

TOWN OF NEEDHAM CONSERVATION COMMISSION MEETING MINUTES

Thursday, September 14, 2023

Under Governor Baker's Act "Extending Certain COVID-19 Measures Adopted During the State of Emergency", extending the "Executive Order Suspending Certain Provisions of the Open Meeting Law G.L. c. 30A, S20," issued June 16, 2021, and in effect until April 1, 2025, meeting of public bodies may be conducted virtually provided that adequate access is provided to the public.

LOCATION: Zoom Virtual Platform – the meeting was held virtually per Governor Baker's Emergency Order.

ATTENDING: Dave Herer (Chair), Peter Oehlkers (Vice Chair), Sue Barber, Fred Moder, Reade Everett, Polina Safran, Deb Anderson (Director of Conservation), Clay Hutchinson (Conservation Specialist)

D. Herer opened the public meeting at 7:00 p.m.

MISCELLANEOUS BUSINESS –

1. Minutes

Motion to approve the meeting minutes of August 24, 2023, by P. Oehlkers , seconded by F. Moder, approved 6-0-0.

2. Enforcement & Violation Updates

None at this time.

HEARINGS/APPOINTMENT

1191 GREENDALE AVENUE – REQUEST FOR DETERMINATION OF APPLICABILITY

John Rockwood, EcoTec, Inc., explained that the project is at Saint Sebastian School in the memorial garden area. The area is currently lined with river birches and a stone dust pathway with railings. The proposal is for 15 Stations of the Cross monuments and seven stone benches within the lawn area. An erosion control barrier, composed of a compost sock is proposed and storm outlets will be covered. The project will increase impervious surface on the site by 73 s.f. The monuments and benches will be dug by hand. The request is for a negative determination under the Act and a negative six under the bylaw.

P. Oehlkers asked if DEP will want something for this project. J. Rockwood stated that nothing has yet been received from DEP. This is mostly a de minimis project. Excavation will all be done by hand.

There was no public comment at this time.

Motion to close the hearing for 1191 Greendale Avenue, by P. Oehlkers , seconded by R. Everett, approved 6-0-0.

Motion to issue a negative determination of applicability for 1191 Greendale Avenue, by F. Moder, seconded by P. Safran, approved 6-0-0.

SABRINA LAKE NUISANCE AQUATIC VEGETATION MANAGEMENT (DEP FILE #234-912) – NOTICE OF INTENT

Kate O'Donnell, EcoTec, Inc., explained that this is an ecological restoration limited project for an aquatic management program by managing nuisance and invasive vegetation. Sabrina Lake is approximately 19 surface acres, with a portion in Needham and a portion in Wellesley. The purpose of the management program is to invade growth of nuisance and invasive vegetation that is in Sabrina Lake. The dense vegetation growth has led to reduced dissolved oxygen levels, which can be harmful to wildlife, reduced species richness and inhibited recreation use. Some of the proposed management techniques include approved herbicides and algaecides.

F. Moder asked the average depth of Sabrina Lake and if it varies during drought events. James Lacasse, Water and Wetland, stated that the average depth is 4'. This does not vary too much during drought events.

P. Oehlkers expressed concern regarding continued herbicide and algaecide use in this water body. J. Lacasse noted that there is an herbicide that was recently approved by the EPA. There are other techniques that could be utilized as well.

Paul McManus, EcoTec, Inc., explained that the request is to use the approved herbicides and algaecides to the extent necessary.

Llyod Geisinger, Sabrina Lake Association, explained that the Association is made up of abutters to the Lake who contribute money each year toward maintenance of the Lake.

D. Herer noted that one of the specific herbicides mentioned, Daikon, is prohibited in Needham or Wellesley. J. Lacasse stated that this is targeted toward milfoil. D. Anderson noted that she did not see language that this was prohibited in past agreements.

S. Barber asked how often treatment will occur. J. Lacasse stated that treatment occurs on a proactive, monthly schedule.

F. Moder shared the concern that there seems to be a heavy emphasis on the herbicide usage instead of biological or more natural treatments that may help mitigate this issue. He suggested approving these chemical treatments contingent on the use of more environmental interventions by the abutters.

D. Anderson explained that manual removal of the plants is also proposed. J. Lacasse explained that this is an alternative to herbicides and algaecides but can be very expensive. The diver-assisted suction removal can be used to remove plants through a third-party company. This is a

good alternative for low density areas. D. Anderson asked if there should be an area for the material to dewater. J. Lacasse noted that the material is placed in a bag or brought onto the boat. P. McManus stated that the mass of material would be known, prior to implementation, and the dewatering/disposal location could be shared with staff. D. Anderson stated that Staff has had this not done properly in the past and would want to make sure it is carried out with this project.

D. Anderson noted that aluminum sulfate has been shown to have direct toxicity and reduces fertility in fish. J. Lacasse noted that this is used to target phosphorus and is commonly used. Results show that, even over time, it does work to target phosphorus.

D. Anderson noted that this may require a waiver, as work is being requested within the resource area.

P. Safran suggested waiting to hear comments from Wellesley on this project prior to issuing a determination.

Motion to continue the hearing for Sabrina Lake Nuisance Aquatic Vegetation Management (DEP FILE #234-912) to September 28, 2023, by P. Safran, seconded by F. Moder, approved 6-0-0.

49 GREEN STREET (DEP FILE #234-911) – continued NOTICE OF INTENT

Motion to open the hearing for 49 Green Street (DEP FILE #234-911), by P. Oehlkers, seconded by P. Safran, approved 6-0-0.

Motion to continue the hearing for 49 Green Street (DEP FILE #234-911), to September 28, 2023, by P. Oehlkers, seconded by P. Safran, approved 6-0-0.

OTHER BUSINESS

167 NEHOIDEN STREET (DEP FILE #234-894) – REQUEST FOR CERTIFICATE OF COMPLIANCE

C. Hutchinson stated that this item came before the Commission previously for removal of a pool within 50' of a perennial stream. The Order of Conditions did not require an as-built plan or mitigation. Staff has noted that the area has been stabilized and that the Order of Conditions has been met.

Motion to issue a Certificate of Compliance for 167 Nehoiden Street (DEP FILE #234-894) by F. Moder, seconded by P. Safran, approved 6-0-0.

28 MARR ROAD (DEP FILE #234-554) – REQUEST CERTIFICATE OF COMPLIANCE

John Rockwood, EcoTec, Inc., explained that this 2009 Order of Conditions did not receive a Certificate of Compliance at that time. This item deals with removal of trees on the property, but

mitigation saplings were never planted. Since that time, 12 1.5" saplings were planted around the site in the buffer zone and monitored for two growing seasons. 100% of the plantings survived.

Motion to issue a Certificate of Compliance for 28 Marr Road (DEP FILE #234-554), by P. Oehlkers, seconded by P. Safran, approved 6-0-0.

GUARDRAIL WORK ON CENTRAL AVE AND DEDHAM AVE – DISCUSSION

Justin Savignano explained that the Town is in the process of replacing guardrails at two locations on Central Avenue and one along Dedham Avenue. This will include driven metal supports, so there will be no disturbance. Erosion controls, with sediment socks are shown on the plan. Any disturbance of soil will be toward the ends of the rungs.

The Commission was in agreement that a formal filing was not necessary for this item.

6 SUNSET ROAD RESTORATION PLAN (DEP FILE #234-567) – DISCUSSION

Mary Trudeau explained that this project was originally permitted around 2009. During the original approval, the mitigation for the work that occurred included the restoration of a riverfront area, with 84 plantings. Very little of this planting appears to have been done on the site. The current plan includes hand removal of some invasive species on the property, and plantings within these openings.

The Commission agreed that the applicant should continue to work with Staff on this project.

920 SOUTH STREET LOT 2 (DEP FILE #234-904) PATH MAINTENANCE – REQUEST FOR MINOR MODIFICATION

C. Hutchinson explained that the original proposed scope of work is mostly outside of the buffer zone. At the preconstruction meeting, there was an existing path seen that runs alongside the wetlands. The path has long been used as access to a nearby meadow. The proposal is to lay a bit of gravel along the path to maintain it and prevent vegetation from growing up through it and place an existing shed back toward the meadow area.

F. Moder noted that the owner is asking for an exception to allow for potential additional mowing of the meadow. C. Hutchinson stated that the owner is concerned with long-term growth along the pathway itself. The path is currently large enough to be accessed by a mower.

Motion to accept a minor modification of relocating the shed and adding approximately 1" of gravel to an existing path for 920 South Street Lot 2 (DEP FILE #234-904), by R. Everett, seconded by P. Safran, approved 6-0-0.

APPOINTMENT TO THE CLIMATE ACTION COMMITTEE – DISCUSSION

Motion to appoint Fred Moder as the Conservation Commission's representative to the Climate Action Committee, by R. Everett, seconded by S. Barber, approved 6-0-0.

RIDGE HILL EDUCATIONAL PROGRAM – DISCUSSION

D. Anderson explained that she was approached by a member of the Boston Outdoor Preschool Network regarding an outdoor child educational program. The Network is a non-profit group. The proposal would be to lease the Ridge Hill property to include a 30' yurt near the large parking area. The daily program would include approximately ten preschoolers dropped off from different towns. The income appears to be approximately \$4,000-\$5,000/child/month. There are also potential summer programs that could occur. The Town has agreed to one-time programs in the past, but it is unclear if a binding lease for a program has ever been signed in the past.

S. Barber stated that she would agree to a one-day program, but otherwise finds this to be a bit of an invasion. This could also be a liability issue.

P. Oehlkers stated that he is dubious that this area is the right choice for a preschool program. There are other areas of Town that may be more appropriate.

P. Safran stated that it is unclear if the land use can be restricted to Needham residents only. D. Anderson stated that this may be different because a legally binding lease is being requested.

The Board agreed to seek more information on this item but is not particularly interested with it moving forward as proposed at this time.

RIDGE HILL RESERVATION IMPROVEMENT FUNDING – DISCUSSION

D. Herer noted that the Community Preservation Committee is accepting applications for funding projects in Town. The application is due November 1st, and there is an opportunity to consider this for Ridge Hill Reservation improvements.

The Commission agreed to consider some potential projects that could be applied for.

FOSTER PROPERTY TOWN MEETING ARTICLE XX – DISCUSSION

D. Herer noted that Town Meeting will vote regarding this potential 34-acre addition to the Ridge Hill property.

The Commission agreed to make a statement that, as a body, it sees this as an opportunity to move forward with.

TREE REMOVAL GUIDELINES – DISCUSSION

D. Herer explained that a new draft of these guidelines is available. D. Anderson stated that she would submit her comments on the draft by the next meeting.

CONSERVATION PROGRAMMING – DISCUSSION

The Commission discussed potential future programming, such as a geology walk at Ridge Hill or tours regarding shrinking lawns to change to native plantings. The Commission discussed a potential wildlife photography showcase as well. C. Hutchinson stated that he would look further into this topic for additional discussion at a future meeting.

CODE OF CONDUCT POLICY – DISCUSSION

The Commission reviewed R. Everett's amendments to the draft policy.

Motion to adopt the Code of Conduct Policy as revised, by P. Safran, seconded by S. Barber, approved 6-0-0.

ADJOURN:

Motion to adjourn the meeting, by P. Safran, seconded by F. Moder, approved 6-0-0.

The meeting was adjourned at 9:40 p.m.

NEXT PUBLIC MEETING:

September 28, 2023, at 7:00 p.m. location to be determined.

*Respectfully Submitted,
Kristan Patenaude*