The Town of Dedham

Commonwealth of Massachusetts

Conservation Commission

26 Bryant Street

Dedham, MA. 02026

Conservation Commission - Meeting Minutes

Thursday, August 4th, 2016, Dedham Town Hall- Lower Conference Room

Members Present: Fred Civian (Chairman), Laura Bugay, Michael Williams and Joseph Smith.

Members Absent: Joseph Hickey and Andrew Tittler.

Mr. Civian called the meeting to order at 7:00 PM.

637 East Street - *Notice of Intent (DEP 141-0486)*

Mr. Civian made a motion to continue 637 East Street until September 1st at the request of the applicant, seconded by Ms. Bugay, UA.

83 Washington Street – *Notice of Intent for a parking lot in Riverfront Area (DEP #141-0499).*

Mr. Civian made a motion to continue 83 Washington Street until September 1st at the request of the applicant, seconded by Ms. Bugay, UA.

144 River Street – *Stormwater Permit for new SFD (SWP 2016-12)*

Agent Brown explained this is a 2,000 square foot lot. They have rebuilt the foundation and they will be infiltrating the roof only. The Commission had asked them to go back and treat all of the impervious square footage including the paved surface and the applicant came back with a response that there is just not enough room to do it. Agent Brown agrees the space is limited.

Agent Brown recommended issuing a Stormwater Management Permit.

Mr. Civian made a motion to issue a Stormwater Management Permit for 144 River Street as recommended by Agent Brown, seconded by Ms. Bugay, UA.

7:05 PM: 106 Washington Street **-** *NOI for septic and stormwater improvements (DEP # 141-0503)*

Mr. Civian explained that the Commission had met last time and had requested some changes be made to the plans, and he believes they have incorporated those changed into the plans.

Agent Brown explained there were many plan changes and they are all for the better and they will drastically improve the site. There are still a number of smaller changes she would like to see made to the plans to provide clarity to the contractors who will be doing this work, and she has prepared a draft Order of Conditions with Special Conditions specifying the additions she would like to see on the plans. One of those conditions will be annual trash/litter pick up.

Mr. Civian discussed the schedule for the project with the owner and representative including unknowns since a contractor has not been chosen yet. They wanted to leave enough time for the applicant to not be delayed by their schedule.

Mr. Civian made a motion to close the public hearing, seconded by Ms. Bugay, UA.

Mr. Civian made a motion to issue an Order of Conditions for 106 Washington Street, as recommended by Agent Brown, with the changes to the scheduling timeframes discussed tonight, seconded by Ms. Bugay, UA.

7:20 PM: 750 Providence Highway**-** *Request for Amendment to an Existing Order of Conditions (DEP # 0465)*

Matt Smith was present from Norwood Engineering to represent this project. He explained that after discussing the project with the 3rd party reviewer, they have changed the round culverts that were allowing the water to flow under the road to box culverts which will allow 2 feet of soil below the water. As a result of the 3rd party review, they also made some improvements to the grading. He agreed to two conditions to be added to the approval; one being the letter from the applicant who also owns the adjacent property stating that he will allow the sheet flow on that property, and the other condition was to require the applicant to review the structures on the adjacent site to ensure they are functioning as designed since they will tie in with this proposal.

Mr. Civian commented that the Commission received a letter on behalf of Pearl Realty in opposition of the project as anticipated. They noted that a new Notice of Intent should be filed, and that the amendment itself is incomplete. Mr. Civian asked if the Conservation Office had received any requests to receive copies of plans or 3rd party review. Agent Brown responded that a 3rd party review of this amendment had not yet been completed, but she has been forwarding all emails to Pearl Realty with respect to this project, and Agent Brown confirmed that she did forward the most recent plan as a PDF this afternoon. Mr. Civian added that at the last meeting the Commission had made a determination that this proposal is an amendment, and asked if anyone was present from Pearl Realty to confirm what they are requesting.

Attorney Steven Greenbaum was present and thanked the Conservation Agent for her professionalism and cooperation throughout the process. He explained that he had not been forwarded a copy of the peer review. Mr. Civian clarified that there is not a single peer review document that Agent Brown has copied Pearl on all the emailed comments that have been exchanged regarding the peer review process. Agent Brown added that there have also been a couple of meetings. Mr. Greenbaum confirmed that they did receive the email which was mostly a collection of questions and comments but he did not view that to be a formal peer review. His understanding was that because the Commission had voted to request money for a peer review at the last meeting, that there would be an actual peer review document.

Mr. Civian explained that generally the Commission does not require a written report; it is usually presented in the process of emails and meetings. Mr. Greenbaum responded that to the best of his knowledge they have been copied on every email relevant to the peer review process but he is used to actually seeing a formal peer review. He added that they did not receive the final plans until today and he has not had sufficient time to review them for changes. Mr. Greenbaum explained that he feels this would be inappropriate to approve as an amendment, and that his client, the direct abutter, was happy with the plan that was originally approved by the Commission.

Mr. Civian asked Mr. Smith what was on the plan that was received today that was different than the previous plans.

Mr. Smith responded that the differences were the shape of the culvert with the new box culvert having 2 feet of soil bewithin it, and they are showing some spot grading to help demonstrate the water flow. He does not feel there were too many changes to the plans. He explained that a lot of the discussion with the peer review and the agent was to understand what was changing with the amendment, and that was a lot of discussion. The pocket wetlands, rain garden, proposed parking, and the building size isn’t changing and they are not proposing any more wetland, land under water or floodzone fill by way of the new driveway.

Lisa Eggleston, 3rd Party Reviewer, explained that she has reviewed this amendment, but also the previous proposal. She explained that this modification from a stormwater standpoint is a very minor change. . They spent a lot of time going back and forth in 2014 and with this small amount of impervious she reviewed specifically what had changed. She explained that it will not fully meet the stormwater standards for recharge in that particular area, but thinks that they are meeting it to the maximum extent practicable.

Agent Brown explained why it would not be critical to have bank on both sides of the box culverts since they were designed to be underwater.

Ms. Bugay asked what the construction materials will be for the reconstruction of the road. She confirmed with Mr. Smith that only the walls will be in contact with the water.

Steve Ivas, of Ivas Environmental, commented that he serves as a Conservation Agent part-time and his and other Commissions have followed DEP policy 85-4 very strictly for the past 30 years. He has never seen any Commission disregard that policy, and he asked how they can do that. He explained that they have additional environmental impacts and yet the Commission has disregarded the policy. Mr. Civian responded that he does not believe the Commission disregarded that policy; it had extensive discussion in a previous meeting about the purpose of the project and the scope, whether it meets standards and if it has adverse impacts. Mr. Ivas asked if any of that information was in the minutes. Mr. Civian responded that he does not think those minutes were completed yet.

Agent Brown recommended that the hearing not be closed tonight to allow time for everyone to review the plans that just came in late this afternoon, but they can aim to close and issue at the next meeting.

Matt Smith wanted the Commission to know that they did submit plans a week ago, and in further discussions they agreed to amend it again. Mr. Civian commented that he understands that they did submit plans in a timely manner.

Mr. Civian made a motion to continue 750 Providence Highway until September 1st, seconded by Ms. Bugay, UA.

7:55 PM: 538 Bridge Street **-** *Notice of Intent from the Dedham Westwood Water* *District for the construction of a new filter building at the existing water treatment facility, also with associated site work and piping.*

Eileen Commane was present with Bob Lexander and Bob Ivan, the engineering team was Jim Cray and Brian Martinez, as well as their wetlands consultant Jeff Caron.

Mr. Cray explained this is a modernization project for an existing water treatment plan, and a new building to be added as well. Mr. Cray described the existing conditions.

Mr. Martinez explained that this is a Zone 1 Aquifer Protection Area and they will not be meeting the groundwater infiltration requirements because of the location. He explained that while they are aware that 44 percent TSS removal is required before infiltration, they are very limited to what they can do in this location.

Mr. Civian explained that with for redevelopment projects applicants must explain how they are meeting the standards, and they also must consider if there is anything else they can do to improve the existing conditions.

Agent Brown commented that she believes the applicant has addressed all of her comments. She recommended the Commission consider doing a site visit so that they can see just how tight things really are.

Ms. Bugay asked if there is going to be additional lighting with this building. Mr. Cray responded that they plan to replace the existing lights with LEDs, but they are not planning any additional lighting for the site.

Mr. Civian made a motion to continue 538 Bridge Street until September 1st, seconded by Ms. Bugay, UA.

Lot 11 Circuit Road (SWP 2016-16) *Stormwater permit for new SFD*

Dave Johnson was present from Norwood Engineering. He described the proposed stormwater system. He explained that the driveway already exists on the site.

Agent Brown commented that the infiltration gallery is less than 10 feet from the house; they are building on slab at that point.

Agent Brown recommended that a Stormwater Management Permit be issued.

Mr. Civian made a motion to issue a Stormwater Management Permit for Lot 11 Circuit Road, seconded by Ms. Bugay, UA.

220 Pine Street**–***Request for Certificate of Compliance**(SWP 2014-06 and 2015-05)*

Agent Brown recommended that a Certificate of Compliance be issued. She also noted that a rain garden was constructed that could be a model that the Commission could point to as an example for future projects.

Mr. Civian made a motion to issue a Certificate of Compliance, seconded by Ms. Bugay, UA.

19 Court Street-*Request for Certificate of compliance (SWP 2014-16)*

Agent Brown commented that this is also a beautiful example of a rain garden, and recommended that a Certificate of Compliance be issued.

Mr. Civian made a motion to issue a Certificate of Compliance for 19 Court Street, seconded by Ms. Bugay, UA.

Informal Discussion-

Agent Brown brought to the Commission’s attention that she had issued an Administrative Approval for Tree Removal at the Mother Brook Condos. There was no discussion.

Agent Brown informed the Commission of two MACC courses available to them.

Ms. Bugay mentioned a stretch of sidewalk along mother brook on Colburn Street where there has been some dumping over the fence.

Agent Brown responded that she can send out general flyers to the neighborhood. She can also look into posting no dumping signs in that area.

Ms. Bugay made a motion to adjourn AT 8:38 PM, seconded by Mr. Williams, UA.