

**TOWN OF NEEDHAM
CONSERVATION COMMISSION
MEETING MINUTES
Thursday, April 16, 2020**

Under Governor Baker's emergency "Order Suspending Certain Provisions of the Open Meeting Law G.L. c. 30A, S20," issued March 12, 2020 and in effect until termination of the emergency, meeting of public bodies may be conducted virtually provided that adequate access is provided to the public.

LOCATION: Zoom Virtual Platform – the meeting was held virtually per Governor Baker's Emergency Order.

ATTENDING: Janet Carter Bernardo (Chair), Sue Barber, Artie Crocker, Stephen Farr, William Murphy, Peter Oehlkers, Alison Richardson, Deb Anderson (Director of Conservation), Clay Hutchinson (Conservation Specialist).

GUESTS: Karon Skinner Catrone, Fuxi Kang, Zhenqiang Li, Susan McArthur, Timothy Paris, Diane Simonelli.

J. Carter Bernardo opened the public meeting at 7:38 p.m.

MINUTES: Minutes from the February 27, 2020 meeting were reviewed and amended.

Motion to approve the minutes of February 27, 2020 by A. Richardson, seconded by S. Farr, approved 4-0-3 (S. Farr, W. Murphy, and P. Oehlkers abstained).

ENFORCEMENTS AND VIOLATIONS

None.

HEARINGS:

470 CHESTNUT STREET – REQUEST FOR DETERMINATION OF APPLICABILITY

D. Simonelli of Field Resources Inc. presented the project. The work proposed consisted of the replacement of an existing deck with an addition to the existing single-family house, and the construction of a new deck within lawn area. The proposed work is within the Buffer Zone to a Bordering Vegetated Wetland located behind the property. A subsurface stormwater infiltration unit will be added within the existing lawn area to capture roof runoff.

Motion to issue a negative Determination of Applicability for 470 Chestnut Street made by A. Crocker, seconded by S. Farr, approved 7-0-0.

18 JARVIS CIRCLE (DEP FILE #234-843) – NOTICE OF INTENT

K. Skinner Catrone, the wetland consultant, presented the proposed work. The proposed work consisted of the demolition of the existing single-family house and the construction of a new single-family house with associated appurtenances, including a covered patio and a subsurface stormwater infiltration unit. Four trees were also proposed to be removed from the neighboring property along the property line in Buffer Zone. The removal of an existing shed and installation of eight mitigation plantings were proposed at the 25-foot Buffer Zone.

S. Farr inquired if the fence on the plan was an existing fence. C. Hutchinson shared photos of the site, including the existing fence, shed, and overview of the site. J. Carter Bernardo commented on the proposed stormwater unit and stated that she was comfortable with the proposed system. Staff noted that a waiver request for work within the 25-Buffer Zone had not been received and the DEP File Number for the application had not been issued yet.

Motion to continue the Notice of Intent hearing for 18 Jarvis Circle (DEP File #234-843) to April 30, 2020 at 7:45pm made by A. Crocker, seconded by S. Farr, approved 7-0-0.

78 BROOKSIDE ROAD (DEP FILE #234-841) – NOTICE OF INTENT

S. McArthur of McArthur Environmental Consulting, LLC., presented the project. The Applicants, F. Kang and Z. Li, were present for the hearing. The proposed work consisted of the demolition of the existing single-family house and construction of a new single-family house located further away from the Resource Area. Additional site work consisted of the removal of a portion of existing bituminous driveway leading to the existing garage and returning the area to vegetated lawn. Two subsurface stormwater units were proposed within existing lawn area to capture the roof runoff. One tree within Buffer Zone was proposed for removal where the footprint of the new house was proposed. Eight mitigation plantings were proposed at the back of the property.

T. Paris presented the stormwater information and test pit soil results. A. Richardson requested that the proposed ash trees in the planting plan be replaced with another species due to the emerald ash borer. In lieu of a waiver request for work within the 25-foot Buffer Zone, the Applicants agreed to move the mitigation plantings outside of the 25-foot Buffer Zone.

Motion to close the hearing for 78 Brookside Road (DEP File #234-841) made by A. Crocker, seconded by A. Richardson, approved 7-0-0.

Motion to issue the Order of Conditions for 78 Brookside Road (DEP File #234-841) as amended by A. Crocker, seconded by S. Barber, approved 7-0-0.

OTHER BUSINESS:

898 SOUTH STREET (DEP FILE #234-785) – ORDER OF CONDITIONS – EXTENSION REQUEST

D. Anderson stated that a two-year extension request for the Order of Conditions for 898 South Street (DEP File #234-785) was received by Staff. The Order will expire before the completion of the two-year monitoring period of the mitigation plantings. The construction activities approved under the Order have been completed.

Motion to issue a two-year extension for the Order of Conditions for 898 South Street (DEP File #234-785) made by A. Crocker, seconded by S. Barber, approved 7-0-0.

898 SOUTH STREET (DEP FILE #234-785) – REQUEST FOR CERTIFICATE OF COMPLIANCE

Staff stated that all work had been completed with exception of the monitoring period for the mitigation plantings. The request was for a partial Certificate of Compliance for the work completed.

Motion to issue a partial Certificate of Compliance for 898 South Street (DEP File #234-785) made by A. Crocker, seconded by S. Barber, approved 7-0-0.

25 MARR ROAD (DEP FILE #234-769) – ORDER OF CONDITIONS – EXTENSION REQUEST

D. Anderson stated that a request to extend the Order of Conditions for 2 years was received by Staff for incomplete work at 25 Marr Road (DEP File #234-769). Construction work has been completed and the mitigation plantings have been installed, however, the two-year monitoring period for the mitigation plantings has not been completed yet. The Order will expire before the monitoring period is completed.

Motion to issue a two-year extension for the Order of Conditions for 25 Marr Road (DEP File #234-769) made by A. Crocker, seconded by S. Barber, approved 7-0-0.

25 MARR ROAD (DEP FILE #234-769) – REQUEST FOR CERTIFICATE OF COMPLIANCE

D. Anderson noted that a site visit revealed that the site had not been stabilized in the approved lawn area yet. The request was for a partial certificate of compliance for all completed work except for the mitigation planting monitoring period. Staff recommended that the certificate of compliance not be issued until the site was sufficiently stabilized. No motion was made.

50 LEHIGH ROAD (DEP FILE #234-777) – REQUEST FOR CERTIFICATE OF COMPLIANCE

D. Simonelli presented a request for Certificate of Compliance for 50 Lehigh Road (DEP File #234-777). A. Richardson noted that the monitoring reports stated that several of the plantings had been deer-browsed. D. Anderson stated that the shrubs were found to be growing in well when observed at the site visit and had not been significantly impacted by deer-browse.

Motion to issue a Certificate of Compliance for 50 Lehigh Road (DEP File #234-777) made by A. Crocker, seconded by S. Barber, approved 7-0-0.

0 CARTWRIGHT ROAD (DEP FILE #234-744) – REQUEST FOR CERTIFICATE OF COMPLIANCE

D. Anderson reviewed the request for Certificate of Compliance and stated that the approved work had not been conducted and the Order of Conditions had expired.

Motion to issue a Certificate of Compliance for 0 Cartwright Road (DEP File #234-744) made by A. Crocker, seconded by W. Murphy, approved 7-0-0.

145 TAYLOR STREET (DEP FILE #234-822) – REQUEST FOR CERTIFICATE OF COMPLIANCE

D. Anderson reviewed the request for Certificate of Compliance and noted that a monitoring period for the mitigation was not required in the Order of Conditions, and that all work had been completed and the site was stabilized.

Motion to issue a Certificate of Compliance for 145 Taylor Street (DEP File #234-822) made by A. Crocker, seconded by S. Barber, approved 7-0-0.

122 RICHARDSON DRIVE (DEP FILE #234-784) – ORDER OF CONDITIONS – EXTENSION REQUEST

D. Anderson stated that Staff received a request for a 2-year extension to the Order of Conditions for the work approved at 122 Richardson Drive. The construction work had been delayed resulting in the mitigation plantings being installed shortly before the Order was going to expire. The extension will allow for the completion of the 2-year monitoring period.

Motion to issue a two-year extension for the Order of Conditions for 122 Richardson Drive (DEP File #234-784) made by A. Crocker, seconded by S. Barber, approved 7-0-0.

98 SUTTON ROAD (DEP FILE #234-834) – REQUEST FOR CERTIFICATE OF COMPLIANCE

C. Hutchinson reviewed the request for the Certificate of Compliance, noting that a site visit had been conducted in January for the removal of the erosion controls. C. Hutchinson told them at that time that the lawn had not established around the area of work yet and that the erosion controls would have to remain in place. D. Anderson conducted a follow up site visit in March and found the site stabilized. Staff recommended the issuance of a Certificate of Compliance.

Motion to issue a Certificate of Compliance for 98 Sutton Road (DEP File #234-834) made by A. Crocker, seconded by A. Richardson, approved 7-0-0.

ADJOURN:

Motion to adjourn by A. Crocker, seconded by W. Murphy, approved 7-0-0. The meeting was adjourned at 8:54p.m.

NEXT PUBLIC MEETING:

April 30, 2020 at 7:30 p.m. virtually broadcast through the Zoom Virtual Platform.