

**TOWN OF NEEDHAM  
CONSERVATION COMMISSION  
MEETING MINUTES  
Thursday, AUGUST 28, 2014**

LOCATION: Public Services Administration Building, Charles River Room

ATTENDING: Paul Alpert (Chair), Janet Carter Bernardo, Artie Crocker, Stephen Farr, Peter Oehlkers, Sharon Soltzberg, Matt Varrell (Conservation Director)

GUESTS: Tim Hood, Diane Simonelli, Ryan Lizewski, Kristin Kent, Roy Cramer, Scott Goddard

P. Alpert opened the public meeting at 7:30pm.

**MINUTES:**

Discussion of old versus new format: All members generally prefer the new format with more bulleting of information. P. Alpert prefers the detail included in the old format for availability to the public. P. Alpert stated that non-project topics should have a greater detail in the descriptions. The Commission feels a middle-ground between the two formats will be needed and deferred further discussion until Deb is present at the next meeting.

*Motion to approve the "long version" of minutes of July 10, 2014 (as amended), by J. Carter-Bernardo, seconded by S. Soltzberg, approved 6-0-0.*

*Motion to approve the "long version" of minutes of July 24, 2014 (as amended), by J. Carter-Bernardo, seconded by S. Soltzberg, approved 6-0-0.*

**ENFORCEMENT & VIOLATION UPDATES:**

**62 BROOKSIDE ROAD**

M. Varrell stated that a Notice of Intent had been submitted by the landowner and is currently under review.

**27 CURVE STREET**

M. Varrell described violation observations made on 8/21/14, including tree cutting prior to pre-construction meeting. Photographs were presented. J. Carter-Bernardo expressed frustration that Hillcrest Development does not follow the rules. M. Varrell stated that Hillcrest Development should know better, based on their previous experience in town. J. Carter Bernardo proposed that a fine should be issued. M. Varrell described the violations of the OOC in detail, which includes four separate violations of conditions. The Commission discussed the amount of the fine that should be issued.

*Motion to issue an Enforcement Order to Hillcrest Development with a fine of \$900 for three separate violations by J. Carter Bernardo, seconded by S. Soltzberg, approved 6-0-0.*

**HEARINGS:**

**23 GLOVER ROAD (DEP FILE #234-719) – continued NOTICE OF INTENT**

P. Alpert opened the public hearing at 7:52 p.m.

Applicant: Laura Roos

Project: Construction of a 209 sq. ft. house addition, reconstruction of an existing second floor deck to a single-family home and restoration of 240 sq. ft. of Riverfront Area within the 100-foot Buffer Zone to Bordering Vegetated Wetlands and the 200-foot Riverfront Area to Rosemary Brook.

Present for the Applicant: No one

Supporting Documents include:

- ❑ WPA Form 3 – Notice of Intent and supporting documents received July 23, 2014
- ❑ Needham Wetlands Protection Bylaw Application for Permit received July 23, 2014
- ❑ Plan entitled: “Proposed Site Plan #23 Glover Road in Needham, Mass.”, prepared by Metrowest Engineering, Inc., stamped and signed by Robert Gemma P.E. No. 31967, dated 7/8/14.
- ❑ “Analysis of Riverfront Area Performance Standards 23 Glover Road, Needham, MA”, prepared by Metrowest Engineering, Inc. (received 8/14/14)

M. Varrell stated that no new materials have been submitted. The Commission had been waiting for the Applicant to submit their ZBA Application. M. Varrell stated that the ZBA Application has been received by the Town.

Comments from the Commission:

None

Comments from the public:

None

*Motion to close the public hearing for 23 Glover Road (DEP File #234-719) by J. Carter Bernardo, seconded by S. Soltzberg, approved 6-0-0.*

*Motion to issue the Order of Conditions (as amended) for 23 Glover Road (DEP File #234-719) by S. Farr, seconded by A. Crocker, approved 4-0-2 (J. Carter Bernardo & S. Soltzberg abstained).*

**0 GREAT PLAIN AVENUE (NEEDHAM GOLF CLUB) (DEP FILE #234-721) – ABBREVIATED NOTICE OF INTENT**

P. Alpert opened the public hearing at 8:00 p.m.

Applicant: Needham Golf Club

Project: Replacement of an existing irrigation line which runs beneath a paved intermittent stream channel. The existing leaking line will be replaced with three 3-inch PVC pipes. Work is proposed within the 100-foot Buffer Zone and 25-foot Buffer Zone to Bank.

Present for the Applicant: Tim Hood, Needham Golf Club and Diane Simonelli, Field Resources, Inc.

Supporting Documents include:

- ❑ WPA Form 3 – Notice of Intent and supporting documents received August 14, 2014
- ❑ Needham Wetlands Protection Bylaw Application for Permit received August 14, 2014
- ❑ Plan entitled: “Conservation Commission Specific Topographic Plan Needham Golf Course (0 Great Plain Avenue) Needham, Mass.”, prepared by Field Resources, Inc., stamped and signed by Bradley J. Simonelli, P.L.S. No. 47581, dated 8/6/14 (revised 8/20/14).

D. Simonelli submitted additional checks and proof of abutter notification to administratively complete the file. D. Simonelli described the project which consists of replacement of a leaking irrigation pipe under a paved stream channel. She stated the project would be completed in one day and straw wattles will be used for erosion control protection. If needed, dewatering will occur into an adjacent sand trap with a sediment sock to provide filtration. A Waiver was requested for work within the 25-foot Buffer Zone. D. Simonelli

stated that there are no impacts to BVW proposed. M. Varrell stated that the project area includes Bank, not BVW. T. Hood stated the work will occur as soon as possible.

Comments from the Commission:

None

Comments from the public:

None

*Motion to close the public hearing for 0 Great Plain Avenue (Needham Golf Club) (DEP File #234-721) by J. Carter Bernardo, seconded by S. Soltzberg, approved 6-0-0.*

*Motion to issue the Order of Conditions (as amended) for 0 Great Plain Avenue (Needham Golf Club) (DEP File #234-721) by J. Carter Bernardo, seconded by S. Soltzberg, approved 6-0-0.*

*Motion to waive the 25-foot Buffer Zone requirements for 0 Great Plain Avenue (Needham Golf Club) (DEP File #234-721) by J. Carter Bernardo, seconded by S. Farr, approved 6-0-0.*

**67 PINE STREET (DEP FILE #234-720) – continued NOTICE OF INTENT**

P. Alpert opened the public hearing at 8:25 p.m.

Applicant: Lawrence Udell

Project: Construction of a 336 sq. ft. house addition to an existing single-family residence within the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

Present for the Applicant: No one

Supporting Documents include:

- ❑ WPA Form 3 – Notice of Intent and supporting documents received July 31, 2014
- ❑ Needham Wetlands Protection Bylaw Application for Permit received July 31, 2014
- ❑ Plan entitled: “Site Plan 67 Pine Street Needham, MA 02492”, prepared by Kalkunte Engineering Corporation, stamped and signed by K.N. Srinivasa, P.E. No. 29426, dated 7/25/14.
- ❑ **Plan entitled: “Site Plan 67 Pine Street Needham, MA 02492”, prepared by Kalkunte Engineering Corporation, stamped and signed by K.N. Srinivasa, P.E. No. 29426, dated 7/25/14 (revised 8/18/14).**

P. Alpert described the minor changes that were requested. A revised plan was submitted showing the removal of one tree and replacement with two trees. M. Varrell stated the new plans were submitted today showing sugar maples as mitigation (in place of Japanese maples). The walkway to be removed is shown and the stockpiling area is shown to be outside of the 100-foot Buffer Zone. M. Varrell stated that all outstanding issues have been addressed.

Comments from the Commission:

None

Comments from the public:

None

*Motion to close the public hearing for 67 Pine Street (DEP File #234-720) by S. Farr, seconded by A. Crocker, approved 4-0-2. (J. Carter Bernardo & S. Soltzberg abstaining)*

*Motion to issue the Order of Conditions (as amended) for 67 Pine Street (DEP File #234-720) by S. Farr, seconded by A. Crocker, approved 4-0-2. (J. Carter Bernardo & S. Soltzberg abstaining)*

**0 MAP HILL ROAD/0 FOREST STREET (DEP FILE #234-717) – continued NOTICE OF INTENT**

P. Alpert opened the public hearing at 8:30 p.m.

Applicant: Babson College – Office of Facilities Management and Planning, Benjamin McConchie

Project: Resurface existing parking lots and conduct infrastructure repairs. Parking lots are partially located in the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

Present for the Applicant: Ryan Lizewski and Kristen Kent of VHB

Supporting Documents include:

- ❑ WPA Form 3 – Notice of Intent and supporting documents received May 22, 2014
- ❑ Needham Wetlands Protection Bylaw Application for Permit received May 22, 2014
- ❑ Plan entitled: “Proposed Resurfacing Plan and Utility Plan”, prepared by Vanasse Hangen Brustlin, Inc., stamped and signed by Ryan R. Lizewski, P.E. No. 49864, dated 5/16/14.

S. Farr recused himself from the discussion. R. Lizewski presented a description of revised plans, showing new drainage improvements and additional flagging of channels on the site. P. Alpert asked for a recap of the original project. R. Lizewski described the existing conditions of the drainage on-site and the scope of the original project. The Trim Lot is now shown to have curbing replaced and the removal of sand deposits. The Sullivan Lot will have drainage improvements including new granite curbing, catch basins and oil/water separators. An existing manhole will likely need replacement and the outfall pipe will be increased in size from 6 to 12 inches. The south side of the building will receive new curbing, a catch basin and manhole with roof runoff collection. The south side will discharge to the intermittent stream via a new outlet. Installation of 6” stone within the channel is proposed. The portion of the stream will be excavated and then backfilled with stone to preserve the elevations in the channel. All disturbed areas to will be restored to existing grades. Supplemental stone will be added to the outfall area at the northern channel outfall. K. Kent stated that previously described temporary BVW work will not be required due to survey corrections. M. Varrell listed a number of questions for the applicant to address, which will be submitted in writing to the Applicant.

J. Carter-Bernardo will review drainage report. K. Kent requested that any additional comments be provided to VHB ahead of the next meeting. J. Carter-Bernardo stated she would. P. Alpert reiterated that additional information must be submitted to the Commission at least one week prior to meeting.

Comments from the Commission:

See above

Comments from the public:

None

*Motion to continue the public hearing to Sept 11, 2014 @ 8:15pm due to insufficient information from the Applicant for 0 Map Hill Road/0 Forest Street (DEP FILE #234-717), by J. Carter-Bernardo, seconded by S. Soltzberg, approved 5-0-1.*

**OTHER BUSINESS**

**DRAFT REVISIONS TO TOWN OF NEEDHAM WETLANDS PROTECTION BYLAW REGULATIONS**

P. Alpert introduced the issue of the need to correct the fee amounts currently listed in the Bylaw regulations. A discussion ensued regarding the value of the Waiver Fee and what it is meant to accomplish. P. Alpert presented minor revisions to language pertaining to requirements for allowing a waiver of the Waiver Fee. S. Soltzberg asked for clarification of some of the language.

***Motion to adopt revisions for Sections 1.12 & 1.13 by J. Carter-Bernardo, seconded by S. Soltzberg, approved 6-0-0.***

### **PROPOSED ZONING BYLAW AMENDMENT – FLOODPLAIN DISTRICT DISCUSSION**

Roy Cramer & Scott Goddard attended to answer questions about the topic.

P. Alpert introduced the issue and stated that the Planning Board had requested an opinion on the proposed Bylaw Amendment from the Conservation Commission. The primary objective of the amendment is to change the prohibition of swimming pools within the Flood Plain Overlay District. R. Cramer explained the history of the overlay district lines and that they are not consistent with the FEMA boundaries. R. Cramer stated that the Bylaw should use FEMA boundaries in the future (and that the ZBA chair agreed) but this change in the Bylaw is not being requested at this time. Such a change may be proposed at a future Town Meeting. R. Cramer described the current prohibited uses in within the district and that most of them made sense. However, the prohibition of swimming pools does not fit with the other prohibited uses. He prefers to allow the ZBA to make case by case decisions on allowing swimming pools through the special permit process. P. Alpert stated that the swimming pools are reviewed under the Act and Bylaw and must be demonstrated to meet performance standards in order to be allowed. P. Alpert stated that the Bylaw revision would have no effect on the Con Com jurisdiction or review process. R. Cramer reiterated that he was seeking a letter of support from the ConCom (as requested by planning board). J. Carter-Bernardo asked if the Con Com can support the article if the issues are outside of ConCom jurisdiction. P. Alpert responded that a letter has been drafted which stated the Con Com has “no objections” to the article but does not explicitly support it. The Con Com members had consensus to agree with the language in the letter and for P. Alpert to sign it.

### **EXPENDITURE FOR TIMOTHY FULLER REVISED BOARDWALK DESIGN – DISCUSSION**

Discussion of need for approval of expenditure for \$7000 from Conservation Trust Fund for Timothy Fuller revised boardwalk design (for handrails). M. Varrell stated that although the Commission had previously approved the contract change order, the payment through the Trust Fund needed formal approval.

***Motion by J. Carter- Bernardo to approve expenditures up to \$7,000 from the Trust Fund, seconded by S. Soltzberg, approved 6-0-0. The authorization statement was signed by members.***

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

***The meeting was adjourned at 9:35pm.***

### **NEXT PUBLIC HEARING**

*Thursday, September 11, 2014 at 7:30 PM in the Public Services Administration Building, Charles River Room.*