

**TOWN OF NEEDHAM
CONSERVATION COMMISSION
MEETING MINUTES
Thursday, June 13, 2013**

LOCATION: Public Services Administration Building, Charles River Room

ATTENDING: Lisa Standley, Paul Alpert, Stephen Farr, Sharon Soltzberg, Patricia Barry (Agent),
Debbie Anderson (Assistant)

GUESTS: Peter Oehlkers, Wayne Trindall

L. Standley opened the public meeting at 7:40 p.m.

MINUTES

The approval of the minutes from the May 23, 2013 Public Meeting was continued to the June 27, 2013 Public Meeting.

ENFORCEMENTS

78 FREMONT STREET

P. Barry reported that she had visited 78 Fremont Street and noted that the spaces in the fencing had been covered up to help keep woodchips, soil etc. off of the Bank and out of the resource area. A silt sack was in place in the catch basin. She explained that the enforcement fine had been paid in full and recommended that the Commission issue a notice of compliance of the Enforcement Order. **Motion to issue to Bill and Betty Ann Scanlon a notice of compliance with the Enforcement Order by P. Alpert, seconded by S. Soltzberg, approved 4-0-0.**

1509 CENTRAL AVENUE

P. Barry informed the Commission that she has a meeting with Mr. McCarthy scheduled for June 18, 2013 to go over the Enforcement Order with him and discuss the steps to take to comply with the Order. P. Barry noted that Mr. McCarthy is interested in relocating the existing koi pond.

500 DEDHAM AVENUE

The Commission read a correspondence from Eddie Olsen, the Superintendent of the Needham Parks & Forestry Division, apologizing for his crews' misunderstanding of his instructions regarding the pruning of vegetation around the reservoir. The letter requested the Commission's permission to plant native shrubs and trees along the banks of the drainage swale at 500 Dedham Avenue as mitigation. L. Standley explained that she and P. Barry had examined the remains of the vegetation cut along the reservoir bank and determined the majority of the vegetation removed was alder (*Alnus sp.*) which will re-sprout from the stumps and not require additional planting. P. Barry will work with Eddie Olsen on the project.

Motion to accept the proposal from the Superintendent of the Parks & Forestry Division to mitigate for vegetation removal by installing native shrubs and trees within the drainage swale at 500 Dedham Avenue by S. Soltzberg, seconded by S. Farr, approved 4-0-0.

1516 CENTRAL AVENUE

P. Barry explained to the Commission that the Applicant has requested a minor modification for turf installation and this will be placed on the June 27, 2013 meeting agenda. She explained that the entire meadow on the left side of the drive has been mowed right up to the banks of the stream. The Applicant

has an open Order of Conditions as well as a closed Order of Conditions, both including on-going Conditions regarding mowing. The approved mowing plan allows mowing the meadow up to 4 times per year, but does not allow mowing of the Bank, as designated by permanent markers. The Commission had allowed flexible permanent markers to be installed to prevent injury to the horses that graze in the meadow. P. Barry explained that it appears some of these markers may have been mowed over.

L. Standley stated that the on-going mowing Conditions are obviously not being followed and are no longer working. She suggested that the Commission issue an Enforcement Order and a fine and require the Applicant to submit a revised mowing plan. L. Standley suggested that the Commission require the Applicant have each of their hired landscapers sign a form stating that they have read and understand the approved mowing plan each year. P. Barry will draft the cover letter for the Enforcement and circulate for review.

The Commission asked P. Barry to draft the Enforcement Order including the issuance of a \$600.00 fine for violations in 2 resource areas. The Enforcement Order will require that the Applicant submit a revised mowing plan by July 11, 2013 for the Commissions' review and if not received by that date, daily fines may be issued.

21 ARMEN WAY

P. Barry explained the status of the 21 Armen Way restoration within Riverfront Area (erosion controls, sod and trees had been installed). She noted that Police Chief Leary's report had been issued, and that the Park and Recreation Commission was waiting for the report prior to making a decision (i.e. grant an easement for the owner of 21 Armen Way to use the town land, sell the land to the owner of 21 Armen Way, or require total restoration of the land). She also noted that the land is likely subject to Article 97, which would make any arrangement difficult other than restoration.

OWEN'S POULTRY FARM – 585 CENTRAL AVENUE

L. Standley reported a potential enforcement issue at Owen's Poultry Farm. She noted piles of dirt located near the new barn and was concerned about unauthorized work within the buffer zone and erosion into the wetland. P. Barry will investigate.

EMERGENCY CERTIFICATION

463 CHARLES RIVER STREET – ALGONQUIN GAS TRANSMISSION, LLC. – EMERGENCY MAINTENANCE PROJECT

L. Standley recused herself from the discussion. P. Barry explained that Algonquin Gas Transmission, LLC (AGT) monitors their pipelines using internal pipeline inspection tools commonly known as "pigs". These pipeline "pigs" are inserted into the existing pipeline and collect data as they pass through. During a recent "pig" run, AGT identified a pipeline anomaly at Station 4537+89 in Needham, which per AGT requires immediate emergency repair (i.e., within 30 days). P. Barry noted that the work is an "Exempt" activity under the State regulations and the Town's bylaws. The proposed work area is located east of the Beard Way subdivision and within 100' of a potential vernal pool.

At the anomaly site, the pipeline will be excavated so it can be examined and repaired. The excavation site will extend 20' (L) x 20' (W) x 10' (D). Erosion controls will be installed at the limit of work. Access for the work will be off Cartwright Road.

Motion to approve the Algonquin Gas Transmission, LLC- Emergency Maintenance Project as an "Exempt" activity at 463 Charles River Street by S. Farr, seconded by S. Soltzberg, approved 3-0-1 (L. Standley abstained from the vote).

OTHER BUSINESS

20 JAMES AVENUE (DEP FILE #234-656) – MINOR MODIFICATION REQUEST

P. Barry explained that the Applicant is requesting a minor modification of their plans. They are requesting approval to modify the footprint of the proposed home. The approved plan shows a house with a foot print of 2,751 square feet. The requested modification proposes a smaller footprint of 2,283 square feet, a reduction of 468 square feet, with a greater separation from the wetland. P. Barry noted a discrepancy between the lot size noted on the approved plan and the lot size noted on the minor modification plan. The approved plan noted a lot size of 11,900 square feet while the minor modification plan notes the lot size as 11,498 square feet.

Motion to accept the change in size of the footprint and location of the house at 20 James Avenue (DEP File #234-656) as a minor modification not requiring an Amendment to the Order of Conditions by S. Farr, seconded by P. Alpert, approved 4-0-0.

84 GLENDALE ROAD (DEP FILE #234-620) – MINOR MODIFICATION REQUEST

The Construction Supervisor, Wayne Trindall, was present at the meeting. P. Barry explained that the proposed minor modification to the plan includes the installation of a deck instead of the approved patio at the rear of 84 Glendale Road. The approved patio is 8-feet by 24-feet in size. The proposed deck would be 12-feet by 16-feet in size. Approximately 12 square feet of the deck would be cantilevered over the 25-foot no disturb area but the footing will be located outside of the 25-foot zone. P. Barry noted that the Applicant had previously been issued a Waiver for a portion of the patio within 25 feet of the wetland.

Motion to accept the change in plans for 84 Glendale Road (DEP File #234-620) to install a deck instead of a patio as a minor modification not requiring an Amendment to the Order of Conditions by P. Alpert, seconded by S. Farr, approved 4-0-0.

38 TAYLOR STREET (DEP FILE #234-535) – CERTIFICATE OF COMPLIANCE REQUEST

P. Barry reported that the permanent markers were not shown on the as-built plan, and that there were other discrepancies between the approved plan and the as-built plan that were not addressed in the Request. The Commission agreed to table the Certificate of Compliance request until an accurate Engineering Certificate describing deviations from the approved plan is submitted, as well as a revised plan showing the locations of the 6 permanent markers required by the Order of Conditions.

170 NEHOIDEN STREET (DEP FILE #234-461) – ORDER OF CONDITIONS EXTENSION REQUEST

P. Barry explained that the Commission voted to approve a minor modification to the plans for 170 Nehoiden Street at the May 23, 2013 Public Hearing. The minor modification included restoring the existing driveway per the original plan, stabilizing disturbed areas with hydro-seeding, planting trees and shrubs at the edge of the existing drive and removing all debris and construction material from the site. The existing Order of Conditions is due to expire on June 25, 2013. The Applicant is requesting an Extension to the Order of Conditions to complete the work and remove the shed from Town of Needham Park & Recreation owned land.

Motion to approve a one (1) year Extension Permit for 170 Nehoiden Street (DEP File #234-461) by S. Soltzberg, seconded by P. Alpert, approved 4-0-0.

CONSERVATION COMMISSION TRUST FUND (CHAPTER 40 §8C) – RIDGE HILL RESERVATION FUND USE DISCUSSION & APPROVAL

P. Barry provided the Commission with an update on cost estimates she has received for maintenance work at Ridge Hill Reservation including the following:

- **Stone wall repair:** P. Barry explained that she has received two cost estimates for stone wall repairs. The Commission discussed the estimates and requested that P. Barry solicit an additional

estimate. **Meadow Fencing:** P. Barry explained that she has received cost estimates from two companies for both wooden guardrail and split rail fencing. The Commission discussed the two types of fencing and determined that split rail fencing would be preferable based on cost and requested P. Barry contact the vendor and request a quote for full fencing of the meadows. P. Barry and L. Standley will go over the plans and determine the best locations for the fencing to be installed. The Commission discussed how far off the road the fencing would be installed. P. Barry recommended approximately 10-feet so the shoulders of the road could be mowed. P. Barry added that application of a stain on the fence as a scout project may extend the life of the fencing. P. Barry noted that the funds to pay for the fence could be taken out of the Conservation Trust Fund.

- **Cartwright Road Gate:** P. Barry discussed the estimates she had received for the gate with the Commission. The best written estimate was provided by Steel Co. for \$2,800. P. Barry explained that there is an open contract with the company so the fence could be ordered and installed using the existing contract.

Motion to purchase the gate and have it installed at the Cartwright Road location by Steel Co. for a total of \$2,800 by S. Farr, seconded by P. Alpert, approved 4-0-0.

- **Kiosks – Chestnut Trail & Cartwright Road:** P. Barry reported that she had contacted the Town of Needham Public Facilities Department to request a quote for the construction of kiosks. The quote she received was \$518 for a wooden kiosk and approximately \$2,200 for the construction using composite materials. The Commission felt that the composite material was too costly. P. Barry mentioned that she was also looking into pre-fabricated kiosk options. The Commission asked P. Barry how many kiosks were needed and she responded they need one complete kiosk and completion of a partially built kiosk to complete the planned kiosk installation at Ridge Hill.
- **Ridge Hill Sign:** P. Barry explained that she has been working with Karen Peirce from the Town of Needham Parks & Recreation Department to get cost estimates for different types of signs. L. Standley noted that the metal supports are in good shape. P. Barry noted that the Commission would need to go before the Design Review Board for approval once a sign design is chosen. P. Barry explained that the sign will be funded using the Conservation Trust Fund. L. Standley asked what the balance is in the Trust Fund. P. Barry replied the balance is approximately \$225,000 of which \$75,000 is earmarked for use on the Swamp Trail.

NEIGHBORHOOD YARD WASTE LETTERS

P. Barry reported that the yearly informative neighborhood yard waste letters have been sent out to approximately 200 homes located in or adjacent to sensitive resource areas. She explained that she had been contacted by a homeowner on Perry Drive who had received a yard waste letter. The homeowner was concerned that he was being singled out because he has a compost pile in his backyard that he has had for many years and did not want to have to remove it from the buffer zone. P. Barry asked the Commission for guidance in answering public concerns regarding the yard waste letters. L. Standley noted that consistent guidelines are necessary and suggested that compost piles, leaves and grass were not a concern if piled within the Riverfront Area only or outside of the 25-foot buffer zone. She also added that brush piles could be considered wildlife habitat. If the area within the 25-foot buffer zone is lawn, compost piles would be acceptable in this location as well.

RIDGE HILL TRAILS

L. Standley has scheduled a site walk for June 22, 2013 at 9am to investigate where to construct a new trail to finish the Ridge Hill Loop.

Motion to adjourn the meeting by S. Farr, seconded by S. Soltzberg, approved 4-0-0. The meeting adjourned at 8:50 p.m.

NEXT PUBLIC HEARING

June 27, 2013 at 7:30 p.m. in the Public Services Administration Building, Charles River Room