

TOWN OF NEEDHAM CONSERVATION COMMISSION MEETING MINUTES

Thursday, October 26, 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), Reade Everett, Polina Safran, Fred Moder, Sue Barber, Alison Richardson, Deb Anderson (Director of Conservation)

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

MISCELLANEOUS BUSINESS –

1. Minutes

Motion to approve the minutes of October 12, 2023, as presented, by P. Safran, seconded by R. Everett, approved 6-0-1.

2. Enforcement & Violation Updates

None at this time.

HEARINGS/APPOINTMENT

SABRINA LAKE NUISANCE AQUATIC VEGETATION MANAGEMENT (DEP FILE #234-912) – continued NOTICE OF INTENT (will be continued to November 16, 2023)

The Chair opened this hearing.

Motion to continue the hearing for Sabrina Lake Nuisance Aquatic Vegetation Management (DEP File #234-912) to November 16, 2023, by A. Richardson, seconded by P. Safran, approved 7-0-0.

49 GREEN STREET (DEP FILE #234-911) – continued NOTICE OF INTENT (will be continued to December 7, 2023)

The Chair opened this hearing.

Motion to continue the hearing for 49 Green Street (DEP File #234-911) to December 7, 2023, by S. Barber, seconded by P. Safran, approved 7-0-0.

80 ROBINWOOD AVENUE (NGWP #20) – *continued* NOTICE OF INTENT

The Chair opened this hearing.

Motion to continue the hearing for 80 Robinwood Avenue (NGWP #20) to November 16, 2023, by R. Everett, seconded by P. Safran, approved 7-0-0.

190 EDGEWATER DRIVE (DEP FILE #234-9XX) – NOTICE OF INTENT

Motion to continue the hearing for 190 Edgewater Drive (DEP File #234-XXX) to November 16, 2023, by R. Everett, seconded by P. Safran, approved 7-0-0.

17 GLOVER ROAD (DEP FILE #234-915) – *continued* NOTICE OF INTENT

Susan McArthur stated that the applicant now has a DEP file number. This proposal is for construction of a two-story addition to the existing house within the 200' riverfront area and the 100' buffer zone to a bordering vegetated wetland. A naturalized area is proposed of 945 s.f. at the back of the property adjacent to the bordering vegetated wetland. The Commission initially seemed okay with that proposal. The plans have been amended to remove a proposed area of mitigation on the side of the property, as Staff noted that it was not necessary, due to the calculation.

D. Anderson stated that some additional conditions for this item include that the naturalized planting area should not be mowed except once a year. A third marker should be added to the area.

Motion to close the hearing for 17 Glover Road (DEP File #234-915), by P. Safran, seconded by R. Everett, approved 7-0-0.

OTHER BUSINESS:

130 CLARK ROAD (DEP FILE #234-877) – REQUEST FOR CERTIFICATE OF COMPLIANCE

John Rockwood, EcoTec Inc., stated that the Notice of Intent was filed partially due to some unpermitted vegetation removal, lawn enhancement, and a patio enlargement. The work proposed in the Order was completed. The applicant did not install a shed and does not intend to. The as-built plan has a note to that effect. The soils containing the invasives species was removed and saplings planted had a 100% survival and shrubs had an 80% survival. The area was seeded with a conservation seed mix. The applicant has been told the area can be mowed once a year in October. There is an iron fence separating the lawn and the re-naturalized area.

D. Anderson recommended a certificate of compliance at this time.

F. Moder asked about mowing in October versus early spring. A. Richardson stated that mowing in early spring can be hampered due to snow. There could also be nesting during this time.

Motion to issue a Certificate of Compliance for 130 Clark Road (DEP File #234-877), by S. Barber, seconded by P. Safran, approved 7-0-0.

NEEDHAM HOUSING AUTHORITY LINDEN CHAMBERS REDEVELOPMENT PROJECT – DISCUSSION

Reg Foster, Needham Housing Authority, explained that the conceptual design for the Linden Chambers Development project has been completed and the schematic design is almost complete. This was presented to the Planning Board on October 3rd and there was a request for community engagement, which is now ongoing.

Dan Chen, BH+A, explained the existing encroachments on the site. There is approximately 1,100 s.f. within the 25' buffer zone and 15,700 s.f. within the 50' buffer zone. The conceptual plan included 269 s.f. of encroachment into the 25' buffer zone, a 76.3% reduction, and 8,427 s.f. in the 50' buffer zone, a 46.6% reduction. The schematic design shows 908 s.f. of encroachment into the 25' buffer zone, a 20.1% reduction, and 4,203 s.f. of encroachment in the 50' buffer zone, a 73.4% reduction. He discussed fire truck access to the proposed site and how this would impact encroachments on the site. A walking trail is proposed in the back of the site to create a popular amenity for residents. This may additionally encroach into the 25' buffer zone.

D. Anderson noted that the 50' buffer zone does not come into play because it is not wildlife habitat. The 100' buffer zone will come into play.

R. Everett asked how fire truck access could impact the walking trail. D. Chen explained that this may push the trail into the 25' zone. R. Everett suggested that the Commission could give some advice regarding the trail.

F. Moder asked if one fire truck access option has less asphalt over another. D. Chen explained that one option does contain less paving. If the Fire Department requests a path around the building, this will impact the current design. Another option could be a turnaround area.

P. Oehlkers stated that he would not like to see new development within the 25' zone. He would like to know what disturbance on the site has already occurred. D. Chen explained that there is 1,136 s.f. of already disturbed land in the current footprint of the building within the 25' zone. P. Oehlkers stated that he does not see as much of a problem, if any new disturbances are kept within the already disturbed areas.

A. Richardson asked when the Fire Department will choose an option. D. Chen explained that the applicant has met with the Department once and will continue to work with them through the process. The Department will have the final say on the proposed design. A. Richardson suggested that wetland areas could be recreated in different areas of the site, if needed.

P. Safran asked about a two-story structure to increase parking, as a way to minimize asphalt parking areas. D. Chen stated that a parking garage would be very expensive, and it would be

more beneficial for the elderly population demographic to have parking close to the building access area.

D. Herer stated that impacts during construction should be considered before the project begins. He suggested an option for a compensatory project elsewhere on the site to add new wetland value on the site, while allowing the Fire Department the access it needs. P. Oehlkers agreed that this model makes sense in certain situations.

R. Foster explained that this project will go back before the Planning Board on November 7th with updates. The main focus will then likely be the zoning changes and amendments that will need to be made for consideration at May Town Meeting. He noted that this will be a fully sprinkled building.

The Commission discussed the proposal for a potential compensatory project.

ADDITIONAL ORDERS OF CONDITIONS

Motion to issue an Order of Conditions for 17 Glover Road (DEP File #234-915) as discussed, by R. Everett, seconded by P. Safran, approved 7-0-0.

The Commission discussed the proposed Order of Conditions for Claxton Field.

Motion to approve the requested waiver for work within the 25' No Disturb Zone for 1380 Central Avenue, Claxton Field (DEP FILE 234-914), by R. Everett, seconded by F. Moder, approved 7-0-0.

Motion to issue an Order of Conditions for 1380 Central Avenue, Claxton Field (DEP FILE 234-914) as discussed, by R. Everett, seconded by P. Safran, approved 7-0-0.

ADJOURN:

Motion to adjourn the meeting, by R. Everett, seconded by P. Safran, approved 7-0-0.

The meeting was adjourned at 8:42 p.m.

NEXT PUBLIC MEETING:

November 16, 2023, at 7:00 p.m. location to be determined.

*Respectfully Submitted,
Kristan Patenaude*