

**TOWN OF NEEDHAM
CONSERVATION COMMISSION
MEETING MINUTES
Thursday, October 27, 2011**

LOCATION: Public Services Administration Building, Charles River Room

ATTENDING: L. Standley (Chair), Paul Alpert, Janet Bernardo, Sharon Soltzberg, Debbie Anderson (Agent), Elisa Litchman (Assistant).

GUESTS: Susan Abbott, Marianne Connaughton, Charles Dan, Mikhail Deychman, Brad Holmes, David Kelly, Magdalena Lofstedt, L. F. Maloomian, Andy Miller, Greg Petrini, Aaron Pressman, John Rockwood, Vincent Roy, Ardi Rrapi, Joan Rueppel, Gene Voloshin.

L. Standley opened the public meeting at 7:40 pm.

MINUTES

Approval of minutes from September 8 and October 13th were continued till the November 10, 2011 meeting.

ENFORCEMENTS

320 CEDAR STREET

D. Anderson reported that she had made a site visit to the property and the restoration of A. Adler's property appeared to be stable and in accordance with his plans. **Motion to issue to Aaron Adler a notice of compliance with the Enforcement Order by S. Soltzberg, seconded by J. Bernardo, approved 4-0-0.** L. Standley asked if any restoration work has been done at 328 Cedar Street. D. Anderson responded that nothing has been done. The Enforcement Order had been issued 10/4/2011. It stated that work must be initiated by 10/15 and completed by 11/15. D. Anderson was asked to contact the Grimaldis and notify them that they are out of compliance and have two weeks to complete the work. Otherwise, the Commission will begin to issue fines.

685 CHARLES RIVER STREET

The owner, Mr. Mullen, had been issued a letter from the Commission regarding the unpermitted placement of a dock in the Charles River, creating a mowed path to access the dock and clearing vegetation in violation of the MA Wetlands Protection Act (M.G.L. Chapter 131 Section 40) and the Needham Wetlands Protection Bylaw (Article 6). The Agent was contacted by the Mullen's landscaper, Mr. Orrall, who subsequently submitted a letter and photos for the Commissions' review. L. Standley recommended to the Commission that they review the information and then discuss it at the next meeting on November 10, 2011.

263 NEHOIDEN STREET

D. Anderson had received a phone call from the owner of 273 Nehoiden Street who notified her that a back hoe was working in the rear of 263 Nehoiden Street and was concerned. D. Anderson stated that the 10 day appeal period had not yet passed and that the Order of Conditions had not been recorded at the Registry yet. D. Anderson made a site visit and noticed ground disturbance, took pictures and distributed them to the Commission members. L. Standley stated that D. Anderson should call the owners and tell them to stop work until the Order of Conditions is final, recorded at the Registry of Deeds, the required pre-construction meeting has occurred and erosion controls have been installed. Otherwise, the owners

will be issued fines. L. Standley added that erosion controls should be implemented immediately as ground disturbance had already occurred.

HEARINGS

914 CHARLES RIVER STREET (DEP FILE #234-628) –NOTICE OF INTENT

L. Standley opened the public hearing at 7:45pm. Vincent Roy, Superintendent of Water and Sewer stated that the largest producing water well in Needham (1938) had collapsed and they need to replace it. Wetland resource areas on the site were delineated by CDM scientists in 2000 and reevaluated by Mary Trudeau, most recently on November 19, 2010. The resource areas located on the site include Bordering Vegetated Wetlands, Bank, Riverfront Area and Bordering Land Subject to Flooding. The project consists of constructing a replacement production well within Bordering Land Subject to Flooding and temporarily removing vegetation within Riverfront Area, Buffer Zone and Bank for placement of the 48-hour pump test discharge piping. Andy Miller and Maggie Lofstedt of Camp Dresser & McKee Inc. reported on the test well. The proposal to replace the existing well includes drilling a 77' deep well within 50' of the existing well. Mr. Miller stated that the only above ground feature would be a casing 4' high by 24" long which would be surrounded by security fencing. During the initial advancement of the well, water would be pumped into a settling tank and then into permeable "dirt bags" supported by hay bales.

He stated that, in preparation for the discharge line, a 6-foot wide path would need to be cleared to the Charles River. No trees would be removed, no grubbing done. The work would be done by hand with a machete. Approximately 660 square feet of vegetation would need to be cut, consisting mainly of sweet pepperbush and highbush blueberry. An orifice meter will be needed at the discharge site and therefore, a path for access to the site is necessary. L. Standley asked why the pipe could not be installed in the shoulder of Charles River Street and discharged over the riprap at the bridge. M. Lofstedt noted that the alternatives analysis explains that this and is not the engineers' recommended route as the discharge point along the bank to the stream is much steeper, would require clearing vegetation within the BVW, and the route more difficult to secure. The discharge location would be difficult to access safely over the entire 24-hour period. She also explained that this project is exempt from the DEP review since it is a replacement well, but the NOI was submitted to DEP.

The Applicant explained that all disturbed soils along the temporary discharge pipe route down to the Charles River will be seeded with a naturalized area seed mixture and the river bank will be covered with an erosion control blanket and plywood to prevent erosion from the 1,300-gpm discharge. All disturbed soils at the replacement well location site will be hydro-seeded with a lawn seed mix.

Included with the filing is a Waiver Request from strict compliance with the Town of Needham Wetlands Buffer Zone Regulations and Policy for the location of the temporary discharge pipe. The Applicant requested a Waiver from the Regulation requiring that a minimum of 50-feet of undisturbed natural vegetation be maintained adjacent to the Bank and associated Vegetated Wetlands, as the impacts are temporary and serve the public's interest.

Motion to close the hearing for 914 Charles River Street (DEP File #234-628) by P. Alpert, seconded by J. Bernardo, and approved 4-0-0. The public hearing was closed at 8:08pm.

770 CHESTNUT STREET – REQUEST FOR DETERMINATION OF APPLICABILITY

L. Standley opened the public hearing at 8:08 pm. The proposed project consists of the installation of a gas line within a paved driveway leading from Chestnut Street to the residence at 770 Chestnut Street. Portions of the project would be located in the 100-foot buffer zone to bordering vegetated wetlands, as well as Riverfront Area. Brad Holmes from Environmental Consulting & Restoration, LLC. represented the Applicant (NSTAR). He requested that the RDA also include installing a gas line within the existing driveway to the residence east of 770 Chestnut Street. Due to the fact that the Commission is concurrently

reviewing a Notice of Intent for the property which includes the pipeline, B. Holmes was requested to amend the RDA and submit the information for the following meeting. The amended RDA would not include the proposed gas line from Chestnut Street to 770 Chestnut Street but would include a proposed gas line extension within the existing paved driveway to access other properties. **Motion to continue the hearing to November 10th at 7:45pm by S. Soltzberg, seconded by P. Alpert, and approved 4-0-0.**

1012 SOUTH STREET – REQUEST FOR DETERMINATION OF APPLICABILITY

L. Standley opened the public hearing at 8:26pm. Ardi Rrapi from Cheney Engineering presented the project. He stated that the water line for the property is damaged in several spots. The proposed new water well is outside the 100-foot buffer zone and the new water line would terminate within the carriage house. Installation of the new line is expected to take a single day. He also explained that they will cut and cap the existing water line at the street and inside the carriage house. **Motion to close the public hearing for 1012 South Street by P. Alpert, seconded by J. Bernardo, approved 4-0-0.** The public hearing was closed at 8:31pm.

770 CHESTNUT STREET (DEP FILE #234-626) – Continued NOTICE OF INTENT

L. Standley opened the public hearing at 8:31 pm. David Kelly from Kelly Engineering submitted revised plans at the meeting to replace sheets 2 and 3. He stated that the landscaping plan has been revised and the grading has been changed to the minimum necessary to restore the area where the existing house and pool house would be removed. He requested three waivers to the regulations for landscaping activities within 25 feet of BVW or Bank. The applicant proposes to re-naturalize a portion of the buffer zone and riverfront area, annual maintenance mowing of the meadow area, and to remove the chicken coop, fence and associated structures. L. Standley noted that there is no fee for a waiver request to restore natural vegetation. J. Bernardo requested drainage calculations and documentation of recharge which had been requested at a previous hearing. D. Kelly said that this information would be provided. J. Bernardo also asked how the two flared-end sections would function. D. Kelly said that these would discharge into a natural depression contained on the property and would not direct runoff onto adjacent properties.

Motion to continue the public hearing to November 10th at 8 pm by P. Alpert, seconded by S. Soltzberg, approved 4-0-0.

OTHER BUSINESS

180 STANDISH ROAD - REQUEST FOR DETERMINATION OF APPLICABILITY

L. Standley did not open the public hearing as neither the applicant nor their representative was present. The Commission recommended that the Applicant re-submit their RDA and properly notify the Abutters.

80 NORTH HILL AVENUE (NGWP #14) – MINOR MODIFICATION REQUEST

Ardi Rrapi of Cheney Engineering represented the owner Bob Rosata. The minor modification request is an after-the-fact request for: regrading at the back of the property, increasing the size of the deck which is 2 feet larger than what was permitted, creating a bulkhead access to the basement rather than a walkout and adding two air conditioning condenser pads within 100 feet of the bordering vegetated wetlands. Additional includes the removal of 4 trees and planting new trees. L. Standley reviewed the Order of Conditions and noted that “no work should commence till revised plans are submitted as an amendment to the Order.”, and that these plans had not been submitted. J. Bernardo suggested the Commission conduct a site visit to the property and cautioned the applicant to not remove any trees until the Commission issued written approval. The Commission agreed to table the request until a site visit had been done.

67 WAYNE ROAD (DEP FILE #234-622) - MINOR MODIFICATION REQUEST

Gene Voloshin, the owner, requested a minor modification for the extension of the patio by 180 additional square feet of impervious pavers due to the change in the shape of the house. The revised Plan shows the

new structure is now further from the wetlands. **Motion to accept the minor modifications to 67 Wayne Road by P. Alpert, seconded by J. Bernardo, approved 4-0-0.**

30 ABBOTT ROAD (DEP FILE #234-607) – CERTIFICATE OF COMPLIANCE REQUEST

The Commission reviewed photographs of the property distributed by D. Anderson from her site visit. The only item of note is that the three Red maple trees proposed for mitigation and located in the front yard of the lot” are instead two Red maple trees and a Japanese maple. **Motion to issue the Certificate of Compliance by J. Bernardo, seconded by P. Alpert, approved 4-0-0.**

1362 GREAT PLAIN AVENUE (DEP FILE #234-477) - CERTIFICATE OF COMPLIANCE REQUEST

Motion to issue the Certificate of Compliance due to work never having been done by P. Alpert, seconded by J. Bernardo, approved 4-0-0.

1012 SOUTH STREET (DEP FILE #234-271) - CERTIFICATE OF COMPLIANCE REQUEST

The proposed project was to remove fill placed within the wetland resource area and to restore and stabilize the disturbed areas. While there is little documentation to indicate the work was completed, at the Conservation Commission meeting of 6/9/11, L. Standley stated that meeting minutes and her observations at the time show that the elevations had been restored and the required plantings were installed. **Motion to issue the Certificate of Compliance by P. Alpert, seconded by J. Bernardo, and approved 4-0-0.**

16 WINFIELD STREET (DEP FILE #234-509) - CERTIFICATE OF COMPLIANCE REQUEST

D. Anderson performed a site visit and explained that the mitigation plantings appeared to conform to the approved planting plan. D. Simonelli submitted a corrected plan (showing only trees that exist in the yard). **Motion to issue the Certificate of Compliance for 16 Winfield Street by S. Soltzberg, seconded by P. Alpert, and approved 4-0-0.**

BOARD OF SELECTMEN’S MEETING 11/30/11 - EVALUATE RIDGE HILL USE

D. Anderson related to the Commission that the Town Manager has requested various committees participate in a meeting organized by the Selectmen to evaluate the use of the buildings located at Ridge Hill. L. Standley and P. Alpert responded that they would attend the meeting at 6:30pm on 11/30/11, location to be announced.

Meeting to adjourn by J. Bernardo, seconded by P. Alpert, approved 4-0-0. The meeting was adjourned at 9:37 pm.

NEXT PUBLIC HEARING

November 10, 2011 at 7:30 p.m. in the Public Services Administration Building, Charles River Room