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

**Minutes of September 3, 2020**

In response to the COVID-19 pandemic and given the current prohibitions on gatherings imposed by Governor Baker’s March 23, 2020 “Order Assuring Continued Operation of Essential Services in the Commonwealth, Closing Workplaces, and Prohibiting Gatherings of More than 10 People,” this public hearing was conducted virtually, as allowed by Governor Baker’s March 12, 2020 “Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20.

**The following Commissioners were present:**

Michelle Kayserman, Chair

Stephanie Radner, Vice Chair

Eliot Foulds, Clerk

Bob Holmes

Nick Garlick

Nathan Gauthier, Alternate

The following staff were also present:

Renee Johnson, Administrator

Elissa Brown, Conservation Agent

The following Commissioners were absent:

Leigh Hafrey

Sean Hanley, Alternate

The following Applicants and/or Representatives were present:

 Joe Flannagan, Town of Dedham - Applicant 5 Incinerator Rd & Greensboro Rd

Paul Bergman, Bergman Associates – Representing 5 Incinerator Road

Sarah French, VHB – Representing Lowder Street Gas Main

Jen Buttaro, Eversource – Applicant for Lowder Street Gas Main

Mike Easler, Weston & Sampson – Representing Greensboro Rd

 Giorgio Petruzziello, Applicant – 212 Schoolmaster Lane

John Getherall, GCG Associates – Representing 212 Schoolmaster Lane

Matt Grosshandler – Representing 80 Bridge Street

Chris Kostiopoulos, Applicant – 80 Bridge Street

Carla Morelli, John Tobin, Chuck Dowdy– Northeastern University – 370 Common St

Andrew Sell, Trey Sasser, and Kevin Hebard, Sasaki Associates – Representing 370 Common St

Andrew Mulligan, Applicant – 76 Old River Place

Curtis Young, Lucas Environmental – Representing 124 Quabbish Road

Nichole Dunphy, Highpoint Engineering – Representing 480 Sprague Street

Commissioner Kayserman 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.

**New Applications**

* **5 Incinerator Road, Joseph Flanagan, Applicant – Paul Bergman, Bergman & Associates, Representative** – New telecommunications facility including lattice tower and equipment pads, and demolition of existing smoke stack in Riverfront Area and Buffer Zone to Bank to associated with Mother Brook (DEP # 141-0573, MSMP 2002-15).

Mr. Flanagan stated that an engineering firm hired to evaluate the existing smokestack determined that it was in poor condition and needed to be removed immediately. To address this problem, he is proposing transferring equipment from the existing smokestack on to a new 190- foot lattice tower compound surrounded by electric cabinets. The tower and cabinets will be surrounded by a chain link fence, which will be screened with arborvitaes. Existing pavement will be removed and replaced with 4 inches of gravel, around the concrete foundations. A proposal for a removal of the smokestack will be filed at a later date.

Paul Bergman, Bergman & Associates confirmed that during construction, the pavement will be removed, landscape fabric will be laid down, and the area backfilled with 3-inch stone. The arborvitaes will shield the cabinets and the base of the tower. He stated that the construction of the site will reduce the amount of water going into the Mother Brook, as the stone will act as a detention pond. There will be no change in grade.

Commissioner Kayserman stated the bottom right corner appeared to be built on the side of the slope and wanted clarification. She also questioned the plan for the future use of the site and if it would be possible to shift the compound a few feet to avoid removing vegetation from the site. Mr. Bergman stated that the compound could be moved if a low retaining wall were included at the southeast corner. Joe Flannagan stated that there are no plans that he is aware of for the site, but he did have lease obligations to construct the tower. Mr. Bergman said that he had placed the compound in the most remote part of the property but still near the stack for ease of construction, but did not see any problems with sliding the compound northwest to avoid cutting into the slope

Commissioner Gauthier questioned whether there would be room for a walking trail along the southern edge of the site, if such were proposed in the Master Plan. Mr. Bergman stated that he believed it could be accommodated.

Commissioner Kayserman asked that the calculations be revised using a 30% void space, a detail added indicating that a minimum of 4 inches of 1½ to 2-inch double washed stone with less than ½ % fines be placed in the compound between the foundations, a detail be provided for the erosion and sediment control and the location of the controls at the curb be shown, that a construction period O&M be included that required material storage be surrounded by erosion and sediment controls and be sited far away from Mother Brook or that all material will be live loaded and not stored on site, and that a note added that concrete wash out not be to storm drains near Mother Brook.

Commissioner Kayserman moved to continue the applicant to September 17, 2020. Commissioner Garlick seconded. A roll call vote was taken**:** Kayserman, Holmes, Foulds, Garlick Radner all voted in favor.

* **Lowder Street Right of Way From 159 Lowder Street to 112 Lowder Street, Jen Buttaro, Eversource (NSTAR), Applicant – Sarah French, VHB, Representative.** New gas main in Riverfront Area, Bordering Land Subject to Flooding, and Buffer Zone associated with Bank and Bordering Vegetated Wetland associated with Lowder Brook (RDA 2020-06).

Ms. French explained that the proposed gas main extension is exempt under the Wetlands Protection act but is regulated under the Dedham Bylaw. She outlined the proposal to install 650 ft of a 6-inch gas main utility below the existing paved surface of Lowder Street. The project will cross Lowder Brook, which flows through a culvert under Lowder Street.

 The gas main will be installed by digging a 2-3 ft wide by 3-4 ft deep trench. Excavated material will be placed along side and subsequently used as backfill. At the end of each work day, the site will be stabilized, with no impacts anticipated as result of work. The work will take approximately one week. Some work has already been completed on Wampatuck Road. Erosion controls have been installed and areas that Agent Brown noted needed improving will be addressed. An Environmental Monitor will be on site to ensure environmental compliance. The project will be completed on the west side of the road only. There is already a paved walkway on the side of the resource area.

Commissioner Kayserman asked that if previous utility installations were submitted as RDAs or NOIs under the Dedham Local Bylaws. Agent Brown stated it depended on the project and the decision was up to the Conservation Commission. She stated that going above the culvert would not cause any disturbance.

Commissioner Kayserman said that because it was utility work within an impervious area with sidewalk buffer and soil erosion controls installed she felt a Negative Determination would be appropriate but would like to see a draft dewatering plan or narrative in the unlikely event that dewatering would be necessary.

Ms. French said that she would send a write up on dewatering protocols . Agent Brown stated that she could add a Special Condition that dewatering locations to be specified and that the Environmental Monitor be required to be on site during the work at Lowder Brook.

Commissioner Kayserman moved to close the public hearing and issue a Negative Determination of Applicability with special conditions. Commissioner Radner seconded. A roll call vote was taken**:** Kayserman, Holmes, Foulds, Radner, and Garlick all voted in favor.

**Continued Applications**

* **End of Greensboro Road, Dedham Department of Public Works, Applicant – Sara Nichols, Weston & Sampson, Representative** – Stormwater improvements (DEP #141-0570). Mike Easler, Weston & Sampson, Joe Flannagan, Dedham Department of Public Works

Mr. Easler gave a brief description of the project, which was designed to improve treatment of stormwater draining from the Greensboro Road area into Fowl Meadow. He explained that 729 cf of storage will be added. The project is located in area that is endangered species habitat, an ACEC, and an Aquifer Protection District, but the work area is on an existing “paper road” layout that has already been highly degraded.

Mr. Flannagan stated that he spoke with MassDEP and Agent Brown to explain that they are hoping to alleviate flooding in the area. The existing pipe is filled with soil and sediment. He realizes that that the project proposed wouldn’t be a fix but would help current issues.

Commissioner Kayserman asked that Special Conditions be added requiring a pre-construction site inspection of erosion and sedimentation controls to ensure placement outside of the BVW, that no construction materials be stored on top of the erosion controls, and that all trash and debris be cleaned up daily.

Commissioner Kayserman moved to close the public hearing and approve the Notice of Intent with the addition of the Special Conditions stated. Commissioner Radner seconded. Kayserman, Radner, Holmes, Garlick, and Foulds all voted in favor.

* **212 (Lot 6) Schoolmaster Lane, Supreme Development, Inc. – Giorgio Petruzziello, Applicant – Michael Carter, GCG Associates, Representative** – New single-family dwelling on an undeveloped lot (MSMP 2020-13). John Getherall, GCG Associates and Giorgio Petruzziello.

Mr. Getherall reminded the Commission that he had previously presented the project, but the hearing was continued to resolve questions regarding the wetland line and associated Buffer Zone. He described the project, which consists of a driveway, deck with pervious paver patio underneath, and two subsurface stormwater infiltration systems. The front system will pick up half the roof and the driveway, and the rear will pick up the back of the roof. Mr. Getherall stated that he had revised the application to model the pavement under the deck as impervious and he had adjusted the grading in the rear of the property. He stated that all work would be outside of the Buffer Zone. The planting plan had been revised to incorporate at least a 2:1 tree replacement and that a pitch pine had been substituted for the white pine previously proposed. Mr. Petruzziello stated that 50-60% of the lot is wooded and the rest is being developed.

Agent Brown stated that the project would require a waiver for the test pit prior to construction due to alteration. Commissioner Kayserman asked that once the soil data is collected and the test pits are done, if results varied from assumptions that the calculations would need to be revised. She additionally asked that the soil testing be done prior to placing the infiltration system.

Commissioner Kayserman moved to close the public hearing, approve the waiver for soil testing pits and issue the MSMP with the additional Special Condition regarding for the soil test data. Commissioner Radner seconded. Kayserman, Holmes, Foulds, Radner, and Garlick all voted in favor.

**80 Bridge Street, Chris Kotsiopoulos, Applicant – Joyce Hastings, GLM Engineering Consultants, Inc., Representative** – Renovation of existing commercial building in Riverfront and Buffer Zone to Bank  (DEP #141-0572, mSMP 2020-04).

Commissioner Kayserman explained to the applicant that the work being conducted is considered redevelopment under the Massachusetts Wetlands Protection Act and thus requires stormwater management to the maximum extent practicable. The proposal previously submitted did not appear to meet that standard. Commissioner Gauthier repeated his request from the last meeting for pre- and post-construction plans and a post-construction landscaping plan. He questioned whether the work proposed met the criteria for a minor stormwater management permit, or whether a Major stormwater management permit was more appropriate. Kayserman asked the applicant what they were doing to improve water quality. Commissioner Gauthier suggested that the applicant review Best Management Practices to improve TSS removal.

Mr. Grosshandler, speaking on behalf of Mr. Kostiopoulos, and Mr. Kostiopoulos said that they would go back to their engineer and see if they could make additional improvements.

Commissioner Kayserman moved to continue the hearing on the current application to October 1, 2020. Commissioner Radner seconded. Kayserman, Holmes, Foulds, Radner, and Garlick all voted in favor.

**370 Common Street,  Northeastern University, Applicant – Trey Sasser, Sasaki, Representative** – ADA improvements and renovation of existing gravel drive and seating area at the field hockey field (DEP #141-0574, MSMP 2020-14).

Mr. Sell described the proposed invasive species management plan. Commissioner Foulds noted that to be effective that this would require long term maintenance. The Commission approved the plan as proposed.

Commissioner Kayserman moved to continue the hearing on the current application to October 1, 2020. Commissioner Radner seconded. Kayserman, Holmes, Foulds, Radner, and Garlick all voted in favor.

**76 Old River Place, Andrew Mulligan, Applicant – David Johnson, Norwood Engineering, Representative** – New single-family dwelling (MSMP 2020-11).

Mr. Mulligan stated that he had purchased the lot contingent upon obtaining permits. As he has since learned that the stormwater easement was owned by Norfolk County, not the Town of Dedham as originally assumed, and that he would not be able to connect to that drain, he will be withdrawing his application.

**Miscellaneous**

* **– The Commission issued the following Certificates of Compliance**

**West Street (Behind Norfolk Corrections) -**Needham Cell Tower (141-0556)

**124 Quabbish Road –** Partial COC for grading (141-0545)

**140 West Jersey Street –** New single-family dwelling (MSMP 2019-20)

**150 Schoolmaster Lane –** New single-family dwelling (MSMP 2018-18)

In addition, the Commission authorized the release of surety for 140 West Jersey Street.

* **Request for Modification of Existing Permits**

**480 Sprague Street – Stormwater system**. Commissioner Kayserman moved to approve the modification to the Major Stormwater Permit to move the drain line encountered. Commissioner Radner seconded. Kayserman, Holmes, Radner, and Garlick all voted in favor.

* **Agents Report:**

Agent Brown stated that a draft of the Tree Policy had been sent to Town Counsel. She has not yet heard back from them.

Agent Brown stated that she is waiting for plans from 180 Milton St and 7 Schoolmaster Lane in response to the Notices of Violations that were issued.

* **Minutes-** Review of the minutesof 8/6/20 and 9/3/20were deferred pending further review.

Respectfully submitted,

Renee Johnson, Administrator