

**TOWN OF NEEDHAM
CONSERVATION COMMISSION
MEETING MINUTES
Thursday, September 26, 2019**

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

ATTENDING: Janet Carter Bernardo (Chair) (arrived at 7:55pm), Sue Barber, William Murphy, Peter Oehlkers, Alison Richardson, Deb Anderson (Director of Conservation), Clay Hutchinson (Conservation Specialist).

GUESTS: Karon S. Catrone, Ken Flueckiger, Patricia Flueckiger, John Glossa, Donna Huang, Paul Huang, Alex Kuzakovsky.

P. Oehlkers opened the public meeting at 7:34 p.m.

MINUTES: Minutes from the August 22, 2019 meeting were reviewed.

Motion to approve the minutes of August 22, 2019 by W. Murphy, seconded by S. Barber, approved 4-0-0.

ENFORCEMENTS AND VIOLATIONS

233 COUNTRY WAY ENFORCEMENT ORDER

Staff notified the Commission that the Homeowner was in the process of hiring a wetland scientist to perform a delineation and provide the required restoration plan. C. Hutchinson had met with the homeowner in the Conservation Office to discuss the status of the project and discuss the native tree species.

723 CHARLES RIVER STREET VIOLATION

Staff notified the Commission that they had been on-site at 723 Charles River Street following a tip that unpermitted tree cutting had occurred. Staff had previously conducted a site visit in May 2019, to review up to 40 trees that were proposed for removal. At that time, the Commission requested the homeowners solicit a wetland delineation and certified arborist review to determine how many of the trees were within wetland jurisdiction, and how many trees were hazardous. There had not been any follow-up since that time prior to the tree cutting activities.

Peter and Irene Murry, the Homeowners were present for the discussion. P. Murry stated that a delineation had been performed in July 2019, and presented a plan showing the wetland boundaries and tree locations. P. Murry stated that they would be coming back before the Commission with a permit application for the construction of a new single-family house. The Commission requested that Staff draft an Enforcement Order that requires a 2:1 replacement planting plan, and that requires all remaining work to cease until a planting plan is approved. P. Murry noted that the permit application for the single-family house is likely to be submitted within a couple of weeks.

Motion to issue an Enforcement Order for 723 Charles River Street by A. Richardson, seconded by S. Barber, approved 5:0:0.

HEARINGS:

260 ROSEMARY STREET (DEP FILE #234-837) – Continued NOTICE OF INTENT

John Glossa of Glossa Engineering represented the Applicant. Alex Kuzakovsky, the Applicant, and Karon S. Catrone, the wetland scientist, were also present for the hearing. The previous hearing had been continued to allow for the issuance of a DEP File Number as well as for the Applicant to submit a revised plan with the proposed building and appurtenances moved further away from the 25-foot Buffer Zone and submission of an invasive knotweed removal plan. The Applicant submitted a knotweed removal plan to Staff prior to the hearing. A revised plan was submitted at the hearing that also incorporated some additional layout changes from the Zoning Board of Appeals process. The revised plans moved the house two feet further from the 25-foot Buffer Zone and reduced the length of the decks by two feet.

The Commission discussed the knotweed removal plan and asked the present neighbors if they would consider removing the adjoining invasive knotweed from their properties as well, as a coordinated effort. The neighbors to the right, Paul and Donna Huang, expressed concern over the spread of knotweed and the effectiveness of trying to remove it. P. Huang also expressed concern over the replanting of native species in the 25-foot Buffer Zone, both in the likelihood the plantings will survive in place of knotweed and over the interrupted view of the lake they may experience as direct abutters. The Commission stated that the establishment of the native vegetation of the 25-foot Buffer Zone was a priority while the potential interruption to a viewshed or vista was outside of their purview.

The Commission required special conditions for a three-year knotweed monitoring program with a specified knotweed monitor, seeding of conservation seed mix during knotweed mitigation to prevent erosion, and submission of a new planting plan after the three-year removal and monitoring program. The planting plan must include only native species, such as replacing the proposed red spire pear with native river birch, and must identify the total number of trees removed during the construction process. A Certificate of Compliance will not be issued until satisfactory knotweed removal and monitoring has been completed and a new planting plan has been approved by the Commission and implemented with the standard survivability requirements after two growing seasons. The Commission stated that the Applicant will likely have to request an extension to satisfy these requirements, and that the Commission would require a new permit application to satisfy these requirements if they are not completed prior to expiration. Additionally, the Commission requested that a minimum of 12-inch compost sock erosion controls be used.

Motion to close the public hearing for 260 Rosemary Street (DEP File #234-837) by A. Richardson, seconded by S. Barber, approved 4-0-1 (W. Murphy abstained).

OTHER BUSINESS:

POLLARD SCHOOL – ANNUAL REQUEST FOR USE OF RIDGE HILL FOR TEAM-BUILDING ACTIVITIES

Staff received a Request for Use of Ridge Hill Reservation Form from the Pollard School for their annual team-building event. The request was for the following day, on September 27, 2019, but was an annual event as conducted at Ridge Hill Reservation in prior years. Activities will include a BBQ lunch, scavenger hunt on the trails, and use of the fields. Staff warned the Applicant about tick safety.

Motion to approve the use of Ridge Hill Reservation by the Pollard Middle School by W. Murphy, seconded by A. Richardson, approved 4-0-0 (J. Carter Bernardo absent from vote).

33-37 HAMILTON PLACE (DEP FILE #234-437) – REQUEST FOR CERTIFICATE OF COMPLIANCE

Staff had received a Request for Certificate of Compliance accompanied by the as-built plan and engineer's narrative for the work completed at 33-37 Hamilton Place. D. Anderson performed a site visit prior to the hearing and confirmed that a fence had been installed around the property but noted the fence would have been an exempt activity otherwise.

Motion to issue a Certificate of Compliance for 33-37 Hamilton Place (DEP File #234-437) by W. Murphy, seconded by A. Richardson, approved 4-0-0 (J. Carter Bernardo absent from vote).

ADJOURN:

Motion to adjourn by W. Murphy, seconded by S. Barber, approved 5-0-0. The meeting was adjourned at 9:34p.m.