

**TOWN OF NEEDHAM
CONSERVATION COMMISSION
MEETING MINUTES
Thursday, December 4, 2008**

LOCATION: Needham Public Library Community Room

ATTENDING: Lisa Standley (left meeting at 8:20 p.m.), Carl Shapiro, Janet Bernardo, Sharon Soltzberg, Marsha Salett, Paul Alpert, Dawn Stolfi Stalenhoeft, Kristen Phelps (Agent), Amy Holland, (Office Administrator)

GUESTS: Julia Sterns, Mary Trudeau, Tim Bobola, Diane Simonelli, Larry Cash, Susan McArthur, Sue Sprague, Craig Wood, Jim Capaldi, Marc Caufield, Carol Theissen, Melinda Harrison

L. Standley opened the meeting at 7:30 p.m.

PUBLIC HEARINGS

ROUTE 128 ADD-A-LANE (DEP File # 234-548) – ANRAD

L. Standley recused herself from the public hearing on this matter. C. Shapiro opened the continued public hearing at 7:45 p.m. Julia Stearns reported on the peer review performed by Steve Ivas, noting that she had accompanied him in the field during the three days that it took to complete the field review. S. Ivas had provided both the Commission and the applicant with a report of his findings which included changes to eight of the wetland resource areas. J. Stearns reviewed each of the areas that were modified and stated that all of the changes noted in the report were incorporated into the revised plans. **Motion to close the public hearing for DEP File # 234-548 by Marsha Salett, seconded by Sharon Soltzberg, approved 6-0-0. Motion to issue an Order of Resource Area Delineation confirming the delineation as shown on the revised plans by Marsha Salett, seconded by Sharon Soltzberg, approved 6-0-0.**

5 WOODS END (DEP File #234-546) – NOTICE OF INTENT

L. Standley opened the continued public hearing at 7:58 p.m. Paul Truax of GLM Engineering was present on behalf of the applicant. He reviewed the changes that had been made to the plan at the request of the Commission including (1) a revised planting schedule showing 15 partridgeberry (rather than 9 bearberry) and a total of 9 sweet fern (up from 6) to be planted on 2.5 to 3-foot centers; (2) a revised erosion control line which is contained within the limits of the property, and (3) a 4' wide stone filter trench at the end of the driveway extension. P. Truax added that the shed which is currently on Town-owned Conservation land will be relocated. L. Standley stated that an extensive lawn area had been created on conservation land (1999 aerial photos show that this area was forested at that time), and she recommended that the Commission include a condition requiring that this area be restored and that permanent markers be installed along the property line. P. Alpert noted that the property is part of a condominium complex and asked whether the applicants could be tasked with the restoration or if that responsibility would fall to the Condo Association. P. Truax stated that the applicants were willing to undertake the restoration. J. Bernardo requested that the Order of Conditions contain a specification for the

depth and length of the infiltration trench. **Motion to close the public hearing for DEP File # 234-546 by Marsha Salett, seconded by Paul Alpert, approved 7-0-0.**

342 CARTWRIGHT ROAD (DEP File #234-549) – NOTICE OF INTENT

L. Standley opened the public hearing at 8:08 p.m. The DEP File # had not been assigned as of the date of the hearing. Mary Trudeau and Diane Simonelli were present on behalf of the applicant. M. Trudeau reviewed existing conditions, noting that the approximately 1.5 acre lot was largely maintained as a mowed lawn area. A bordering vegetated wetland exists in the southwest corner of the lot adjacent to an intermittent stream which feeds Fuller Brook. A 50-foot restriction area along the westerly property line was required by the Planning Board during their hearing process, as was the requirement for a gravel driveway. M. Trudeau then reviewed the proposed project which involves constructing a single-family dwelling with four drywells (two of which fall within the buffer zone) and grading associated with the proposed sewage disposal system. No work is proposed within the 25-foot no-disturb area. M. Trudeau stated that the project would result in the alteration of 36% of the 100-foot buffer zone.

L. Standley commented that this is a large house located almost entirely in the buffer zone on a large lot. She inquired as to why the house was not placed further from the wetlands. M. Trudeau stated that there is an existing house at 342 Cartwright Road, and the owner wants as much space between the houses as possible. J. Bernardo pointed out several errors pertaining to the proposed drywells and the calculations used to size them. The applicant agreed to provide corrected calculations and soil logs to the Commission prior to the next hearing. P. Alpert requested that the applicant provide the Commission with a copy of the subdivision plan.

Carol Theissen, abutter at 333 Cartwright Road, expressed concerns about the distance of the leaching field to the stream. Melinda Harrison, abutter at 362 Cartwright Road, reiterated the concern about the impact of a new septic system on the stream. M. Trudeau responded that the leaching field is 100' from the wetlands, and 150' from the stream. J. Bernardo stated that the proposed system complies with setback requirements of Title V and added that the bottom of the leaching field must be a minimum of 4 feet above the seasonal high groundwater elevation. The applicant agreed to provide soil test pit data to verify that they have adequate vertical separation.

The Commission concurred that they were not comfortable with the proximity of the house to the wetland, and they agreed that they would like to conduct a site visit. M. Trudeau stated that the driveway and house corners had been staked in the field. **Motion to continue the public hearing for DEP File # 234-549 to December 18, 2008 at 8:15 p.m. by Marsha Salett, seconded by Sharon Soltzberg, approved 5-0-0.** The Commission scheduled a site visit for Sunday, December 7th at 9:00 a.m.

ROUTE 128 TRANSPORTATION IMPROVEMENT PROJECT (DEP File #234-5??) – NOTICE OF INTENT

L. Standley recused herself from the public hearing on this matter. C. Shapiro opened the public hearing at 8:31 p.m. and noted that MassHighway projects are exempt from local bylaws and from abutter notification requirements. Larry Cash, MassHighway project manager for the 128 Add-A-Lane project introduced the project team and stated that this Notice of Intent is for Bridge Contract IV. He added that the project is also exempt from the Rivers Act as the EIR was filed

prior to the effective date of that statute. Project Engineer Jim Capaldi, from Louis Berger Associates reviewed the proposed work, noting that a 12-foot travel lane and 10-foot shoulder would be added to the existing paved highway with most of the work extending into the median of Route 128. Wetland Scientist Craig Wood, also from Louis Berger Associates, reviewed the wetland resource areas within the project limits. He noted that resource area impacts were limited as most of the project would occur within previously disturbed areas. The largest area of impact is associated with the bridge replacement. Constructing the wider bridges will require removing the solid wall piers and replacing with a series of concrete columns. C. Wood noted that this change will increase the amount of flood storage. He added that coffer dams will be installed prior to work on the bridge abutments and the work area will be stabilized with riprap following construction. A total of 46 linear feet of bank will be altered during this process. Mark Caufield from Green International reviewed the proposed Stormwater Management design. He stated that runoff from the bridges currently flows to scuppers which discharge directly into the Charles River. The remainder of this stretch of Route 128 drains to 1950's era catchbasins with no protection at the outlets. Under proposed conditions, there will be a closed drainage system which will direct runoff from the bridges to the Needham side of the Charles River. Deep sump catchbasins with hoods will be installed and runoff will be directed to retention basins where possible. All new and existing outfalls will be protected with stone aprons in accordance with MassHighway standards. The two basins in Needham will provide 80% TSS removal for new pavement and 71% TSS removal for the entire paved layout of Route 128. J. Bernardo would like to look more closely at drainage calculations and will communicate directly with project engineers if with any additional drainage-related questions.

The Commission agreed that they would like to conduct a site visit to review the work areas near the bridges and the detention basin. **The Commission voted unanimously to hire a third party consultant to review the delineation of resource areas as shown in the Notice of Intent.** They further agreed to request (of the Town Manager) that the peer review be funded out of the Wetland Protection account. **Motion to continue the public hearing for the 128 Add-a-Lane Bridge IV Project to 7:45 p.m. on January 8, 2009 by Janet Bernardo, seconded by Sharon Soltzberg, approved 6-0-0.** The Commission scheduled a site visit for Sunday, December 14th at 9:30 a.m.

COMMISSION ACTIONS

HIGH ROCK HOMES

K. Phelps stated that she and other municipal employees had observed significant erosion and sedimentation problems at the High Rock Homes construction site. Similar problems had occurred over the past summer after which the contractors installed haybales and sediment fence to bring the site into compliance with their Stormwater Pollution Prevention Plan and the NPDES Construction General Permit. Those controls are no longer effective (some have decayed and others have been moved or tampered with), and no additional efforts to contain sediment on site have been undertaken. K. Phelps confirmed that photos and video of silt-laden runoff entering catchbasins and resource areas had been taken. L. Standley recommended that the Commission issue an Enforcement Order requiring the General Contractor to bring the site into compliance with their Stormwater Pollution Prevention Plan within one week. The Commission concurred and agreed to require the contractor to (1) stabilize all exposed soils; (2) sweep all streets where tracking was evident; (3) clean all impacted catchbasins; (4) install silt

sacks in all catchbasins in the vicinity of exposed lots; and (5) submit copies of the required maintenance logs to the Commission from this point forward. **Motion to issue the Enforcement Order as discussed and to issue fines for each of the individual lots involved by Sharon Soltzberg, seconded by Janet Bernardo, approved 6-0-0.**

NIKE SITE

L. Standley stated that the Town Manager was attempting to schedule a meeting to discuss the future use of the Nike Site to be attended by the Chairs of the Board of Selectmen, Conservation Commission, Park & Recreation Commission and School Committee. One of the proposed uses is a community farm, and the Needham Community Farm group has distributed a petition seeking support for this concept. The Commission agreed that due to the jurisdictional issues on the site, they would refrain from signing this petition.

Meeting was adjourned at 9:25 p.m.

Next Meeting: Thursday, December 18, 2008 at the Eliot School Media Center

Respectfully submitted,

Kristen Phelps