

**TOWN OF NEEDHAM
CONSERVATION COMMISSION
MEETING MINUTES
Thursday, February 26, 2009**

LOCATION: Needham Public Library, Community Room

ATTENDING: Carl Shapiro, Marsha Salett, Paul Alpert, Sharon Soltzberg, Janet Bernardo, Dawn Stolfi Stalenhoef, Kristen Phelps (Agent)

GUESTS: Dave Dilanian, Robin Wyman

C. Shapiro opened the meeting at 7:35 p.m.

COMMISSION ACTIONS

LOT 1 OFF CAROL ROAD (DEP File # 234-551) – Issue Order of Conditions

The Commission reviewed the draft Order of Conditions. The Commission agreed that they would like an additional condition noting that the trees identified on the reference plan were not to be removed. The Commission voted unanimously to deny the request to waive the \$1000.00 for work within the naturally vegetated 50-foot buffer zone. **Motion to issue the Order of Conditions for DEP File #234-551 (as modified) by Paul Alpert, seconded by Janet Bernardo, approved 6-0-0.**

LOT 2 OFF BREWSTER DRIVE (DEP File # 234-550) – Issue Order of Conditions

The Commission reviewed the draft Order of Conditions. The Commission would like the same condition pertaining to tree removal included in this Order. **Motion to issue the Order of Conditions for DEP File #234-550 (as modified) by Sharon Soltzberg, seconded by Paul Alpert, approved 6-0-0.**

1336 GREAT PLAIN AVENUE (DEP File # 234-539) – Review of Landscape Plan & Request for Minor Modification

Property owner David Dilanian was accompanied by his landscape designer, Robin Wyman. Sharon Soltzberg and Marsha Salett stated that several of the proposed species on the planting plan were not native, noting that the proposed cultivars of native shrubs were acceptable. They provided the applicant with a markup of the proposed plant list indicating which plants would need to be changed out. D. Dilanian stated that he would submit a revised plant list for review. He then explained the proposed change to the reference plan which involves the addition of a patio to the west of the house. He noted that in order to properly compact the patio area, he would also need to move the erosion control line by approximately 10 feet. **Motion to approve the proposed change as a minor modification to DEP File # 234-539 by Janet Bernardo, seconded by Marsha Salett, approved 6-0-0.**

CHESTNUT STREET RECONSTRUCTION (DEP File # 234-537) – Review of Dewatering Plan & Discussion of Drainage Issues

The Commission reviewed and unanimously approved the proposed dewatering plan associated with the excavation for the sediment tank near the Dover town line. K. Phelps stated that she learned from the Engineering Department that at least one and possibly two of the sediment tanks proposed as part of the reconstruction project will not “fit” in the location(s) shown on the reference. The Commission agreed that they will need to see justification for excluding the sediment tanks along with a proposal for alternative measures to achieve water quality improvements.

WETLAND PROTECTION BYLAW – Discussion of Potential Bylaw Changes

The Commission reviewed the proposed changes to the Wetlands Protection Bylaw. The proposed changes include (1) correcting two typographic errors; (2) modifying the filing fee provisions to allow the Commission to reduce (not just waive) filing fees for governmental agencies and to expand the pool of applicants for whom bylaw filing fees may be reduced or waived; (3) changing abutter notification requirements to allow applicants to use “certificates of mailing” and to require that applicants obtain signatures from recipients when opting to hand deliver meeting notices; (4) reducing the time period during which the Commission must open a public hearing from 45 days to 21 days to be consistent with the State Wetlands Protection Act; and (5) modifying the fining provision to be consistent with MGL Chapter 40: Section 21D (noncriminal disposition of ordinance, by-law, rule or regulation violations).

Motion to approve the proposed changes to the Wetlands Protection Bylaw and submit as written as a warrant article for the Annual Town Meeting by Marsha Salett, seconded by Janet Bernardo, approved 6-0-0.

P. Alpert noted that a separate section of the Needham General Bylaws specifies who can issue fines and in what amount. K. Phelps will speak with Town Counsel about whether this section can be changed as part of the warrant article and whether discretionary fine amounts are permissible in this section.

OTHER BUSINESS

500 DEDHAM AVENUE / PSAB (DEP File # 234-547) – Review of SWPPP

The Commission did not have any comments on the Stormwater Pollution Prevention Plan submitted by Hamwey Engineering. K. Phelps was directed to periodically check the maintenance logs (required under the SWPPP) during the course of construction.

POTENTIAL EAGLE SCOUT PROJECT – Discussion

K. Phelps stated that an Eagle Scout candidate was interested in constructing and installing trail kiosks at Ridge Hill. Some of the materials would be provided by the Town through CPA funding approved last year. The Scout will make a presentation when his project is accepted by the Boy Scout Council but sought feedback from the Commission before he finalized his project concept. The Commission expressed their support for the proposed project.

Meeting was adjourned at 8:40 p.m.

Next Meeting: Thursday, March 12, 2009 at the Needham Public Library Community Room

Respectfully submitted,

Kristen Phelps