

**TOWN OF NEEDHAM
CONSERVATION COMMISSION
MEETING MINUTES
Thursday, December 13, 2018**

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

ATTENDING: Janet Carter Bernardo (Chair), Sue Barber, Artie Crocker, William Murphy, Peter Oehlkers, Alison Richardson, Debbie Anderson (Director of Conservation), Elisa Litchman (Administrative Assistant).

GUESTS: Tyler Cofelice, Dan Dobra, David Kelly, Suzanne Nigro, Garrett Smith, Budge Upton, Zach Wallin, Boris Zbarsky.

J. Bernardo opened the public meeting at 7:30 p.m.

MINUTES:

Motion to approve the minutes of April 12, 2018 as amended by W. Murphy, seconded by A. Crocker, 6-0-0.

Motion to approve the minutes of November 8, 2018 as amended by W. Murphy, seconded by S. Barber, 5-0-1 (A. Crocker abstained).

ENFORCEMENT AND VIOLATION UPDATES:

27 HAMILTON PLACE

The homeowner, Suzanne Nigro, was present. D. Anderson reported to the Commission that D. Simonelli of Field Resources had contacted her about a potential violation at 27 Hamilton Place. Field Resources, Inc. had been retained by the owners of the property regarding a potential deck replacement at the rear of the house which was purchased by the owners in May, but noticed work being done at the front of the house. The retaining wall in front had been partially demolished and the house is across the road from Hemlock Gorge and the river. The owners had decided to install gas lines to the house and the only way for the company to access the house was through the front yard and a portion of the front retaining wall was demolished. D. Simonelli suggested the owners stop the work and install erosion controls. D. Anderson met on-site with D. Simonelli and the owners. The owners will need to request a Permit to re-construct the retaining wall and complete other minor projects. Field Resources has been hired to draft and submit a Notice of Intent for one of the January Conservation Commission meetings.

HEARINGS:

731 SOUTH STREET (DEP FILE #234-8XX) – NOTICE OF INTENT

J. Bernardo opened the public hearing at 8:03pm.

D. Kelly from Kelly Engineering presented the project. He explained that in 2013 a project on the second lot (vacant lot) of this property was proposed but never acted on. The Order of Conditions was closed out with a Certificate of Compliance as no work was ever done. Now the owner is proposing again, virtually the same single-family house construction project with a slightly different footprint. The vacant lot is currently a mowed, landscaped area. A common driveway would lead to a new home. No work is proposed within the 25' buffer

December 13, 2018

zone; the majority of the work would be within the lawn and landscaped area. The project includes a subsurface recharging system.

EcoTec, Inc. was hired to re-evaluate the wetland delineation they had completed over 3 years ago. J. Rockwood concluded, in writing, that the wetland boundaries were the same as in 2013. D. Kelly also discussed the various trees proposed for removal. The plans that were submitted for the Commission did not include the list of trees to be removed. D. Kelly stated that he would revise the Plan to include this information.

J. Bernardo asked about soils on the property and if test pits had been conducted. D. Kelly stated no they hadn't. J. Bernardo explained to D. Kelly that Needham had voted and approved at Town Meeting for a Stormwater Bylaw. The Attorney General needs to approve this bylaw and if so, this property would be affected. Properties with 4,000 square feet or more of impervious area in Needham will be required to follow this new Bylaw. This potential project at 731 South Street consists of 7,300 square feet of new impervious area and will require infiltration of the first 1-inch of roof runoff.

W. Murphy asked about including all easements on the plan. The Uptons own both properties and they thought they would create the easements after the project is complete. W. Murphy stated that when the properties are not in common ownership it has to be clear about each owner. The Notice of Intent has to be clear. The Commission suggested that the owners show these easements on the draft of easement document.

D. Kelly was reminded of the deadline for submittal of new materials by 10:00 a.m. the Thursday prior to the meeting and assured D. Anderson that he would comply.

Motion to continue the public hearing for a revised plan for 731 South Street (DEP File #234-8XX) to January 10, 2019 at 8pm by A. Crocker, seconded by W. Murphy, approved 6-0-0.

OTHER BUSINESS:

17 WHITNEY WAY (Formerly 342 Cartwright Road) (DEP File #234-549)

This request had been tabled for clarification of the address. The home is located in Needham with a Wellesley address. The project was a two lot subdivision. The home was constructed by a builder and Mr. Smith (present) is the owner. J. Rockwood of EcoTec has completed the plant monitoring, permanent markers are installed and the replanting effort shows an 89% survival rate with some newer plantings to replace those that did not survive.

Motion to issue a complete Certificate of Compliance for 17 Whitney Way (DEP File# 234-549) by W. Murphy, seconded by S. Barber, approved 6-0-0.

36 ROBINWOOD AVENUE – ISSUANCE OF CERTIFICATE OF COMPLIANCE (DEP FILE #234-738)

At the previous meeting, Alison Richardson recommended that the owner, Greg Dracon, install a couple of granite bounds that will be noticeable forever. P.Oehlkers said he was curious about the language used in the Order of Conditions. D. Anderson reviewed the minutes of previous meetings related to this project to see what was agreed upon when Matt Varrell was Director of Conservation. The Commissioners agreed that this would be easy to fix with 3' tall bounds set into the ground. The owner had been told to contact D. Anderson when the appropriate bounds are installed.

D. Anderson went to inspect the bounds that were reinstalled at the property and though they are supposed to be permanent the owner installed rods that appear to be easily removed. The Commission decided at this point to issue the Certificate of Compliance.

1600 CENTRAL AVENUE (DEP File #234-800) – REQUEST FOR CERTIFICATE OF COMPLIANCE

The project at 1600 Central has some deviations from the Order of Conditions including the decrease in impervious area, the removal of two trees and the installation of four trees. No deck was installed but a patio of permeable pavers was installed as well as air conditioning condensers on concrete pads.

Motion to issue a complete Certificate of Compliance for 1600 Central Avenue (DEP File #234-800) by A. Crocker, seconded by W. Murphy, approved 6-0-0).

211 BRIDLE TRAIL ROAD (DEP File #234-789) –REQUEST FOR CERTIFICATE OF COMPLIANCE

The applicant is requesting a partial Certificate of Compliance. The deviations of this project from the Order of Conditions include: no shed was installed, the second story deck was not modified, no solid paving was installed under the grill, the dogwood trees were moved to the front yard and yews were installed in lieu of boxwoods as screening.

D. Anderson explained that there is still a two year monitoring requirement before a complete Certificate of Compliance can be issued. A. Richardson inquired about the Boston Ivy which was installed; she was concerned that it is an invasive plant. D. Anderson stated that it was on the original landscaping plan.

Motion to issue a partial Certificate of Compliance for 211 Bridle Trail Road (DEP File #234-789) by A. Crocker, seconded by S. Barber, approved 5-0-1 (W. Murphy abstained).

479 DEDHAM AVENUE (DEP FILE #234-762) - REQUEST FOR CERTIFICATE OF COMPLIANCE

D. Kelly from Kelly Engineering represented the applicant. D. Anderson stated that the area along the driveway was seeded a bit late in the season and therefore the erosion controls should remain in place till the grass begins to grow. The owner should contact D. Anderson in the spring once vegetation has begun growing and stabilizing the area. All plantings have been installed, and man-made materials and invasive plants such as buckthorn and knotweed have been removed. J. Bernardo asked if the owner can identify these invasive plants and it was confirmed that he can. He has been instructed by D. Burke the wetland scientist to mow the invasive plants if they reappear.

Motion to issue a partial Certificate of Compliance for 479 Dedham Avenue (DEP File #234-762) by A. Crocker, seconded by W. Murphy, approved 6-0-0.

1407 CENTRAL AVENUE (DEP FILE #234-818) – REQUEST FOR MINOR MODIFICATION

Tyler Cofelice and Zach Wallin of Weston & Sampson presented the modification requested. The request is to install fiber optic cable for the building's security system to the Town's network routing it underneath the RTS access road pavement within a portion of the 100' buffer zone. In order to protect the wetlands during the utility trench excavation the erosion controls have been revised to reflect the utility routing.

Motion to approve the Minor Modification at 1407 Central Avenue (DEP File #234-818) by A. Richardson, seconded by S. Barber, approved 6-0-0.

DISCUSSION - PERMANENT DEMARCATION OPTIONS

D. Anderson suggested that the Conservation Department have printed information for residents with photo examples of good options for markers on properties to indicate no disturb areas. The Commission agreed that this would be helpful. They emphasized that they try to be flexible and give residents and builders various options. D. Anderson will take photos of some good examples to print out for distribution.

EAGLE SCOUT PROJECT PROPOSAL

The Eagle Scout who had asked to build a picnic table or two was supposed to present his project to the Commission at this meeting but didn't show up. D. Anderson explained that Ed Olsen, Superintendent of Parks and Forestry had hoped to build some picnic tables outside the reservoir area where several newly installed trees are located. D. Anderson told him about the Eagle Scout and together they agreed this would be an ideal location for his project. Patty Carey, Director of Park and Recreation also would like the tables there.

245 COUNTRY WAY (DEP FILE #234-813) - REQUEST FOR MINOR MODIFICATION

D. Anderson stated that Ardi Rrapi recently informed her that the soil testing at this property was poor. The engineer wrote a letter asking if the overflow stormwater could lead to the town drainage. He also asked if the sump pump could be directed there as well. The Engineering Department has no problem with this modification and D. Anderson wanted to check with the Commission if they have any concerns.

Motion to approve the Minor Modification to 245 Country Way (DEP File #234-813) by A. Crocker, seconded by S. Barber, approved 6-0-0.

BELLE LANE DISCUSSION

D. Kelly explained to the Commission that the 7 lot subdivision on Belle Lane is complete. Belle Vandergoelz who lives across from the vernal pool is concerned about keeping children out of the water. She would like a fence around it but also allow wildlife to pass through. There are trees surrounding the vernal pool. The Commission stated that it's a wildlife habitat and they are not inclined to do anything. A. Richardson recommended planting shrubs to discourage people from going near the vernal pool. D. Kelly stated that due to the Algonquin Gas easement the area is mowed a few times a year. The conclusion to the discussion is that nothing should be done and the natural vegetation should remain.

ADJOURN:

Motion to adjourn by P. Oehlkers, seconded by W. Murphy, approved 6-0-0. The meeting was adjourned at 8:50pm.

NEXT PUBLIC MEETING:

January 10, 2019 at 7:30 p.m. in the Public Services Administration Building, Charles River Room.