

**TOWN OF NEEDHAM  
CONSERVATION COMMISSION  
MEETING MINUTES  
Thursday, July 26, 2012**

LOCATION: Public Services Administration Building, Charles River Room

ATTENDING: Lisa Standley (Chair), Paul Alpert, Stephen Farr, Sharon Soltzberg, Dawn Stolfi Stalenhoef, Debbie Anderson (Agent), Elisa Litchman (Assistant).

GUESTS: Stephen T. O'Brien, Larry Lodge, George Mariani, Dalton Murphy, John Rockwood, Z. Zafirelis

L. Standley opened the public meeting at 7:35 pm.

**MINUTES**

**Motion to approve the minutes of July 12, 2012, as amended, by P. Alpert, seconded by D. Stolfi Stalenhoef, approved 4-0-0.**

**ENFORCEMENT UPDATES**

**DPW General Maintenance (DEP File #234-630)**

The Enforcement Order issued to DPW was for unpermitted work on the DeFazio Field parking area, including the addition of crushed stone regrading and the removal of vegetation within the buffer zone to bordering vegetated wetlands, in violation of the DPW General Maintenance Order of Conditions (DEP File #234-630). The Enforcement Order requires the submittal of a Restoration Plan for approval by the Conservation Commission and attendance at the August 9, 2012 meeting to present the Plan to the Commission. **Motion to ratify the Enforcement Order by P. Alpert, seconded by S. Farr, approved 5-0-0.**

**130 South Street**

D. Anderson explained that Robert Allen, the landscaper, called the Conservation Office last week to let the Commission know that he had received a copy of the Enforcement Order issued to the homeowner, Lana Sokolove, and that he is not representing Ms. Sokolove even though he attended the previous meeting on her behalf. He explained that Ms. Sokolove is not ignoring the Enforcement Order but has some medical issues. The Commission discussed postponing further action with regard to this matter.

**HEARINGS**

**100 WILSON LANE (DEP FILE #234-647) - NOTICE OF INTENT**

L. Standley opened the public hearing at 7:45 pm. George Mariani, the applicant's representative, provided missing items from the application including the Affidavit of Service form and the Notification to Abutters form including the date, location and time of the public hearing as required. Mr. Mariani explained that two sets of notifications went out to abutters as the time of the hearing was missing from the first notification. Mr. Mariani described the proposed project which includes installing an 8" PVC sewer line from an existing 60" MWRA interceptor sewer to a proposed sewer manhole and installing a 6" sewer line from the sewer manhole to the residence at 100 Wilson Lane. In addition, the Applicant is proposing to remove 9 dead trees on his property within 25 feet of the BVW and replacing them. Mr.

Mariani stated that the sewer manholes labeled “future manholes: are not part of the proposed project. The Commission asked that only those items that are part of this application be included in the plans, so that the plans are clear regarding what will be included in this project. The work should take about 1 week. The Applicant, Stephen O’Brien stated that he is not looking to start the project for several months but wanted to get the permitting underway. The MWRA is still reviewing the proposal. He suggested that the hook-up to wastewater treatment will be of public benefit. He stated that the plans call for the existing grades to be restored, and that the nine existing trees are dying due to oriental bittersweet (*Celastrus orbiculata*) infestation. The applicant plans to remove the trees by hand. The Commission stated that the stumps can be ground down but not excavated with large equipment. The Commission requested that the revised plans show the replacement trees that the applicant requests to install. The narrative and the plans should identify the trees as to species and size, and should show their proposed location on the lot. Since there are invasive species that the applicant has removed along the drive and wants to continue to remove, the Commission asked that an invasive species control plan be submitted for their review. L. Standley noted the gap between wetland flag 100 and 55. Mr. Mariani stated that the flags should be connected and will revise this on the plans as well. L. Standley noted that the wetland flag used for the delineation documentation is not even in the area of the proposed work and requested that another flag be chosen for documentation.

L. Standley questioned the accuracy of the BLSF boundary, which did not appear to correspond with topography. Mr. Mariani said that these were based on the FEMA map. He agreed to correct this on the revised plan. The applicant proposed storing dirt within the easement and outside the buffer zone. The Commission requested that as long as haybales are installed around a dirt pile, the dirt should be stored next to the trench. The Commission asked for the dimensions of the trench. Mr. Farr noted that, based on the profile, the trench would be 9 to 10 feet deep. The Commission asked if trees would be removed to install the sewer line. Mr. O’Brien said that the trench would pass between two trees but would not damage them. The Commission explained that work within 25 feet of the wetlands requires the submittal of a waiver request and explained the need for compliance with the newly adopted tree removal guidelines. The meeting was continued for additional information and a site visit by the Commission. **Motion to continue the public hearing for 100 Wilson Lane (DEP File #234-647) to August 23, 2012 at 7:45pm by P. Alpert, seconded by S. Soltzberg, approved 5-0-0.**

## **OTHER BUSINESS**

### **15 BANCROFT STREET (DEP FILE #234-621) – CERTIFICATE OF COMPLIANCE REQUEST**

D. Anderson conducted a site visit. The only deviations from the approved plans are that 4 maple (*Acer rubrum*) trees were planted, while the approved plans called for six to be installed. The trees are healthy. L. Standley reviewed the site visit photos and suggested that there did not appear to be enough room to plant the two additional trees. D. Anderson noted that 3 air conditioner condensers were installed on the northerly side of the house that were not on the approved plans but were identified on the As-Built Plan. **Motion to issue a Certificate of Compliance for 15 Bancroft Street (DEP File #234-621) by P. Alpert, seconded by S. Soltzberg, approved 5-0-0.**

### **DPW GENERAL MAINTENANCE ORDER OF CONDITIONS (DEP FILE #234-630) – MINOR MODIFICATION**

Due to scheduling conflicts with the DPW, this item was postponed till the Commission’s next meeting on August 9, 2012.

### **POLLARD MIDDLE SCHOOL TEAM BUILDING SCIENCE BIOMES – RIDGE HILL RESERVATION USE REQUEST**

The Pollard Middle School requested the use of Ridge Hill last year for the same project. L. Standley stated her concern that the request included the use of the fields. D. Anderson read last year's Ridge Hill Use Approval Letter to Mr. Ken Lundberg regarding the specifics of the approved use of Ridge Hill. The Commission agreed that the same language should be used in this year's letter. **Motion to approve the use of Ridge Hill Reservation by the Pollard Middle School by P. Alpert, seconded by S. Farr, approved 5-0-0.**

#### **463 CHARLES RIVER STREET (DEP FILE #234-579) – CERTIFICATE OF COMPLIANCE REQUEST**

P. Barry conducted a site visit. The area is re-vegetated and stabilized. **Motion to issue the Certificate of Compliance for 463 Charles River Street (DEP File #234-579) by S. Soltzberg, seconded by D. Stolfi Stalenhoef, approved 5-0-(1) L.S. abstained.**

#### **22 MILLER STREET (DEP FILE #234-644) – MINOR MODIFICATION**

D. Anderson explained that the Order of Conditions had some typos and administrative errors related to the Special Conditions #27, 28, and 29. These have been corrected administratively and distributed to the applicant as well as the other relevant parties. On behalf of the Applicant, J. Rockwood of EcoTec, Inc. requested a Minor Modification of the Order of Conditions (DEP File #234-644). The request regards Pre-Construction Conditions #7 & #8 which require the submittal of an invasive species and landscape debris removal plan as well as a restoration planting plan to the Commission for approval prior to commencing any work on the site. The Applicant's concern is that the work will have to wait to begin as Mr. Rockwood cannot submit the required plans to the Commission for approval till late August. J. Rockwood presented his arguments for modifying the Order using his proposed language. The Applicant, J. Bruno, was in attendance at the hearing. He explained that he hopes to get the plantings installed and growing by early fall to aid with site stabilization. L. Standley was amenable to making a minor modification to the phrasing in Conditions #7 and #8 regarding the start of construction date and suggested that Pre-Construction Conditions #7 and #8 be rephrased to state that the Applicant has three (3) weeks once construction begins to submit the required plans to the Commission for review and approval. L. Standley requested that D. Anderson perform a site visit with Mr. Rockwood to define the areas of landscape debris to be removed by the Applicant. **Motion to approve the Minor Modification to Pre-Construction Conditions #7 and #8 for 22 Miller Street (DEP File #234-644), by P. Alpert, seconded by D. Stolfi Stalenhoef, approved 5-0-0.**

#### **130 CLARKE ROAD (DEP FILE #234-634) – MINOR MODIFICATION REQUEST**

John Rockwood of EcoTec, Inc. represented the builder, Robert Curatola. He explained that a recent storm had caused a northern red oak (*Quercus rubra*) tree to lose a large limb which damaged a door on the house currently under construction. The Order of Conditions issued for the house construction called for this particular tree to remain. D. Anderson conducted a site visit and explained that the tree is alive and did not appear diseased. The applicant proposes to plant two (2) red oak (*Quercus rubra*) and two (2) red maple (*Acer rubrum*) trees to mitigate for the tree removal. **Motion to approve the minor modification to remove one (1) northern red oak (*Quercus rubra*) tree and install two (2) northern red oak (*Quercus rubra*) and two (2) red maple (*Acer rubrum*) trees at 130 Clarke Road (DEP File #234-634) by P. Alpert, seconded by S. Soltzberg, approved 5-0-0.**

#### **1351 GREAT PLAIN AVENUE – FENCE EXEMPTION REQUEST**

Larry Lodge, a broker for the seller of the property requested the approval to install a fence along the rear and the right side of the property. D. Anderson conducted a site visit. The purpose of the fence is to limit access to Rosemary Brook, which flows through the rear of the property, from the young children of the home buyer. The bank of Rosemary Brook is armored in this section and no bordering vegetated wetland is associated with it in this area. The proposed fence would be located 5 feet from the bank of the stream

in a grassed area. **Motion to approve the fence exemption request for 1351 Great Plain Avenue by S. Soltzberg, seconded by S. Farr, approved 5-0-0.**

**MA DEP CENTRAL AVENUE PERMEABLE REACTIVE BARRIER (DEP FILE #234-376)–  
GROUNDWATER MONITORING WELL DECOMMISSIONING EXEMPTION REQUEST**

The project included nine (9) ground water monitoring wells. The Massachusetts Department of Environmental Protection is requesting permission to decommission the wells, take out the well caps and repave the area. All of the proposed work would take place in the pavement and no excavation would be necessary. **Motion to approve the well decommissioning on Central Avenue as an Exempt Minor Activity by S. Farr, seconded by D. Stolfi Stalenhoef, approved 5-0-0.**

**MA WETLAND PROTECTION ACT FUND – CONSERVATION DIRECTOR USE APPROVAL**

D. Anderson explained that additional funds are needed for Conservation Department staffing and that \$2,200 needs to be approved by the Commission to be transferred to salary. **Motion to approve the transfer of \$2,200 from the Wetlands Protection Act Fund to the Conservation Department for staff salaries by D. Stolfi Stalenhoef, seconded by P. Alpert, approved 5-0-0.**

**Motion to adjourn by P. Alpert, seconded by S. Farr, approved 5-0-0.  
The meeting was adjourned at 9:00 pm.**

**NEXT PUBLIC HEARING**

*August 9, 2012 at 7:30 p.m. in the Public Services Administration Building, Charles River Room*