

**TOWN OF NEEDHAM  
CONSERVATION COMMISSION  
MEETING MINUTES  
Thursday, May 27, 2010**

LOCATION: Town of Needham Public Services Administration Building, Charles River Room

ATTENDING: Lisa Standley (Chair), Marsha Salett, Janet Bernardo, Sharon Soltzberg, Patricia Barry (Agent), Elisa Litchman (Assistant)

GUESTS: Bill Balutis, David Carroll, Roy Cramer, John Hanna, David Johnson, Michael Lennon, Jeff Rosenberg, Ardi Rrapi, Joseph Sicurella, Trevor Thomas.

L. Standley opened the meeting at 7:35 p.m.

**PUBLIC HEARINGS**

**0 SOUTHFIELD COURT (DEP FILE#234-584) – NOTICE OF INTENT.**

L. Standley opened the public hearing at 7:52 p.m. Michael Lennon of Aquatic Control Technology represented Boston Realty and presented to the Commission the proposed Aquatic Management Program at Southfield Court Pond to control the non-native plant invasive species parrot feather (*Myriophyllum aquaticum*). M. Lennon stated that this is only the second recorded occurrence in the state of Massachusetts for this noxious plant that reproduces through fragmentation and is currently located about 900-feet from the Charles River. Renovate 3 (triclopyr) is the primary EPA approved herbicide proposed to eradicate the parrot feather and is safe for the wildlife in the pond. M. Lennon strongly suggested that plants contained within the outlet stream be manually pulled as chemical treatment would not work in a flowing stream system as it requires a 2 to 4 hour contact time. He stated that the problem was first observed last summer when presumably someone dumped the contents of a fish tank into the pond. M. Lennon had been to the site and pulled a sample of the parrot feather to show to the Commission. He also took photos of the pond which clearly showed the dominance of the invasive species throughout Southfield Court Pond.

L. Standley noted that Aquatic Control Technology was also requesting approval for the application of copper algacides, Reward (diquat) and Sonar (fluridone). M. Lennon stated that this would be a contingent upon Commission approval and he explained the different circumstances and use for each compound. He requested that the herbicides be allowed to be used if triclopyr was not effective. When asked how long before the treatment would show an effect, M. Lennon stated 10 days to 14 days. P. Barry asked what the consequences would be once the plants died. M. Lennon stated that the plants would mostly die underwater and that there would be limited smell as the plant composition is 80-percent water. S. Soltzberg inquired if resident lawn care including fertilizers contributed to this plant invasion to which M. Lennon replied yes, but that it would not be the sole reason for the parrot feather problem. He observed that the lawns abutting the pond were maintained but not “perfect turf”.

L. Standley noted that all the home owners have an Order of Conditions that require no pesticides and fertilizers within the protected areas. J. Bernardo suggested that the Commission remind residents how to maintain the pond once the parrot feather is eliminated. L. Standley opened the hearing to public comment with no comments received.

L. Standley and S. Soltzberg both agreed that further investigation needs to be conducted downstream to determine the extent of parrot feather. For the immediate action, L. Standley concluded that all parrot feather should be removed on this property, and that P. Barry will notify the MA Natural Heritage and Endangered Species Program of the parrot feather location in Needham. For the record, the Commission stated that the Needham Wetland Protection Regulations only allow for a three year permit issuance with an option to extend a permit for an additional three-year period for nuisance vegetation management projects. The public hearing was closed at 8:16 p.m. **Motion to close the public hearing by L. Standley, seconded by M. Salett, approved 4-0-0.**

#### **178 HIGH ROCK STREET (DEP FILE#234-586) – NOTICE OF INTENT.**

L. Standley opened the public hearing at 8:17 p.m. Ardi Rrap from Cheney Engineering, represented the home owner Bill Balutis, and presented to the Commission the proposed project to demolish the existing single family dwelling, rebuild a larger home, re-grade the property, install a retaining wall and plant blueberry bushes (*Vaccinium corymbosum*) along the wetland boundary. He stated that the garage would remain on the same side of the property and that iron pipes were proposed at the 25-foot wetland buffer zone limit. A. Rrapi proposed installation of erosion controls at the limit of work. Furthermore, he explained that the work appeared to be only a 2.9 percent increase in impervious surface of which the Commission disagreed with the calculations but did not require revised calculations for this specific project. The applicant is not proposing drywells due to high groundwater table and existing ledge outcrops.

L. Standley questioned the proposal to remove 4 trees. B. Balutis, the owner, explained that the trees are oak trees and that 1 is leaning at a 45 degree angle and all of the trees are ant infested. J. Bernardo asked about a basement and the owner responded that there is no basement proposed. P. Barry stated that there is a forested swamp on the south side of the property and that it is bordering vegetated wetland associated with an intermittent stream. She discussed with A. Rrapi that Flag 8 should be moved about 20-feet onto the lawn in the vicinity of the wooden walking bridge based on a soil and vegetation assessment. It was also noted that there is a lot of brush from the previous owners adjacent to the wetland and that B. Balutis is seeking approval to clean up and remove the brush.

L. Standley required the submittal of revised plans showing the change in wetland flag location. **Motion to continue the public hearing to June 10, 2010 at 8:30 p.m. by J. Bernardo, seconded by S. Soltzberg, approved 4-0-0.**

#### **463 CHARLES RIVER STREET (DEP FILE#234-579) – *Continued* NOTICE OF INTENT**

L. Standley opened the continued public hearing at 8:40 p.m. P. Barry stated that the Applicant requested a continuance to the June 10, 2010 public hearing. **Motion to continue the public hearing for DEP File# 234-579 (at Applicant's request per property owner approval) to June 10, 2010 at 7:45p.m. by J. Bernardo, seconded by M. Salett, approved 4-0-0.**

### **COMMISSION ACTIONS**

#### **0 CHARLES RIVER STREET (NGWP – 12) – CONSERVATION RESTRICTION**

Roy Cramer, the applicant's representative, presented to the Commission the history of the Conservation Restriction. L. Standley noted that she reviewed the Conservation Restriction with Paul Alpert and that they were both in agreement with all parties on its content. R. Cramer submitted revised pages to the restriction and noted two grammatical corrections. **Motion to approve the Conservation Restriction for NGWP – 12 by L Standley, seconded by J. Bernardo seconded, approved 4-0-0.**

### **983 WEBSTER STREET – GRADING AND DRAINAGE PLAN APPROVAL REQUEST**

David Johnson of Beals & Thomas presented to the Commission the proposed drainage plan and submitted a revised sheet to the drainage plans that had a minor calculation error. He stated that there is no degradation of existing conditions proposed. D. Johnson further stated that he spoke with the Town Engineer who suggested that a Cape Cod berm be built at the edge of the pavement to keep the water in the street and ultimately, directed to the storm drain. A small depression was proposed to relieve the water in the intersection and direct water to the storm drainage system. The water in the rear of the lot would be unaffected by the roof drains and peak rates of run-off will not increase. D. Johnson stated that the new drainage plan will carry less volume of water than existing conditions and these numbers were submitted with the application.

David Carroll of 19 Howland Street stated that he is concerned about roof run-off and the elevation grade change that may create additional run-off onto his property. D. Carroll mentioned water accumulation up to two feet deep on the 983 Webster Street property. L. Standley reminded the Commission that a majority of the project is not within the 100-foot buffer zone to bordering vegetated wetland. D. Carroll asked who would maintain the 6-inch drain. L. Standley agreed that there should be a maintenance plan. L. Standley stated that the drainage plan as proposed is sufficient to meet the conditions of the Determination of Applicability. M. Salett agreed. **Motion to approve the drainage plan for 983 Webster Street by M. Salett, seconded by J. Bernardo, approved 4-0-0.**

### **LOT 2 WOODWORTH ROAD (DEP FILE #234-491) & LOT 3 WOODWORTH ROAD (DEP FILE #234-490) – REQUEST FOR EXTENSION**

At the September 10, 2009 public hearing the Commission approved the 3-year extension for this project; however the extension was not issued because the regulations had to be revised first to allow for the 3-extension. **L. Standley motioned that the Commission issue a three year extension permit for Lot 2 (DEP File# 234-491) and Lot 3 (DEP File# 234-490) retroactively, seconded by M. Salett, approved 4-0-0.**

### **5 BANCROFT STREET (DEP FILE #234-505) – REQUEST FOR EXTENSION PERMIT**

Habitat for Humanity of Greater Boston requested a 1 year extension as the current Order of Conditions expires on Saturday, May 29, 2010. **Motion to issue a one year extension permit for DEP File# 234-505 by J. Bernardo, seconded by M. Salett, approved 4-0-0.**

### **OTHER BUSINESS**

#### **0 SUNSET ROAD (DEP FILE #234-567) – REQUEST TO AMEND ORDER OF CONDITIONS STATUS UPDATE.**

P. Barry notified the Commission that the amendment request would be submitted in time for the June 10, 2010 public hearing.

#### **MA DEPARTMENT OF TRANSPORTATION HIGHWAY DIVISION**

MA Highway will be conducting soil and sediment sampling in the 100-foot buffer zone to bordering vegetated wetland and within 200-feet of the Charles River for the proposed bridge replacement project at the Needham and Dover border. This qualifies as a minor exempt activity under the MA Wetlands Protection Act and is not subject to the Town of Needham Wetland Protection Bylaw.

**178 ROSEMARY STREET (DEP FILE #234-577) SUPERSEDING ORDER OF CONDITIONS DISCUSSION.**

P. Barry updated the Commission on the May 25, 2010 MA DEP site visit at Rosemary Pool and discussed the Town Counsel letter submitted. L. Standley presented to the Commission a sketch of the Rosemary Brook braided channels based on aerial photo interpretation and field reconnaissance.

**NEEDHAM GOLF CLUB HOUSE PROJECT – Discussion**

P. Barry stated that the Needham Golf Club will be rebuilding and expanding the Club House along with parking lot improvements that include installation of an oil and water separator. L. Standley stated that the project is located outside of the Conservation Commission jurisdiction and had no additional comments.

**FY2011 PUBLIC HEARING SCHEDULE – Discussion**

The Commission decided to remove the September 9, 2010 public hearing from the FY2011 schedule, and move the November meetings to November 4, 2010 and November 18, 2010. It was also decided that the December meetings would be scheduled for December 2, 2010 and December 16, 2010.

P. Barry recommended that the Election of FY2011 Officers take place at the June 24, 2010.

**Meeting was adjourned at 9:00 p.m.**

**NEXT PUBLIC HEARING**

*June 10, 2010 at 7:30pm in the Needham Public Services Administration Building – Charles River Room*

Respectfully submitted,

Patricia Barry  
Conservation Agent

Elisa Litchman  
Conservation Assistant