

**TOWN OF NEEDHAM
CONSERVATION COMMISSION
MEETING MINUTES
Thursday, June 14, 2018**

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

ATTENDING: Janet Carter Bernardo, Sue Barber, Artie Crocker, Bill Murphy, Peter Oehlkers, Alison Richardson, Chris Hayward (Director of Conservation), Debbie Anderson (Conservation Specialist)

GUESTS: Sara Dmytryck, Stephanie Menachem, John Rockwood, Tom Ryder

J. Carter Bernardo opened the public meeting at 7:30 p.m. There were no minutes to review nor enforcements or violations to discuss.

HEARINGS:

945 WEBSTER STREET – REQUEST FOR DETERMINATION OF APPLICABILITY

Janet Carter Bernardo opened the public hearing at 7:45 p.m. Sarah Dmytryck of Oakwoods Landscaping, representing the owners, explained the project is to remove the existing deck and replace it with a larger deck. Crushed stone is proposed under the deck. The existing patio will remain. S. Dmytryck explained that they propose to install sonotubes for footings for the new deck, by hand. The existing stairs to the deck will be relocated. D. Anderson stated that since the applicant proposes to do the work by hand that erosion controls shouldn't be necessary.

Motion to close the public hearing for 945 Webster Street by W. Murphy, seconded by S. Barber, approved 6-0-0.

Motion to issue a Negative Determination of Applicability by W. Murphy, seconded by S. Barber, approved 6-0-0.

0 ROSEMARY STREET (DEP FILE #234-8XX) – NOTICE OF INTENT

J. Carter Bernardo opened the public hearing at 8:30pm.

Chris Hayward, Director of Conservation explained that he had inherited this project from the previous Director, which is for the replacement of a bridge over a perennial stream at the Rosemary Lake campsite. The SCA (Student Conservation Association) has done similar work constructing and replacing bridges twice before in Needham. They are scheduled for a 10 days "hitch".

This bridge work is located within Bordering Vegetated Wetlands, Bank and Riverfront Area. D. Anderson and C. Hayward delineated the resource areas. The Building Inspector has requested that a handrail be considered due to the height of the bridge which is 2' high off the ground. The bridge will be about 4' wide. The SCA is expecting to come in on 7/2/2018. There will be trail maintenance as well.

C. Hayward has to purchase the supplies, and have them delivered to an area where they are safe. The SCA members will camp at Ridge Hill and walk to the site of the bridge. J. Carter Bernardo suggested C.

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Hayward go introduce himself to the abutting neighbor of the Town easement used to gain access to the site which passes by his property. The Conservation Department sent the Abutter Notifications to 97 abutters so that they would be aware of the project. C. Hayward is concerned that the supplies shouldn't be vandalized.

J. Carter Bernardo asked who designed the bridge. C. Hayward stated that the SCA designed it. He also stated that he had a discussion with the Town Engineer about the bridge. This bridge has some elevation which is why the Building Inspector suggested railings on both sides. This group of SCA wants to use crib boxes for the footings of this bridge. In the past the SCA had used diamond piers but this year's team isn't familiar with this product. A. Richardson asked if the bridge will be fastened in some way to the ground. C. Hayward has asked for details regarding the footings yet he has not yet received the information. C. Hayward stated that the bridge will have an elevation change which means it will require a set of stairs.

A. Richardson said that the bridge is very long (16') and it should have a brace in the middle. J. Carter Bernardo stated that they need a back-up plan if this bridge can't be built. A. Richardson asked if the wood is pressure treated, and C. Hayward said it is. S. Barber remarked that the railings would be good and A. Richardson said that anything over 30" should have a railing and once there's a railing there's a code to follow. A. Crocker asked if anything about this trail needs to be ADA compliant. It does not. The SCA has given C. Hayward the list of supplies they will need. He expects to have delivery on Monday, 7/2/2018.

J. Carter Bernardo reminded the Commission that they're reviewing this project for the resource areas to be protected. If they're not going to be able to build the bridge then let the SCA work on clearing the trails. It's not the Con Com's responsibility to ensure the structural integrity of the bridge; their jurisdiction is solely the wetlands. There is no DEP File number issued yet which precludes the Commission from closing the public hearing.

The work will be done by hand. Materials will not be stored in the wetlands. J. Carter Bernardo asked the Commission if they are concerned about the shadowing effect of the bridge and whether they need to have any mitigation. J. Carter Bernardo recommended that the DEP Stream Crossing Guidelines should be referred to for shadow ratio.

J. Carter Bernardo stated that C. Hayward should verify the Stream Crossing Guidelines have been met, and make sure the limit of disturbance is clearly marked in the field and on the plans. Any spoils need to be on the upland side, not the wetland side and orange construction fencing is sufficient rather than erosion controls for this project.

Motion to continue the public hearing for 0 Rosemary Street (DEP File #234-8XX) to June 28, 2018 at 8:30 by A. Crocker, seconded by W. Murphy, approved 6-0-0.

OTHER BUSINESS:

REQUEST FOR CERTIFICATE OF COMPLIANCE – 142 BRIDLE TRAIL ROAD (DEP FILE #234-163)

C. Hayward introduced the owner's representative, Mr. Mann. Mr. Mann explained that when recording documents at the Registry of Deeds there are two options, the registered and unregistered side of

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recording land. When the original Order of Conditions was issued it included several lots including the 142 Bridle Trail Road lot. There were two Orders of Conditions for this property, one of which has been closed out. Multiple lots are registered and the registry includes his property in this Order. While looking through the files and checking on the Registry website the COC was issued by the Con Com in 1995 already but it was never recorded. This particular lot is more than 300' from any wetlands and therefore, can be closed out from this Order.

Motion to issue the Certificate of Compliance for 142 Bridle Trail Road (DEP File #234-163) by A. Crocker, seconded by W. Murphy, 6-0-0.

DPW REPAIR/MAINTENANCE ACTIVITY NOTIFICATION (DEP FILE #234-630) WATER MAIN REPLACEMENT – MARKED TREE ROAD

T. Ryder, Assistant Town Engineer explained to the Commission that DPW is applying to install a new water main on Oak Street at Maple Street and continuing to Marked Tree Road, off of Perry Drive. Erosion controls will be installed. Back filling will be done each night. DPW plans to do this work this summer. After July 1st they will compile a schedule. The Contract will have details of the back fill procedures which will be discussed at the pre-construction meeting. W. Murphy asked about dewatering. T. Ryder hopes not to have to dewater but all issues related to dewatering will be included in the Contract as well.

Motion to approve DPW activity to install a new water main at Marked Tree Road with additional mitigation measures of trench closure, sediment removal, to be discussed at pre-construction meeting (DEP File #234-630) by A. Crocker, seconded by S. Barber, 6-0-0.

REQUEST FOR CERTIFICATE OF COMPLIANCE – 810 SOUTH ST. (DEP FILE #234-344)

J. Rockwood explained that this is an old, expired Order of Conditions which is based on trees in the buffer zone and wetlands which were cut down in 1999. In 2000 a Notice of Intent was filed and the required mitigation work was done. The file contains memos written by Carr Research Laboratory detailing the work completed. Dr. Carr had proposed additional plantings and seeding. In 2002 a monitoring report with detailed vegetation analysis was submitted. The wetland consultant, J. Rockwood, went to the site with D. Anderson and they noted that though there are some invasives in the area, it is well filled out with native vegetation including Ash, Silky Dogwood, Arrowwood, and pockets of native grasses that were seeded. J. Rockwood stated that it is now densely vegetated and in good condition.

Motion to issue the Certificate of Compliance for 810 South Street (DEP File #234-344) by A. Crocker, seconded by S. Barber, 6-0-0.

REQUEST FOR CERTIFICATE OF COMPLIANCE – 33 MALLARD ROAD (DEP FILE #234-788)

D. Anderson stated that this project was for a demo and re-build of a single family house. No plantings were required, and most of work was outside of Conservation Commission jurisdiction.

Motion to issue the Certificate of Compliance for 33 Mallard Road (DEP File #234-788) by A. Crocker, seconded by S. Barber, 6-0-0.

REQUEST FOR MINOR MODIFICATION – 1548 GREAT PLAIN AVENUE (DEP FILE #234-790)

Stephanie Menachem, homeowner of 1548 Great Plain Avenue presented to the Commission. Since beginning work at the property they have found that the property has a high ground water table. The Building Commissioner recommended that they raise the height of the foundation to account for this and prevent water in the basement. The original plan was for a crawlspace below but now they are building a full basement with a walkout.

This minor modification request is for raising the height of the walkways and retaining walls and to maintain the ground level equally around the house. In the rear, the patio is higher so they have to increase the number of steps they will build. The driveway will now require a retaining wall. A sump pump is proposed, as well as, an infiltration system. J. Carter Bernardo stated that the recharge system cannot be on the property line and needs to be installed elsewhere on her property. The overflow can run along the driveway but the recharge system cannot; it is considered a structure.

Discussion ensued about the plantings in the rear of the property and who is responsible for the work. D. Anderson stated that they will have a two-year monitoring requirement and there are five River Birch trees listed to be installed at the 25' no disturb zone.

J. Carter Bernardo stated her concern is that the cultec recharger has to be at least 10' away from the property line and 10' away from the house. J. Carter Bernardo told S. Menachem that a new plan needs to be submitted to the Conservation Department showing the location of the chamber and the overflow. The recharge will most likely be in the driveway where the grade makes sense.

D. Anderson asked S. Menachem to tell the builder to remove all equipment that is piled on top of the erosion controls. .

Motion to issue the Minor Modification approval (once a new plan is delivered to Conservation) to the Order of Conditions for 1548 Great Plain Avenue (DEP File #234-790) by W. Murphy, seconded by S. Barber, 6-0-0.

J. Carter Bernardo made a clear statement that the Commission has members who are experts in their fields (landscapers, wetland scientists, arborists, for example). She warns all to be careful not to design projects for the applicants, delineate wetlands, design stormwater, design landscaping, consult regarding trees; Chris should not be acting in the role of an arborist. C. Hayward stated that he will refrain from giving the public his opinion as an arborist. J. Carter Bernardo stated that the applicants need to hire an arborist to do the tree evaluations. We can give the public direction and guidance, nothing more.

ADJOURN:

Motion to adjourn by A. Crocker, seconded by W. Murphy. The meeting was adjourned at 9:00 p.m.

NEXT PUBLIC MEETING:

June 28, 2018 at 7:30 p.m. in the Public Services Administration Building, Charles River Room.