

**TOWN OF NEEDHAM
CONSERVATION COMMISSION
MEETING MINUTES
Thursday, April 25, 2019**

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

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

GUESTS: Brad Ali, Gene Caponi, John Caponi, Karon Skinner Catrone, Mikhail Deychman, Colleen Feeney, Joan Feeny, Joe Feeny, Andrew Horton, Ken Horton, Bryan Picariello, Bruce Ricciardelli, Matt Salem

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

MINUTES: Minutes for the April 11, 2019 meeting were reviewed.

Motion to approve the minutes of April 11, 2019 by W. Murphy, seconded by S. Barber, approved 4-0-2 (S. Farr and P. Oehlkers abstained).

HEARINGS:

60 WILDWOOD DRIVE (DEP FILE #234-763) – AMENDMENT TO ORDER OF CONDITIONS

The owner of the property Brad Ali has requested an amendment to this Order to address the pond maintenance and health. The original Order was for an addition to his home and was issued on 8/26/2016. Last fall the Town of Needham applied and received a Negative Determination of Applicability to have SOLitude Lake Management assess and apply Precise Pond Nutrient and Sludge Metabolizer to the pond. Follow-up testing and additional applications would continue until the desired results would be achieved. The Town's NDA permit requires yearly monitoring of the pond as part of their permit. This is a separate amendment to Brad Ali's Order of Conditions (DEP File #234-763).

In the meantime, Brad Ali has determined that there is much more sludge in the pond than actual water. He asked Matt Salem the Permit Coordinator for SOLitude Lake Management to attend the meeting. M. Salem described the process for cleaning the pond of sludge. He recommends MD Pellets (which look like cocopuffs) to be applied to the pond. These pellets are heavier than the Precise Pond application which the Town is overseeing and paying for (NDA issued 11/2018 to the Town as this is a Town resource area). MD Pellets encourage the breakdown of accumulated organic materials at the bottom of the pond that whereas the Precise Pond application addresses the water itself since it's applied as a solution. M. Salem made an analogy of the MD Pellets to "probiotics for ponds". This is an alternative to herbicides and algacides and it tries to change the nutrient composition of the water body. The process is slower than dredging. Dredging is more expensive, requires the physical removal of material which you can see, but is more disturbing to the resource area. Application of the MD Pellets is done monthly when the water temperature is above 55 degrees between the months of May and September. B. Ali commented that this pond "requires attention forever". Then it would become a healthier environment. A. Richardson stated that not treating it would be detrimental to the resource area. The Commissioners agreed that some sort of treatment is necessary. J. Bernardo stated that this pond is the stormwater basin for a large drainage system of the Town. For the volume of water the pond holds, J. Bernardo stated we need it to be a pond for human use by the Town and we want to keep it available to us. B.

April 25, 2019

Ali owns the pond but the Town has an easement to it. M. Salem stated that SOLitude Lake Management submits reports annually explaining the condition of the pond.

Aeration can't be done yet because one needs several feet depth of water for that process. They want the ability to do the aeration but first need to get the water depth necessary for the aeration. B. Ali also mentioned a new nanobubble process which is very expensive and might be possible down the line. This amendment requests that a control panel would be installed in a wall and electric conduits through a trench to the garage. This would allow for either the aeration or nanobubble system. B. Ali suggests that since they would be breaking up, removing and replacing the concrete walkway now this is a good time to install the conduits for the installation of the aeration system. Ideally the applicant would like the ability to do one or both treatments.

M. Salem also reported that there is a dye to keep algae from growing and spreading that they could use. It is food grade. He stated that there would be limited use of algaecides as necessary.

S. Barber asked about the watershed to the pond and if B. Ali uses fertilizers on his lawn. J. Carter Bernardo stated that this would be part of the permit: no use of fertilizers. As far as his neighbors, J. Carter Bernardo stated that notifying neighbors and abutters about proper attention to the resource area (pond) is necessary though not the responsibility of B. Ali; the Conservation Department should provide information to them. A. Richardson stated that this treatment process is a moving target. She explained that treatment options change and improve every year and so that if the applicant decides to change the type of treatment product the applicant would be required to come before the Conservation Commission again for approval beforehand.

Richardson stated that the aeration should be approved and then late fall the applicant should return to the Conservation Commission with results of the pellets. The applicant will be required to meet with the Commission before moving forward with the aeration system. J. Bernardo stated the Commission would require a monitoring report once a year in November (before Dec. 31 of each calendar year) beginning in 2019 to explain the results of the treatment program and whether it is successful. J. Carter Bernardo stated that understanding what happens within the first year is very important to the treatment process. The report should explain number of applications of the pellets, conditions, and all other relevant information.

The Commission discussed that they would allow for the MD Pellet application, no dyes should be applied, and as a last resort algaecides which the applicant must have D. Anderson oversee beforehand. The aerator use would be permitted.

Motion to close the public hearing for 60 Wildwood Drive (DEP File #234-763) by S. Farr, seconded by S. Barber, approved 6-0-0.

TOWN FOREST (HORSFORD POND) SCOUT PROJECT (DEP FILE #234-832) – NOTICE OF INTENT

Andrew Horton is a life scout with Troop 10 Needham applying to do an Eagle Scout project. He would like to build a footbridge in the Town Forest between trail markers 35 and 36. The bridge will be constructed of treated lumber spanning 10-11' and installed over an intermittent stream. Currently there is only a wooden plank across the stream. He intends to assemble the bridge by hand on site. He will be leading 5-10 other scouts to help with this project. J. Carter Bernardo asked questions related to A. Horton's knowledge of the intermittent stream. S. Barber stated that this design and bridge is very impressive. J. Carter Bernardo expressed her pleasure that this bridge would be constructed and installed.

Motion to close the public hearing for Town Forest (Horsford Pond) Scout Project (DEP File #234-832) by S. Farr, seconded by W. Murphy, approved 6-0-0.

Motion to issue the Order of Conditions for Town Forest (Horsford Pond) Scout Project (DEP File #234-832) by S. Farr, seconded by W. Murphy, approved 6-0-0.

Motion to waive the waiver to work within the 25' buffer zone for Town Forest (Horsford Pond) Scout Project (DEP File #234-832) by S. Farr, seconded by S. Barber, approved 6-0-0.

Motion to waive the waiver fee for work within the 25' buffer zone for Town Forest (Horsford Pond) Scout Project (DEP File #234-832) by S. Farr, seconded by S. Barber, approved 6-0-0.

18 BROOKSIDE ROAD (DEP FILE #234-831) – NOTICE OF INTENT

Karon Skinner Catrone representing the applicant, explained the items requested by the Commission at the last meeting. The Commission asked the applicant to add another infiltration chamber to the plans as well as silt fencing. The applicant had hoped to locate the chamber in the front yard except there is a septic system there. They have added a 7' chamber to the back yard.

Motion to close the public hearing for 18 Brookside Road (DEP File #234-831) by S. Farr, seconded by S. Barber, approved 6-0-0.

Motion to issue the Order of Conditions for 18 Brookside Road (DEP File #234-831) by S. Farr, seconded by W. Murphy, approved 6-0-0.

77 WAYNE ROAD (DEP FILE #234-830) – Continued NOTICE OF INTENT

Karon Skinner Catrone represented the builder Bruce Ricciardelli. At the last meeting the Conservation Commission suggested several revisions to the plans. The Commission requested an additional Stormtec infiltration chamber and K. Skinner Catrone stated that it has been added and will be located adjacent to the other chamber in order to save the Red Maple tree. All typos have been corrected. The applicant has added a dogwood tree inside the 50' area from the wetlands.

J. Feeney, an abutter asked to confirm the number of trees to be removed (five) and the number of new trees (five) and shrubs (fourteen) to be installed.

Motion to close the public hearing for 77 Wayne Road (DEP File #234-830) S. Farr, seconded by W. Murphy, approved 6-0-0.

Motion to issue the Order of Conditions for 77 Wayne Road (DEP File #234-830) W. Murphy, seconded by S. Farr, approved 6-0-0.

Motion to allow work within the 25' no disturb zone to remove invasive species at 77 Wayne Road (DEP File #234-830) S. Farr, seconded by A. Richardson, approved 6-0-0.

Motion to waive the waiver fee for work within the 25' buffer zone to remove invasive species at 77 Wayne Road (DEP File #234-830) S. Barber, seconded by S. Farr, approved 6-0-0.

OTHER BUSINESS:

60 WILDWOOD DRIVE (DEP FILE #234-763) – MINOR MODIFICATION REQUEST

Brad Ali, the owner is requesting three modifications to his Order of Conditions. The first modification is to install 98 plantings around the pond. Secondly there is a concrete walkway to right of the house, that he would like to replace with bluestone. The concrete is jagged. The third is to extend the patio area for the location of the grill. The increase in impervious area is 1/10 of 1% of the total impervious on the lot.

The plantings will be for buffer zone management. A. Richardson reviewed the planting list and recommended not using cultivar plantings. If it's a hybrid it won't propagate. If the name listed on the planting list has single quotes it is considered a cultivar. She also warned Brad Ali that the hemlock is susceptible to Woolly Adelgide disease and to eliminate it one must spray the tree. If you don't spray, the tree will die. One shouldn't spray near a pond. She suggested he add more native plants and if B. Ali wants berries on the winter berry he will need to have at least one male plant amongst the plantings. A. Richardson stated that the plant list doesn't indicate female or male plants so if this is important to B. Ali he should check with the landscaper who proposed the plantings.

Motion to approve the minor modifications to 60 Wildwood Drive (DEP File #234-763) by S. Farr, seconded by P. Oehlkers, approved 6-0-0.

BELLE LANE

D. Anderson mentioned that a new builder has purchased the property on Belle Lane with the vernal pool. He stopped by the Conservation Department because the Building Department asks builders to do so, and met briefly with D. Anderson. He expects to build a large house on the property outside the 100' buffer zone. The plan also showed a 200' buffer line shown through the house but D. Anderson doesn't understand why that would be shown. As part of the approval to create the street a Conservation Restriction was agreed upon which goes beyond the 100' bz, which is an upland forested preservation area (7500 sq. ft). There's an easement for the gas company (not forested). The builder knew nothing about this Conservation Restriction. The builder was planning to cut down all the trees and also wants to put down lawn. D. Anderson suggested the builder speak with Roy Cramer who helped draft the Conservation Restriction but the builder was not interested. He wants his building permit. Big night has happened and it's vernal pool time. As part of the road there are several requirements regarding construction such as leaving gaps in erosion controls, and working only during the day. D. Anderson doesn't think we can require any of this because the proposed construction would be outside of the Commission's jurisdiction. There is supposed to be a fence installed at the edge of the conservation restriction but there are only bounds. A. Richardson asked whether the Conservation Restriction states a penalty if he cuts the trees. D. Anderson didn't know what it would be. The builder has no documentation of the Conservation Restriction. The Commission should be aware of this proposed work since he would not be coming before the Conservation Commission for a permit to do work. J. Carter Bernardo said that D. Anderson should make sure that D. Roche, the Building Commissioner is aware of the Conservation Restriction. D. Anderson confirmed that he knows this and that they have been communicating.

ROSEMARY LAKE DREDGING PROJECT

D. Anderson mentioned to the Commission that S. Nadeau, the Contract Administrator for Engineering had reported to her that BETA had a meeting about the Dredging project at Rosemary Lake. The town is planning to draw down the lake during the last two weeks in August. This project will be put out to bid next week. The

April 25, 2019

dredged material needs to be laid out to dry (in the parking lot) so that the transport of it will not be wet and heavy. BETA is hoping to use sawdust to help it dry out and absorb the moisture and S. Nadeau would like to know the opinion of the Commission. A. Richardson was clear in stating this is not an appropriate material to use as it can spontaneously combust. BETA and the Town will need to come before the Conservation Commission to understand what type of material they can use to dry out the sludge. The Commissioners discussed the fact that the sludge may dry out on its own but whatever they determine to use must not be combustible. A. Richardson stated that this will be a very challenging project as it is very much an urban area where they want to lay the sludge and it will smell. D. Anderson stated that this has to be done by March 30, 2020.

ADJOURN:

Motion to adjourn by S. Farr, seconded by W. Murphy, approved 6-0-0. The meeting was adjourned at 9:16pm.

NEXT PUBLIC MEETING:

May 9, 2019 at 7:30 p.m. in the Public Services Administration Building, Charles River Room.