

**CONSERVATION  
COMMISSION**

**Town Hall**  
 Room 212  
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**Town of Walpole**  
 Commonwealth of Massachusetts

**MINUTES  
Approved**



**CONSERVATION COMMISSION**  
 APRIL 10, 2024  
 7:00 PM

**This meeting was taped and will be available on [walpolemedia.tv](http://walpolemedia.tv)**

**Commissioners Present:** Jack Wiley (Chair), Emidio DiVirgilio, Doug Burchesky, Bailey Ziembra,

**Staff Present:** Landis Hershey (Conservation Agent), Joshua Baker, Board Assistant

**Absent:** Betsey Dyer (Vice Chair), Al Goetz

Jack opened the meeting at 7:00PM.

**PUBLIC HEARINGS AND DISCUSSIONS:**

***Notice of Intent:*** *341 Elm Street, Turner's Pond Beach, DEP# 315-1305; Walpole Ponds Committee*  
 Wiley read the public notice into record.

No members of the Walpole Ponds Committee were present.

Hershey provided a summary of the project. The site previously had an Order of Conditions that allowed the regular maintenance of the beach area, this Order has since expired. A new Notice of Intent was required to continue the maintenance of the beach and was drafted and submitted by Hershey on behalf of the Walpole Ponds Committee. The new Order of Conditions will allow the regular maintenance of the sand in the form of raking and sand replacement as well as the pruning of woody vegetation near the picnic table area.

Burchesky asked if the Ponds Committee will be utilizing dump trucks to transport the sand. Hershey answered that this is most likely the way the sand will be brought on site.

A motion to close the Notice of Intent hearing and issue an Order of Conditions for 341 Elm Street, Turner's Pond Beach, DEP#315-1305, was made by DiVirgilio; seconded by Burchesky. Motion carries 4-0-0 (Wiley, DiVirgilio, Burchesky, Ziembra).

***Notice of Intent/ Land Disturbance Permit: 1049 West Street, DEP#315-1304; M. Freiberger***

A motion to continue the Notice of Intent and Land Disturbance Permit hearing for 1049 West Street to April 24<sup>th</sup>, 2024 at 7:30 pm was made by DiVirgilio; seconded by Burchesky. Motion carries 4-0-0 (Wiley, DiVirgilio, Burchesky, Ziembba).

***Continued Land Disturbance Permit: 130 West Street; West End Residences***

A motion to continue the Land Disturbance Permit hearing for 130 West Street to May 8<sup>th</sup>, 2024, at 7:20pm was made by DiVirgilio; seconded by Burchesky. Motion carries 4-0-0 (Wiley, DiVirgilio, Burchesky, Ziembba).

**GENERAL BUSINESS:**

**Tree Approval Discussions:**

Hershey inquired how the Conservation Commission would feel about designing guidelines for the administrative removal of hazard trees from Commission jurisdiction. Hershey explained that many other towns have administrative removal processes for trees in WPA jurisdiction and if one was to be implemented in Walpole, the Commission would need to agree on the threshold for when a tree removal could be approved administratively versus through a filing.

DiVirgilio noted that the term hazardous seems subjective to the opinion of whoever deemed it hazardous and would need an objective definition.

Burchesky agreed that guidelines would be a prudent idea, especially in cases where quick decisions are required to remove a tree from imminent danger to health or property.

Wiley noted that the project should require a filing if the removal will disturb a Resource Area.

Hershey suggested that one practical solution would be allowing the tree to be cut to a height where if it fell, it no longer posed a threat to any structures.

DiVirgilio noted that if the tree is dead or damaged and an imminent threat, then it should be removed.

**Minutes**

***Approval of 3/27/24 Conservation Commission Meeting Minutes:***

A motion to approve the 3/27/24 Conservation Commission Meeting Minutes was made by DiVirgilio; seconded by Burchesky. Motion Carries 4-0-0 (Wiley, DiVirgilio, Burchesky, Ziembba).

**Enforcement Orders:**

***15 Pinnacle Drive:***

A motion to vacate the enforcement order against 15 Pinnacle Drive was made by DiVirgilio; seconded by Burchesky. Motion carries 4-0-0 (Wiley, DiVirgilio, Burchesky, Ziembba).

***Burns Avenue:***

The erosion control barrier was re-established at Burns Avenue in March. On March 28<sup>th</sup>, the DEP performed a site visit for the extension of the current Superseding Order of Conditions and noted that some wetland flags were missing from the site and the erosion control barrier need to be adjusted. The DEP requested that other open orders on the site receive Certificates of Compliance prior to the issuance of an extension.

**The meeting adjourned at 7:59PM.**