

**TOWN OF NEEDHAM
CONSERVATION COMMISSION
MEETING MINUTES
Thursday, October 25, 2018**

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

ATTENDING: Janet Carter Bernardo (Chair), Sue Barber, Artie Crocker, William Murphy, Peter Oehlkers, Alison Richardson, Debbie Anderson (Director of Conservation), Elisa Litchman (Administrative Assistant).

GUESTS: Brad Ali, Erick Bakstran, Tyler Cofelice, Mark Cooperman, Tom Currier, Jamie Falise, Jessica Frankel, Lee Frankel, Hank Haff, Joe Hobbs, Mike Richard, John Rockwood, Tom Ryder, Diane Simonelli, Mary Trudeau.

J. Carter Bernardo opened the public meeting at 7:35 p.m.

MINUTES:

Motion to approve the minutes of September 27, 2018 as amended by W. Murphy, seconded by A. Crocker, 5-0-1 (S. Barber).

Motion to approve the minutes of October 11, 2018 by A. Crocker, seconded by S. Barber, 4-0-2 (P.Oehlkers, and W. Murphy abstained).

ENFORCEMENT AND VIOLATION UPDATES:

D. Anderson explained that a letter to the residents at 75 Pine Grove Street regarding draining pool water into wetlands has not been sent yet. The neighbors at 30 Wayne Road had witnessed pool water running down from the Grove Street property into the wetlands at the base of the slope at the rear of their property. D. Anderson will send the letter out shortly.

250 STRATFORD ROAD

D. Anderson reported to the Commission that all the replacement trees have been installed at the property and the owner has purchased the emblems to install at the bounds. The owner will call D. Anderson when they are installed so she can inspect the property for compliance.

HEARINGS:

50 WILDWOOD DRIVE (DEP FILE #234-821) – NOTICE OF INTENT

J. Carter Bernardo opened the public hearing at 7:50pm. John Rockwood represents the owners of the 1 acre property on the Charles River. The project is quite large and includes removal of invasive plants along the river, modifications of existing features on the property. There are three large hazard trees on the property with one sapling proposed to be planted for each. One of the trees is a 48” diameter Pine tree that is forked. The hazard trees are very close to the house. There is also a Grey Birch tree bent over the Charles River that the Applicants propose removing and installing shrub plantings along the river as a suggestion. There is Buckthorn

October 25, 2018

to remove as well. All of the trees to be removed will be done so at grade to create lawn. The elevated cabana, piers, cabana deck, and yews are proposed for removal with a porous paver patio and infiltration system to replace them. The fence is proposed for replacement and the existing paved area would be removed and made into lawn. The owners propose a 40' x 20' seasonal floating dock with a 54" ramp. The proposed dock would require 6 driven posts as part of the design.

Artie Crocker remarked that the bent Grey Birch tree is sort of cool and good for wildlife and he is not inclined to permit its removal. J. Carter Bernardo expressed concern for the use of fertilizer on the lawn and agreed with A. Crocker about the Grey Birch tree. Discussion ensued regarding the tree due to the owner's desire to install the dock where the tree is located and the tree could damage the dock. The dock isn't the responsibility of the Conservation Commission. They agreed that the bent tree is a natural attractive feature of the property. The tree's replacement is not the issue, it's that particular tree. P. Oehlkers suggested that the owners provide some alternatives. Further discussion with the Applicant led to them agreeing to leave the tree in place and monitor it in the future.

Motion to close the public hearing for 50 Wildwood Drive (DEP File #234-821) by W. Murphy, seconded by A. Crocker, approved 6-0-0.

MASSDOT – HIGHLAND AVENUE (DEP FILE #234-817) *Continued* NOTICE OF INTENT

J. Carter Bernardo recused herself. P. Oehlkers opened the public hearing at 8:15pm. At the last hearing the Commission had requested additional information and had made some recommendations to the Applicant. The issues seem to have been addressed. A. Richardson commented that the revised plans are much better. They enlarged the tree protection and they provided the detail of the seed mix. J. Falise stated that the seed mix has a combination of upland and wetland species.

Motion to close the public hearing for MASS DOT (DEP File #234-817) by A. Crocker, seconded by W. Murphy, approved 5-0-1(J. Carter Bernardo recused).

60 WILDWOOD DRIVE – REQUEST FOR DETERMINATION OF APPLICABILITY

J. Carter Bernardo opened the public hearing at 8:17pm. Tom Ryder, Assistant Engineer for the Town and Joe Hobbs, Street Permit Inspector were present. T. Ryder reported that the purpose of the application is to reduce the weed growth at the pond. T. Ryder has discussed with SOLitude Lake Management how to accomplish this. They recommended a product called Precise Pond which is a nutrient and sludge metabolizer. Application consists of dropping 2 tablets into the pond when the temperature outside hits 55 degrees and this should reduce the vegetation. D. Anderson stated that they hoped to clean the pond without dredging or hydro-raking and before the water goes into the Charles River. J. Carter Bernardo suggested that since this project might be permitted instead of dredging the pond it could be a pilot program. D. Anderson explained the background on this pond. A while ago the owner wanted to install an aerator to help improve the pond's health. D. Anderson went out and saw there were adult fish in the pond which confirmed that it was not a vernal pool. T. Ryder also inspected the pond and stated that SOLitude expects after applying the tablets it might only take a few years before the vegetative growth and sedimentation level are most optimum. The reason why this Request for Determination of Applicability was submitted by the Town is that there is a Town pipe going into the pond for Town stormwater. The pond then empties into the Charles River when levels get high. The owner, Brad Ali asked the Town to take care of this due to the town's responsibility. A. Richardson and A. Crocker expressed concern that the chemical would go into the Charles River and into groundwater. The Commission suggested that it would be helpful for SOLitude to come to a meeting and answer questions. J. Carter Bernardo stated that

the lack of maintenance to the pond as a drainage feature has allowed the pond to become a wetland. Members of the Conservation Commission stated that it would be helpful to do some testing before applying this product and then afterwards to see if it makes a difference. The Commission suggested the applicant return.

Motion to continue the public hearing for 60 Wildwood Drive by A. Crocker, seconded by W. Murphy, approved 6-0-0.

26 GEORGE AGGOTT ROAD (DEP FILE #234-820) – NOTICE OF INTENT

J. Carter Bernardo opened the public hearing at 8:35pm. D. Simonelli of Field Resources presented the proposed project. The Applicant proposes to add two porches to the existing single family house to connect the existing egresses and to expand the existing garage by 270 square feet. The existing driveway will be expanded to access the garage expansion area. The Applicant is proposing to capture the new roof runoff with two 500 gallon water tanks for irrigation purposes. Overflows will be directed into a drywell consisting of one Cultec drywell chamber the location unknown at this point. The majority of work is proposed within previously disturbed portions of the 200-foot Riverfront Area and portions of the 100-foot Buffer Zone to Inland Bank (Alder Brook). The erosion controls are proposed to be installed near the cultec system along the property line but none were proposed near the driveway. D. Simonelli stated that there's front lawn to filter the runoff. The tree in the front lawn is proposed to be removed and is less than 6" in diameter. The Commission recommended that the erosion controls be installed along the entire left side of the property since the equipment is to be located there. Trees and vegetation exist along the right side of property and will not be effected. J. Carter Bernardo stated that if there are no rain barrels installed that would be okay. She also asked that confirmation of the size of the tree be submitted to the Conservation Department before issuing any permit.

Motion to close the public hearing for 26 George Aggott Road (DEP File #234-820) by W. Murphy, seconded by A. Crocker, approved 6-0-0.

Motion to issue the Order of Conditions for 26 George Aggott Road (DEP File #234-820) by A. Crocker, seconded by S. Barber, approved 6-0-0.

1407 CENTRAL AVENUE (DEP File #234-818) – *continued* NOTICE OF INTENT

J. Carter Bernardo opened the public hearing at 8:45pm. Michael Richard from Weston & Sampson presented the project. Based on the discussion from the last meeting M. Richard mentioned that some changes to the landscaping plan now include the cedar trees installation more mid to upper slope. The October Glory maples have been swapped out and non-varietals will be installed. The outlet for the roof drainage has been moved away from the building so discharge will not be directed to one location. A perforated pipe in the stone trench has been added for infiltration. The seed mix discussion with A. Richardson continued. M. Richard said that the landscaper told him that the seed mix is appropriate. A. Richardson said it should not be a wet mix, it has to be reliably moist. M. Richard stated that he would talk to the landscaper again. Additional details on the stormwater O & M plan includes a pea stone diaphragm with a 2" concrete apron in front to maintain velocity and keep vegetative growth from this area. J. Carter Bernardo read for the record a memo from Ed Olsen, Superintendent of Parks & Forestry regarding the trees. J. Carter Bernardo stated that she is comfortable with the plantings and the perforated infiltration. The Commission had asked at the last meeting why this is the best location for the proposed buildings. M. Richard explained that moving the location by 35' would be the only other option and it would increase the cost substantially.

Motion to close the public hearing for 1407 Central Avenue (DEP File #234-818) by A. Crocker, seconded by S. Barber, approved 6-0-0.

Motion to issue the Order of Conditions for 1407 Central Avenue (DEP File #234-818) by A. Crocker, seconded by S. Barber, approved 6-0-0.

1357 GREAT PLAIN AVENUE (DEP File #234-819) – continued/NOTICE OF INTENT

J. Carter Bernardo opened the public hearing at 9:10pm. Kelly Killeen from CHA Consulting represented the owner, Mr. DeFilippo who is proposing construction of a 24' x 28' garage. Several changes have been made to the plans since the last meeting. DEP had requested additional plantings. The Applicant has requested a waiver to do work within the 25' Buffer Zone. The Applicant proposes removing the existing shed, removing and replacement of three trees. Now the Applicant has eliminated the staircase and have a granite slab at the edge of the garden. The owner is willing to stake the area where the 4' frost wall will be installed and limit the work within the 25' no disturb zone due to the concern that the construction might migrate further into the 25' buffer zone. The driveway will be pervious pavers and the garage is solely to house a car collection. The cars are used infrequently and there won't be normal winter driving which would bring salt to the area. The proposed project no longer includes grading the property. The plantings of trees include Norway Maple. A. Richardson told the Applicant that they should not plant Norway maple because it is an invasive species. She reminded the Applicant that it can be a Red Oak or other Maple but should be a native species. K. Killeen said he would have to refer to the Recommended Tree list.

J. Carter Bernardo expressed appreciation for the changes they have made to the application and his willingness to stay within the 25' no disturb zone. B. Riccardelli of Riccardelli Construction stated that the garage would be hand dug, and as soon as it's backfilled then sod the area. He assured the Commission that the frost wall has footings 4' down, there is no full 8' foundation that would require further work within the 25' Buffer Zone. J. Carter Bernardo also stated that she was happy that there will be no grading of the property.

Motion to close the public hearing for 1357 Great Plain Avenue (DEP File #234-819) by A. Crocker, seconded by W. Murphy, approved 6-0-0.

OTHER BUSINESS:

187 BROOKLINE STREET – (DEP File #234-816)

Motion to issue the Order of Conditions for 187 Brookline Street (DEP File #234-816) by A. Crocker, seconded by W. Murphy, approved 6-0-0.

138 COUNTRY WAY (DEP File #234-780) - REQUEST FOR CERTIFICATE OF COMPLIANCE

D. Anderson reported that the emblems and plantings were the last items to complete for this project. The only deviations are that the retaining walls are configured differently from the approved plan and are further from the wetland than proposed. The proposed deck is also a bit closer to the wetland than the approved plan showed. D. Anderson recommended issuing the Certificate of Compliance.

Motion to issue the Certificate of Compliance for 138 Country Way (DEP File #234-780) by A. Crocker, seconded by W. Murphy, approved 6-0-0.

LOT 3 WOODWORTH ROAD (DEP FILE #234-490) - REQUEST FOR EXTENSION PERMIT

Mary Trudeau presented on behalf of Pam Shaw who is looking to extend her Order of Conditions, once again. The house is under construction at Woodworth Road. The project has been going on for 12 years. She hasn't been able to finish it and it's too much for her to handle. It originally was going to be Pam's house but now she has changed her mind and is selling it as is (unfinished) and it is currently on the market. P. Shaw has advertised the property as having an additional lot though it is only the one lot. D. Anderson explained the situation and had discussed the permit and the property with a potential buyer. M. Trudeau stated that the property is graded, backfilled and there isn't a lot of extra materials on the property. The last time the extension was issued was 2016 for two years. The Commission recommended a two year extension.

Motion to approve a two year extension for Lot 3 Woodworth Road (DEP File #234-490) by A. Crocker, seconded by S. Barber, approved 6-0-0.

470 DEDHAM AVENUE (DEP File #234-778) - REQUEST FOR CERTIFICATE OF COMPLIANCE

Tyler Cofelice, the Project Manager from Weston & Sampson reported on the project. Two new 10,000 gallon tanks of diesel and gas were installed. The detention basin installed was filled ½ way during a big storm. The overgrown area can be mowed adjacent to the fuel tanks. DPW is responsible for a generator next to the units to power the fuel station and they've been provided the O & M handbook. This is the only deviation. The wetlands were not impacted at all and the erosion controls were effective. The filter tubes can be removed; these are the mulch type that can be opened and degrade on their own. D. Anderson stated that the area around the storm drain appears to be asphalt. The access road was paved and the stone that had been proposed around the catch basin is not there. It appears that DPW installed an asphalt patch around it. D. Anderson had been concerned that the stones might go into the basin but now that will not be a problem. The Commission has accepted this deviation.

Motion to issue the Certificate of Compliance for 470 Dedham Avenue (DEP File #234-778) by A. Crocker, seconded by S. Barber, approved 6-0-0.

84 GLENDALE AVENUE (DEP FILE #234-755) - REQUEST FOR CERTIFICATE OF COMPLIANCE

John Rockwood of EcoTec represents the owners. His final monitoring report states that 31 of the 33 plants have survived. There is an overabundance of planting in the 25' Buffer Zone. The emblems have been installed as well.

Motion to issue the Certificate of Compliance for 84 Glendale Avenue (DEP File #234-755) by A. Crocker, seconded by S. Barber, approved 6-0-0.

124 SOUTH STREET (DEP FILE #234-774) – REQUEST FOR MINOR MODIFICATION

Mark Cooperman of EcoTerra presented to the Commission on behalf of his client at 124 South Street. The project is sizeable and includes much landscaping. All of the plants are installed and stabilized. Currently the rear deck is failing and the footings are not stable. The owners have worked with architects to replace the deck in the same footprint. The intent is to rebuild the existing deck to current code. All work will be done within the existing limit of work.

Motion to approve the Minor Modification at 124 South Street by A. Crocker, seconded by S. Barber, approved 6-0-0.

October 25, 2018

KUDZU UPDATE

D. Anderson mentioned that the Parks and Forestry Department found some Kudzu and emailed D. Anderson about its location, etc. The Department of Agriculture and Forestry were working to eradicate it. Ed Olsen and Kevin Naughton were called to go out to see it, had cut it and were treating it but found that much of it was wrapped in wires and it was not reachable. A. Richardson did not believe it but J. Carter Bernardo stated that there was an outbreak and that the Town has been watching for it. The email states the invasive vine's location.

STORMWATER BROCHURES

The Commission discussed the final options for the Brochures related to Stormwater and Protecting Needham's Water so that there would be some information to distribute at the Go Green Event at Town Hall on Saturday, November 10th. D. Anderson also mentioned to the Commission that the MSMCP sent out by email a generic brochure regarding being a good dog owner as relates to MA Land Trusts and Conservation Commissions. The brochure has a blank section so that each town can insert their own regulations information. J. Carter Bernardo asked D. Anderson to let Tony Del Gaizo know that this brochure has been created for purposes of credit. Peter Oehlkers and Bill Murphy will be attending to the table at the Go Green event for residents to ask questions and take informational brochures.

ADJOURN:

Motion to adjourn by S. Farr, seconded by A. Crocker, approved 5-0-0. The meeting was adjourned at 9:38pm.

NEXT PUBLIC MEETING:

November 8, 2018 at 7:30 p.m. in the Public Services Administration Building, Charles River Room.