

**TOWN OF NEEDHAM
CONSERVATION COMMISSION
MEETING MINUTES
Thursday, October 11, 2012**

LOCATION: Public Services Administration Building, Charles River Room

ATTENDING: Lisa Standley (Chair), Paul Alpert, Janet Bernardo, Stephen Farr, Marsha Salett, Sharon Soltzberg, Debbie Anderson (Acting Agent), Elisa Litchman (Assistant)

GUESTS: Enrique Brantley, Karen Skinner Catrone, David Conway, Mikhail Deychman, Patricia Negrón, Steve Popper, Thomas Ryder

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

MINUTES

The approval of the minutes from the September 27, 2012 Public Meeting was continued to the October 25, 2012 public meeting to allow time for review by the Commission.

ENFORCEMENTS

1516 CENTRAL AVENUE – RATIFICATION OF ENFORCEMENT ORDER

D. Anderson stated that the Conservation Department has not received a Notice of Intent filing. Field Resources is representing the applicant.

48 & 52 WILSHIRE PARK – INVESTIGATION OF POTENTIAL VIOLATION

The Commission has conducted a site visit. P. Alpert stated that the GIS map showed a stream where there wasn't one. L. Standley explained that the Commission determined that no violation had occurred, as there were no wetland resource areas affected.

HEARINGS

71 STOCKDALE ROAD (DEP File #234-651) – Continued NOTICE OF INTENT

L. Standley opened the public hearing at 7:45pm. The hearing had been continued for a site visit by the Commission and submission of revised Plans and Waiver Request. M. Deychman submitted revised plans to the Commission. The date on the plans is 10/9/12. He stated that the project will include installation of erosion controls at the 26-foot buffer line and a second erosion control of straw wattles between the edge of sod and bordering vegetated wetland. No grading is proposed. The applicant plans to remove vegetation in order to install a sod lawn. The proposal also includes installing shrubs and applying a wetland seed mix in the wetland. L. Standley asked why. M. Deychman replied that the project on 74 Pilgrim Road was essentially the same situation and that is what the Commission asked for at that location. The Commission explained to the applicant that any work proposed in the 25-foot buffer zone requires a waiver request. The request for the waiver needs to show one of the four criteria upfront (economic hardship, substantial public interest, compliance with the Mass. Contingency Plan or a credible expert has demonstrated that the Resource Area does not protect the public interests). In addition the Applicant must show that there are no practicable alternatives to the proposed action, alteration to the resource area has been minimized and compensatory or mitigating measures have been taken to protect the public interest in the protected Resource Area to be altered. If a fence is proposed (as it is shown in the plans) then it needs to be included in the waiver request. The proposed sod will also need to be included in the waiver request. The straw wattles shown on the plans should be installed at the edge of the sod. J. Bernardo stated that the plan does not appear to show removal of a tree within the limit of grading (based

on the photographs). She also noted a concern that the hay bales are shown touching the edge of the deck and the bulkhead, and that the project is not possible to construct as shown. M. Deychman stated that the deck would be elevated on sonotubes. The hearing was continued to allow the Commission to review the new plans, and to provide the applicant the opportunity to amend the plans and waiver request. **Motion to continue the public hearing to October 25th at 8:00 pm by S. Soltzberg, seconded by P. Alpert, approved 6-0-0.**

PERRY DRIVE & MARKED TREE ROAD (ROSEMARY GLEN) (DEP File #234-652) – Continued NOTICE OF INTENT

L. Standley opened the public hearing at 8:00pm. Tom Ryder, Assistant Town Engineer explained that the hearing was continued as the Commission was waiting for a DEP number, which had been issued. He noted that the application had been modified to include removing debris in the channel using a shovel, rake and vactor, if necessary.

Motion to close the public hearing for Perry Drive and Marked Tree Road (DEP File #234-652) at 8:09 PM by P. Alpert, seconded by J. Bernardo, approved 6-0-0. Motion to issue the Order of Conditions for Perry Drive & Marked Tree Road as amended by J. Bernardo, seconded by P. Alpert, approved 6-0-0.

OTHER BUSINESS

1155 CENTRAL AVENUE (DEP File #234-601) – MINOR MODIFICATION REQUEST

S. Farr recused himself from the discussion. Dave Conway from Nitsche Engineering presented the request. He stated that the project is close to finished, however the Town is requesting a modification concerning the bio-swales between the play area and the tennis courts. The upper bio-swale is not draining within 72 hours, as required, after large storms. This upper bio-swale receives discharge from half of the parking lot. D. Conway explained that this area appears to be underlain by ledge impeding infiltration. The new proposal incorporates crushed stone and a vegetated bench for better filtration. A four-inch wide pipe has been installed 6 inches below ground between the upper and lower bio-swales to minimize the water running over the top and causing erosion. L. Standley asked how the proposed plan would maintain the required infiltration. D. Conway noted that the project was classified as “redevelopment” and not required to fully meet the storm water standards, but would maintain recharge in the upper basin, though it is slower than anticipated. The lower basin also has excess capacity. They propose adding the additional plantings that will not fit on the vegetated bench in the upper swale to the lower swale.

Motion to approve the Minor Modification Request for 1155 Central Avenue (DEP File #234-601) by J. Bernardo, seconded by P. Alpert, approved 5-0-0.

COMMUNITY PRESERVATION COMMITTEE

J. Bernardo updated the Commission on a public hearing at the Special Town Meeting on October 29th which will discuss three CPC projects. The projects are 1) the Charles River Center on South Street, 2) the Greene’s Field project which includes a new play structure, adding sand to the area for better drainage, new benches, a walking trail and fences, and 3) A feasibility study for the proposed Rail Trail between Needham Junction and Dover. She noted that the CPC has voted to fund #2 from the Open Space, rather than the General Fund, allocation.

Motion to adjourn the meeting by S. Farr, seconded by J. Bernardo, approved 6-0-0.

The meeting was adjourned at 8:43pm.

NEXT PUBLIC HEARING

October 25, 2012, 7:30 PM in the Public Services Administration Building, Charles River Room