

**TOWN OF NEEDHAM
CONSERVATION COMMISSION
MEETING MINUTES
Thursday, August 11, 2016**

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

ATTENDING: Janet Carter Bernardo, Stephen Farr, Peter Oehlkers, Cory Rhoades, Alison Richardson, Sharon Solzberg, Debbie Anderson (Conservation Specialist), Matthew Varrell (Director of Conservation)

GUESTS: Kelly Carr, Craig Ellis, Joe Freeman, Susan Gugelin, Joyce Hastings, Marc Hershman, Dale Hobbs, John Lemonopoulos, Brandon Li, Mair Lustig, Richard Lustig, Mike Retsky, John Rockwood, Diane Simonelli, Fred Torossian, David Zuckerman

J. Carter Bernardo opened the public meeting at 7:30 pm.

MISCELLANEOUS BUSINESS:

ENFORCEMENT & VIOLATION UPDATES:

None

HEARINGS

500 DEDHAM AVENUE – NOTICE OF INTENT (DEP FILE #234-761)

J. Carter Bernardo opened the public hearing at 7:45 pm.

Present for the Applicant was Kelly Carr and Joe Freeman of BETA Group.

K. Carr stated that the project is the Needham Accessible Reservoir Trail (NART). The reservoir is approximately 12 acres in size and is surrounded, for the most part, by Bordering Vegetated Wetlands. Portions of the site are located in the 200-foot Riverfront Area and Land Under Water Bodies and Waterways will be affected by the supports for a proposed bridge over the spillway.

Part of the project is to decommission two existing wells located adjacent to the reservoir. There is an existing worn trail and access to the wells for maintenance. The existing trail breaks at the spillway. K. Carr described other proposed improvements and additional features for the visually impaired. Two small fishing piers are proposed to get the public close to the water. Habitat enhancements such as bird houses and educational signage are proposed.

The proposed trail will be extended from the existing 4-foot wide to 6-foot wide to allow wheelchairs to pass each other. Approximately 1,770 linear feet of crushed schist is proposed for most of the trail base. There will be 570 linear feet of boardwalk constructed on helical piles over the wet areas. Four additional parking spaces are proposed to service the public use of the trail. An additional two spaces are being permitted for future use. Proposed tree removal and replacement was discussed.

A pan foot system is proposed for certain drier portions of land the boardwalk will cross. There was a discussion of how the pan foot system works and its benefits. Wetland replication will take place in the areas where the wells will be decommissioned.

Joe Freeman of BETA Group discussed the calculations of areas of impact in the Commission's jurisdiction such as Bordering Vegetated Wetlands, temporary impacts for grading, the replication areas and restoration areas. The Commission had questions regarding how some of the impact numbers were calculated. A waiver for work in the 25-foot Buffer Zone was requested. Minimal new impervious area is proposed with the parking space additions. The existing stormwater system can handle the additional

runoff. J. Carter Bernardo would like the swale adjacent to the PSAB planted as part of the project. The excavated material will be stored as far from the resources as possible. The process of well decommissioning was discussed.

Richard Lustig of 34 Alder Brook Lane asked if there would be any opportunities to provide donations to the project for a bench. M. Varrell replied there would be opportunities once they were further along with funding the project for donations.

Motion to continue the public hearing for 500 Dedham Avenue (DEP File #234-761), for submission of filing to Planning Board, to August 25, 2016 at 8:00 p.m. by S. Farr, seconded by S. Soltzberg, approved 6-0-0.

479 DEDHAM AVENUE – NOTICE OF INTENT (DEP FILE #234-762)

J. Carter Bernardo opened the public hearing at 8:22 p.m.

John Rockwood of EcoTec, Inc. and Brandon Li of Kelly Engineering, Inc. and the property owner, Dale Hobbs were present.

J. Rockwood described the property as improved with a 4,000 square foot single-family home, a large paved looped driveway and a large expanse of lawn. Existing resource areas include Alder Brook flowing across the site, as well as, a tributary to Alder Brook and their associated 200-foot Riverfront Areas. There are Bordering Vegetated Wetlands associated with Alder Brook. There is 100-year Floodplain associated with Alder Brook. The existing culverts allow fish to move through but need to be cleaned out.

The project is an ANR Plan that would divide the lot into two lots and allow for the re-construction of the existing house in approximately the same footprint as existing and the construction of another house. A large portion of the existing driveway will be removed and the remaining re-paved. An additional driveway would be constructed to access the second house. Impacts to the resource areas were discussed. The Applicant is proposing removal of 4,000 square feet of forested Buffer Zone for the new house construction and mitigate with 4,000 square feet of mitigation plantings including 82 shrubs and 20 saplings. Ten trees are proposed for removal.

The Applicant is requesting Waivers for work in the 25-foot Buffer Zone and 50-foot Buffer Zone, as well as, a waiver of the Waiver Fee. J. Rockwood discussed the locations where the work would require a Waiver. The open body of water was evaluated for vernal pool potential but was recorded as having an adult fish population. Four infiltration drywells are proposed for each house. As part of the mitigation plan, glossy buckthorn will be removed. A small patch of Japanese Knotweed will be removed, as well as, oriental bittersweet on overhead wires. The debris within the stream will be removed.

A. Richardson was concerned that lawn reaches all the way down to the Bank of the Pond. The owner stated that they have never used fertilizer on the lawn. M. Varrell has a Special Condition regarding monumentation drafted in the OOC.

Motion to continue the public hearing for 479 Dedham Avenue (DEP File #234-762), for submission of filing to Planning Board, to August 25, 2016 at 8:15 p.m. by S. Farr, seconded by S. Soltzberg, approved 6-0-0.

1079 SOUTH STREET – REQUEST FOR DETERMINATION OF APPLICABILITY

J. Carter Bernardo opened the public meeting at 8:45 p.m.

D. Simonelli of Field Resources, Inc. represented the Applicant. The main project is construction of a single family home, which did not require Conservation Commission approval as it is outside of jurisdiction. Associated with the house construction, the Applicant is proposing to extend the existing

sewer line within South Street. This work is within the 100-foot Buffer Zone to Bordering Vegetated Wetlands. A silt sock erosion control is proposed.

J. Carter Bernardo asked how deep the trench will be and how it will be dug and where the soil will be stockpiled during the digging. The Applicant described that all materials will be returned to the excavation at the end of each day. M. Varrell found the wetland boundary to be conservative.

Motion to close the public hearing for 1079 South Street by S. Farr, seconded by C. Rhoades, approved 6-0-0.

Motion to issue a Negative Determination of Applicability for 1079 South Street by S. Farr, seconded by C. Rhoades, approved 6-0-0.

0 ROSEMARY STREET – REQUEST FOR DETERMINATION OF APPLICABILITY

J. Carter Bernardo opened the public hearing at 8:48 p.m.

Joe Freeman and Craig Ellis of BETA Group represented the Applicant, the Town of Needham. The proposed project includes a sediment sampling program at Rosemary Lake in anticipation of the future dredging project. As part of the dredging design, the lake sediment must be sampled and analyzed. A small boat will be used to access the lake and a pipe within a pipe is used to gain samples from the sediment. The samples will then be sent for testing at a lab. They will put buoys in locations where they sample so survey can be done to locate the sample sites. DEP has a copy of the sediment plan to approve. The overall dredging project will require an EIR filing, as well as, other permitting.

Motion to close the public hearing for 0 Rosemary Street by S. Farr, seconded by S. Soltzberg, approved 6-0-0.

Motion to issue a Negative Determination of Applicability for 0 Rosemary Street by S. Farr, seconded by S. Soltzberg, approved 6-0-0.

1554 CENTRAL AVENUE – REQUEST FOR DETERMINATION OF APPLICABILITY

J. Carter Bernardo opened the public hearing at 8:56 p.m.

Joyce Hastings of GLM Engineering, Inc. represented the Applicant. J. Hastings stated the proposed project was for replacement of a failed septic system within existing lawn. The proposed work is within the 100-foot Buffer Zone to Bordering Vegetated Wetlands. Erosion controls are proposed. There will be slight grade changes.

Motion to close the public hearing for 1554 Central Avenue by S. Farr, seconded by C. Rhoades, approved 6-0-0.

Motion to issue a Negative Determination of Applicability for 1554 Central Avenue by S. Farr, seconded by C. Rhoades, approved 6-0-0.

43 GLOVER ROAD – *continued* REQUEST FOR DETERMINATION OF APPLICABILITY

J. Carter Bernardo opened the public hearing at 9:03 p.m.

The Applicant, David Zuckerman, was present.

J. Carter Bernardo stated that the hearing has been continued for the submission of a revised plan showing the proposed erosion controls and FEMA Floodplain line. The plan has been submitted and no work is proposed in the 100-year Flood Zone and the erosion control was added.

Motion to close the public hearing for 43 Glover Road by S. Farr, seconded by C. Rhoades, approved 6-0-0.

Motion to issue a Negative Determination of Applicability for 43 Glover Road by S. Farr, seconded by C. Rhoades, approved 6-0-0.

OTHER BUSINESS

REQUEST FOR CERTIFICATE OF COMPLIANCE – LOT 50 (#51) WOODWORTH ROAD (DEP FILE #234-159)

D. Anderson explained that the final requirements to obtain a Certificate of Compliance for the project required the submittal and approval of a Deed Restriction and recordable plan. The Restriction was submitted and reviewed by C. Rhoades and Town Counsel. A few edits were made. Once the Commission approves the Deed Restriction and issues the Certificate of Compliance, staff will hold the COC until proof the Restriction and Plan were recorded is submitted.

Motion to issue the Certificate of Compliance (to be held until proof of Restriction recording is submitted) for Lot 50 (#51) Woodworth Road (DEP File #234-159) by S. Soltzberg, seconded by S. Farr, approved 6-0-0.

REQUEST FOR CERTIFICATE OF COMPLIANCE – 371 WEST STREET (DEP FILE #234-552)

D. Anderson stated this was a single-family house project. The Surveyor certified that there were no deviations from the proposed plan. At the site visit, D. Anderson noted that the air conditioner condensers are on the as-built plan although not proposed and the deck is configured differently than proposed and not shown accurately on the as-built plan.

Motion to issue a Certificate of Compliance for 371 West Street (DEP File #234-552) by S. Farr, seconded by C. Rhoades, approved 6-0-0.

REQUEST FOR CERTIFICATE OF COMPLIANCE – 449 CENTRAL AVENUE (DEP FILE #234-581)

Joyce Hastings of GLM Engineering, Inc. presented the request. She stated that the original Order of Conditions to construct the dwelling had several minor modifications including a pool construction and kitchen addition. The low point in the driveway had a drywell added to the area to keep the garage entrance from freezing. The individual plantings that were required for mitigation and some supplemental shrub plantings are no longer identifiable due to the heavy growth. Seven monuments were set along the edge of disturbance, as required. The remaining silt fence will be removed. The new Conservation emblems will be obtained by the homeowner to affix to the monuments.

Motion to issue a Certificate of Compliance for 449 Central Avenue (DEP File #234-581) by S. Farr, seconded by C. Rhoades, approved 6-0-0.

REQUEST FOR CERTIFICATE OF COMPLIANCE – 98 SUTTON ROAD (DEP FILE #234-105)

D. Anderson reminded the Commission that the owner of the property had recently installed a shed in the Commission's jurisdiction without a Permit and filed an after-the-fact Request for Determination of Applicability. During the process, it was discovered that the owner's father had received a Permit many years prior to put an addition on the same house but never requested a Certificate of Compliance. The Order of Conditions was never recorded at the Registry. The owner has recorded the Permit and will

record the COC once issued. The Commission agreed to allow issuance of the Certificate despite the fact that the Applicant did not submit a stamped as-built plan, as required.

Motion to issue the Certificate of Compliance for 98 Sutton Road (DEP File #234-105) by S. Farr, seconded by C. Rhoades, approved 6-0-0.

STUDENT CONSERVATION ASSOCIATION (SCA) PROJECTS UPDATE

M. Varrell updated the Commission on the SCA projects. The two main projects were re-doing the bridge on the Farley Pond Trail and extension of the Fuller Trail boardwalk. The Farley Pond Trail footbridge was substantially completed, however; one side of the bridge has stairs and the other side has a ramp. M. Varrell would prefer a ramp at both ends for cross country skiers. The Fuller Trail boardwalk expansion generally went well. J. Carter Bernardo wants to plan a grand opening of the Fuller Trail.

Motion to adjourn the meeting by S. Soltzberg, seconded by A. Richardson, approved 6-0-0.

The meeting was adjourned at 9:20 pm.

NEXT PUBLIC MEETING

Thursday, August 25, 2016 at 7:30 PM in the Public Services Administration Building, Charles River Room.