

**TOWN OF NEEDHAM
CONSERVATION COMMISSION
MEETING MINUTES
Thursday, April 28, 2011**

LOCATION: Needham Free Public Library – Community Room

ATTENDING: Dawn Stolfi Stalenhoef (Acting Chair), Paul Alpert, Marsha Salett, Carl Shapiro, Sharon Soltzberg, Patricia Barry (Agent), Elisa Litchman (Assistant)

GUESTS: Richard and June Atkind, Janet Besser, Kim & Gregg Chambers, Chris Charlton, Mikhail Deychman, Vern T. Porter, Jr., John Rockwood, Ardi Rrapi, Ken Siegel.

D. Stolfi Stalenhoef opened the public meeting at 7:35 p.m.

MINUTES

P. Barry informed the Commission that the minutes from the April 14, 2011 public hearing would be available for approval at the next scheduled meeting on May 12, 2011.

ENFORCEMENT UPDATES

Petrini Corporation – Tillotson Road

Petrini Corporation is drafting a restoration plan and plans to submit a Notice of Intent application for the proposed work within the 100-foot buffer zone to bordering vegetated wetland.

Wellesley Country Club – Brookside Road

The Wellesley Country Club had placed unauthorized fill and mulch within an isolated wetland and its associated 100-foot buffer zone jurisdictional under the Needham Wetlands Protection Bylaw (Article 6). The fill has been removed from the area and erosion controls were installed. The Wellesley Country Club is currently drafting a restoration plan for the area and will be submitting a Notice of Intent for the proposed work.

HEARINGS

823 CHARLES RIVER STREET (DEP FILE #234-541) – REQUEST TO AMEND ORDER OF CONDITIONS

D. Stolfi Stalenhoef opened the public hearing at 7:45 p.m. Dr. John Rockwood from Eco Tec Inc. presented the proposed amendment to the Order of Conditions for DEP File#234-541 to increase the size of the proposed single family home but reduce the size of the proposed driveway along with adding about a foot of fill to accommodate the installation of the basement within the 100-foot buffer zone to bordering vegetated wetland and associated intermittent stream. The limit of work will remain the same as the originally proposed project. The infiltration system would also be unchanged. The applicant agreed to increase the proposed planting area to mitigate for the increase in impervious surface. **Motion to approve the amendment with the additional restoration area by P. Alpert, seconded by M. Salett, approved 5-0-0.** The hearing was closed at 7:50 p.m.

67 BOND STREET – REQUEST FOR DETERMINATION OF APPLICABILITY

D. Stolfi Stalenhoef opened the hearing at 8:00 p.m. Richard Atkind, the owner described the request to relocate their existing driveway for safety reasons further away from the existing wetland. They proposed to install a 20-foot x 20-foot driveway and remove the old driveway and restore the area to lawn. The Commission required the installation of erosion controls at the limit of work. **Motion to issue a negative determination of applicability for 67 Bond Street with the condition that erosion controls be**

installed at the limit of work by P. Alpert, seconded by M. Salett, approved 5-0-0. The hearing was closed at 8:08 p.m.

20 PHEASANT ROAD (DEP FILE #234-60X) – NOTICE OF INTENT

D. Stolfi Stalenhoef opened the hearing at 8:15 p.m. Chris Charlton represented the applicant, Pinewood Developments, and explained to the Commission the proposed project to demolish a single family residence and construct a new single family home. The property is 100% within the 200-foot Riverfront Area. The existing shed is also proposed to be removed along with the cement pilings that would be cut to grade, loamed and seeded. C. Charlton submitted the remaining required filing fee and it was noted that no DEP File Number had been issued for the project due to the filing fee discrepancy. D. Stolfi Stalenhoef stated that the new alternative analysis was received at the hearing and that the Commission needed additional time to review the information presented. C. Charlton stated that the newly submitted plan clearly defines the limit of work and square footage disturbance, and has reduced the size of disturbance on the lot to meet the performance standards of riverfront area. The Commission recommended that an economically viable equivalent alternatives analysis also be submitted to the Commission in accordance with the regulations. This analysis should be submitted by Thursday, May 5th, 2011 by 10 a.m. to the Conservation Department.

D. Stolfi Stalenhoef opened the hearing to public comment. Janet Besser of 25 Pheasant Road expressed her concern regarding the removal of trees at 20 Pheasant Road. C. Charlton explained that he plans to keep the trees in the rear and side yards but may clear those in the front yard. **Motion to continue the public hearing for 20 Pheasant Road (for additional information, sufficient review time and DEP File number issuance) to May 12, 2011 at 8:00 p.m. in the PSAB – Charles River Room by P. Alpert, seconded by M. Salett, approved 5-0-0.**

463 CHARLES RIVER STREET – REQUEST FOR DETERMINATION OF APPLICABILITY

D. Stolfi Stalenhoef opened the hearing at 8:35 p.m. P. Alpert and M. Salett recused themselves from the hearing as each received an abutter notification for the determination request. Gloria Greis submitted the certified abutters mailing and receipts to P. Barry. Ken Siegel noted on an aerial printout of Ridge Hill, the location of the fire pits for P. Barry's information. There was no quorum and therefore, the Commission continued the hearing. **Motion to continue the public hearing for 463 Charles River Street to May 12th, 2011 at 8:15 p.m. by C. Shapiro, seconded by S. Soltzberg, approved 3-0-0.**

30 ABBOTT ROAD (DEP FILE #234-607) – *Continued* NOTICE OF INTENT

D. Stolfi Stalenhoef opened the hearing at 8:45 p.m. Mikhail Deychman, the applicant, explained the proposed project to the Commission to demolish the existing 1,800 square foot home and construct a new 2,500 square foot single family home. The entire home is located within the 200-foot Riverfront Area approximately 178-feet from the brook. The current driveway is proposed to be removed, restored to lawn and a new driveway will be installed outside of the Riverfront Area. M. Deychman described the proposed planting plan to install three (3) red maple (*Acer rubrum*) trees in the front yard, and the proposed drywell to infiltrate roof run-off. D. Stolfi Stalenhoef stated that the alternatives analysis compiled by Karen Skinner Catrone needs to be more evaluative of alternatives and that she needs to give more information that includes an economic analysis. The Commission discussed the potential for the project to be considered redevelopment and submit a performance standards analysis with respect to the applicable regulations. The performance standard analyses must be submitted one week before the next meeting by Thursday, May 5th, 2011 by 10 a.m. to the Conservation Department. **Motion to continue the public hearing for 30 Abbott Road (DEP File# 234-607) (for additional information) to May 12th, 2011 at 8:30 p.m. in the PSAB – Charles River Room by P. Alpert, seconded by M. Salett, approved 5-0-0.**

COMMISSION ACTIONS

1336 GREAT PLAIN AVENUE (DEP FILE #234-539)-REQUEST FOR CERTIFICATE OF COMPLIANCE

P. Barry explained that the following discrepancies between the approved plans and the as-built plan: (1) In February of 2009 the Commission approved a minor modification to the project plans to approve two patio areas and associated grading along with additional plantings, loaming and seeding (northeastern wildflower mix). This area of planting and seeding did not take place in accordance with the approved landscaping plan. (2) An irrigation system has been installed and is not included on the as-built plan. (3) The southwestern portion of the property has not been restored and stabilized and the erosion controls are still in place. (4) Grading appears to have been extended beyond the patios onto the adjacent lot with no restoration plantings or seeding. This area is currently lawn. (5) The location of the installed drywell is not on the as-built plan. The Commission denied the Certificate of Compliance request requiring that the applicable aforementioned items be located on the as-built plan and that the restoration area be installed as approved on the plan. Any required changes to the approved plan require Commission approval through a minor modification or an amendment to the order of conditions. **Motion to deny the Certificate of Compliance for 1336 Great Plain Avenue (DEP File#234-539) by M. Salett, seconded by P. Alpert, approved 5-0-0.**

95 BOOTH STREET (DEP FILE #234-589) – REQUEST FOR CERTIFICATE OF COMPLIANCE

P. Barry explained to the Commission that one dispersion trench was approved in a minor modification request; however two infiltration trenches were installed in different locations on the property. She also noted that only a partial Certificate of Compliance could be issued for the project as Order of Conditions Numbers 18, 21 and 22 must be followed regarding the restoration of the site. She indicated that within the 25-foot no disturb zone there is cement and construction material deposited and the area must be loamed and seeded in accordance with the enforcement order and the above conditions. The Commission denied the issuance of the Certificate of Compliance until the area is seeded and stabilized. **Motion to deny the Certificate of Compliance issuance for 95 Booth Street (DEP File #234-589) by S. Soltzberg, seconded by P. Alpert, approved 5-0-0.**

305 DEDHAM AVENUE (DEP FILE #234-563) – MINOR MODIFICATION REQUEST

P. Barry explained that the applicant would like to install a swing set with mulch underneath in what now is a cleared area. The mulched area would be about 15-feet by 15-feet. The area for swing set installation is beyond the approved limit of work approved within the order of conditions but will be located greater than 25-feet from the wetland. **Motion to approve the minor modification for 305 Dedham Avenue (DEP File #234-563) with the condition that both the mulch and swing set are installed outside the 25-foot no disturb buffer zone by P. Alpert, seconded by S. Soltzberg, approved 5-0-0.**

Motion to adjourn by M. Salett, seconded by P. Alpert, approved 5-0-0. The meeting was adjourned at 9:20 p.m.

NEXT PUBLIC HEARING

May 12, 2011 at 7:30 p.m. in the Public Services Administration Building, Charles River Room