

**TOWN OF NEEDHAM  
CONSERVATION COMMISSION  
MEETING MINUTES  
Thursday, September 22, 2011**

LOCATION: Public Services Administration Building, Charles River Room

ATTENDING: L. Standley (Chair), Paul Alpert, Janet Bernardo, Marsha Salett, Sharon Soltzberg, Debbie Anderson (Agent), Elisa Litchman (Assistant).

GUESTS: Aaron Adler, Jack Alpert, Chris Brunelli, Walter M. Cardinali, Tom Catalano, Tim & Ken Davison, Carlos Huiz, Susan Welsh de Grimaldo, Roger B. Hunt, Hilde Karpawich, Harley Lank, Greg Morse, Al Nasutian, Greg Petrini, Ardi Rrapi, Vincent Roy, John Rockwood, Joan Rueppel, Troy Sobel, Mary Trudeau

L. Standley opened the public meeting at 7:39 pm.

**MINUTES**

**Motion to approve minutes of July 28, 2011 as amended by L. Standley and D. Stolfi Stalenhof by J. Bernardo, seconded by P. Alpert, approved 5-0-0.**

Minutes from September 8, 2011 were not ready for review.

**ENFORCEMENTS**

**320 CEDAR STREET**

Mr. Adler introduced Greg Morse the Civil Engineer he hired to delineate the extent of fill. A. Adler is prepared to do the necessary work to remove the fill to his slope, grade the area, loam, and seed mix with jute mesh covering to stabilize the slope. Though A. Adler commented that his property is outside the buffer, L. Standley corrected the wetland delineation and stated that his property is within the 100-foot buffer zone to the locally-jurisdictional wetland which was filled by the eroding soil. The graded area to the wetlands which is the transitional area will have rip rap to help stabilize it. L. Standley expressed her concern that it hold during the winter. A. Adler was convinced that he should do the work as soon as possible with a rye mix to establish the grass quickly. At the bottom of the slope A. Adler plans to use hay bales and silt fence. L. Standley asked whether a bonding agent had been considered to use on the slope such as tackifier. A. Adler, G. Morse and the Commission agreed that the Curlex blanket is better than jute. Compaction of the slope will be necessary as well. The Commission stated that it is critical to establish lawn behind the Grimaldo's house. Before the fill can be removed, the top of the slope must be established. A bobcat on tracks and a mini excavator are probably necessary to remove eroded soil from the locally-jurisdictional wetland at the bottom of the slope. A. Adler made it clear that he is not planning to do that work. Most of the fill is on the Tower property. L. Standley asked who will implement the rest of the plan. A. Adler was granted the okay to do the work related to his property.

**Motion to accept the restoration plan as it applies to all three properties by S. Soltzberg, seconded by P. Alpert, approved 5-0-0.** The Commission voted to issue a modified enforcement order to all parties, establishing dates and reporting requirements.

## **HEARINGS**

### **770 CHESTNUT STREET (DEP FILE #234-626) – NOTICE OF INTENT**

L. Standley opened the public hearing at 8:02pm. Chestnut Nominee Trust is the name of the applicant. David Kelly of Kelly Engineering represented the applicant and presented the project. The property comprises 5.6 acres accessible by a "common driveway" off of Chestnut Street. . The owner wants to move the driveway. The removal of the existing driveway is within the Commissions' jurisdiction. The proposed project includes construction of a new pool, cabana and tennis court. D. Kelly stated that the total amount of impervious area is 10,700 square feet within the riverfront area. Both the driveway and the building are currently 105' from the river and the proposed location would be 129' from the river. The pool will be 180' from the river. The proposed walkout basement is 1800 square feet of impervious area, currently landscaped. Due to the time of year of the application, D. Kelly stated that a landscaping plan which will include removal of invasive species will be forthcoming. Since they are not quite ready for that work, the applicant wants to begin the demo and construction prior to the winter. The roof run-off is to be recharged in subsurface chambers. The Commission agreed to conduct a site visit. J. Bernardo requested calculations proposed in each of the areas of grading, landscaping, construction and drainage. L. Standley asked D. Kelly to specify whether the project is being proposed as new development or re-development. Lastly, the Commission wants additional information regarding how the patio will be constructed. **Motion to continue the public hearing for 770 Chestnut Street till 10/13 at 7:45pm by J. Bernardo, seconded by M. Salett, approved 5-0-0.**

### **1302 SOUTH STREET (DEP FILE #234-627) – NOTICE OF INTENT**

L. Standley opened the public hearing at 8:35pm. Ardi Raapi represented the future owner Rebecca Cole. He noted that the existing property has two cesspools and a garage within 25 feet of the edge of the bordering vegetated wetlands. The owners propose to construct an addition and new septic system outside the 100' buffer zone, pump out the previous septic system and abandon it, and remove the garage. They would like to keep the area where the current garage floor is (as gravel) in order to make a 3 point turn in the driveway. The applicant has applied for a waiver for work proposed within the 25-foot buffer zone, as the Town requires that the septic system and garage be removed. A. Raapi proposes that they will improve the area by planting 2 red maples within the buffer zone, in the disturbed area behind the garage. He requested that the Commission waive the \$1,000 filing fee, as the work will improve the resource area and is required by the Town. DEP has not issued a file number. The Commission recommended continuing the hearing for the file number and did not request additional information. **Motion to continue to October 13, 2011 at 8 pm by M. Salett, seconded by J. Bernardo, approved 5-0-0.**

### **231-233 WEST STREET (DEP FILE #234-625) – *Continued* NOTICE OF INTENT**

L. Standley opened the public hearing at 8:51 pm. Mary Trudeau represented the applicant and submitted revised plans. She explained that no grading within the Bordering Land Subject to Flooding is necessary, and the only work within that resource area would be removal of a large invasive buckthorn shrub. Some tree pruning will be necessary at the east and west side of the lot. The applicant proposes to take out a 32" oak tree (at the limit of the 100-foot buffer zone, as the contractor isn't sure it will survive. A leaf pile within 25 feet of the wetland will be removed to allow the area to re-vegetate. New calculations were also submitted to the Commission. J. Bernardo stated that she had no questions on the drainage. **Motion to close the public hearing for 231-233 West Street (DEP File #234-625) by S. Soltzberg, seconded by J. Bernardo, approved 5-0-0.** The public hearing was closed at 8:55 pm.

### **263 NEHOIDEN STREET (DEP FILE #234-624) - *Continued* NOTICE OF INTENT**

L. Standley opened the public hearing at 8:57 pm. Additional information had been requested. D. Simonelli explained that the hay bales had been moved as requested by the Commission. The green ash trees (*Fraxinus pennsylvanica*) to be installed beyond the limit of work will need to be monitored. Regrading is necessary to cover the new sewer manhole. D. Simonelli submitted a new waiver request

letter for work to be done within the 25-foot buffer zone and also a letter requesting that the \$1,000 fee be waived. **Motion to close the public hearing for 263 Nehoiden Street (DEP FILE #234-624) by J. Bernardo, seconded by P. Alpert, approved 5-0-0.** The public hearing was closed at 9:00 pm.

#### **1051 SOUTH STREET (DEP FILE #234-623) - *Continued* NOTICE OF INTENT**

L. Standley opened the public hearing at 9:00 pm. On behalf of the Applicant, Mary Trudeau reviewed the revised wetland delineation. The revised delineation places the new driveway 25 feet from the wetland limit. She stated that although the driveway will be within 50 feet of the wetland limit, this area is currently lawn and the work complies with the performance standards under the bylaw. L. Standley asked whether the applicant will be maintaining the tree line, and whether there would be any landscaping within the limit of work. M. Trudeau stated that the applicant plans to install a small planting area but the remainder of the work area would be lawn. Roger Hunt, an abutter, asked if the proposed work met the performance standards, and whether the large leaching basins were required. He was concerned that the bottom of the leaching basins would be in the groundwater. J. Bernardo explained that test pits would be required to confirm groundwater elevations, and that these would be done prior to construction. **Motion to close the public hearing for 1051 South Street (DEP FILE #234-623) by P. Alpert, seconded by J. Bernardo, approved 5-0-0.**

#### **OTHER BUSINESS**

##### **DEPARTMENT OF PUBLIC WORKS 110 ELDER ROAD (DEP FILE #234-356) – BROOK MAINTENANCE ACTIVITY NOTIFICATION FORM**

Vinny Roy, Superintendent of Water & Sewer for the Town of Needham explained that the stone rip-rap at 110 Elder Road has eroded and has fallen into Hurd Brook. The maintenance work will not involve cutting back the bank. They will place the stones back into the wall with concrete to hold them in place. During the maintenance work they plan to divert the flow of water with sand bags, and may need to pump it past the area. He expects the work to take only one day. . **Motion to approve the maintenance work at 110 Elder Road and the brook by S. Soltzberg, seconded by M. Salett, approved 5-0-0.**

##### **1297 CENTRAL AVENUE (DEP FILE #234-618) – CONFIRMATORY DEED APPROVAL**

L. Standley explained that P. Alpert had made redline changes and corrections to the Quit Claim Deed for 1297 Central Avenue. He has sent them via email to the Conservation Office which will make the changes and send them on to the applicant's representative, John Rockwood.

##### **2012 PUBLIC HEARING SCHEDULE – DISCUSSION AND APPROVAL**

**Motion to accept the proposed Conservation Commission Meeting Schedule for the entire year 2012 by P. Alpert, seconded by S. Soltzberg, approved 5-0-0.**

**Meeting to adjourn by J. Bernardo, seconded by P. Alpert, approved 5-0-0. The meeting was adjourned at 9:30 pm.**

#### **NEXT PUBLIC HEARING**

*October 13, 2011 at 7:30 p.m. in the Public Services Administration Building, Charles River Room*