

**TOWN OF NEEDHAM
CONSERVATION COMMISSION
MEETING MINUTES
Thursday, January 13, 2011**

LOCATION: Public Services Administration Building - Charles River Room

ATTENDING: Dr. Lisa Standley (Chair), Paul Alpert, Marsha Salett, Carl Shapiro, Sharon Soltzberg, Dawn Stolfi-Stalenhoef, Patricia Barry (Agent), Elisa Litchman (Assistant)

GUESTS: David Kelly, Greg Petrini, John Rockwood

L. Standley opened the public meeting at 7:33 p.m.

MINUTES

Motion to approve minutes of December 16, 2010 as amended by S. Soltzberg, seconded by M. Salett, approved 4-0-0.

Motion to accept the full year 2011 Conservation Commission Meeting Schedule by C. Shapiro, seconded by P. Alpert, approved 4-0-0.

COMMISSION ACTIONS

95 BOOTH STREET (DEP FILE #234-589) – RATIFY ENFORCEMENT ORDER

Motion to ratify the Enforcement Order for 95 Booth Street (DEP File#234-589) by S. Soltzberg, seconded by P. Alpert, approved 4-0-0.

1509 CENTRAL AVENUE (DEP FILE #234-503) – REQUEST FOR APPROVAL OF DEED RESTRICTION

The Commission stated that the book pages and map are not referenced within the deed restriction. The owner needs to submit additional information and use the deed restriction template to be provided by the Commission. **Motion to deny the approval of the restriction as currently proposed for 1509 Great Plain Avenue (DEP File #234-576) by M. Salett, seconded by C. Shapiro, approved 6-0-0.**

1509 CENTRAL AVENUE (DEP FILE #234-503) – REQUEST FOR A CERTIFICATE OF COMPLIANCE

The Commission approved a partial certificate listing special conditions Condition #s 22 & 23 associated with a required deed restriction and Condition #s 26 & 27 related to planting restoration monitoring and annual reports as remaining conditions to be met. **Motion to issue a partial Certificate of Compliance for 1509 Great Plain Avenue (DEP File #234-576) by M. Salett, seconded by C. Shapiro, approved 6-0-0.**

74 PILGRIM ROAD – REQUEST FOR APPROVAL OF ENVIRONMENTAL INSPECTOR

Motion to approve Karen Skinner-Catrone as Environmental Inspector for 74 Pilgrim Road (DEP File #234-by C. Shapiro, seconded by S. Soltzberg, approved 6-0-0.

74 PILGRIM ROAD – REQUEST FOR APPROVAL OF INVASIVE SPECIES CONTROL & RESTORATION PLANTING PLAN

The Commission required the following changes to be made to the Invasive Species Control and Restoration Planting Plan: (1) Within section entitled “Multiflora rose” the Commission will not permit

the use of a weed wrench to pull the roots of the Multiflora rose within the wetland. The Commission is requiring a cut and treat stump with herbicide to control this species. (2) Within the section entitled "Construction Sequencing" within the Erosion Control Schedule Consideration table the Commission would like this deleted and a new statement referencing the required erosion control installation provided within the Order of Conditions, specifically special conditions #14 & #15. (3) Within the section entitled "Limitations" please delete the Note: sentence regarding topographic surveys. (4) Within the section entitled "Wetland Replication – Vegetation and planting" please retitle this section to read Wetland Restoration and change this section to reflect the restoration conditions within the issued order of conditions. **Motion to deny the approval of the Invasive Species Control Plan for 74 Pilgrim Road (DEP File #234-by C. Shapiro, seconded by S. Soltzberg, approved 6-0-0.**

OTHER BUSINESS

187 ROSEMARY STREET (PETRINI APARTMENTS) – DRAFT NOTICE OF INTENT

Greg Petrini explained to the Commission that he has owned the Rosemary Apartments for 45 year and that without his knowledge nor approval an overzealous employee had disturbed areas within the jurisdiction of the Conservation Commission, specifically bordering vegetated wetland, bordering land subject to flooding, 200-foot riverfront area and the 100-foot buffer zone. G. Petrini apologized and stated that David Kelly of Kelly Engineering Group and John Rockwood of Eco Tec Inc. have completed a restoration plan for the Commission's review. As soon as Conservation notified G. Petrini of the disturbance, a silt fence and hay bales were immediately installed. D. Kelly explained the approach to restoring the site: 1) remove fill and downed trees within the wetland and stream; 2) restore pre-existing elevations and plant and seed; and 3) install a 4-foot high chain link fence to prevent future encroachment.

D. Kelly proposed removal of tree limbs, branches and other woody materials from the brook during the frozen time of year (winter). During the spring (May/June) the removal of debris and material from the wetland, 100-foot buffer zone and 200-foot riverfront area would take place. The planting and seeding of the area would take place during the fall. J. Rockwood briefly reviewed the proposed detailed planting plan. Monitoring would take place for three years to ensure the successful restoration of the area.

Due to property title issues and in order to rectify the situation in a timely manner, G. Petrini will not be applying to restore the area under a Notice of Intent application. L. Standley acknowledged receipt of a letter of commitment from G. Petrini to restore the area; however the Commission determined that a memorandum of agreement with penalties if the work is not completed would better serve as an enforceable instrument to ensure restoration. L. Standley required the species quantity of plants be added to the planting plan and that an invasive species control plan be created.

CHARLES RIVER STUDY COMMITTEE – ZONING PROJECT UPDATE

P. Alpert reported that an area near Central Avenue and Reservoir Street (near the Charles River in Newton) has come before Town Meeting to be rezoned. Currently the area is zoned residential single family as well as heavy industrial closer to the river. P. Alpert indicated to the Commission that a majority of the lots are entirely in the 200-foot riverfront area of the Charles River.

FINAL TRAILS MASTER PLAN

Karen Pierce from Park & Recreation has been designated as the Trails Coordinator for the Town. P. Barry will be working on drafting the Ridge Hill Swamp Trail bridge and boardwalk RFP within the next couple of weeks.

RIDGE HILL RESERVATION – VIOLATION

M. Salett stated that in between Ridge Hill Road and Pheasant Landing Road a significant number of trees have been cut down in order for the pond to be accessible for ice hockey. She took photos on her phone

and believes that the trees were cut on December 26, 2010. The Commission asked P. Barry to draft a letter to the Pheasant Landing residents asking their cooperation in protecting the Town's natural resources.

BUILDING PERMIT & DEPARTMENT PROCEDURES

P. Barry discussed the current Building Department permit procedures and how applicants and their representatives are signing the certified plot plans as required by the Zoning Bylaw without showing all wetland areas on the plot plans. The Commission asked P. Barry to discuss with the Building Department the possibility of providing an additional form for certifying that no wetland resource areas are located on the parcel including the 100-foot buffer zone and 200-foot riverfront area.

The meeting was adjourned at 9:07 p.m.

NEXT PUBLIC HEARING

January 27, 2010 at 7:30 p.m. in the Needham Public Services Administration Building, Charles River Room