

TOWN OF NEEDHAM CONSERVATION COMMISSION MEETING MINUTES

Thursday, March 28, 2024

Under Governor Baker's Act "Extending Certain COVID-19 Measures Adopted During the State of Emergency", extending the "Executive Order Suspending Certain Provisions of the Open Meeting Law G.L. c. 30A, §20," issued June 16, 2021, and in effect until April 1, 2025, meeting of public bodies may be conducted virtually provided that adequate access is provided to the public.

LOCATION: Zoom Virtual Platform – the meeting was held virtually per Governor Baker's Emergency Order.

ATTENDING: Dave Herer (Chair), Sue Barber, Reade Everett, Fred Moder, Alison Richardson, Polina Safran, Bill Hebard, Deb Anderson (Director of Conservation), Clay Hutchinson (Conservation Specialist)

D. Herer opened the public meeting at 7:00 p.m.

MISCELLANEOUS BUSINESS –

1. Minutes

Motion to approve the meeting minutes of March 14, 2024; and April 8, 2021, as amended, by P. Safran, seconded by F. Moder, approved 7-0-0.

2. Enforcement Orders

None at this time.

HEARINGS/APPOINTMENT

0 & 731 SOUTH STREET (DEP FILE #234-920) – *continued* NOTICE OF INTENT

Motion to continue the hearing for 0 & 731 South Street (DEP File #234-920) to April 11, 2024, by S. Barber, seconded by P. Safran, approved 7-0-0.

49 GREEN STREET (DEP FILE #234-911) – *continued* NOTICE OF INTENT

Motion to continue the hearing for 49 Green Street (DEP File #234-911) to April 25, 2024, by S. Barber, seconded by P. Safran, approved 7-0-0.

OTHER BUSINESS:

GROVE STREET FLOODING – DISCUSSION

D. Herer explained that the owner of 302 Grove Street, Wellesley, has an issue with the ongoing construction at a nearby parcel, 320 Grove Street, and flooding.

D. Anderson explained that the homeowner in Wellesley was not notified of the original hearing on the 320 Grove Street item. This area historically floods, leading to the construction of 320 Grove Street. The homeowner at 302 Grove Street believes this is leading to flood on their property and would like to address this with the Commission.

Amy Wu, 302 Grove Street, stated that a retaining wall built on 320 Grove Street has pushed water onto their property. Construction on this property is impacting flooding on their property.

D. Herer explained that the Commission does not generally work to resolve disputes between property owners. If there is an issue with the Order of Conditions for this project, the Commission could discuss that item.

A. Wu noted that they did not receive notification regarding the Commission meeting on this hearing.

Brian Burke, representative for 302 Grove Street, stated that he was told by the Town of Wellesley that if any of the work was done on Wellesley property, the owner would have had to go through Wellesley to get permission. When the owner of 320 Grove Street did demolition on the property, they severed the utilities on Grove Street. This was a transgression, as the permit should have originated from the Wellesley Building Department for the site. The water level of the mitigation proposed for Wellesley is below the water table. Even if this is moved into Needham, it would still be below the water table. The owner cannot diffuse water from the roof or from the driveway and into the water table. The water will not go anywhere; it will just percolate. The owner also built a wall that exceeds the terms of the permit. This is a six-foot stone wall with no mediation which was built into the wetlands. The foundation there now acts as a dam creating water on two sides of 302 Grove Street's property. There should be a stop work order placed on the site.

D. Herer suggested a site visit to consider the claims. He agreed to meet the next day to discuss this.

Corbin Petro, 320 Grove Street, stated that communication was sent to the owners of 302 Grove Street and there is a receipt that this was received. She has been in communication for the past two years with the owners of 302 Grove Street. Permits were sought from Wellesley from the necessary items. There have been unprecedented levels of rain this year in the area. It was noted that the owners of 302 Grove Street do not live there most of the time and that they are often alerting the owners of 302 Grove Street regarding the flooding that occurs on their property. The proposal is to improve the area around the home as much as possible.

NEEDHAM DISC GOLF – DISCUSSION

Bob Baker, Needham Disc Golf President, explained that a pop-up course on Claxton Field in December 2023 attracted over 100 visitors. He noted that disc golf and wildlife coexist well together. The proposal for an 18-hole golf course would use less than 5% of Ridge Hill land. If a

9-hole course is decided on, the request is to make it in an area that could then be expanded someday. A feasibility study can be conducted this spring for \$1,200.

D. Herer stated that Ridge Hill has traditionally been an area for passive and not active recreation. Many areas there are considered wildlife habitats. He expressed concern with people leaving the trails to find discs that leave the course.

C. Hutchinson stated that many disc golf courses are set up in ways to have seasonable habitat and conservation restrictions. Many courses run through untouched area. There could be considerations if the course becomes very popular but there is flexibility in the design that could occur.

There was agreement to allow the feasibility study to move forward with input from Staff.

80 GARY ROAD (DEP FILE #234-922) – ISSUE ORDER OF CONDITIONS

The Commission reviewed the draft Order of Conditions.

Motion to issue an Order of Conditions for 80 Gary Road (DEP File #234-922) subject to finalization of language by Staff, by R. Everett, seconded by P. Safran, approved 7-0-0.

53 HEATHER LANE (DEP FILE #234-919) – ORDER OF CONDITIONS DISCUSSION

The Commission agreed to discuss this further at its next meeting.

S. Barber asked if the Commission could vote at a future meeting regarding meeting in-person versus virtually. Staff agreed to create an anonymous ballot to vote on this item.

ADJOURN:

Motion to adjourn the meeting, by P. Safran, seconded by R. Everett, approved 7-0-0.

The meeting was adjourned at 8:24 p.m.

NEXT PUBLIC MEETING:

April 11, 2024, at 7:00 p.m. location to be determined.

*Respectfully Submitted,
Kristan Patenaude*