

TOWN OF NEEDHAM CONSERVATION COMMISSION MEETING MINUTES

Thursday, December 19, 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), Reade Everett, Bill Hebard, Fred Moder, 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 December 5, 2024, by R. Everett, seconded by B. Hebard, approved 5-0-0.

2. Enforcement Orders

D. Anderson explained that it is unclear if there has been a violation on the site of 1516 Central Avenue. She plans to meet with the owner next week and then let the Commission know more information.

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 January 9, 2025, by F. Moder, seconded by P. Safran, approved 5-0-0.

1169 SOUTH STREET (DEP FILE #234-940) – NOTICE OF INTENT

Nicole Hayes, Goddard Consulting, explained that the associated resource areas include bordering vegetated wetlands. The site contains no vernal pools, no ACEC, no FEMA resource, and no riverfront area. The proposed work will occur within the 50' and 100' buffer zones. The proposed work includes a porch and bulkhead. An old shed is proposed to be removed and replaced with a new shed. No trees or vegetation are proposed to be removed. There will be no work within the 25' buffer, no trees removed, no wildlife habitat to be impacted, and no point discharges into the buffer zone. The porch downspouts will be recharged into groundwater and

erosion and sediment controls will be installed. All of the resources will be protected, and the bylaw will also be protected.

F. Moder asked if the downspouts from the new addition will go into the system. D. Herer stated that the drawings indicate a drainage system, but this area of the site is not within the Commission's jurisdiction.

There was no public comment at this time.

The Commission continued the hearing in order to review a draft Order of Conditions.

Motion to continue the hearing for 1169 South Street (DEP File #234-940), to January 9, 2025, by P. Safran, seconded by B. Hebard, approved 5-0-0.

1266 SOUTH STREET – REQUEST FOR DETERMINATION OF APPLICABILITY

Brian Nelson, Metrowest Engineering, explained that the lot in question is just over one acre. Most of the lot is currently lawn, with an existing house mostly centered in the lot. There is a wetland across the street from the lot. The 50' buffer zone does not touch the property, and the 100' buffer zone extends approximately 30' onto the site. The proposal is to raze the existing house and redevelop the property. The new house will be quite a bit larger than the existing house. A portion of the new driveway, approximately 527 s.f. and some associated finished grading will be within the buffer zone. A stormwater management system will capture and recharge the runoff from all surfaces. The Wetlands Protection Act does not apply, as the infiltration will reduce any post construction runoff rates. An erosion control barrier has been installed.

D. Anderson stated that this area contains existing lawn, and the proposed work will not remove any vegetation or trees.

In response to a question from D. Herer, B. Nelson stated that the proposed amount of impervious surface for the site will be 8,100 s.f. D. Herer stated that, according to the Needham Stormwater Bylaw, all of the total impervious area should be infiltrated. B. Nelson stated that he would look into this.

Artie Crocker stated that a fair amount of this project seems to be within jurisdiction and all of the impervious needs to be infiltrated.

D. Herer suggested that the Commission rule on the Determination of Applicability and then let the Building Department handle the infiltration concerns.

Motion to issue a negative Determination of Applicability for 1266 South Street, by F. Moder, seconded by P. Safran, approved 5-0-0.

Motion to close the hearing for 1266 South Street, by F. Moder, seconded by P. Safran, approved 5-0-0.

OTHER BUSINESS

60 & 71 LANTERN LANE (DEP FILE #234-725) – REQUEST FOR CERTIFICATE OF COMPLIANCE

Justin Savignano, Assistant Town Engineer, explained that this project was completed in 2015 to modify some of the storm drainage. Since that time, the project has been completed. D. Anderson stated that the plantings have met the survival rate requirements.

Motion to issue a Certificate of Compliance for 60 & 71 Lantern Lane (DEP File #234-725), by B. Hebard, seconded by P. Safran, approved 5-0-0.

HEARINGS/APPOINTMENT

74 GARY ROAD (DEP FILE #234-941) – NOTICE OF INTENT

D. Herer stated that the application is incomplete, as no drainage calculations or soil information were provided. He recently drove by the site and work has already started.

Michael Baccari, owner/applicant, stated that the only work done thus far was to bring a new water line onto the property, as there was a cutoff date that he had to meet for that work. This was located out of the Commission's jurisdiction and permitted by the Town. D. Herer stated that this work appeared to be within jurisdiction.

Karon Skinner Catrone, wetland consultant, explained that the proposal is to raze the existing house and build a new house and driveway. The proposed work is within the 200' riverfront area. The proposed house is outside of the 100' riverfront area. Work within the 100' riverfront area consists of one tree being removed and mitigation plantings, 894 s.f., proposed along the Town's easement. The applicant is requesting one additional tree to be removed within the 200' riverfront area. Both trees are leaning toward the existing house. The new house will be no closer to the resource area than the existing house. Two infiltration systems are shown on the plan. The existing impervious area on the site is 2,786 s.f. and the proposed is 3,233 s.f.

D. Anderson stated that she will visit the site to review the wetland delineation. Due to the size of one of the trees proposed to be removed, one additional tree planting is required.

P. Safran stated that the entire property appears to be within jurisdiction and so the installation of the water line would have been as well.

F. Moder stated that the two large maple trees proposed to be removed are taking up a lot of water and removal of them will lead to less water holding within the wetlands. R. Everett asked if an arborist has been consulted regarding the two trees. K. Skinner Catrone stated that an arborist has not yet been consulted.

B. Hebard asked the number of trees proposed to be planted on the site. K. Skinner Catrone stated that ten are proposed.

M. Baccari stated that he is open to preserving the two trees. He may want to have a professional trim the trees at some point.

Artie Crocker asked about how far the lawn will be maintained on the property. K. Skinner Catrone asked if there will be any mowing behind the 100' riverfront line. M. Baccari stated that he plans to maintain the existing natural setting of this area. D. Herer stated that markers could be placed in this area. D. Anderson stated that these would mean that lawn area cannot be maintained beyond them.

Rob Dangel asked if the plan is to leave the area past the lawn on this site in its natural state. He stated that he believes the applicant has done a good job contacting neighbors regarding this site and the one next to it.

M. Baccari noted that he submitted for this application over a month ago and is under tight scrutiny with his bank loan. He asked about trying to push this forward instead of continuing it. D. Anderson stated that she would draft an Order of Conditions to review at the Commission's next meeting.

Motion to continue the hearing for 74 Gary Road (DEP File #234-941), to January 9, 2025, by R. Everett, seconded by B. Hebard, approved 5-0-0.

ADJOURN:

Motion to adjourn the meeting, by R. Everett, seconded by F. Moder, approved 5-0-0.

The meeting was adjourned at 8:09 p.m.

NEXT PUBLIC MEETING:

January 9, 2025, at 7:00 p.m. location to be determined.

*Respectfully Submitted,
Kristan Patenaude*