

**TOWN OF NEEDHAM
CONSERVATION COMMISSION
MEETING MINUTES
Thursday, January 25, 2018**

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

ATTENDING: Peter Oehlkers (Chairperson), Sue Barber, Artie Crocker, Stephen Farr, Bill Murphy, Alison Richardson, Chris Hayward (Director of Conservation), Elisa Litchman (Administrative Assistant)

GUESTS: Megan Aconfora, Linda Asher, Robert Asher, Edwin Bailey, Helene Challis, Jeremy Fennell, Dave Klinch, Domenic Nicotera, Michael Retzky, Gary St. Flair, Diane Simonelli, Ginny Stevens, M. Terry, Margaret Van Hansen, Michael Zylich

Peter Oehlkers opened the public meeting at 7:30 p.m.

HEARINGS:

1600 CENTRAL AVENUE - NOTICE OF INTENT (DEP FILE #234-800)

P. Oehlkers opened the public hearing at 8:00 p.m.

D. Simonelli of Field Resources presented. This property had been issued a Negative Determination of Applicability for a new septic system. The proposed project under this Notice of Intent request is the demolition of a single-family house within the 100-foot Buffer Zone to Bordering Vegetated Wetlands. D. Simonelli explained that the proposed house will be further from wetlands than the original house and natural vegetation will remain to maintain stability of the slope. The stormwater from the entirety of the new roof will infiltrate into the proposed culvert system. Impervious area within the 100-foot Buffer Zone will be reduced. The proposed re-location of the driveway requires removal of two (2) trees and replacement with four (4) trees. The existing fence is to be replaced. All work will take place outside the 50-Buffer Zone and within previously disturbed area. Test pits will be conducted during construction. The new septic system was installed in 2015 according to D. Simonelli but not necessarily used as the property was sold to an estate.

Motion to close the public hearing for 1600 Central Avenue (DEP FILE #234-800) by S. Farr, seconded by W. Murphy, approved 6-0-0.

EVERSOURCE EASEMENT, R-O-W #3 – *Continued* NOTICE OF INTENT (DEP FILE #234-799)

P. Oehlkers opened the public hearing at 8:15 p.m. S. Farr recused himself.

Jeremy Fennell from Epsilon Associates presented the project and introduced the other members of the staff. He briefly reviewed what was discussed at the last meeting and then explained what was submitted as supplemental information requested by the Commission. The specific trees that are proposed to be removed associated with the project will be from the south side of the right-of-way between the Dedham/Needham town lines and Valley Road. The plan provided identifies 168 trees proposed for

removal. They intend to cut at grade, not ground down. They stated that they expect to maintain habitat for wildlife. The stumps will remain to re-sprout and any edge wildlife habitat will remain.

P. Oehlkers made it clear that the main issue remaining revolves around identifying potential mitigation options. J. Fennell stated that conversations are ongoing and they hope to work with the Commission to agree to a mitigation plan.

D. Nikotera explained that one of the abutters had previously asked about the electric and magnetic field (EMF) effect from this project and/or any reports or research related to this. The abutter submitted articles which did not address wildlife but mentioned the potential effects of (EMF) on humans. P. Oehlkers reminded the public that this is not within the Conservation Commission's jurisdiction. The Board of Health has commented on this aspect of the project and found no conclusive evidence regarding the negative effects of EMF as it relates to this project.

An abutter suggested that the shallowest area would be at a culvert crossing 12-inches below the ground (standard practice) to be covered by $\frac{3}{4}$ " steel plate. D. Nikotera explained that particular area was chosen due to it being the furthest point from homes, minimizing cost, time and disruption to traffic and reducing risk during construction as well as having the least chance for adverse impact to wetland or stream in that location. A. Richardson stated her concern that the underground lines could be flooded or freeze. D. Nikotera explained that there would be conduits for the lines that keep them safe if there is flooding. J. Fennell confirmed that the delineated wetland lines had previously been approved by the Commission.

One resident asked how many trees would be removed from South Street. She was concerned that many hang over the street. D. Nikotera stated that none will be taken down.

Margaret Van Hansen from the Charles River Watershed mentioned a discrepancy in the square footage area of trees to be removed. She noted that the Notice of Intent application had two different numbers on different pages. J. Fennell said he would go back and clarify the chart. He stated that the supplemental materials submitted identify all the trees to be removed.

Linda Asher, a resident from South Court is concerned about the trees on South Street, across the street from the Charles River. She stated that the equipment is so large to get around the winding road. P. Oehlkers stated that the plans show no tree disturbance accounted for. A. Richardson stated it's a scenic road. L. Asher explained the street as one of the most beautiful in Needham. P. Oehlkers states that without permission the trees cannot be removed.

D. Nikotera spoke about the types of equipment to be used on South Street. He tried to ease residents' minds by telling them that they have done this type of project in other towns and the process. The project includes digging the trench, replacing conduits and encasing them in concrete. They pour two layers of high density fill, back fill and then black top.

D. Nikotera is working with the Town Engineer and DPW to review the existing utilities in the road, and use that data on gas lines so over the course of the route it moves from one side of street to the other. Sometimes it goes over or under other utilities. The drawings have been submitted to the Town and the information is available to interested residents.

S. Barber asked about whether any of the above-ground lines are to be removed. D. Nikotera stated that beginning at Valley Road, anything that's above ground will not be removed; those are distribution lines.

One set of the existing towers along the current transmission lines located along the commuter rail will be removed and will reduce the EMF by splitting the lines. The purpose of this project is to split the lines to make the service reliable.

W. Murphy asked what kind of supervision is taking place with the contractor. D. Nikotera said there will be staff on-site, office managers, safety officers and traffic routers. All staff will need to be supplied equipment/safety protocol. Police detail is pre-approved by town. There will be pre-construction surveys done and during the work. There will be no side-of-road spoils stored at side of road for this project.

L. Asher asked about the potential of hitting ledge and what they will do. D. Nikotera stated that test borings were done and said that they didn't find ledge. Several residents were concerned about ledge and stated that it does exist there. P. Oehlkers asked whether dynamite would be used and D. Nikotera assured them that they were not going to use dynamite. He also stated that Eversource has an entire department related to outreach and they work with residents to pre-notify them and work with them during an inconvenient project. Details about the construction process were discussed. Compensatory flood storage was discussed.

Re-planting in Cutler Park, where the trees are proposed for removal was discussed. The sticking point is the tree policy in Needham which conflicts with the vegetation management policy of Eversource. They don't want to re-plant in that area. D. Nikotera stated that perhaps there are other locations where planting can be done, not far from this project location. There was discussion of removing trash and dumped materials from Cutler Park that could be part of the mitigation. A. Richardson mentioned some names of shrubs that could replace and mitigate the area and which would never need pruning. D. Nikotera stated that their arborists and project managers would need to be involved in the final decision of planting locations and maximum height of trees/shrubs. Vegetation management goes out every 4-5 years to maintain the Right-of-Way. They use herbicides as well.

Artie Crocker stated that whatever is planted needs to be able to sustain itself without need for irrigation. C. Hayward explained that he believes it will be very difficult to plant trees at the location in Cutler Park now that he's made a visit to the site. Eversource won't be able to get into the site to maintain plantings. Their access is via Route 128. The DCR already has some agreement with Eversource to remove invasive plants. The Commission wants to have some specific language in the Order that no work can be started in Cutler Park in Needham until the Commission has approved a mitigation plan.

There are many other approvals and permits necessary by other towns and organizations before the project begins. The adherence to the Commission's 2:1 tree replacement policy needs to be resolved. The Commission will request the Needham Superintendent of Forestry, Ed Olsen provide his input as well.

Motion to close the public hearing for Eversource Easement, R-O-W #3(DEP FILE #234-799) by W. Murphy, seconded by A. Crocker, approved 5-0-1. S. Farr abstained.

OTHER BUSINESS:

REQUEST FOR CERTIFICATE OF COMPLIANCE – 585 CENTRAL AVENUE (DEP FILE #234-754)

S. Farr recused himself.

January 25, 2018

M. Retzky, Project Manager from the Public Facilities Department presented the Certificate of Compliance request to the Commission for the property at 585 Central Avenue. The project was permitted in two phases: one is complete and involved demolition, site preparations and violation remediation from the previous occupant in preparation for the new Sunita L. Williams Elementary School. Soil testing had uncovered unauthorized turkey grease waste disposal located within the buffer zone from the Owen's Turkey Farm operation. The waste was removed and hauled to Maryland's Landing in Bridgewater, MA. for proper disposal. M. Retzky supervised the removal. With the exception of one home that was retained to serve as a construction field office for the Contractor, all other buildings were demolished. M. Retzky stated that the property has been surveyed twice; once after the fill removal and once after the demolitions.

C. Hayward went to the site and acknowledged that the erosion controls are still in place and intact so there's now a double wall of erosion controls for the school construction phase permit.

Motion to issue the Certificate of Compliance for 585 Central Avenue (DEP File #234-754) by A. Crocker, seconded by S. Barber, 4-0-1. S. Farr abstained.

ADJOURN:

Motion to adjourn by W. Murphy, seconded by S. Barber. The meeting was adjourned at 10:05 p.m.

NEXT PUBLIC MEETING:

February 8, 2018 at 7:30 p.m. in the Public Services Administration Building, Charles River Room.