

**TOWN OF NEEDHAM
CONSERVATION COMMISSION
MEETING MINUTES
Thursday, November 19, 2015**

LOCATION: Needham Public Library, Community Room

ATTENDING: Stephen Farr, Peter Oehlkers, Alison Richardson, Sharon Soltzberg, Matthew Varrell (Director of Conservation), Debbie Anderson (Conservation Specialist)

GUESTS: Michael Bellan, Karon Skinner Catrone, Kacey Dracon, Olga Geyyer, Victor Geyyer, Bob Hentschel, Christopher Jones, Phil Paradis, Louis Picariello, Marian Rambelle, Ardi Rrapi, David Tocci

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

MISCELLANEOUS BUSINESS:

Motion to approve the Meeting Minutes of October 22, 2015, as revised, by S. Soltzberg, seconded by Alison Richardson, approved 3-0-1 S. Farr abstained.

ENFORCEMENT & VIOLATION UPDATES

10-16 CHARLES STREET

M. Varrell stated that he had the pre-construction meeting the previous week and believes that work is underway presently and should be finished up shortly.

263 NEHOIDEN STREET

M. Varrell explained this was a new Enforcement issue and the property owners, Olga and Victor Geyyer, were present to discuss the matter. M. Varrell had received a phone call regarding work taking place in the Buffer Zone without a Permit. He visited the site and found a patio under construction. A Permit had been issued 3 to 4 years ago for the house construction, and the patio area is within the Buffer Zone. In addition, the lawn had been re-sodded. M. Varrell did not stop the work or request installation of erosion controls as the sod had been installed and the area is stable. The owners stated that the patio material consists of pervious pavers.

Mrs. Geyyer apologized to the Commission and stated they would reach out to the Commission prior to any work that may require permission or a Permit from the Commission. She explained that they had recently had family from outside the United States come to live with them and they had added the patio to provide additional gathering space for the family. They provided information regarding the unlock pervious pavers that had been installed.

The Commission discussed that the work was done within the 25-foot Buffer Zone but the area had previously been lawn. P. Oehlkers noted that the standards the homeowner's held for the work are the same the Commission would have required in a Permit. The Commission will require the submittal of an after-the-fact Request for Determination of Applicability for approval. M. Varrell offered to help the owners through the process. The Commission expects the filing to be submitted by the December 30th deadline.

HEARINGS

CENTRAL AVENUE/ELLIOT STREET BRIDGE – NOTICE OF INTENT (DEP FILE #234-7XX)

Applicant: Louis Taverna, P.E., Town of Newton

Project: Rehabilitation of the historic Central Avenue/Elliot Street bridge, which spans the Charles River between Needham and Newton. Work includes the rehabilitation of walls, foundations, sidewalks, and roadway surfaces to restore load capacity. The project includes the replacement and installation of stormwater structures in roadway approaches to the bridge.

Present for the Applicant: Christopher Jones and Phil Paradis of Beta Group and Marian Rambelle of CDW Consultants, Inc.

Supporting Documents include:

- ❑ WPA Form 3 – Notice of Intent and supporting documents, received November 6, 2015
- ❑ Needham Wetlands Protection Bylaw Application for Permit, received November 6, 2015
- ❑ Plans entitled (received November 6, 2015): “Town of Needham, Massachusetts City of Newton, Massachusetts Division of Public Works Central Avenue/Elliot Street Bridge Rehabilitation” (13 Sheets), prepared by BETA, stamped and signed by Christopher Jones, P.E. No. 41025, dated November 2015.
- ❑ Plans entitled (received November 6, 2015): “Town of Needham, Massachusetts City of Newton, Massachusetts Division of Public Works Central Avenue/Elliot Street Bridge Rehabilitation” (13 Sheets), prepared by BETA, stamped and signed by Christopher Jones, P.E. No. 41025, dated November 2015 (revised November 18, 2015).
- ❑ Specification for Concrete Grout Filled Fabric Bags (Item 983.12), 3 pages, received November 19, 2015.
- ❑ Product Data Sheet for Sikament-100 SC Anti-Washout Admixture, 2 pages, received November 19, 2015.
- ❑ Final Report *Minimizing the Impact on Water Quality of Placing Grout Underwater to Repair Bridge Scour Damage* by G. Michael Fitch, dated June 2003.
- ❑ Supplemental Notice of Intent information, dated November 16, 2015 (received November 19, 2015).
- ❑ **Plans entitled (received November 6, 2015): “Town of Needham, Massachusetts City of Newton, Massachusetts Division of Public Works Central Avenue/Elliot Street Bridge Rehabilitation” (13 Sheets), prepared by BETA, stamped and signed by Christopher Jones, P.E. No. 41025, dated November 2015 (revised November 30, 2015).**

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

C. Jones of Beta Group introduced the proposed project. The bridge is co-owned by the Town of Needham and the Town of Newton. The design is being done jointly, but Newton will handle the construction and is listed as the Applicant. The exact age of the bridge is unknown but records indicate repairs taking place in the 1840’s. During the years sidewalks were added and other revisions/repairs to the bridge have taken place. The bridge is a registered historic landmark.

The purpose of this project is to repair portions of the bridge. The arches have shifted significantly over the years and there are now large gaps between the stones. Several emergency repairs have taken place to repair areas where large stones have fallen. There are issues with the foundation of the arches in the stream that need work. When a sidewalk was installed in 1971, the crews built the sidewalk on top of the existing stone retaining wall and filled in the grade behind it to make up the difference. The added weight and pressure of the soil and sidewalk has led to a bulging out of the retaining wall on the Needham side of the bridge.

The goals of the bridge rehabilitation are to restore the load bearing limits of the bridge. Due to the current reduced load limits, neither Needham nor Newton use the bridge as an emergency access route. The project will arrest further movement of the stones within the bridge. Work needs to comply with

historic renovation restrictions. An anti-wash-out chemical is proposed for use when the grout bags are installed to repair the base of the piers.

P. Paradis of Beta Group discussed the drainage/stormwater upgrades. The majority of the work is located within the inner riparian area. A drop manhole is proposed to eliminate the perched stormwater outlet that currently exists, thereby lowering the chance of erosion within the river. Compost filter tubes are proposed for erosion controls. A floating silt fence and coffer dam will be implemented to protect the river during construction. As a Limited Project, not all performance standards will be met, but upgrades to the stormwater management system are proposed to improve water quality. P. Oehlkers commented on the extensive O & M Plan.

P. Oehlkers asked that a detail of the coffer dam be submitted prior to start of construction. M. Varrell asked what proposed tree removal and mitigation is proposed. C. Jones replied that there are four (4) large trees that will need to be removed due to replacement of the retaining wall. C. Jones reminded the Commission that the land is actually owned by the DCR so they will need to give okay the final planting plan but they plan to abide by the Needham Tree Replacement Policy and replace at a 2:1 ratio in the same general area from which the trees are removed. S. Farr asked about the support of the archway and maintenance of the stones. C. Jones replied that the arch saddle method will be used. S. Farr asked if any booms will be employed during construction. They replied that small areas of boom would be used where work is being undertaken. M. Varrell had previously attended a pre-application meeting with the applicant and met with Jennifer Steele from Newton Conservation. M. Varrell mentioned that Newton Conservation Commission will be having their meeting coming up and the Needham Conservation Commission Chair, Janet Carter Bernardo will attend Newton's Hearing and report back in an attempt to incorporate as much of the same information and conditions into both Orders of Conditions.

Motion to continue the Public Hearing for the Central Avenue/Elliot Street Bridge project (DEP File #234-7XX) for a DEP # and review of additional information to December 10, 2015 at 8:30 p.m. by S. Farr, seconded by S. Soltzberg, approved 4-0-0.

24 BROOKSIDE ROAD – REQUEST FOR DETERMINATION OF APPLICABILITY

Applicant: Michael Collins

Project: After the fact request for unpermitted replacement of a deck with the addition of a screen/sunroom over a portion of the deck. The work is located within the 100-foot Buffer Zone to Bordering Vegetated Wetlands and was completed in 2011.

Present for the Applicant: Michael Collins

P. Oehlkers opened the Public Hearing at 8:34 p.m.

M. Varrell explained this is an after-the-fact RDA for re-construction of a deck without a Permit. The Building Department informed M. Varrell about the violation. M. Collins had come before the Commission several months ago and the Commission required he submit this after-the-fact RDA. M. Collins explained that during a storm in 2011, falling ice from a broken gutter damaged the deck. The deck is in essentially the same position; however, it is slightly larger and configured differently. In addition, a screened sunroom was constructed over a portion of the new deck and includes downspouts from the roof.

Motion to close the Public Hearing for 24 Brookside Road by S. Soltzberg, seconded by A. Richardson, approved 4-0-0.

Motion to issue a Negative Determination of Applicability for 24 Brookside Road by S. Farr, seconded by S. Soltzberg, approved 4-0-0

409 WARREN STREET – REQUEST FOR AMENDED ORDER OF CONDITIONS (DEP FILE #234-670)

Applicant: Robert Boyd

Project: This amendment includes the construction of a retaining wall, installation of pervious pavers beneath the approved deck, reconfiguration of the deck stairs to include a landing and installation of additional mitigation plantings for the unpermitted removal of a 7-inch dbh tree.

Present for the Applicant: Ardi Rrapi, Cheney Engineering, Co., Inc.

Supporting Documents include:

- ❑ Request to Amend Order of Conditions, received November 12, 2015
- ❑ Plan entitled “Plan of Proposed House Locations, #415 Warren Street, Needham, Massachusetts”, prepared by Cheney Engineering Co., Inc., final revision date 10/8/15.

P. Oehlkers opened the public hearing at 8:38 p.m.

Ardi Rrapi explained that the new homeowner would like to install a retaining wall at the rear of the property approximately 52-feet from the Bordering Vegetated Wetlands. M. Varrell explained to A. Rrapi that the existing erosion control location must be maintained and if approved, the wall installed on the upland side of the barrier. A. Rrapi stated that several stakes had been placed to position the bounds for installation by the contractor. The new homeowner requests permission to install pervious pavers beneath the approved deck. The location of the deck stairs is proposed to be modified as shown on the plan. He added that the builder had already built the stairs in the proposed revised configuration. The final item is in regards to an unpermitted tree removal. A. Rrapi stated that the erosion controls were mistakenly installed on the wetland side of this tree and the tree was cut down. The Applicant is proposing to replace this one 7-inch tree with two 4-inch trees.

D. Anderson had visited the site and found the erosion control barrier in a state of disrepair. She asked A. Rrapi to have the contractor replace the barrier. He stated that they were unable to get an erosion control contractor out to the site for a few days so A. Rrapi asked them to dig a channel just upgradient of the erosion control barrier to keep any rainwater from creating a sediment issue. A. Richardson expressed concern that the proposed retaining wall did not meet code at the proposed height of less than 4-feet high; the code requirement is 30-inches high or less. P. Oehlkers explained that while the Commission is within their rights to fine the builder for the unpermitted removal of the tree, they would rather see additional plantings proposed. The Commission will require installation of two more trees to mitigate for the removal. M. Varrell will ask the Building Department about the height requirement for retaining walls. The Commission suggested serviceberry (*Amelanchier canadensis*) for plantings as it may do better in this area.

Motion to close the public hearing for 409 Warren Street (DEP FILE #234-670) by S. Farr, seconded by A. Richardson, approved 4-0-0.

Motion to issue the Amended Order of Conditions for 409 Warren Street (DEP FILE #234-670) by S. Farr, seconded by S. Soltzberg, approved 4-0-0.

OTHER BUSINESS

REQUEST FOR MINOR MODIFICATION – 36 ROBINWOOD AVENUE (DEP FILE #234-738)

Karon Skinner Catrone represented the owner, Kacey Dracon and the builder, David Tocci (who were also present). The requested modification involves increasing the pervious paver patio area at the rear of the house by 200 S.F. to be installed in an area approved to be lawn. The proposed additional work is within the current "limit of work". D. Anderson had performed a site visit and found no issues with the proposed modification.

Motion to approve the Minor Modification to the Plans for 36 Robinwood Avenue (DEP File #234-738) by S. Farr, seconded by A. Richardson, approved 4-0-0.

DPW REPAIR/MAINTENANCE ACTIVITY NOTIFICATION FORM – JENNIFER CIRCLE/FRANK STREET

M. Varrell described the proposed work as a sewer repair project to be approved via the Repair/Maintenance Activity Notification Form that was submitted under the existing DPW General Permit. M. Varrell had visited the site with DPW in May of 2015. The work is within Buffer Zone and meets the requirements for use of the Activity Notification Form. The project is up to 40-feet of 8-inch sewer pipe to be replaced. There is groundwater infiltrating the existing sewer pipe. Erosion controls are proposed and a dewatering detail provided. The Commission had no issues with the proposed work.

DISCUSSION: CPC FUNDING FOR FY2017:

M. Varrell stated that on December 1st any initial Forms requesting CPC Funds must be submitted. This begins the process of meetings and discussions prior to Town Meeting. M. Varrell gave the Commission a brief overview of what he was planning to submit for CPC Fund use approval including:

- Student Conservation Service (2 years) - \$25,000 (several possible projects such as Fuller Trail slope stairs; Farley Pond Bridge; and Rosemary Lake Trails).
- Conservation Trust Fund Replenishment - \$50,000 (currently \$76,350 over budget for helical piers at Fuller Trail – to be paid from the Conservation Trust Fund).

Last year the Commission got \$10,000 from CPC Funds for the Student Conservation Service to do the bridge at Ridge Hill. Everyone seemed pleased with the process and the results so M. Varrell would like to try and get additional funds for more projects as listed above. P. Oehlkers stated that compared to many other requests for CPC Funds, the Conservation Commissions' requests would be considered "modest".

Motion to adjourn the meeting by S. Farr, seconded by S. Soltzberg, approved 4-0-0.

The meeting was adjourned at 9:10 pm.

NEXT PUBLIC HEARING

Thursday, December 10, 2015 at 7:30 PM in the Public Services Administration Building, Charles River Room.