

**TOWN OF NEEDHAM  
CONSERVATION COMMISSION  
MEETING MINUTES  
Thursday, May 10, 2012**

LOCATION: Public Services Administration Building, Charles River Room

ATTENDING: Lisa Standley (Chair), Paul Alpert (Vice Chair), Janet Bernardo, Marsha Salett, Sharon Soltzberg, Dawn Stolfi Stalenhoef, Patricia Barry (Agent), Debbie Anderson (Assistant)

GUESTS: Hilde Karpawich, David Kelly, Steve Nadeau, Greg Petrini, Vincent Roy, MaryAnn Sullivan, Peter Sullivan, Liem Vu

L. Standley opened the public meeting at 7:30 pm.

**MINUTES**

**Motion to approve the minutes of April 26, 2012, as amended, by J. Bernardo, seconded by M. Salett, approved 5-0-0.**

**ENFORCEMENTS**

**350 CEDAR STREET**

P. Barry updated the Commission on the slope stabilization project. P. Barry and J. Bernardo were present at the pre-restoration meeting on May 4, 2012 to go over the proposed work with the contractor. P. Barry performed a site visit on May 9, 2012 and noted that topsoil, seed and jute netting had been installed to stabilize the newly graded slope. P. Barry explained that she will be meeting with the Town Counsel, regarding what enforcement action could be implemented against the Petrucci Corporation including the possibility of filing a criminal complaint against them.

**130 SOUTH STREET**

S. Soltzberg requested an update on this enforcement issue. P. Barry stated that she had been in touch with the homeowner and the landscaper, Robert Allen to discuss the filing of an after-the-fact Notice of Intent including restoration plans.

**HEARINGS**

**180 STANDISH ROAD (DEP FILE #234-639) – continued NOTICE OF INTENT**

L. Standley opened the public hearing at 7:45 pm. P. Barry explained to the Commission that the Applicant, Peter Grabler, was requesting to continue the public hearing until May 24, 2012 as he is out of state and would like to be present at the hearing. **Motion to continue the public hearing, at the Applicant's request, for 180 Standish Road (DEP File #234-639) to May 24, 2012 at 7:45 pm. by J. Bernardo, seconded by P. Alpert, approved 6-0-0.**

**LOT 2 SOUTH STREET (DEP FILE #234-642) – NOTICE OF INTENT**

L. Standley opened the public hearing at 8:00 pm. The Applicant, Greg Petrini, was present at the hearing, as were his consultants, David Kelly and Hilde Karpawich of Kelly Engineering. G. Petrini gave the Commission a brief overview of the history of the site. An Order of Conditions (DEP FILE #234-330), was issued April 13, 1999 for the construction of a single family home on the site. An Extension on the permit was issued in 2003. Site preparation began including, clearing and grading the lot. The

potential owner backed out of the deal, but the site has been continually maintained. D. Kelly explained to the Commission that the wetland resources were re-delineated by EcoTec, Inc., in April 2012. The approved wetland line from the 1999 filing has changed based on the current findings (including soil investigation) by EcoTec, Inc. P. Barry performed a site visit and concurred with these findings. The new wetland delineation line is located further away from the proposed work than the 1999 delineation line. D. Kelly explained that the new Plan calls for a smaller home than previously proposed. They are proposing the same limit of work line at 25-feet from the wetland. A small retaining wall is proposed at the 25-foot limit of work line to demarcate the 25-foot wetland buffer boundary. A subsurface recharge system for roof runoff is proposed. J. Bernardo questioned the groundwater level. D. Kelly replied that it was estimated at pond elevation. According to the Plan submitted with the filing, a spot elevation at the pond is recorded as 120.5 feet but should in fact be 220.5 feet. D. Kelly concurred that this was an error and that the topography was correct not the numbering. J. Bernardo had checked the stormwater calculations and found them to be correct. P. Barry noted that she had received proof that the abutter's did receive the date and time of the hearing. **Motion to close the public hearing for Lot 2 South Street (820 South Street) by P. Alpert, seconded by S. Soltzberg, approved 6-0-0.**

## **OTHER BUSINESS**

### **174 CHARLES RIVER STREET WALKER GORDON PROJECT (DEP FILE #234-631) – MINOR MODIFICATION REQUEST**

Vincent Roy, Superintendent of the Town of Needham Water and Sewer Department, presented the proposed plan modifications to the Commission on behalf of the Parks and Recreation Department. The Water and Sewer Division is requesting to relocate the proposed 2-inch irrigation connection and meter pit to an already existing water connection and service pipe on the property located approximately 75 feet from the perennial stream and bordering vegetated wetlands, within the existing grassed area adjacent to Charles River Street. The purpose of the project is to eliminate the old outdated water service pipe in the street and have a single pipe and meter for both drinking water use and irrigation. The proposed work includes replacing a 40-foot section of the old ¾" water service pipe for the bubbler from the 16-inch water main to the beginning left edge of the parking lot. The proposed work would be within the approved limit of work and erosion and sediment controls. **Motion to approve the request to relocate the proposed 2-inch irrigation connection and meter pit located at 174 Charles River Street as a minor modification to the Order of Conditions not requiring an amendment (DEP FILE #234-631) by J. Bernardo, seconded by M. Salett, approved 6-0-0.**

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

The homeowner, Peter Sullivan, presented the proposed project to Commission. P. Sullivan stated that the driveway was not built as it was proposed. When vehicles enter the driveway from Washington Street, the undercarriage hits the sidewalk, causing damage to both the vehicle and the sidewalk. A solution was presented to the Applicant by Joseph Hobbs, Town of Needham Street Permit Inspector. The proposed work would "wing out" the end of the driveway, allowing vehicles to enter at an angle as to avoid the steep area over a catch basin. The work would take place just outside of the 25-foot buffer zone to bank and bordering vegetated wetlands. **Motion to approve the request to modify the end of the driveway located at 216 Washington Avenue as a minor modification to the Order of Conditions not requiring an amendment (DEP FILE #234-592) by J. Bernardo, seconded by P. Alpert, approved 6-0-0.**

### **DPW GENERAL MAINTENANCE PERMIT (DEP FILE #234-630) – MINOR MODIFICATION REQUEST**

Vincent Roy, Superintendent of the Town of Needham Water and Sewer Department, presented the minor modification request to the Commission. He explained that the request is based on comments received from the Department of Environmental Protection (DEP) during a meeting with Town personnel on March

20, 2012. The DEP had filed a Notice of Appeal of the issued Order of Conditions (DEP FILE #234-630). At the meeting, DEP personnel requested minor modifications to the DPW's work plan and stated that they will withdraw their Notice of Appeal once the Commission approves the minor modification of the work plan. Specifically, the modifications clarify the term "stumped" in Section 6 of the work plan and reiterate that replacing culverts would require a separate Notice of Intent filing. After discussion among the Commission members and P. Barry, L. Standley recommended that the Commission approve these changes as a Minor Modification under the Town Bylaw with the provision that acts towards the Wetlands Protection Act as well when the Department of Environmental Protection withdraws their Notice of Appeal. P. Barry will draft the Minor Modification approval and send to Attorney Harrington and L. Standley for approval. **Motion to approve the request to change the language on the DPW General Maintenance Permit as directed by the Department of Environmental Protection as a minor modification, under the Town Bylaw, with the Wetlands Protection Act provision, to the Order of Conditions not requiring an amendment (DEP FILE #234-630) by P. Alpert, seconded by M. Salett, approved 6-0-0.**

### **97 WAYNE ROAD (DEP FILE #234-568) – CERTIFICATE OF COMPLIANCE REQUEST**

The homeowner, Liem Vu was present at the hearing. D. Anderson had performed a site visit and found that the restoration area was well stabilized and the plantings were in good condition. The edge of the 25-foot no disturb area was permanently demarcated by a fence. Most of the invasive species had been removed and the pool and patio were constructed as approved. **Motion to issue the Certificate of Compliance for 97 Wayne Road (DEP File #234-568) by J. Bernardo, seconded by P. Alpert, approved 6-0-0.**

### **3 MARY CHILTON ROAD (DEP FILE #234-615) – ISSUE ORDER OF CONDITIONS**

The Commission reviewed the draft Order of Conditions. **Motion to issue the Order of Conditions for 3 Mary Chilton Road (DEP File #234-615) by J. Bernardo, seconded by S. Soltzberg, approved 4-0-0.**

### **RIDGE HILL RESERVATION ALGONQUIN CATHODIC PROTECTION PROJECT – RE-SIGN EASEMENT**

The Conservation Commission re-signed the Ridge Hill Reservation Algonquin Cathodic Protection Easement due to a minor modification to the signature page. No vote was necessary.

### **LOT 2 SOUTH STREET (DEP FILE #234-330) – CERTIFICATE OF COMPLIANCE REQUEST**

D. Kelly (Kelly Engineering) submitted a request for a Certificate of Compliance. The lot had been cleared and graded under the Order of Conditions, but no house construction had been initiated. Motion to issue a Certificate of Compliance by J. Bernardo, seconded by P. Alpert, approved 4-0-0.

### **WELLESLEY GOLF COURSE (NGWP #16) – 0 FOREST STREET – UPDATE**

P. Barry updated the Commission on the project to restore a portion of isolated wetland and its associated buffer zone as permitted under the Town of Needham's Wetland Protection Bylaw (NGWP #16). P. Barry noted that the restoration had been completed including installation of plantings on the slope. She added that the "No Dumping" signs had not been installed yet. The invasive species removal plan to be undertaken this spring will be forwarded to the Commission Chair for review and approval.

### **274 RESERVOIR STREET (DEP FILE #234-616) - RESERVOIR B PUMP STATION - MINOR MODIFICATION - DEWATERING**

Vincent Roy, Superintendent of the Town of Needham Water and Sewer Department and Steve Nadeau of the Town of Needham Engineering Department presented the proposed minor modification request to the Commission. V. Roy explained that the dewatering plan needs to be modified as the excavation (38 feet deep) is too deep for the proposed pumps to work. Two deep wells adjacent to the excavation are

proposed. The dewatering plan proposes discharging the water from the deep wells during well development to a series of silt bags as required containing the initial fines discharged from the well. Field sampling of the dewatering discharge is to be performed to confirm that the water is running clear. V. Roy explained that once they have confirmed that the water is clear, they will be piping the pump discharge direct to the new DMH-1 installed on the existing RCP line that discharges to the headwall and the existing drainage swale. By piping the discharge directly to the manhole, it will prevent the discharge water from picking up any additional silt from the surface.

The Commission questioned the depth of the two (2) proposed wells compared to the river elevation. The bottom of the well will be approximately 40 feet below river elevation. L. Standley asked if the well will draw water out of the river. V. Roy described the "cone of influence" and did not believe the well would remove water from the river. V. Roy explained that the well would remove approximately 35 gallons per minute with a maximum of 50 gallons per minute. There are no anticipated erosion control issues at the point of discharge as the swale is armored. In addition, the velocity of the water at discharge will be reduced once it enters the manhole. S. Nadeau stated that, if turbidity was detected, the water would be discharged into the silt bags. Once the hole is excavated, it will take a couple of months to complete the project. L. Standley stated that while the Commission would normally approve such substantial changes under an amendment to the Order of Conditions, due to the time constraints and lack of other viable alternatives, the Commission could issue a Minor Modification with the following special conditions:

- (1) Turbidity testing is required prior to release of discharge.
- (2) The contractor must provide contingency plans in case of failure of the proposed dewatering plan (i.e. the placement of a boom at the edge of the river in case of turbidity issues).
- (3) The contractor must notify the Conservation Department prior to the start of work and at the completion of the project.
- (4) Notify the Commission who is overseeing the dewatering on-site.

**Motion to approve the request to change the dewatering plan located at 274 Reservoir Street - Reservoir B Pump Station as a minor modification to the Order of Conditions not requiring an amendment (DEP FILE #234-616) by J. Bernardo, seconded by D. Stolfi Stalenhoef, approved 6-0-0.**

**Motion to adjourn by J. Bernardo, seconded by P. Alpert, approved 6-0-0. The meeting was adjourned at 9:00 pm.**

**NEXT PUBLIC HEARING**

*May 24, 2012 at 7:30 p.m. in the Public Services Administration Building, Charles River Room*