



Stephanie Radner, Chair
Nathan Gauthier, Vice Chair
Nick Garlick, Associate
Leigh Hafrey, Associate
Eliot Foulds, Associate
Bob Holmes, Associate
Erik DeAvila, Associate
Tim Puopolo, Alternate
Elissa Brown, Agent
Patrick Hogan, Asst. Agent

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TOWN OF DEDHAM CONSERVATION COMMISSION

Minutes of February 3, 2022

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
Nathan Gauthier, Vice Chair
Eliot Foulds, Clerk (exited the meeting prior to agenda item #4)
Nick Garlick
Erik DeAvila
Leigh Hafrey
Bob Holmes
Tim Puopolo, Alternate (exited the meeting prior to agenda item #5)

The following staff were also present:

Elissa Brown, Agent
Patrick Hogan, Assistant Agent

The following Commissioners were absent:

The following Applicants and/or Representatives were present:

Cris Crecelius, Applicant – 95 Eastern Avenue
Brandon Carr, Representative – 95 Eastern Avenue
Brain Madden, Representative – 95 Eastern Avenue
Joseph Federico, Jr., Applicant – 124 Quabish Road
Curt Young, Representative – 124 Quabish Road
Ed Pesce, Representative – 124 Quabish Road
Peter Zahka, Representative – 124 Quabish Road
John Getherall, Representative – Prevett Terrace
Milan Horbaczewski, MWRA – MWRA Siphon/Junction Project
Mike Gove, MWRA – MWRA Siphon/Junction Project
Mike Cunningham, Representative – MWRA Siphon/Junction Project

Commissioner Radner 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.

1. Continued Applications (Applications Previously Opened to be Discussed Tonight)

1.1. 95 Eastern Avenue – DEP #141-0571; MSMP 2020-10 – New Hotel

Applicant: Cris Crecelius, Dedham TIC Partners

Representative: Brandon Carr, DiPrete Engineering

Mr. Carr reported that the Planning Board approved the project at their most recent meeting. He also stated the landscaping plan has been revised in response to comments at the last hearing.

Commissioner Radner **motioned to close the hearing for this item.** Commissioner Hafrey seconded. Commissioner Radner led a roll call vote. All attending Commissioners voted “aye.” The motion carried 7-0.

Commissioner Radner **motioned to issue the Order of Conditions and Major Stormwater Management Permit and reaffirm the previous approval of the waivers for this project.** Commissioner Gauthier seconded. Commissioner Radner led a roll call vote. Commissioner Foulds voted “nay.” All other attending Commissioners voted “aye.” The motion carried 6-1.

2. New Applications

2.1. 124 Quabish Road – DEP #141-TBD; MSMP 2022-01 – New Mixed-Use Development

Applicant: Joseph Federico, Jr., Route 1 Management Land Trust LLC

Representative: Curt Young, Lucas Environmental

Peter Zahka, the applicant’s attorney, introduced the project. He stated the project has been submitted to the Planning Board as a Planned Commercial Development, which allows the Planning Board to determine specific requirements for setback, height, etc. on a case-by-case basis. Mr. Zahka stated the site has been used by Dedham Recycling Gravel Company to recycle aggregate materials for the last 20 years. The applicant is proposing to cease the current operation and construct a mixed-use development on the site consisting of 3 buildings with approximately 22,000-23,000 ft² of first-floor commercial space and 293 residential apartments. The project will include 454 parking spaces, 257 of which are located beneath the buildings. Mr. Zahka noted that the project will not be submitted to the US Green Building Council for LEED Certification, but the project team believes it would receive “Silver” certification if submitted.

Curt Young, representative for the applicant, gave an overview of the wetland implications of the project. He stated a wetland replication area had recently been completed on the eastern side of the site and was granted a Certificate of Compliance earlier this year. Mr. Young indicated the 200’ Riverfront Area, BVW and associated buffer zones, and the flood zone on the plan. He noted that essentially the entire site is considered previously developed area under the Riverfront regulations. Mr. Young stated that restricted wetlands are also present on the site. He stated the restricted wetlands were established in 1974 by DEP from aerial photographs, but they were filled prior to approval of the regulatory program. As a result, the project team is seeking an amended boundary determination from the DEP for the restricted wetland boundaries on the site and expect a decision this spring. He requested that any Order of Conditions issued by the Commission for this project include a condition that requires an amended restricted wetland boundary prior to any work on site.

Ed Pesce, representative for the applicant, gave an overview of the stormwater design for the project. He stated 8 subsurface infiltration systems will be provided, each with an isolator row. All surface runoff will be directed to these systems through water quality treatment units. All systems are designed for the 100-year storm. Mr. Pesce also noted two 5,000-gallon cisterns will collect roof runoff from Building C. Water collected in the cisterns will be used to supplement irrigation for the landscaped areas. A private well will

be located on-site for the main irrigation system. Mr. Pesce noted that six of the infiltration systems have emergency overflow piping systems which will direct overflow to the nearby wetlands via a flared pipe end with a rip-rap pad. There are three of these pipe ends planned and each will cause 100 ft² of permanent BVW alteration. A vegetated bio swale is planned for the southeast side of the property.

Mr. Young discussed wetland impacts of the project. He reiterated that the two outlet structures in the southwest of the site will result in 200 ft² of permanent BVW alteration, but he hoped the 1,000 ft² of replication previously completed could be considered to offset the impacts. Mr. Young noted the discharge pipe in the southeast of the site will impact the undisturbed buffer area, so the project team is seeking a waiver to place that pipe. He also noted that part of the project is located within the 200' Riverfront Area, but the activities are within previously disturbed areas, and he believes the current design results in a significant improvement for the site. Mr. Young stated about 20,000 ft² of disturbed area in the Riverfront Area will be restored to green space.

Mr. Young mentioned that the Planning Board requested the project team consider access from this site to the nearby athletic fields. Mr. Young stated the project team is reviewing that possibility, but has identified several issues including liability, security, cost, ADA accessibility, division of the wildlife corridor, and impact to the wetlands. He also noted a trail leaving the site to the northeast and the possibility of connecting it to an access path to Wigwam Pond.

Commissioner Radner stated that the Commission cannot consider previous work, such as the completed replication, as part of this application, but they could consider offsetting work that is performed as part of this project.

Commissioner DeAvila asked for clarification on the position of the overflow outlets from the infiltration systems. Mr. Pesce stated the outlets are at the top of the chambers.

Commissioner Gauthier commented that the project team should not cite LEED standards during their presentations if they do not intend to pursue certification, as that statement is not properly vetted by documentation or peer review.

Commissioner Gauthier asked if there was an opportunity to slightly reduce the size of the development so the overflow outlets could be moved out of the BVW/Undisturbed Buffer Area. Mr. Young clarified that an 8'-10' tall retaining wall runs along the southern side of the property, and it would be a challenge to locate the overflow pipes inside of that wall.

Commissioner Gauthier noted that the last project (the wetland replication) was completed to correct problematic activities that occurred approximately 20 years ago. He asked if the property had changed hands in the time since those activities occurred. Mr. Zahka stated that the principal owner of the site has remained the same.

Commissioner Gauthier commented that he was amenable to waivers for a walking path to connect to the nearby athletic fields since it provided education and public benefit, as long as the project team minimized associated impacts.

Commissioner Holmes commented that the current ground surface appeared to be gravel and therefore permeable. Mr. Young stated that the ground surface is very compacted and causes puddling. He added that the subsurface units will allow runoff from the site to better infiltrate.

Commissioner DeAvila asked where the overflow from northern infiltration systems is directed. Mr. Pesce stated the overflows will be connected to the Town drainage system. Mr. Pesce further elaborated that

the proposed plan will provide better collection and infiltration of the site's stormwater runoff than current conditions.

Commissioner DeAvila asked how much landscaped green space is currently included in the plan. Mr. Young estimated that there is 70,000-80,000 ft² of landscaped area in the proposed conditions. Commissioner DeAvila asked if some of the runoff will be collected and used to irrigate the landscaped areas. Mr. Young confirmed and stated roof runoff will be collected in cisterns for irrigation.

Commissioner Radner opened the floor to the public for questions and comments. She received no responses.

Agent Brown suggested the Commission request \$5,000 for peer review. She also suggested the Commission consider scheduling a site visit.

After discussion, the Commission and the applicant's representatives agreed to hold a site visit on 2/17 at 3:30 PM. The group will meet at Fairbanks Park/Capone Field and will then move to the project site.

Agent Brown stated she will send the plans to the Engineering Department for their review of the stormwater system and its connections to the Town's drainage system.

Commissioner Radner **motioned to request \$5,000 from the applicant for peer review of this project.** Commissioner DeAvila seconded. Commissioner Radner led a roll call vote. All attending commissioners voted "aye." The motion carried 7-0.

Commissioner Radner **motioned to continue the hearing for this item to the meeting on 3/3.** Commissioner DeAvila seconded. Commissioner Radner led a roll call vote. All attending commissioners voted "aye." The motion carried 7-0.

2.2. Prett Terrace – MSMP 2022-02 – New Single-Family Dwelling

Applicant: Giorgio Petruzzello, Supreme Development

Representative: Mike Carter, GCG Associates

John Getherall, representative for the applicant, gave an overview of the project. He stated the applicant is seeking to construct a 4-bedroom home with a driveway and deck on a 0.28-acre lot. This will result in 2,500 ft² of impervious area and a total lot disturbance of almost 10,000 ft². There will be two subsurface infiltration chambers installed for stormwater management. The project site was recently subdivided from 6 Prett Terrace and currently has some open space, a driveway, trees, and two retaining walls. He stated 13 trees will be removed, and 18 trees and 32 shrubs will be planted as replacements.

Commissioner DeAvila asked if the replacement trees and shrubs will fully satisfy the replacement requirement. Mr. Getherall confirmed. Commissioner Radner asked why shrubs were planned instead of more replacement trees. Mr. Getherall replied that there was no space for additional replacement trees due to the trees that currently exist on the site.

Commissioner Radner asked if the applicant was requesting a waiver of the requirement to complete test pits prior to permit issuance. Mr. Getherall confirmed and stated that the Purchase & Sale agreement was subject to issuance of a stormwater permit, and the applicant did not want to dig up the existing driveway before the property was purchased. Commissioner Radner noted several concerns with the site (steep grade to adjacent neighbors, potentially highly permeable soils, and potential for mounding) that could cause changes in the design and expressed preference that the data be gathered before approval.

Agent Brown asked for clarification regarding the HDPE liner around the subsurface infiltration system. Mr. Getherall stated it was included due to potential breakout. Agent Brown stated she presented this plan to the Building Department and they were not able to determine if breakout concerns had been sufficiently addressed. She suggested the Commission consider a peer review of the project. Mr. Getherall asked if Mike Carter could discuss the plan with Agent Brown instead of a peer review. Agent Brown stated that was acceptable as a first step, and if a peer review was still needed, it could be discussed at the next meeting.

Commissioner Gauthier clarified that the bylaw states trees should be replaced with trees at a 2:1 rate and shrubs may sometimes be allowed at a 4:1 rate if necessary. He stated that, in his opinion, this parcel seemed to have plenty of room for more trees. After discussion, Mr. Getherall agreed to revise the plan to include more trees. Commissioner Foulds added that smaller trees could be planted. Commissioner DeAvila suggested the applicant look closer and make sure all planned tree removal is actually necessary.

Agent Brown noted a tree protection detail figure and requested Mr. Getherall indicate which trees are intended to receive protection on the plan.

Commissioner Holmes asked for an explanation of the request for a waiver of TSS removal requirements. Mr. Getherall stated the infiltration systems are designed to capture 100% of the 100-year storm, and thus are containing 100% of the TSS for those events, but the DEP pollutant removal calculator only reports 85% removal for these systems. Agent Brown requested Mr. Carter also discuss this aspect with her in detail. If further review is needed, this aspect could also be included in a peer review.

Commissioner Radner opened the floor to the public for questions and comments.

Ken Crisafulli of 28 Fairview Street asked if the Commission's process runs concurrently with Planning approval. Agent Brown stated separation of the lot has already been approved by the Planning Department.

Mr. Crisafulli asked if dead wood and leaning trees on the property could be cleaned up. Commissioner Radner suggested the applicant and abutter discuss removing these items, but noted the removal of any living trees would be counted in tree replacement requirements.

Donato Kava of 17 Fairfield Street asked if the Commission takes the benefit of canopy cover into account for when considering tree replacement requirements. Commissioner Radner stated the primary consideration is water uptake by the roots, but acknowledged that canopy cover is valuable.

Mr. Getherall requested an indication on whether the Commission was in favor of the waiver for the test pit requirement before concluding the hearing. After discussion and an informal straw poll, the Commission was generally not in favor of waiving the requirement to complete test pits prior to approval.

Commissioner Radner **motioned to continue the hearing on this item to the meeting on 2/17.** Commissioner DeAvila seconded. Commissioner Radner led a roll call vote. All attending commissioners voted "aye." The motion carried 7-0.

3. MWRA Siphon/Junction Project Presentation

Milan Horbaczewski of MWRA stated MWRA is planning to rehabilitate 41 siphon structures in their system. Eight of these are located in Dedham at 4 separate locations. He stated siphon structures are typically located on pipe systems on either side of a river and allow gravity flow of sewage in the pipe to continue as a pipe travels under the river. Mr. Horbaczewski stated there will be no external excavation at these sites and they believe this work is exempt from wetlands regulations.

Mike Cunningham of Kleinfelder, engineering contractor for MWRA, gave details about each of the sites. He stated most of the structures are entirely above grade and the work they are proposing is inside the structure. He also noted the project team is aware of potential issues in accessing the structures and will use matting and other considerations to minimize impact. The sites are located at: (1) Charles River at West Street at the Needham/Dedham line, (2) off Westfield Street in Westwood, (3) behind McGolf at 150 Bridge Street, and (4) behind a residence at 345 West Street.

Mr. Cunningham noted the road shoulder will need to be widened at site (1) to allow room for the crews to work. He also noted that some trees will need to be removed. Commissioner Radner asked if the ground will be restabilized. Mr. Horbaczewski confirmed a grass seed mix will be applied to stabilize the ground. Commissioner Radner suggested seeding the shoulder area with a resilient grass mix that is meant to be driven on.

Commissioner DeAvila asked how excess grout and cleanout waste from the pump hoses will be managed. Mr. Cunningham stated the crew should be able to contain all excess for off-site disposal. He stated no on-site disposal will be allowed.

Commissioner Radner opened the floor to the public for questions and comments. She received no responses.

Mr. Horbaczewski requested an email concurring that this project is exempt. Agent Brown agreed.

4. Argyle Road – Emergency Certification

Agent Brown requested that the Commission consider ratifying an emergency certification for roadwork on Argyle Road. She reported several large potholes had formed and became an obstruction to emergency response crews, so the Department of Public Works had filled the holes and created a rip-rap swale to alleviate the recurrence of the issue. She stated that the water in the potholes was frozen when the crew performed the work, so they were able to haul it off site for disposal rather than dewatering the potholes on site.

Commissioner Radner opened the floor to the other Commissioners for questions and comments. She received no responses.

Commissioner Radner **motioned to ratify the emergency certification as drafted**. Commissioner Gauthier seconded. Commissioner Radner led a roll call vote. All attending commissioners voted “aye.” The motion carried 6-0.

5. Minutes – 1/20/2022

Commissioner DeAvila **motioned to approve the minutes as drafted**. Commissioner Gauthier seconded. Commissioner Radner led a roll call vote. All attending commissioners voted “aye.” The motion carried 6-0.

6. Agent’s Report

Agent Brown stated the Commission’s comments regarding 38 Powers Street/13 Icehouse Road have been submitted. If the applicant agrees to the terms, a settlement will be written and submitted for the Commission’s review. If all parties are in agreement, the construction of the house will be approved.

Agent Brown stated the Planning Board will be holding a discussion on the use of the 20 acres of land to be donated as part of the Planned Residential Development at 214 Lowder Street. The meeting will be held on 2/9 at 6:00PM via Zoom and they are interested in having members of the Conservation

Commission provide input. Commissioner Radner added that there is a condition in the MOU for the 214 Lower Street donation that access will only be allowed from the ECEC and, if that condition is not met, the owner is not obligated to donate the land. She stated this presents an issue because the ECEC will only allow access to the area outside of school hours and, if the land doesn't have unrestricted public access, the Town will not be eligible for state and federal funding to make improvements to the land.

Agent Brown requested the Commission consider whether meetings should be filmed by Dedham TV or shown on Facebook Live. She stated thoughts on this could be discussed at a later date.

Agent Brown reported that notices for expiring Conservation Commissioner terms will be posted very soon. The vacancies include 3 Associate Commissioner positions and one Alternate position.

Agent Brown reminded the Commission that the MACC Annual Meeting will be held virtually March 1 – March 12. She noted MACC will be offering a slate of "Fundamentals" courses during this time and requested any Commissioners who are interested in taking courses reach out to her for registration.

Commissioner Gauthier **motioned to adjourn**. Commissioner DeAvila seconded. All attending commissioners voted "aye." The motion carried 6-0.

The meeting was adjourned at 10:31 PM.