to the Board that the proposed project is a limited project 310 CMR 10.53(3) repair of an existing culvert that is located behind the ball fields off of West Street in order to assure existing flow capacity. It was stated that most work occur from the railroad, with 112 LF of intermittent stream bank and 1500 s.f. of temporary buffer zone disturbance. Hershey stated that she doesn't have any concerns with the project and does not think it's necessary to complete a watershed analysis as the Town Engineer had mentioned in her comments, and that the replacement of the culvert will be an improvement to the existing flow. Goetz opened the meeting up for public comment, in which there wasn't any. Dyer made a motion to close the hearing, seconded by Finnigan, the motion carried 5-0-0 (Goetz, Dyer, Turner, Finnigan, Di Virgilio). Dyer made a motion to issue an Order of Conditions, seconded by Finnigan, the motion carried 5-0-0 (Goetz, Dyer, Turner, Finnigan, Di Virgilio).

8:21 PM

Notice of Intent, by Keolis Commuter Services, LLC., Mile Post 20.31, Franklin Branch, DEP#315-1150:

Goetz opened hearing, and read Board comments which were from Engineering Dept. Kyle Fair of Fair-Dermody Consultant Engineers was present and explained to the Board that the proposed project is a limited project 310 CMR 10.53(3) repair of an existing culvert that is located off of Lincoln Rd. (almost to Norfolk line) in order to assure existing flow capacity. It was stated that most work occur from the railroad, and that the site was visited and reviewed by Hershey and the Town Engineer. This culvert 24"x24" box culvert will be

replaced with a 48" culvert, which is an improvement to the existing flow. Hershey stated that she doesn't have any concerns with the project and does not think it's necessary to complete a watershed analysis as the Town Engineer had mentioned in her comments. . Goetz opened the meeting up for public comment, in which there wasn't any. Dyer made a motion to close the hearing, seconded by Finnigan, the motion carried 5-0-0 (Goetz, Dyer, Turner, Finnigan, Di Virgilio). Dyer made a motion to issue an Order of Conditions, seconded by Finnigan, the motion carried 5-0-0 (Goetz, Dyer, Turner, Finnigan, Di Virgilio).

8:30 PM

RDA, by Wall Street Development Corp., 48 Burns Ave.:

Goetz opened the hearing, there were no Board comments to read. Applicant Lou Petrozzi of Wall Street Development Corp. was present, and explained to the Board that he is requesting a Determination for the removal and clearing of fallen trees, dead trees and fallen branches, and removal of any surface debris and removal of any visible demolition material and rubbish located off Burns Ave. Hershey stated that the Applicant already has an Order of Conditions and it's been determined that the area is subject to the protection of the WPA and the Walpole Wetlands Bylaw. The action is if this request should be a minor modification, require an amendment, or a new NOI. Hershey stated that the Commission can approve the project change as a minor modification with guidance such as, to prevent the clear cutting of the site;

1. All live trees and shrubs w/in the riverfront and 100 ft. buffer zone to be removed shall be tagged, reviewed and approved by the Conservation Agent before removal.
2. "At the surface materials" to be removed shall be taken out with limited excavation or limited hand digging.
3. Erosion controls shall be installed as necessary to prevent sedimentation to wetlands and waterway
4. Leave litter and down falls w/in the 25 ft. buffer zone shall remain
5. All disturbed areas shall be seed with NE seed mix w/on 30 days of disturbance.

Goetz opened the meeting up for public comment, which included the following;

Liz Barrows of 189 Union St: general concerns about proposed work

Joan Cofsky of 29 Burns Ave.: concern re: overseeing of site while work takes place

Mike Cofsky of 29 Burns Ave.: question re: erosion controls

Cheryl Hayes of 8 Brook Ln.: question re: erosion controls

Dyer made a motion to close the hearing, seconded by Finnigan, the motion carried 5-0-0 (Goetz, Dyer, Turner, Finnigan, Di Virgilio)

Dyer made a motion to issue a Negative 3 Determination, seconded by Finnigan, the motion carried 5-0-0 (Goetz, Dyer, Turner, Finnigan, Di Virgilio)

Dyer made a motion to issue a minor modification with conditions, seconded by Finnigan, the motion carried 5-0-0 (Goetz, Dyer, Turner, Finnigan, Di Virgilio)

GENERAL BUSINESS/OLD BUSINESS/NEW BUSINESS:

Minutes: Dyer made a motion to accept the minutes of 2/28/18, seconded by Finnigan, the motion carried 5-0-0 (Goetz, Dyer, Turner, Di Virgilio, Finnigan)

Enforcement Orders/ Notice of Noncompliance:

Main St. #1900, DEP #315-1043: Filed for an RDA for 3/28 meeting for installation of a tight tank.

609 Lincoln Rd.: no further updates at this time.

Boyden Estates- Summer St. DEP #315-1099 (Notice of Noncompliance): Lou Petrozzi of Wall Street Development Corp. was present, and stated that he has raised the berm and cleaned the catch basins. Hershey stated that she is still waiting for an erosion control report to be submitted as requested, including addressing the drainage issue from the replication area. Different drainage specs and plan is requested by the Commission at the next meeting, along with wanting proposed solutions. The Commission agreed to place this item on the April 11, 2018 Agenda with a deadline for materials to be submitted of April 4, 2018.

Requests for Extension:

N/A

Requests for Certificate of Compliance:

Stefan Budovazcev, 338 Elm St., DEP# 315-453, re: septic system: Dyer made a motion to issue a Certificate of Compliance, seconded by Di Virgilio, the motion carried 5-0-0 (Goetz, Dyer, Turner, Finnigan, Di Virgilio)

Correspondence/ Other Business:

Mosquito Control: Hershey stated that Caroline Haviland emailed her regarding any concerns that she or the Commission may have about excavating the pond located at 108 Kendall St. Hershey noted that the weir also needs repair. Hershey recommended that the owners file for the repair of the weir and provide the Commission with an existing plan. Rolls Royce on Norfolk St. also reached out to Mosquito Control to do some cleaning out of the waterway at the site, Hershey recommended allowing the waterway to be cleared, however Rolls Royce should improve their maintaining of the vegetation along with the edge of the waterways.

Pulte Homes of New England: Hershey recommended the Commission hire an outside peer reviewer for the Stormwater Mgmt. component of the project to ensure a thorough review of the Stormwater standards and the Stormwater plans. Hershey stated that she would work with the Town Engineer to put together an RFP and select a qualified consultant to provide a report to both Planning Bd. and Conservation Commission. Finnigan made a motion to accept Hershey's recommendation, seconded by Dyer, the motion carried 4-0-1 (Dyer, Turner, Finnigan, Di Virgilio in favor; Goetz abstained).

Board Comment Requests:

Plng. Bd.

1327 Main St: No comments at this time.

ZBA:

1327 Main St: No comments at this time.

623 Boston Providence Highway: No comments at this time.

Turner made a motion to adjourn, seconded by Di Virgilio. The motion carried 5-0-0 (Goetz, Dyer, Turner, Finnigan, Di Virgilio). The Commission adjourned at 9:15 PM.

Accepted 4-25-18