

**TOWN OF NEEDHAM
CONSERVATION COMMISSION
MEETING MINUTES
Thursday, September 14, 2017**

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

ATTENDING: Sue Barber, Janet Carter Bernardo (arrived at 8:12 p.m.), Artie Crocker, Stephen Farr, Peter Oehlkers, Debbie Anderson (Conservation Specialist), Kathryn Copley (minutes)

GUESTS: Ellen Baker, Bob Baker, James Blumenfeld, Larry Capodilupo, Donald Cimon, Patricia Falcao, Joyce Hastings, Tobin Kelly, Margaret Kelly, Deborah Krieg, Norm MacLeod, Stephanie Menachem, Jesse Menachem, Justin Mosca, George Rappolt, Tabby Rappolt, Larni Rosenlev, Richard Rosenlev, Diane Simonelli, Steve Sun, Tom Timin

P. Oehlkers (vice chair) opened the public meeting at 7:30 p.m.

MISCELLANEOUS BUSINESS:

ENFORCEMENT AND VIOLATION UPDATES:

1546 GREAT PLAIN AVENUE

An Enforcement Order was issued to Mr. Richard Feeley, the property owner, after his contractor pushed soil into the wetlands during the re-pavement of the driveway. Mr. Feeley was required to have erosion controls installed immediately. D. Anderson went to the site and observed that the erosion control had been installed as required. The homeowner is working with John Rockwood of EcoTec, Inc. to put together a Restoration Plan to file under the Enforcement Order and an after-the-fact Notice of Intent filing as soon as they are able to get a Surveyor to produce the Plan.

HEARINGS:

1548 GREAT PLAIN AVENUE - NOTICE OF INTENT (DEP FILE #234-7XX)

P. Oehlkers opened the public hearing at 7:51 p.m. D. Simonelli of Field Resources, Inc. represented the Applicant. D. Simonelli stated that the DEP File # number has not yet been issued although they have acknowledged the receipt of the application. The new owners would like to tear down the existing single family house and rebuild on the site.

The new basement floor will be a walk out on the rear side. The existing driveway is in the flood zone. The Applicant is proposing to remove eight (8) trees. An Arborist Report has been submitted with the filing.

The owners would like to remove some trees. They believe there are three hazard trees; two coniferous trees are dead and the bark on a willow is damaged and falling off. Two of these trees are in the flood zone and are proposed to be cut to a height of 10 feet. It is proposed to completely remove one of them. The fear is that the trees may come down on the house. An arborist has not given an opinion on the trees condition.

The design includes a drywell for roof runoff. The new driveway will be located in front not the back. There will be substantial plantings in the back in place of some lawn which will help mitigate any change in vegetation. The existing lawn goes to the wetland. It was noted that the yellow willow proposed as new

plantings is not native to the area. Some of the other specified plantings may not do well in the proposed area either. These should be reviewed.

The placement of the house needs to be moved back from the street to meet the new setback regulations.

There are concerns over a proposed fire pit located within the 25-foot buffer zone.

More detail for erosion control was requested. A. Crocker expressed concern over how and when the existing driveway within the flood zone was put in. (D. Anderson indicated that she will research the driveway installation before the next meeting.) The abutter noted that this was when flooding in his basement began to worsen. It was recommended that they get an arborist to certify the condition of the trees.

P. Oehlkers read a letter dated September 14, 2017 received from Richard W. Feeley owner of 1546 Great Plain Avenue, abutter to 1548 Great Plain Avenue, regarding his concerns over possible worsening of his 50-year basement flooding issues due to the plans for 1548 Great Plain Avenue.

More detail on patio pavers is needed with an engineer to look at the design. It was requested that further information be submitted regarding erosion controls, plantings, patio detail, and an arborist's certification on the trees if they are to be removed. It was also requested to double check the impervious area.

Motion to continue the public hearing for 1548 Great Plain Avenue (DEP File #234-7XX) for additional information, to September 28, 2017 at 8:00 pm by S. Farr, seconded by A. Crocker, approved 4-0-0.

29 PINE STREET – REQUEST FOR DETERMINATION OF APPLICABILITY

J. Bernardo opened the public hearing at 8:18 p.m. Joyce Hastings of GLM represented the owner. The proposed project is to replace a failed septic system. The house sits outside of the 100-foot buffer zone. The lawn is in poor condition and the backyard slopes down. The plan is to replace the cesspool and install an upgraded Title 5 septic system with three trenches stepping down with minimal grading. The area will be loamed, seeded and stabilized. One shed will be removed. Two trees in the middle of the septic system have been removed. It is proposed that six new trees be planted, three red oaks and three sugar maples.

Motion to close the public hearing for 29 Pine Street, by S. Farr, seconded by A. Crocker, approved 5-0-0.

Motion to issue a Negative Determination of Applicability for 29 Pine Street, by S. Farr, seconded by S. Barber, approved 5-0-0.

159 MARKED TREE ROAD - NOTICE OF INTENT (DEP FILE #234-XXX)

P. Oehlkers opened the public hearing at 8:25 p.m. J. Bernardo recused herself as she is an abutter. D. Simonelli of Field Resources, Inc. represented the Applicant. The home is under construction and almost finished. The contractor has re-graded some of the site outside of the buffer zone. There is a stockpile of soil and steep grading at the back of the house.

The owner is looking to remove several trees and install a rip-rap boulder slope on the lot to expand the yard. There are a few hazard trees, a few in bad health and a few healthy trees that he would like to take down. The plan includes mitigation by adding trees and shrubs to replace them on a one-to-one basis. A line of shrubs is proposed along the 50-foot buffer zone and the addition of several bird houses.

There were concerns regarding how many trees are proposed for removal to expand the lawn area. Some of the trees are in the slope area. The plan proposes the removal of a large woody area to create lawn.

None of the trees along 169 Marked Tree will be removed. Abutter L. Capodilupo from 19 Colonial Road inquired whether the empty oil tank, the pile of debris and other structures on the property in the woods will be removed. Removal of these items could be included in the Order of Conditions.

Abutter T. Rappolt at 134 Marked Tree Road expressed concern about wildlife displacement and inquired whether a Wildlife Study had been conducted. P. Oehlkers responded that there was a legal requirement only within the 50-foot buffer that the Commission could be concerned with. The bird houses are an attempt to mitigate this impact.

Abutter J. Bernardo at 473 High Rock Road was concerned about the erosion control within the 50-foot buffer zone and the strength of the erosion control on the slope. D. Simonelli answered that this will disturb the 50-foot line with plantings. If the slope erosion control is not strong enough it can be doubled if the slope is more than a 2-to-1 slope. The abutter asked whether a retaining wall would be less invasive than the proposed boulder slope. The land will be sloped and boulders will be placed on the slope. Plantings will be made in between the boulders.

Abutters L. & R. Rosenlev at 54 Perry Drive are concerned with expanding land into the wooded area and loss of woods and canopy which protects the view from their house to this new, very large home. They would suggest that any trees that need to come down be cut at a 10-foot level.

It was noted that suggested high bush blueberry might not work in this environment.

D. Anderson will arrange a visit of the site and request that the proposed trees to be removed be flagged.

Motion to continue the public hearing for 159 Marked Tree Road to September 28, 2017 at 8:15 p.m. by S. Farr, seconded by A. Crocker, approved 4-0-0.

456 CHESTNUT STREET - NOTICE OF INTENT (DEP FILE #234-XXX)

J. Bernardo opened the public hearing at 9:01 p.m. The abutter notification was not sent out.

Motion to continue the public hearing for 456 Chestnut Street (DEP File #234-XXX) to September 28, 2017 at 8:30 p.m. by S. Farr, seconded by A. Crocker, approved 5-0-0.

OTHER BUSINESS:

REQUEST FOR CERTIFICATE OF COMPLIANCE - 130 WINDING RIVER ROAD (DEP FILE #234-662)

D. Krieg, the new owner of the property on the Charles River reported on the project. They have been remodeling the house. The interior was redone but the footprint remained the same. The exterior was remodeled extensively. New plantings were installed around the house. A stone patio was added. Large sections of grass were removed. The area near the banks was shored up, mulched and native plants installed. The required monitoring reports have been submitted. D. Anderson walked the site and took photos. She reported that the site looks great.

Motion to issue the Certificate of Compliance for 130 Winding River Road (DEP File #234-662) by S. Farr, seconded by A. Crocker, approved 4-0-0.

REQUEST FOR CERTIFICATE OF COMPLIANCE - 865 CENTRAL AVENUE (DEP FILE #234-619)

J. Mosca, of VHB, consultant to North Hill, reported on the history from the first Order of Conditions dating back to June 2011. The project has added new buildings, reorganized the parking and modified the retention basin. Modifications were made to the stormwater system to bring it up to current standards. The project is fully complete on-campus.

Matt Varrell had walked the site in late May with the wetlands consultant and verified that the work was complete and signed off on it. This was confirmed by D. Anderson. After significant effort the retention basin meets the regulations as a wet cell as far as water quality is concerned.

Another minor modification was work on the gas line connecting to the maintenance garage going down East Militia Road that went into the buffer zone. That work was closed out and M. Varrell walked the area and signed off on it. This was confirmed by D. Anderson. Erosion controls have been removed.

Motion to issue the Certificate of Compliance for 865 Central Avenue (DEP File#234-619) by S. Farr, seconded by A. Crocker, approved 4-0-0.

INFORMAL DISCUSSION - 81 CHARLES RIVER STREET

The home owners T. & M. Kelly reviewed the history of the project. They applied for a permit to install lawn, move a shed and install a deck in late 2012. Plantings were installed in 2013. A walk thru was done in 2014 and additional plantings were required. In 2015 another walk-thru was done but there is no record of the walk thru. Currently less than 75% of the plantings have been completed since 2015. The As-Built plans had never been submitted by the landscaper and cannot be obtained from the landscaper. The permit has expired and cannot be extended. The deck was not finished and more plantings need to be done.

It would be best to close out the permit. An As-Built with the incomplete work should be submitted, then a new permit issued and at the end of the work another As-Built with the completed work should be submitted. The remaining work from the first permit needs to be rolled into a new filing. A new application needs to be filed and a permit would be issued for the unfinished work. A monitoring report on the status of the plantings will be needed once the new permit is issued.

OTHER BUSINESS:

28 MARR DRIVE

This project was placed on agenda by M. Varrell. The owner is requesting a Permit Extension and a Certificate of Compliance. The owner did not attend. There may be an Order of Conditions (DEP File #234-554) that is still open for tree removal. The item was tabled for clarification.

REQUEST FOR USE OF RIDGE HILL RESERVATION –POLLARD MIDDLE SCHOOL

Ken Lundberg, a Pollard Middle School teacher has requested to use Ridge Hill for a Team Building program. He has requested same for several years. The approval form was signed by J. Bernardo for the Use of Ridge Hill on September 29, 2017. We will send him a reminder about tick safety with the approval.

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

The meeting was adjourned at 9:08 p.m.

NEXT PUBLIC MEETING:

September 28, 2017 at 7:30 p.m. in the Public Services Administration Building, Charles River Room.