

**TOWN OF NEEDHAM
CONSERVATION COMMISSION
MEETING MINUTES
Thursday, October 22, 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), Artie Crocker, Stephen Farr, William Murphy, Peter Oehlkers (left at 7:38pm), Alison Richardson, Deb Anderson (Director of Conservation), Clay Hutchinson (Conservation Specialist).

GUESTS: Andrew Adams, Matt Borrelli, Michael Crowe, Michael Cyganiewicz, Jennifer Flagel, Ryan Hale, Laura Laich, Brandon Li, Kyle MacDonald, Colleen Mutrie, Jake Mutrie, David Nectow, Stacey Nectow, Robert Ouellet, Bill Piersiak, David Provost, Bruce Ringwall, Bob Roach, Ardi Rrapi, Diane Simonelli, Nicholas Skoly, Gabriela Steier, Jonathan Trahan, Wes Wirth.

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

MINUTES: None.

ENFORCEMENTS AND VIOLATIONS: None.

HEARINGS:

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

Nicholas Skoly of VHB was present for the hearing. The hearing had been continued for issuance of a DEP File Number, a correction to the plan, and additional information on the black corrugated piping identified by Staff at the site visit. N. Skoly noted that the piping was associated with the drainage from the DCR walking path and not related to the property drainage at 140 Kendrick Street. D. Anderson stated that the DEP File Number had been issued and revised plans were received.

Motion to close the hearing for 140 Kendrick Street (DEP File #234-851) by A. Crocker, seconded by S. Farr, approved 5-0-0.

Motion to issue the Order of Conditions for 140 Kendrick Street (DEP File #234-851) by A. Crocker, seconded by S. Farr, 5-0-0.

182 & 190 EDGEWATER DRIVE (DEP FILE #234-853) – NOTICE OF INTENT

Wes Wirth, the landscape designer, Kyle MacDonald of Goddard Consulting, Ardi Rrapi of Cheney Engineer, and David Nectow, the Applicant, were present for the hearing. W. Wirth gave an overview of the existing conditions and proposed site work. The existing site consists of two single-family houses abutting the Charles River, within Bordering Land Subject to Flooding, Riverfront Area, and Bordering Vegetated Wetland. The proposed work consists of the demolition of one single-family house at 182 Edgewater Drive and the construction of a tennis court, pool, and pool house in accessory to the single-family house at 190 Edgewater Drive.

W. Wirth reviewed the planting plan including two rain garden infiltration swales and conversion of lawn to native wildflower beds. Kyle MacDonald reviewed the invasive species management plan as proposed mitigation for impacts to improve the Riverfront Area. The Commission raised concerns about the impacts to the existing trees proposed to remain along the tennis court and swimming pool, and the likelihood that the trees will be requested to be removed in the future. D. Nectow stated that their intent is to preserve as much mature growth and to keep the tennis court shaded. The Commission requested a site visit prior to the next public meeting for the Commission Members to see the existing trees and site conditions. A DEP File Number had not yet been issued.

Motion to continue the hearing for 182 & 190 Edgewater Drive (DEP File #234-853) to November 19, 2020, at 7:30pm by A. Crocker, seconded by S. Farr, approved 5-0-0.

56 BLACKSMITH DRIVE (DEP FILE #234-850) – NOTICE OF INTENT

Kyle MacDonald of Goddard Consulting was present for the hearing. K. MacDonald reviewed the existing site conditions and proposed work. The existing site consists of a single-family house. The proposed work consisted of an addition to the single-family house within existing lawn in the back of the property. Two small rain gardens were proposed to meet the stormwater infiltration requirements. Abutters had submitted comments to the Staff about frequent flooding in the neighborhood along the stream behind 56 Blacksmith Drive. The Commission discussed relocating and redesigning the rain gardens as a vegetated infiltration swale closer to the stream to mitigate peak overland flows into the stream system. The hearing was continued for the submittal of revised plans with an updated stormwater infiltration structure.

Motion to continue the hearing for 56 Blacksmith Drive (DEP File #234-850) to November 19, 2020, at 7:30pm by A. Crocker, seconded by S. Farr, approved 5-0-0.

54 PHEASANT LANDING ROAD (DEP FILE #234-856) – NOTICE OF INTENT

Bruce Ringwall of GPR Engineering and Jonathan Trahan, the Applicant, were present for the hearing. B. Ringwall reviewed the proposed work and stated the filing was an after-the-fact Notice of Intent as required by an Enforcement Order for unpermitted vegetation clearing. Prior to the submission, Staff walked the property with the Applicant to determine the number of trees that were removed. The proposed work consisted of restoration of the site through the planting of 11 native trees, 112 native shrubs, and wetland wildlife seed mix. Additionally, a split-rail fence was proposed along the back property line to prevent entrance from trail walkers at Ridge Hill Reservation into the restoration area. A DEP File Number had not yet been issued.

Motion to continue the hearing for 54 Pheasant Landing Road (DEP File #234-856) to November 19, 2020, at 7:30pm by A. Crocker, seconded by S. Farr, approved 5-0-0.

10 WINFIELD STREET (DEP FILE #234-852) – NOTICE OF INTENT

Diane Simonelli of Field Resources Inc. and Bob Roach, the Applicant, were present for the hearing. D. Simonelli reviewed the existing site conditions and the proposed work, all within the Riverfront Area to Rosemary Brook. The proposed work consisted of the demolition of a single-family house and construction of a new single-family house, installation of two subsurface stormwater units, and removal of invasive species and mitigation plantings along the armored channel of Rosemary Brook. D. Simonelli stated that a test pit had been conducted to determine depth to groundwater for the stormwater units.

The mitigation plantings will consist of 15 native shrub species within the 25-foot Buffer Zone to the brook. A fence was proposed along the top of the armored channel to prevent entry into the built-up stream channel. Abutters raised concerns about the peak water level within the brook during storm events and the deterioration of the stone channel walls along the brook. An alternatives analysis was not provided with the Application materials. The hearing was continued for the issuance of a DEP File Number and receipt of an alternatives analysis.

Motion to continue the hearing for 10 Winfield Street (DEP File #234-852) to November 19, 2020, at 7:30pm by A. Crocker, seconded by S. Farr, approved 5-0-0.

185 BROOKSIDE ROAD (DEP FILE #234-815) – REQUEST FOR AMENDED ORDER OF CONDITIONS

Diane Simonelli of Field Resources Inc. and Gabriela Steier, the Applicant, were present for the hearing. D. Simonelli explained that an Order of Conditions was issued for the demolition and reconstruction of a single-family house at the property, but the hired contractor had cleared vegetation beyond the approved limit of work. An Enforcement Order was issued for the unpermitted clearing within Riverfront Area and violations of the Order of Conditions. D. Simonelli noted that the contractor that cleared the vegetation is no longer hired for this project.

D. Anderson stated that the understory within the cleared area is heavily invasive species. The restoration plan included the 18 wetland herbaceous plugs, 40 native shrubs, and 17 native trees, in addition to the planting of wildflower seed mix and conservation grass seed mix in disturbed areas. A pervious walkway was proposed within the restoration planting area to access the restoration plantings. Staff noted that the plantings will likely not be planted until the Spring season so erosion controls will need to be installed around the disturbed areas until the site is planted and stabilized.

Motion to close the hearing for 185 Brookside Road (DEP File #234-815) by A. Crocker, seconded by S. Farr, approved 5-0-0.

Motion to issue the Amended Order of Conditions for 185 Brookside Road (DEP File #234-815) by A. Crocker, seconded by S. Farr, approved 5-0-0.

OTHER BUSINESS:

764, 766, 768A, 768B CHESTNUT STREET, HEATHER LANE (DEP FILE #234-849) – continued APPROVAL OF ORDER OF CONDITIONS

Staff drafted the Order of Conditions for the Commission's review. The Commission reviewed the draft Order and motioned to accept the draft as written.

Motion to issue the Order of Conditions 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 SF abstained).

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

Ryan Hale, the wetland scientist, was present to present the Request for Certificate of Compliance. D. Anderson noted that Staff had met the Applicant onsite to review the mitigation plantings and noted that the original mitigation plantings had been removed and replaced, so a new 2-year monitoring period is required. Other work including the placement of the wetland bounds was completed and only the monitoring period remains. R. Hale reviewed the mitigation plantings and stated that monitoring reports would be forthcoming.

Motion to issue a Partial Certificate of Compliance for 135 Maple Street (DEP File #234-781) by A. Crocker, seconded by S. Farr, approved 5-0-0.

46 BORDER ROAD (DEP FILE #234-731) – REQUEST FOR CERTIFICATE OF COMPLIANCE

Diane Simonelli of Field Resources Inc. was present for the discussion. D. Simonelli summarized the original application and current conditions, noting that two additional river birch trees were planted to reach the required 75% mitigation planting survival. Additionally, the lawn was extended beyond the wetland bounds and the area was reclaimed with new low-growth native plantings. D. Anderson stated that Staff had walked the site to confirm the final site conditions and recommended the full Certificate of Compliance.

Motion to issue the Certificate of Compliance for 46 Border Road (DEP File #234-767) by A. Crocker, seconded by S. Farr, approved 5-0-0.

16 WINFIELD STREET (DEP FILE #234-767) – REQUEST FOR CERTIFICATE OF COMPLIANCE

Diane Simonelli of Field Resources Inc. and Jennifer Flagel, the Applicant, were present for the discussion. J. Flagel reviewed the completed work and invasive species removal from the original application. D. Simonelli noted that the proposed walkway was not constructed, and the parking area was smaller than proposed. D. Anderson noted that the mitigation area was naturalized and overgrown and recommended a full Certificate of Compliance.

Motion to issue the Certificate of Compliance for 16 Winfield Street (DEP File #234-767) by A. Crocker, seconded by S. Farr, approved 5-0-0.

475 SOUTH STREET (DEP FILE #234-840) – REQUEST FOR CERTIFICATE OF COMPLIANCE

Diane Simonelli of Field Resources Inc. was present for the discussion. D. Simonelli reviewed the completed work and noted that a partial Certificate of Compliance is being requested because there was still a mitigation plant monitoring period. Noted deviations included a reduction of the proposed driveway footprint and fewer trees removed. Staff recommended the issuance of a partial Certificate of Compliance.

Motion to issue a Partial Certificate of Compliance for 475 South Street (DEP File #234-840) by A. Crocker, seconded by S. Farr, approved 5-0-0.

ADJOURN:

Motion to adjourn by A. Crocker, seconded by W. Murphy, approved 5-0-0. The meeting was adjourned at 10:30p.m.

NEXT PUBLIC MEETING:

November 19, 2020, at 7:30 p.m. virtually broadcast through the Zoom Virtual Platform.