

TOWN OF NEEDHAM CONSERVATION COMMISSION MEETING MINUTES

Thursday, May 13, 2021

Under Governor Baker's emergency "Order Suspending Certain Provisions of the Open Meeting Law G.L. c. 30A, S20," issued March 12, 2020 and in effect until termination of the emergency, 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: Peter Oehlkers (Vice Chair), Artie Crocker, Sue Barber, William Murphy, Allison Richardson, Deb Anderson (Director of Conservation), Clay Hutchinson (Conservation Specialist).

P. Oehlkers opened the public meeting at 7:00 p.m.

MISCELLANEOUS BUSINESS –

1. Minutes

None at this time.

2. Enforcement & Violation Updates

D. Anderson explained that she will visit 185 Brookside Road to get an update on the site and project.

HEARINGS/APPOINTMENTS

43 CORNELL ROAD (DEP FILE #234-8XX) – NOTICE OF INTENT

Nancy Lattanzio, landscape designer, explained that the rear of the property is within the buffer zone of a manmade drainage easement. The back area of the property is currently mostly lawn, with some planting areas. The proposal is to increase the plantings on the site, as the owner is an avid gardener. This will lead to converting approximately 930 s.f. of lawn to native plantings. Two hardscape items are proposed as well at a total of 465 s.f., which is offset by the additional planting beds. There is not much of a change anticipated to the drainage pattern on the site. There have been no incursions of water into the resource area at all over the years.

A. Richardson agreed with the proposed plant list.

B. Murphy asked if there will be irrigation in the new planting area. It was explained that this area will be dripped for the first year or two and then there will be no irrigation.

Sheila Corkhill, 22 Colgate Road, asked about a proposed retaining wall and if it will be visible from her property. It was noted that there will be a lot of vegetation in this area and the wall should not be visible.

Motion to continue the hearing for 43 Cornell Road (DEP File #234-8XX) to May 27, 2021, by A. Crocker, seconded by S. Barber, approved 5-0-0.

391 DEDHAM AVENUE (DEP FILE #234-862) – continued NOTICE OF INTENT

Diane Simonelli, Field Resources, explained that changes have been made to the plan and a wavier form, along with one from the fee has been submitted. No comments have yet been received from legal counsel.

There were no comments or questions from the Commission at this time. There was no public comment.

Motion to close the hearing for 391 Dedham Avenue (DEP File #234-862), by A. Crocker, seconded by S. Barber, approved 5-0-0.

50 LEHIGH ROAD (DEP FILE #234-864) – NOTICE OF INTENT

D. Simonelli reviewed the plan for the site. The existing house was built in 2016 and the owner is now looking to expand the lawn in the back outside of the 50' buffer to the bordering vegetated wetland which meanders around the site. The proposal looks to remove four trees, only three of which are more than 6" calipers, and snag/deadhead four other trees. A small portion of existing patio near a proposed pool leads to 5 s.f. of additional impervious surface on the site. An existing area of steps will be made into lawn steps. The infiltration system will be moved back beyond the pool area. A pervious paver patio will be installed on the site as well. Regarding the proposed pool area, the applicant would like to add a fence along most of the property. This would be within the 25' buffer and cross the wetlands.

D. Simonelli reviewed the proposed planting plan.

There was discussion regarding the proposed fence.

B. Murphy asked about proposed irrigation for the new planting areas. There could be an issue with additional watering within the wetland area. D. Simonelli stated that she would look into this.

There was no public comment at this time.

Motion to continue the hearing for 50 Lehigh Road (DEP File #234-864) to May 27, 2021, by A. Crocker, seconded by S. Barber, approved 5-0-0.

80 COUNTRY WAY (DEP FILE #234-8XX) – NOTICE OF INTENT

Ardi Rrapi, engineer for the project, explained that a Certificate of Compliance was previously issued for a house on this lot. Since that time, a new homeowner cut a couple of trees (one 30" and one 32") on the property, without understanding the regulations. Four trees are proposed on the site to make up for these items. The proposal includes a pool, 31'x18.5' and hot tub within existing lawn area. The patio around the pool will be pervious material. Erosion control barriers are proposed along the top of the wall to protect the wetlands. The pool will be located 51' from the wetlands.

A. Crocker asked if the stumps from the trees that were cut have been removed from the site. A. Rrapi stated that they have been ground but not removed. A. Crocker stated that he would like to know which company took the trees down and the types of trees that were removed. He stated that he believes there should be additional trees proposed for this property.

B. Murphy stated that he would like to see an area to allow for backwash from the pool.

C. Hutchinson stated that a partial Certificate of Compliance was issued for demolition and reconstruction of a house on the property. The only work left was two-year monitoring for mitigation plantings. Any plantings for the new trees removed would likely stand alone, as they were not part of the original monitoring and mitigation.

Motion to continue the hearing for 80 Country Way (DEP File #234-8XX) to May 27, 2021, by A. Crocker, seconded by S. Barber, approved 5-0-0.

OTHER BUSINESS:

391 DEDHAM AVENUE (DEP FILE #234-674) – *continued* REQUEST FOR CERTIFICATE OF COMPLIANCE

C. Hutchinson explained that there was a partial Certificate of Compliance issued to this homeowner. There was a report submitted suggesting that they did not quite hit the 75% survival rate. However, the property was under agreement at that time for purchase. Approximately a year ago, the new homeowners met with the Commission and discussed whether they would need a new monitoring report. At that June meeting, it was decided that the owners could do a one year growing season. The homeowners reached out with the photos as requested and a site visit was conducted to confirm that the plantings were still in good health. Staff recommends a full Certificate of Compliance be issued at this time.

Motion to issue a full Certificate of Compliance for 391 Dedham Avenue (DEP File #234-674), by A. Crocker, seconded by S. Barber, approved 5-0-0.

REQUEST FOR USE OF RIDGE HILL RESERVATION – NEEDHAM CUB SCOUTS

C. Hutchinson explained that the only change in use from what has been done historically, is that a porta potty rental will be needed. No more than 20 cars are expected on the property.

Motion to approve the Cub Scout event, by B. Murphy, seconded by A. Crocker, approved 5-0-0.

NEEDHAM RTS SOLAR PANEL VEGETATION MANAGEMENT – DISCUSSION

Oliver Noll, RTS Solar, explained that the proposal is to use a broad-spectrum herbicide to control weeds/vegetation on the property in order to protect the panels from animals. This will maintain the wire mesh around the cable trays. rabbits have been chewing on the conductors, creating a large problem. Encasing the tray in metal fencing has been attempted, including a mechanical pest repellent and no methods have been successful. At this point the intention is to remove the habitat directly near the panels. There is habitat nearby that the rabbits could live in. This is a last-ditch mitigation effort.

P. Oehlkers stated that there was concern that there would be spraying completed indiscriminately throughout this array. D. Anderson agreed with this concern and noted a concern about the herbicide running into the nearby wetlands.

A. Richardson noted that this herbicide treatment will need to be done for the entire life of this facility. She is concerned about this and noted that herbicides may not stop this issue. She asked for additional data regarding the number of rabbits caught and vigorous unbiased data.

The Commission discussed that they did not believe this herbicide use would prevent the rabbits from inhabiting this area. There was discussion regarding pulling the weeds by hand instead of using herbicide. The Commission stated that it would like to determine what Plan B would be for this issue.

Motion to allow for a one-year trial run of the proposed herbicide over a small portion of the array at the wire trays, not on the perimeter; this is not to be used as vegetation management, by A. Crocker, seconded by A. Richardson, approved 5-0-0.

391 DEDHAM AVENUE (DEP FILE #234-674) – continued REQUEST FOR CERTIFICATE OF COMPLIANCE

The Commission discussed the exhibits for 391 Dedham Avenue.

Motion to issue the requested waiver for work within the 25' buffer zone for 391 Dedham Avenue (DEP File #234-674), by A. Crocker, seconded by S. Barber, approved 5-0-0.

Motion to waive \$500 from the fee for 391 Dedham Avenue (DEP File #234-674), by A. Crocker, seconded by S. Barber, approved 5-0-0.

Motion to issue an Order of Conditions for 391 Dedham Avenue (DEP File #234-674), by A. Crocker, seconded by S. Barber, approved 5-0-0.

71 STOCKDALE ROAD (DEP FILE #234-651) – REQUEST FOR CERTIFICATE OF COMPLIANCE

The Commission did not discuss this item at this time.

ADJOURN:

Motion to adjourn the meeting, by A. Crocker, seconded by B. Murphy, approved 5-0-0.

The meeting was adjourned at 9:57 p.m.

NEXT PUBLIC MEETING:

May 27, 2021, at 7:00 p.m. location to be determined.

*Respectfully Submitted,
Kristan Patenaude*