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

Conservation Commission - Meeting Minutes

Thursday, May 21, 2015, Dedham Town Hall- Lower Conference Room

Members Present: Fred Civian (Chairman), David Gorden, Kristine Langdon, Andrew Tittler, Brian McGrath, Laura Bugay, Joseph Smith and Joseph Hickey.

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

**1056 East St. – Liana Estates** – *Department of Public Works and Supreme Development, Inc.. Informal discussion regarding repair of existing storm drain through property.*

Peter Zahka was present to represent Supreme Development. He reviewed the original proposal for the new commissioners. He explained that they have found that the “pond” is getting its water from the Town drain line pipe, and if that were to be repaired, as it needs to be, than there will no longer be water feeding the pond. Now they are looking for guidance from the Commission. The town drain line repair is estimated to cost $250,000- $300,000. The Town would like Supreme Development to cover the cost. Until this is figured out all construction has stopped. They will also need to go back to the Planning Board.

Mr. Flanagan commented that he would like to see a portion of the pipe replaced.

Mr. Civian confirmed that if the pond dries up, it will no longer be a protected resource under the local bylaw.

Mr. Hickey asked if there was any indication that the pond was manmade. Mr. Zahka responded that there is no indication that it is not manmade. Mr. Civian commented that it wouldn’t matter if it was manmade or not under the Town’s local bylaw.

Mr. Tittler asked why they are in a hurry and if they plan to change the design to add an additional house. Mr. Petruzziello commented that they would need to modify the plans to offset the cost for repairing the pipe.

Mr. McGrath asked specific questions relevant to how the water is currently flowing. Mr. Petruzziello explained that on one side of the pond the water is flowing, on the other side, it is not.

Mr. Civian asked the Commission if there is any additional information they would want to have before the applicant files a Notice of Intent.

Ms. Bugay would want some more information that would show the hydraulic connection that is filling the pond.

Mr. Tittler commented that if the applicant were to file a Notice of Intent they could entertain the idea but they would need more information.

Mr. Civian commented that the applicant would need to prove that fixing the pipe would dry up the pond.

Mr. Zahka summarized that the main pipe needs to be fixed, and this is a way to accomplish this without using the Town’s funds.

Mr. Civian asked the applicant to draw up a detailed plan.

**50 Fillmore Road-** *Notice of Intent from Judith Gutman for an addition with proposed deck and elevated pet lift on existing home at 50 Fillmore Road with work proposed within the buffer zone of a bordering vegetated wetland. (DEP# 141- 0480)* Continued from May 7, 2015

Matt Smith was present from Norwood Engineering to represent the applicant, Judith Gutman. He reviewed the proposed design of the deck and elevated pet lift location with the Commission.

Mr. McGrath asked if it would be feasible to raise the platform and bring it outside the UBA. Mr. Smith responded that if they did, the stairs would then be in the way and the pet wouldn’t be able to access the lift.

Mr. Tittler commented that the waiver request is appropriate for the project.

Agent O’Connell recommended the Commission grant the waiver, and then issue an Order of Conditions for the proposed project.

Mr. Civian made a motion to issue an Order of Conditions with special conditions as recommended by Agent O’Connell, to remove Condition #31, and to issue the waiver as requested by the applicant, seconded by Ms. Bugay, UA.

Ms Bugay suggested that in these situations one of the conditions could include a planting plan within reason since the UBA is cleared.

**255 West Street-** *Notice of Intent from Concinnitas Corp. for multi-family residential site work within the buffer zone of a riverfront and bordering vegetated wetland at 255 West Street. (DEP File # 141-TBD)*

Scott Henderson was present from McKenzie Engineering to represent the applicant, Greg Carlevale. Mr. Henderson described the existing conditions on the site. He explained that there are several jurisdictional resource areas. There is an ORAD for this site from 2015. The residential areas would include 7 total buildings. The applicant would like to use the existing driveway. The proposal includes disturbance in the riverfront area totaling 2180 square feet of permanent disturbance. They plan to replant native materials. There is no increase in pervious area proposed in the riverfront. Mr. Henderson explained how they will consider Low Impact Development (LID) and the project meets stormwater regulations. Mr. Henderson described the use of bioretention basins, and explained the flow of runoff and the infiltration design. Tree clearing will include 16 trees from the riverfront area, but the view from the river will not change. Mr. Henderson described the alternatives analysis with two main alternatives. Mr. Henderson explained there is an accelerated MESA review through National Heritage. The landscape plan includes native species, and a pavilion.

Mr. Hickey asked how spills will be contained in the parking areas. Mr. Henderson explained the porous pavement.

Agent O’Connell recommended $3000 be requested for a peer review.

Ms. Bugay made a motion to request $3000 for the peer review, seconded by Mr. Civian, UA.

Mr. Civian asked that a few paragraphs be added to the alternatives analysis to be more specific.

Ms. Bugay made a motion to continue to June 4th, seconded by Mr. Civian, UA.

A site walk was scheduled for Saturday, May 30th at 8:30 AM.

**110 Meadow Road (Lot 4)** – *Notice of Intent from LSRED2 Clover Property 13, LLC for an expansion of the existing parking area at 110 Meadow Road, including modifications to the existing stormwater management system. (DEP File # 141-0476)*Continued from May 7, 2015

Mr. Civian made a motion to continue 110 Meadow Road (Lot 4) until June 4th, seconded by Ms. Bugay, UA.

**25 Boathouse Lane**- *Notice of Intent from Mollie Blundell Moran & Charles Edward King for the construction of a single family dwelling including onsite septic system with work proposed within the 200’ riverfront area and the 100 year flood plain of the Charles River (DEP# 141- 0477)* Continued from May 7, 2015

Mr. Civian asked about the landscape plan. Agent O’Connell confirmed a new plan was received today.

Ms. Meaney commented that DEP typically does not respond to their responses.

Ms. Moran advised that she has revised the landscape plan.

Mr. O’Connell requested a full size copy of the landscape plan.

Mr. Civian commented that this application has had multiple handouts to Commissioners on the same topics which are hard to keep track of. The applicant needs to make it as easy for the commission as possible.

Ms. Bugay commented that the erosion control should be moved closer to the water.

Mr. Civian commented that item number 4 should be updated to reflect the erosion control decisions. Mr. Civian added that the paperwork will need to be trued up and simplified as much as possible.

Ms. Bugay commented that she would like to make sure the landscape plan is suitable for a flood zone.

Ms. Bugay asked about the mention of a temporary irrigation system.

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

Mr. Civian made a motion to continue to June 4, seconded by Ms. Bugay, UA.

**399 West Street-***Notice of Intent from Perry Phinney for the construction of a single family house at 399 West Street with work proposed within the buffer zone of a bordering vegetated wetland and bordering land subject to flooding. (DEP 141- 0481)*Continued from May 7, 2015, The Applicant has requested to continue until June 4th.

Mr. Civian made a motion to continue until June 4th, seconded by Ms. Bugay, UA.

**Mother Brook Aquatic Management-***a Notice of Intent from the Mother Brook Condominium Association an Aquatic Management Program at the Mother Brook Condominium Pond (DEP #141- TBD)*

Keith Gazelle was present from Aquatic Control to represent the applicant. He explained that they would be treating the Mother Brook pond in order to control invasive species. It would be a single application.

Agent O’Connell commented that DEP has been modifying the regulations and came out with a specific ecological NOI form that the applicant should have used. Mr. Gazelle explained DEP asked them to use the form that they submitted.

Agent O’Connell commented that she didn’t see any weeds yet. Mr. Gazelle responded that it was surveyed in 2014 and he saw the weeds at that time.

Mr. Civian asked when hand pulling the weeds would be appropriate. Mr. Gazelle explained that hand pulling would not be appropriate in this situation as the conditions are too dense. Hand pulling could be an option following the treatment.

Mr. Hickey asked about the schedule for reapplication. Mr. Gazelle responded that it would need to be done on an annual basis.

Mr. Gazelle informed the Commission they would like to treat the plant towards the end of June.

Ellen Fine, a member of the public, explained that she believes there are mechanical alternatives to herbicide use that should be considered. She would like to provide information on treatment options to the applicant and the Commission.

Mr. Civian made a motion to continue Mother Brook Aquatic Management to June 4th, seconded by Ms. Bugay, UA.

**MWRA Mother Brook Borings-***Notice of Intent from the MWRA to complete five borings within Mother Brook for the preliminary design of a water main. (DEP #141-TBD)*

Mr. Civian made a motion to continue MWRA Mother Brook Borings until June 4th, seconded by Ms. Bugay, UA.

**220 Pine Street-***Stormwater Permit Application from the Animal Rescue League of Boston for the construction of a building addition and the paving of an existing driveway. (SWP 2015-05)*

Kenneth Knowles was present with Bob Williams of the Animal Rescue League.

Mr. Knowles explained that the building is going through an interior renovation and has determined a need for an addition.

Ms. Bugay asked for more information on a drain line and where it goes. Mr. Knowles confirmed they do not know exactly where it goes. Ms. Bugay asked if there will be any investigation of this. Mr. Civian confirmed he would like more information on the drain.

Mr. McGrath commented on the need to pretreat pavement runoff before it gets infiltrated.

Agent O’Connell asked if they can reuse the chambers that are already in the ground.

Mr. Civian made a motion to continue 220 Pine Street to June 4th, seconded by Mr. Tittler, UA.

**90 Border St**- *Request for a minor modification*

Mr. McGrath made a motion to grant a minor modification to 90 Border Street, seconded by Ms. Bugay, UA.

**150 Eastern Avenue/Gonzales Field**- *Notice of Intent from Algonquin Gas Transmission, LLC for the construction of a new natural gas pipeline in Dedham with work proposed within 200 feet of a riverfront area. (DEP# 141-0479)* Continued from May 7th,  2015

**Mr. Hickey recused himself from the discussion on this topic.**

**Mr. McGrath summarized that the key area the Commission needs to focus on is the corner of disturbance for the Gonzalez Field location. The question is: is** that disturbance going to have an effect on the riverfront area?

Mr. Civian reviewed the Order of Conditions along with the edits requested by applicant. He addressed each edit separately.

Mr. Tittler commented that the Order of Conditions is not binding to the Town; it is binding to the applicant.

Mr. Civian made a motion to issue an Order of Conditions for 150 Eastern Avenue/Gonzales Field, seconded by Mr. Tittler, UA.

**Other Items:**

Mr. Civian informed the Commission of Agent O’Connell’s resignation. She has accepted a full time position with the Town of Canton.

Ms. Langdon made a motion to adjourn at 10:05 PM, seconded by Mr. Hickey, UA.