

**TOWN OF NEEDHAM
CONSERVATION COMMISSION
MEETING MINUTES
Thursday, September 12, 2019**

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

ATTENDING: Janet Carter Bernardo (Chair), Sue Barber, Stephen Farr, Peter Oehlkers, Alison Richardson, Deb Anderson (Director of Conservation).

GUESTS: Karon S. Catrone, Ken Flueckiger, Patricia Flueckiger, Steve Gentile, John Glossa, Paul Huang, Lenora Kivela, Kevin Narbonne, Mike Richard, Gordon Russell.

J. Carter Bernardo opened the public meeting at 7:33 p.m.

MINUTES: Minutes from the August 22, 2019 meeting were tabled for the next meeting.

ENFORCEMENTS AND VIOLATIONS

SABRINA LAKE FINE ISSUANCE UPDATES

D. Anderson updated the Commission that Solitude had appealed the fine that was issued to them in relation to the hydro-raking activity violations on Sabrina Lake. Staff will work with the Town Counsel pending a court date for the appeal.

233 COUNTRY WAY – RATIFY ENFORCEMENT ORDER

Motion to ratify the Enforcement Order for 233 Country Way by S. Barber, seconded by Alison Richardson, approved 4:0:1 (S. Farr abstained).

HEARINGS:

260 ROSEMARY STREET (DEP FILE #234-837) – NOTICE OF INTENT

J. Carter Bernardo opened the hearing at 7:45pm. John Glossa of Glossa Engineering and Karon Skinner Catrone represented the Applicant at the meeting. DEP had not issued a file number for the permit application as of the time of the hearing. The existing site contains a two-family house, lawn area, and a naturalized area overwhelmed by invasive knotweed along Rosemary Lake. The proposed work includes the demolition of the house and construction of a new two-family house. Appurtenances include a shared driveway, two decks and patios in the rear of the house, a series of short cascading retaining walls on either side of the house, and two subsurface stormwater infiltration structures. The Applicant also proposed to remove the stand of knotweed and replace the 25-foot Buffer Zone with native vegetation.

Two trees were proposed for removal with a possible third tree being impacted by the construction activities. Replacement plantings were proposed within the re-naturalization area in the 25-foot Buffer Zone. Paul Huang, a neighbor of the property brought up concern over the existing knotweed, which extended onto his property as well as the other neighbor's property. J. Carter Bernardo stated that mitigation of the knotweed on only the subject property would not have any long-term impact if it could return from the neighboring properties. The Commission requested the Applicant submit a knotweed mitigation plan that could also be performed by the

neighbors, updated site plans with the 50-foot Buffer Zone, and a new site layout with the house and appurtenances moved further away from the 25-foot Buffer Zone boundary.

Motion to continue the public hearing for 260 Rosemary Street (DEP File #234-837) to September 26, 2019 at 7:45pm by S. Farr, seconded by S. Barber, approved 5-0-0.

1389 GREAT PLAIN AVENUE (DEP FILE #234-836) – NOTICE OF INTENT

J. Carter Bernardo opened the hearing at 8:33pm. Lenora Kivela, the Applicant, was present for the hearing to present the project. The proposed work consisted of the replacement of an existing deck with a mudroom addition. The addition was proposed to be slightly larger than the existing deck. In addition to the mudroom, a small poured concrete patio was proposed adjoining the addition to an existing lawn area. The site is located adjacent to an armored stream channel that flows to Rosemary Lake and Rosemary Brook. D. Anderson stated that DPW will be working on the stream channel walls in the next phase of brook repairs. The Commission provided input for managing the invasive knotweed that exists in the back of the property.

Motion to close the public hearing for 1389 Great Plain Avenue (DEP File #234-836) by S. Farr, seconded by S. Barber, approved 5-0-0.

Motion to issue the Order of Conditions for 1389 Great Plain Avenue (DEP File #234-836) by S. Farr, seconded by S. Barber, approved 5-0-0.

OTHER BUSINESS:

DPW MAINTENANCE ACTIVITY NOTIFICATION (DEP FILE #234-630) – ROSEMARY BROOK WALL REPAIR – VARIOUS LOCATIONS

Tom Ryder, Assistant Town Engineer for Needham DPW, was present for the discussion. T. Ryder explained that the previous three phases of wall repairs on Rosemary Brook were coming to completion. Three locations were identified for the next phases of wall repairs. The Commission asked if DPW could identify if there were any opportunities to allow the stream banks to renaturalize and vegetate in-place of the manmade wall structures. T. Ryder stated that most of the areas are limited due to the densely developed nature of the sites. Locations near Abbot Street and Great Plain Avenue, Border Road and Hancock Road, and on Blacksmith Drive were identified as the next locations for repair. T. Ryder noted that DPW will coordinate with Staff to preserve a wildlife pocket that has developed around Blacksmith Drive where sediments have collected.

Motion to approve the repair maintenance activity requested under DEP File #234-630 by P. Oehlkers, seconded by S. Farr, approved 5-0-0.

95 RIVERBEND LANE (DEP FILE #234-527) – REQUEST FOR CERTIFICATE OF COMPLIANCE

Prior to the hearing, Staff had been working with the Applicant to ensure all pending conditions had been satisfied for the approved work at 95 Riverbend Lane. The project had commenced under several different amendments and different street addresses assigned to the property over the course of the work. The Applicant had hired a consultant to assist in compiling the site history and to provide the necessary as-built plans and narrative. D. Anderson showed photos from the site visit.

Motion to issue a Certificate of Compliance for 95 Riverbend Lane (DEP File #234-527) by S. Farr, seconded by S. Barber, approved 5-0-0.

456 CHESTNUT STREET – TREE REMOVAL REQUEST

Kevin Narbonne of Malty and Co. Tree Services represented the Applicant. K. Narbonne stated that there were five trees proposed for removal on the property that had been damaged or infected by parasite following the construction of a new single-family house. The site is adjacent to a small intermittent stream and currently has a partial Certificate of Compliance for previous site work, pending only the mitigation planting area. All five trees proposed to be removed are red maple trees. Some of the trees had physical damage from the construction activities, while the others showed signs of shoestring root rot. The Commission discussed future review of tree protection during construction phase activities to be incorporated in the permit application review process. The Commission requested the Applicant submit a planting plan for replacement trees to receive an Administrative Approval from Staff.

12 & 62 BROOKSIDE ROAD (DEP FILE #234-765) – REQUEST FOR EXTENSION OF ORDER OF CONDITIONS

The Applicant submitted a request for a one-year extension to their Order of Conditions for 12 and 62 Brookside Road. D. Anderson stated that the Order was set to expire this month.

Motion to issue a one-year extension to the Order of Conditions for 12 and 62 Brookside Road (DEP File #234-765) by S. Farr, seconded by S. Barber, approved 5-0-0.

1407 CENTRAL AVENUE (DPW STORAGE) (DEP FILE #234-818) – MINOR MODIFICATIONS REQUEST

Steve Gentile of the Needham Building Design and Construction Department and Mike Richard of Weston and Sampson were present for the discussion. M. Richard briefly summarized the previously approved work and reviewed the requested minor modifications. The proposed changes consist of an enhanced planting buffer screening at the landscaped median between the two curb cuts at 1407 Central Avenue, as required by a Planning Board decision. The median contains invasive knotweed which will be removed and disposed of. The Commission noted that the submitted planting plan contained some non-native tree species and requested that a revised planting plan be submitted to Staff with only native, non-cultivar species within the Buffer Zone area.

Motion to approve the Minor Modification requested for 1407 Central Avenue (DEP File #234-818) by S. Farr, seconded by S. Barber, approved 5-0-0.

ROSEMARY LAKE DREDGING PROJECT (DEP FILE #234-793) – PROJECT UPDATE BY STAFF

D. Anderson informed the Commission that Staff had performed a preconstruction site visit with DEP and the Contractor for the dredging project at Rosemary Lake. S. Barber also attended the meeting with Staff. D. Anderson stated that the Contractor wanted to refuel the equipment within the Resource Area and wanted to use Portland cement in the sediment dewatering process, both in conflict of the issued Order of Conditions. D. Anderson noted that there was strong disagreement with the contractor at the preconstruction site visit, and neither plans nor a formal request for amending the Order had been submitted. The Commission requested that Staff write a letter to the Town Manager on behalf of the Commission noting the concerns of the Commission Members and stating the required conditions imposed by the Order of Conditions that had been issued. The Commission stated that they would not consider amending the Order to allow refueling within the Resource Area or to allow the use of Portland Cement as a dewatering agent.

ADJOURN:

Motion to adjourn by S. Farr, seconded by S. Barber, approved 5-0-0. The meeting was adjourned at 9:48p.m.