|  | The Town of Dedham  Commonwealth of Massachusetts  Conservation Commission  26 Bryant Street  Dedham, MA. 02026 |
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Conservation Commission - Meeting Minutes

Thursday, July 24, 2014, Dedham Town Hall- Lower Conference Room

Members Present: Fred Civian (Chairman), Laura Bugay, Andrew Tittler, Kristine Langdon, and Brian McGrath.

Members Absent: David Gorden and Sean Hoxie

Mr. Civian called the meeting to order at 7:00 PM.

 750 Providence Highway- *Notice of Intent from David Spiegel for the redevelopment of a 7.5 acre parcel containing a freestanding retail building and 28 additional parking spaces while filling and replicating an area of Bordering Vegetated Wetlands (DEP# 141-0465)*Continued from July 10, 2014h.

Agent O’Connell informed the Commission that the applicant has requested to continue the hearing until the August 14.

Mr. Civian made a motion to continue the hearing on 750 Providence Highway until August 14, seconded by Mr. Tittler, UA

383 Westfield Street - Stormwater Management Permit application from Wilson Mountain Realty Trust. (SWP 2014-07) – Continued from July 10, 2014

Scott Henderson of McKenzie Engineering Group was present for the discussion.

Agent O’Connell explained that she will need more time to review the plans, but she does not have an objection to the hearing being closed.

Mr. Civian made a motion to close the public hearing, seconded by Ms. Bugay. UA

Mr. Civian made a motion to continue the hearing until August 14, seconded by Mr. Tittler. UA

138 Paul Street- *Application from John Brown for a Stormwater Management Permit for the construction of a single-family home at 138 Paul Street. (SWP 2014-13) –*Continued from July 10, 2014

Dan Brown was present for the hearing and apologized for not being able to make it to the previous meeting.

Greg Bonowitz of Borderland Engineering was present, and addressed the comments from the previous meeting.

Agent O’Connell explained to the Commission that the proposed revision required and an amendment to the Stormwater Management Permit. She added that both sets of plans were appropriately revised. Agent O’Connell recommended that a Stormwater Management Permit be issued with standard conditions of approval for 138 Paul Street.

Mr. Civian made a motion to close the public hearing, seconded by Ms. Bugay. UA

Mr. Civian made a motion to issue a Stormwater Management Permit for 138 Paul Street, seconded by Ms. Bugay. It was voted 4-0. Mr. Tittler abstained.

134 Paul Street (formerly 136 Paul Street) – *Request from John Brown for an Amended Stormwater Management Permit for a new single-family home to be located at 134 Paul Street (SWP 2013-21)*

*Greg Bonowitz Borderland Engineering.*

Agent O’Connell recommended that an amended Stormwater Management Permit be issued with standard conditions.

Mr. Civian made a motion to close the public hearing, seconded by Mr. Tittler. UA

Mr. Civian made a motion to issue the amended Stormwater Management Permit for 134 Paul Street, seconded by Ms. Bugay. It was voted 4-0. Mr. Tittler abstained.

Schoolmaster Lane- *Notice of Intent from Dedham Land Company, LLC for the widening of Schoolmaster Lane, as well as the widening of an existing intermittent stream/culvert crossing, filling 180 square feet of wetlands, installation of retaining wall on both sides of the road and wetland replication work. (DEP # 141- 0467)*

Mr. Civian made a motion to continue the hearing on Schoolmaster Lane until August 14 at the request of the applicant, seconded by Ms. Bugay. UA

60 Emmett Avenue – *Stormwater Management Permit Application from Phoenix Property Group, LLC for the conversion of an existing 3 unit residential building to 3 townhouse units including an expansion of an existing detached garage building and additional pavement for parking. (SWP-2014-14)*

Donald Myers of Norwood Engineering was present to discuss 60 Emmett Avenue. He explained that the proposal would be to keep the same flow on the site, and to install a rain garden to take care of impacts related to the development. The infiltration would be managed entirely with Low Impact Development (LID) techniques. Mr. Myers requested that the Commission add soil testing as a condition instead as a requirement to get the permit.

Mr. Tittler asked what they would do if the ground water testing results were negative. Mr. Myers explained that they would then install a conventional system.

Ms. Langdon asked why they are not using pervious pavers. Mr. Myers responded that there is no technical reason they are not using pervious pavers.

Ms. Bugay commented that she appreciated the effort to do the rain garden as LID instead of the conventional system, but she was not sure it was the appropriate Best Management Practice (BMP) for this site. Ms. Bugay commented on the 3-1 slope out the front door and asked if guard rails would be needed. She asked for more information on tree removal, commenting specifically on a large pine tree. Mr. Myers responded that he was not sure exactly which trees would need to be removed.

Mr. McGrath asked Mr. Myers to describe how pre-treatment would work.

Mr. Civian commented that it looks like more pavement is being added than what is needed. He added that he was not sure that BMP could handle that salt and sand load and he was convinced this BMP would be taken care of. Mr. Civian was also skeptical that this was the right BMP for this particular site. He echoed Ms. Langdon’s comments about considering using pervious payment.

Agent O’Connell commented that she was concerned how well the rain garden would be maintained and what the Town would even be able to do if it was not maintained properly.

Mr. Civian commented that even if the maintenance requirements were put on the deed for the property, as a practical matter, the information may not get to whoever is maintaining it in the future.

Mr. McGrath expressed concern about if the pavement on the site might be excessive and asked if it was really necessary.

Ms. Bugay suggested that the applicant consider reducing the amount of pavement. She gave the example of the double wide entrance and exit being excessive.

Mr. Civian made a motion to continue the hearing on 60 Emmett Avenue until August 14th, seconded by Ms. Bugay. UA

126 Jefferson Street - *Stormwater Management Permit Application from 126 Jefferson Street, LLC for the demolition of an existing dwelling and the construction of a new single family house, associated utilities, grading and stormwater management. (SWP-2014-15)*

Agent O’Connell informed the Commission that the applicant has requested to continue this hearing until August 14th, seconded by Ms. Bugay. UA

62 Hastings Road – *Notice of Intent from Todd Paschen for the replacement of a potable water well for an existing residence within 100' of a Bordering Vegetated Wetland, within an Area of Critical Environmental Concern and within an area mapped as Priority Habitat of Rare Species. (DEP # 141-0468)*

Agent O’Connell confirmed with the applicant that they have yet to hear back from Natural Heritage, and reminded the Commission that they would need to hear from Natural Heritage before they could act on this notice.

Paul Campbell was present from Chess Engineering. He explained that this request is for a private water supply well to be located within the buffer zone of a wetland.

Agent O’Connell asked why the well needs to be within the buffer zone. Mr. Campbell responded that the well designer identified that area as being the ideal location for this well.

Property owners Todd and Brianne Paschen were present and explained their hardship with their current well. Ms. Paschen explained that the water is completely undrinkable and hazardous. Ms. Paschen explained that it was their understanding that their well water was compromised as a result of their neighbors who had blasted ledge on their land which ultimately led to the water table becoming contaminated. They would like to get well system as far away from the bedrock system to avoid contamination, which is why it is located in the buffer zone.

Mr. Civian explained how they cannot take action until a notice for the hearing has run in the paper, which was scheduled to occur on 7/25/14, and they had heard back from Natural Heritage. He offered to hold a special meeting for this project the following Friday, August 1st, at 7:00 AM, as long as they had heard back from Natural Heritage before that date.

William Gorman suggested that the Commission follow up with the Board of Health to make sure they are aware of this issue, and to see if a contamination source had been determined. Mr. Civian agreed to follow up with the Board of Health regarding this issue.

Mr. Civian made a motion to continue the hearing on 62 Hastings Road until August 1st, seconded by Ms. Bugay. UA

1056 East Street *– Notice of Intent from Supreme Development for a three lot residential subdivision, including a roadway, utilities, grading, stormwater management and the construction of three new dwellings within 100’ of a Bordering Vegetated Wetland. (DEP # 141- 0469)*

John Glossa was present from Glossa Engineering.

Mr. Glossa reviewed the details of the site. He explained the proposal to divide the lot into 3 lots, with a road that was 18 feet wide. He explained that to date, the Planning board to date has agreed to this concept.

Mr. Glossa explained that since the pond was less than 10,000 square feet it would not be a “pond” by definition.

Tom Quinn, an abutter, expressed concern about blasting. He was concerned that water might runoff to Southgate and that they would end up getting water in thier basements. He also would like the tree barrier between Windsor and this property to remain.

William Gorman of Jefferson St, a former Conservation Commission member explained that he had kept a file on this project in the event that it might resurface. He explained that the site had quite a history that he felt should be known and considered prior to the Commission acting on the project. He wanted to be sure that the whole site was being taken into consideration. He explained that there was an issue with fill being added to the pond in the past which may have contributed to its smaller size.

Mr. Glossa commented on the filling issue, explaining that following this enforcement order, the pond was excavated, a Certificate of Compliance, and this issue was resolved. He saw this as an issue that had been satisfactorily resolved, or a Certificate would not have been issued.

Giorgio Petruziello explained that the history of this site has gone from the plan of it being redeveloped into 3 lots by a different applicant, to a church planned to be built on the one lot, and now that the plans for the church fell through he is requesting that it be subdivided into 3 lots.

Mr. Civian confirmed with Mr. Gorman that the Conservation Commission will confirm that the the parcel size is accurate.

Mr. Civian explained that a peer review would be needed to assist in the review of the details for this proposal. The amount would not exceed $3000 for 3rd party review. Mr. Civian made a motion to request peer review funding not to exceed $3,000, seconded by Ms. Bugay. UA

Mr. Civian made a motion to continue the hearing on 1056 East Street until August 14th, seconded by Ms. Bugay. UA

5000 Great Meadow Road *– Request for a Stormwater Certificate of Compliance for the completed parking lot expansion at Newbridge on the Charles (SWP 2010-14)*

Agent O’Connell recommended that a Stormwater Certificate of Compliance be issued.

Mr. Civian made a motion to issue a Stormwater Certificate of Compliance for 5000 Great Meadow Road, seconded by Ms. Bugay. UA

42 Burgess Lane – *informal discussion regarding relocation of replication area*

Agent O’Connell recommended that this change be approved and considered a minor modification.

Mr. Civian made a motion to approve the minor modification to 42 Burgess Lane, seconded by Ms. Bugay. UA.

9:15 PM- Mr. McGrath made a motion to adjourn, seconded by Ms. Bugay. UA