

**TOWN OF NEEDHAM
CONSERVATION COMMISSION
MEETING MINUTES
Thursday, July 13, 2017**

LOCATION: Public Services Administration Building (PSAB), Charles River Room

ATTENDING: Sue Barber, Artie Crocker, Stephen Farr, Peter Oehlkers, Alison Richardson, Debbie Anderson (Conservation Specialist), Matthew Varrell (Director of Conservation)

GUESTS: Michelle Callahan, Dan Dobra, Dan Gordon, Hank Haff, Ryan Lizcusi, Rebecca McKeivitz, Mike Retzky, Stephen Tolley, Dave Tyre, Mark Zanini

P. Oehlkers opened the public meeting at 7:35 p.m.

MISCELLANEOUS BUSINESS:

MEETING MINUTES:

Motion to approve the Meeting Minutes, as amended, of June 8, 2017 by S. Farr, seconded by A. Crocker, approved 5-0-0.

ENFORCEMENT & VIOLATION UPDATES:

CENTRAL AVENUE/ELIOT STREET BRIDGE PROJECT

M. Varrell updated the Commission on the status of the erosion control violations on the Central Avenue/Eliot Street Bridge project. The project is almost complete. M. Varrell conducted a site visit a few weeks ago and found violations. He contacted the contractor and asked that he address the issues. Since then the situation has improved. The erosion controls have all been re-installed. The contractor has raked the area out, re-seeded it, and added straw. They are now in compliance.

WELLESLEY COUNTRY CLUB

M. Varrell conducted a site visit earlier in the day and found the vegetation to be growing in and no standing water. It appears the drainage system is functioning properly.

NEEDHAM ACCESSIBLE RESERVOIR TRAIL (NART)

M. Varrell explained that the contractor that was installing the erosion controls for the upcoming NART project drove equipment through the wetland as they were installing and made tire ruts. M. Varrell contacted them and told them they must fix the area immediately. They raked out the area, filled in the ruts and spread pine litter over it, essentially returning back to its pre-disturbance condition. M. Varrell discussed with the contractor the different methods for access for different sections of the project including the use of swamp mats in some areas and the need for work to be done by hand in other more sensitive areas. The Commission agreed that no enforcement actions are necessary at this time.

HEARINGS

HILLSIDE SCHOOL AT CENTRAL AVENUE – *continued* NOTICE OF INTENT (DEP FILE #234-787)

P. Oehlkers opened the public hearing at 7:45 p.m. S. Farr recused himself. A. Crocker signed a Mullen Form.

Hank Haff of the Town of Needham, Public Facilities, Construction Division, and Michelle Callahan of Nitsch Engineering represented the Applicant and reviewed the additional material that had been submitted and the revised Plan. A new plan set had been submitted that is identical to the set prepared for the Planning Board. The Town Engineer has been provided with the drainage memo and had no issues with the data. M. Varrell stated that he had reviewed all of the additional information and the plan set and has no additional questions.

Motion to close the public hearing for Hillside School at Central Avenue (DEP File #234-787), by A. Crocker, seconded by S. Barber, approved 4-0-1, S. Farr recused himself.

Motion to issue a Waiver from the Bylaw Regulations for work in the Bordering Vegetated Wetlands, Bordering Land Subject to Flooding and 25-foot and 50-foot Buffer Zones by A. Crocker, seconded by A. Richardson, approved 4-0-1, S. Farr recused himself.

Motion to issue an Order of Conditions for the Hillside School at Central Avenue (DEP File #234-787) project by A. Crocker, seconded by A. Richardson, approved 4-0-1, S. Farr recused himself.

211 BRIDLE TRAIL ROAD – NOTICE OF INTENT (DEP FILE #234-789)

P. Oehlkers opened the public hearing at 8:00 p.m. The Applicant's Representatives, Dan Gordon, Rebecca McKevez and Dan Dobra of Dan Gordon Landscape Architects, were present. D. Gordon explained that there is an existing retaining wall that delineates the parcel into developed and undeveloped (wetland) areas. The proposed project consists of the following:

- A small extension to the existing second story rear deck;
- In-ground swimming pool installation with associated paving surround and masonry fireplace;
- Modifications to the existing retaining wall;
- Installation of pool fencing, a storage shed, and stormwater infiltration system; and
- Tree removals, plantings and lawn restoration.

No work is proposed within the Bordering Vegetated Wetlands; however, work is proposed within the 25-foot Buffer Zone including portions of the impervious pool surround and removal of a large willow tree. The Applicant is proposing to reduce lawn area within the 100-foot Buffer Zone and to install restoration plantings. In addition, the Applicant is proposing to infiltrate the first half-inch of runoff over the entire existing and proposed roof area and the first one-inch of the new impervious area of the pool surround. A total of thirteen (13) trees are proposed for removal.

The Applicant had submitted a Waiver Request for approval for work proposed within the 25-foot Buffer Zone, citing the "severe financial hardship greater in magnitude than the public interest to be served" clause. The Commission explained that they very rarely, if ever, approve installing impervious area and/or disturbance in the 25-foot Buffer Zone beyond installation of native plantings. They do not feel the Waiver Request, as submitted, compels them to make an

exception to this policy and asked that they provide more detail and alternatives and then re-submit the Request. They also questioned the need to remove the willow tree from within the 25-foot Buffer Zone. The proposed planting plan was discussed. A. Richardson expressed her concern with the proposed planting of hemlock trees.

D. Anderson asked how the 200-foot Riverfront Area was determined from the perennial stream located off-site. They stated that they used a GIS Map to estimate the line. The Commission requested that the actual Riverfront Area be evaluated as to the existence of Mean Annual High Water (MAHW). M. Varrell discussed the potential precedent of the Commission allowing them to install impervious area with the 25-foot Buffer Zone.

Motion to continue the public hearing for 211 Bridle Trail Road (DEP File #234-789), for submittal of additional information, to July 27, 2017 at 7:45 p.m. by S. Farr, seconded by A. Crocker, approved 5-0-0.

OLIN WAY (BABSON COLLEGE ATHLETIC FIELDS) – REQUEST FOR DETERMINATION OF APPLICABILITY

P. Oehlkers opened the public hearing at 8:39 p.m. Ryan Lizcusi of VHB and Stephen Tolley of Babson College presented the proposed project on behalf of Babson College. The proposed project consists of the installation of an irrigation system in the Lower Fields at Babson College. Erosion controls will be installed along the edge of the Bordering Vegetated Wetlands. M. Varrell asked if the irrigation pipes will be installed via trenching. R. Lizewski replied that the trenching would be the method of installation, then the field will be loamed and seeded. D. Anderson stated that installation of fencing is proposed outside the 100-foot Buffer Zone. She stated that the Health Department had asked them to include certain conditions in the Determination, which were included in the draft decision.

Motion to close the public hearing for work at Olin Way (Babson College Athletic Fields), by S. Farr, seconded by A. Richardson, approved 5-0-0.

Motion to issue a Negative Determination of Applicability for work at Olin Way (Babson College Athletic Fields), including Exhibit A, by S. Farr, seconded by A. Richardson, approved 5-0-0.

OTHER BUSINESS:

REQUEST FOR CERTIFICATE OF COMPLIANCE – 1516 CENTRAL AVENUE (DEP FILE #234-758)

Joyce Hastings of GLM Engineering, Inc. represented the Applicant. She described the completed project at Sunny Hill Horse Farm as an addition and septic system replacement. She explained that the mowing plan that had been approved through this Order of Conditions had been suspended. The mowing markers have been removed but the bird boxes remain. One tree was removed for the project and, as approved, the Applicant planted five (5) trees within the Buffer Zone. J. Hastings stated the area is stabilized and the project was completed as proposed. D. Anderson stated that she received the letter she had requested stating the Applicant will not mow the fields until the mowing plan is submitted again for approval.

Motion to issue a complete Certificate of Compliance for 1516 Central Avenue (DEP File #234-758) by S. Farr, seconded by A. Crocker, approved 5-0-0.

DISCUSSION ITEM: ROSEMARY RECREATION AREA CONSTRUCTION UPDATE

M. Varrell reminded the Commission of the discussion at the previous meeting. The original plan called for the use of a porta-dam for the pool project. The porta-dam consultants determined that the porta-dam would not work in this instance. The contractor came back to Commission with a Minor Modification request to use an aqua-barrier system instead which the Commission approved. Further investigation found that the aqua-barrier system would not work either. The contractor is now proposing the use of a sheetpiling system. The Commission had discussed the pros and cons of the sheetpiling system. M. Varrell had explained the project timeline implications of requiring an Amendment or Minor Modification for this revision. The Commission had voted to allow M. Varrell to issue an Administratively Approved Minor Modification for the revision to use the sheet piling.

M. Varrell has issued the Minor Modification with Conditions, as discussed. The Conditions state that the Conservation Department be advised of the installation and removal schedule of the sheetpiling system, and approval is only granted with concurrent approvals of MassDEP and the Army Corp. of Engineers, which has been received. The turbidity curtain that is currently in place is sufficient. There is a Condition requiring turbidity monitoring in the lake and at the head of Rosemary Brook. Baseline monitoring will occur before the start of work. Turbidity monitoring will take place during the installation of the sheetpiling, as well as throughout the work to determine if there is any increase in turbidity. Daily reports during the installation and removal stages are required.

Mike Retzky of the Town of Needham Public Facilities, Construction Division, updated the Commission on the use of the sheetpiling and explained the results of the baseline turbidity monitoring. He explained the access route for the machinery to lay down the sheetpiling and the mechanism to install it. The crane is due on site Monday, and they plan to start the installation on Tuesday. They estimate the installation to take six to nine working days and it should remain in place for approximately three to four months.

Motion to adjourn the meeting by A. Crocker, seconded by A. Richardson, approved 5-0-0.

The meeting was adjourned at 9:00 pm.

NEXT PUBLIC MEETING

Thursday, July 27, 2017 at 7:30 PM in the PSAB located at 500 Dedham Avenue, Charles River Room.