

**TOWN OF NEEDHAM  
CONSERVATION COMMISSION  
MEETING MINUTES  
Thursday, October 8, 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, Arty Crocker, William Murphy, Peter Oehlkers, Alison Richardson, Deb Anderson (Director of Conservation), Clay Hutchinson (Conservation Specialist).

**GUESTS:** Andrew Adams, David Anderson, Anthony DelGaizo, Ryan Hale, Joyce Hastings, Laura Laich, Brandon Li, Stacey Mulroy, Bill Piersiak, David Provost, Michael Retzky, John Rockwood, Ardi Rrapi, Tom Ryder, Karon Skinner Catrone, Nicholas Skoly.

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

**MINUTES:** None.

**ENFORCEMENTS AND VIOLATIONS**

**766 CHESTNUT STREET – UPDATES ON VIOLATION**

Joyce Hastings, GLM Engineering, was present for the discussion. J. Hastings reviewed the mapped wetland areas that included a Bordering Vegetated Wetland and Isolated Vegetated Wetland. The trees that had been removed were identified on a plan with the mapped wetlands to determine how many of the trees were within the Buffer Zone. D. Anderson noted that the Wetlands Protection Bylaw includes a 100-foot Buffer Zone for Isolated Vegetated Wetlands and J. Hastings included the Buffer Zone on the plan showing the tree locations. Staff noted the final count of trees removed within wetland jurisdictions. The Commission discussed whether the tree replacements could be done under the Enforcement Order or if a Notice of Intent was required. The Commission requested an after-the-fact Notice of Intent be filed as a requirement of the Enforcement Order to capture the 2-year monitoring period and other Special Conditions.

**HEARINGS:**

**764, 766, 768A, 768B CHESTNUT STREET, HEATHER LANE (DEP FILE #234-849) – continued  
NOTICE OF INTENT**

The hearing had been previously continued for additional information on the trees that were proposed to be removed and a planting plan for the replacement trees. The Applicant submitted the requested plans prior to the hearing. Brandon Li of Kelly Engineering reviewed the revised plans and supplemental information, including the planting plan and stormwater basin details. The Commission discussed Special Conditions for the project and requested Staff draft the Order of Conditions for review at the next meeting.

***Motion to close the hearing for 764, 766, 768A, 768B Chestnut Street, Heather Lane (DEP File #234-849) made by A. Crocker, seconded by A. Richardson, approved 4-0-2 (JCB and SB abstained).***

### **433 CHESTNUT STREET – REQUEST FOR DETERMINATION OF APPLICABILITY**

Joyce Hastings, GLM Engineering, was present for the hearing. The proposed work included the clearing of an existing culvert and dredging of sediment buildup adjacent to the existing parking lot. The accumulation of dead woody debris, such as broken tree branches, as well as garbage and litter debris will also be removed while maintaining the living vegetation alongside the ditch. The debris within the drainage ditch will be removed by hand to alleviate flow blockages within the channel.

***Motion to close the hearing for 433 Chestnut Street made by W. Murphy, seconded by A. Crocker, approved 6-0-0.***

***Motion to issue negative Determination of Applicability for 433 Chestnut Street made by A. Crocker, seconded by W. Murphy, approved 6-0-0.***

### **140 KENDRICK STREET (DEP FILE #234-851) – NOTICE OF INTENT**

Nicholas Skoly, VHB, Laura Laich, the wetland scientist, and David Provost, SVP Development, were present for the hearing. D. Provost reviewed the existing site conditions. N. Skoly reviewed the proposed work, stating that the work within wetland jurisdiction included improvements to the drainage systems under the existing DCR path and improvements to an existing seating patio associated with the office building. Also included was the installation of native landscape plantings. L. Laich reviewed the mapped wetland areas associated with Cutler Pond as well as two pocket wetland areas, all across the DCR path from the existing buildings. The improvements to the patio included the conversion of a small putting-green area to general patio area. C. Hutchinson requested additional information on plastic corrugated piping that outlet on the far side of the DCR path. The application had not yet received a DEP File Number so it was continued.

***Motion to continue the hearing for 140 Kendrick Street (DEP File #234-851) to October 22, 2020 at 7:30pm made by A. Crocker, seconded by S. Barber, approved 6-0-0.***

### **OTHER BUSINESS:**

### **178 ROSEMARY STREET (ROSEMARY RECREATION COMPLEX) (DEP FILE #234-764) – REQUEST FOR CERTIFICATE OF COMPLIANCE**

Michael Retzky, Needham Building and Construction Department, and Stacey Mulroy, Director of Needham Parks and Recreation Department, were present for the discussion. M. Retzky reviewed the completed work and the statement from the landscape designer reviewing the mitigation plantings. Staff reviewed the site and mitigation plantings and noted that the plantings were healthy and noted the ongoing condition to maintain the stormwater treatment systems. Staff recommended the issuance of a full Certificate of Compliance.

***Motion to issue the Certificate of Compliance for 178 Rosemary Street (Rosemary Recreation Complex) (DEP File #234-764) by A. Crocker, seconded by W. Murphy, approved 6-0-0.***

### **135 MAPLE STREET (DEP FILE #234-781) – REQUEST FOR CERTIFICATE OF COMPLIANCE**

Staff noted that the request for Certificate of Compliance materials were incomplete and they were working with the Applicant to get all the necessary information for the request. No motion was made at the meeting and the request would be heard at a future meeting after complete information was received.

### **409 WARREN STREET (DEP FILE #234-669) – REQUEST FOR CERTIFICATE OF COMPLIANCE**

## **415 WARREN STREET (DEP FILE #234-670) – REQUEST FOR CERTIFICATE OF COMPLIANCE**

Ardi Rrapi, Cheney Engineering, was present for the hearing. The requests for 409 Warren Street and 415 Warren Street were heard concurrently. The parcel at 415 Warren Street was split into two parcels and given each an Order of Conditions. A. Rrapi reviewed the completed work and noted the subsurface drywell units were installed as planned. D. Anderson stated that Staff reviewed the mitigation plantings and found that they were in good health. A. Rrapi noted a deviation that a patio and AC unit were installed under the approved deck at 415 Warren Street. An additional tree at 409 Warren Street did not survive the construction phase but A. Rrapi noted that the mitigation plantings included replacement for the lost tree. Staff recommended the issuance of a full Certificate of Compliance for both properties.

***Motion to issue the Certificate of Compliance for 409 Warren Street (DEP File #234-669) by A. Crocker, seconded by S. Barber, approved 6-0-0.***

***Motion to issue the Certificate of Compliance for 415 Warren Street (DEP File #234-670) by W. Murphy, seconded by A. Crocker, approved 6-0-0.***

## **WALKER POND – INFORMAL TREATMENT DISCUSSION**

Tony DelGaizo, the Needham Town Engineer, was present for the discussion. T. DelGaizo summarized the health of the pond and the explored ways to treat the nutrient loads in Walker Pond. The Town has identified three categories to improve the health of the pond, including: the treatment of input sources in the sub-watershed area through increased education, promotion of over-ground water treatment using vegetated filter strips, and installation of deep-sump catch basins that feed into Walker Pond; hydro raking of excess organic matter within and around the pond to limit nutrient loading through decomposition of the organic matter; and the placement of a sewer line to disconnect the aged septic systems abutter Walker Pond on Walker Lane to improve groundwater inputs.

After these three categories have been addressed, the Department of Public Works may consider a bacteria-based water treatment as an alternative to chemical treatments to Walker Pond. The bacteria treatments are currently being tested in a project on Wildwood Drive. The Commission asked if there was a calculated time period for monitoring the efficacy of categories 1 through 3 before pursuing bacterial or chemical treatments. T. DelGaizo stated that the pond would be monitored for at least a year after implementation before pursuing direct pond treatments, and that the Department of Public Works would come back for permitting before pursuing the chemical or bacterial treatments in the future. J. Carter Bernardo asked why direct chemical or bacterial treatments are not being pursued in conjunction with categories 1 through 3. T. DelGaizo stated that Walker Pond discharges almost directly into the Charles River and treatments would have to be reviewed for impacts in the Charles River system as well. The Commission discussed the use of chemical treatment as a short-term treatment and commended that the Department of Public Works was seeking to improve the water quality of the input sources as a sustainable approach.

A. Crocker stated that he is in favor of making sure treating the inputs are prioritized over the chemical treatments to limit the long-term and repeated use of chemical treatments as a temporary fix. The Commission discussed chemical treatments in conjunction with treating the input sources only if the current pond water quality is in dire conditions. T. DelGaizo noted that if chemical or bacterial treatments are proposed in conjunction then the Capital Improvement requests at Town Meeting would have to be increased.

Roy Cramer, a resident in the neighborhood of Walker Pond and former Conservation Commission Member, added comments about the changing conditions of Walker Pond over time, stating that the algae and organic matter build-up in Walker Pond has decreased the depth of the pond. R. Cramer stated that as an abutter he is in

favor of including a chemical component in the Capital Plan to be implemented alongside the hydro raking and water quality features. Dan Gilmartin, an abutter on Walker Lane, noted the massive nutrient build-up and stated that hydro raking alone may not prevent the organic matter from growing right back the following season, and was in favor of chemical treatments in addition. Barbara Hauschka, an abutter to Walker Pond, noted that a lot of the organic material was lily pads and smart weed that grow up from the bottom, as compared to floating organic matter. B. Hauschka noted concerns that the root systems of the matter will be growing right back after hydro raking if they are not also chemically treated.

The Commission requested that T. DelGaizo request the additional funding in the Capital Plan request for chemical treatments so that the funding is available if it is determined that chemical treatment is necessary in conjunction with the other water quality improvements. The Commission noted that the use of chemical treatments will require additional scientific justification from a qualified professional before being approved for use on Walker Pond but pursuing the funding now will open the possibility if it is determined necessary.

**ADJOURN:**

Motion to adjourn by W. Murphy, seconded by A. Crocker, approved 6-0-0. The meeting was adjourned at 10:01p.m.

**NEXT PUBLIC MEETING:**

*October 22, 2020 at 7:30 p.m. virtually broadcast through the Zoom Virtual Platform.*