

**TOWN OF NEEDHAM
CONSERVATION COMMISSION
MEETING MINUTES
Thursday, January 22, 2015**

LOCATION: Public Services Administration Building (PSAB), Charles River Room

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

GUESTS: Will Biedron, John Bruno, Michael Collins, Dennis Kelleher, Dan Matthews

P. Alpert opened the public meeting at 7:35 pm.

MISCELLANEOUS BUSINESS

Ridge Hill/Nike Site Land Discussion – Selectman Daniel Matthews

Selectman Daniel Matthews, representing the Board of Selectmen, gave a presentation regarding planning for the future uses of Ridge Hill Reservation and the Nike site. The Board of Selectmen is asking the Conservation Commission to remain open to the concept of a land swap between active use and conservation areas at Ridge Hill/Nike sites. The purpose would be to consolidate active use areas into one area. Currently, the Nike site is surrounded by Conservation Commission owned land and wetlands. Apart from an easement across Conservation Commission owned property containing an access road to the site, there is no other access to the Nike site. Selectman Matthews discussed the following points:

- The Town does not have enough developable space available for uses we need or want in the future.
- The Town is working to find a new site for the Hillside School, a site for a community center, and possible locations for future housing units to add to the affordable housing quota.
- There are currently two active use areas located at Ridge Hill/Nike:
 - The three acres parcel that has some utilities and good access from Charles River Street;
 - The eighteen acre Nike parcel with no services and poor access.
- The Selectmen believe that consolidating the three acres at Ridge Hill and the 18 acres at the Nike site would be most beneficial for the town. How that consolidation would occur remains to be determined.
- The Selectmen understand that the wetlands and meadows adjacent the active use area of the three acre parcel are ecologically important.
- If the Commission is open to the concept, engineering and environmental consultants would be brought on board to help determine the best scenario for all parties involved to reconfigure the parcels.
- If the project were to go forward it would require a broad agreement from Town Boards and Committees and would probably require a “Home Rule” Petition in the state legislature.

Selectman Matthews and the Commission discussed several land swap scenarios. The Conservation Commission had the following comments and questions:

- If a land swap occurred, most likely the buildings at Ridge Hill, including the house, would need to be demolished as they are in such a state of disrepair.

- The Commission asked what other proposed uses for the active use areas have been discussed other than a community center. Selectman Matthews noted they had been approached by the YMCA, a hockey rink group and additionally feel a reserve school site is important. P. Alpert replied that the Nike site is already slated as a reserve school site.
- The Commission pointed out similar issues with sewage disposal at both sites.
- P. Oehlkers discussed that he does not feel that the value of one acre at Ridge Hill is equal to the value of one acre at the Nike site and that fragmentation of Ridge Hill is a significant concern that needs to be considered in any land swap scenario.

Selectman Matthews thanked the Commission for their time and stated he hoped his presentation will encourage discussion among the Commission. P. Alpert agreed there was a lot to talk about.

The Commission continued to discuss the Selectmen's proposal and agreed the Nike Site Road easement which is 45-60 feet wide can provide access, perhaps by allowing access to the Nike site in exchange for the three acres where the structures are located. The Commission discussed possible access locations to the Nike site including reconfiguring Pine Street. The Commission was generally accepting of the idea to bring in outside consultants to assist in evaluating the properties and conceptual land swaps if talks continue in the future. M. Varrell questioned why this idea of consolidating the properties did not come up during the Facilities Working Group process over the past year.

MINUTES

Motion to approve the minutes of January 8, 2015 (as amended), by J. Carter Bernardo, seconded by C. Rhoades, approved 5-0-1

ENFORCEMENT & VIOLATION UPDATES

24 BROOKSIDE ROAD

M. Varrell noted that the homeowner, Michael Collins, was present to discuss the issue. M. Varrell explained that he had received notice from the Building Department regarding a deck that had been re-built at 24 Brookside Road without following the proper permit process. The work took place within the 100-foot Buffer Zone to Bordering Vegetated Wetlands and the owner is here to discuss whether after-the-fact permitting would be necessary. M. Varrell stated that previous work on a septic system on the property had gone through the permit process and the Plan submitted showed the wetland location. M. Collins explained that in the winter of 2010, a gutter had collapsed due to ice and damaged an existing deck. In the spring of 2011, they re-built the deck in approximately the same location with a change in the location of the stairs, without a permit.

The deck is located approximately 75-feet from the wetland boundary. The Commission determined that an after-the-fact Request for Determination of Applicability filing would be necessary.

280 NEHOIDEN STREET

M. Varrell noted that he had driven by 280 Nehoiden Street and the fence is still in the wetland. They have been issued an Enforcement Order and a fine. The Commission discussed issuing additional fines. The fence is located on Conservation Commission property. J. Carter Bernardo suggested asking the Town DPW to go remove the fence. The Commission asked M. Varrell to contact Town Counsel to discuss legal means to enforce the Enforcement Order and payment of the fine. The fence will remain in

place until M. Varrell has a discussion with Town Counsel. P. Alpert stated a concern over requiring people to remove items from property they don't own.

HEARINGS

NOTICE OF INTENT (DEP FILE #234-725) - LANTERN LANE HEADWALL REPLACEMENT

P. Alpert opened the public hearing at 7:55 p.m. M. Varrell stated the hearing needs to be continued due to issues with the Legal Ad.

Motion to continue the public hearing to February 12, 2015 @ 7:45 p.m., due to issues with the Legal Ad., for the Lantern Lane Headwall Replacement Project (DEP FILE #234-725), by J. Carter Bernardo, seconded by C. Rhoades, approved 6-0-0.

NOTICE OF INTENT (DEP FILE #234-724) - EDGEWATER LANE CULVERT IMPROVEMENTS

P. Alpert opened the public hearing at 8:05 p.m. M. Varrell stated the hearing needs to be continued due to issues with the Legal Ad.

Motion to continue the public hearing to February 12, 2015 @ 8:00 p.m., due to issues with the Legal Ad., for the Edgewater Lane Culvert Improvements (DEP FILE #234-724), by J. Carter Bernardo, seconded by C. Rhoades, approved 6-0-0.

OTHER BUSINESS

REQUEST FOR PARTIAL CERTIFICATE OF COMPLIANCE – 121 CHARLES RIVER STREET (DEP FILE #234-672)

M. Varrell reported that the Applicant has requested the Commission postpone their review of the Certificate of Compliance request to the February 12, 2015 Conservation Commission Meeting.

REQUEST FOR A PARTIAL CERTIFICATE OF COMPLIANCE – 50 ROBINWOOD AVENUE (DEP FILE #234-713)

The Contractor, John Bruno was present. He explained that the project was a tear down and new home construction. P. Alpert stated that he had read the Engineer's report and noted that a large portion of the construction was located outside the Buffer Zone. Some of the deviations noted in the report occurred in areas outside the Commission's jurisdiction. P. Alpert expressed concern with the reduction in size of the retaining walls from the approved plan. J. Bruno explained he had been able to lower the foundation due to the use of a gravity foundation drain down to the Town's drainage system. J. Carter Bernardo expressed her concerns with the use of foundation drains connecting to the town's drainage system and its effect on downgradient properties. The lowering of the foundation allowed for the reduction in the need for retaining walls. M. Varrell showed the Commission photos of the current condition of the swale to the rear of the property. J. Bruno claims nothing grows in that area and suggested the addition of crushed stone. The Commission suggested installing mulch with the proper seed mix to keep the swale from eroding. J. Bruno will speak with Dr. John Rockwood regarding what to install for a seed mix. M. Varrell suggested Groundscapes has products that may be applicable. M. Varrell noted the monuments and plantings have been installed and one additional tree needs to be planted. A two-year plant monitoring

requirement Condition is in effect, therefore only a partial Certificate of Compliance can be issued at this time. Language regarding the swale will be added to the Partial Certificate of Compliance.

Motion to issue a partial Certificate of Compliance (including language regarding the swale) for 50 ROBINWOOD AVENUE (DEP File #234-713) by S. Soltzberg, seconded by C. Rhoades, approved 6-0-0.

FINAL CLARIFICATION ON SWAMP TRAIL – HANDRAILS

M. Varrell has spoken with the town's consultant and others and it seems probable that the size of the helical piers can be reduced and required testing can be eliminated in order to reduce the cost of the project. The only outstanding issue is whether to eliminate the handrails from the project. M. Varrell has spoken to CPC and the feedback was that CPC gave them the money and the Commission can build it as they see fit. P. Oehlkers agreed with M. Varrell's impression and added that the CPC does not want the cost of the handrails to hold up the project. M. Varrell stated that if our Structural Engineer does not approve of the smaller helical piers, they could require the bidders to specify the pier size and provide a stamped drawing prior to installation. J. Carter Bernardo will have a conversation with the Finance Committee to get their input on the necessity of handrails.

RIDGE HILL RESERVATION – 2015 PROJECT DISCUSSION (STUDENT CONSERVATION ASSOCIATION)

M. Varrell explained that he had spoken with Patricia Carey, Director of Parks & Recreation regarding the potential CPC funding for the Student Conservation Association project. She expressed that, compared to other entities requesting money from CPC for proposed projects, the money for this project is reasonable and the project has a strong chance of being funded. Funding was previously approved for the design of the Loop Trail in the appropriation for the Reservoir Trail project. That money designated for design only and cannot be used for construction. M. Varrell noted that part of SCA project would include design so some money from the Reservoir Trail fund may be available for that use, thereby possibly reducing the amount of money requested from CPC.

Motion to adjourn the meeting by J. Carter Bernardo, seconded by C. Rhoades, approved 6-0-0.

The meeting was adjourned at 9:15 pm.

NEXT PUBLIC HEARING

Thursday, February 12, 2015 at 7:30 PM in the Public Services Administration Building, Charles River Room.