

**TOWN OF NEEDHAM
CONSERVATION COMMISSION
MEETING MINUTES
Thursday, May 14, 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), Arty Crocker, William Murphy, Peter Oehlkers, Alison Richardson, Deb Anderson (Director of Conservation), Clay Hutchinson (Conservation Specialist).

GUESTS: Brad Ali, Bryan Apito, Jess Delaney, John Glossa, Susan McArthur, Katherine Nickerson, Tim Paris, John Rockwood, Gordon Russell.

J. Carter Bernardo opened the public meeting at 7:30 p.m.

MINUTES:

None.

ENFORCEMENTS AND VIOLATIONS

185 BROOKSIDE ROAD (DEP FILE #234-815) VIOLATION

D. Anderson updated the Commission and stated that a cease and desist was issued for work within wetland jurisdiction at 185 Brookside Road. The project received an Order of Conditions but never conducted a pre-construction site visit with staff prior to beginning work. Site observations appeared to indicate the limit of disturbance had extended beyond the approved plans. Staff will draft an Enforcement Order and will have the Applicant join at the next meeting.

HEARINGS:

24 LAKE DRIVE (DEP FILE #234-842) – NOTICE OF INTENT

S. McArthur presented the proposed work. The project consists of the demolition of an existing single-family house and the construction of a new single-family house partially within the 100-foot Buffer Zone. Additional work includes the installation of a subsurface infiltration unit to capture roof runoff, proposed to be installed within existing lawn behind the house. The wetland resource area is located below a steep slope behind the parcel and includes an intermittent stream. Staff noted that further downstream within the resource area there exists a designated cold-water fishery.

T. Paris reviewed the subsurface infiltration unit specifications. The Commission requested that the unit be pulled 10 feet closer to the house if feasible to prevent impacts to the mature tree in the backyard. The Commission reviewed the canopy and drip line of the existing tree.

Motion to close the hearing for 24 Lake Drive (DEP File #234-842) made by A. Crocker, seconded by W. Murphy, approved 5-0-0.

Motion to issue the Order of Conditions for 24 Lake Drive (DEP File #234-842), made by W. Murphy, seconded by A. Crocker, approved 5-0-0.

60 WILDWOOD DRIVE (DEP FILE #234-763) – REQUEST FOR AMENDED ORDER OF CONDITIONS

B. Ali reviewed the proposed amendments to the Order of Conditions for 60 Wildwood Drive (DEP File #234-763). The additional work included the partial removal and partial repair of an existing concrete boat launch pad at the bank of the Charles River. The repair work would only consist of minor patching of the upper portion of the existing pad above the bank. Pieces of the pad would be broken up and removed by hand, and no machinery is proposed to be used at the bank of the river.

Additionally, B. Ali reviewed a proposal to install a headwall above an existing culvert to a detention area located adjacent to the house. The headwall would consist of large stone riprap and installation of native vegetation above the headwall, to stabilize the bank. D. Anderson stated for the record that the Town will not be maintaining the proposed headwall and will be the responsibility of the current or future owners of the property in perpetuity.

Motion to close the hearing for 60 Wildwood Drive (DEP File #234-763) made by A. Crocker, seconded by A. Richardson, approved 5-0-0.

Motion to issue a waiver for work within the 25-foot Buffer Zone for 60 Wildwood Drive (DEP File #234-763) made by W. Murphy, seconded by A. Crocker, approved 5-0-0.

Motion to waive the waiver fee for work within the 25-foot Buffer Zone for 60 Wildwood Drive (DEP File #234-763) made by W. Murphy, seconded by A. Crocker, approved 5-0-0.

Motion to issue the Amended Order of Conditions for 60 Wildwood Drive (DEP File #234-763), made by A. Crocker, seconded by W. Murphy, approved 5-0-0.

18 & 12 BROOKSIDE ROAD (DEP FILE #234-844) – NOTICE OF INTENT

J. Rockwood presented the proposed work and site history. The site at 18 Brookside Road contains an existing single-family house and associated decks, garage, and driveway, all proposed to be removed. Two trees are also proposed for removal. A new single-family house, driveway, and attached garage are proposed to be built, partially on the parcel at 12 Brookside Road. The project is being filed in conjunction with the neighboring property at 62 Brookside Road because the lot at 12 Brookside Road is proposed to be split and joined to 18 and 62 Brookside Road.

J. Rockwood also explained that a series of hemlocks will be transplanted from 12 Brookside Road to be planted at 18 Brookside Road. Most of the hemlock trees are located outside of the Buffer Zone and will be added to the areas with jurisdiction on the new lot configurations. A 2-3 foot tall retaining wall is proposed to span the back of the properties from 18 Brookside Road to the corner of 12 Brookside Road to establish a long-term limit of work along the 25-foot Buffer Zone. The 25-foot Buffer Zone is proposed to be restored with native plantings and allowed to re-naturalize beyond the wall. The Commission expressed concern that invasive species are likely to re-establish in the 25-foot Buffer Zone after the plantings are installed.

Motion to close the hearing for 18 & 12 Brookside Road (DEP File #234-844) made by A. Richardson, seconded by A. Crocker, approved 5-0-0.

62 & 12 BROOKSIDE ROAD (DEP FILE #234-845) – NOTICE OF INTENT

J. Rockwood presented the proposed work and site history. This proposal was submitted in conjunction with the project at 18 and 12 Brookside Road (DEP File #234-844) because the parcel at 12 Brookside Road is proposed to be divided and added to 62 and 18 Brookside Road parcels. The work proposed at 62 Brookside Road has also been submitted to the Wellesley Conservation Commission.

J. Rockwood explained that the site has a previous open Order of Conditions for a project that has been partially completed, which included the removal of a single-family house at 12 Brookside Road and the reconfiguration of accessory structures and patios at 62 Brookside Road, including a new septic system. The open Order of Conditions is set to expire in September 2020. Because the previous project was not completed, but overlaps with the new work, the Applicant is requesting to roll-over the previous special conditions into a new filing rather than amend an Order that is about to expire.

The proposed work consists of the demolition of the single-family house and construction of a new single-family house at 62 Brookside Road. J. Glossa stated that the existing septic leaching pit is intended to remain as-is. The Commission raised concerns that the leaching pit extends into the 25-foot Buffer Zone. The Commission requested additional information and to explore alternatives to moving the leaching pit further from the wetland resource area.

Motion to continue the hearing for 62 & 12 Brookside Road (DEP File #234-845) to May 28, 2020 at 7:30pm, made by A. Crocker, seconded by A. Richardson, approved 5-0-0.

OTHER BUSINESS:

18 BROOKSIDE ROAD (DEP FILE #234-831) – REQUEST FOR CERTIFICATE OF COMPLIANCE

The work under the Order of Conditions for 18 Brookside Road (DEP File #234-831) was for the construction of an addition and was never started. The work proposed under the DEP File #234-844 will overlap the previously proposed work. The Applicant is requesting a Certificate of Compliance on the premise that work was never commenced.

Motion to issue a Certificate of Compliance for 18 Brookside Road (DEP File #234-831) made by A. Crocker, seconded by W. Murphy, approved 5-0-0.

78 BROOKSIDE ROAD (DEP FILE #234-841) – MINOR MODIFICATION REQUEST

The Applicant for 78 Brookside Road (DEP File #234-841) requested a minor modification to update the proposed planting plan. The mitigation plantings were requested to be moved outside of the 50-foot Buffer Zone and include both trees and shrubs. C. Hutchinson stated that the original mitigation plan was well above what was required per the tree removal guidelines, and that the updated plan still complies with the guidelines.

Motion to issue a Minor Modification for 78 Brookside Road (DEP File #234-841) made by A. Crocker, seconded by A. Richardson, approved 5-0-0.

ADJOURN:

Motion to adjourn by A. Crocker, seconded by A. Richardson, approved 5-0-0. The meeting was adjourned at 9:29p.m.

NEXT PUBLIC MEETING:

May 28, 2020 at 7:30 p.m. virtually broadcast through the Zoom Virtual Platform.