

TOWN OF NEEDHAM CONSERVATION COMMISSION MEETING MINUTES

Thursday, May 9, 2024

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, §20," 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), Sue Barber, Reade Everett, Fred Moder, Alison Richardson, Polina Safran, Bill Hebard, 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 April 25, 2024, and May 27, 2021, as amended, by D. Herer, seconded by P. Safran, approved 7-0-0.

2. Enforcement Orders

None at this time.

HEARINGS/APPOINTMENT

40 LAKE DRIVE (DEP FILE #234-927) – NOTICE OF INTENT

D. Herer explained that this is an after-the-fact Notice of Intent, as the project is mostly completed.

Nicole Ferrara, LEC Environmental, explained that this project was a raze and rebuild of a single-family home. The site contains a driveway from Lake Drive and a walkway connecting it to the house. The western portion of the site contains forested uplands on a steep slope. Associated resource areas include an offsite intermittent stream which is a tributary to Rosemary Lake, and a bordering vegetated wetland. The 50' buffer is located within the existing lawn area.

Rich Kirby, LEC Environmental, explained that, as part of the raze and rebuild, it was determined that the existing foundation needed reinforcement, and additional footings were installed around the foundation, altering the land in the buffer zone. A tree next to the house was also removed during this work. An arborist was hired to review other trees on the property, and it was determined that three trees should be removed, and one pruned as well. The trees are proposed to be replaced with eight trees on the site. An erosion control barrier is on the site. The proposal is to increase the lawn to the 50' buffer line.

The Commission stated that the requirement is for 2 ½” caliper trees to be planted on the site as replacements. The applicant agreed.

In response to a question from F. Moder, R. Kirby stated that there is no stormwater management proposed or currently installed. The Town’s stormwater bylaw was not triggered, as the existing foundation was kept in place and the footprint was not increased. D. Herer suggested that this be checked with the Town, along with the wetland regulations in terms of runoff. There was agreement that this project should include some amount of an infiltration system. The applicant team stated that this was not a teardown or complete reconstruction, but they would look into an infiltration system, if required.

The Commission stated that they would like to see a planting plan and additional information regarding stormwater controls to review prior to issuing an Order of Conditions.

There was no public comment at this time.

Motion to continue the hearing for 40 Lake Drive (DEP File #234-927) to May 23, 2024, by F. Moder, seconded by P. Safran, approved 7-0-0.

0 & 731 SOUTH STREET (DEP FILE #234-920) – continued NOTICE OF INTENT

Motion to close the hearing for 0 & 731 South Street (DEP File #234-920), by D. Herer, seconded by P. Safran, approved 7-0-0.

49 GREEN STREET (DEP FILE #234-911) – continued NOTICE OF INTENT (previously continued to May 23, 2024)

This item was previously continued to the May 23, 2024, meeting.

981 SOUTH STREET (DEP FILE #234-925) – NOTICE OF INTENT

D. Anderson stated that a revised plan with a trench drain for the driveway runoff was submitted.

Fred Keylor, H.W. Moore Associates, explained that the plan has been revised to show that stormwater from the parking area at the top of the driveway will be picked up with a trench drain and run to the infiltration system.

There was no public comment at this time.

Motion to close the hearing for 981 South Street (DEP File #234-925), by F. Moder, seconded by P. Safran, approved 7-0-0.

997 SOUTH STREET (DEP FILE #234-926) – NOTICE OF INTENT

D. Anderson stated that a similar trench drain item was discussed for this project but is outside of the Commission’s jurisdiction.

There was no public comment at this time.

Motion to close the hearing for 997 South Street (DEP File #234-926), by F. Moder, seconded by S. Barber, approved 7-0-0.

OTHER BUSINESS

The Commission reviewed the draft Orders of Conditions for 981 South Street and 997 South Street.

Motion to issue an Order of Conditions for 981 South Street (DEP File #234-925), by D. Herer, seconded by P. Safran, approved 7-0-0.

Motion to issue an Order of Conditions for 997 South Street (DEP File #234-926), by P. Safran, seconded by R. Everett, approved 7-0-0.

The Commission reviewed the draft Order of Conditions for 0 & 731 South Street.

Motion to issue an Order of Conditions for 0 & 731 South Street (DEP File #234-920), by D. Herer, seconded by P. Safran, approved 7-0-0.

80 GARY ROAD (DEP FILE #234-922) – APPEAL DISCUSSION

D. Anderson explained that this decision was appealed by ten members of the public. D. Herer stated that this project dealt with removal of vegetation and some significant restoration plantings which the Commission found to be appropriate. The Commission did not hear comments on this topic from abutters during the hearing itself. D. Anderson stated that DEP is determining if the appeal is administratively complete. If so, a site meeting will be called with the applicant, Commissioners, DEP, and Staff.

53 HEATHER LANE (DEP FILE #234-919) – ORDER OF CONDITIONS DISCUSSION

The Commission agreed to discuss this topic at a future meeting.

ADJOURN:

Motion to adjourn the meeting, by D. Herer, seconded by P. Safran, approved 7-0-0.

The meeting was adjourned at 8:07 p.m.

NEXT PUBLIC MEETING:

May 23, 2024, at 7:00 p.m. location to be determined.

*Respectfully Submitted,
Kristan Patenaude*