

**TOWN OF NEEDHAM
CONSERVATION COMMISSION
MEETING MINUTES
Thursday, May 24, 2012**

LOCATION: Public Services Administration Building, Charles River Room

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

GUESTS: Tim Bennett, Peter Grabler, Steve Nadeau, Christopher Nowak, Vincent Roy, Tom Ryder, Robert Schauer, Shaun Semo, Scott Sherman, Diane Simonelli

L. Standley opened the public meeting at 7:40 pm.

MINUTES

Motion to approve the minutes of May 10, 2012, as amended, by J. Bernardo, seconded by P. Alpert, approved 5-0-0.

ENFORCEMENTS

350 CEDAR STREET

P. Barry reported that the remaining slope has been stabilized by Richland Tower Company's construction contractor. She stated that she had met with Attorney Brian Tobin regarding drafting the remaining Enforcement Action to be sent to Petrucci Construction Company. A draft will be provided to the Commission for review.

220 NEHOIDEN STREET

P. Barry explained that an after-the-fact Request for Determination of Applicability had been submitted regarding the garden plot and fence constructed in the buffer zone to bordering vegetated wetlands.

130 SOUTH STREET

P. Barry stated that she had sent a letter to the homeowner requiring the filing of an after-the-fact Notice of Intent including restoration plans. The deadline to file is May 31, 2012.

170 NEHOIDEN STREET (DEP FILE #234-461)

P. Barry said that she had visited the site and spoken with Mr. Fitzgerald. Erosion controls have been installed and the owner intends to complete the restoration prior to filing a request for a Certificate of Compliance.

HEARINGS

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

L. Standley opened the public hearing at 7:45 pm. The Applicant, Peter Grabler, was present. L. Standley explained that the hearing had been continued for additional information. P. Grabler asked what the Commission needed specifically for additional information. L. Standley stated that the proposed wall detail and cross-section of the wall were necessary to determine impacts to BLSF and any loss of flood storage. Mr. Grabler explained that his contractor now plans to construct a versi-lock block wall in the existing footprint of the current deteriorated railroad tie wall. Mr. Grabler stated that if they need to

change the project from using the blocks to railroad ties, he will come back before the Commission. The Commission discussed the Order of Conditions and agreed that submittal of a revised plan was not necessary. P. Barry will include a Condition referencing the proposed work and plan change. **Motion to close the public hearing for 180 Standish Road (DEP File #234-639) by P. Alpert, seconded by J. Bernardo, approved 5-0-0.**

NSTAR GAS NATURAL GAS PIPELINE PROJECT WINFIELD STREET, MALLARD ROAD, PHEASANT ROAD & ABBOTT STREET – REQUEST FOR DETERMINATION OF APPLICABILITY

P. Alpert opened the public hearing at 8:12 pm. L. Standley recused herself from the public hearing due to a conflict of interest. Tim Bennett of NSTAR presented the project to the Commission. T. Bennett explained that the proposed project included the installation of a new 2-inch plastic natural gas main within the existing road rights-of-way and 1-inch service connections to adjacent properties within the 100-foot buffer zone to inland bank, bordering vegetated wetlands and the 200-foot Riverfront Area to Rosemary Brook. There are 2 proposed crossings of Rosemary Brook, one on Abbott Street and the other on Pheasant Road. The open trenches are to be backfilled each day and erosion and sediment controls are to be installed. Approximately 80-300 feet of pipe can be laid per day. The proposed sediment and erosion controls consist of silt socks in the catch basins and straw wattles at the limit of work. The Commission discussed the proposed lateral pipe installation at 19 Pheasant Road within the 25-foot no disturb buffer zone. T. Bennett agreed to relocate the lateral outside the 25-foot buffer zone. **Motion to close the public hearing for the NSTAR Gas Natural Gas Pipeline Project - Winfield Street, Mallard Road, Pheasant Road & Abbott Street by J. Bernardo, seconded by M. Salett, approved 4-0-0. Motion to issue the Negative Determination of Applicability for the NSTAR Gas Natural Gas Pipeline Project - Winfield Street, Mallard Road, Pheasant Road & Abbott Street by J. Bernardo, seconded by M. Salett, approved 4-0-0.**

OTHER BUSINESS

865 CENTRAL AVENUE – NORTH HILL LIFE CARE FACILITY (DEP FILE #234-619) – MINOR MODIFICATION REQUEST

P. Alpert opened the discussion for the minor modification request. L. Standley recused herself due to a conflict of interest. Christopher Novak of VHB represented the Applicant. C. Novak gave the Commission a brief overview of the proposed project. He explained that currently the roadway and maintenance building are under construction under an approved Order of Conditions for DEP File#234-619. The Applicant is requesting three modifications to the approved plans including: (1) installation of a subsurface gas line to connect to the maintenance building located within the western portion of the facility; (2) installation of a temporary overhead electric line with an associated pole to service the maintenance building; and (3) installation of a groundwater interceptor drain to control groundwater during construction. C. Novak explained that the project's Geotechnical Engineer recommended that due to soil conditions, they need to add a 6-inch interceptor drain. They plan on bringing the drain to the stone pad. It will pick up the catch basin near the maintenance building. The Commission did not have any issues with this change. Additionally, he further explained that due to project phasing, temporary utility poles and overhead wires are needed to provide service to the maintenance building. The wooded area through which this line is to be located was already cleared. The proposed poles would be located on E. Militia Road and Dwight Road. The Commission noted that a portion of the clearing and proposed line installation is located within the 50-foot buffer zone to a wooded area and that unless a Waiver is filed for the work it can not be approved by the Commission. However, if the 2 utility poles could be moved outside of the 50-foot buffer zone, the Commission could approve it under the minor modification. P. Barry will make this a Condition on the Minor Modification Approval as well as no more clearing unless approved.

The Commission determined that in accordance with the Bylaw Regulations the proposed installation of a subsurface gas line to connect to the maintenance building within a forested area could not be approved as a minor modification to the plans unless it is installed greater than 50-feet from the wetland resource area, a waiver is requested through a Request to Amend the Order of Conditions or a Request for Determination of Applicability is submitted for the proposed installation. C. Novak will go over the options with the Applicant. **Motion to approve the request to install a groundwater interceptor drain to control groundwater during construction and to install a temporary overhead electric line with associated poles outside of the 50-foot buffer zone located at 865 Central Avenue as a minor modification to the Order of Conditions not requiring an amendment (DEP FILE #234-619) by J. Bernardo, seconded by M. Salett, approved 4-0-0.**

231-233 WEST STREET (DEP FILE #234-625) – CERTIFICATE OF COMPLIANCE REQUEST

D. Anderson had conducted a site visit. Deviations from the approved plan included: (1) the deck at the rear of 231 West Street was moved to the northeast corner from the middle of the building; (2) the locations of the sewer services have been moved to the center of the building from the ends; (3) two dry wells were added at the front of the house; and (4) gravel was placed under the decks. D. Anderson reported that the site was stabilized. **Motion to issue a Certificate of Compliance for 261-263 West Street (DEP File #234-625) by J. Bernardo, seconded by P. Alpert, approved 5-0-0.**

263 NEHOLDEN STREET (DEP FILE #234-624) – CERTIFICATE OF COMPLIANCE REQUEST

P. Barry explained that she met the Applicant's Representative, Diane Simonelli of Field Resources, Inc., on the property. P. Barry compared the approved site plans to the as-built plans and found the following deviations: (1) on the northwest section of the property there appears to be approximately 3 feet more fill placed than permitted on the approved site plans; (2) a walkway was installed in the front of the property that was not on the approved plan, (3) a small area on the slope was mulched (mulch is not an acceptable stabilization method in this area), (6; (4) three green ash (*Fraxinus pennsylvanica*) trees proposed were replaced with three eastern white pines (*Pinus strobus*) trees. In addition, no drywells were identified on the plan or sign-off from the Engineer; and erosion controls were still installed. D. Simonelli submitted the drywell sign-off from the Engineer at the hearing. She explained that 25 Arbovitae shrubs (*Thuja occidentalis*) had been installed at the front of the property, and a 4-foot high picket fence had also been installed along the front. She told the Commission that the elevation change was to provide adequate cover over the sewer. The driveway and walkway was installed using pervious pavers in stone dust and the overall project reduced impervious area by 452 square feet in comparison to the approved plan. The Commission determined that they could not issue a complete Certificate of Compliance at this time because the slope is not adequately stabilized. The Applicant may file for a complete Certificate once the slope is vegetated. D. Simonelli asked if the slope could be sodded. The Commission approved the installation of sod as a stabilization measure on the slope. **Motion to issue a Partial Certificate of Compliance for 262 Nehoiden Street (DEP File #234-624) by J. Bernardo, seconded by M. Salett, approved 5-0-0.**

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

The Commission voted to issue the Certificate of Compliance at the May 10, 2012 hearing. The Commission signed the Certificate of Compliance.

820 (LOT 2) SOUTH STREET (DEP FILE #234-642) – ISSUE ORDER OF CONDITIONS

The Commission reviewed the draft Order of Conditions. **Motion to issue the Order of Conditions, as amended, for 820 (Lot 2) South Street (DEP File #234-642) by J. Bernardo, seconded by P. Alpert, approved 5-0-0.**

ANNUAL BRAKING THE CYCLE CHARITY BIKE RIDE – RIDGE HILL RESERVATION USE REQUEST

P. Barry explained that the Sponsors of the “Braking the Cycle Charity Bike Ride” request the use of the parking lot at Ridge Hill Reservation annually. P. Barry explained that Town Counsel drafts an agreement for the Sponsors to sign. **Motion to grant the use of the Ridge Hill Reservation parking lot to members of the Annual Braking the Cycle Charity Bike Ride by M. Salett, seconded by J. Bernardo, approved 5-0-0.**

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

Shaun Semo of RH White Construction explained the minor modification request to the approved dewatering plan to the Commission. S. Semo explained that the changes are being requested for approval now to prevent delays if and when the additional wells are needed. The Applicant anticipates that the two approved dewatering wells will be sufficient to dewater the excavation for the pump station. However, they are seeking approval to install two additional contingency wells as indicated on the revised dewatering plan in the event they are needed. He apologized and explained that as the contractor, they should have read the Order of Conditions more carefully and provided sufficient time for the Commission to review the proposed dewatering plan and well installation. The project manager sent an email to P. Barry showing the calculations if all 4 wells were running at one time (approximately 100 gallons per minute). He explained that the catchbasin outlet pipe has the capacity to handle 3,600 gpm of flow, well in excess of the maximum (35 gpm from each well). He explained that heavy duty silt sacks would be placed in the catch basin as well as hay bales and silt fence around the basin. **Motion to approve the request to install two additional dewatering wells located at 274 Reservoir Street 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 5-0-0.**

The meeting was adjourned at 9:07 pm.

NEXT PUBLIC HEARING

June 14, 2012 at 7:30 p.m. in the Public Services Administration Building, Charles River Room