



Stephanie Radner , Chair  
Eliot Foulds, Clerk  
Leigh Hafrey, Associate  
Nick Garlick, Associate  
Bob Holmes, Associate  
Nathan Gauthier, Associate  
Erik DeAvila, Associate  
Nick Corsetti, Alternate  
Tim Puopolo, Alternate  
Elissa Brown, Agent

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## TOWN OF DEDHAM

### CONSERVATION COMMISSION

Website  
[www.dedham-ma.gov](http://www.dedham-ma.gov)

#### **Minutes of June 3, 2021**

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:**

Stephanie Radner, Chair  
Eliot Foulds, Clerk  
Bob Holmes  
Leigh Hafrey  
Nick Garlick  
Nathan Gauthier  
Erik DeAvila  
Bob Holmes

#### **The following staff were also present:**

Elissa Brown, Agent

#### **The following Applicants and/or Representatives were present:**

John Getherall, GCG Associates - Representative– Schoolmaster Lane Lot 7  
Michael Carter, GCG Associates - Representative - Schoolmaster Lane Lot 7 & Nina Court  
Paul Lindholm – Representative – 72 Village Ave  
James Garfield, Morse Engineering – Representative – 159 High Street  
Antonio Reda – Applicant – 159 High Street  
Regan Andreola, Beals and Thomas – Representative – 214 Lowder Street  
Andrew Gorman, Beals and Thomas – Representative – 214 Lowder Street  
D Gagne, Beals and Thomas – Representative – 214 Lowder Street  
John Joyce, Applicant – 214 Lowder Street  
Matt Smith, Norwood Engineering – Representative – 123 Westfield St

Commissioner Radner 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.

**1. Election of Officers –**

- 1.1 Nathan Gauthier was elected as Vice Chair by L Hafrey, seconded by E Foulds. Roll call vote E DeAvila, E Foulds, L Hafrey, B Holmes, N Garlick, and S Radner voted in favor.
- 1.2 Eliot Foulds stated that he was willing to continue as Clerk.

**2. New Application (To Be Opened and Discussed Tonight)**

**2.1 Schoolmaster Lane (Lot 7 – MSMP 2021-12 – New SFD on undeveloped land**

Applicant: Supreme Development    Representative: John Getherall & Mike Carter, GCG

J Getherall described the project, which is to construct a single family dwelling on a lot that had been previously cleared, filled, and used as a construction staging area.

S Radner expressed concern that fill appears to have been placed in Buffer Zone to BVW and in proximity to a Vernal Pool. She questioned the history of a wood trail shown on the plan and was told that was a historic trail established by the neighbor at Burgess Land. She requested additional info on the conservation restriction for the Burgess property and a determination as to whether the trail violated the existing conservation restriction.

L Hafrey questioned the planting plan provided noting that it didn't include many trees. J Getherall responded that trees on the site had been removed prior to the change in the stormwater regs requiring their survey and protection.

N Gauthier asked for additional info on the slope. After finding out that it consisted of rip-rap, he asked the applicant to consider a means of establishing the 100-ft BZ line to discourage further trespass.

S Radner suggested that the orientation of the rear infiltration gallery be changed to keep it further from the slope and house foundation.

S Radner suggested a site visit. N Gauthier expressed his desire for a restoration plan with re-planting of native vegetation. The Commission determined that an after the fact RDA or NOI would be required for the incursion into the BZ.

S Radner moved to continue the hearing to July 1, 2021. L Hafrey seconded. All voted in favor.

**2.2 72 Village Ave – MSMP 2021-13 – Renovation of existing SFD, garage and deck**

Applicant: David Flynn

Representative: Paul Lindholm

P Lindholm stated that this was a renovation project of an existing single family dwelling. The garage and an addition had already been removed. The current plan is to keep the gravel driveway, add roof drains discharging to infiltration galleries, and to keep all remaining trees. A landscaping plan has been provided with trees added. The remainder of the property would be loamed and seeded.

The Commission requested additional special conditions prohibiting paving of the driveway and requiring any future patio or deck to be pervious. P Lindholm stated that the site was limited to 25% impervious area because it was located within the Aquifer Protection District.

S Radner moved to continue the hearing to June 17, 2021. L Hafrey seconded. All voted in favor.

### 2.3 414 Westfield Street – RDA 2021-08 – Septic system upgrade

Applicant: John Glossa on behalf of Ross Sherbrooke Representative: John Glossa

Agent Brown described the project, which consists of replacement of a septic tank and distribution box, both more than 50 feet from Weld Pond. She recommended that the Commission issue a Negative Determination as this would be an environmental improvement. The Commission suggested adding a special condition to the Negative Determination requiring Board of Health approval prior to start of construction.

S Radner moved to close the hearing and issue a Negative Determination of Applicability. L Hafrey seconded. All voted in favor.

### 3. Continued Applications (Applications Previously Opened to be Discussed Tonight)

#### 3.1 AMTRAK Right of Way – RDA 2021-03 – Confirmation of wetlands delineation

Applicant: AMTRAK Representative: Tom Lewis TEC Assoc.

Agent Brown summarized the results of her site visit that confirmed the wetlands delineation as present. S Radner questioned whether PFAS was present in the herbicides use. E Brown will follow up with AMTRAK/TEC Assoc to find out. E Foulds stated that that question wasn't really relevant.

S Radner moved to close the hearing and issue a Negative Determination, E Foulds seconded. All voted in favor.

#### 3.2 159 High Street – MSMP 2021-11 – New Multi-Family Dwelling

Applicant: Topolino Realty Trust Representative: Gregory Morse, Morse Eng.

James Garfield, Morse Engineering reviewed changes made to the plan including the addition of a snow storage area, planting of 16 trees, location of erosion and sedimentation controls, soil testing results, TP calcs, and spot grades. The Commission expressed concern over the lack of a homeowner's agreement and asked that a condition be added that an agreement be required if the 2-family structure were to become condominiumized in the future. N Gauthier questioned the lack of detail in the planting plan, but was assured by the owner that the species would be native.

The Commission discussed and voted to approve the waiver of 90% TSS removal. S Radner moved to approve, L Hafrey seconded. B Holmes, N Gauthier, E DeAvila, L Hafrey, E Foulds, and S Radner voted to approve.

S Radner moved to close the hearing and issue an MSMP, E DeAvila seconded. B Holmes, N Gauthier, E DeAvila, L Hafrey, E Foulds, and S Radner voted to approve.

**3.3 214 Lowder Street – DEP #141-0583/MSMP 2021-01 – Planned Residential Development –**

Owner: Jack Connors, Wight Pond II Applicant: John Joyce, Old Grove Partners

Representative: Regan Andreola, Beals & Thomas

R Andreola summarized the latest changes in the plan including the addition of 160 additional shrubs, removal of the mention of a conservation restriction from the application, submittal of a construction phasing plan, and additional soil testing. She mentioned that they were requesting a waiver of the 2:1 tree replacement requirement as they were only provided a 1.3:1 replacement. S Radner asked whether plantings at 212 Lowder were included and was told that they were not.

S Radner expressed concern about chemical treatment in the pond and requested a special condition be added to the draft Order requiring that a new application be required for any future treatment.

S Radner moved to issue a waivers for the tree replacement and work within the Undisturbed Buffer Area at the culvert. L Hafrey seconded. E DeAvila abstained. The rest voted in favor.

S Radner moved to close the hearing and issue an OOC and MSMP. L Hafrey seconded. E DeAvila abstained. The remainder voted in favor.

**4. Request for COC**

**4.1 Nina Court (aka 114 Bussey St) – MSMP 2020-02 - 8 unit residential complex**

Applicant: Supreme Development

Representative: Mike Carter, GCG Assoc

S Radner moved to issue a Certificate of Compliance for the Nina Court development. N Gauthier seconded. E DeAvila abstained. The remainder voted in favor.

**4.2 850 Providence Highway – DEP #141-0313 – Hooters (formerly Bugaboo Creek) Restaurant**

Applicant: 850 Providence Highway LP

Representative: Joey Fonseca, Bohler

S Radner moved to issue a Certificate of Compliance for 850 Providence Highway. N Gauthier seconded. E DeAvila abstained. The remainder voted in favor.

**4.3 75 McNeil Way - DEP # 141-0305**

Applicant: 850 Providence Highway LP

Representative: Joey Fonseca, Bohler

S Radner moved to issue a Certificate of Compliance for 75 McNeil Way. N Gauthier seconded. E DeAvila abstained. The remainder voted in favor.

**5. 123 Westfield – now know as 20 and 35 Shuttleworth Place**

Matt Smith, Norwood Engineering, representing the applicant, stated that all other permits for the development of the two residences had been obtained and addresses received.

S Radner moved to close the public hearing for 123 Westfield Street and issue OOCs and MSMPs for 20 and 35 Shuttleworth Place, L Hafrey seconded. E DeAvila abstained. L Hafrey, N Gauthier, E Foulds, and S Radner voted in favor.

6. **Legacy Boulevard, Enforcement Order** - The Commission voted to ratify the Enforcement Order signed by Agent Brown for the violation at Legacy Boulevard and that a request be added to remove trash in the area. S Radner moved, L Hafrey seconded. L Hafrey, E DeAvila, N Gauthier, E Foulds, and S Radner voted in favor.

7. S Radner noted her interest in having future meetings be “hybrid.”

The meeting was adjourned at 9:41 pm. L Hafrey moved to adjourn, E DeAVila seconded. L Hafrey, B Holmes, N Gauthier, E DeAvila, E Foulds, and S Radner voted in favor.