

**TOWN OF NEEDHAM  
CONSERVATION COMMISSION  
MEETING MINUTES  
Thursday, January 27, 2011**

LOCATION: Public Services Administration Building - Charles River Room

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

GUESTS: Dave Burke, Daniel Capasso, Peter Gammie, Hank Haff, Dave Hudson, Robert Johnson, Margaret Noll, Matthew Sullivan, Daniel Wallace Jr., Zhinong Xu

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

**MINUTES**

Motion to approve minutes of January 13, 2011 as amended by S. Soltzberg, seconded by P. Alpert, approved 5-0-0.

L. Standley recommended that all Commission members send their meeting minute comments electronically via email to P. Barry in advance of the upcoming Commission meeting so that a redlined hard copy with all member comments and changes can be distributed at the meeting for final review and approval.

**HEARINGS**

**200 HARRIS AVENUE POLLARD SCHOOL (DEP FILE #234-605)**

L. Standley opened the public hearing at 7:50 p.m. Hank Haff, the Town of Needham Project Manager introduced members of the project team that included Dave Hudson of Tetrattech Rizzo and Steve Popper of the Permanent Public Facilities Committee. H. Haff explained the need for the proposed improvements to the Pollard Middle School Project in relation to the Newman Elementary School Project. He stated that during the Newman School renovations in the 2011 and 2012 academic school year, the kindergarten and pre-kindergarten classes at the Newman School will be transported to the Pollard School. In order for the students to attend Pollard School various temporary and permanent improvements are proposed.

D. Hudson reviewed the project site existing conditions pointing out all resource areas, buffer zones, no-disturb areas and existing drainage. He also described the proposed project which involves paving a new access way from Dedham Avenue to the rear of the Pollard School for bus access and using the existing tennis court for additional temporary parking with a temporary bituminous access drive. Once the students return to Newman in the Fall of 2012, the tennis court would be returned to its original use. He then described the proposed stormwater management facilities noting that the project was designed in compliance with the stormwater regulations. The proposal included a handful of deep sump catch basin installations that would discharge into two large infiltration systems and an gutter inlet for to handle sheet flow from the hillside. He also noted that a Long-term Pollution Prevention Plan and a Stormwater Operation and Maintenance Plan were submitted as part of their Notice of Intent application. D. Hudson stated that a waiver request for part of the tennis court work located in the 25-foot no disturb zone was submitted. The landscape plan and proposed plantings within the 100-foot buffer zone were also reviewed. Three (3) trees are proposed to be eliminated and replaced with three (3) red maples (*Acer rubrum*), two (2) swamp white oaks (*Quercus bicolor*) and one (1) American elm (*Ulmus Americana*) in 100-foot buffer zone.

L. Standley asked for a detailed explanation regarding the drainage issues that fall within the Commission's jurisdiction such as the runoff around the tennis courts and the new access drive off of Dedham Avenue. D. Hudson explained that about 50-feet of the proposed access drive would sheet flow onto Dedham Avenue into the existing drainage system. He explained that the tennis courts would be lined with hay bales and that a snow storage area is designated outside of the 100-foot the buffer zone. D. Hudson also stated that the hillside of Glen Terrace has sandy soils that allow for good drainage and that a proposed grassed swale at the base of the hillside would help infiltrate runoff. Some of runoff would go under the driveway to the wetland as it does now.

L. Standley opened the hearing to public comment. Irene Francesconi of 5 George Aggott Road asked whether there would be a paved walkway adjacent to the new access drive. D. Hudson answered yes and it would be 5-feet wide. She also asked if the Town would clean up the wetland resource areas along Dedham Avenue and the tennis courts, stating that garbage from the road has accumulated within the wetlands. Joseph Khirallah of 273 Dedham Avenue expressed concern for the surface water runoff once the road is paved as he did not want the area to be flooded more than it already does and to potentially flood his property across the street. L. Standley explained that currently what is naturally absorbed would be re-directed into large infiltration basins; therefore there would be no increase in runoff.

J. Bernardo inquired about the 80% Total Suspended Solid calculations, the hillside watershed analysis and her concern regarding the use of hay bales to treat the temporary tennis court parking lot runoff. OOC should include cleaning and maintenance of catch basins. L. Standley noted that the Commission would like to continue the hearing for additional information regarding the proposed mitigation measures around the tennis court temporary parking facility to prevent the release of gas, oil and sediment contained within the surface water run-off into the wetland resource areas. The Applicant agreed to the hearing continuance. **Motion to continue the public hearing to February 10, 2011 at 7:45 pm PSAB – Charles River Room by J. Bernardo, seconded by M. Salett, approved 5-0-0.**

#### **146 BEARD WAY (DEP FILE # 234-606) - NOTICE OF INTENT**

L. Standley opened the hearing at 8:41 p.m. M. Salett recused herself as she is a neighbor. David Burke, the wetland consultant introduced Dan Wallace, the landscape architect, Peter Gammie, the professional engineer and Matt Sullivan from Sudbury Design Group. D. Burke reviewed existing conditions of the project and explained the proposal to construct an in-ground swimming pool, bath house, storage shed and patio all within the 100-foot buffer zone to a bordering vegetated wetland. No natural vegetation would be disturbed between Beard Way and the bordering vegetated wetland. The proposed pool would be surrounded by pervious pavers; the shed would have gutters and downspouts; and a drywell would be installed to infiltrate the existing single family home roof run-off and the proposed pool and patio. There would be no stockpiling of soil.

J. Bernardo noted the lack of contour elevations and proposed grades on the plans submitted and that the detail shows a cultec chamber on the plan that should be deleted. L. Standley recommended that all proposed work, erosion control installations, proposed grades, limit of lawn and erosion control line be shown on one plan. Currently there are three plans showing different aspects of the project. She expressed concern about the hay bale line and its location on top of the base of the trees, and that the proposed diffuser should be relocated away from the base of the tree. L. Standley stated that the hearing would have to be continued as no DEP file number has been issued for the project and the Commission would like revised plans one week in advance of the following meeting. **Motion to continue the public hearing to February 10, 2011 at 8:00 p.m. in the PSAB – Charles River Room by J. Bernardo, seconded by P. Alpert, approved 5-0-0.**

## **COMMISSION ACTIONS**

### **433 CHESTNUT STREET (DEP FILE #234-356) – DPW MAINTENANCE ACTIVITY NOTIFICATION**

The Department of Public Works Forestry Department has requested approval under the DPW General Maintenance Permit Special Condition #8 for emergency maintenance to protect the public health and safety, specifically approval of the removal of a hazard tree within the 100-foot buffer zone to bordering vegetated wetland at 433 Chestnut Street as a result of heavy snow and ice. **Motion to approve after-the-fact removal of the hazard tree at 433 Chestnut Street by M. Salett, seconded by P. Alpert, approved 5-0-0.**

### **238 ROSEMARY STREET (DEP FILE #234-356) – DPW MAINTENANCE ACTIVITY NOTIFICATION**

The Department of Public Works Forestry Department has requested approval under the DPW General Maintenance Permit Special Condition #8 for emergency maintenance to protect the public health and safety, specifically approval of the removal of a hazardous tree within the 100-foot buffer zone to Rosemary Lake at 238 Rosemary Street as a result of heavy snow and ice. **Motion to approve after-the-fact removal of the hazard tree at 238 Rosemary Street by M. Salett, seconded by P. Alpert, approved 5-0-0.**

## **OTHER BUSINESS**

### **FINAL TRAILS MASTER PLAN KICK-OFF EVENT – DISCUSSION**

P. Barry discussed that the Trails Advisory Group met and would like to plan a kick-off event to celebrate the completion of the Town's Final Trail Master Plan. The Park and Recreation Department in cooperation with the Conservation Department are hoping to coordinate a family oriented outdoor event with volunteers and various activities such as trail clean-up and nature walks. P. Barry distributed a draft invitation to the Commission for review and comment regarding a tentatively scheduled Kick-Off Event called a Trail Day on **April 30, 2011** at Ridge Hill Reservation (Rain Date May 1, 2011). L. Standley and M. Salett notified P. Barry that they would review the event details and provide comments and ideas shortly.

### **SPRING INTO ACTION WALK - DISCUSSION**

The Park and Recreation Department in coordination with the Board of Health has asked the Commission if they could organize a nature walk at Ridge Hill Reservation called the Spring into Action Walk on **May 9, 2011** from 6:00 p.m. to 7:00 p.m. P. Barry explained that this is part of the Town's Eat Well, Be Fit program. Commission volunteers are needed to help with the walk. It is unclear how many participants are anticipated at this point. Depending on the number of people signed up, the leaders may take groups on different walks.

### **DPW GENERAL MAINTENANCE PERMIT (DEP FILE #234-356) - DISCUSSION**

P. Barry updated the Commission on the status of the DPW General Maintenance Permit indicating that the Engineering Office will be submitting a letter to the Commission stating that the MA Permit Extension Act has extended the permit to February 8, 2012 and that they anticipate a Fall of 2011 new Notice of Intent application. The Commission stated that the DPW General Maintenance Permit does not permit flushing of existing drain lines, and that a permit must be applied for this type of activity. No flushing of lines should be taking place anywhere in the town regardless of whether the area is located

within a wetland resource area without applying for a permit. The Commission required an “after the fact” Activity Notification Form for the South Street culvert and catch basin replacement project.

### **165 BRIDAL TRAIL ROAD (DEP FILE #234-574) – REQUEST FOR CERTIFICATE OF COMPLIANCE**

The Commission stated that although the Professional Land Surveyor’s Certificate specifically states that all work completed was in strict compliance with the Order of Conditions, there are several deviations from the approved referenced plan including the addition of a pool equipment shelter, installation of a fence and the unpermitted filling of buffer zone about 5-feet beyond the permitted work limits. The Commission requested that P. Barry notify the applicant of the discrepancies and that the current Certificate of Compliance request was incomplete. P. Barry stated given the winter conditions and that since a full growing season has not passed since the project completion, it is impossible to confirm that that the steep slope is stabilized and only a partial Certificate of Compliance could be issued for the project.

### **1509 CENTRAL AVENUE (DEP FILE #234-503) – MINOR MODIFICATION REQUEST**

Dan Capasso, the owner and builder, informed the Commission that the Building Inspector reviewed the as-built plans and notified him that a portion of the retaining wall was not in compliance with the Zoning Bylaw and needed to be removed prior to the issuance of a Certificate of Occupancy. D. Capasso explained that he would manually remove about 28-feet of the versa lock block wall, transplant existing arborvitaes (*Thuja occidentalis*) and plant new blueberry shrubs (*Vaccinium corymbosum*) in the Spring of 2011. The Commission stated that this could be permitted through a minor modification to the application and that the Commission would not issue the Certificate of Compliance until the minor modification was issued. Additionally, the Commission required the deed restriction to be revised and submitted one week prior to the next hearing. P. Barry gave D. Capasso a sample deed restriction to present to his lawyer. **Motion to approve the minor modification for 1509 Great Plain Avenue (DEP File #234-576) by S. Soltzberg, seconded by P. Alpert, approved 5-0-0.**

**Motion to adjourn by M. Salett, seconded by P. Alpert, approved 5-0-0. The meeting was adjourned at 9:23 p.m.**

### **NEXT PUBLIC HEARING**

*February 10, 2011 at 7:30 p.m. in the Needham Public Services Administration Building, Charles River Room*