

**TOWN OF NEEDHAM
CONSERVATION COMMISSION
MEETING MINUTES
Thursday, March 28, 2019**

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

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

GUESTS: Karon Skinner Catrone, John Cross, Joan Feeny, Robert Petitt, Sandra Petitt, Bryan Picariello, Tom Rebula, Diane Simonelli, Rita Vogel.

P. Oehlkers opened the public meeting at 7:35 p.m.

MINUTES: Minutes for the March 14, 2019 meeting were reviewed and amended.

Motion to approve the minutes of March 14, 2019 as amended by S. Barber, seconded by A. Richardson, approved 4-0-2 (S. Farr and P. Oehlkers abstained).

HEARINGS:

80 ROBINWOOD AVENUE – REQUEST FOR DETERMINATION OF APPLICABILITY

Rob and Sandra Petitt of 80 Robinwood Avenue presented. Their contractor is Keith O'Donnell. The couple is proposing to construct a screen porch and breezeway over an existing deck. No heavy equipment will be used. Under the deck they propose to add ¾" stone for drainage. They will also use the French drains and existing gutters to direct rainwater runoff to the town stormwater. The Commission explained that they will need to install erosion controls and let D. Anderson know the type and location of the erosion controls.

There is a footbridge that is located in the rear yard and when there are big rains this bridge helps access the rear yard when there is standing water on the property.

Motion to close the hearing for 80 Robinwood Avenue by W. Murphy, seconded by S. Farr, approved 6-0-0.

Motion to issue a negative determination of applicability for 80 Robinwood Avenue by W. Murphy, seconded by S. Farr, approved 6-0-0.

77 WAYNE ROAD (DEP FILE #234-830) – NOTICE OF INTENT

P. Oehlker opened the hearing at 8:00pm. Karon Skinner Catrone and Bryan Picariello of Ricciardelli Construction were present to talk about project. K.S. Catrone brought two revised

plans to the meeting to share with the Commission. Based on comments from the Conservation Commission Chair, J. Carter Bernardo these plans would have new calculations. The project is a proposed demolition of a single family house and construction of a new home. The lot is 13,339 square feet. The builder intends to install an infiltration system and would like to remove six (6) trees and other invasive plants in the rear of the property. K. Skinner Catrone explained that installation of native plantings is proposed. All work is outside the 25' buffer zone. When asked about the six trees K.S. Catrone stated that they are in the way of the construction of the house. They are within the 50' buffer zone. P. Oehlkers asked about the condition of the trees and K.S. Catrone told him that one of the trees is leaning. He stated that a leaning tree is not an argument for Conservation nor is the fact that it may be in the way for construction. P. Oehlkers stated that balance needs to be met. There is a two to one ratio to replace trees outside the 50' buffer zone. A. Crocker commented on the location of the new construction is farther into the lot and therefore, is closer to the wetland. The Commission concluded that they would like to know more about the trees, the types, the sizes, and the condition. The Commission wants a real planting plan with detail. The Commission's replacement tree policy is 4:1 shrubs or 2:1 trees. A. Crocker asked if the culvec needed to be in the location near the trees or could it be moved elsewhere. P. Oehlkers suggested that bounds be installed so that for the coming years it is understood that no work should be done beyond the 25' buffer.

A neighbor, Joan Feeny lives across the street and raised her concerns to the Commission. She stated that they have flooding on the street already due to the other newly constructed homes and her big question is will there be even more flooding. The Commission suggested that a grading plan be submitted by the applicant. When J. Feeny asked questions about the driveway discharge going into the same culvec. P. Oehlkers stated that this is not clearly shown on the plans. P. Oehlkers agreed with the abutter that there are problems with the existing plans submitted by the applicant. The Stormtech system deals with overflow which would be infiltrated however, the plan needs to show additional features such as grading and drainage. The Commission is concerned with mounding. A. Crocker asked if test pits have been done as there are no results on the plan. W. Murphy recommended that the plans show this information.

Joe Feeny, neighbor, also spoke and said that the previous owner of the property had taken care of the trees over the years and they should be in fine condition. He doesn't want to see them clear cut. The flooding that occurs on the street can be 1-foot deep. Joan Feeny also described the great amount of wildlife that exists in the area and the concern that construction doesn't relocate all of it. P. Oehlkers explained that the Conservation Commission exists to protect the wildlife and construction is only a temporary disturbance. J. Feeny asked why the new house is set so far back near the wetland. Also by adjusting the plans and moving the house not so far back towards the trees, the trees would not be an issue. P. Oehlkers stated that the Commission would take the abutters' comments into consideration.

B. Piccariello made it clear to the Commission that the comments from the Chair of the Conservation Commission had been received just that morning so he and his representative did not have sufficient time to respond. P. Oehlkers stated that he understood and has asked for supplemental information with regards to other applicants.

Motion to continue the public hearing for 77 Wayne Road (DEP File #234-830) to April 11th, 2019 at 8pm by S. Farr, seconded by A. Crocker, approved 6-0-0.

80 PLEASANT STREET (DEP FILE #234-828) – Continued NOTICE OF INTENT

P. Oehlkers was not here for the original hearing. No testimony had been heard on March 14th and the hearing was continued. The owner is Rita Vogel. Diane Simonelli of Field Resources represented her. The applicant is an owner of a condo unit in a two-unit condo association. She has applied to construct a garage over the existing driveway which is 199 square feet and proposes to reduce stormwater runoff by recharging.

Erosion controls will be installed behind the existing shed. All proposed plantings should be detailed in a planting plan and should be approved beforehand with D. Anderson. Due to the fact that this is a condo association, the application has been filed under the association.

D. Simonelli stated that boulders would be installed in the rear as markers. One hazard tree has been noted will be ground to a stump. There is sufficient over story on the property. A waiver request for work within the wetland has been received.

Motion to close the public hearing for 78/80 Pleasant Street (DEP File #234-828) by S. Farr, seconded by S. Barber, approved 6-0-0.

Motion to issue the Order of Conditions for 78/80 Pleasant Street (DEP File #234-828) by A. Crocker, seconded by S. Farr, approved 6-0-0.

Motion to issue a waiver to work within the resource area by A. Crocker, seconded by S. Farr, approved 6-0-0.

Provisionally motion to waive the waiver fee by W. Murphy, seconded by S. Barber, approved 6-0-0.

OTHER BUSINESS:

1285 SOUTH STREET (DEP File #234-499) - REQUEST FOR CERTIFICATE OF COMPLIANCE

Tom Rebula from Goddard Consulting presented the project to the Commission. This project is very old. Back in 2006 an Order of Conditions was issued for a partial demo of the single family home. The Order was extended by the Extension Permit Act to 2012. Then in November of 2007 the Order was amended and the project was changed to demolish the entire house and rebuild. An extension was requested and issued to April 2015. Finally the project was amended once more to build a group residence. The residence was built and the Certificate of Compliance requested in September of 2014 was denied as to the discrepancies between the permit and the as built.

T. Rebula stated that the meadow is revegetated mostly with weeds. Monitoring reports had never been done though the report submitted by Goddard covers the information. Japanese knotweed has been removed though it will be very difficult to eradicate as it should be removed by the roots and it is located on a slope to the wetland.

The subsurface propane tank and generator were both not approved nor was the fence. Everything is stable. D. Anderson stated that the property is in the best condition it can possibly be. Markers are installed. The meadow lies beyond the grass lawn. A. Richardson raised the question to the Commission “what can the Conservation Commission do for the removal of invasives that may be equally challenging going forward?”

Motion to issue a Certificate of Compliance for 1285 South Street (DEP File #234-499) by A. Crocker, seconded by S. Barber, approved 6-0-0).

DEDHAM AVENUE – POTENTIAL TREE REMOVAL

D. Anderson stated that due to the stormy weather the tree removal on Dedham Avenue had been postponed and might happen tomorrow, Friday, March 29th.

LOCAL TREE INQUIRIES

D. Anderson also mentioned that several calls have been coming in from residents regarding their concern that trees may fall on their homes, or neighbor’s homes, and the trees are located on Town conservation land. D. Anderson has reached out to Rick Merson, Director of DPW to inquire how these requests for tree removal on Town property have been handled in the past. She intends to drive to the locations of these trees to see the status on Monday. Some are located on Oak Street, Blake Street and near Sweet Preserve Conservation land.

A. Richardson suggested that removing invasive plants (depending on the situation) may be a potential project for an eagle scout.

ADJOURN:

Motion to adjourn by A. Crocker, seconded by W. Murphy, approved 6-0-0. The meeting was adjourned at 9:15pm.

NEXT PUBLIC MEETING:

April 11, 2019 at 7:30 p.m. in the Public Services Administration Building, Charles River Room.