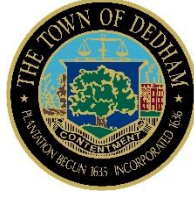


Laura Bugay, Chairperson
Andrew Tittler, Vice
Chairperson
Stephanie Radner, Associate
Michelle Kayserman, Clerk
Leigh Hafrey, Associate
Nick Garlick, Associate
Eliot Foulds, Associate
Nathan Gauthier, Alternate
Sean Hanley, Alternate
Elissa Brown, Agent
Renee Johnson, Administrator



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TOWN OF DEDHAM CONSERVATION COMMISSION

MINUTES of February 21 2019

Pursuant to the notice filed with the Town Clerk, the meeting of the Conservation Commission was held in the Lower Conference Room at Dedham Town Hall, 26 Bryant Street, at 7:00 p.m. on Thursday February 21, 2019.

The following Commissioners were present:

Laura Bugay, Chair
Nick Garlick
Stephanie Radner
Eliot Foulds
Nathan Gauthier-Alternate
Andrew Tittler-Vice Chair

The following staff were also present

Elissa Brown, Agent
Renee Johnson, Administrator

The following staff were not present

Michelle Kayserman, Clerk
Sean Gauthier-Alternate
Leigh Hafrey

Commissioner Bugay called the meeting to order at 7:08pm. 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 to March 7, 2019

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

- **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).
- **637 East Street, Frank Gobbi, Applicant – John Glossa, Rep.** - Roadway and utilities for a proposed subdivision adjacent to Bordering Vegetated Wetlands- (DEP File # 141-0486).

Commissioner Bugay moved to continue until March 7, 2019, Commissioner Radner seconded. All voted in Favor.

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). Jim DeVellis was present representing the applicant.

DOCUMENTS OF RECORD:

- Letter from Goddard Consulting to Delapa Properties re Wetland Border Report; June 8, 2017
- Major Stormwater Management Permit Application; prepared by DeVellis Zrein, Inc.; dated January 30, 2018.
- Notice of Intent; prepared by DeVellis Zrein, Inc; dated February 6, 2018.
- Massachusetts DEP Notification of Wetlands Protection Act File Number; dated March 19, 2018
- Commissioner Comments; prepared by Laura Bugay; dated January 7, 2019
- Dedham Engineering Site Plan Review; last revised January 16, 2019.
- Letter from DeVellis Zrein Inc. to Conservation Commission re: Notice of Intent; dated January 27, 2019
- Letter from DeVellis Zrein Inc. to Jason Mammone re: Notice of Intent Stormwater Review (2); dated January 27, 2019
- Drainage Report and Stormwater Management Plan; prepared by DeVellis Zrein, Inc; dated December 27, 2018 and last revised January 27, 2019
- Site Development Plans; prepared by DeVellis Zrein, Inc. and stamped by James DeVellis, PE; dated January 24, 2018 and last revised January 27, 2019.
- Revised UBA boundary line; prepared by DeVellis Zrein, Inc; dated January 7, 2019
- Draft MSMP and OOC; prepared by Conservation Commission; dated February 21, 2019.

The Commission discussed the applicant's request to revise the draft Special Conditions to remove the requirement for off-site maintenance. The Commission determined that continuing maintenance should be restricted only to the subject property.

Commissioner Bugay moved to approve the waiver request to defer test pitting until the start of construction. Commissioner Tittler seconded.

Commissioner Bugay moved to issue a MSMP and OOC. Commissioner Gauthier seconded. All approved.

122-124 Milton Street, Matt Jasset, Applicant – Paul Lindholm, Representative – New two family residence in Riverfront Area (DEP File # 141-0546, MSMP 2018-33). Paul Lindholm Representative. Matt Jasset applicant. Paul Lindholm and Matt Jasset were present.

Documents of Record:

- Major Stormwater Management Permit Application, 122-124 Milton Street; prepared by Paul Lindholm; dated December 18, 2018.
- Notice of Intent, 122-124 Milton Street; prepared by Paul Lindholm; dated December 18, 2018.
- 122-124 Milton Street Wetlands Regulatory Review; prepared Thunderchase Environmental LLC; dated January 2, 2019
- TSS Removal Calculation Worksheet; prepared by Paul Lindholm; dated January 4, 2019
- Letter to DEP; prepared by Paul Lindholm; dated January 4, 2019.
- Total Phosphorus Removal Calculations; prepared by Paul Lindholm; dated January 4, 2019.
- 122-124 Milton Street LID BMP Compliance; prepared by Paul Lindholm; dated January 8, 2019.
- Revised fee calculation and checks; prepared by Paul Lindholm; received January 9, 2019.
- TP Phosphorus Removal; prepared by Paul Lindholm; dated January 14, 2019.
- Operations and Maintenance Plan Stormwater Management; prepared by Paul Lindholm; dated January 16, 2019.
- Stormwater Revisions 122-124 Milton Street, Dedham; prepared by Paul Lindholm; dated January 21, 2019
- Memorandum from Dedham Engineering to Dedham Conservation re 122 -124 Milton Street – Stormwater Review; dated February 5, 2019.
- Proposed 2- Family House Plan; prepared by Paul Lindholm and Stamped by Paul Lindholm, PE; dated December 17, 2018 and last revised February 15, 2019.
- Letter to Nathan Buttermore re: 122-124 Milton Street; prepared by Paul Lindholm, PE; dated February 15, 2019.

Mr. Lindholm stated that since the last meeting, he had respond to Engineering Department comments and added an additional tree in the front yard. He will be working out boundary issues with the neighbor to the northwest. If approval for work on the neighbor's property is not granted, he stated that he would request a revision to the existing plan.

Commissioner Bugay moved to close the hearing. Commissioner Gauthier seconded. All approved.

Commissioner Bugay moved to issue a MSMP and OOC. Commissioner Tittler seconded. All approved.

215 Central Ave, 155 Pleasant LLC, Applicant – David Johnson, Norwood Engineering, Representative – New single family dwelling (MSMP 2019-01). David Johnson Norwood Engineering was present for the applicant.

Documents of Record:

- Major Stormwater Management Permit Application; prepared by David Johnson, Norwood Engineering; dated January 8, 2019 (unsigned by property owner).
- Stormwater Management Building Permit Plan, 215 Central Avenue; prepared by Norwood Engineering and stamped by Matthew Smith, PE, PLS; dated November 26, 2018.
- Pre-Development & Post-Development Stormwater Calculations; prepared by Norwood Engineering and stamped by Matthew Smith, PE, PLS; dated November 26, 2018.

- Revised Stormwater Management Plans
- Stormwater BMP Inspection and Maintenance Request

Mr. Johnson stated that since the last meeting he had surveyed the trees and staked the lot line. The plan was revised to show the trees to be removed and trees to remain.

Commissioner Gauthier questioned the depth of the sewer line and possible impact to the trees to remain. Mr. Johnson remarked that tree impacts were unlikely given the depth of the pipe

An abutter at 211 Central Avenue, Jim DaSilva, requested that the trees to remain be re-marked as there is a discrepancy between the trees marked in the field and those shown on the plan. Ms. Pactovis, an abutter, re-iterated her concern about tree removal.

Mr. DaSilva questioned whether the applicant had adequately proposed LID BMPs. Mr. Johnson stated that the subsurface infiltration was an LID. Ms. Bugay added that the gravel/berm is also considered an LID. Mr. Johnson also stated that the lawn areas was limited, another LID.

Mr. DaSilva asked who would be responsible for long term maintenance of the BMPs and what would be the recourse if the BMPs were not maintained. Mr. Tittler explained that the O&M requirements were recorded in the deed for future owners who would be responsible for maintenance. Mr. Johnson also mentioned that the O&M Plan requires notification to the Conservation Commission upon change in ownership.

The Commission discussed adding a Special Condition that tree protection be installed prior to start of work to ensure so that only the right trees would be removed. They also requested that the sewer line be moved away from the existing 30-inch pine tree.

Mr. Aleksandrovich, 49 Powers Street, questioned whether the number of trees proposed for replacement (7) was adequate given that 26 trees were to be removed. Commissioner Gauthier stated that in addition to trees, the applicant was proposing a lot of shrubs.

Commissioner Bugay stated her continued concern about possible adverse impacts on the adjacent downhill property. Mr. Johnson noted that the stormwater system was designed to recharge over 4 inches of stormwater over impervious surfaces, far greater than the 2 inches required.

Mr. DaSilva expressed his concern about the future integrity of the retaining walls proposed. Mr. Johnson reviewed the details of the proposed wall including the height, elevation, and distance from Mr. DaSilva's property and explained why based on that, he did not anticipate negative issues.

Mr. Lombardi, 18 Powers Street, questioned whether there would be mitigation of the median on Central Street. He was told that was outside of the boundaries of the application.

Commissioner Bugay moved to approve the request for permeability testing and the 2:1 tree replacement. Commissioner Tittler seconded. All approved.

Commissioner Bugay moved to close the hearing and issue a MSMP with the two changes noted previously. Commissioner Gauthier seconded. All approved.

530 Providence Highway, Frank Gobbi, Jr., Applicant – John Glossa, Glossa Engineering, Rep. –

After the fact permit for the redevelopment (regrading) of a commercial building (MSMP 2018-24). John Glossa, Glossa Engineering was at the hearing representing the applicant.

Documents of Record:

- Email dated 6/12/18, addressed to Kenneth Cimeno, prepared by Elisa Brown.
- Email dated 8/2/18, addressed to Elissa Brown, prepared by Glossa Engineering, Inc.
- Email dated 8/3/18 addressed to John Glossa, prepared by Elissa Brown.
- Letter dated 8/6/18 addressed to Elissa Brown, prepared by Glossa Engineering, Inc.
- Email dated 8/8/18 addressed to John Glossa, prepared by Elissa Brown.
- Email dated 8/9/18 addressed to John Glossa, prepared by Elissa Brown.
- Email dated 8/9/18, addressed to Elissa Brown, prepared by Glossa Engineering, Inc.
- Letter dated 8/10/18 addressed to Elissa Brown, prepared by Glossa Engineering, Inc.
- Email dated 8/12/18, addressed to Elissa Brown, prepared by Glossa Engineering, Inc.
- Email dated 8/14/18 addressed to John Glossa, prepared by Elissa Brown.
- Email dated 8/16/18 addressed to Elissa Brown; prepared by Glossa Engineering, Inc.
- Stop Work Order dated 8/16/18, signed by Frederick Civian on behalf of the Conservation Commission.
- Enforcement Order dated 8/16/18, signed by Frederick Civian on behalf of the Conservation Commission.
- Letter dated 8/17/18, addressed to Frederick Civian prepared by Kimberly Kroha, Baker, Braverman & Barbadoro, PC.
- Letter dated 8/27/18, addressed to Elissa Brown, prepared by Glossa Engineering, Inc.
- Major Stormwater Management Permit dated 8/27/18, prepared by Glossa Engineering, Inc.
- 530 Providence Highway an Existing Retail Development dated 8/27/18, prepared by Glossa Engineering, Inc.
- Letter dated 9/13/18 addressed to Frederick Civian, prepared by Kimberly Kroha, Baker, Braverman & Barbadoro, PC.
- Plan entitled, “Drainage Facilities, #530 Providence Highway, Plan of Land in Dedham, MA”, dated 10/11/18, prepared by Glossa Engineering, Inc.
- Plan entitled, “Pre Development Water Shed Plan, #530 Providence Highway, Plan of Land in Dedham, MA”, dated 10/11/18, prepared by Glossa Engineering, Inc.
- Plan entitled, “Post Development Water Shed Plan, #530 Providence Highway, Plan of Land in Dedham, MA”, dated 10/11/18, prepared by Glossa Engineering, Inc.
- Letter dated 10/11/18, addressed to Elissa Brown, prepared by Glossa Engineering, Inc. pertaining to repaving at 530 Providence Highway storm water permit.
- 530 Providence Highway Commercial Redevelopment Dedham, MA; dated 10/11/18; prepared by Glossa Engineering, Inc.
- Memorandum dated 10/18/2018, prepared by Jason Mammon, Director of Engineering.
- Soil Evaluator Form, dated 10/31/18; preparer unknown.
- Letter dated 1/10/19, addressed to Elissa Brown, prepared by Glossa Engineering, Inc.
- Plan entitled, “Major Stormwater Permit, 530 Providence Highway, Plan of Land in Dedham, MA”, last revised 1/23/19, prepared by Glossa Engineering, Inc.
- Sizing for Recharge Galley, undated, prepared by Glossa Engineering, Inc.

- Letter dated 2/14/19 addressed to Elissa Brown prepared by Kimberly Kroha, Baker, Braverman & Barbadoro, PC.

Mr. Glossa updated the Commission on changes made to the plan, noting primarily that he had added one subsurface galley to accommodate 0.10 inches of recharge. He referred to a letter prepared by Kimberly Kroha that discussed other issues that had been raised

Commissioner Bugay noted that the soils on the site were “C”, which requires recharge of 0.3 inches, not 0.1. She also noted that the plan submitted did not meet the 2-inch storage requirement. In response to Mr. Glossa’s concern about the peat layer detected, she stated that that concern could be overcome by over excavating the infiltration trench.

Mr. Glossa stated that the applicant was opposed to the 2-inch storage requirement. He also stated that the applicant was unwilling to clean the existing Town drain line on the site or to provide an easement to the Town for the pipe.

Mr. Tittler questioned whether the plan had been submitted to the Planning Board yet and if there was a chance that revisions would be required based on Planning Board requirements. Mr. Glossa stated that the plan had not been submitted to the Planning Board yet.

Mr. Glossa suggested that the Commission take additional time to review the application.

Commissioner Bugay moved to continue to March 21st. Commissioner Gauthier seconded. All approved.

105 Schoolmaster Lane, Armando Petruzziello, Applicant - Edmond Spruhan, Spruhan Engineering, Representative - New single family home on an undeveloped lot (MSMP 2019-02). John Glossa, Glossa Engineering was at the hearing representing the applicant.

Documents of Record:

- Major Stormwater Management Permit Application; prepared by Armando Petruzziello; dated January 23, 2019.
- 105 Schoolmaster Lane, Dedham, MA (4 sheets); prepared by Spruhan Engineering PC and stamped by Edward Spruhan, PE; dated December 5, 2018 and last revised January 18, 2019.
- Stormwater Report; prepared by Spruhan Engineering PC and stamped by Edward Spruhan, PE; dated January 18, 2019.

Commissioner Bugay opened the hearing, Commissioner Tittler seconded. All approved.

Mr. Glossa informed the Commission that he had been retained to represent the applicant, replacing the previous engineer, but that he had not had time to prepare anything for the Commission. He requested that comments sent to Spruhan Engineering be forwarded to him. Agent Brown will forward him comments.

Commissioner Bugay moved to continue the hearing until March 21, 2019, Commissioner Hanley seconded. All approved.

123 Eastern Avenue - Request for Certification of Compliance - Agent Brown informed that Commission that she had received a request for a Certificate of Compliance for OOC 141-0513/MSMP 2017-08. She conducted a site inspection on February 20, 2019 but was unable to determine if the site had been stabilized due to snowy conditions. Commissioner Bugay noted on the photographs taken during the site visit, that the wye connectors on the downspouts currently faced the house. She stated that these should be rotated away from the house so that the foundation would not be impacted. Agent Brown offered to convey the results of the inspection and Commissioner Bugay's comments to the applicant.

28 Stormy Hill Rd – Notice of Violation – Agent Brown notified that Commission that the applicant has retained Paul Lindholm to work on the project. They have tentatively scheduled a meeting next week to review the situation.

219 Lowder Street – Return of Remaining Escrow Account - Commissioner Bugay moved to return the unused \$125 in 3rd party escrow funds to the applicant. Commissioner Gauthier seconded. All approved.

Agents Report

Agent Brown provided a summary of wetland fees from neighboring towns with a proposal for revised fees to be proposed for fall Town Meeting. She will be posting these to the Dropbox account.

Agent Brown informed the Commission that DEP File # 141-0547 ,Near #106 Washington Street, had been withdrawn as the work proposed was already permitted under DEP File #141-0503.

Minutes

Commissioner Bugay moved to approve meeting minutes, as amended, from February 7, 2019. Motion Carries

Commissioner Radner made a motion to adjourn. All were in favor.

Respectfully submitted,

Michelle Kayserman,
Clerk