

CONSERVATION COMMISSION

**MINUTES
(Approved 9/9/15)**

AUGUST 12, 2015

Present: J. Wiley, Chairman

A. Goetz, Vice Chairman

B. Dyer, J. Finnigan, R. Turner, K. Watson

Absent: E. DiVirgilio

Also Present: L. Hershey, Conservation Agent

Conservation Agent report given to members

MEETING OPENED

CONT. PUBLIC HEARING

NOTICE OF INTENT

MOOSEHILL RD. #272

DEP# 315-1087

Opened: 7:00

Mr. Wiley read the advertisement from the Walpole Times into the record for this hearing which has been opened and continued.

Mr. Wiley read a letter into the record received from Attorney's office dated August 10, 2015 requesting the hearing be continued until later this evening.

Mr. Wiley stated he feels it would be better to reschedule to the next scheduled meeting

Mr. Jim Williamson, representative for the applicant Barbary has no issue with this.

Mr. Goetz made the motion to continue the Public Hearing until September 9, 2015 at 7:30 p.m.

Ms. Dyer seconded the motion

Vote: 6-0-0

MINUTES

JULY 8, 2015

Mr. Goetz made the motion to approve the Minutes for July 8, 2015

Ms. Dyer seconded the motion

Vote: 6-0-0

EXTENSIONS

LOST BROOK SUBDIVISION

DEP# 315-847

**Mr. Goetz made the motion to approve and issue a one-year extension for Lost Brook Subdivision
Ms. Dyer seconded the motion**

Vote: 6-0-0

BULLARD ST. #255

DEP# 315-971

**Mr. Goetz made the motion to approve and issue a one-year extension for 255 Bullard St.
Ms. Dyer seconded the motion**

Vote: 6-0-0

CERTIFICATES OF COMPLIANCE

SMITH AVE. #68

DEP# 315-714

**Mr. Goetz made the motion to approve and issue a Certificate of Compliance for 68 Smith Ave
Ms. Dyer seconded the motion**

Vote: 6-0-0

COMSTOCK WAY, LOT 6

DEP# 315-730

**Ms. Dyer made the motion to approve and issue a Certificate of Compliance for Lot 6 Comstock
Way**

Mr. Finnigan seconded the motion

Vote: 6-0-0

CRANE RD. #28

DEP# 315-1064

**Ms. Dyer made the motion to approve and issue a Certificate of Compliance for 28 Crane Rd.
Mr. Turner seconded the motion**

Vote: 6-0-0

KEVIN'S WAY #4

DEP# 315-887

**Ms. Dyer made the motion to approve and issue a Certificate of Compliance for 4 Kevin's Way
Mr. Finnigan seconded the motion**

Vote: 6-0-0

CYPRESS LANE #11

DEP 315-393

**Ms. Dyer made the motion to issue a Certificate of Compliance for 11 Cypress Ln
Mr. Finnigan seconded the motion**

Vote: 6-0-0

**PUBLIC MEETING
REQUEST FOR DETERMINATION OF APPLICABILITY
WASHINGTON ST. #112**

Opened: 7:16

Mr. Wiley read the advertisement in the Walpole Times

A letter was received from the applicant's representative, Woodard & Curran, requesting a continuance of this meeting until September 9, 2015. There was a scheduling conflict.

**Mr. Goetz made the motion to continue the Public Meeting until 8:00 p.m. on September 9, 2015
Ms. Dyer seconded the motion
Vote: 6-0-0**

BOARD COMMENTS

PLANNING BOARD - EASTOVER RD. The Planning Board is requesting comments for Eastover Rd. An Order of Conditions has been approved and issued from the Conservation report and been given to the Planning Board for review.

PLANNING BOARD – PEACH ST. #54. The commission discussed a Land Disturbance permit and Request for Determination may be required to approve wetland delineation

PLANNING BD. PINE ST #164– (MEADOWBROOK) – The commission discussed a filing for a Land Disturbance permit will be required

ZONING BOARD OF APPEALS – OLD FARM RD. The commission discussed they have no jurisdictional issues

CORRESPONDENCE

**MINOR MODIFICATION
EVERSOURCE ENERGY RELIABILITY PROJECT
DEP# 315-1085**

Ms. Denise Bartone came before the board to request a minor modification to the approval for upgrades to the utility. She stated some side trimming of trees and swamp matting are needed in one of the wetlands. The commission discussed this plan has an approved Order of Conditions and have no issues with the request as presented tonight.

**Mr. Goetz made the motion to approve the request for side trimming and swamp matting to be considered a minor modification to DEP# 315-1085
Ms. Dyer seconded the motion
Vote: 6-0-0**

MAIN ST. #564 (ROCKLAND FEDERAL CREDIT UNION)

Mr. Wiley stated he went out on site recently to inspect erosion controls. He stated the work has not started as of yet as the demolition of the house has not been permitted.

ARMY CORP. OF ENGINEERS

Ms. Hershey stated a permit was issued to SR II Ventures for alteration of wetlands between Olmsted and Roscommon. It was discussed a vernal pool is located there as well

CONT. PUBLIC HEARING NOTICE OF INTENT NORTH ST. PARCEL A DEP# 315-1091

Opened: 7:32

Mr. Wiley read the advertisement from the Walpole Times for this hearing which was opened on July 8, 2015 and continued until this evening. All members were present at the last Public Hearing

Mr. John Glossa, Glossa Engineering and Sean McEntee manager of SR II Ventures was present. Mr. Glossa presented plans entitled "Parcel A North St. Notice of Intent plan of land in Walpole MA" revised 7/23/15

Mr. Glossa stated the developer has found the gas line on Fisher St. does not have the capacity to serve the additional lots on Olmsted Estates or any other lots they pass by from Walden Ln. He stated this is not the first time the gas company has determined the capacity was not enough. Mr. Glossa presented the plan showing the path the gas line would take off of North St. following a trail which will come out to the center portion of what is known as the Roscommon residential Open Space Subdivision. He stated it will also be able to service the Roscommon thirty (30) lots once it is developed. Mr. Glossa stated the wetlands have been flagged during the previous ANRAD process. The proposal is that once the gas line approaches wetlands they will stop and dig a pit down, drill a sleeve under the wetlands and come out the other side. The pipe will slide through the sleeve. Mr. Glossa stated they propose to create a temporary bridge to bring equipment, excavators, backhoes etc. to the other side. In the area closer to North St. he stated there are two other areas which will have these bridges for the same purpose. Mr. Glossa stated they plan to directional drill through for the water pipe as well, and any work within the 25ft will be done with mini excavators. Using timbers, crushed stone and road plates will suffice. He stated the third area is located between Olmsted and Roscommon; they will only be constructing the gas line in that area, no water line. No wetlands need to be crossed in that area as materials can be brought in from Olmsted. He stated wetland one and wetland two will need the bridges. Mr. Glossa also added notes on dewatering and stated a plan can be provided if necessary, or it could be worked out with the conservation agent.

Ms. Hershey stated the Board of Health commented they did not want the wetlands disturbed. She also stated alternatives needed to be provided by the applicant that other routes have been explored that would have less or no impact to the wetlands. Ms. Hershey stated she emailed the gas company on 8/6/15 to the New Business Development Manager Michael Harn with questions. Ms. Hershey asked if gas access was available from Fisher St. and was told that there is a gas main which ends at # 215 Fisher. He told her both water and sewer can be accessed from Fisher for the Olmsted subdivision. Ms. Hershey also asked in the email if a gas line is constructed cross-country, and then a roadway is constructed later on, could the cross country line be abandoned for another line constructed in the new roadway. She was told this could happen

Mr. Glossa stated they are not proposing to alter any wetlands; they will be directional digging prior to the wetlands. He stated he does not feel it is reasonable to rip up newly paved streets and that directional drilling is effective and done often.

Ms. Hershey stated putting a pipe through the wetlands is still impact and the bigger picture needs to be looked at. They are trying to go cross country to service an approved subdivision.

Mr. Wiley stated he did not know gas was available on Fisher St.

Ms. Watson stated the depth of wetlands can't be determined unless they are surveyed, and there could be disturbance. She asked the distance from North St. to Fisher.

Mr. Glossa stated 11 Ft wide at wetland one, 9 ft. wide at wetlands two and the wetlands are 15 ft wide at wetland 3. There will be no touching or altering them, the pits will be dug on either side. He stated he doesn't know of any section in the regulations which discuss how deep wetlands go.

Mr. Finnigan asked if wetlands are not being altered this isn't a limited project

Ms. Hershey stated alternatives still need to be looked at, and work will be done in the 25ft no disturb

Mr. Glossa stated they will be working in an existing cart path which has been there for a long time. As it is within 25ft. of wetlands they will use small machines in those areas.

The commission discussed the price to install the gas line between the applicant's proposal and also an alternative going down Fisher St.

Mr. Turner stated it would be win-win if they could bring it up Fisher and offer hook ups to other homes along the way

Mr. McEntee stated the gas company doesn't take into consideration possible hook-ups for new customers and Mr. Glossa stated approximately 2,050 ft. on Fisher St. would be a very expensive alternative

Ms. Dyer stated the commission always discusses alternatives and she is surprised the footage going cross country and down Fisher St. are about the same. She stated even though it may not be a policy of the gas company to think of potential customers it still could be a good thing. She stated the commission has a blank slate at this point and feels it would be good to have the utilities go on the roadway.

Mr. Glossa stated everything is about timing. They are 90% done with the plans for the Planning Board and if all the permits are done and the timing work it could be done that way

A discussion was held about the jacking pits and proposed piping dimensions

Mr. Wiley asked when the road is constructed could the gas line be abandoned and put in the roadway. He stated it would be better for maintenance purposes. He also stated if they wanted the gas to go to Olmsted they could use propane temporarily until the roadway is done. He stated conversion from propane to gas would not be expensive

Mr. McEntee stated they are looking to service an already approved subdivision, and timing is so up in the air. If timing works the gas line could be put in the road on the crossing

Mr. Finnigan asked if someone from the gas company could come in to discuss this

Mr. McEntee was unsure

Mr. Glossa stated if Roscommon is approved and Olmstead is waiting for gas and has no one occupying the homes they could put the gas line in roadway. He suggested putting in a condition that if the gas line goes cross country it could be abandoned once roadway is constructed.

Mr. Wiley stated he thinks wetland crossing #3 could be avoided by using propane

Mr. Glossa stated if Roscommon doesn't get approved though it would be a problem.

Mr. Wiley stated if that were the case it wouldn't need to be serviced at all if only looking at Olmsted. He also stated if Olmsted could be serviced off of Walden Ct. the third crossing wouldn't be necessary

Mr. Glossa stated they would be willing to commit to never bringing in a third crossing if Roscommon isn't approved and the timing works

Mr. Wiley stated the question is whether eleven houses could come off Fisher St. and the others off North.

Ms. Hershey stated cumulative impact needs to be looked at if the middle section is not being developed

Mr. Wiley asked for questions or concerns from the audience regarding conservation issues

Mr. Joe Morasci, Buckboard Dr. asked if abutters were notified of the hearing and if the green cards matched the current homeowners. He also discussed that he does not feel the commission is following the open meeting law in the manner in which they open and continue hearings

Mr. Wiley stated that the abutters are notified by the list generated from the Assessor's office and if he had a problem he should take it up with that department.

The commission discussed continuing the Public Hearing. They would like confirmation from the gas company whether Olmsted can be service from Walden Ct. and can Roscommon be serviced from North St. They also questioned the size piping used for jacking. The commission felt the gas company did address the fact that the pipe would be able to be abandoned.

Mr. Goetz made the motion to continue the Public Hearing until 8:15 on September 9, 2015

Ms. Dyer seconded the motion

Vote: 6-0-0

Ms. Hershey stepped out of the meeting

**PUBLIC MEETING
REQUEST FOR DETERMINATION
LAKEVIEW DR. #15**

Opened: 8:54

Mr. Wiley read the advertisement from the Walpole Times.

Mr. James McDuff of Landscape America was present representing the homeowner of 15 Lakeview Dr. He presented plans entitled "Hallal Residence Lot 1A Lakeview Dr. Walpole MA" dated 7/2/15. Mr. McDuff stated he is proposing to remove invasive species by the roots as there is buckthorn growing along the edge of the pond, and the plan is to plant native species in their place to prevent invasives from growing again. He stated the owner has a current pallet pathway leading to the owner's boat to the edge of Willet Pond as well, and he is proposing to put a crushed stone pathway in its place for access.

Mr. Wiley referenced Ms. Hershey's agent report which stated she didn't feel there were impacts to the wetlands as long as adequate erosion controls are maintained.

Mr. McDuff stated haybales and silt fence will be used.

Mr. Wiley stated the commission now prefers straw wattles to be used.

Ms. Hershey came back to the meeting.

Ms. Watson asked about the invasive species that are there now and what is proposed to be planted once the area is exposed once roots are removed. More plantings could keep the project viable.

Mr. McDuff discussed using low blueberry bushes and organic mulch will be used to retain the top of the soil until the ground covers. He stated the owner wants a view of the water and a meadow look.

Mr. Turner discussed it is within the Neponset River Watershed, and it is good to have their approval.

Ms. Dyer also believes it is a good project, and that more plantings will be best as growth can occur out of mulch. She asked about the pallets and thought a boardwalk would be better.

Mr. McDuff stated he could ask the homeowners but they requested a crushed stone path.

Mr. Goetz asked how the buckthorn would be removed. He agreed more plantings are needed rather than a scattering to prevent regrowth of buckthorn. He also would like the machines washed prior to going on-site. Mr. Goetz stated he is happy the owner is working with the Neponset River Watershed.

Mr. McDuff stated a mini excavator would be used.

Ms. Hershey asked if the wetland plants would be perennial and Mr. McDuff stated they would be.

Mr. Goetz made the motion to close the Public Hearing

Ms. Dyer seconded the motion

Vote: 6 -0-0

Closed: 9:11

The commission discussed machines need to be washed prior to going on-site, straw wattles would be used and a report be sent to the commission at the end of one year showing planting progress.

Mr. Goetz made the motion to approve and issue a Negative 3 Determination

Ms. Dyer seconded the motion

Vote: 6-0-0

At 9:30 p.m. the commission discussed going into Executive Session to discuss on-going Enforcement Issues for 1900 Main St. and will return to regular session

Mr. Goetz made the motion to go into Executive Session

Ms. Dyer seconded the motion

Vote: 6-0-0

Mr. Wiley took a roll call vote: Mr. Wiley- aye; Mr. Goetz – aye; Mr. Turner-aye; Ms. Watson-aye; Mr. Finnigan – aye; Ms. Dyer- aye

Mr. Wiley took a roll call vote to leave Executive Session at 10:11 p.m. and return to a general business meeting: Mr. Wiley: aye; Mr. Goetz – aye; Mr. Turner-aye; Ms. Watson- aye; Mr. Finnigan – aye; Ms. Dyer- aye

Regular session commenced at 10:12 p.m.

Ms. Dyer made the motion to close the meeting

Mr. Turner seconded the motion

Vote: 6-0-0

Meeting closed: 10:15

