

**TOWN OF NEEDHAM  
CONSERVATION COMMISSION  
MEETING MINUTES  
Thursday, January 28, 2016**

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

ATTENDING: Janet Carter Bernardo (7:50 pm arrival), Stephen Farr, Peter Oehlkers, Corey Rhoades, Alison Richardson, Sharon Soltzberg, Matthew Varrell (Director of Conservation), Debbie Anderson (Conservation Specialist)

GUESTS: Roy Cramer, Kristine Hung, Fred Keylor, David Miller, Rob Olsen, Peter Pallaerino, John Rockwood

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

**MISCELLANEOUS BUSINESS:**

Motion to approve the Meeting Minutes of January 14, 2016, as revised, by S. Farr, seconded by A. Richardson, approved 3-0-1 S. Soltzberg abstained.

**ENFORCEMENT & VIOLATION UPDATES**

**130 SOUTH STREET**

M. Varrell reported that the owner of 130 South Street has filed a Notice of Intent application, as previously required by the Commission.

**HEARINGS**

**1191 GREENDALE AVENUE – NOTICE OF INTENT (DEP FILE #234-749)**

Applicant/Owner: John Doherty, St. Sebastian's School, Inc.

Project: The proposed project consists of activities associated with the Athletic Center Renovation and repair and repaving of the South Parking Lot. Work within jurisdictional areas, consisting of the 200-foot Riverfront Area and the 100-foot Buffer Zone, includes construction of a temporary construction access road, and repair and repaving of an existing paved parking lot.

Present for the Applicant: John Rockwood, EcoTec, Inc., Attorney Roy Cramer, Fred Keylor, H.W. Moore, Rob Olsen and David Miller of Robert Olson & Associates.

Supporting Documents include:

- ❑ WPA Form 3 – Notice of Intent and supporting documents, received December 23, 2015
- ❑ Needham Wetlands Protection Bylaw Application for Permit, received December 23, 2015
- ❑ Plans entitled: “St. Sebastian’s School Athletic Center 1191 Greendale Avenue Needham, MA Permit Documents” (15 Sheets), prepared by Robert Olson + Associates, LLC, stamped and signed by James M. White, P.E. No. 32146, and Robert E. Olson, RA No. 5067, dated December 22, 2015.
- ❑ *Response to Conservation Commission Review of the Notice of Intent* Letter, from Robert Olson + Associates, dated January 20, 2016 (with revised plans and supporting documents).
- ❑ Response Letter from HW Moore Associates, Inc., dated January 28, 2016 (with revised plans and supporting documents).
- ❑ **Plans entitled: “St. Sebastian’s School Athletic Center 1191 Greendale Avenue Needham, MA Permit Documents” (15 Sheets), prepared by Robert Olson + Associates, LLC, stamped and**

**signed by James M. White, P.E. No. 32146 and Robert E. Olson, RA No. 5067, dated December 22, 2015 with update January 28, 2016. Plan set includes:**

- ◆ **Cover Sheet**
- ◆ **X-1 Existing Conditions (prepared by Feldman Professional Land Surveyors, unstamped)**
- ◆ **C-1 Site Utility Plan (prepared by HW Moore Associates, Inc.)**
- ◆ **C-2 Erosion Control Plan (prepared by HW Moore Associates, Inc.)**
- ◆ **C-3 Site Details Plan (prepared by HW Moore Associates, Inc.)**
- ◆ **C-4 Site Details Plan (prepared by HW Moore Associates, Inc.)**
- ◆ **AS0.1 Site Mobilization Plan (prepared by Robert Olson +Assoc.)**
- ◆ **AS0.2 Site Preparation Plan (prepared by Robert Olson +Assoc.)**
- ◆ **AS1.0 Site Layout Plan (prepared by Robert Olson +Assoc.)**
- ◆ **AS1.1 Site Materials Plan (prepared by Robert Olson +Assoc.)**
- ◆ **AS1.2 Site Grading Plan (prepared by Robert Olson +Assoc.)**
- ◆ **AS1.3 Planting Plan (prepared by Robert Olson +Assoc.)**
- ◆ **AS4.1 Site Details (prepared by Robert Olson +Assoc.)**
- ◆ **AS4.2 Site Details (prepared by Robert Olson +Assoc.)**
- ◆ **RF1 Existing and Proposed Riverfront Area Conditions (prepared by Robert Olson +Assoc.)**

J. Carter Bernardo opened the Public Hearing at 8:10 pm.

J. Carter Bernardo explained that she and M. Varrell had met during the past week and went over the project plans. As a result of this meeting, J. Carter Bernardo had asked the Applicant for some clarifications. The Applicant provided responses to their questions.

J. Rockwood of EcoTec, Inc. introduced the other Representatives present for the project including: Attorney Roy Cramer, Fred Keylor, H.W. Moore, Rob Olsen and David Miller of Robert Olson & Associates. As most of the questions were in regards to Engineering, J. Rockwood turned the presentation over to Fred Keylor of H. W. Moore. F. Keylor stated that most of the comments from the Commission at the first hearing pertained to the hockey rink parking lot drainage and how existing conditions could be improved. During their research, they found some discrepancies with the field work shown on the EX plan. All the plans have been revised based on the new information. F. Keylor highlighted the proposed improvements to the parking lot drainage including: proposed removal of the existing oil/water separator and replacement; the addition of silt sacks and revisions to the swale near the temporary construction access; and additional tree protection. In addition, as requested, a note was added to the plan regarding the swale design for the contractor.

A response letter was submitted by the Applicant regarding recent Commission comments. Specifically, the 25-foot and 50-foot Buffer Zones were added to the plans, the inconsistencies in the survey have been corrected, and the 1999 project at the school included some drainage improvement structures that had been misidentified but have been re-labeled properly. In addition, the Commission had asked if the existing catch basins in the parking lot have hoods, they do not. The Applicant proposes to install hoods and tees after cleaning in April. J. Carter Bernardo asked that they could install snouts as opposed to hoods. She proposed that they use a vacuum truck for cleanout. Fred Keylor stated there was no reason to make the proposed water quality unit off-line. Catch basin #15 was not included in the monitoring report as a car was parked on top of it at the time of the inspection; however, it will be inspected during the next round of maintenance.

Included in the supplemental information was a plan that identifies all the stormwater structures associated with the O & M Plan. J. Carter Bernardo asked about the infiltration system with the pipes and whether they were able to look at the system to ascertain whether it was functioning properly. F. Keylor stated that they had. M. Varrell noted that the Applicant plans to install a total of 20 (twenty) trees for the 6 (six) proposed for removal.

J. Carter Bernardo stated that the Commission does not typically close the Hearing and issue the Permit when they have not received new information by the deadline. However, in this case the Commission had been

reviewing the material over the past week and is comfortable closing the Hearing and issuing the Permit. M. Varrell stated that they had received a letter from the NHESP and they had no comments or issues with the application.

***Motion to close the public hearing for 1191 Greendale Avenue (DEP File #234-749) by S. Farr, seconded by C. Rhoades, approved 5-0-1 S. Soltzberg abstained.***

***Motion to issue the Order of Conditions for 1191 Greendale Avenue (DEP File #234-749), as revised, by S. Farr, seconded by C. Rhoades, approved 5-0-1 S. Soltzberg abstained.***

***Motion to approve the Waiver for work in the 25-foot Buffer Zone by S. Farr, seconded by C. Rhoades, approved 5-0-1 S. Soltzberg abstained.***

***Motion to deny the request for the Waiver of the Waiver Fee by S. Farr, seconded by C. Rhoades, approved 5-0-1 S. Soltzberg abstained.***

## **OTHER BUSINESS**

### **DISCUSSION ITEM – CONSERVATION RESTRICTION FOR 720 SOUTH STREET (DEP FILE #234-454)**

Attorney Kristine Hung represented the owner of 720 South Street, Paul H. Stenberg. Mr. Stenberg is in the process of selling the property to Peter Pallaerino. Mr. Stenberg and Mr. Pallaerino were both in attendance. K. Hung explained that during the title search, an Order of Conditions issued in 2007 and an associated partial Certificate of Commission was identified. The Order of Conditions includes a Special Condition requiring the recording of a Conservation Restriction for the property. At the time, a Restriction had been prepared and approved with the Town Departments and Selectmen; however, once it was sent to the State for Approval it was lost. In order to expedite the process, the owner is requesting the Commission approve a Conservation Easement to continue in perpetuity with the property. The Commission agreed. As a Notary Public is required to witness at least one of the Commission members sign the document, J. Carter Bernardo will sign it in the Conservation office the following day when a Notary is available.

***Motion to accept the Conservation Easement submitted by the Paul H. Stenberg for 720 South Street by S. Farr, seconded by C. Rhoades, approved 6-0-0.***

### **DISCUSSION ITEM – DRAFT REVISIONS TO GUIDELINES FOR TREE REMOVAL PROJECTS**

M. Varrell explained that he has prepared draft revisions to the Commission's ***Guidelines for Tree Removal Projects*** for review and comment. These revisions are based on the trend within the Commission to allow Applicants more flexibility to propose high wildlife value shrub plantings when replacement tree plantings are not feasible. The revised Guidelines also include language to allow an "in lieu fee" in certain situations where tree planting is not feasible. Funds generated by such a fee could be used for tree planting elsewhere in Town. M. Varrell reported that Alex Clee, Assistant Town Planner, had approached him regarding a potential meeting to discuss a proposed Town Tree Bylaw. An informal meeting may be taking place in the next few weeks with several applicable Town Departments represented. M. Varrell plans to attend and suggested the Commission may not want to make any final decisions regarding revisions to the Commission's ***Guidelines for Tree Removal Projects*** until M. Varrell gathers more information including the anticipated timeline for implementation of the Town's Tree Bylaw. P. Oehlkers suggested they table further discussion until after M. Varrell attends the meeting and reports back to the Commission.

A. Richardson went through the approved Planting List of native plant species that are suggested for Applicants to choose from. She suggested the removal of several species that have not been doing well due to pests and disease and added some species not on the current list. The list is broken down by preferred habitats of the

different species from wet to dry. A. Richardson broke the list down further by placing the species into generic anticipated full grown plant sizes, such as tall shrubs etc. to give the public more information to make their planting choices fit the location. M. Varrell noted that in his experience, a couple of species may do better in drier areas than suggested. The revisions will be incorporated into the final revised Guidelines.

#### **DISCUSSION ITEM – COMMUNITY PRESERVATION ACT FUNDING REQUESTS**

P. Oehlkers explained that there were two Conservation items up for discussion at the CPC Meeting. One item was a request by the Conservation Commission for \$50,000 to replenish the Commission Trust Fund. The other request was for \$25,000 to fund two years of projects by the Student Conservation Association on Conservation land including Farley Pond. M. Varrell said that he had attended a CPC meeting on January 27<sup>th</sup> and that both requests appear to have been received favorably by the CPC members.

*Motion to adjourn the meeting by S. Farr, seconded by S. Soltzberg, approved 6-0-0.*

*The meeting was adjourned at 8:42 pm.*

#### **NEXT PUBLIC HEARING**

*Thursday, February 11, 2016 at 7:30 PM in the Public Services Administration Building, Charles River Room.*