

**TOWN OF NEEDHAM
CONSERVATION COMMISSION
MEETING MINUTES
Thursday, September 24, 2009**

LOCATION: Needham Public Library

ATTENDING: Lisa Standley, Sharon Soltzberg, Dawn Stolfi Stalenhoef, Marsha Salett, Paul Alpert, Carl Shapiro, Kristen Phelps (Agent)

GUESTS: Tim Hood

L. Standley opened the meeting at 7:30 p.m.

MINUTES

Motion to approve the minutes of August 27, 2009 (as modified) by Sharon Soltzberg, seconded by Carl Shapiro, approved 6-0-0.

PUBLIC HEARINGS

0 SOUTH STREET (DEP File #234-561) – NOTICE OF INTENT

L. Standley opened the continued public hearing at 7:45 p.m. K. Phelps informed the Commission that the Board of Health recently approved the proposed septic system design for the subject property, and the Applicant submitted a written request to withdraw this NOI. **Motion to accept the Applicant's request to withdraw the NOI for DEP File # 234-561 by Paul Alpert, seconded by Carl Shapiro, approved 6-0-0.**

25 GREEN STREET (Needham Golf Club) – REQUEST FOR DETERMINATION OF APPLICABILITY

L. Standley opened the public hearing at 7:46 p.m. Tim Hood of the Needham Golf Club was present. He explained the proposed project which involves landscaping the slope adjacent to the railroad tracks within 100 feet of the asphalt stream and pond near Tee #2. He noted that the area had been recently cut by NSTAR and the Club was seeking to plant a low growing garden to avoid the need for future clearing/disturbance of this area. C. Shapiro directed the Applicant to notify the Conservation Office if the project would require the use of machinery so that the need for additional erosion controls could be evaluated. T. Hood agreed to this condition. The Commission agreed that the selected plantings were appropriate for the intended purpose and that the work could be permitted under a negative Determination of Applicability. **Motion to issue a negative Determination of Applicability for the proposed landscaping project at 25 Green Street by Sharon Soltzberg, seconded by Dawn Stolfi Stalenhoef, approved 6-0-0.**

305 DEDHAM AVENUE (DEP File #234-563) – NOTICE OF INTENT;

L. Standley opened the continued public hearing at 8:12 p.m. K. Phelps stated that the Applicant failed to mark the trees that they would like to remove as directed at the last meeting. The Applicant was informed of the requirement to flag the trees, and K. Phelps scheduled a site visit to review next week. **Motion to continue the public hearing for DEP File # 234-563 (for information requested at September 10th hearing) to October 8, 2009 at 7:45 p.m. by Paul Alpert, seconded by Marsha Salett, approved 6-0-0.**

0 SUNSET ROAD (DEP File #234-56X) – NOTICE OF INTENT; Continued Public Hearing
L. Standley opened the continued public hearing at 8:15 p.m. She noted that the Commission had conducted a site visit on Monday, September 21st. The Applicant submitted a request to continue the public hearing until October 8, 2009 in order to revise the proposed project plans. **Motion to continue the public hearing for 0 Sunset Road (for DEP File # and revised plans) to October 8, 2009 at 7:45 p.m. by Marsha Salett, seconded by Dawn Stolfi Stalenhoeft, approved 6-0-0.**

COMMISSION ACTIONS

232 COUNTRY WAY (DEP File #234-558) – Review of permanent markers
The Commission reviewed the proposed markers for delineating the permanent limit of disturbance. With the exception of installing the granite bounds flush with the ground, the Commission was comfortable with the proposed marking method. **Motion to approve the permanent markers with the stipulation that they be set a minimum of one (1) inch above grade by Carl Shapiro, seconded by Dawn Stolfi Stalenhoeft, approved 6-0-0.**

15 ABBOTT STREET (DEP File #234-566) – Issue Order of Conditions
The Commission reviewed the draft Order of Conditions. **Motion to issue the Order of Conditions (as amended) for DEP File # 234-566 by Carl Shapiro, seconded by Dawn Stolfi Stalenhoeft, approved 6-0-0.**

ALGONQUIN GAS TRANSMISSION / CHARLES RIVER STREET (NGWP # 7) – Request for Certificate of Compliance
K. Phelps stated that Spectra Energy submitted an as-built plan and form 8A for the completed project at 590 Charles River Street. The work appears to have been completed in accordance with the permit and the site is stabilized; however, the monitoring reports required by the Order of Conditions were not submitted with the Certificate of Compliance request. The Applicant was informed that the Request for Certificate of Compliance was incomplete without these reports and the Commission agreed to postpone consideration of the request until the reports were provided.

OTHER BUSINESS

COMMUNITY PRESERVATION – Review of Open Space Goals & Update on Chapter 61A Land
The Community Preservation Committee distributed the “Open Space Goals” section of the Community Preservation Plan for review and comment. L. Standley stated that she was comfortable with the stated goals; however, she questioned a line in the introductory paragraph which states that open space goals sometimes conflict with other CPA goals. This language is not included under the historic preservation or affordable housing sections. The Commission directed K. Phelps to send a letter to the CPC requesting that this sentence be revised or stricken from the document.

With respect to the Chapter 61A land on Carol Road and Brewster Drive, P. Alpert stated that the Board of Selectmen had voted unanimously to recommend the purchase of the two parcels. He spoke with Selectmen Jerry Wasserman about the Board’s rationale for wanting this land, and reported that one of the features the Selectmen liked about the property was its proximity to additional agricultural land that may become available in the future. P. Alpert added that the Selectmen suggested bonding the purchase (over 20 years) so as to avoid wiping out the funds in the “Open Space” bucket. According to his estimates, the debt service on the loan would be approximately \$67,000 per year (out of an expected annual allocation of \$182,000 to this “bucket”) or about 1/3 of the funds that go into the open space bucket each year. The Commission agreed that the bonding approach made the proposed acquisition more favorable.

97 WAYNE ROAD – Violation

K. Phelps stated she met with the property owners from 97 Wayne Road regarding their pending application for an in-ground pool. The meeting was requested by the owner's representative after he observed unauthorized fill in the buffer zone. The owners would like to submit a restoration plan for the first 25 feet of buffer zone as part of their NOI for the pool, and requested feedback from the Commission on this approach. The Commission was amenable to including the restoration work as a component of the filing for the proposed pool.

HIGHLAND AVENUE ROADWAY IMPROVEMENT PROJECT – Request for Comments

L. Standley recused herself from discussion of this matter. The Commission reviewed the information provided by Mass Highway's consultant. They noted that the proposal only indicated the location of the roadway improvement project and did not provide details about the proposed design. The Commission directed K. Phelps to send a letter to FST noting only that any work within the Riverfront Area will require a filing with the Conservation Commission.

CHESTNUT STREET BRIDGE – Emergency Certification

K. Phelps informed the Commission that the Massachusetts Highway Department (MHD) requested an emergency certification to undertake repairs to the Chestnut Street Bridge over the Charles River. Documentation characterizing the condition of the bridge pier and abutments was provided and the MHD project engineer met with agents from Needham and Dover to explain the need for the emergency repairs. Permit documents for the repairs were being prepared prior to the declaration of emergency, and MHD intends to submit an after-the-fact water quality certification. C. Shapiro signed off on the Emergency Certification which includes conditions regulating the work and directs MHD to pursue State approval if the repairs take longer than 30 days.

Meeting was adjourned at 9:05 p.m.

Next Meeting: Thursday, October 8, 2009 at the Needham Public Library Community Room

Respectfully submitted,

Kristen Phelps