

**TOWN OF NEEDHAM
CONSERVATION COMMISSION
MEETING MINUTES
Thursday, September 8, 2011**

LOCATION: Public Services Administration Building, Charles River Room

ATTENDING: Dr. Lisa Standley (Chair), Dawn Stolfi Stalenhoef (Vice Chair), Paul Alpert, Janet Bernardo, Marsha Salett, Patricia Barry (Agent), Debora Anderson (Conservation Specialist)

GUESTS: Aaron Adler, J.C. Grimaldo, Susan Welsh de Grimaldo, Bob Murphy, Diane Simonelli.

L. Standley opened the public meeting at 7:45 p.m.

MINUTES

The minutes of July 28, 2011 were yet to be reviewed by all members of the Commission

Motion to approve minutes of August 11, 2011 as amended by J. Bernardo, seconded by P. Alpert, approved 4-0-0.

Motion to approve minutes of August 25, 2011 as amended by J. Bernardo, seconded by D. Stolfi Stalenhoef, approved 4-0-0.

ENFORCEMENTS

320, 328 & 350 CEDAR STREET

Mr. Aaron Adler and Mr. & Mrs. Grimaldo were present. Mr. Adler distributed a Stabilization Plan prepared by Morse Engineering Co., dated August 8, 2011 to the Commission. The lot has been partially surveyed but due to the rain there have been delays completing the survey. The proposal includes stabilizing the slope, installing coir matting, hay bales, and plantings. L. Standley made it clear that terracing the slope is not only a way to stabilize the slope but also allows for support in case one of the terraces fails. P. Barry stated that the slope behind the Adlers property may be stabilized in sections, rather than terraces. She spoke with the engineers today at the site. The Commission requested additional information including a topographical plan showing the limit of fill, the top and bottom of the slope, the plan view, a cross section of the fill in various locations, and the proposed grades. The Commission agreed that of greatest concern is the area behind the Grimaldo's house. L. Standley stated that the work must commence within two weeks or the Commission will issue additional fines.

HEARINGS

231-233 WEST STREET (DEP FILE #234-625) – NOTICE OF INTENT

L. Standley opened the public hearing at 8:07pm. Mary Trudeau, the Wetlands Specialist was not present to represent the homeowner, however, Bob Murphy (the Applicant and future Owner) was in attendance. Administrative items that were missing from the application, and presumed to be in Ms. Trudeau's possession included green cards from the certified mailing, notice to abutters, and a signature on the application. The letter sent to abutters did not include the date or time of the hearing. L. Standley noted that portions of the work proposed would be within the 100 year flood zone which was not described or discussed in the narrative. The application was missing a performance standards analysis for 300 square feet of work proposed in the riverfront area. The Commission asked that the applicant provide the additional information and review their calculations for impervious areas which were not consistent

between the application and the narrative. The Commission discussed the proposed removal or pruning back of a 36" diameter tree and grading of the area within the flood plain. J. Bernardo noted that no calculations were provided for placing fill in BLSF. She indicated that she was concerned with the depth to groundwater, and had questions about the drainage calculations. D. Anderson said that she had conducted a site visit and found that the wetland delineation was accurate. The Commission requested that revised plans and additional information, including Clarification regarding the location of the hay bale line, be submitted by 9/15 to the Conservation Department. J. Bernardo recommended that the engineer call her to discuss the drainage calculations and recharging system. **Motion to continue the public hearing for 231-233 West Street (DEP File #234-625) to September 22, at 8:15pm by P. Alpert, seconded by M. Salett, approved 5-0-0.**

NEEDHAM WETLANDS PROTECTION REGULATIONS – PROPOSED REVISIONS

L. Standley opened the public hearing at 8:30pm. **Motion to close the discussion of the Needham Wetlands Protection Regulations by M. Salett, seconded by J. Bernardo, approved 5-0-0.** The public hearing was closed at 8:35 pm. **Motion to approve the proposed revisions as amended by M. Salett, seconded by J. Bernardo, approved 5-0-0.** D. Anderson will post the revised Needham Wetlands Protection Regulations on the Town of Needham website as well as update the office copies available to the public.

263 NEHOIDEN STREET (DEP FILE #234-624) – Continued NOTICE OF INTENT

L. Standley opened the public hearing at 8:35pm. D. Simonelli presented revised plans and a revised Town of Needham Wetlands Protection Bylaw Waiver request to the Commission. L. Standley stated that she had performed a site visit and examined the tree that the Applicant has requested to remove, and saw no reason to do so. L. Standley suggested to the Applicant's representative, Diane Simonelli, that they stake the house box and see if pruning is a possibility. The revised plans show that in place of a wrap-around deck, the Applicant is proposing an 11' x 11' patio. M. Salett suggested the Applicant look into pervious pavers and suggested adding a condition to the Orders of Conditions that will require that pervious pavers be used. L. Standley noted that the waiver request does not address an economic hardship. The public benefits from the sewer line being installed where it can be maintained easier and it is located further from the wetland. Part B of the application ignored minimization; the proposal shows work within the 25-foot buffer zone. The Commission indicated that the limit of work in location #1 should come back to the 25-foot line, and. The hay bale line should be moved to where grading is being done and grading for the new manhole should be minimized. P. Alpert reiterated that no tree removal would be approved, only pruning. **Motion to continue the public hearing for 263 Nehoiden Street (DEP File # 234-624) to September 22, at 8:30 pm.**

1051 SOUTH STREET (DEP FILE #234-623) – NOTICE OF INTENT

L. Standley opened the public hearing at 8:45pm. The owner had requested to continue the hearing to the next hearing date. **Motion to continue the public hearing for 1051 South Street (DEP File # 234-623) to September 22, 2011 at 8:45 pm by M. Salett, seconded by J. Bernardo, approved 5-0-0.**

3 MARY CHILTON ROAD (DEP FILE #234-615) – Continued NOTICE OF INTENT

L. Standley opened the public hearing at 9:00 pm. Per the applicant's request, the hearing was continued to a date uncertain. The applicant will be required to re-notify abutters. P. Alpert expressed a concern that the unauthorized work, and potentially damage to the wetland, were not being addressed because of the delay. The Commission recommended that P. Barry send a letter stating that unauthorized work was done in the buffer zone potentially damaging the wetlands. **Motion to continue the public hearing for 3 Mary Chilton Street (DEP File #234-615) by J. Bernardo, seconded by M. Salett, approved 5-0-0.**

OTHER BUSINESS

305 DEDHAM AVENUE (DEP FILE #234-563) – CERTIFICATE OF COMPLIANCE REQUEST

The photos taken of the property by D. Anderson show that the erosion controls were not in place, the patio has not been installed, and an un-permitted sump pump that discharges directly to the wetland had been installed. The Commission agreed that erosion controls should be reinstalled till the area is stabilized under the deck. The owner should remove the sump pump and the debris from the buffer zone. **Motion to deny the Certificate of Compliance for 305 Dedham Avenue (DEP File #234-563) by M. Salett, seconded by J. Bernardo, approved 5-0-0. Motion to issue an Enforcement Order for 305 Dedham Avenue (DEP File #234-563) requiring removal of the unauthorized discharge by P. Alpert, seconded by J. Bernardo, approved 5-0-0.**

273 & 263 NEHOIDEN STREET (DEP FILE # 234-423) – PARTIAL CERTIFICATE OF COMPLIANCE REQUEST

Motion to issue the partial Certificate of Compliance for 273 & 263 NEHOIDEN STREET (DEP FILE # 234-423) by J. Bernardo, seconded by P. Alpert, approved 5-0-0.

67 WAYNE ROAD (DEP FILE #234-622) – ISSUE ORDER OF CONDITIONS

Motion to issue the Order of Conditions for 67 Wayne Road (DEP File #234-622) by J. Bernardo, seconded by D. Stolfi Stalenhoeft, approved 4-0-0. (M. Salett did not vote due to Mullen Rule).

636 CHARLES RIVER STREET – NEW ENFORCEMENT ISSUE

L. Standley noted that while kayaking on the Charles River, she noticed a new metal dock installed at this property. A path had been mowed to access the dock. Portions of the slope were exposed. These activities are within the jurisdiction of the Commission. The Commission recommended that a letter be sent to the owner before any enforcement fines be issued.

Meeting to adjourn by J. Bernardo, seconded by P. Alpert, approved 5-0-0. The meeting was adjourned at 9:30 pm.

NEXT PUBLIC HEARING

September 22, 2011 at 7:30 p.m. in the Public Services Administration Building, Charles River Room