



Stephanie Radner, Chair  
Eliot Foulds, Clerk  
Leigh Hafrey, Associate  
Nick Garlick, Associate  
Bob Holmes, Associate  
Nathan Gauthier, Associate  
Erik DeAvila, Associate  
Nick Corsetti, Alternate  
Tim Puopolo, Alternate  
Elissa Brown, Agent

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## TOWN OF DEDHAM

### CONSERVATION COMMISSION

Website  
[www.dedham-ma.gov](http://www.dedham-ma.gov)

#### Minutes of May 20, 2021

In response to the COVID-19 pandemic and given the current prohibitions on gatherings imposed by Governor Baker's March 23, 2020 "Order Assuring Continued Operation of Essential Services in the Commonwealth, Closing Workplaces, and Prohibiting Gatherings of More than 10 People," this public hearing was conducted virtually, as allowed by Governor Baker's March 12, 2020 "Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20.

#### The following Commissioners were present:

Stephanie Radner  
Bob Holmes  
Nick Garlick  
Nathan Gauthier  
Erik DeAvila  
Tim Puopolo, Alternate

#### The following staff were also present:

Elissa Brown, Agent

#### The following Commissioners were absent:

Eliot Foulds, Clerk  
Leigh Hafrey  
Nick Corsetti

#### The following Applicants and/or Representatives were present:

Antoine Chehwan, Applicant – 32 Orchard Street  
Gamze Munden, Representative – 32 Orchard Street  
Lilly and Stephen Medeiros, Applicant – 41 Willard Street  
Joshua Green, Representative – 41 Willard Street  
Giorgio Petruzzello, Applicant – Schoolmaster Lane  
Joe Flanagan, Representative – Emergency Certification for Needham Street, requested by Dedham DPW

Commissioner Radner called the meeting to order at 7:00 pm in accordance with the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, the Dedham Wetlands Bylaw, and the Dedham Stormwater Management Bylaw.

**1. Welcome New Members and Election of Officers**

Commissioner Radner introduced new and re-appointed members: Stephanie Radner, Erik DeAvila, and Tim Puopolo (alternate). Commissioner DeAvila and Alternate Puopolo introduced themselves to the group.

Commissioner Radner also expressed appreciation for Commissioner Kayserman, the outgoing chair of the Commission.

Agent Brown mentioned that another new alternate member, Nick Corsetti, was recently sworn in and may join the meeting later.

Agent Brown introduced the election of officers and suggested that members nominate a chair.

Commissioner Garlick nominated Commissioner Radner to be chair. The nomination was seconded by Commissioner Gauthier. Commissioner Radner accepted. Commissioner Radner led a roll call vote. All attending Commissioners voted "aye." Motion carried.

Agent Brown and Commissioner Radner suggested the Vice Chair position be filled by a member whose term either was not about to expire or who intended to re-apply after the imminent expiration of their term. Commissioner DeAvila nominated Commissioner Gauthier for Vice Chair. Commissioner Gauthier did not accept. Other attending members expressed that they were not interested in the role. Agent Brown suggested and Commissioner Radner agreed to include the nomination of a Vice Chair on the agenda for the next meeting.

Commissioner Radner mentioned that outgoing Commissioner Kayserman had been the Conservation Commission's representative on the Open Space and Recreation Committee. A new Commissioner will need to be chosen to represent the Commission on this committee. She invited commissioners to review the Open Space Plan and determine if they are interested in joining that committee.

**2. Continued Applications (Applications Previously Opened to be Discussed Tonight)**

**2.1 32 Orchard Street – MSMP 2021-09 – New Pool Deck and Re-Grading**

Applicant: Antoine Chehwan      Representative: Gamze Munden, Munden Eng.      Request: Issue MSMP

Ms. Munden stated that she had submitted revised plans based on comments from the last meeting. The project includes installation of a patio and new pool and allows for infiltration of stormwater, but rather than infiltrating the stormwater from the new impervious surfaces, it is collected from the roof of the existing dwelling.

Commissioner Radner opened the floor to the other Commissioners for any questions or comments regarding the project.

Commissioner Holmes asked for confirmation that the stormwater that will be infiltrated is coming from an existing rooftop instead of the proposed patio and requested Ms. Munden compare the size of the two areas. Ms. Munden presented the site plan to illustrate the design. She stated the calculations and sizing of the infiltration system were volume-based and the infiltration system is designed to accommodate the required 2" of runoff multiplied by the area of the proposed patio. She stated that collecting the runoff from the patio would've required a design with strict maintenance requirements. Often, owners don't keep up with maintenance as they should, so collecting the runoff from the roof instead should result in a system that continues to work correctly with less maintenance.

Commissioner DeAvila asked for clarification on the drainage from the patio. Ms. Munden confirmed that runoff from the patio will be a surface discharge to the adjacent areas.

Commissioner Gauthier asked how much of the roof was being routed to the infiltration system and how this area compared to that of the proposed patio. Ms. Munden stated that the roof has one ridge and they have proposed to route 1 downspout out of 4 total to the infiltration system. The roof measures 1200 ft<sup>2</sup> total, so they are expecting to infiltrate the runoff from approximately 300 ft<sup>2</sup>. Commissioner Gauthier compared this to the proposed patio area of 776 ft<sup>2</sup>, arguing that collecting runoff from ¼ of the roof (approximately 300 ft<sup>2</sup>) is not equivalent. He asked if there was room for a gravel trench drain around the patio. Ms. Munden stated that she was concerned about clogging but could add this as an additional measure. Agent Brown stated that based on topography it would be appropriate to add a trench drain. Ms. Munden proposed tying in another downspout to the infiltration system instead. Commissioners DeAvila and Radner agreed that this would create a better situation.

Commissioner Gauthier stated that the only issue with this revision is that the TSS from the new patio wouldn't be treated. Ms. Munden stated that she did not expect a large amount of TSS or other pollutants from the proposed patio since it would not house pollutant generating activities such as parking.

Commissioners Gauthier and Radner agreed that enough downspouts should be connected to the infiltration system such that the captured area of the roof equaled the area of the proposed patio. Otherwise, the trench drain should be included.

Commissioner Gauthier requested clarification on reporting requirements of velocity of runoff at the property line. Agent Brown clarified that this requirement was waived since the main driver for this project requiring a major permit (rather than a minor) was due to the regrading rather than the amount of new impervious area.

Ms. Munden stated she would revise the drawings to collect the runoff from 3 of the roof's 4 downspouts and resize the pipes accordingly. Discussion ensued about the sizing of the system and whether it had to be revised for this additional runoff. Commissioner Gauthier clarified that the area of the roof routed to the infiltration system had to be equal to or greater than the area of the proposed patio. He further stated that the infiltration system is appropriately sized for the area of the proposed patio but is too small for the area of the roof that will be captured (if Ms. Munden changes the design to capture 3 out of 4 downspouts, the roof area captured would be 900 ft<sup>2</sup>, but the infiltration system is designed for the area of the patio, which is 776 ft<sup>2</sup>).

After discussion over sizing, Ms. Munden agreed to size the system for 2" of rainfall over 900 ft<sup>2</sup>. Agent Brown suggested she present revised calculations at a later meeting. Commissioner Gauthier agreed that this should resolve the issue and moved to continue this item to the next meeting. Commissioner Radner seconded the motion and requested the revised plan and calculations be provided to the commission at least 7 business days prior to the next meeting. Commissioner Radner led a roll call vote. All attending Commissioners voted "aye." Motion carried.

## **2.2 41 Willard Street – NOI 141-0588 – Replacement of Pavers and Wall and New Patio in BZ to BVW**

Applicant: Lilly and Stephen Medeiros      Representative: Joshua Green      Request: Issue OOC

Commissioner Radner reported that she had visited the site to gather details about desired invasive species removal. She stated that there is a pile of woody debris near the pool fence. It is not typical

“yard waste” and sees several un-natural items such as old Christmas trees and household debris, presumably deposited by previous homeowners. Behind these items, there is a large field of garlic mustard. She believes moving this debris will likely open the area to the garlic mustard, allowing it to take over. Instead of removing all the piled debris, Commissioner Radner suggested the homeowners remove the things that clearly do not belong – the Christmas trees, the household debris, etc. If they get down to soil level, she recommended requiring the homeowners to apply a native plant mix. She also suggested the homeowners could plant native plants that provide an indirect benefit to the wetlands elsewhere on their property.

Further, Commissioner Radner reported that she had researched the previously discussed land swap issue. It is not part of the Commission’s purview and, since the wetland area was taken by eminent domain, a land swap was complicated and would require several steps including a vote by State legislature. The recommendation from Town Counsel and the Town Manager was to encourage the applicant to work with the Building Department and Zoning Board of Appeals to obtain a license for use of the land in question.

Agent Brown suggested adding a special condition for the addition of pollinator plants within the fence line.

All attending Commissioners agreed that Commissioner Radner’s suggestions sounded reasonable. Ms. Medeiros agreed that this was reasonable but requested that the plantings occur outside of the fence, nearer the wetland. Commissioner Radner agreed.

Ms. Medeiros asked for clarification about the timing of work. A draft requirement she received stated work on the weekend could only occur from 8PM-9PM and she wanted to ask if that was intended to be 8AM-9PM. Commissioner Radner confirmed it was 8AM-9PM. Ms. Medeiros requested clarification of the timeline regarding the issuance of the permit. Agent Brown stated that the permit would be available for pickup or mailing on Tuesday, 5/25. Ms. Medeiros agreed to pick up the permit on Tuesday at the Conservation Department.

Commissioner Radner asked for public comments and received none. She then motioned to close the public hearing on this item. Commissioner Garlick seconded. Commissioner Radner led a roll call vote. All attending Commissioners voted “aye.” Motion carried.

Commissioner Radner then motioned to issue the Order of Conditions for this project with the addition of the condition for the planting of 4 native shrubs of a species approved by Agent Brown. Commissioner DeAvila seconded. Commissioner Radner led a roll call vote. All attending Commissioners voted “aye.” Motion carried.

### **3. Schoolmaster Lane – Temporary Drive Discussion**

Applicant: Giorgio Petruzziello

Mr. Petruzziello stated that a portion of the former driveway to the existing home on Lot 5 had been located on Lot 6. He has re-located that portion from Lot 6 to Lot 5 to provide access to Lot 5. The new road was designed with more turns to avoid ledge and existing trees. A section of crushed stone was included near the entrance. Mr. Petruzziello stated that the overall area of impervious surface remained the same, as the first road was removed.

Agent Brown mentioned she has not received an application for this change yet.

Commissioner Radner asked for clarification on the existence of the referenced roads. Mr. Petruzziello confirmed that this proposed change has already been made, although the new road is not paved. He is presenting to the Commission to ask if this sort of thing needs to come before the Commission. He reiterated that there was not much difference between the areas of the two roads. Agent Brown clarified that both areas qualified as “disturbed” because he removed the existing road and built the new one, which resulted in over 4400 ft<sup>2</sup> of disturbance (approximately 2200 ft<sup>2</sup> per road). Mr. Petruzziello stated that the Lot 6 designs did not take the road into account when designing stormwater measures.

Commissioner Gauthier stated that he thought this change required a stormwater permit due to the amount of disturbance. Commissioner Radner stated the concern was that, if there is eventually going to be a subdivision, then any stormwater devices installed for this road may end up causing more disturbance when being removed for future projects. Commissioner Gauthier suggested applying for a permit and requesting a waiver for certain requirements. Mr. Petruzziello stated that he didn’t think that he was disturbing 2000 ft<sup>2</sup>, the threshold amount for a major permit. Commissioner Gauthier reiterated that he is, because he installed a driveway that is over 2000 ft<sup>2</sup> and removed a driveway that is over 2000 ft<sup>2</sup>.

Mr. Petruzziello stated he would apply for a permit and request a waiver for stormwater management requirements, but he asked for any suggestions the Commission had at this time. Commissioner Radner stated that the Commission would need the details of the application to be submitted in order to have a full picture and comment. Agent Brown suggested special conditions waiving full HydroCad calculations and stormwater management system requirements, and state that the inclusion of stormwater management systems should be re-evaluated when the property is eventually developed as a subdivision.

After reviewing the current design, Agent Brown suggested the stone swale be moved to the other side of the road to catch more runoff. Mr. Petruzziello agreed.

Commissioner Gauthier reiterated the need for Mr. Petruzziello to specifically justify any waivers in his application. Mr. Petruzziello agreed.

**4. Request for COC – 431 Whiting Avenue – MSMP 2020-20**

Applicant: Wally Sybertz                      Surety: Bonded

Agent Brown stated this is a new house that has been installed. She has as-built plans and an engineer’s certification showing that the system was installed as designed. Grass planted is doing well. In her opinion, it was ready for a Certificate of Compliance.

Commissioner Radner made a motion to issue the Certificate of Compliance. Commissioner Garlick seconded. Commissioner Radner led a roll call vote. All attending Commissioners voted “aye.” Motion carried.

**5. Emergency Certification – Needham Street at Claybank Road**

Applicant: Dedham DPW                      Representative: Joe Flanagan

Mr. Flanagan stated that while inspecting stormwater outfalls DPW discovered a collapsed drain line at this location. It is an old pipe and is beginning to cause issues with the road. He is proposing to install a new deep sump catch basin and associated drain line.

Commissioner Radner asked if anything on the Cutler Park side of the project would be affected. Agent Brown stated there is a multi-stemmed tree that will be impacted, but it is in the right-of-way.

Agent Brown stated this was requested as an Emergency Certification, so she had drafted an emergency certification with some special conditions for the Commission to ratify.

Commissioner Radner asked for comments from the rest of the Commission and the public. No one spoke.

Commissioner Radner motioned to issue the Emergency Certification. Commissioner Garlick seconded. Commissioner Radner led a roll call vote. All attending Commissioners voted "aye." Motion carried.

Mr. Flanagan stated he expected work to begin on Tuesday of the following week (5/25).

## **6. Agent's Report**

Agent Brown did not have anything to report.

Commissioner Radner mentioned an observation of encroachment at Cutler Park. She has noted a lot of mountain biking trails going into the Town-owned land along Riverside Drive and even a zip-line from the back of a house in the area. She suggested that the Commission be aware of this as the increased activity is resulting in damage to the land. She has noticed some endangered species in the area, as well. Agent Brown added that it has been reported to DCR, but they are not actively pursuing enforcement at this time.

Agent Brown also stated that the Assistant Conservation Agent position has been posted and the Town is currently receiving applications. She does not have a timeline for hire yet.

Commissioner Garlick motioned to adjourn. Commissioner DeAvila seconded. Commissioner Gauthier mentioned that someone from the public may want to speak about invasives. Commissioner Radner opened the floor, but no one spoke. Commissioner Radner led a roll call vote for adjournment. All attending Commissioners voted "aye." Motion carried.

The meeting was adjourned at 8:49 pm.