

**TOWN OF NEEDHAM
CONSERVATION COMMISSION
MEETING MINUTES
Thursday, March 22, 2012**

LOCATION: Public Services Administration Building, Charles River Room

ATTENDING: Lisa Standley (Chair), Paul Alpert (Vice Chair), Marsha Salett, Sharon Soltzberg, Dawn Stolfi Stalenhoef, Patricia Barry (Agent), Debbie Anderson (Assistant)

GUESTS: Hank Haff, Chip Laffey, Ed Olsen and Padma Sri

L. Standley opened the public meeting at 7:33 pm.

MULLEN RULE CERTIFICATIONS

Sharon Soltzberg certified that she missed no more than one single session of the hearings pertaining to 145 Winding River Road (DEP File #234-637) Notice of Intent, that she examined all evidence received at the missed session including a transcript of the meeting in accordance with MGL Chapter 39, Section 23 D Adjudicatory Hearings and that she will sign the Mullen Rule Form pertaining to this project retroactively as the Conservation Agent had not prepared the form for the hearing.

MINUTES

Motion to approve the minutes of March 8, 2012, as amended, by D. Stolfi Stalenhoef, seconded by P. Alpert, approved 5-0-0.

ENFORCEMENTS

350 CEDAR STREET

P. Barry explained that the Conservation Department had sent the Richland Tower Company an approval letter on behalf of the Conservation Commission giving them permission to proceed with the approved restoration plan under the enforcement order at 350 Cedar Street. Included in the approval letter sent to the Richland Tower Company was the requirement to contact the Conservation Department at least three days prior to beginning work to determine if additional erosion controls would be required to be installed. P. Barry informed the Commission that she had received a complaint from the Grimaldos at 328 Cedar Street regarding trespassing on their property, within the area that the Commission understands to be an easement controlled by Richland. P. Barry stated that the Richland Tower Company had sent the restoration project out to bid for estimates from local contractors.

305 DEDHAM AVENUE (DEP FILE #234-563)

P. Barry informed the Commission that the property owner had submitted a Restoration Plan and that the contractor was unable to attend the meeting. L. Standley noted that on the Restoration Plan presented to the Commission, the limit of disturbance was greater and closer to the river than what was approved in the original permit. She explained that the restoration plan must include plantings right up to the 25-foot no disturb buffer zone and should include a reasonable mixture of shrubs. The Commission noted that the property owner proposed to plant shrubs on what appeared to be a Town of Needham drainage easement. L. Standley inquired if the Commission understood that if they approved this Restoration Plan, they would be approving the grass line all the way up to the 25-foot no disturb zone while the plan approved under the Order showed the no disturb area at 50-feet. The Commission revised the restoration plan requiring that

the grass line be located greater than 25-feet from the wetland flags and the restoration planting area be extended to include the entire 25-foot buffer zone. The property owner presented an additional list of landscaping species to be planted on the property. The additional proposed landscaping was also approved by the Commission. The Commission requested no non-native plantings within 25 feet of the wetland. L. Standley acknowledged a letter of apology from the property owners. P. Barry will send a letter to the owner's explaining the approved Restoration Plan as amended. **Motion to accept the Restoration Plan as amended for 305 Dedham Avenue (DEP File#234-563) by J. Bernardo, seconded by P. Alpert, approved 5-0-0.**

170 NEHOIDEN STREET (DEP FILE #234-461)

P. Barry explained that she had conducted a site visit today however the required erosion controls had not been installed. She informed the Commission that she had not been contacted by the owner and had not yet sent out the enforcement letter which would be sent out first thing Friday morning.

HEARINGS

180 STANDISH ROAD (DEP FILE #234-639) – *continued* NOTICE OF INTENT

L. Standley opened the public hearing at 7:45 pm. The applicant requested that the hearing be continued in order to provide the additional information requested by the Commission. **Motion to continue the public hearing (at the Applicant's request) for 180 Standish Road (DEP File #234-639) to April 12, 2012 at 7:45 p.m. by P. Alpert, seconded by S. Soltzberg, approved 5-0-0.**

OTHER BUSINESS

1302 SOUTH STREET (DEP FILE #234-627) – MINOR MODIFICATION REQUEST

The Applicant withdrew their request for a minor modification to the Order of Conditions. As the proposed geothermal well piping was relocated outside of the 100-foot buffer zone to Bordering Vegetated Wetland the work was no longer within the Conservation Commission jurisdiction.

500 DEDHAM AVENUE (DEP FILE #234-547) – MINOR MODIFICATION REQUEST

Chip Laffey (Director of Public Facilities) and Hank Haff represented the Town of Needham and presented a minor modification request to the Commission to install a new emergency generator and associated concrete pad adjacent to the existing Needham Water Department Building at 484 Dedham Avenue to serve the buildings during power outages. The proposed work is located within the footprint of the former existing building, a 1,012 square foot garage that was previously attached to the Water Pump Station prior to construction of the Public Services Administration Building. The proposed work is located within the 200-foot Riverfront Area – approximately 162 feet from the top of bank and the 100-foot buffer zone to bordering vegetated wetland – approximately 92 feet from the edge of Bordering Vegetated Wetlands. The generator will be installed within the existing fenced in area and a composite sack erosion control barrier is proposed to prevent erosion during construction. **Motion to approve the installation of the concrete pad and emergency generator as a Minor Modification to the Order of Conditions for 500 Dedham Avenue (DEP File #234-547) by S. Soltzberg, seconded by P. Alpert, approved 5-0-0.**

174 CHARLES RIVER STREET (DEP FILE #234-631) – MINOR MODIFICATION REQUEST

Ed Olsen (Parks & Forestry Director) represented the town of Needham and presented a minor modification request for the Walker-Gordon Athletic Field project to install a warning track as part of the infield design as a safety measure to decrease the likelihood of injuries. The proposed warning track would be constructed of pervious materials. In addition, they are requesting the installation of sod instead

of the approved grass seeding in the skinned ball field area shown on the submitted Plan, revised March 5, 2012. **Motion to approve the installation of the warning track and sod as a Minor Modification to the Order of Conditions for 174 Charles River Street (DEP File #234-631) by P. Alpert, seconded by M. Salett, approved 5-0-0.**

29 BLAKE STREET – HAZARD TREE EXEMPTION LETTER REQUEST

P. Barry explained that the owners of 29 Blake Street had contacted the Conservation Department regarding a tree located on Town owned land adjacent to their property with a crack in it and requested that the Town remove the tree as it is a hazard to his children and property if it falls. E. Olsen agreed that the tree could be removed as a hazard. The Commission noted that it appears the existing lawn extends onto town owned land. The Commission approved the hazard tree removal within the 100-foot buffer zone to bordering vegetated wetland provided that a 6-foot snag be retained and that two trees be planted as mitigation for the tree removal. Ed Olsen agreed that the Town would retain the snag and plant two trees. **Motion to approve the removal of one hazard tree as an exempt minor activity on Town owned land adjacent to 29 Blake Street (6-foot snag to remain and two mitigation trees to be planted) by P Alpert, seconded by M. Salett, approved 5-0-0.**

TRAIL ADVISORY GROUP NEEDHAM TRAILS DAY ROSEMARY LAKE – TRAIL MAINTENANCE ACTIVITY NOTIFICATION FORM

P. Barry explained that a half day Rosemary Trails clean-up event was scheduled for April 28, 2012. Commission members that will be attending include L. Standley, P. Alpert and D. Stolfi Stalenhoef, as well as, P. Barry. **Motion to approve the Rosemary Trails maintenance under the Generic Trail Maintenance Determination of Applicability by M. Salett, seconded by P. Alpert, approved 5-0-0.**

TEMPLE BETH SHALOM SPRING TRAIL DAY RIDGE HILL RESERVATION – TRAIL MAINTENANCE ACTIVITY NOTIFICATION FORM

P. Alpert explained that members of the Temple Beth Shalom were planning a trail clean-up event at Ridge Hill Reservation on April 1, 2012. **Motion to approve the Ridge Hill Trails maintenance under the Generic Trail Maintenance Determination of Applicability by S. Soltzberg, seconded by M. Salett, approved 5-0-0.**

46 EDGEWATER DRIVE (DEP FILE #234-640) – ISSUE ORDER OF CONDITIONS

P. Barry explained that the Applicant's Representative, Scott Goddard, had submitted the DEP Bordering Vegetated Wetland Field Delineation Data Forms to her as required. As this occurred prior to the hearing, she did not include this as a condition in the draft Order of Conditions as discussed at the previous meeting on March 8, 2012. **Motion to issue the Order of Conditions for 46 Edgewater Drive (DEP File #234-640) by P. Alpert, seconded by D. Stolfi Stalenhoef, approved 3-0-2.**

145 WINDING RIVER ROAD (DEP FILE #234-637) – ISSUE NOTIFICATION OF NON-SIGNIFICANCE

Motion to issue the Notification of Non-Significance for 145 Winding River Road (DEP File #234-637) by S. Soltzberg, seconded by P. Alpert, approved 4-0-0.

L. Standley proposed that the Commission develop guidelines concerning tree removal, both for hazard trees and trees removed under Orders of Conditions. After discussion, the Commission requested that L. Standley prepare draft guidelines for discussion.

P. Barry provided a summary of the DEP site visit concerning the Order of Conditions issued for the DPW Generic Maintenance program. She reported that DEP indicated that they would withdraw the appeal if minor changes were made to the maintenance plan.

Motion to adjourn by P. Alpert, seconded by S. Soltzberg, approved 5-0-0. The meeting was adjourned at 8:35 pm.

NEXT PUBLIC HEARING

April 12, 2012 at 7:30 p.m. in the Public Services Administration Building, Charles River Room