

TOWN OF NEEDHAM CONSERVATION COMMISSION MEETING MINUTES

Thursday, November 14, 2024

Under Governor Healey's Act "Extending Certain COVID-10 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 March 2023, 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, Bill Hebard, Polina Safran, Clary Coutu, 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 October 24, 2024, by P. Safran, seconded by B. Hebard, approved 6-0-0.

2. Enforcement Orders

None at this time.

OTHER BUSINESS – *The Commission addressed this agenda item at this time*

131 OXBOW ROAD (DEP FILE #234-917) – REQUEST FOR MINOR MODIFICATION

Ben Heyworth, applicant, explained that the grading within the limit of work would lead to a very steep descent down the back of the property to a lawn area. This would be a safety issue. The proposal from staff was to install retaining walls and stairs, but his suggestion is to instead extend the limit of work and erosion control in order to grade on a more gradual slope. Ben Chirco stated that the increased area is approximately 1,300 s.f.

D. Anderson noted that the majority of the area is outside the Commission's jurisdiction. Staff is okay with the proposal.

There was no public comment at this time.

Motion to approve the Minor Modification for 131 Oxbow Road (DEP File #234-917), by S. Barber, seconded by P. Safran, approved 6-0-0.

HEARINGS/APPOINTMENT

898 SOUTH STREET (DEP FILE #234-934) – *continued* NOTICE OF INTENT

Motion to continue the hearing for 898 South Street (DEP File #234-934), to December 5, 2024, by P. Safran, seconded by S. Barber, approved 6-0-0.

484 CHARLES RIVER STREET (DEP FILE #234-939) – NOTICE OF INTENT

Scott Morrison, VHB, explained that the applicant recently filed an abbreviated notice of resource area delineation for this property with the intent to review and approve the well and boundary. As staff was reviewing the wetland boundaries, a goal and interest of preserving the existing natural meadow was expressed. Thus, the applicant filed an ecological restoration notice of intent as there has been no permit in place, but the owner has been maintaining and mowing the area. A portion of the meadow is currently mowed and some of the area has filled in with invasive species. The history of the area is that it was utilized as part of an agricultural field from the 1800s to the late 1970s. It was then left fallow and transitioned into a meadow. It was mowed by the prior owner until around 2012. The applicant is seeking an order conditions for continued maintenance of this area and removal of invasive plants within the western 2.75 acres. The proposal also includes to overseed with native plants and restore the meadow from 13.37 acres to 16.22 acres, or an increase of approximately 2.75 acres. The order will provide a mowing schedule that avoids the bird nesting season, mowing between September through early December. It is rare in eastern Massachusetts to have a meadow of this size. The invasive species are proposed to be controlled via mowing or herbicide treatments.

D. Anderson asked about the existing mowing schedule. S. Morrison stated that he believes it is being done each fall currently. The height will be kept to around 6”-8”. D. Anderson noted that herbicide treatment of invasives would need to be run by the Commission. Markers can be placed to make sure that the mowing and treatment stay within the limit of work. No trees are proposed to be removed from the site.

S. Barber stated that mowing is proposed within the 25’ buffer and suggested that the buffer be marked.

R. Everett asked about the land owned by the Town adjacent to this property. If it is not mowed, it may fill in with invasives. S. Morrison stated that this has historically been mowed but was not included in this application, as it is Town land. The applicant can continue to mow this, if the Town would like. R. Everett stated that he would like it to be mowed. D. Anderson stated that the Town would need to sign off on the Notice of Intent. She asked the owner to consider adding this area in.

Lynn Kaplan, Oxbow Road, asked about the intent of this land. D. Anderson stated that the proposal is to keep it as a meadow.

Motion to continue the hearing for 484 Charles River Street (DEP File #234-939), to December 5, 2024, by C. Coutu, seconded by R. Everett, approved 6-0-0.

19 MASON ROAD (DEP FILE #234-938) – NOTICE OF INTENT

Diane Simonelli, Field Resources, explained that this is a fairly clearcut lot. The wetlands are in the rear of the property and have been delineated. There is a sewer drain easement on the property and the outfall leads to the back of the property. A portion of the land has hydraulic soils. The proposal is to revegetate the wetland area that is currently flagged as hydraulic soils, 786 s.f. This is approximately the same amount of impervious footprint proposed for the lot. An infiltration system will be installed by the Town's bylaw. Most of the property is within jurisdiction, approximately 10,000 s.f. The driveway is proposed in the same area as the existing driveway. A variety of native plantings are proposed for the site. A waiver is requested for work within the 25' buffer for the plantings. A waiver from the fee is also proposed as the wetland area is being improved. No trees are proposed to be removed.

D. Anderson stated that she visited the site and there are erosion controls already installed but they are backwards. The erosion controls currently go through the wetland that is proposed to be restored. She suggested silt fence be installed around the area to be restored to show the limit of work. D. Simonelli stated that erosion control was proposed in its existing location because work is proposed within the 25' buffer.

In response to a question from C. Coutu, D. Simonelli stated that there is not a formal planting plan, but there was a list of proposed plantings and number of proposed plants included in the plan.

P. Safran asked about the erosion controls that currently span through the wetland. D. Simonelli stated that these will be left in that area but reconfigured. The site will be staked to make sure the contractor knows where the plantings should go. P. Safran stated that the silt fence will cause disturbance into the wetland, and she suggested that those controls be moved out of the wetlands. D. Simonelli suggested moving the controls to the area that will be staked for the outer limit of the mitigation plantings. D. Anderson stated that this will be discussed at the preconstruction meeting.

R. Everett stated that St. John's wort is not native and should be removed from the planting list. He noted that native non-cultivars should be used.

Peter Burns, abutter, stated that the mitigation area is filled with creeping buttercup, and he asked about a plan to remediate for it. D. Simonelli stated that there is no plan for this currently. D. Anderson suggested a native seed mix within that area.

Brenda Currans, abutter, stated that Fuller Brook is behind the property in question, which is currently dry. When wet, the brook rises and she asked about putting the plantings the full length of the property, to hopefully help with flooding and health of the brook. There could be an impact to the water table based on the increased size of the home. D. Simonelli stated that the resource area proposed to be revegetated should help with the water concerns, as the vegetation will absorb and help with the flow. The recharge systems proposed for the downspouts will change from sheet flow to recharge into the groundwater. D. Anderson noted that this portion of

the brook is not considered perennial. There is not an extra designation for a 200' riverfront area on this property. The only resource areas on this site include intermittent stream and the associated wetlands.

Mark Gluesing, 48 Mackintosh Avenue, stated that this area has a high water table. He asked about the depth of the proposed basement. D. Simonelli stated that she is unsure of the depth, but a sump pump could be installed if needed. It is unclear how that would be discharged. Tom Ryder, Town Engineer, stated that there is a Town drain program that requires a permit which could be considered.

P. Safran asked if a planting plan will be required to be submitted. D. Anderson stated that the plants can be required to be added to the plan.

Motion to continue the hearing for 19 Mason Road (DEP File #234-938) to December 5, 2024, by R. Everett, seconded by S. Barber, approved 6-0-0.

OTHER BUSINESS

PHEASANT LANDING ROAD (234-630) – DPW REPAIR/MAINTENANCE ACTIVITY NOTIFICATION FORM

T. Ryder stated that this is a proposal for work within a roadway that is adjacent to a wetland. There is a metal pipe running under the road which has collapsed a bit. The work includes sleeving two new pipes through the existing culvert and then regrade and repave. This work will occur outside the wetland and fits within the general permit notifications. The expected work will take place in a few weeks.

Motion to approve the Pheasant Landing Road (234-630) DPW repair/maintenance activity notification form, by C. Coutu, seconded by P. Safran, approved 6-0-0.

17 GEORGE AGGOTT ROAD (DEP FILE #234-930) – REQUEST FOR PARTIAL CERTIFICATE OF COMPLIANCE

D. Anderson stated that she noticed some issues on the site and spoke to the owner about fixing these prior to the Commission hearing this item.

NEEDHAM WETLANDS PROTECTION ACT REGULATIONS – DISCUSSION

D. Herer explained that the proposed document will hopefully be reviewed by Town Counsel prior to the next meeting.

D. Herer reviewed a recent bridge replacement project. He noted that last night the Community Preservation Committee deemed the proposed project for trail sign repair and replacement around Town eligible for funding. The second part of the application will now be drafted.

ADJOURN:

Motion to adjourn the meeting, by P. Safran, seconded by C. Coutu, approved 6-0-0.

The meeting was adjourned at 8:22 p.m.

NEXT PUBLIC MEETING:

December 5, 2024, at 7:00 p.m. location to be determined.

*Respectfully Submitted,
Kristan Patenaude*