

**TOWN OF NEEDHAM
CONSERVATION COMMISSION
MEETING MINUTES
Thursday, May 22, 2008**

LOCATION: Needham Public Library, Community Room

ATTENDING: Carl Shapiro, Paul Alpert, Sharon Soltzberg, Marsha Salett, Dawn Stolfi Stalenhof, Kristen Phelps (Agent), Amy Holland (Administrator)

GUESTS: Mary Trudeau, Gerry M. & Elizabeth M. Goldman, Paul Roberts, Marta L. Costine, Sheila Howard, Dan Irwin

C. Shapiro opened the meeting at 7:34 p.m.

PUBLIC HEARINGS

26 MEADOWBROOK ROAD (DEP File #234-530); Notice of Intent

C. Shapiro opened the continued public hearing at 7:46 p.m. M. Trudeau was present on behalf of the applicants. She stated that new plans showing the information requested at the last hearing (planting plan and plant list) had been submitted last week, however a couple of minor changes had been made in response to recent comments from the pool contractor. She distributed an updated plan showing a revised pool location 2-3 feet closer to the resource area as well as a 2' high retaining wall at the eastern edge of the patio. M. Trudeau confirmed that the limit of work did not move as a result of these changes. C. Shapiro noted that the Commission generally requires that plans be submitted one week prior to their meeting. After discussing the proposed changes, the Commission agreed to accept the revised plans without the one-week notice. **Motion to close the hearing on DEP File # 234-530 by Sharon Soltzberg, seconded by Marsha Salett, approved 5-0-0.** The Commission reviewed the draft Order of Conditions. **Motion to issue the Order of Conditions (as modified) for DEP File # 234-530 by Marsha Salett, seconded by Sharon Soltzberg, approved 5-0-0.**

470 DEDHAM AVENUE; Request for Determination of Applicability

C. Shapiro opened the continued public hearing at 8:05 p.m. He explained to the abutters present that the DPW had submitted a revised plan showing the 100-foot buffer zone, the 200' Riverfront Area, and Bordering Land Subject to Flooding. **Motion to close the public hearing by Paul Alpert, seconded by Sharon Soltzberg, approved 5-0-0. Motion to issue a Positive Determination of Applicability confirming the resource area delineation by Sharon Soltzberg, seconded by, Marsha Salett, approved 5-0-0**

470 DEDHAM AVENUE; Request for Determination of Applicability

C. Shapiro opened the continued public hearing at 8:26 p.m. A new plan showing erosion controls along the edge of the field and the revised haybale line at the outlet had been submitted by DPW in response to comments made by the Commission at the last hearing. **Motion to close the public hearing by Marsha Salett, seconded by Paul Alpert, approved 5-0-0. Motion to issue a Negative Determination of Applicability for the proposed work at 470 Dedham Avenue by Dawn Stolfi Stalenhof, seconded by Paul Alpert, approved 5-0-0**

COMMISSION ACTIONS

SABRINA LAKE (DEP File #234-529); Order of Conditions

The Commission reviewed the draft Order of Conditions. **Motion to issue the Order of Conditions for DEP File # 234-529 by Marsha Salett, seconded by Sharon Soltzberg, approved 5-0-0.**

24 BROOKSIDE ROAD (DEP File #234-531); Order of Conditions

The Commission reviewed the draft Order of Conditions. **Motion to issue the Order of Conditions for DEP File # 234-531 by Marsha Salett, seconded by Sharon Soltzberg, approved 5-0-0.**

125-127 BOOTH STREET (DEP File #234-512); Request for Certificate of Compliance

K. Phelps stated that the site was stabilized and that the engineer's letter adequately addressed the modifications from the reference plan. **Motion to issue a Certificate of Compliance for DEP File # 234-512 by Sharon Soltzberg, seconded by Paul Alpert, approved 5-0-0.**

OTHER BUSINESS

17 CENTRAL AVENUE (DEP File #234-532) – Discussion

K. Phelps stated that the project proponent had submitted a Notice of Intent for work in the Riverfront Area at 17 Central Avenue, however the legal ad and the abutter notification had inadvertently been sent without including the address of the proposed project. K. Phelps spoke with the applicant and informed him that the Commission would be unable to open the public hearing due to this oversight. Abutter, Marta L. Costine asked whether they would receive notification of the new hearing date and inquired about work that was currently occurring on the site. K. Phelps stated that notification would be sent to abutters by certified mail. She added that the property owner had pulled a building permit to construct a garage well outside of the Commission's jurisdiction. She will check the site to ensure that no work or alteration is occurring with Riverfront Area.

RIDGE HILL – Ranger Agreement Discussion

The Commission reviewed the draft Ranger Agreement and Work Responsibilities. S. Soltzberg asked whether the proposed weekly time commitment was sufficient to maintain Ridge Hill. The Commission agreed to provide feedback on the draft document prior to the next meeting. K. Phelps will forward the revised document to the Personnel Director for consideration.

36 ROBINWOOD AVENUE (NGWP # 10, #11) – Discussion

C. Shapiro reviewed the filing history of the site, and informed the Commission that he recently met with both the property owners and the aggrieved abutter to discuss the ongoing issues. The owners feel as though they have complied with all of the requirements that the Commission has set forth, while the abutter feels as though the work that occurred continues to negatively impact his property. C. Shapiro suggested that the Commission might need to assess whether the existing remediation program is working, or if additional work is required. He added that the abutter indicated he is considering legal action against the property owner and the Town. M. Salett stated that assessment of the issues on this site is complicated by the fact that the Commission does not have a complete understanding of how the site looked or functioned prior to the initial site clearing. P. Alpert stated that before taking any additional action the Commission should understand their obligations as they relate to work that occurred and/or was permitted at this location. P. Alpert and D. Stolfi Stalenhoef agreed to review the file history and to report their findings back to the Commission.

FY09 MEETING SCHEDULE – Discussion

The Commission agreed to review the proposed FY09 meeting schedule and to inform the office of their availability on the proposed dates. Meeting Schedule will be finalized and posted by June 6, 2008.

Meeting was adjourned at 9:10 p.m.

Next Meeting: Thursday, June 12, 2008 at the Library Community Room

Respectfully submitted,

Kristen Phelps