

TOWN OF NEEDHAM CONSERVATION COMMISSION MEETING MINUTES

Thursday, October 28, 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: Janet Carter Bernardo (Chair), Sue Barber, Artie Crocker, Stephen Farr, William Murphy, Allison Richardson, Deb Anderson (Director of Conservation), Clay Hutchinson (Conservation Specialist).

J. Carter Bernardo opened the public meeting at 7:00 p.m.

MISCELLANEOUS BUSINESS –

1. Minutes

Motion to approve the meeting minutes of June 24, 2021, by S. Farr, seconded by S. Barber, approved 6-0-0.

2. Enforcement & Violation Updates

None at this time.

HEARINGS/APPOINTMENTS

53 WAYNE ROAD (DEP FILE #234-8XX) – NOTICE OF INTENT

Dan Memont, Design Dynamics, stated that the proposal is to raze the existing house and rebuild a new house on the property. There are wetlands off the back of the property and the 100' buffer zone runs across the property. The existing house is just outside that buffer line, but the new house is proposed to cut into it approximately 9'. The proposed drainage system will also fall within this buffer line.

A. Crocker asked how many trees are proposed to be removed. D. Memont stated that the lot contains some trees along the property line and along the edges. The only tree proposed to be removed is off the existing back deck. The rest of the backyard is already open. A test pit hit sandy gravel at the bottom and looked proposing for drainage.

In response to a question from A. Richardson, D. Memont stated that there are no decks currently planned for the new structure. A. Richardson noted that a patio would require additional approval from the Commission.

J. Carter Bernardo stated that, if the tree to be removed is located within the buffer, it will need to be mitigated for. This should be shown on the plan. The edge of lawn should also be shown on the plan.

C. Hutchinson stated that a check for the bylaw fee needs to be submitted. Staff agreed on the wetland line, as flagged. There is a significant grade change in this area. The data forms for the wetland have not yet been submitted.

Sharon Serinsky, neighbor, asked about the impact to the wetlands from this project. Her backyard has continued to get wetter over the years. J. Carter Bernardo stated that the Commission's jurisdiction is within 100' of the wetlands and most of this project is outside of that. The project is required to include subsurface infiltration chambers to capture roof runoff which should replicate stormwater under existing conditions. This project should not negatively impact the wetlands.

S. Barber joined the meeting at 7:20pm.

Brian Kahn, neighbor, noted that the location of the neighbors on the plan needs to be adjusted.

Motion to continue the hearing for 53 Wayne Road (DEP File #234-8XX), to November 18, 2021, by A. Crocker, seconded by S. Farr, approved 6-0-0.

12 & 18 BROOKSIDE ROAD (DEP FILE #234-844) – REQUEST TO AMEND ORDER OF CONDITIONS

John Rockwood, EcoTec, Inc., explained that the Commission issued an Order of Conditions for these properties in June 2020. A larger house than originally permitted is now proposed. The limit of work and proposed mitigation will remain the same. The hemlocks have already been moved and the stone wall has already been constructed on the site. The house had to be adjusted to meet a 25' setback, as required by the Building Inspector. New lot lines to separate 62 Brookside Road from 18 Brookside Road are also proposed.

A. Richardson asked if any additional trees are proposed to be removed. J. Rockwood stated that only the two trees proposed have been removed from the site.

J. Carter Bernardo stated that the house is proposed to be increased significantly in size. Also, the infiltration chambers seem to be within the water table which will need to be amended. J. Rockwood stated that he would complete a test pit to check this item.

Motion to continue the hearing for 12 & 18 Brookside Road (DEP File #234-844), to November 18, 2021, by B. Murphy, seconded by A. Crocker, approved 6-0-0.

144 BROOKSIDE ROAD (DEP FILE #234-879) – NOTICE OF INTENT

Ardi Rrapi, Cheney Engineering, explained that the applicant is proposing to add a garage, 26'x28', to an existing driveway on the site. The driveway is proposed to be expanded to allow

for a hammerhead access. Only one tree is proposed to be removed for the project. A gravel area on the site will be turned into lawn and this will contain the drainage field. An erosion control barrier will be installed during construction.

J. Carter Bernardo stated that the tree proposed to be removed should be replaced at a 2:1 ratio. She noted that a test pit should be installed for this work. A. Rrapi agreed to work on these items.

Motion to continue the hearing for 144 Brookside Road (DEP File #234-879), to November 18, 2021, by B. Murphy, seconded by A. Crocker, approved 6-0-0.

78 ELDER ROAD (DEP FILE #234-8XX) – NOTICE OF INTENT

Diane Simonelli, Field Resources, Inc., explained that there is an existing house with a driveway on this property. There is a naturally vegetated area and a lawn area within the inner and outer riparian zones and wetland buffer zone. There is also a shed on the property. The new proposed house will be moved further from the brook and vegetated wetlands. Five trees that are marked to be removed on the plan have already been removed, and the shed has also been removed. The edge of the lawn will be lined with erosion control. Additional impervious areas are proposed for the site. Test pits were dug on the site and information was included with the plan.

J. Carter Bernardo asked that the test pit locations be shown on the plan.

Motion to continue the hearing for 78 Elder Road (DEP File #234-8XX), to November 18, 2021, by S. Farr, seconded by A. Crocker, approved 6-0-0.

SOUTH STREET AND DEDHAM AVE BOAT ACCESS (DEP FILE #234-878) – *continued* NOTICE OF INTENT

J. Carter Bernardo read a number of emails expressing concerns for this project into the record.

Chris Gerstel, Park & Recreation Commission, explained that one of the Commission's goals for the Town includes a boat ramp in this area. A boat launch would be a new treasure for the Town. This area is becoming more actively used by the public.

A. Crocker stated that sometimes what is best for the Town is to leave things alone. Certain areas do not always need to be expanded in order to progress them further.

S. Farr stated that he would like to hear from the Town's emergency departments as to if this access is needed. There seems to be adequate access to this area already. D. Anderson stated that the Fire and Police Departments are not looking for access to the river in this area. It is unclear where that speaking point came from.

C. Gerstel stated that the goals of the Parks & Rec Department are ones that should be accomplished for the Town and its residents. The Department has heard from residents that are in favor of this project.

B. Murphy asked if other locations were considered that may be less impactful. Dennis Moran explained that this parcel is Town-owned and already disturbed. The intention was to use existing disturbed area, while increasing the width of the access path slightly. B. Murphy expressed concern with erosion due to the proposed expanded pathway to the river.

A. Richardson stated that she is unaware of other boat launches on public land in Needham. Allowing for access in a limited fashion may be acceptable.

S. Barber stated that it would be nice to improve the path in its existing form. She asked about expanding other areas of Town for access into the Charles River.

J. Carter Bernardo stated that she believes the existing parking area seems appropriate and is unclear why this needs to be expanded in any way. D. Moran explained that there is not a proposal to expand the parking area. The intention is to better define the area to provide a raised vegetated garden area and parking stalls.

J. Carter Bernardo suggested making the raised garden area into a stormwater feature. She stated that she could see the pathway being expanded to 4'-5' wide, with a potential water bar. There is some existing erosion near the river. A parking space or turnaround at the end of the path seems unnecessary. The path to access the river is relatively steep and this does not seem appropriate for those with disabilities to access the river.

David Rose reiterated that the path is steep and there is room to make it easier to access. There is also room to improve knowledge in the Town that this access point exists. These items would promote the overall objective of this project.

Victor Seidel thanked the Commission for considering ways to improve resources in Town. His family makes use of this area. He would be comfortable with a 4'-5' wide path instead and improved signage. He noted that the proposed picnic tables are located in the parking area instead of by the water. D. Moran stated that the proposal is to keep the picnic tables out of the floodplain. The location will also make them more visible for any security issues.

Ken Goldberg stated that this area is not the only access to the river. He is concerned regarding the picnic tables and attracting additional litter. He would like to see this project scaled down.

Robert Stern stated that South Street has already been disturbed by a recent Eversource project. There is a lot of litter in this area. Increased traffic in this area will lead to additional disturbance. He asked about what the cost will be for this additional amenity. This may lead to trees and vegetation being removed and wildlife disturbances. It is disingenuous to suggest that this is already a disturbed area. The parking lot is dirt and stone with vegetation and trees. The path to the river is encroached by vegetation. This area is only minimally disturbed. Emergency access to this area bootstraps the issue with the proposed concrete slab.

Carl Ruben stated that the trash issue on South Street is horrendous. He stated that a kayak can barely make it off in this area due to the shallow sands. He would like this area to be left alone.

Bob & Linda Asher stated that the water along this access point varies greatly over time. When it is low, the access point is muddy and must be traversed. It is unclear how a concrete pad is considered a boat launch. The path could be minimally improved. It is unclear why someone would want to see a large concrete pad while using the river.

S. Barber stated that the proposed improvements could lead to additional erosion and flooding. D. Moran stated that this is located in a floodplain, but the grades are reduced from the river to the parking lot elevation. At a micro scale, this proposal will improve flooding.

C. Gerstel thanked all of those who continue to clean up litter in this area. Park & Rec continues to look into ways to combat this.

A. Crocker suggested improving the existing trail, aiding the erosion, and additional signage.

The Commission discussed when to continue this item to.

Motion to continue the hearing for South Street and Dedham Ave Boat Access (DEP File #234-878), to December 16, 2021, by S. Farr, seconded by S. Barber, approved 6-0-0.

631 SOUTH STREET (DEP FILE #234-872) – continued NOTICE OF INTENT AND

649 SOUTH STREET (DEP FILE #234-874) – continued NOTICE OF INTENT

Motion to continue the hearing for 631 South Street (DEP File #234-872), and 649 South Street (DEP File #234-874) to November 18, 2021, by S. Farr, seconded by S. Barber, approved 6-0-0.

OTHER BUSINESS:

The Commission discussed its draft calendar of meetings for next year.

Field Resources discussed the fraudulent use of their work as a potential for a liability. J. Carter Bernardo stated that she asked MACC to discuss the appropriateness of using plans at its next conference.

ADJOURN:

Motion to enter into Executive Session, noting that the Commission would not reenter into Open Session, by A. Crocker, seconded by S. Farr, approved 6-0-0.

The meeting was adjourned at 9:34 p.m.

NEXT PUBLIC MEETING:

November 18, 2021, at 7:00 p.m. location to be determined.

*Respectfully Submitted,
Kristan Patenaude*