

Tim Puopolo, Chair
Erik DeAvila, Vice Chair
Stephanie Radner, Clerk
Nathan Gauthier, Associate
Anne Gotay, Associate
Leigh Hafrey, Associate
Meredith LaBelle, Agent



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TOWN OF DEDHAM

CONSERVATION COMMISSION

Minutes of February 15, 2024

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:

Tim Puopolo, Chair
Erik DeAvila, Vice Chair
Stephanie Radner, Clerk
Nathan Gauthier, Associate
Anne Gotay, Associate
Leigh Hafrey, Associate

The following Staff were present:

Meredith LaBelle, Conservation Agent

The following Commissioners were absent:

The following Applicants and/or Representatives were present:

Arkadi Beybutyan, Applicant for 75 Durham Road
Antonio Reda, Applicant for 15 Felix Street
David Flynn, Applicant for 62 Autumn Lane
Karon Skinner-Catrone, Representative for 62 Autumn Lane
Scott Henderson, Representative for 181 Village Avenue

Commissioner Puopolo called the meeting to order at 7:02 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. Public Comment

Commissioner Puopolo opened the floor for general comments from members of the public. He received no responses.

2. New Applications

2.1. 75 Durham Road – RDA 2024-03 – Fence Installation

Applicant: Arkadi Beybutyan

Arkadi Beybutyan of 75 Durham Road explained that he is proposing to install a wrought-iron fence in his backyard. There is a stream that runs through his yard, which is a safety concern for his two small dogs. Agent LaBelle shared an aerial of the property and noted the location of the proposed fence. Commissioner Puopolo clarified that if the fence was 50' away from the intermittent stream, this project would have likely been issued an administrative approval, but since the fence is located within 50' of the stream the applicant submitted a Request for Determination of Applicability. Commissioner Puopolo also noted that based on space-constraints of the yard it would not be feasible to install the fence 50' from the stream. He then asked if any vegetation would need to be removed to install the fence, and Mr. Beybutyan confirmed that no vegetation would be removed. Commissioner Puopolo asked about the design of the fence, and Mr. Beybutyan showed the Commission the fence he is planning on installing. He explained that the fence will be wrought iron, with slats, and will not require any excavation to install. Commissioner Puopolo requested that the fence be installed with a small "critter gap" at the base of the fence, and Commissioner Radner added that the slats in the proposed fence would be adequate for wildlife passage.

Commissioner Puopolo asked about the method of installation and whether erosion controls would be used. Mr. Beybutyan answered that he is planning on doing the work himself, and no excavation will be required for the installation and the posts will be hammered into the ground. Commissioner Radner suggested using a silt sock during the work. Commissioner Gauthier suggested that based on the method of installation, which would simply be driven into the ground with the posts and not involve digging, he did not think soil and erosion controls were necessary. He also re-iterated that a gap should be left for wildlife and asked for clarification about the distance of the fence to the stream. Mr. Beybutyan stated that there would be a few feet between the edge of the bank and where the fence will be installed so that if the water were to rise higher than usual the fence would not be impacted. The Commissioners Radner and Hafrey agreed that with this method of installation soil and erosion controls would not be necessary. Commissioner Radner added that if some reason digging was required, Mr. Beybutyan should reach out to Agent LaBelle.

Commissioner Puopolo opened the floor to members of the public. He received no responses.

Commissioner Radner motioned to close the public hearing and issue a Negative Determination of Applicability for RDA 2024-03. Commissioner DeAvila seconded. Commissioner Puopolo led a roll call vote. All attending commissioners voted "aye." The motion carried 5-0.

2.2. 15 Felix Street – RDA 2024-04 – Garage Addition

Applicant: Antonio Reda

Antonio Reda, of 29 Gafney Road, explained that he is proposing to tear down the existing garage at 15 Felix Street and build a new garage. Commissioner Puopolo asked about the footprint of the new garage, and Mr. Reda answered that the footprint is slightly wider than what is originally there. Commissioner Radner asked if the expanded area is currently paved, and Mr. Reda confirmed. Commissioner Puopolo asked about erosion controls, and Mr. Reda answered that a coir log will be installed in the street between the garage and Mother Brook as a sediment and erosion control measure. Commissioner Radner asked about the slope of the site, and asked if the project would impact the flow of stormwater. She also asked if they are proposing downspouts. Mr. Reda answered that currently water flows down the street, and they do not expect the project to change that. Commissioner Radner added that it could be helpful to install a small drainage system for the driveway and mentioned that these can be purchased for relatively cheap at a home improvement store. Commissioner DeAvila suggested a perforated pipe with a gravel trench could also be effective to control street runoff. Commissioner Puopolo asked if this needed a stormwater permit. Agent LaBelle confirmed that this project did not hit the threshold for needing a

stormwater permit. Commissioner Radner asked about what will be stored in the garage, and Mr. Reda answered that cars and household tools will be stored in the garage.

Commissioner Puopolo opened the floor to members of the public. He received no responses.

Commissioner Radner motioned to close the public hearing and issue a Negative Determination of Applicability for RDA 2024-04. Commissioner DeAvila seconded. Commissioner Puopolo led a roll call vote. All attending commissioners voted “aye.” The motion carried 5-0.

2.3. 62 Autumn Lane – RDA 2024-05 – Parking Area and Deck

Applicant: David Flynn

Representative: Karon Skinner-Catrone

Karon Skinner-Catrone, representative for Flynn Builders, provided background on the project. She explained that the applicant is proposing to construct a 10’ x 10’ deck in the backyard and an 18’ by 18’ permeable parking area in the front of the home. She explained that the deck will be constructed in a way such that it is pervious. Ms. Skinner-Catrone also added that straw wattles will be installed around the rear of the yard during construction. Commissioner Puopolo asked about the material of the parking area and if edging will be installed to hold the material in place, and Ms. Skinner-Catrone answered this will be a gravel parking area. David Flynn, with Flynn Builders, added that a cobblestone border will be installed to contain the gravel parking area.

Commissioner DeAvila asked if fabric and crushed stone will be added underneath the deck, and Mr. Flynn confirmed. Commissioner Gauthier asked if there is a maintenance plan for the permeable parking area, and Commissioner Puopolo clarified that this area is not porous asphalt. Commissioner Gauthier retracted his previous question.

Commissioner Puopolo asked the applicant about alternatives for the deck as proposed. Ms. Skinner-Catrone answered that there is limited room in the backyard, and the deck is proposed to be constructed as far from the wetland line as feasibly possible. Mr. Flynn added that if they moved the deck to the left side of the house they would be encroaching on the neighbors property, and on the right side of the property they are constrained by the bulkhead. Commissioner Radner asked about the debris that was formerly in the backyard and asked if that was proposed to be removed, and Mr. Flynn confirmed. Mr. Flynn also added that the shed had been removed since it was falling down. Commissioner Radner asked about whether a fence was proposed at the property, and Mr. Flynn answered he was not planning on installing a fence at the property. Commissioner Radner asked about how the deck will be constructed, and Mr. Flynn answered it will be constructed on footings with 4” x 4” posts.

Commissioner Puopolo opened the floor to members of the public. He received no responses.

Commissioner Radner motioned to close the public hearing and issue a Negative Determination of Applicability for RDA 2024-05. Commissioner DeAvila seconded. Commissioner Puopolo led a roll call vote. All attending commissioners voted “aye.” The motion carried 5-0.

3. Continued Applications

3.1. 750 Providence Highway – WPB 2023-01 – Site Redevelopment (Local Bylaw Filing Only)

Applicant: David Spiegel,
Dedham 800 LLC

Representative: Matthew Smith, Norwood Engineering Co., Inc.

Agent LaBelle explained that the applicant has asked to be continued to the next hearing.

Commissioner Radner motioned to continue the public hearing for WPB 2023-01 until the next meeting on March 7th. Commissioner DeAvila seconded. Commissioner Puopolo led a roll call vote. All attending commissioners voted “aye.” The motion carried 5-0.

3.2. 181 Village Avenue- DEP 141-0626- Hardscaping and Landscaping Improvements to Single-Family Dwelling

Applicant: Schuyler Daum

Representative: Russel E. Waldron, Applied Ecological Sciences

Scott Henderson, with Henderson Consulting, presented the revisions that had been made to the project since they last presented to the Commission back in December. He highlighted that the major change is that previously a rain garden had been proposed for stormwater management in the rear of the property and within Undisturbed Buffer Area, and now he is proposing to install a sub-surface infiltration system to the east of the driveway instead of the rain garden. Mr. Henderson added that a 6-inch diameter overflow is proposed partly within the Undisturbed Buffer Area and explained that this is proposed due to the steepness of the slope and if he kept the pipe out the UBA there could be an erosion issue.

Commissioner Puopolo stated that there is language in their regulations that allows a stormwater discharge to be installed within the Undisturbed Buffer Area, and asked Agent LaBelle if a formal waiver would be needed to allow this. Agent LaBelle answered that it might be safer to grant the waiver, but they could review that exemption and decide. Commissioner DeAvila asked Mr. Henderson if there is a maintenance plan for the catch basin proposed in the driveway, and Mr. Henderson confirmed and stated the catch basin that is proposed has a deep sump and hooded outlet. He also added that the stormwater permit has not yet been issued for this project, but he is pretty confident that there won't be any major changes as a result of completing that process. Commissioner DeAvila asked if there is anything to reduce the speed of the water coming out of the splash pad outlet, and Mr. Henderson answered that standard riprap is proposed. Commissioner Puopolo read the language from the Rules & Regulations that clarified the UBA exemption, and the commissioners agreed the outlet pipe in the UBA would be allowed and not require a waiver. Commissioner Puopolo asked Mr. Henderson if anything besides the stormwater management feature location had changed since the last iteration of the plan, and Mr. Henderson confirmed this was the only change.

Commissioner Puopolo opened the floor to members of the public. He received no responses.

Commissioner Radner asked Mr. Henderson if he was comfortable with the potential of having to come back to the Commission if changes were to be made following the stormwater permitting process. Mr. Henderson stated that he understood but would rather take the risk and have the hearing be closed since he is confident that no major changes will be necessary to complete the stormwater permitting process.

Commissioner Radner motioned to close the public hearing and issue the Order of Conditions as drafted for DEP 141-0626. Commissioner Hafrey seconded. Commissioner Puopolo led a roll call vote. All attending commissioners voted "aye." The motion carried 5-0.

4. Requests for Certificate of Compliance

4.1. 18 Sawyer Drive – DEP 141-0609 – New Single-Family Dwelling

Applicant: Tony Ferrera

Agent LaBelle explained that she conducted a site visit and the as-built plan that was submitted matched everything that was originally permitted. She also noted that site was stable, and the grass was well-established. **Commissioner DeAvila motioned to approve the Certificate of Compliance for DEP 141-0609.** Commissioner Radner seconded. Commissioner Puopolo led a roll call vote. All attending commissioners voted "aye." The motion carried 5-0.

5. Meeting Minutes

Commissioner DeAvila motioned to approve the minutes from February 1st as drafted. Commissioner Radner seconded. Commissioner Puopolo led a roll call vote. All attending commissioners voted "aye." The motion carried 5-0.

6. Water Resource Advisory Committee Discussion

Agent LaBelle explained that the Select Board has set up a new committee which is called the Water Resource Advisory Committee (WRAC). She shared the Select Boards' Notice of Intent to Post a Vacancy with the commissioners and explained that the WRAC was created by the Select Board after a request to create a water resource advisory group at Fall Town Meeting. She added that this committee would focus on high level issues regarding Dedham's drinking water and would likely be less technical than the Dedham Westwood Water District Committee.

Commissioner Radner provided some additional background and said that the issues regarding Dedham's Drinking Water were initially brought up when a potential development was proposed in one of the Aquifer Overlay Districts, but then stemmed into a more general discussion about Dedham's future water demands. She added that one of the concerns for future water demand is that based on population projections there may come a time in the next decade or so where MWRA water will need to be purchased more regularly which would be much costlier to residents.

The Commissioners discussed their varying interest in being the delegate for the Water Resource Advisory Committee. Agent LaBelle explained that the deadline for delegating a member is March 8th and therefore the Commission should decide by the next meeting who they want to delegate to WRAC. She summarized a few administrative questions that came up during their discussion and stated that she will follow up with the Town Manager's office and provide some more information to the Commissioners before the next meeting.

7. Agent's Report

Agent LaBelle stated that the deadline for applying to the two posted Conservation Commission vacancies is March 8th. Commissioner Radner asked about whether all members will need to re-apply once the Attorney General approves the Conservation Commission/Open Space Article that was passed at Town Meeting in the Fall. Agent LaBelle stated that the existing members will not need to re-apply, but they will need to post the vacancies for Resource Associate Members and delegate an additional commissioner to the Open Space and Recreation Sub-Committee.

Agent LaBelle notified the Commission that the contractor for the 41 Willard Street Addition project (DEP 141-0615) informed her that the wood slats for the deck are slightly different than what was proposed, and they have asked for approval for a minor modification. The proposed deck was 6'6" by 6'6", and it is now proposed to be 8' in width parallel to the house and 5'6" in depth. This work remains out of the UBA, and the new footprint would be further from the wetland in the rear of the property. Agent LaBelle stated she would be comfortable issuing an approval letter for this work without making the applicants come back to the Commission, but wanted to check with the commissioners to see if they had any questions or concerns. The Commissioners were amenable to this minor change being administratively approved and had no questions.

Agent LaBelle notified the Commission that MaDEP has extended the deadline for comments regarding the draft WPA revisions to April 30th.

Agent LaBelle notified the Commission that Certified Vernal Pools and Potential Vernal Pools have been added to a layer on the Dedham Conservation GIS Viewer. Commissioner Radner mentioned that there are two Potential Vernal Pools that have been certified, so the Potential Vernal Pool symbol can be removed in these locations. Commissioner Radner suggested the commission should certify some of the vernal pools this spring, and the Commissioners were all very interested in this idea.

Commissioner DeAvila provided an update to the Commission on Open Space. He updated the Commission that the committee is working on publishing the GIS map and planning monthly clean-ups.

Commissioner DeAvila asked Commissioner Radner about the reference to “Every Field a Park” in the Open Space and Recreation Plan, and Commissioner Radner provided some context.

Commissioner Radner informed the Commission of an upcoming iNaturalist ID-a-thon, and Commissioner Puopolo informed the Commission of the “Great Backyard Bird Count” which is run through the eBird app.

Agent LaBelle updated the Commission that she met with Public Works Director Joe Flanagan, Commissioner Radner, and Commissioner Puopolo to discuss plans for invasives on town-owned property. Agent LaBelle stated that they had a productive conversation, and the goal would be to have DPW develop a list of high-priority locations and invasive-removal plans that they would bring to the Commission as an NOI filing. She added that as time, manpower, and resources become available, they can have pre-approved locations ready to go for invasive species management.

The meeting was adjourned at 8:35 p.m.