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| Laura Bugay, Chair | C:\Users\ebrown\AppData\Local\Microsoft\Windows\INetCache\Content.Word\Town Seal - Color.jpg | 26 Bryant Street |
| Andrew Tittler, Vice Chair | Dedham, MA 02026 |
| Stephanie Radner, Associate |  |
| Michelle Kayserman, ClerkLeigh Hafrey, AssociateNick Garlick, Associate | Tel: (781) 751-9210 |
| Eliot Foulds, Associate  | Fax: (781) 751-9109 |
| Nathan Gauthier, Alternate |  |
| Sean Hanley, Alternate | TOWN OF DEDHAM | Website |
| Elissa Brown, Agent | www.dedham-ma.gov |
| Renee Johnson, Administrator | CONSERVATION |  |
|  | COMMISSION |  |

 **MINUTES of August 15, 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 August 15, 2019.

**The following Commissioners were present:**

 Laura Bugay-Chair

Andrew Tittler-Vice Chair

Michelle Kayserman, Clerk

Stephanie Radner

Nick Garlick

Eliot Foulds

Leigh Hafrey

Nathan Gauthier

**The following staff were also present**

Elissa Brown, Agent

Renee Johnson, Administrative Assistant

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.

**Continuances**

The following applications were continued to September 19, 2019

* **637 East Street, Frank Gobi, Applicant – John Glossa, Glossa Engineering, Rep.** - Roadway and utilities for a proposed subdivision adjacent to Bordering Vegetated Wetlands- (DEP File # 141-0486).
* **214 Lowder Street, Abbreviated Notice of Resource Area Delineation, John Joyce, Old Gove Partners, Applicant Regan Harrold, Beals and Thomas, Representative (**DEP #141-TBD).

**Applications Continued from Previous Meetings**

* **123 Westfield Street Lots 1& 2 Oliver Garry Westfield Crossing LLC, Applicant-David Johnson Norwood Engineering Representative -**Demolition of existing barn and construction of a new single-family dwelling with septic system (DEP File #141-0549, MSMP 2019-03 as well as DEP File #11-0548, MSMP 2019-04).

A site walk has been completed. The Commissioners requested that Lot 1 Driveway be accessed behind Lot 2. Commissioner Foulds added that having a shared driveway for the properties would be a viable option as it is an attractive solution to the proposed driveway within the Buffer Zone. Commissioner Tittler agreed that fewer impacts to the buffer zone is within the jurisdictional principals of Low Impact Disturbance. Commissioner Radner informed the clients to be aware that there is the potential for a vernal pool identification. The engineer stated that he would submit revised plans reflecting the shared driveway along with Stormwater Calculations.

Commissioner Bugay made a motion to continue to October 3rd. Commissioner Tittler seconded. All were in favor.

* **105 Schoolmaster Lane, Armando Petruzziello, Applicant – Edmond Spruhan, Spruhan Engineering, Rep**. – Major Stormwater Management Permit Construction of a new single-family dwelling, driveway and pool. (RDA 2019-02, MSMP 2019-02).

**Documents of Record**

* Major Stormwater Management Permit Application; prepared by Armando Petruzziello; dated January 23, 2019.
* Existing Conditions, 105 Schoolmaster Lane; prepared by Spruhan Engineering, PC; dated June 3, 2019.
* Site Plan (6 Sheets), 105 Schoolmaster Lane; prepared by Spruhan Engineering, PC and stamped by Edward Spruhan, PE; dated August 26, 2019.
* Response to Comments, 105 Schoolmaster Lane; prepared Spruhan Engineering, PC; dated June 29, 2019
* Stormwater Report, 105 Schoolmaster Lane; prepared by Spruhan Engineering, PC and stamped by Edward Spruhan, PE; dated June 19, 2019 and revised August 26, 2019.
* Response to Comments, 105 Schoolmaster Lane; prepared Spruhan Engineering, PC; dated August 7, 2019
* Response to Comments, 105 Schoolmaster Lane; prepared Spruhan Engineering, PC; dated August 26, 2019
* Landscape Plan; prepared by McKay Architects; dated August 30, 2019

Mr. Spruhan stated that he had received feedback from the Commissioners regarding the previous plans he had submitted and had addressed the Stormwater Calculations to meet the criteria, as well as submitted the Operations and Maintenance Plan. Commissioner Bugay asked for identification of the fill that had placed within the buffer zone of an isolated vegetated wetland. Agent Brown added that the Commission asked for the applicant to indicate where the fill had been placed in order to satisfy the Request for Determination of Applicability portion of the submitted Stormwater Management plan. The Commission noted that landscaping plan did not show the existing conditions prior to the trees being removed before the project had been submitted and requested that the applicant provide the previous land survey in order to compare the pre and post topography (grading and slope). In order for the plan to be approved they commission requires a comparison of the two grades and had asked for the applicant to provide them at the last meeting. Mr. Petruzziello stated that the Wetland’s Specialists would provide the necessary information. Commissioner Tittler stated that due to the fact that the applicant asked for an RDA, they would need full information on what work had been previously completed within the jurisdictional area. Commissioner Gauthier stated that the amount of lawn on the house versus the number of trees shown on the plan to replace trees that had been previously cut before the bylaw was disappointing. Commissioner Bugay additionally supported the request for more trees or shrubs to be included on the landscape plan. Commissioner Radner and Foulds shared some recommendations on trees that are hardy, and more likely to survive provide additional screening and planting style recommendations that would address the Conservation Values in the planting plan. Commissioner Bugay noted a significant decrease in Stormwater discharge areas to the Isolated Wetlands located onsite. Commissioner Bugay made a motion to continue until September 19th. Commissioner Radner sounded. All were in favor.

**375 -387 Sprague Street, Silver Beach Partners, LLC, Applicant – Nick Facendola, Level Design Group, Representative** – Two new duplexes and two new single-family dwellings. MSMP 2019-07 through 2019-10. Nick Facendola and Chuck Valenza were present for the application.Mr. Facendola presented to the Commission that all the building areas shown on the calculations were modified to show correct calculations and fixed all label errors. He further added that he moved the retaining wall for feet, to accommodate more plantings. Also, on the landscape plan he replaced white pines and hemlocks with Norway spruces and Frasier furs, as well as an additional larger insidious tree, (red oaks and red maple) and four additional evergreens as well as 40 shrubs that are all identified on the Landscape plan. He included in the revised materials submitted a requested waiver specifically for Lot a, 3 ,4 for 44% TSS removal prior to infiltration. A Stormwater treatment unit was added and connected to all 4 catch basins. Commissioner Bugay asked for the applicant to identify the fences to be removed and if there would be new fence added to maintain expectations with neighbors. The applicant added that he was currently not in that phase of the plan, but he would make it a condition. Commissioner Bugay also shared her concern about the tree removal plan along the edge of the development, the cutting of roots of trees and wanted to know if the retaining wall would be imbedded into the ground. She has concerns regarding the removal of trees against the neighbors wishes, due to the cutting into the grade to place walls. She stated that it would be important to document the trees to remain and to be removed.

The Commission also suggested that the applicant be in touch with he neighbors regarding the work being done. Abutter Brendon Monaham expressed his concerns about the fence being removed and a shed in bad repair that needed to be taken down. He asked the applicant about fence replacement and if the sewer main hole would be abandoned and expressed his frustration with not having notice of people coming on to his property. He also asked the applicant about the retaining walls and raising the site 10 feet higher.

The Commission explained that the sewer would be cut and capped, and that an easement allowed the DPW to access his property in order to do the work. The applicant’s representative addressed Mr. Monahan about the type of retaining walls that would be used.

Commissioner Bugay made a motion to approve the following waivers;

Lot 378 Test pitting prior to construction

Lots 375,385,387 for TSS Removal 44% pretreatment.

All four lots the 2:1 tree replacement plan in consideration of the planting plan

Commissioner Bugay closed the public hearing and created a created a motion to issue the SWMP for all four lots with special conditions as amended for inspections for the construction tree fencing as well as perimeter tree impacts and works. Commissioner Bugay opposed, all were in favor.

**4 Prospect Street, FRIT Solar Inc., Applicant - Chris Lucas, Lucas Environmental, LLC Representative-**ANRAD (DEP #141-0555) Chris Lucas and David Webster, Federal Realty Investment Trust were present.

Mr. Lucas Engineer stated he submitted updated forms and provided additional payments. Agent Brown did inspect the water line. Agent Brown stated that she observed the flags on the site visit and felt they were appropriate. She spoke with a former Commissioner who stated that there was a history of fill in the area, but the ConCom had no record of it in the office.

Commissioner Bugay made a motion to close the public hearing and to issue the Resource Area Delineation . All were in favor.

**80 Bridge Street, Chris Kotsiopoulos, Trustee Wayside Realty, Applicant-Peter Barbieri, Fletcher Tilton, Representative**-Request for Determination of Applicability for commercial redevelopment in Riverfront Area (RDA 2019-07)

The Commission determined that there had been no change to the parking lot as it had only been repaired. They further stated that Mr. Kotsiopoulos would need to appear in front of the ConCom again if decided to change the slope and would be required to apply for RDA.

Commissioner Bugay made a motion to approve the Negative Determination of Applicability. Commissioner Tittler seconded. All were in favor.

**Violations –**

**235 Common St** – Mr. Richard Irving, property owner explained that he purchased wetlands plants and had planted them last fall, along with broadcasting a wetlands seed mix in the early spring. Agent Brown shared before and after photos of the restoration of the Riverfront Area. Mr. Irving stated that he had included that planting plan in the O&M plan.

**215 Central Street –** The Commission used the opportunity to discuss this issue at length and how best to avoid the same mistakes with tree removal in the future.

Abutters Marcia Pactovis and Jim DeSilva expressed frustration with the Commission. They asked the Commission to do better in the future. The abutters also shared that fill had spilled over to their property. The Commission worked with both abutters to come to an understanding of the process and where they could change. After listening to the concerns, the Commission discussed adding a requirement for survival of all trees planted for two years. They suggested that the abutters discuss replacing the proposed arborvitaes with rhododendrons.

**Agents Report**

* + 750 Providence Highway – MassDEP issued a Superceding Order of Conditions denying the project because it involved filling of jurisdictional areas.
	+ Icehouse Lane 13/ Powers Street – A Superseding Order of Conditions affirming the denial had been upheld by the Department of Environmental Protection.

**Meeting Minutes** –Commissioner Bugay made a motion to approve the 7/11/19 and 8/1/19 meeting minutes as edited. Commissioner Tittler seconded. All were in favor.

Commissioner Bugay moved to adjourn the meeting at 10:10. Commissioner Tittler seconded. All were in favor.

Respectfully submitted,

Renee Johnson

Administrator