**MINUTES OF NOVEMBER 15, 2018**

# Pursuant to the notice filed with the Town Clerk, the meeting of the Conservation Commission was held in the O’Neill Conference Room at Dedham Town Hall, 26 Bryant Street, at 7:05 p.m. on Thursday November15th, 2018.

# **The following Commissioners were present:**

Laura Bugay, Chair

Andrew Tittler, Vice Chair

Stephanie Radner

Nathan Gauthier

Michelle Kayserman

The following staff were also present

Elissa Brown, Conservation Agent

Renee Johnson, Administrator

The following Commissioners were absent:

Nick Garlick

Sean Hanley

Leigh Hafrey

Commissioner Bugay 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.

The following applications were continued until December 6th, 2018

**235 & 243 Bussey Street, ANJOM, LLC, Applicant – Scott Henderson, Henderson Consulting Services, Rep –** Demolition of five existing structures on-site and construction of a new mixed use building (MSMP 2017-23).

**339 Washington Street, Garnett Realty Trust, Applicant – Sue Harrington, GCG Engineering, Rep. -** Major Stormwater Permit Application for the redevelopment (mixed use addition) of a commercial building (MSMP 2015-25).

**270 & 290 Bussey Street, Delapa Plaza East, Inc., App – Jim DeVellis, DeVellis Zrein, Inc – Rep. -** Commercial/residential redevelopment of an existing commercial building in Buffer Zone to Bordering Vegetated Wetlands, Bank, and Land Under Water; and Riverfront Area (DEP File # 141-0535, MSMP 2018-07).

Commissioner Bugay moved to continue, Commissioner, Tittler seconded. All voted in favor.

1. **Applications Opened Previously (to be heard this evening):**

**456 Providence Highway & 62 Eastern Avenue, RK Associates, Inc., App - Forrest Lindwall, Mistry Associates, Rep.** Demolition of a 2-story commercial building and construction of a 1,800 sf 1-story retail building (DEP File #141-0544, MSMP 2018-19).

Documents Discussed

* Notice of Intent, 62 Eastern Avenue/456 Providence Highway; prepared by Mistry Associates for RK Associates, Inc.; dated 10/23/18.
* Major Stormwater Management Permit Application, 62 Eastern Avenue/456 Providence Highway; prepared by Mistry Associates for RK Associates, Inc.; dated 10/22/18.
* Project Narrative & Drainage Calculations, 62 Eastern Avenue/456 Providence Highway; prepared by Mistry Associates for RK Associates, Inc.; dated 10/18/18.
* Stormwater Report, 62 Eastern Avenue/456 Providence Highway, prepared by Mistry Associates for RK Associates, Inc.; dated 10/18/18.
* Site Construction Plans, 62 Eastern Avenue/456 Providence Highway (5 Sheets); prepared by Mistry Associates, Inc. for RK Associates, Inc. and stamped by Nalin Mistry, PE; dated 10/18/18.

Forrest Lindwall, Mistry Associates, Inc. and David Baker, RK Associates, Inc. were present. Mr. Lindwall noted that a preliminary meeting was held with the applicant’s engineer to review proposed improvements. Soil testing conducted at the rear of the building revealed good, permeable soils*,* with the percolation rate of greater than 2 inches. He also explained that the post-development stormwater discharge rate and volume were less than or equal to pre- development conditions. Mr. Lindwall explained that the client proposed abandoning the existing oil and water separator and replacing it with a Stormceptor along with sediment fore bay. He explained that a new curb would be extended out to include the dumpster and a sweeping and hand-picking program would be maintained. Commissioner Bugay asked if the dumpsters had covers and suggested that the oil and water separator be abandoned in place. The applicant explained that it would not be possible to install covers, but that the all of the dumpsters had lids.

Commissioner Radner requested that a replanting plan be included with the invasive species management plan. Commissioner Kayserman requested that client be required to place mulch or grass around the building to minimize the potential for erosion. The client stated there would be both. Commissioner Kayserman requested additional information regarding the type of street sweeper used. The Client stated that it is done annually at the end of the season by a Pelican broom sweeper and then vacuumed afterwards by a Tymco regenerative air sweeper. Furthermore if there is heavy accumulation it is picked up at the end of the week .The client also shared that it would be swept five days a week, as needed.

Commissioner Bugay stated that the O&M plan was not consistent with the information the client had presented, and asked if there would be salt stored on the property. She also inquired about the frequency of roof inspections, as they are required. She was told that there would be no salt stored and that the roof was inspected regularly.

Commissioner Kayserman shared that the watersheds did not have the correct TSS calculations. Agent Brown agreed with Kayserman and added that the alternative analysis did not address the larger structure, and that the difference in watershed pre and post- development watershed sized presented an issue in the report. Commissioner Kayserman agreed and stated that in addition there should be two points of analysis to account for the sub-watershed leaving the site to a different spot.

Commissioner Bugay added that with fertilizer proposed, it should be low nitrogen, and there needed to be an invasive species replanting plan. Commissioner Bugay also stated that there needed to be an improved alternative analysis for the larger foot print building. The Commission requested that these be provided by November 28th.

Commissioner Bugay moved to continue to December 6, 2018, Commissioner, Tittler seconded. All voted in favor.

**218 High Street, Map 111, Lot 3, Antonio Ferrara, Applicant – Byron Holmes, Holmes Engineering, Representative and 218 High Street, Map 111, Lot 67, Antonio Ferrara, Applicant – Byron Holmes, Holmes Engineering, Representative** Major Stormwater Management Permit for the construction of a new single family dwelling (MSMP 2018-23 new two family dwelling (MSMP 2018-22).

Documents Discussed:

* Major Stormwater Permit Application for Assessor Map 111, Lot 3; prepared by Alpha Survey Group, LLC and Holmes Engineering for High Street Terraces, LLC; dated November 7, 2018.
* Major Stormwater Permit Application for Assessor Map 111, Lot 67; prepared by Alpha Survey Group, LLC and Holmes Engineering for High Street Terraces, LLC; dated November 7, 2018.
* Plan to Accompany Stormwater Report, 218 High Street, Map 111, Lots 3 and 67; prepared by Alpha Survey Group, LLC for High Street Terraces, LLC and stamped by James Peterson, PLS and Byron Holmes, PE; dated November 7, 2018.

Due to a mix-up in his schedule, the applicant was not present this evening. Agent Brown re-introduced the project noting that there was a new applicant.

Ms. Kayserman noted that the locations for test pits 3 and 4 need to be added to the plan. Ms. Bugay stated that an easement and homeowner’s association would be required. Agent Brown suggested that these be added as a Special Condition prior to the issuance of a Certificate of Occupancy. Mr. Tittler stated that that would be consistent with past applications. Ms. Bugay noted that the O&M consisted largely of manufacturer’s specifications and needed to be made more “user friendly.”

Commissioner Bugay moved to continue to December 6, 2018, Commissioner Tittler seconded. All voted in favor.

**New Applications:**

**14 Glancy Lane, Visual Property and Investments, LLC, App. – Jack Tabares, Farland Corp., Rep. Alizabeth and Taylor Nguyen owners.** Demolition of an existing single family dwelling and replacement with new single family dwelling.

Jack Tabares was present for the applicant, as well as Alizabeth and Taylor Nguyen. Mr. Tabares stated the existing 21’x28’ building to be demolished would be replaced with a new 24’x29’ single family dwelling. Commissioner Bugay requested downspouts at four corners, which the applicant agreed to. Ms. Nguyen stated that the front entrance of the home would have a small stoop and a couple of steps. Commissioner Kayserman recommended that a walkway to the road, if intended, be shown on the plans. When questioned as to whether the walkway would be constructed with pervious pavers, the engineer stated that there would not be.

Commissioner Bugay asked the engineer why the driveway was not modeled in the plans he presented to the commission. She also stated that she did find small inconsistencies in the drainage system plans. Commissioner Bugay also stated that the void space in the stone around the infiltration galleys be calculated as 30% instead of 40%, however she noted that there is more than sufficient storage volume and if the system backed-up it would surcharge to the wye connector. Commissioner Tittler wanted to know why the owners name on the plan request referred to her business as an LLC. Ms. Nguyen explained that she is the sole owner of the LLC.

Commissioner Bugay questioned the disposition of the bedding sand present in the backyard from the previous pool fill. She noted that the no re-grading was shown on the plans and questioned whether this was what was proposed. She suggested the addition of a new Special Condition that proposed grades would match existing grades.

Commissioner Bugay made a motion to close the public hearing. Commissioner Tittler seconded, all were in favor Commissioner Bugay made a motion to approve the MSMP with modifications. Commissioner Tittler seconded. All were in favor. .

**Informal Discussion**

Draft Stormwater Management Regulations – A final draft were prepared and put in the Dropbox.

Agent Brown discussed small changes that were implemented since the last discussion. Two new Standard Conditions were added:

* After completion of construction, fertilizers utilized for landscaping and/or lawn care shall be organic in nature and of the low phosphorus content variety. Fertilizers shall be used in moderation. The use of fertilizers containing ammonium nitrate or ammonium phosphate is prohibited.
* The owners of the project and their successors in title, in the event they proceed to alter areas subject to the Commission's jurisdiction under this Permit, agree that the Town of Dedham shall have no responsibility to maintain the proposed drainage system and that said Town shall not be liable for any damages in the event of failure. By acceptance of this Permit, the owners indemnify and hold harmless the Town of Dedham and its residents for any damages attributable to alterations undertaken on this property pursuant to this Permit. Issuance of this Permit does not in any way imply or certify that the site or downstream areas will not be subject to flooding, storm damage, or any other form of water damage The town not being liable for damages or for repair, and the ConCom would not be responsible for the Standard Conditions recommendations.

Commissioner Bugay made a motion to adopt the revised regulations dated 11/15/18. Commissioner Tittler seconded and stated that the new regulations should be applicable to all new applications received. All voted were in favor.

Agent Brown reported that the initial FOIA request the Commission had received has been narrowed and that she was working on determining the best way to comply with the request. Commissioner Bugay said within the current request, she would advise Agent Brown to make sure there are not any documents that must be redacted due to personal payment information, citing bank account information that may be included with permits. Agent Brown agreed to look into the matter.

Commissioner Bugay made a motion to accept the minutes dated 11/118 with changes. Commissioner Tittler seconded. All were in favor.

Commissioner Bugay moved to adjourn the meeting, seconded by Commissioner Radner. All were in favor.

Meeting adjourns, 9:40pm.

Respectfully submitted,

Renee Johnson,

Conservation Administrator