

**TOWN OF NEEDHAM
CONSERVATION COMMISSION
MEETING MINUTES
Thursday, May 9, 2013**

LOCATION: Public Services Administration Building, Charles River Room

ATTENDING: Paul Alpert, Janet Carter Bernardo, Stephen Farr, Marsha Salett, Sharon Soltzberg, Dawn Stolfi Stalenhoef, Patricia Barry (Agent), Debbie Anderson (Assistant)

GUESTS: Mikhail Deychman, Hank Haff, Peter Oehlkers, Vlad Vilkomir

P. Alpert opened the public meeting at 7:40 p.m.

MINUTES

Motion to approve the minutes of April 25, 2013, as amended, by J. Carter Bernardo, seconded by S. Soltzberg, approved 6-0-0.

MULLEN RULE CERTIFICATIONS

P. Barry accepted written certification from S. Farr that he missed no more than one single session of the hearings pertaining to 0 Highland Avenue (DCR Charles River Reservation (DEP File #234-663), 130 Winding River Road (DEP File #234-662) and 42-44 Birch Street (DEP File #234-664) Notice of Intent. Written certification from M. Salett was accepted by P. Barry stating that she missed no more than one single session of the hearing pertaining to 42-44 Birch Street (DEP File #234-664) Notice of Intent. The written certification identified that S. Farr and M. Salett examined all evidence received at the missed session including a transcript of the meeting in accordance with MGL Chapter 39, Section 23 D Adjudicatory Hearings.

ENFORCEMENTS

78 FREMONT STREET – RATIFY REVISED ENFORCEMENT ORDER

The Conservation Commission reviewed the draft revised Enforcement Order outlining the work to be completed as well as the deadline to complete it by May 30, 2013. **Motion to ratify the Revised Enforcement Order for 78 Fremont Street as drafted by J. Carter Bernardo, seconded by S. Farr, approved 6-0-0.**

1560 GREAT PLAIN AVENUE

P. Barry explained that the Welshs have hydroseeded but she does not believe they have installed the shrubs yet.

1584 GREAT PLAIN AVENUE

P. Barry reported that she had visited the site. The yard debris has been removed from the wetland by the garage owner, Bill Hurwitz. P. Barry gave B.Hurwitz an official “No Dumping” sign to post.

21 ARMEN WAY (formerly 198-200 Nehoiden Street)

P. Barry reported that sodding was installed to stabilize the site. She explained that an approximately 40-foot by 20-foot section of the disturbed area within the 200-foot Riverfront Area is located on Needham Parks & Recreation owned land. Former Police Chief Leary is mediating between all the parties involved

to determine the best course of action to resolve the situation. Silt socks are in place as erosion controls where the sod was not installed on town owned land.

HEARINGS

500 DEDHAM AVENUE (PUBLIC SERVICES ADMINISTRATION BUILDING) (DEP FILE #234-547) – REQUEST TO AMEND ORDER OF CONDITIONS

Hank Haff of the Needham Public Facilities Department presented the proposed Amendment to the 500 Dedham Avenue (PSAB) Order of Conditions (OOC). H. Haff explained that the Needham DPW is requesting an Amendment to the Order of Conditions of the post construction requirements noted in Special Conditions 44 and 45 of the OOC so that they are consistent with the Town's NPDES agreements. The proposed revision to Special Condition 44 identifies that the Stormwater Management System must be inspected and maintained in accordance with the Town of Needham's current NPDES agreement. Special Condition 45 suggests paved surfaces should be swept 4 times a year when in reality the current sweeping schedule is 2 times a year, in the spring and fall, with one cosmetic sweep during the summer.

J. Carter Bernardo questioned whether the catch basin located between the buildings at the PSAB designed by the Town Engineer, was working adequately. She had noticed minor ponding after severe storms. She noted that it was designed to collect sediment but wondered whether the stones were ever cleaned to remove sediment. H. Haff responded that she should ask the Engineering Department that question. P. Alpert suggested that the Commission could request clarification of the cleaning of the stones and an update on how well the basin is working at the time the Town submits a Certificate of Compliance request. H. Haff explained that the storm catch basin monitoring is scheduled for 4 times a year per the vendor recommendations and was last conducted on April 16, 2013. P. Alpert noted that the proposed wording for Special Condition 45 asked that the "sweeping schedule" be done with the "current" NPDES agreement. P. Alpert suggested taking the word "current" out so that the Town is not limited. **Motion to close the public hearing for 500 Dedham Avenue (Public Services Administration Building) (DEP File #234-547) by J. C. Bernardo, seconded by S. Farr, approved 6-0-0. The public hearing was closed at 8:00pm. Motion to issue an Amended Order of Conditions for 500 Dedham Avenue (DEP File #234-547), with the word "current" removed, by J. C. Bernardo, seconded by M. Salett, approved 6-0-0.**

OTHER BUSINESS

71 STOCKDALE ROAD (DEP FILE #234-651) – MINOR MODIFICATION REQUEST

The builders, Vlad Vilkomir and Mikhail Deychman, presented the proposed minor modification. V. Vilkomir explained that they are requesting permission to change the configuration of the approved 10-foot buffer zone planting strip. The proposed plan shows the 9 shrubs and 3 trees in the mitigation planting strip clumped at the two ends with a 50-55 foot open space. He explained that the proposed fencing to demarcate the limit of work would really divide the yard and asked for the Commission's opinion on other possible markers. The Commission advised that iron pipes, boulders, granite posts and blocks have been used by other applicants. J. Carter Bernardo explained that granite markers could be used and they only needed to be a few inches off the ground to demarcate the area. The Commission requires that an updated plan be submitted detailing the revised proposed planting configuration as well as the proposed permanent markers. **Motion to accept the revised planting locations, contingent on submittal of a revised plan showing planting locations and proposed permanent markers, as a minor modification not requiring an Amendment to the Order of Conditions for 71 Stockdale Road (DEP File #234-651) by J. Carter Bernardo, seconded by M. Salett, approved 6-0-0.**

CARTWRIGHT ROAD ENTRANCE (RIDGE HILL RESERVATION) – GATE EXEMPTION LETTER REQUEST

P. Barry explained that the proposed gate to the cart path is located outside of the 100-foot buffer zone to bordering vegetated wetlands and an intermittent stream. She has two estimates from contractors for approximately \$5,000 but would like to get one more estimate. The Ridge Hill Reservation sign has been installed, as well as, the “No Hunting” sign. P. Barry estimated that the gate would need to be 16-feet long to close the gap and keep ATV’s from accessing the Reservation at that point. A copy of the key to the gate lock would need to be given to both the police and fire departments for their access if needed. M. Salett mentioned that \$5,000 seemed like an appropriate price for the gate. P. Barry noted that the gate would be galvanized black steel. She explained that the money would come out of the Conservation Trust Fund. The Commission will hold off voting on this request until P. Barry solicits a third estimate.

463 CHARLES RIVER STREET (RIDGE HILL RESERVATION) – STONEWALL MAINTENANCE EXEMPTION LETTER REQUEST

P. Barry informed the Commission that the wall at the 463 Charles River Street entrance is in need of mending as well as removal of poison ivy (*Toxicodendron radicans*) along the wall. Mending of the stone wall will consist of sealing any cracks, replacing the stones that have fallen and applying a concrete mortar mixture to set the stones in place. No excavation is necessary. The Commission discussed the area of the stone wall adjacent to the stream and determined it may be best to leave that area as is. P. Barry has a \$4,900 estimate for the work. P. Barry would like permission to remove the vegetation from on top of the wall out approximately one-foot. The work is not within the 25-foot no disturb zone. The Commission requested that P. Barry solicit another estimate for the stone work and will discuss it once that is received. **Motion to approve the removal of vegetation from the stone wall as an exempt minor activity at 463 Charles River Street (Ridge Hill Reservation) by S. Farr, seconded by J. Carter Bernardo, approved 6-0-0.**

CONSERVATION COMMISSION TRUST FUND (CHAPTER 40 §8C) – RIDGE HILL RESERVATION FUND USE APPROVAL

P. Barry explained that approximately \$70,000 in the Commission Trust Fund is to be used to repair the swamp trail. There is a total of \$150,000 in the Fund of which \$50,000 was given to the Commission by the Community Preservation Committee (CPC) to acquire open space. The Commission requested that P. Barry coordinate with the Community Preservation Committee for approval to use these funds for other qualifying projects under the new provisions of the Community Preservation Act.

0 HIGHLAND AVENUE (DCR CHARLES RIVER RESERVATION) (DEP FILE #234-663) – ISSUE ORDER OF CONDITIONS

The Commission reviewed the Draft Order of Conditions. Motion to issue the Order of Conditions, with revisions, for 0 Highland Avenue (DCR Charles River Reservation) (DEP File #234-663), by S. Soltzberg, seconded by S. Farr, approved 5-0-1. (M. Salett abstained)

130 WINDING RIVER ROAD (DEP FILE #234-662) – ISSUE ORDER OF CONDITIONS

The Commission reviewed the Draft Order of Conditions. Motion to issue the Order of Conditions, with revisions, for 130 Winding River Road (DEP File #234-662), by J. Carter Bernardo, seconded by S. Farr, approved 5-0-1. (M. Salett abstained)

42-44 BIRCH STREET (DEP FILE #234-664) – ISSUE ORDER OF CONDITIONS

The Commission reviewed the Draft Order of Conditions. Motion to issue the Order of Conditions, with revisions, for 42-44 Birch Street (DEP File #234-664), by J. Carter Bernardo, seconded by S. Soltzberg, approved 6-0-0.

RIDGE HILL RESERVATION SWAMP TRAIL SOIL BORING PROJECT UPDATE

P. Barry updated the Commission regarding the soil borings for the Swamp Trail Boardwalk at Ridge Hill Reservation. The boring company found suitable mineral material for approximately half the length of the project. At these locations the more cost efficient pin foundation can be used. The other portion of the project is located in an area consisting of sapric muck greater than 7 feet in depth and would require placement of the more costly helical foundation.

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

The meeting adjourned at 9:18 p.m.

NEXT PUBLIC HEARING

May 23, 2013 at 7:30 p.m. in the Public Services Administration Building, Charles River Room