

TOWN OF NEEDHAM CONSERVATION COMMISSION MEETING MINUTES

Thursday, April 25, 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 11, 2024, and May 13, 2021, as amended, by D. Herer, seconded by F. Moder, approved 7-0-0.

2. Enforcement Orders

None at this time.

HEARINGS/APPOINTMENT

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

David Mackwell, Kelley Engineering Group, Inc., explained that revised stormwater improvements to be compliant with the current bylaw have been submitted. Replacement trees from the list of recommended plantings have also been shown on the plan. The applicant is requesting an Order of Conditions similar to the one issued in 2018/2019. Stormwater improvements include a small depression in the front yard with a small culvert to cross the driveway.

Attorney John Zijac, attorney for an abutter, stated that the plan does show improvements regarding stormwater runoff mitigation. His client would prefer that the driveway not skirt the wetlands for the entire length of the site. He requested that the applicant consider pitching the driveway to make sure the runoff goes toward the swale instead of the wetlands. The applicant agreed.

Motion to continue the hearing for 0 & 731 South Street (DEP File #234-920) to May 9, 2024, by D. Herer, seconded by P. Safran, approved 7-0-0.

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

Motion to continue the hearing for 49 Green Street (DEP File #234-911) to May 23, 2024, by D. Herer, seconded by S. Barber, approved 7-0-0.

30 WILDWOOD DRIVE – REQUEST FOR DETERMINATION OF APPLICABILITY

John Rockwood, EcoTec Inc., stated that the wetland boundary on this site extends a bit into the lawn. The proposed project is to redo an existing deck, expand it, and enclose part of it to make a porch. A new staircase and walkway will lead to the driveway. A 9” compost sock is proposed for erosion control. The rehabilitation of the existing deck will maintain the existing framing. Six new posts on footings will be placed using an excavator. Some shrubs on site will be pruned and a few will be transplanted on site away from the deck area. The increase of impervious surface is approximately 218 s.f. leading to the project being proposed under a Determination of Applicability.

R. Everett asked that additional native plantings be planted where the shrubs are proposed to be removed.

There was no public comment at this time.

Motion to close the hearing for 30 Wildwood Drive, by D. Herer, seconded by S. Barber, approved 7-0-0.

Motion to issue a negative Determination of Applicability for 30 Wildwood Drive, by D. Herer, seconded by F. Moder, approved 7-0-0.

SOUTH STREET @ BURR DRIVE – REQUEST FOR DETERMINATION OF APPLICABILITY

D. Herer noted that this and the next two projects are all associated with one larger development.

Fred Keylor, Hancock Associates, explained that the existing sewer currently terminates in the vicinity of this project. The proposal is to extend the sewer for about 500 linear feet. This is associated with four house lots on the north side of South St. The work will be within the 50’-100’ wetland buffer. The only work within the 50’ is the installation of erosion controls along the roadway shoulder. This project has been reviewed by the Department of Public Works and Water Department. This project is proposed under a Determination of Applicability as it deals with a subsurface utility within an existing roadway.

There was no public comment at this time.

Motion to close the hearing for South Street @ Burr Drive, by D. Herer, seconded by F. Moder, approved 7-0-0.

Motion to issue a negative Determination of Applicability for South Street @ Burr Drive, by D. Herer, seconded by F. Moder, approved 7-0-0.

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

Arthur Allen, EcoTec Inc., explained that there is a seasonal ponding area in the area of this site. The area was found to dry within the first month of last spring, stayed dry, and had no evidence of any amphibians within it. No work is proposed within 50' of the bordering vegetated wetland. The amount of disturbance within the 50'-100' buffer is 2,576 s.f. The project is below the 5,000 s.f. disturbance allowed for wildlife habitat impacts.

F. Keylor explained that an infiltration system is proposed between the main house and South Street for this project. Test pits on the site showed a lot of ledge. Grading on the site is at approximately 3:1. Six trees are proposed to be removed and these will be replaced with 12 trees.

R. Everett asked if a planting plan is required for this project. D. Anderson agreed that a planting plan has always been required. F. Keylor stated that there are notes on the plan showing the proposed tree species. A. Richardson stated that the location of the proposed trees should be considered as part of a planting plan.

D. Herer noted that the bylaw requires capturing 100% of the runoff from the impervious area of the site. A drain in the apron area could be included in order to capture this area.

There was no public comment at this time.

Motion to continue the hearing for 981 South Street (DEP File #234-925) to May 9, 2024, by D. Herer, seconded by S. Barber, approved 7-0-0.

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

A. Allen explained that this project is outside of the 50' buffer. 2,288 s.f. of disturbance is proposed within the 50'-100' buffer. Two trees are proposed to be removed and replaced by four trees.

F. Keylor stated that an impervious treatment system is proposed on the site. Grading on the site is 3:1 or less. The buffer zone goes through a common driveway proposed on the site.

C. Hutchinson stated that a planting plan should likely be provided for this site as well.

D. Herer stated that a drain in the apron of the driveway should run into the infiltration system. The bylaw requested that 100% of the runoff be captured. F. Keylor stated that the driveway is pitched to run into the lawn. It is believed it would be more beneficial for this water to percolate and infiltrate into this area to work more naturally into the ground. C. Hutchinson stated that the

plan shows a 2'x6' crushed stone area that could be sized to infiltrate the driveway runoff in a different area than the spot to capture the roof runoff.

There was no public comment at this time.

Motion to continue the hearing for 997 South Street (DEP File #234-926) to May 9, 2024, by D. Herer, seconded by R. Everett, approved 7-0-0.

OTHER BUSINESS

LINDEN CHAMBERS REDEVELOPMENT – UPDATE

Reg Foster, Needham Housing Authority, explained that there are four Articles proposed to go to Town Meeting this year. The Planning Board will be sponsoring two of the Articles proposed to go to Town Meeting. Two articles that have been proposed by the Planning Board, Article 18 and 19, propose to provide the zoning needed for the project. Article 22 which has been vetted by the CPC recommends \$5.5M of construction funding. The fourth zoning article allows for conforming changes to the various documents that at the Norfolk County Registry of Deeds. Nothing has changed since this project was previously before the Commission on October 26th. The existing development has a bit of encroachment into the 25' and 50' buffer zones. The new development attempts to reduce all the buildings back as much as possible consistent with multiple objectives. The proposal includes approximately $\frac{3}{4}$ reduction of encroachment within the 25' buffer zone and approximately 50% in the 50' buffer zone. The proposal looks to reduce the amount of hardscape and increase the amount of open space by almost 50%.

F. Moder asked if a retaining wall will be proposed for the back of the building. R. Foster stated that a retention pond is proposed but not a retaining wall. All stormwater on the site will be captured and infiltrated.

The Board discussed a potential resolution regarding the four proposed Article. R. Foster explained that if any of these four Articles do not get approved, the project will not move forward.

Motion to adopt the following Resolution by D. Herer, seconded by R. Everett, approved 7-0-0: The Needham Conservation Commission, having reviewed the Schematic Design Plans for the Linden Street Redevelopment Project, the proposed improvements to wetlands encroachment relative to the pre-existing non-conforming development, and the proposed landscaping plan, recommends that 2024 Annual Town Meeting support the Linden Street Project-related warrant articles:

- ***Article 18 — Amend the Zoning By-law - Affordable Housing District***
- ***Article 19 — Amend the Zoning By-law - Map Change for Affordable Housing District***
- ***Article 22 — Appropriate for Linden Street Redevelopment***
- ***Article 41 — Authorize Select Board to Remove Restrictions***

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

This item was tabled to a future meeting.

Motion to appoint Fred Moder to the Climate Action Committee, by D. Herer, seconded by R. Everett, approved 7-0-0.

ADJOURN:

Motion to adjourn the meeting, by R. Everett, seconded by S. Barber, approved 7-0-0.

The meeting was adjourned at 8:43 p.m.

NEXT PUBLIC MEETING:

May 9, 2024, at 7:00 p.m. location to be determined.

*Respectfully Submitted,
Kristan Patenaude*