

**TOWN OF NEEDHAM
CONSERVATION COMMISSION
MEETING MINUTES
Thursday, SEPTEMBER 11, 2014**

LOCATION: Public Services Administration Building, Charles River Room

ATTENDING: Paul Alpert (Chair), Janet Carter Bernardo, Artie Crocker, Cory Rhoades, Sharon Soltzberg, Matt Varrell (Conservation Director), Debbie Anderson (Conservation Specialist)

GUESTS: Ellen Lalone, Bruce Riccardelli, John Rockwood, Ardi Rrapi, Gordon Russell, Diane Simonelli

P. Alpert opened the public meeting at 7:40pm.

MINUTES:

Motion to approve the minutes of August 14, 2014 (as amended), by A. Crocker, seconded by S. Soltzberg, approved 3-0-1. (C. Rhoades abstained)

ENFORCEMENT & VIOLATION UPDATES

130 SOUTH STREET

M. Varrell stated that he had met with Attorney Serena Madar, who represents Lana Sokolove regarding 130 South Street enforcement issues. M. Varrell explained to S. Madar that the Enforcement Order had been recorded against the deed due to ongoing non-compliance with the Enforcement Order. M. Varrell stated it appeared that the attorney planned to hire a consultant to put together the required Notice of Intent application and Restoration Plan. No firm commitment or timeline was provided by S. Madar.

28 WOODWORTH ROAD (LOT 48 WOODWORTH ROAD)

M. Varrell reported that he had conducted a site walk at the property in support of a request to amend the existing Order of Conditions. At the site visit, M. Varrell noted that the Applicant had not properly followed the pre-construction conditions in the OOC including installing the DEP File # signage and having a pre-construction site meeting with Conservation staff. However, the site was in good condition and erosion controls were installed. M. Varrell stated that no violations were noted on site. It appears to be an oversight by the Applicant in regards to following the Order of Conditions' pre-construction conditions. As a result of the meeting, the Applicant did install the DEP sign and added construction fencing. The builder has not had many projects before the Commission. The Commission agreed to give the builder a "pass" this time as the site was in good condition.

HEARINGS

28 WOODWORTH ROAD (LOT 48 WOODWORTH ROAD) – REQUEST FOR AN AMENDED ORDER OF CONDITIONS (DEP FILE #234-692)

P. Alpert opened the public hearing at 7:45 p.m. M. Varrell stated that the Applicant's consultant had not notified the abutters correctly. Therefore, the hearing was continued to allow time for proper notification to abutters.

Motion to continue the public hearing to September 25, 2014 at 7:45 p.m., for proper abutter notification, for 28 Woodworth Road (Lot 48 Woodworth Road) (DEP File #234-692), by A. Crocker, seconded by S. Soltzberg, approved 5-0-0.

62 BROOKSIDE ROAD – NOTICE OF INTENT (DEP FILE #234-722)

Applicant: Gordon Russell

Project: Property Utilization and Management Plan including restoration activities associated with the unauthorized removal of trees from Bordering Vegetated Wetlands, Bordering Land Subject to Flooding and the 100-foot Buffer Zone. The Applicant is also proposing the installation of a small “patio” area. The application is made in response to a verbal notice of violation to the Applicant. A portion of the unauthorized alteration occurred on land owned by the Town of Wellesley.

Present for the Applicant: Dr. John Rockwood

Supporting Documents include:

- ❑ WPA Form 3 – Notice of Intent and supporting documents received August 26, 2014
- ❑ Needham Wetlands Protection Bylaw Application for Permit received August 26, 2014
- ❑ “Wetland Resource Evaluation, 62 Brookside Road, Needham, Massachusetts,” prepared by EcoTec, Inc., dated August 26, 2014
- ❑ “Wildlife Habitat Evaluation and Supplemental Information on Cut Trees”, prepared by EcoTec, Inc., dated September 4, 2014
- ❑ “Site Report to Supplement Notice of Intent, 62 Brookside Road, Needham, Massachusetts,” prepared by EcoTec, Inc., dated August 26, 2014
- ❑ Plan entitled: “Conservation Commission Existing Conditions Plan, 62 Brookside Road, Wellesley, MA”, prepared by Field Resources, Inc., stamped and signed by Bradley J. Simonelli, P.L.S. No. 47581, final revision date 8/20/14.
- ❑ Plan entitled: “Conservation Commission Proposed Site Plan, 62 Brookside Road, Wellesley, MA”, prepared by Field Resources, Inc., stamped and signed by Bradley J. Simonelli, P.L.S. No. 47581, dated 8/20/14.

P. Alpert opened the public meeting at 8:10 p.m. Dr. John Rockwood gave the Commission an update on the proposed project and went over the existing and proposed conditions plans that had been submitted with the filing.

Dr. Rockwood presented the following information:

1. A total of 50 trees have been cut over time including 26 this year and 24 previously, and an additional 30 trees have been cut on Town of Wellesley property.
2. The majority of the site is within Bordering Land Subject to Flooding, surrounded by Bordering Vegetated Wetlands.
3. M. Varrell met with Art Allen of EcoTec and Janet Bowser, Director of the Town of Wellesley Natural Resources Dept. at the site.
4. The Applicant is hoping to modify this Notice of Intent filing to include work in Wellesley to address all violations under one filing.
5. The Applicant is proposing a Property Utilization and Management Plan including:
 - A 150 square foot blue stone sitting area is proposed to be installed flush with the ground surface in the meadow area. A 4 to 5 foot wide trail is proposed in the meadow to access the “patio” area. The trail will be mowed.
 - The installation of four (4) bounds is proposed to demarcate the property boundaries.
 - The project includes the removal of 12 small fruit trees and the replacement with two saplings for each removed.
 - Proposed mitigation for the removal of the 50 trees includes: the creation of two mitigation planting areas, as well as, three shrub thickets totaling approximately 10,000 square feet.

- The total proposed plantings include: forty (40) 1.5-inch diameter saplings; thirty-four (34) 4-6 foot tall saplings; and 80 shrubs.
- There are still areas of woodchips that need to be removed and the areas re-seeded.
- Several pieces of old metal farming equipment will be removed.
- The existing meadow area has been maintained through mowing it more than 1x per year for many years. The area contains many invasive species that are kept under control through mowing. They are proposing mowing the meadow 3-4 times per year outside of potential nesting times.
- An invasive species removal plan is proposed.
- On-going tree maintenance is proposed.

The homeowner gave a brief overview of the history of the farm. M. Varrell stated that he had conducted a site visit with Janet Bowser from Wellesley and Art Allen from EcoTec, Inc. Janet Bowser had indicated that the Town of Wellesley was not interested in any long term maintenance plan on their property. She wanted a better idea of how many trees had been removed and wants to see a copy of the Needham Restoration Plan and receive feedback from Needham Conservation.

Comments from the Commission:

- S. Soltzberg indicated that she felt the proposed Plan was well-thought out and contained a good amount of diversity. She commented that meadow ecosystems are in short supply. The proposed mowing schedule was discussed.
- The Commission scheduled a site walk for September 20th at 9:00 a.m.
- Waiver of the Wildlife Habitat Evaluation discussion. Dr. Rockwood will submit the Appendix A Simplified Wildlife Habitat Evaluation.

Comments from the public:

None.

Motion to continue the public hearing to September 25, 2014 @ 8:00pm, for a site walk by the Commission, for 62 Brookside Road (DEP FILE #234-722), by S. Soltzberg, seconded by A. Crocker, approved 5-0-0.

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

P. Alpert opened the public hearing at 9:05 p.m. M. Varrell stated that the Applicant had requested a continuance to the September 25, 2014 public meeting.

Motion to continue the public hearing to September 25, 2014 at 8:15 p.m., as requested by the Applicant, for 0 MAP HILL ROAD/0 FOREST STREET (DEP File #234-717), by A. Crocker, seconded by S. Soltzberg, approved 5-0-0.

OTHER BUSINESS

REVIEW OF REVISED PLAN AND DEED RESTRICTION – LOT 4 GREAT PLAIN AVENUE (DEP FILE #234-570)

Ardi Rrapi of Cheney Engineering represented the Applicant. M. Varrell reminded the Commission that when the project was approved, the plans submitted included a building footprint but no actual house design. A Special Condition of the Order of Conditions required a revised plan be submitted which in addition to showing the actual house design, should show the location of the proposed drywell, filtermitt specifications and grading around the house. The Order of Conditions approved a 2,972 square foot house

footprint and 1,400 square foot driveway within Riverfront Area. The revised house design includes a 2,198 square foot house and 1,245 square foot driveway within the 200-foot Riverfront Area. The total proposed alteration of Riverfront Area is 4,966 square feet. The total proposed alteration approved in the Order was 4,910 square feet. A. Rrapi noted that three trees had been proposed for removal within the Buffer Zone and are now to be retained. The original proposal was for installation of two drywells. A. Rrapi described that he had revised the plan to include the installation of a single drywell with greater capacity from ½-inch to 1-inch. The Commission approved the submitted plan entitled: “Proposed New House Plan Lots 4A + 4B, Next to 1336 Great Plain Avenue Needham, Massachusetts,” prepared by Cheney Engineering Co., Inc. (dated 1-21-2010, revised 9/4/14). P. Alpert will review the proposed Deed Restriction and provide edits to the Applicant. The Applicant was advised that construction may proceed without finalization of the deed restriction.

REQUEST FOR USE OF RIDGE HILL RESERVATION – POLLARD MIDDLE SCHOOL

The Pollard Middle School, Grade 7, Cluster 2 has requested permission to have a field trip to Ridge Hill Reservation on September 24, 2014 from 8:00 a.m. to 1:45 p.m. P. Alpert noted that most of the area they are requesting to use at Ridge Hill is now owned by the Selectmen. They are asking the Commission for permission to use the public trails and are planning to have a scavenger hunt. The Commission approved the use request.

Motion to adjourn the meeting by J. Carter Bernardo, seconded by S. Soltzberg, approved 5-0-0.

The meeting was adjourned at 9:35pm.

NEXT PUBLIC HEARING

Thursday, September 25, 2014 at 7:30 PM in the Public Services Administration Building, Charles River Room.