

**TOWN OF NEEDHAM
CONSERVATION COMMISSION
MEETING MINUTES
Thursday, January 23, 2020**

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

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

GUESTS: Joyce Hastings, Koby Kempel, Alex Kogan, Eric Raisman.

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

MINUTES: Minutes from the January 9, 2020 meeting were reviewed and amended.

Motion to approve the minutes of January 9, 2020 by A. Crocker, seconded by S. Barber, approved 4-0-0.

ENFORCEMENTS AND VIOLATIONS

766 CHESTNUT STREET – TREE REMOVAL VIOLATION

Staff were made aware of several trees that had been cleared from the property at 766 Chestnut Street. Aerial photographs revealed that a substantial area has been converted to lawn. A previous Order of Resource Area Delineation (ORAD) issued in 2013 had mapped two wetland areas on either side of the property. Koby Kempel, the homeowner, stated that he had purchased the property in 2018. Joyce Hastings of GLM Engineering Consultants Inc. was present on behalf of the homeowner. J. Hastings stated that GLM had been hired after the tree work had been completed. She also provided an inventory of trees cut, per the work invoice, and mapped out the trees that were removed on a reference plan of the ORAD boundaries. J. Hastings also presented a plan to replace the trees that were within jurisdiction at a rate of 2:1, with additional shrubs proposed.

K. Kempel stated that the wetland area to the side of the house was originally a drainage basin and was isolated. The Commission noted that the ORAD from 2013 had expired in 2016 and the boundaries may need to be re-delineated, however both wetland areas had been identified as bordering at that time. The Commission also discussed the replanting plan and possible benefits to creating an edge habitat around the lawn area with the replacement plantings. The Commission requested Staff issue the Enforcement Order requiring an after-the-fact Notice of Intent for the unpermitted cutting of trees as well as for the replacement plantings. The Notice of Intent shall be submitted no later than April 2, 2020, by 10:00am to be heard at the April 16, 2020 Public Meeting.

Motion to issue the Enforcement Order requiring the submission of an after-the-fact Notice of Intent for 766 Chestnut Street by A. Crocker, seconded by S. Barber, approved 4-0-0.

HEARINGS:

475 SOUTH STREET (DEP FILE #234-840) – NOTICE OF INTENT

Prior to the meeting, the Applicant submitted a request to Staff for a continuation of the hearing to the next regularly scheduled meeting, to allow time for revised application materials.

Motion to continue the public hearing for 475 South Street (DEP File #234-840) to February 13, 2020 at 7:45pm by A. Crocker, seconded by A. Richardson, approved 4-0-0.

OTHER BUSINESS:

1191 GREENDALE AVENUE (DEP FILE #234-749) – ORDER OF CONDITIONS – EXTENSION REQUEST

Staff received a request to extend the Order of Conditions for 1191 Greendale Avenue for two additional years. The Order of Conditions had been extended for one year previously. The request was received more than 30 days before the effective expiration date. The Applicant's request stated that the revised location of the ice rink door, as approved as a minor modification, had not yet been completed due to temporary funding obstacles.

Motion to issue a two-year extension to the permit for 1191 Greendale Avenue – St. Sebastian's (DEP File #234-749) by A. Crocker, seconded by A. Richards, approved 4-0-0.

260 ROSEMARY STREET (DEP FILE #234-837) – MINOR MODIFICATION REQUEST

Alex Kogan, the Applicant and new owner of the property, requested a minor modification to extend the proposed decks from 6 feet to 9 feet. The proposed design would cantilever the decks out an additional 3 feet without relocating the footings. The Commission recalled the previous hearings for 260 Rosemary Street regarding the decks and their proximity to the 25-foot Buffer Zone. In the previous hearings the original Applicant was required to reduce the decks to avoid encroaching into the 25-foot Buffer Zone. The Commission denied the request for minor modification consistent with the original permit deliberations.

Motion to deny the minor modification to 260 Rosemary Street (DEP File #234-837) by A. Crocker, seconded by A. Richardson, motion passed 4-0-0.

245 COUNTRY WAY – SITE FLOODING

Eric Raisman, the owner of 245 Country Way, requested to address the Commission about flooding behind his property. He had previously received an Order of Conditions for site work including the demolition and construction of a new single-family house. E. Raisman has also previously brought concerns to the Commission about work conducted at the neighboring property at 233 Country Way. Staff noted that a Notice of Violation had been issued to 233 Country Way for unpermitted grading and tree cutting, and that a wetland delineation and restoration plan had been completed. Staff presented photos provided by E. Raisman showing the extent of flooding between the two properties and noted that grade changes to the yard of 233 Country Way may be contributing to the change in standing water at the site. The Commission requested that Staff investigate further with the Department of Public Works to determine if the Town has any structures that may have been compromised that could be contributing to the excess flooding.

ADJOURN:

Motion to adjourn by A. Richardson, seconded by S. Barber, approved 4-0-0. The meeting was adjourned at 8:55p.m.

NEXT PUBLIC MEETING:

February 13, 2020 at 7:30 p.m. in the Public Services Administration Building, Charles River Room.