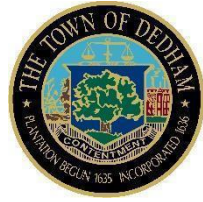


Stephanie Radner, Chair  
Nathan Gauthier, Vice Chair  
Leigh Hafrey, Associate  
Bob Holmes, Associate  
Erik DeAvila, Associate  
Tim Puopolo, Alternate  
Elissa Brown, Agent  
Patrick Hogan, Asst. Agent



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## **TOWN OF DEDHAM CONSERVATION COMMISSION**

### **Minutes of May 5, 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 and Acting Chair for this meeting  
Erik DeAvila  
Leigh Hafrey  
Bob Holmes  
Tim Puopolo, Alternate

#### **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:**

Mike Carter, Representative – Prevett Terrace  
John Getherall, Representative – Prevett Terrace  
Carlton Henry, Applicant – 124 Country Club Road  
Michael Toohill, Representative – 124 Country Club Road  
Diane McLeish, Applicant – 43 Pratt Avenue  
Paul Lindholm, Representative – 43 Pratt Avenue  
Anthony Delapa, Applicant – 270 Bussey Street  
James DeVellis, Representative – 270 Bussey Street

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

Applicant: Giorgio Petruzzello, Supreme Development, Inc. Representative: Mike Carter, GCG Assoc.

Mike Carter reviewed the project. He stated a single-family house is proposed with runoff directed to two subsurface infiltration systems. He stated the infiltration systems are designed to capture the 100-year storm with no discharge and therefore essentially remove 100% of total suspended solids (TSS). Mr. Carter stated 15 trees will be removed and replaced by 30 new trees. He also stated the plans have been updated to show protection measures for all trees that will remain. Mr. Carter confirmed that test pits were completed and revealed that the infiltration system had to be shallower than originally designed. The plans have been updated with that change. He noted that jute matting will be added to the steep slope and the previously proposed HDPE liner has been removed from the design due to the detailed information from the test pits.

Commissioner Gauthier noted that the project initially requested a waiver of TSS reduction requirements and asked if this was still needed. Mr. Carter stated the EPA calculator only estimates 85% TSS removal for this type of infiltration system, but since it is designed to contain the 100-year storm with no discharge, the system is realistically removing 100% of TSS. Agent Brown stated this was acceptable and the project did not need a waiver.

Commissioner Gauthier noted an abutter attended a previous hearing and had questions about the trees to be removed. Mr. Carter stated the applicant had a conversation with the abutter following the meeting and addressed his concerns.

Commissioner Radner asked if there was a patio planned for the house. Mr. Carter noted the planned deck and stated there were no plans for a patio.

Commissioner Gauthier opened the floor to the public for questions and comments. He received no responses.

Commissioner Gauthier **motioned to close the hearing for this item.** Commissioner DeAvila seconded. Commissioner Gauthier led a roll call vote. All attending commissioners voted “aye.” The motion carried 5-0.

Commissioner Gauthier **motioned to issue MSMP 2022-02 as drafted with the removal of waiver language for TSS removal requirements.** Commissioner DeAvila seconded. Commissioner Gauthier led a roll call vote. All attending commissioners voted “aye.” The motion carried 5-0.

**1.2. 124 Country Club Road – DEP #141-0594/MSMP 2022-05 – 6<sup>th</sup> Hole Drainage**

Applicant: Ryan Kenny, Dedham Country and Polo Club Representative: Michael Toohill, Coneco

Michael Toohill provided updates on the project. He stated plantings of buttonbush and little bluestem have been proposed for two sections in the project area. He has also submitted a memo discussing Integrated Pest Management which describes how the program seeks to reduce mechanical and chemical inputs in management of the turfgrass. Mr. Toohill also submitted a letter from the project engineer responding to several questions about stormwater infiltration and discharge. He noted that the draft permit includes waivers for discharge quantity and infiltration quantity, but the engineer’s letter states the project will decrease discharge quantities and increase infiltration quantities. He stated he does not believe the project needs waivers for these items, but will accept it if the Commission feels it is necessary.

Commissioner Gauthier stated he felt the ultimate effect of the project on discharge and infiltration was unclear, since the trenches create more opportunity for infiltration, but the pipes allow a more direct route to the discharge points. Agent Brown agreed and stated the effect was difficult to quantify.

Commissioner Radner noted that the Integrated Pest Management memo discussed the use of pesticides. She reminded the applicant that use of any chemical in a resource area would need to be approved by the Commission. Mr. Toohill understood.

Commissioner DeAvila asked if the applicant could install flow meters or pump use meters on the pumps to record usage and estimate discharge flow. He stated this would help inform discussions if similar projects are proposed in the future. After discussion, the Commission recommended the applicant somehow cumulatively quantify and record discharges from the pumps, but did not include it as a special condition. Mr. Toohill agreed to consider the inclusion of some sort of metering device in the design.

Commissioner Gauthier opened the floor to the public for questions and comments. He received no responses.

Commissioner Gauthier **motioned to close the hearing for this item.** Commissioner DeAvila seconded. Commissioner Gauthier led a roll call vote. All attending commissioners voted “aye.” The motion carried 5-0.

Commissioner Gauthier **motioned to approve the waivers for confirmation that the project decreases peak discharge rates and increases infiltration of runoff.** Commissioner Hafrey seconded. Commissioner Gauthier led a roll call vote. All attending commissioners voted “aye.” The motion carried 5-0.

Commissioner Gauthier **motioned to issue the Order of Conditions and Major Stormwater Management Permit for this project as drafted.** Commissioner DeAvila seconded. Commissioner Gauthier led a roll call vote. All attending commissioners voted “aye.” The motion carried 5-0.

## **2. New Applications**

### **2.1. 43 Pratt Avenue – MSMP 2022-08 – New Single-Family Dwelling**

Applicant: Diane McLeish    Representative: Paul Lindholm, PE

Paul Lindholm displayed a photo of the lot and stated it is currently vacant except for a driveway used by the adjacent house and a reconstructed wall to the rear perimeter of the lot. He displayed the plans and stated the design will include a subsurface infiltration system and a rain garden. He stated the initial design was revised a few days ago to remove a drain from the bottom of the rain garden. Mr. Lindholm confirmed the proposed design reduces the rate and volume of runoff from the site for every storm. He noted the rain garden will be placed against the retaining wall and the wall will function as a weir to keep accumulated water on site. He stated overflow is not expected except in extreme situations. Mr. Lindholm confirmed test pits had been completed and no interaction with groundwater was observed.

Commissioner Gauthier asked if this project would result in a greater chance of runoff impacting the neighboring lot to the rear. Mr. Lindholm stated proposed flow patterns will be the same as existing patterns, but in all calculated storm events, runoff will be reduced.

Commissioner Gauthier asked if any stormwater permits had been issued for the neighboring lot, which was formerly joined with this lot. He noted a large amount of impervious area on the neighboring lot and asked if the vacant green space on this lot had been credited as stormwater infiltration area for any past projects. Agent Brown stated no past permits were found in the Conservation Department’s files. She also stated the existing house is old, but didn’t know the age of the accessory improvements. Mr. Lindholm agreed the structures on the neighboring lot were likely older and that he was not aware of any

subsurface infiltration systems in the grassy area. Ms. McLeish confirmed the pool area was installed 40 years ago.

Commissioner Gauthier asked what level storm event would cause runoff to over-top the retaining wall. Mr. Lindholm didn't know specifically, but stated it would be somewhere between the 2 and 10 year storm event.

Commissioner DeAvila noted the distance from the rain garden to the retaining wall and stated he was concerned the water would permeate into the gravel below the rain garden and then exfiltrate through the joints in the wall. Mr. Lindholm offered to include an impermeable barrier between the rain garden and the wall. Commissioner DeAvila agreed this would address his concern.

Commissioner Gauthier opened the floor to the public for questions and comments. He received no responses.

Commissioner Gauthier **motioned to continue this hearing to the meeting on 5/19. Commissioner DeAvila seconded.** Commissioner Gauthier led a roll call vote. All attending commissioners voted "aye." The motion carried 5-0.

## **2.2. 270 Bussey Street – RDA 2022-04 – Walkway Repair and Replacement**

Applicant: Dela Plaza East, Inc. Representative: James J. DeVellis, DeVellis Zrein Inc.

James DeVellis stated that a previous project on the property was approved in 2019, but exterior work never commenced. The building owners have decided not to proceed with the permitted project, but would like to replace the walkways to the front and rear of the building. In the rear of the building, an elevated walkway will be removed and replaced. Sonotubes and a concrete stair landing will be placed to support the new structure. To the front of the building, the sidewalk below the canopy of the building will be replaced in-kind. Both areas are within 200' of Mother Brook.

Commissioner Radner asked if any work was completed for the previously permitted project. Mr. DeVellis stated some interior work had been completed, but work never began on the exterior.

Commissioner Gauthier opened the floor to the public for questions and comments. He received no responses.

Commissioner Gauthier **motioned to close the hearing for this item and issue the Negative Determination of Applicability as drafted.** Commissioner DeAvila seconded. Commissioner Gauthier led a roll call vote. All attending commissioners voted "aye." The motion carried 5-0.

## **3. Request for Certificate of Compliance**

### **3.1. 270 Bussey Street – DEP #141-0535/MSMP 2018-07**

As Mr. DeVellis stated during discussion for the previous item, the applicant is requesting a Certificate of Compliance that invalidates the previously issued permits as work never commenced and the applicant no longer wishes to pursue this project.

Mr. DeVellis noted that the draft Certificate of Compliance for the Major Stormwater Management Permit referenced an ongoing condition to maintain the new features according to the Operations and Maintenance Plan. He requested this be removed since no work was completed. Agent Brown confirmed this could be removed.

Commissioner Radner noted that the project was initially approved under two addresses (270 and 290 Bussey Street) and the Certificate of Compliance should reference both of those addresses.

Commissioner Gauthier **motioned to issue a Certificate of Compliance for this item as drafted with the removal of the reference to an Operations and Maintenance Plan and ensuring the addresses match those listed on the original permits.** Commissioner DeAvila seconded. Commissioner Gauthier led a roll call vote. All attending commissioners voted “aye.” The motion carried 5-0.

#### **4. Update on Notice of Violation – 414 Westfield Street**

This item was not discussed.

#### **5. Minutes – 4/7/22 and 4/21/22**

Commissioner Gauthier **motioned to approve the minutes from 4/7 and 4/21.** Commissioner DeAvila seconded. Commissioner Gauthier led a roll call vote. All attending commissioners voted “aye.” The motion carried 5-0.

#### **6. Agent’s Report**

- Updating on Commission vacancies, Agent Brown stated Commissioner Hafrey was likely to be reappointed and Alternate Commissioner Puopolo was likely to be elevated to Associate Commissioner. She stated the remaining vacancies will be reposted.
- Town meeting will be held on May 16<sup>th</sup>.
- A Request for Proposals has been issued for a Watershed Management Plan for Wigwam Pond as a precursor to a public access study.
- Commissioner Radner completed the Commissioner Certification program through the Massachusetts Association of Conservation Commissions.

Commissioner Radner **motioned to adjourn.** Commissioner Holmes seconded. All attending commissioners voted “aye.” The motion carried 5-0.

The meeting was adjourned at 8:30 PM.