**Minutes of December 19, 2019**

# 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 December 19, 2019.

# **The following Commissioners were present:**

Laura Bugay, Chair

Michelle Kayserman, Vice Chair

Stephanie Radner, Clerk

Bob Holmes

Nick Garlick

Nathan Gauthier

Sean Hanley

Leigh Hafrey

The following staff were also present:

Elissa Brown, Conservation Agent

Renee Johnson, Administrator

The following Commissioners were absent:

Eliot Foulds

Commissioner Bugay 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.

**Continuances:**

* **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).
* **35 Roosevelt Road, Kevin Costello, Applicant-Jim DeCelle, DeCelle-Burke-Salas, Representative-** Notice of Intent and Major Stormwater Management Permit for a new single-family dwelling(DEP#141-0559, MSMP 2019-13)
* **43 Hillsdale Road, Carlos Ferreira, Applicant** – Revised stormwater management proposal for two new SFD (MSMP 2019-18).
* **92 Country Club Road, Robert Naser, Applicant-Scot Henderson, Henderson Consulting, Representative -** Notice of Intent and Major Stormwater Management Permit application for the renovation of an existing single-family dwelling (DEP #141-0560, MSMP 2019-12). Scott Henderson, Robert and Camille Naser were present.

Commissioner Bugay moved to continue all three applications until January 9, 2020. Commissioner, Kayserman seconded, all were in favor.

**Continued Application:**

* **123 Westfield Street- Lot 1, 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) and **123 Westfield Street- Lot 2, Oliver Garry, Westfield Crossing LLC, Applicant – David Johnson, Norwood Engineering, Representative** – Demolition of existing dwelling and construction of a new single-family dwelling with septic system (DEP File #141-0548, MSMP 2019-04). Matt Smith and Lou Saban were present.

After Mr. Smith reviewed the proposed alternatives, Chief Spillane, Dedham Fire Department shared with the Commission his concerns regarding the necessary space for the fire truck turn around at the end of the driveway**.** Mr. Smith stated that accommodating Fire Department requirements for turn-around space under the one driveway alternative would require so much pavement as to make the second house unmarketable and would require significant encroachment into the UBA. After some discussion about the width of the driveway, Chief Spillane stated that it need not be 18 feet for the entire length of the drive, and that it could be narrower adjacent to the wetlands. The Commission noted their preference over for a slight encroachment into the UBA under the one driveway alternative over the large amount of fill that would be required under the two-driveway alternative.

Commissioner Bugay made a motion to continue until the January 23, 2020 meeting. Commissioner Radner seconded. All were in favor.

* **26 Bryant Street, Town of Dedham, Applicant, Jonathan Hedlund, Nitsch Engineering, Representative –** Demolition of existing Town Hall and fire station and the construction of a new public safety building (MSMP 2018-08). Chip Heitkamp and Jonathan Hedlund were present.

Agent Brown stated that the ConCom had informally approved the application a while ago, pending Planning Board approval. The applicant provided a summary of the revisions made since last discussed. All standards were met, and no waivers were required.

Commissioner Bugay made a motion to close the public hearing and issue the Major Stormwater Management Permit. Commissioner Hafrey seconded. All were in favor.

**New Applications**

* **7 Bussey Street, Barry Noone, Applicant** – Demolition of an existing single-family dwelling and construction of a new single-family dwelling (MSMP 2019-19). Avi Kurlantzick and Barry Noone were present.

The ConCom requested that the applicant provide calculations for TSS and Total Phosphorus removal. In addition, the ConCom requested that if the two existing trees on the lot were to be removed, they must be replaced with four native, non-invasive trees and that these must be shown on a post-construction landscape plan. The ConCom expressed concern that the infiltration system was not at least 10 feet from the property line and any structures and suggested that the applicant investigate alternatives with a smaller footprint. They also stated that the O&M plan should include gutter maintenance and cleaning. The Commission also expressed concern about the location of the proposed stabilized construction entrance. The ConCom requested that the plans be revised.

Commissioner Bugay made a motion to continue until January 9, 2020. Commissioner Kayserman seconded. All were in favor.

**Informal Discussion**

* **Memorial Field** Agent Brown stated that a Memorandum of Understanding between Parks and Recreation and DPW was drafted for snow storage on all Parks and Recreation properties. She had also drafted a separate RDA for Parks and Recreation and DPW for snow storage at Barnes Memorial Field.

**Agents Report**

* **Tuesday ConCom Meetings -** Agent Brown asked whether the Commission would be interested in meeting on Tuesday nights instead of Thursdays, which would allow more time for posting legal notices. The Commission was reluctant to do so and instead suggested that a schedule for application deadlines be prepared that would provide adequate time for submitting legal notices.
* **Ethics Summary -** The State Ethics Commission requires that that all public employees (full-time, part-time, seasonal and volunteers) be provided annually with a summary of the conflict of interest law and are required to submit an acknowledgement. Agent Brown requested that each Commissioner review the summary and forward acknowledgements to her.
* **110 Alden St. Carport -** An abutter, Mr. Adnan Derti requested a review of the approval of a residential carport, previously approved by the ZBA and the Assistant Building Commissioner. He stated in an email received by the Conservation Office and distributed to the ConCom that the determination by the Building Department that a Stormwater Management Permit was not required was done intentionally to avoid scrutiny. Furthermore, he stated his belief that the Conservation Agent had a conflict of interest with regard to the decision. The ConCom stated that they would acknowledge the receipt of the email by letter.
* **Litigation**

Agent Brown shared that the current status of the litigation proceedings for the following projects were ongoing:

* 530 Providence Highway;
* 38 Icehouse Lane /38 Powers Street; and
* 750 Providence Highway.
* **Newly Appointed Commissioner** The Conservation Commission welcomed newly appointed Commissioner Bob Holmes. Mr. Holmes mentioned that he brings his many years of expertise as a Mechanical Engineer and looks forward to learning about the ConCom’s mission to uphold the Laws and Bylaws of Dedham and Massachusetts.

**Minutes:** Commissioner Bugay made a motion to approve the minutes from December 5, 2019 as amended. Commissioner Radner seconded.

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

Meeting adjourned 9:19 pm.

Respectfully submitted,

Renee Johnson, Administrator