

**TOWN OF NEEDHAM
CONSERVATION COMMISSION
MEETING MINUTES
Thursday, May 12, 2011**

LOCATION: Public Services Administration Building, Charles River Room

ATTENDING: Dr. Lisa Standley (Chair), Dawn Stolfi Stalenhoef (Co-Chair), Paul Alpert, Janet Bernardo, Carl Shapiro, Sharon Soltzberg (arrived once hearings began), Patricia Barry (Agent), Elisa Litchman (Assistant)

GUESTS: Peter Davos, Mikhail Deychman, David Dilanian, John Rockwood, Ardi Rrapi, Diane Simonelli, Karen Skinner Catrone, Richard Thuma

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

MINUTES

P. Barry accepted the written certifications from J. Bernardo and L. Standley that these members have missed no more than one single session of the hearings pertaining to 20 Pheasant Road (DEP File #234-608) Notice of Intent, 463 Charles River Street – Request for Determination of Applicability, and 30 Abbott Road (DEP FILE #234-607) Notice of Intent, and have examined all evidence received at the missed session including a transcript of the meeting in accordance with MGL Chapter 39, Section 23 D Adjudicatory Hearings.

Motion to approve minutes of April 14, 2011 with L. Standley's revisions by J. Bernardo, seconded by C. Shapiro, approved 5-0-0.

Motion to approve minutes of April 28, 2011 by P. Alpert, seconded by C. Shapiro, approved 5-0-0.

HEARINGS

21 HIGHLAND AVENUE (DEP FILE #234-609) – NOTICE OF INTENT

L. Standley opened the public hearing at 7:45 p.m. L. Standley noted that abutters were not properly notified of the hearing per the abutter notification sent by the applicant. The location in the notice stated the wrong place but the correct address. For this reason, the hearing could not be closed. K. Skinner Catrone, represented the applicant, and presented the proposed project to the Commission to repave an existing parking lot, install a safety rail, repair a retaining wall that is unstable and remove the loading dock to allow for additional parking. All the work would be within the 100-foot buffer zone to bank and within the 200-foot Riverfront Area to the Charles River. Additionally, the project would also include removal of invasive vegetation and a planting plan. The Commission stated that the accurate 100-year floodplain elevation needs to be added to the plans to demarcate Bordering Land Subject to Flooding as well as a planting plan. The proposed application does not clearly state how the applicant intends to remove the oriental bittersweet (*Celastrus orbiculatus*) and Japanese knotweed (*Polygonum cuspidatum*) invasive plants. The Commission requested that the applicant submit detailed plans for invasive species removal, proposed plantings for stabilization, and a required stormwater operation and maintenance manual to the Commission in addition to re-notifying abutters for the continued hearing. **Motion to continue the hearing on May 26, 2011 (for additional information and abutter re-notification) at 7:45 pm by C. Shapiro, seconded by J. Bernardo, approved 6-0-0.**

20 PHEASANT ROAD (DEP FILE #234-608) – *Continued* NOTICE OF INTENT

L. Standley opened the public hearing at 8:09 p.m. Dr. John Rockwood of EcoTech, Inc. represented the applicant and submitted revised plans reflecting the current site conditions that showed the removal of the existing fence that the previous homeowner removed prior to the sale of the home. J. Rockwood

presented to the Commission the revised Riverfront Area performance standard analysis under Redevelopment Within Previously Developed Riverfront Areas for the proposed project that includes the demolition and re-construction of a single family home, driveway relocation, shed, deck and mitigation planting and invasive species control plans within the 100-foot buffer zone to bank and 200-foot Riverfront Area to Rosemary Brook. Permanent markers were also proposed to demarcate the Riverfront Area restoration. L. Standley opened the meeting to the public. No comments were received. **Motion to close the hearing for 20 Pheasant Road by P. Alpert, seconded by S. Soltzberg, approved 6-0-0.** The public hearing was closed at 8:15 pm. **Motion to waive the \$1,000 waiver fee for mitigation work within the 25-foot portion of the buffer zone by S. Soltzberg, seconded by J. Bernardo, approved 5-1 (C. Shapiro) -0. Motion to issue an Order of Conditions for 20 Pheasant Road (DEP File#234-608) by S. Soltzberg, seconded by D. Stolfi Stalenhoeft, approved 6-0-0.**

463 CHARLES RIVER STREET – *Continued* REQUEST FOR DETERMINATION OF APPLICABILITY

L. Standley opened the public hearing at 8:17 p.m. P. Alpert recused himself from the hearing as he received an abutter notification for the determination request. The Commission conducted a site visit on April 30, 2011 and confirmed the location of the on-site Bordering Vegetated Wetland with regard to the Needham Tercentennial Inc. proposed fire pits for the Revolutionary War battle reenactment at Ridge Hill Reservation to be held on May 21, 2011 and May 22, 2011. The Commission approved the proposed activities that will extend from the margin of the existing house at its south façade, southward for about 55-feet from the back stairs within the mowed portion of the lawn outside of the 100-foot buffer zone to Bordering Vegetated Wetland. **Motion to issue a negative determination of applicability for 463 Charles River Street by J. Bernardo, seconded by D. Stolfi Stalenhoeft, approved 5-0-0.** The hearing was closed at 8:25 p.m.

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

L. Standley opened the public hearing at 8:45 p.m. At the last hearing the Commission had requested supplemental information regarding the Riverfront alternatives analysis for the project, specifically an analysis of all practicable and economically viable equivalent alternatives. K. Skinner Catrone explained that the applicant is now proposing the project under the Redevelopment within Previously Developed Riverfront Areas performance standards; and therefore an alternatives analysis is not required. She reiterated that the existing impervious driveway would be relocated outside the 200-foot Riverfront Area and that this area would be restored to pervious lawn with the planting of three red maple (*Acer rubrum*) trees. Additionally, the applicant requested the Commission's approval to replace the proposed drywells with a trench infiltration system to mitigate for roof runoff. The Commission approved the infiltration trench substitution. **Motion to close the public hearing for 30 Abbott Road by D. Stolfi Stalenhoeft, seconded by J. Bernardo, approved 6-0-0.** The public hearing was closed at 8:40 p.m. **Motion to issue the Order of Conditions for 30 Abbott Road (DEP File#234-607) by J. Bernardo, seconded by P. Alpert, approved 6-0-0.**

COMMISSION ACTIONS

1336 GREAT PLAIN AVENUE (DEP FILE #234-539)-MINOR MODIFICATION REQUEST

A. Rrapi of Cheney Engineering explained to the Commission that the area of planting and seeding did not take place in accordance with the approved landscaping plan. The plantings which were an extension of the buffer zone were instead installed as ornamental plantings at the edge of the patio. The slope from the patio towards the wetlands is now lawn rather than natural vegetation. The Commission did not approve the revised restoration landscape plan as required by the issued Order of Conditions because the revised restoration proposal did not serve the function and intent of the originally approved restoration area to provide Riverfront Area enhancement. **Motion to deny the minor modification request to**

revise approved restoration area and grading to accommodate as-built conditions for 1336 Great Plain Avenue (DEP File#234-539) by P. Alpert, seconded by C. Shapiro, approved 6-0-0.

74 PILGRIM ROAD (DEP FILE # 234-602) – MINOR MODIFICATION REQUEST

M. Deychman presented to the Commission the minor modification request to install a fence at the back of the property at 74 Pilgrim Road within the on-site bordering vegetated wetland. The minor modification request also included the substitution of the proposed drywells with two dispersion trenches to infiltrate roof run-off and their relocation to the right and left sides of the property. The Commission required that an Amendment to the Order of Conditions or a new Notice of Intent be filed for work within the wetland resource area beyond the approved limit of work. **Motion to deny the minor modification request to install a fence within bordering vegetated wetland for 74 Pilgrim Road (DEP FILE #234-602) by P. Alpert, seconded by C. Shapiro, approved 6-0-0. Motion to approve the minor modification request to install two dispersion trenches by P. Alpert, seconded by C. Shapiro, approved 6-0-0.**

77 SYLVAN ROAD (DEP FILE #234-518) – MINOR MODIFICATION REQUEST

Richard Thuma represented the Town of Needham Permanent Public Building Committee and presented to the Commission the minor modification request to install woody plantings and a fence along the High Rock School entranceway. Due to the removal of invasive plants, specifically Japanese knotweed (*Polygonum cuspidatum*), the neighbors have noted that children are cutting through their yards. Public Facilities is requesting approval to install a 4-foot chain link fence and plantings. The Commission recommended that the proposed planting of Norway spruce (*Picea abies*), which is not native to the area, be substituted with white pine (*Pinus strobus*). **Motion to approve the minor modification for 77 Sylvan Road (DEP File #234-518) with substitutions for the Norway spruce (*Picea abies*) by J. Bernardo, seconded by C. Shapiro, approved 6-0-0.**

16 WINFIELD STREET (DEP FILE #234-509) – MINOR MODIFICATION REQUEST

Diane Simonelli of Field Resources Inc. represented the applicant and presented to the Commission the minor modification request for the construction of two stone retaining walls and additional stone pavers along with the installation of a proposed fence. The proposed fence was not located on the plan, therefore the Commission requested that the fence must be shown on the plans in order for the Commission to approve its installation and location. **Motion to deny the minor modification request to install a fence at 16 Winfield Street until the fence location is shown on the revised plans for 16 Winfield Street (DEP FILE #234-509) by J. Bernardo, seconded by S. Soltzberg, approved 6-0-0. Motion to issue the minor modification for the installation of stone walls and pavers by J. Bernardo, seconded by S. Soltzberg, approved 6-0-0.**

216 WASHINGTON AVENUE (DEP FILE # 234-592) – MINOR MODIFICATION REQUEST

D. Simonelli explained that the owner has a potential buyer who would like to install a fence around the new single family home along the tree line. The Commission approved the fence installation provided the work was located outside of the 25-foot no disturb portion of the buffer zone. D. Simonelli agreed that the fence could follow the tree line and where the planting bed ends a gate could be installed to avoid work within the no disturb buffer zone. **Motion to approve the minor modification to install a fence outside of the 25-foot no disturb portion of the buffer zone by J. Bernardo, seconded by P. Alpert, approved 6-0-0.**

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

The Commission approved the issuance of a partial certificate of compliance for the project with the restoration special conditions on-going. The Commission required that the restoration area be installed as

approved on the plan or that the applicant submit a revised landscape plan for review and approval of the Commission that includes a better Riverfront Area mitigation planting plan. **Motion to issue a partial Certificate of Compliance with the condition that additional plantings be satisfied, for 1336 Great Plain Avenue (DEP File #234-539) by P. Alpert, seconded by D. Stolfi Stalenhoef, approved 6-0-0.**

1508 GREAT PLAIN AVENUE (DEP FILE # 234-576) - CERTIFICATE OF COMPLIANCE REQUEST

P. Barry conducted a site visit and confirmed that the vegetation is stabilized with a few restoration conditions of the Order of Conditions ongoing and that the as-built plan was consistent with the approved Order of Conditions project plans. Only a partial certificate of compliance could be issued due to the restoration plantings on-going conditions. **Motion to issue a partial Certificate of Compliance for 1508 Great Plain Avenue (DEP File#234-576) by S. Soltzberg, seconded by C. Shapiro, approved 6-0-0.** The partial Certificate of Compliance was issued to Peter Davos at the meeting with a signed copy.

274 RESERVOIR ROAD – EXEMPTION LETTER REQUEST

P. Barry explained to the Commission that the town is in the process of designing new Reservoir B pump station located within the 200-foot Riverfront Area of the Charles River. The town's consultants, Camp Dress & McKee Inc. have requested that the Commission approve that the drilling of three test borings for the planned geotechnical subsurface investigations at the Needham Pump Station at 274 Reservoir Road be approved as an exempt minor activity under both the MA Wetlands Protection Act and the Needham Wetlands Protection Bylaw. **Motion to approve the exempt activity for 274 Reservoir Road by P. Alpert, seconded by J. Bernardo, approve 6-0-0.**

19 JENNIFER CIRCLE – EXEMPTION LETTER REQUEST

The applicant has requested to remove a hazard tree on the property. Photos were distributed to Commission members. The Commission discussed approving it as an exempt minor activity, however they required that a 6-foot snag be left to enhance wildlife habitat. **Motion to approve the hazard tree removal at 19 Jennifer Circle by J. Bernardo, seconded by D. Stolfi Stalenhoef, approved 6-0-0.**

MA DCR CUTLER PARK – TRAIL MAINTENANCE ACTIVITY NOTIFICATION FORM

P. Barry explained that the MA Department of Conservation and Recreation proposes to replace the rotted planks on all of the boardwalks throughout Cutler Park. **Motion to approve the proposed trail work under the Generic Trail Maintenance Determination of Applicability by C. Shapiro, seconded by J. Bernardo, approved 6-0-0.**

Motion to adjourn by J. Bernardo, seconded by C. Shapiro, approved 6-0-0. The meeting was adjourned at 9:43 p.m.

NEXT PUBLIC HEARING

May 26, 2011 at 7:30 p.m. in the Public Services Administration Building, Charles River Room