

**TOWN OF NEEDHAM
CONSERVATION COMMISSION
MEETING MINUTES
Thursday, July 2, 2009**

LOCATION: Needham Public Library

ATTENDING: Lisa Standley, Janet Bernardo, Sharon Soltzberg, Dawn Stolfi Stalenhoef, Kristen Phelps (Agent)

GUESTS: Verne Porter, John Rockwood, Dan Roche, Diane Simonelli, Steve Poole, George Collins, Jane Swett, Chester Swett, Connie Barr, Li Li

L. Standley opened the meeting at 7:32 p.m.

PUBLIC HEARINGS

232 COUNTRY WAY (DEP File # 234-558) – NOTICE OF INTENT

L. Standley opened the public hearing at 7:35 p.m. Property owner Dan Roche was accompanied by representatives Verne Porter and John Rockwood. J. Rockwood explained the proposed project which involves removing an existing pool, patio and shed and converting the area to lawn. He reviewed the resource areas in the vicinity of the proposed work which include an intermittent stream and bordering vegetated wetland at the bottom of a mulched and partially vegetated slope. He noted that the proposed work would be occurring within 3 feet of the resource area, but that it did not meet the definition of construction and therefore did not require a waiver from the bylaw performance standards. K. Phelps confirmed that she had conducted a site visit and noted that the mulch on the slopes at the edge of the existing pool and patio area extended directly up to, and in some areas into the bordering vegetated wetland. S. Soltzberg stated that she would like to see the mulch slope treatment replaced with plantings. L. Standley suggested that the Commission condition the project to require mitigation plantings. **Motion to close the public hearing for DEP File # 234-558 by Sharon Soltzberg, seconded by Janet Bernardo, approved 4-0-0.**

10 LEWIS STREET (DEP File # 234-559) – NOTICE OF INTENT

L. Standley opened the public hearing at 7:45 p.m. Diane Simonelli and Steve Poole were present on behalf of the applicant. L. Standley stated that as the affidavit of service for abutter notification had not been signed and that green cards had not been provided, the Commission would not be able to close the public hearing. D. Simonelli explained the proposed project which involves constructing two small additions to an existing single-family house to create handicap-accessible living space. The proposed additions will be constructed in an area that is currently lawn and no changes in grade are proposed. She noted that the footings of the proposed addition would fall within the 25-foot no-disturb area and that a request for a waiver had been submitted with the application. Proposed mitigation includes directing roof runoff to drywells and removing construction debris from the bordering vegetated wetland. J. Bernardo asked why the haybales “bumped out” closer to the wetland. S. Poole responded that the area was needed to allow equipment (forklift, excavator) to access the work area. He also noted all disturbed areas would be loamed and seeded and that additional shrubs could be planted. **Motion to continue the public hearing for DEP File # 234-559 (for documentation of abutter notification) to July 23, 2009 at 7:45 p.m. by Janet Bernardo, seconded by Sharon Soltzberg, approved 4-0-0.**

112 EDGEWATER DRIVE (DEP File # 234-534) – REQUEST FOR AMENDMENT

L. Standley opened the continued public hearing at 8:00 p.m. George Collins of Boston Survey was present on behalf of the applicant. He reviewed the revised plan which includes the swale requested by the Commission and the existing erosion control line. L. Standley noted that the plan does not show additional erosion controls around the proposed swale. J. Bernardo asked whether the swale could be constructed as shown on the plan, noting that there was a four foot drop over a six foot horizontal. She stated that she

would like to see a specification for a geo-synthetic slope treatment in the swale on the revised plan. **Motion to continue the public hearing on the Amendment Request for DEP File # 234-534 (for revised plan) to July 23, 2009 at 7:45 p.m. by Janet Bernardo, seconded by Sharon Soltzberg, approved 4-0-0.**

COMMISSION ACTIONS

60 SYLVAN ROAD – Request for exemption for tree removal

The property owner submitted a request to remove a deteriorating hemlock. K. Phelps conducted a site visit and reported that the tree is located at the edge of existing lawn, about 20-25 feet from the wetland edge. She observed several dead limbs on the tree and noted that it is being shaded out by several larger deciduous trees. **Motion to approve tree removal (provided that the owner leave a 10-foot snag) by Janet Bernardo, seconded by Dawn Stolfi Stalenhoef, approved 4-0-0.**

DPW GENERIC PERMIT (DEP File #234-356) – Request to repair armored bank of Rosemary Brook
K. Phelps stated that the Water & Sewer Department submitted an emergency request under the DPW Generic Maintenance permit to undertake repairs to a section of the masonry bank along Rosemary Brook behind two of the homes on Mallard Street. The wall is crumbling in some areas and there are concerns about erosion of the exposed dirt bank. L. Standley stated that the proposed work is consistent with the generic permit. **Motion to approve the proposed repair of the masonry bank under the DPW Generic Permit by Sharon Soltzberg, seconded by Janet Bernardo, approved 4-0-0.**

708 SOUTH STREET (DEP File # 234-527 and 234-528) – Land Court property reference change
On behalf of Petri Corporation, attorney Roy Cramer submitted a written request to change the property reference on the Orders of Conditions for 708 South Street, Lot 4A and Lot 4B to reflect the land court numbering of these properties. **Motion to make the requested administrative change to the Orders of Conditions for DEP File #'s 234-527 and 234-528 by Sharon Soltzberg, seconded by Janet Bernardo, approved 4-0-0.**

HIGH ROCK HOMES – Stormwater Runoff / Erosion Control problems

K. Phelps stated that she was out in the High Rock Homes area during today's storm and observed major sedimentation and erosion on the Linden Street portion of this project. Erosion controls which were installed in response to the Commission's late 2008 enforcement order have been removed and the lots have not been stabilized. The site contractor contacted the Conservation Office following the storm and committed to installing new erosion controls and sweeping the streets. The Commission noted that this was a repeat offense and a direct violation of the prior enforcement order, and directed K. Phelps to issue a letter requiring stabilization within 48 hours and street sweeping thereafter. The enforcement letter is to be copied to the EPA. **Motion to issue a non-criminal penalty in the amount of \$900 by Dawn Stolfi Stalenhoef, seconded by Janet Bernardo, approved 4-0-0.**

380 DEDHAM AVENUE (DEP File # 234-522) – Qualification review of proposed inspector
The Commission reviewed and approved the resume of the engineer who will be overseeing the pipe replacement and restoration work at DeFazio Field.

Meeting was adjourned at 8:30 p.m.

Next Meeting: Thursday, July 23, 2009 at the Needham Public Library Community Room

Respectfully submitted,

Kristen Phelps

