

**TOWN OF NEEDHAM
CONSERVATION COMMISSION
MEETING MINUTES
Thursday, November 10, 2011**

LOCATION: Public Services Administration Building, Charles River Room

ATTENDING: L. Standley (Chair), Paul Alpert, Marsha Salett, Carl Shapiro, Sharon Soltzberg, Dawn Stolfi Stalenhoef (Vice Chair), Debbie Anderson (Agent), Elisa Litchman (Assistant).

GUESTS: Lisa & Tom Daly, Tony Del Gaizo, Brad Holmes, David Kelly, Rick Merson, Greg Petrini, John Rockwood, Ardi Rrapi, Joan Rueppel, Anastasia Semel, Diane Simonelli.

L. Standley opened the public meeting at 7:35 pm.

MINUTES

Motion to approve minutes of September 8, 2011 as amended by L. Standley by P. Alpert, seconded by M. Salett, approved 4-0-0.

Motion to approve minutes of October 13, 2011 by P. Alpert, seconded by S. Soltzberg, approved 4-0-0.

Motion to approve minutes of October 27, 2011 as amended by L. Standley and P. Alpert by S. Soltzberg seconded by P. Alpert, approved 4-0-0.

ENFORCEMENTS

320, 328 CEDAR STREET

D. Anderson reported that she had made a site visit to the property and restoration work has been done at 328 Cedar Street. Loam and seed had been installed yet there were no signs of grass yet. Maple trees were in the process of being installed and erosion control fabric had been installed. No further action will be taken against the Grimaldos. She also reported that the arbor vitae shown in the photos were planted at 320 Cedar Street. D. Anderson stated that Town Counsel had requested further information specifically the addendum to review, with respect to action against the contractor and the owner of 350 Cedar Street..

636 CHARLES RIVER STREET

At this point the owner has taken the rolling dock out of the Charles River. The Commission requested that D. Anderson compose and send a letter to the owner listing the permits required for the dock and mowing or removal of vegetation.

HEARINGS

770 CHESTNUT STREET – *Continued* REQUEST FOR DETERMINATION OF APPLICABILITY

L. Standley opened the public hearing at 7:44pm. B. Holmes explained that the application is for an extension of the gas line so that other neighboring residents can connect to gas if they choose. The application no longer includes the connection to 770 Chestnut Street as that is covered under their Notice of Intent Application. The proposed two inch gas main is located in the buffer zone.

Motion to close the hearing for 770 Chestnut Street by S. Soltzberg, seconded by P. Alpert, and approved 6-0-0. The public hearing was closed at 7:45pm. **Motion to issue a negative Determination of Applicability for 770 Chestnut Street by M. Salett, seconded by P. Alpert, approved 6-0-0.**

770 CHESTNUT STREET (DEP FILE #234-626) – Continued NOTICE OF INTENT

L. Standley opened the public hearing at 8:00 pm. L. Standley had shared with the applicant's counsel the draft of the Order of Conditions. D. Anderson stated that the filing plans she had were not stamped. D. Kelly provided stamped plans. R. Cramer requested that the applicant be allowed to mow the "meadow area" to 6 inches high once a year. After much discussion, the Commission noted that a planting plan had not yet been submitted and requested specific language in the Order deferring decisions related to the landscaping until a plan is submitted at a later date and approved by the Commission. **Motion to close the public hearing for 770 Chestnut Street (DEP File #234-626) by P. Alpert, seconded by D. Stolfi Stalenhoef, approved 6-0-0.** The public hearing was closed at 8:30 pm. **Motion to issue an Order of Conditions for 770 Chestnut Street (DEP File #234-626) by P. Alpert, seconded by S. Soltzberg, approved 4-0-2 (abstained).**

92 WILSHIRE PARK (DEP FILE #234-629) – NOTICE OF INTENT

L. Standley opened the public hearing at 8:30pm. D. Simonelli submitted the certificate of mailing receipts, the new owner's information, and the recording information from the registry of deeds. Some revisions have been made to the plan including cleaning up the rear yard which had been filled by the previous owner and neighbors with debris, dirty fill, concrete, metal, timbers and the remnants of a pool. The owner wants to remove a number of trees as well, specifically a 24-inch tree in the front yard and a 42-inch tree in the back. D. Simonelli stated that an arborist had visited the site to inspect the trees' condition. L. Standley asked for specifics of how the owner plans on stabilizing the upland once it is regraded. D. Simonelli will submit the information. The limit of lawn would continue to the top of the slope, where a new fence would be installed. As the Commission received new information (plans) at the meeting and has requested additional information, the hearing was continued. **Motion to continue the public hearing till December 8 at 7:45pm for 92 Wilshire Park (DEP FILE #234-629)) by C. Shapiro, seconded by S. Soltzberg, approved 6-0-0.**

OTHER BUSINESS

914 CHARLES RIVER STREET (DEP FILE #234-628) – ISSUE ORDER OF CONDITIONS

Motion to issue an Order of Conditions for 914 Charles River Street (DEP File #234-628) with edits by P. Alpert, seconded by S. Soltzberg, approved 4-0-2 (M. Salett and C. Shapiro abstained).

80 NORTH HILL AVENUE (NGWP #14) – MINOR MODIFICATION REQUEST

J. Bernardo conducted a site visit and reported that she noticed ponding onto the neighbor's parcel in the right rear corner of 80 North Hill Ave. S. Soltzberg also visited the site. Of the four trees the Applicant proposed for removal due to their proximity to the neighbors house and perceived threat of damage should they fall, the Commission agreed that there was no need to remove the tree closest to the wetland. L. Standley stated that the three trees closest to the house could be removed. **Motion to approve the work as a minor modification not requiring an amendment, with the exception of the tree located nearest the wetlands, by M. Salett, seconded by C. Shapiro, approved 6-0-0.**

112 EDGEWATER DRIVE – CERTIFICATE OF COMPLIANCE REQUEST

M. Salett reported that she made a site visit and noted some major discrepancies between the landscaping plan and the locations the plants were actually installed. The landscaping plan indicates a hatched area where the approved plantings should be installed however, the area was loamed and seeded only, with no planting. M. Salett did locate the approved plantings in other less suitable conditions and expressed

concern that the plants will not survive. In addition, the retaining wall has two sets of stairs though the plans show only one set. The Order of Conditions only includes approval for one set. A two year plant monitoring requirement of the landscaping is also necessary. The Commission decided to table this till the applicant resubmits the proper paperwork and install woody plants in the correct location, in compliance with the Order of Conditions.

18 BORDER ROAD (DEP FILE #234-612) – MINOR MODIFICATION REQUEST

J. Rockwood of EcoTec explained that the size of the front walk had been reduced by 47 square feet, the side walkway had been increased by 56 square feet, the driveway had been increased by 256 square feet, the patio increased by 174 square feet and the air conditioner compressors had been placed on concrete pads of 10 square feet. The total increase of impervious area was 310 square feet. The mitigation area was then increased by 200 square feet with the addition of two (2) saplings and thirteen (13) shrubs.

Motion to approve the work as a minor modification not requiring an amendment by M. Salett, seconded by S. Soltzberg, approved 6-0-0.

11 BRENTWOOD CIRCLE (NGWP #5) - CERTIFICATE OF COMPLIANCE REQUEST

D. Anderson made a site visit and the only deviation from the approved Plan is that the proposed planting of white pines along the side property line are in fact arborvitae. **Motion to issue a Certificate of Compliance by P. Alpert, seconded by M. Salett, approved 6-0-0.**

MARY CHILTON ROAD – TOWN OF NEEDHAM DPW & ENGINEERING DEPT. DISCUSSION

Tony Del Gaizo, Engineer for the Town, explained what their investigation uncovered. The owners of 3 Mary Chilton Road, the Dalys, were in attendance and participated in the discussion. The stone culvert which exists at Mary Chilton and Great Plain Avenue was likely created in the 1700s when the aqueduct was built. The final subdivision plans didn't show the culvert. It appears that the culvert was filled in and a retaining wall constructed which caused the end of the pipe to be blocked which ultimately undermined the wall. Water has ponded on the north side of Great Plain Ave. as the culvert is not free flowing. Mr. Del Gaizo discussed three potential options for fixing the problem. He recommended that the water be diverted to a pond on the north side of Great Plain Ave. via a rip-rap channel which appears to be the least expensive option with the least risk. The existing stone culvert would be filled. The Dalys stated that their engineer concurred with this solution. The Commission concurred and suggested that the Town talk with Olin College and make sure they are in agreement since they are an abutter or the owner of the property north of Great Plain Ave.

UPDATE ON RIDGE HILL SWAMP TRAIL BID PROCESS

D. Anderson explained that Louise Miller of the Public Works Department will need to re-advertise. There was reference to an addendum in the application, however, applicants could not access it which apparently caused some confusion in the application process.

WITHDRAWAL OF THE EXTENDED DETERMINATION OF APPLICABILITY FOR NEEDHAM TRAILS GENERAL MAINTENANCE EXTENSION

The Commission noted that the Determination of Applicability continues in effect due to the Permit Extension Act. **Motion to withdraw the extension by C. Shapiro, seconded by M. Salett, approved 6-0-0.**

CONSERVATION COMMISSION APPOINTMENTS

D. Stolfi Stalenhoef stated that she is stepping down from Vice Chair. **Motion to appoint P. Alpert as Vice Chair by L. Standley, seconded by C. Shapiro, approved 6-0-0.**

Meeting to adjourn by S. Soltzberg, seconded by M Salett, approved 6-0-0. The meeting was adjourned at 10:53 pm.

NEXT PUBLIC HEARING

December 8, 2011 at 7:30 p.m. in the Public Services Administration Building, Charles River Room