

**TOWN OF NEEDHAM
CONSERVATION COMMISSION
MEETING MINUTES
Thursday, August 24, 2017**

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

ATTENDING: Sue Barber, Janet Bernardo, Stephen Farr, Alison Richardson, Debbie Anderson (Conservation Specialist), Matthew Varrell (Director of Conservation)

GUESTS: Lisa Cherbuliez, David Nectow, Doug Sherman.

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

MISCELLANEOUS BUSINESS:

MEETING MINUTES

Motion to approve the Meeting Minutes of August 10, 2017 by A. Richardson, seconded by S. Barber, approved 2-0-2. J. Bernardo and S. Farr abstained.

ENFORCEMENT AND VIOLATION UPDATES

RESERVOIR TRAIL

M. Varrell reported dumping is occurring on the Reservoir Trail, noting it important it cease as the trail is now under construction. He commented a trail camera was set up under the “No Dumping” sign and photographs were obtained of a person dumping lawn trimmings on Town-owned land within the Buffer Zone. He said a letter was sent to residents in the neighborhood as a reminder to them and their contractors that it is illegal to dump on Town property or within a Buffer Zone.

55 BRIARWOOD CIRCLE

M. Varrell explained he met with the homeowner, Andrea Talis, at the property regarding two retaining walls built without permits. He said the homeowner admitted she was unaware a permit was required. M. Varrell said the homeowner, in an effort to alleviate erosion, had a pipe installed to shunt water to a naturally vegetated area and planted shrubs and plants. M. Varrell said he told the homeowner erosion controls and mulch must be put in place to stabilize the site until a permanent solution is achieved. Photographs were viewed.

Lisa Cherbuliez, friend of the homeowner, explained the walls were erected to enable gardening and enrich the area. She said the homeowner asked a landscaper to help with erosion control who advised Ms. Talis that a permit is required for the walls. Ms. Cherbuliez said the interests of the Town and homeowner are the same. Discussion ensued regarding the property prior to the walls being built.

J. Bernardo commented the walls appear to be within the 50-foot Buffer Zone. She said the Town will require the homeowner to allow vegetation to grow back to its original state, and to file an “after the fact” Notice of Intent. A. Richardson suggested native, rather than garden or ornamental plants, should be planted. She said a plant list is on the Town website.

M. Varrell said he suggested the homeowner hire a consultant for the project.

J. Bernardo said the Town will issue an Enforcement Order to file a Notice of Intent, and will require the homeowner to submit plans to the Conservation Commission for approval.

Motion to issue Enforcement Order to the owner of 55 Briarwood Circle requiring they submit an “after the fact” Notice of Intent by S. Farr, seconded by S. Barber, approved 4-0-0.

190 EDGEWATER DRIVE

D. Anderson explained the property is also the subject of a Request for Certificate of Compliance. D. Anderson has inspected the site and found the porch and deck project was completed, with the contractor looking to close out the project. She noted the property was stable and had a lawn during her site visit two weeks ago, saying she told the contractor erosion controls could be removed. D. Anderson said she returned to the site today to take photos and found unstabilized soil in place of a portion of the lawn.

D. Nectow, homeowner, explained a desire for pavers at the bottom of the steps, asking a landscaper to do the work. He said regrading was required. D. Anderson commented that it appeared a lot of grading had occurred for installation of pavers. Discussion ensued regarding the 100-year flood plain, multiple revisions to the site plan, and erosion controls.

J. Bernardo told the homeowner he must reinstall erosion controls, remove the fill within the flood plain, install grass/sod, and submit a revised/updated “as built” plan by a surveyor showing all elevations and the addition of pavers. D. Anderson requested inspection of the site once erosion controls are reinstalled. D. Nectow provided his cell phone number.

Motion to issue Enforcement Order to the owners of 190 Edgewater Drive requiring they install erosion controls within 5 days, remove fill and stabilize with sod or seed within 2 weeks, perform a new “as built” plan showing no change in grades and flood plain, and show pavers reinstalled in order to received Certificate of Compliance, by S. Farr, seconded by S. Barber approved 4-0-0.

1546 GREAT PLAIN AVENUE

M. Varrell said he received an anonymous phone call that wetlands were being disturbed at the property. A site visit was made and photographs were taken. M. Varrell said a new driveway was recently installed, and discussion with tenant indicated the contractor made the hole for drainage. M. Varrell said he and the tenant swapped contact information, but that he has yet to hear from the homeowner, who is in Florida. M. Varrell said an Enforcement Order requiring

restoration of the land will be sent to the homeowner, stating an “after the fact” Notice of Intent is required.

J. Bernardo commented an “after the fact” Notice of Intent should be required so the Town knows how the homeowner intends to fix the issue. She asked whether the Town should fine the homeowner to make sure the land is restored. M. Varrell suggested requiring the homeowner implement an immediate restoration plan, with “after the fact” Notice of Intent. The Commission agreed a restoration plan needs to be submitted on or before the next Conservation Commission hearing on September 14, 2017. J. Bernardo suggested fines begin accruing on the evening of September 15, 2017 if the Town is not notified. The Commission concurred, agreeing to a fine of \$200 per day.

Motion to issue an Enforcement Order to the owners of 1546 Great Plain Avenue requiring they file an “after the fact” Notice of Intent and Restoration Plan to be submitted by September 14, 2017, and immediate installation of erosion controls by S. Farr, seconded by S. Barber, approved 4-0-0.

HEARINGS AND APPOINTMENTS:

No Hearings were discussed at this meeting.

J. Bernardo said Bill Murphy will be joining the Conservation Commission as a new member.

OTHER BUSINESS:

REQUEST FOR CERTIFICATE OF COMPLIANCE - 190 EDGEWATER DRIVE (DEP FILE #234-702)

Tabled until next meeting on September 14, 2017.

REQUEST FOR CERTIFICATE OF COMPLIANCE - 130 WINDING RIVER ROAD (DEP FILE #234-662)

Tabled until next meeting on September 14, 2017.

DISCUSSION:

ROSEMARY POOL

M. Varrell referred to discussion at the Conservation Commission meeting on August 10, 2017 regarding lack of communication from the Environmental Monitor. He said the situation has not improved and he has still not received any reports. M. Varrell said site visits have shown some minor violations, and wondered what violations may be happening when site visits are not made. The Commission agreed a letter should be sent to the Project Manager requesting weekly reports and photographs from the Environmental Monitor, noting failure to submit reports in a timely manner will result in the Conservation Commission requiring replacement of the Environmental Monitor.

OPEN SPACE AND RECREATION PLAN UPDATE - REVIEW OF DRAFT FINAL DOCUMENT

The Commission reviewed, discussed, and prioritized the goals and objectives listed in the Open Space and Recreation Plan Update.

OTHER

J. Bernardo said this is the last Conservation Commission meeting for M. Varrell who will be leaving his position as Director of Conservation for the Town to pursue other opportunities. M. Varrell said he has enjoyed working with the Conservation Commission and staff members. It was noted M. Varrell will remain with the Town on a part-time basis assisting in the transition to a new Director. The Commission wished M. Varrell well in his future endeavors.

ADJOURN:

Motion to adjourn by S. Farr, seconded by A. Richardson, approved 4-0-0. The meeting was adjourned at 8:35 p.m.

NEXT PUBLIC MEETING:

September 14, 2017 at 7:30 p.m. in the Public Services Administration Building, Charles River Room.

Submitted by:
Mary Hunt