

WALL STREET DEVELOPMENT CORP.
REAL ESTATE DEVELOPERS

May 6, 2024

Walpole Conservation Commission
135 School Street
Walpole, MA 02081

via Hand Delivery and Email: lhershey@walpole-ma.gov

RE: Notice of Intent - Walpole Wetland Protection Bylaw
Union Square Village - DEP File No. 315-1233 - 7 Brook Lane, Walpole, Massachusetts

Dear Members of the Commission:

As a follow-up to the public hearing on March 27, 2024 regarding the above referenced Notice of Intent and application for a Land Disturbance Permit filed pursuant to the Walpole Wetland Protection By-law (the "By-law"), the following information is enclosed for the Commission's review:

1. Revised Site Plan dated April 26, 2024;
2. Memorandum prepared by GLM Engineering Consultants in dated April 12, 2024 in response to Commission's comments dated March 27, 2024;
3. Memorandum prepared by Wall Street Development Corp. dated April 22, 2024 requesting a variation of the 25-foot no disturb policy;
4. Memorandum prepared by Eco Tec, Inc. dated April 26, 2024 outlining proposed planting specifications for 25-foot buffer restoration; and
5. Memorandum prepared by Eco Tec, Inc. dated May 1, 2024 which identifies additional degraded riverfront area along easterly property border.

As requested, all materials are being submitted electronically as PDFs.

Thank you for your attention regarding this filing. If there are any questions or need for additional information, please feel free to contact me at any time.

Sincerely,

WALL STREET DEVELOPMENT CORP.


Louis Petrozzi, President

cc. Paul McManus – EcoTec Inc.
Rob Truax – GLM Engineering Consultants, Inc.

P.O BOX 272, WESTWOOD, MA 02090
TEL. 781 440 0306 CELL. 617 922 8700
EMAIL Lou@wallstreetdevelopment.com
www.wallstreetdevelopment.com



April 12, 2024

Landis Hershey
Walpole Conservation Commission
135 School Street
Walpole, MA 02081

Re: Notice of Intent
Project: Union Square Village, Walpole MA
Applicant: Wall Street Development Corp.

Dear Landis,

Our firm revised the plans for the above captioned project to address your comments in the email dated March 27, 2024. The following is in response to your comments:

Email Comments (Response in Italics)

Activity should be outside the 25-foot no alteration area unless a waiver is granted.

Applicant has requested relief to work within the 25' buffer.

SUP C-

Restoration of no alteration area and restored river front area detail should be clearer.

Plan sheet depicts plantings, size and quantity.

The restoration of the 25-foot no-alteration area should include removal of all man-made materials including the residuals and replaced with clean fill.

Note 1. Describes removal of all debris and other

Planting Legend should include number, type and size of plants.

Plant legend revised to include quantity of each, size is stated in Note 4.

Restoration plan should show no alteration boundary and posts with plaques clearly on plan.

Bounds with plaques will be shown, location should be discussed prior to placement.

Some notes are only half there. No alteration boundary hard to follow.

Revised

Swale should be out of 25-foot no alteration area.

Applicant has requested relief for work within the 25' buffer.

Basin grading and maintenance access should be out side of 25-foot no alteration area.

Applicant has requested relief for work within the 25' buffer.

What elevation are the wetland flags?

Elevations vary, approximately at the 107 foot contour

Erosion controls should be shown at the wetland boundary and also at the no alteration boundary.

Erosion control along the 25' buffer is not feasible per the grading shown

Restoration of the no alteration area should be excavated, graded and planted prior to road and unit construction.

It is anticipated that this work would be done prior to house construction. Road work will be required to provide sufficient access into site prior to commencement of restoration.

Notes from Oxbow report should be on plan.

Oxbow report is not pertinent.

Grading and Drainage Plan:

Retaining wall (including the over dig) is proposed in or at edge of river front area. Was disturbance of RA included in alteration numbers?

This wall has been removed. The limit of work is the erosion barrier.

Retaining wall near Burns Ave has no TOW/BOW elevations.

Revised elevations shown.

Detail of wall should not include "or approved equal" sheet 8 of 13

Revised, removed approved equal.

Detail of inspection ports for infiltration should specify that the ports shall be at grade and labeled as "Inspection Ports".

Inspection port details shown to finish grade.

Plan includes notes that are over each other and hard to read. This needs to be fixed.

Revised

Basin grading and swale should be outside of no alteration area.

Applicant has requested relief for work within the 25' buffer.

Traphole Brook river front area should be shown on the plan adjacent to Brook Lane.

Revised information provided on plan

Permission for work within Town ROW should be provided to the Commission if work within brook Lane is included with this filing.

At this time no work included in Brook Lane

Rip rap spillways and headwalls shall be a size that can't be picked up or easily moved

Riprap sizing is M2.02.2 Dumped Riprap, stone size 10lb and up.

Town Engineers concern shall be addressed

Town engineer comments being addressed.

Land Disturbance Permit

Test pits are required in basin and observed by Town Engineer.

Test pits were performed and witnessed by town engineer.

Sec. 10(2) O & M map showing all structures with correct title

Revise O&M map See Report

B. Submit draft SWPPP or erosion control plan as specified section D

Project site is currently under an active SWPPP. Which a copy was provided to your office.

Catch basins should be reviewed twice a year and cleaned out prior to 4-foot sump accumulating 50% full of sediments.

Revised O&M See Report

Vehicle access to basin shall be out of 25-foot no alteration area.

Applicant has requested relief for work within the 25' buffer.

If basin no longer drains within 72 hours then there may be clogging in infiltration system therefore basin bottom shall be cleaned and replaced to reestablish 72 hour drainage requirement. *Revised O&M See Report*

10.B. 6- Annual Report shall be submitted to the Conservation Commission verifying compliance with this Operation and Maintenance Plan.

This should be a condition of approval.

Drainage swale rip rap shall be inspected annually and replaced as needed.

Revised O&M See Report

Mark the observation ports in the subsurface infiltration chamber as "Observation Ports" include on O & M map. *Revised O&M Map See Report*

Stormwater Construction Site Inspection Reports shall be provided to the Commission.

This should be a condition of approval.

Include access easement information from 10. B-4

Unclear what this pertains to?

Sign O & M. *This should be a condition of approval.*

WQU.

Sec. C-1 Analysis of Low Impact Development options reviewed. *No comment*

E-10 Site soil tests must be observed by engineering dept.

Test pits were performed and witnessed by town engineer

10-13- does drainage swale accommodate at least the 25-year storm event.

Drainage swale is approximately 4' wide more than sufficient for anticipated flows

22- Provide and show on drainage plan drainage access easement of 20-foot wide

No easement is necessary, site is private with a home owners association.

F. submit certified As-built of Stormwater system prior to discharge, see requirements.

This should be a condition of approval.

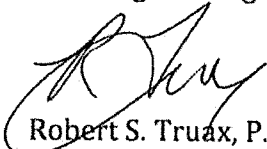
Recommend Surety for buffer and riverfront plantings.

This should be discussed with the commission and applicant.

Thank you for your cooperation in this matter.

Yours truly,

GLM Engineering Consultants Inc.



Robert S. Truax, P.E.

Cc: Wall Street Development Corp.

EcoTec, Inc.

ENVIRONMENTAL CONSULTING SERVICES

102 Grove Street

Worcester, MA 01605-2629

508-752-9666 – Fax: 508-752-9494

April 26, 2024

Landis Hershey, Conservation Agent
John Wiley, Chairman
Walpole Conservation Commission
Town Hall
135 School Street
Walpole, MA 02081

Re: Proposed Union Square Village, Walpole, MA

Subject: Proposed Plantings: 25-foot Buffer Zone

Dear Ms. Hershey, Chairman Wiley and Commission Members:

Below is a proposed planting specification for the 25-foot Buffer Zone area to be restored adjacent to the proposed stormwater management basin at the Union Square Village proposed development (refer to plans by GLM Engineering). The goal of the planting plan is to provide naturalizing plant cover to the area.

Proposed work:

1. Ensure that the erosion control barrier is in place and functional:
 - NOTE: If it is necessary to temporarily remove the erosion control barrier to allow complete excavation of non-natural soils in this area, such work should be conducted as follows:
 - cannot occur during rain; and
 - the barrier must be fully restored and functional at the end of each work day;
2. Remove from the area all non-natural materials, including all solid waste, to whatever depth is needed;
3. Restore the soil removal area to subgrade (6-inches below proposed final grade to allow for topsoil placement). Replacement soil shall be natural borrow soil from on site, free of any solid or hazardous waste or debris;
4. Construct the stormwater basin side slope in accordance with the site plans;
5. Provide a cover of 6-inches of high-quality topsoil throughout the restoration area;
6. Install native species woody plantings as outlined in the table below;
7. Seed the area with New England Conservation/Wildlife Mix;
8. Monitor and water as needed.

Table 1: 25-Foot Buffer Zone Area Planting Plan

SPECIES; SIZE; SPACING	NUMBER
<p>Shrubs; min 1 gal container; Highbush blueberry (<i>Vaccinium corymbosum</i>) Witch hazel (<i>Hamamelis virginiana</i>) Hazelnut (<i>Corylus americana</i>) Maple Leaf Viburnum (<i>Viburnum acerifolium</i>) Flowering dogwood (<i>Cornus florida</i>) Serviceberry (<i>Amalanchier canadensis</i>)</p> <p><u>Suitable alternate shrub species if needed based on availability at the nursery:</u> Grey dogwood (<i>Cornus racemosa</i>) Nannyberry (<i>Viburnum lentago</i>) Sweet pepperbush (<i>Clethra alnifolia</i>) Silky dogwood (<i>Cornus amomum</i>) Meadowsweet (<i>Spirea latifolia</i>)</p> <p>Trees: Red maple (<i>Acer Rubrum</i>) min 1.5-inch caliper</p>	<p>24 of each (144 total)</p> <p>Plant in clusters of 2 or 3</p> <p>7</p>

All plants will be planted in clean topsoil and mulched with composted, native leaf litter at a depth of two (2) inches to deter herbaceous and weedy growth. Plants will be watered as/if necessary, during the first six weeks after planting.

Please do not hesitate to contact me if you have any questions concerning this or other matters.

Sincerely,



Paul J. McManus, PWS

c: Project Team: Lou Petrozzi (Wall Street Development), Robert Truax (GLM Eng.)

EcoTec, Inc.

ENVIRONMENTAL CONSULTING SERVICES

102 Grove Street

Worcester, MA 01605-2629

508-752-9666 – Fax: 508-752-9494

May 1, 2024

Louis Petrozzi
Wall Street Development Corp.
2 Warthin Circle
Norwood, MA 02062

via email lou@wallstreetdevelopment.com

Re: Proposed Union Square Village, Off Brook Lane and Burns Ave., Walpole

Subject: Degraded Riverfront Area Delineation – Additional Area

Dear Mr. Petrozzi:

On April 19, 2024, I conducted additional delineation of “degraded” Riverfront Area (“RFA”) in the southeast corner of the proposed Union Square Village site, Off Brook Lane and Burns Avenue. This area contains RFA associated with Traphole Brook, which is located off site to the south. I had not previously evaluated this portion of the site RFA for designation as “degraded” in accordance with the Riverfront Area regulations at 310 CMR 10.58(5), which contain distinct provisions for:

“areas degraded prior to August 7, 1996 by impervious surfaces from existing structures or pavement, absence of topsoil, junkyards, or abandoned dumping grounds.”

Similar to other areas of the site (see the EcoTec Degraded Riverfront Area Evaluation report revised 4/18/2017 for additional description and photographs of degraded RFA on the site) a portion of the subject area (located near the “A” series BVW flags) is the location of obvious historic dumping. The extent of dumping/ degraded area is relatively obvious, with an abrupt transition to native soils not buried by dumping. Based on soil sampling with a shovel and hand auger I delineated the limits of the degraded area with blue pin flags labelled DA-1 through DA-5. West of flag DA-1, the degraded area extends essentially to the BVW boundary.

Please do not hesitate to contact me if you have any questions concerning this or other matters.

Sincerely,



Paul J. McManus, LSP, SPWS

c: Robert Truax, PE - GLM Engineering





MEMORANDUM IN SUPPORT OF REQUEST FOR VARIATION
WALPOLE WETLAND BYLAW REGULATIONS
NOTICE OF INTENT - DEP FILE NO. 315-1233

UNION SQUARE VILLAGE - WALPOLE, MA
DEP FILE NO. 315-1233
DATED: APRIL 22, 2024

SUBMITTED BY: WALL STREET DEVELOPMENT CORP.

Applicable Regulation

Section 1.3 of the Walpole Wetland Bylaw Regulations (the "Bylaw Regulations") state in part; "The Conservation Commission has had an on-going policy of including in the Order of Conditions a condition designating a minimum of 25-feet of bordering land as "a no alteration area." This section of the regulations strengthens the policy of a "no alteration" zone by making it a requirement of these regulations."

The basic presumption of Section 1.3 is that the 25-feet of bordering land is an **unaltered, vegetated buffer that protects important functions and values of the wetland resource area.** [Empasis Added]

In this instance, the existing condition of the 25-foot bordering land from the wetland resource area has been significantly degraded and does not protect any of the important functions and values of the wetland resource area. As previously observed by the Commission in 2017 and 2019, the area has had significant amounts of debris deposited in this area, including asphalt, brick, concrete, metal and rubber tires, etc. Attached for the Commission's review are current photographs of the existing conditions of the 25-foot bordering land area.

Based on the existing, altered conditions of the 25-foot area, the Commission's policy of designating this area as a "no alteration area" is not applicable. In connection with the proposed development of Union Square Village, a new buffer area is proposed to be restored to the maximum extent practicable.

Variation Requested from the Regulations

A variation is requested from Section 1.3 and 1.4.1 of the Bylaw Regulations as follows:

1. Section 1.3 of the Regulations state in part; "The Conservation Commission has had an on-going policy of including in the Order of Conditions a condition designating a minimum of 25-feet of bordering land as "a no alteration area. This section of the regulations strengthens the policy of a "no alteration" zone by making it a requirement of these regulations."

2. Section 1.4.1 of the Regulations states: "The Commission shall require the Applicant to maintain a twenty-five (25) foot wide contiguous, undisturbed vegetated buffer from, and parallel to, the wetland resource boundary, as a minimum.

An Applicant may request a variation from the minimum twenty-five foot "no alteration zone". The Applicant shall provide to the Commission information and evidence of why a variation is needed, and how the applicant will meet the purpose of the Bylaw to protect wetlands, water resources, and adjoining land as stated in Section I of the Bylaw."

25-Foot Bordering Land Area - Existing Conditions

Section 1.3 of the Bylaw Regulations "Bordering lands (a/k/a Buffer Zone)" states "Unaltered bordering lands protect the important functions and values of the wetland resource areas;" and "The Commission as a guideline encourages the enhancement of the bordering lands with native, non-invasive, vegetation suited for land bordering wetland resource areas." The Bylaw Regulations presumes that all "bordering lands" to wetland resource areas are "unaltered". Based on this "unaltered" presumption, the Bylaw Regulations outlines the Commission's policy of designating a minimum of 25-feet of bordering land to a wetland resource area as a "no alteration area" because of the important functions and values an unaltered 25-foot bordering buffer protects.

However, in this instance, this 25-foot unaltered area does not exist. As previously discussed, the majority of the site's 100-foot buffer zone, including the 25-foot bordering land, has been historically filled with a variety of materials, including soils, asphalt, brick and concrete, etc., and does not exist in an unaltered condition. In connection with the proposed development of Union Square Village, it is proposed to re-plant and restore the area in the vicinity of the 25-foot buffer consistent with the enhancement of buffer zone described in Bylaw Regulations - Section 1.3.

Variation Requested - Section 1.4.1 No Alteration Zone

Pursuant to Section 1.4.1 of the Bylaw Regulations, the Commission's policy is to "require the Applicant to maintain a twenty-five (25) foot wide contiguous, undisturbed vegetative buffer measured from, and parallel to, the wetland resource boundary."

However, the Bylaw Regulations provides for variations from Section 1.3, as follows:

"An Applicant may request a variation from the "no alteration zone". The Applicant shall provide to the Commission information and evidence of why a variation is needed, and how the Applicant will meet the purpose of the Bylaw to protect wetlands, water resources, and adjoining land as stated in Section 1 of the Bylaw."

Given the significantly altered and degraded existing conditions of the "no alteration zone", the Applicant proposes to re-establish the area parallel to the wetland resource boundary in connection with the construction of the project's stormwater basin. The re-establishment of this area would include the removal of all non-natural material and debris previously filled in this area and replace it with clean soils, top soil and plantings of native vegetation.

The Commission had previously approved a similar proposal in 2017 in connection with the Order of Conditions issued under DEP File No. 315-1120. A copy of the proposed restoration and planting details previously approved is attached (See attached - Supplemental Sheet C – last revised October 29, 2017). The current 2024 development plan for a similar proposal to restore and re-establish the 25-foot area parallel to the wetland resource boundary. (See attached - Supplemental Sheet C – last revised January 24, 2024).

Based on the proposed restoration plans, the applicant requests a variation pursuant to Section 1.4.1 of the Bylaw Regulations.

Conclusion:

The granting of the requested variation will provide for the following:

1. The restoration of the 25-foot bordering lands will provide valuable native, non-invasive, vegetation suited for land bordering wetland resource areas which is presently non-existing.
2. The resulting enhanced buffer, with added buffer plantings, will provide wildlife corridors for travel, edge habitat, and food and shelter for wildlife required by both wetland habitat and upland habitat.

3. The interests identified in the Wetlands Protection Act (the "Act") include; protection of private and public water supply, protection of groundwater supply, flood control, storm damage prevention, prevention of pollution, protection of land containing shellfish, protection of wildlife habitat and protection of fisheries. Under the Act and Bylaw, the proposed variation request will substantially enhance the wetland resource areas over the existing conditions under the Act.

4. The additional interests identified in the Walpole Wetland By-law (the "By-law") include; erosion and sedimentation control, storm damage prevention, recreation, aesthetics and agriculture. The proposed variation will not substantively alter any wetland resource area or negatively impact any wetland interest under the Walpole By-law.

For all of the reasons cited above, it is requested the Commission approve the requested variation to allow the restoration of the "no alteration zone" along with proposed mitigation and buffer plantings as shown on the plan.

Respectfully submitted,

WALL STREET DEVELOPMENT CORP.


By: Louis Petrozzi, President

cc. Paul McManus – Eco Tec, Inc.
Rob Truax – GLM Engineering Consultants, Inc.











