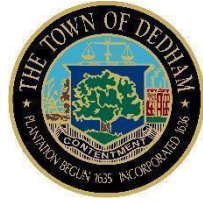


Stephanie Radner, Chair
Nathan Gauthier, Vice Chair
Tim Puopolo, Clerk
Leigh Hafrey, Associate
Bob Holmes, Associate
Erik DeAvila, Associate
Elissa Brown, Agent
Patrick Hogan, Asst. Agent



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TOWN OF DEDHAM

CONSERVATION COMMISSION

Minutes of July 21, 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:

Nathan Gauthier, Chair Pro Tem
Tim Puopolo, Clerk
Erik DeAvila
Bob Holmes

The following staff were also present:

Elissa Brown, Agent
Patrick Hogan, Assistant Agent

The following Commissioners were absent:

Stephanie Radner, Chair
Leigh Hafrey

The following Applicants and/or Representatives were present:

Jason Mammone, Dedham Engineering, Applicant – 55 River Street
Joseph Flanagan, Dedham DPW, Applicant – 55 River Street
Colleen Kennedy, Weston & Sampson, Representative – 55 River Street
Jamie Fair, Weston & Sampson, Representative – 55 River Street
Peter DeFusco, Eversource, Applicant – 11 Cecil Place
Kate Wilkins, Tighe & Bond, Representative – 11 Cecil Place
Tim Grace, Tighe & Bond, Representative – 11 Cecil Place
Meredith Chamberlin, Dedham Country Day School, Representative – 90 Sandy Valley Road
Josh Soares, Nitsch Engineering, Representative – 90 Sandy Valley Road
Michael Toohill, Coneco, Representative – 124 Country Club Road
Peter Martin, Architect, Representative – 53 Thompson Street
Stephen Kenny, Applicant – 27 Martin Bates Street
Brian Nelson, Metro West Engineering, Representative – 27 Martin Bates Street
Bob & Lee Graham, Applicants – 20 Jackson Pond Road
Jim DeCelle, DeCelle-Burke-Sala, Representative – 35 Roosevelt Road

Chair Pro Tem Gauthier called the meeting to order at 7:05 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. New Application

1.1. 55 River Street – DEP #141-0600/MSMP 2022-13 – Stormwater Improvements

Applicant: Joseph Flanagan, Town of Dedham DPW

Representative: Alexandra Gaspar, Weston & Sampson

Jason Mammone, Town Engineer, stated the project proposes to upgrade the existing stormwater infrastructure at the Town DPW Facility to improve the quality of the site's runoff. This project will also partially satisfy one of the Town's MS4 Permit requirements to retrofit Town properties with Best Management Practices to reduce the frequency, volume, and pollutant load of stormwater runoff.

Colleen Kennedy, representative for the project, stated the project is proposing to install 3 new water quality structures, a double catch basin, and a plunge pool. The plunge pool will be placed in the gravel area at the rear of the site. The water quality structures are Contech CDS Hydrodynamic Separators. One will be a new structure and the other two will replace existing structures.

Commissioner Gauthier asked if any trees greater than 6" in diameter will be removed. Joe Flanagan, DPW Director, denied and stated all trees in that area are smaller than 6".

Commissioner Gauthier asked if the project would result in a reduction of storage volume in the flood zone. Jamie Fair, representative for the project, denied.

Commissioner Gauthier asked if plantings were included as part of the project. Ms. Kennedy denied and stated that the surface around the plunge pool is currently gravel and will remain as such.

Commissioner Gauthier opened the floor to the other Commissioners for questions. He received no responses.

Commissioner Gauthier asked Assistant Agent Hogan if he had any comments. He responded that Agent Brown would like to have a site visit with the project's engineers to address a few questions about the design. Ms. Kennedy stated this was acceptable. Assistant Agent Hogan stated he would schedule a site visit with the engineers and keep the Commissioners updated on the date and time of the visit.

Commissioner Gauthier **motioned to continue the hearing on DEP #141-0600 and MSMP 2022-13 to the meeting on 8/4**. Commissioner DeAvila seconded. Commissioner Gauthier led a roll call vote. All attending commissioners voted "aye." The motion carried 4-0.

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

2.1. 11 Cecil Place – MSMP 2022-10/RDA 2022-06 – Site and Equipment Improvements

Applicant: Eversource Energy Service Company

Representative: Katy Wilkins, Tighe & Bond

Kate Wilkins stated the peer review of the design has been completed and all of the reviewer's comments have been addressed. Assistant Agent Hogan confirmed the peer reviewer was satisfied with the revised design.

Commissioner Gauthier **motioned to close the hearing for MSMP 2022-10 and RDA 2022-06.** Commissioner DeAvila seconded. Commissioner Gauthier led a roll call vote. All attending commissioners voted “aye.” The motion carried 4-0.

Commissioner Gauthier **motioned to issue MSMP 2022-10 and the Negative Determination of Applicability for RDA 2022-06 as drafted.** Commissioner DeAvila seconded. Commissioner Gauthier led a roll call vote. All attending commissioners voted “aye.” The motion carried 4-0.

2.2. 90 Sandy Valley Road – DEP #141-0599/MSMP 2022-09 – Classroom Addition

Applicant: Dedham Country Day School

Representative: William Schreefer, Nitsch Engineering

Josh Soares, representative for the project, stated that the plan set has been updated to include the installation of a new sanitary sewer line.

Commissioner Puopolo asked if these plans had been approved by the Planning Board. Meredith Chamberlin, applicant for the project, confirmed.

Mr. Soares stated the Town Engineering Department is currently reviewing and commenting on the layout of the sewer line. Commissioner Gauthier noted that additional erosion and sediment controls for the sewer work were not shown on the plan. Mr. Soares stated that the plan could be updated once the Engineering Department approved the alignment of the sewer. Commissioner DeAvila suggested that silt sacks could be added to the existing storm drains that are adjacent to the work area.

Commissioner Gauthier asked the applicant if they were amenable to the Commission approving the permits with the condition that an updated site plan showing the erosion and sediment controls around the sanitary sewer work area be approved by the Conservation Agent prior to the start of work. Mr. Soares confirmed. Commissioner Gauthier added that if the Engineering Department’s review resulted in changes to the plan, the applicant would need to request a modification to any issued approvals.

Commissioner Gauthier asked the other Commissioners if they would support and approval with the above-mentioned condition. The Commission generally agreed.

Commissioner Gauthier **motioned to close the hearing for DEP #141-0599 and MSMP 2022-09.** Commissioner DeAvila seconded. Commissioner Gauthier led a roll call vote. All attending commissioners voted “aye.” The motion carried 4-0.

Commissioner Gauthier **motioned to approve the requested waivers allowing test pits to be completed prior to construction and limiting the infiltration requirements to the project area, and also to issue MSMP 2022-09 and the Order of Conditions for DEP #141-0599 as drafted with the added condition that updated plans for erosion and sediment controls be approved by the Conservation Agent prior to the start of construction.** Commissioner DeAvila seconded. Commissioner Gauthier led a roll call vote. All attending commissioners voted “aye.” The motion carried 4-0.

2.3. 124 Country Club Road – DEP #141-0601 – Pond Herbicide Application

Applicant: Carlton Henry, Dedham Country & Polo Club

Representative: Michael Toohill, Coneco

Michael Toohill stated that the DEP issued a File Number (DEP #141-0601) earlier this afternoon, but there have been no further changes to the proposal since the last discussion.

Commissioner Gauthier opened the floor to the other Commissioners for questions. He received no responses.

Commissioner Gauthier **motioned to close the hearing for DEP #141-0601**. Commissioner DeAvila seconded. Commissioner Gauthier led a roll call vote. All attending commissioners voted “aye.” The motion carried 4-0.

Commissioner Gauthier **motioned to issue the Order of Conditions for DEP #141-0601 as drafted**. Commissioner DeAvila seconded. Commissioner Gauthier led a roll call vote. All attending commissioners voted “aye.” The motion carried 4-0.

2.4. 390 Cedar Street – MSMP 2022-12 – New Two-Family Dwelling

Applicant: Robert Stow

Representative: Edmond Spruhan, Spruhan Engineering

Assistant Agent Hogan stated that the applicant requested a continuation of this item to the hearing on 8/18 without discussion.

Commissioner Gauthier **motioned to continue this item to the hearing on 8/18**. Commissioner Holmes seconded. Commissioner Gauthier led a roll call vote. All attending commissioners voted “aye.” The motion carried 4-0.

2.5. 53 Thompson Street – RDA 2022-07 – Two-Story Addition

Applicant: Peter Martin Architect

Peter Martin stated a revised set of plans have been submitted with a clarified silt fence detail and the inclusion of a catch basin prior to the drywell.

Commissioner Gauthier opened the floor to the other Commissioners for questions. He received no responses.

Commissioner Gauthier **motioned to close the hearing for RDA 2022-07**. Commissioner DeAvila seconded. Commissioner Gauthier led a roll call vote. All attending commissioners voted “aye.” The motion carried 4-0.

Commissioner Gauthier **motioned to issue the Negative Determination of Applicability for RDA 2022-07 as drafted**. Commissioner DeAvila seconded. Commissioner Gauthier led a roll call vote. All attending commissioners voted “aye.” The motion carried 4-0.

3. New Applications

3.1. 27 Martin Bates Street – RDA 2022-08 – Residential Site Improvements

Applicant: Stephen Kenny

Representative: Robert Gemma, MetroWest Engineering, Inc.

Brian Nelson, representative for the project, stated this RDA has been filed in response to a Notice of Violation issued by the Conservation Commission on November 3, 2021. He stated a garage addition, driveway expansion, reconstruction of a retaining wall, and addition of fill previously occurred and are being included in this RDA. Proposed work includes the installation of a new walkway, paver extension of the driveway, and a new drywell sized to handle 2” of runoff from the front-facing roof surfaces. The planting of two 2” maple trees and four viburnum shrubs are also proposed.

Commissioner Gauthier noted the extent of the work and asked for clarification on the overall disturbance area. Mr. Nelson calculated over 3,000 ft² of total disturbance (from recent projects as well as proposed). Commissioner Gauthier commented that this project would therefore also require a Major Stormwater Management Permit.

Commissioner DeAvila asked if the walkway and paver driveway extension were permeable. Mr. Nelson denied. He stated that the overall project results in an increase in 982 ft² of impervious area. The proposed drywell is sized to capture 2" of runoff from 960 ft² of surfaces, but it is collecting it all from the roof rather than the new driveway or walkway. He added that there is an existing drywell not included in the calculations.

Commissioner Gauthier noted that, by not collecting runoff from the walkway and expanded driveway, stormwater would flow directly across the road to the resource area. He asked if a trench drain could be used at the driveway entrance. Mr. Nelson stated infiltration was unlikely to be successful due to the elevation of the driveway entrance in relation to the wetland. After discussion, Mr. Nelson stated he could examine other possibilities to address the driveway runoff, such as a rain garden or porous pavement. Commissioner DeAvila agreed that the driveway runoff should be addressed in some way.

Mr. Nelson asked if the Commission felt an RDA was appropriate for this project, or if he should prepare a Notice of Intent. The Commission generally agreed that the biggest concern for the resource area was stormwater runoff and, if appropriately addressed, an NOI would likely not be needed.

Commissioner Gauthier noted that a Major Stormwater Management Permit application would need to be filed and a Determination should not be issued at this time in case the project changes based on those discussions. Mr. Nelson agreed and asked that this be continued to the hearing on 8/18.

Commissioner Gauthier **motioned to continue this item to the hearing on 8/18**. Commissioner Holmes seconded. Commissioner Gauthier led a roll call vote. All attending commissioners voted "aye." The motion carried 4-0.

3.2. 20 Jackson Pond Road – RDA 2022-09 – Garage Addition

Applicant: Robert Graham

Robert Graham stated he is proposing to construct a golf cart barn as an addition to his existing garage. The addition would be within the 100' buffer to Jackson Pond.

Commissioner Gauthier asked if gutters would be included. Mr. Graham stated neither the existing garage nor the proposed addition have gutters. The roofs shed water directly onto the lawn.

Commissioner Gauthier asked if the addition will be constructed on a concrete slab. Mr. Graham confirmed and stated that a slab already partially covers the area where the addition will be.

Commissioner Gauthier commented that erosion and sediment controls should be included on the plan between the work area and the resource area. Commissioner DeAvila added that controls should be added around any potential soil stockpiles, as well. Mr. Graham agreed that they could be added. Commissioner Puopolo suggested the project be approved with the condition that an erosion and sediment control plan be submitted prior to the start of work.

Commissioner Gauthier **motioned to close the hearing for RDA 2022-09**. Commissioner DeAvila seconded. Commissioner Gauthier led a roll call vote. All attending commissioners voted "aye." The motion carried 4-0.

Commissioner Gauthier **motioned to issue the Negative Determination of Applicability for RDA 2022-09 as drafted with the added condition that updated plans for erosion and sediment controls be approved by the Conservation Agent prior to the start of construction.** Commissioner DeAvila seconded. Commissioner Gauthier led a roll call vote. All attending commissioners voted “aye.” The motion carried 4-0.

4. Request for Certificate of Compliance

4.1. 35 Roosevelt Road – MSMP 2019-13 – New SFD

Jim DeCelle, representative for the project, stated an as-built had been submitted and Agent Brown had visited the site to verify all work has been completed.

Commissioner Gauthier noted that this project was also issued an Order of Conditions, but it requires a 3-year period of invasive species management which has not yet been completed, so this request only relates to the project’s Major Stormwater Management Permit. Mr. DeCelle confirmed.

Commissioner Gauthier opened the floor to the other Commissioners for questions. He received no responses.

Commissioner Gauthier **motioned to issue a Certificate of Compliance for MSMP 2019-13.** Commissioner DeAvila seconded. Commissioner Gauthier led a roll call vote. All attending commissioners voted “aye.” The motion carried 4-0.

5. Minutes – 7/7/2022

Commissioner Gauthier **motioned to approve the minutes from 7/7/2022 as drafted.** Commissioner DeAvila seconded. Commissioner Gauthier led a roll call vote. All attending commissioners voted “aye.” The motion carried 4-0.

6. Agent’s Report

Assistant Agent Hogan provided the following updates:

- The allowance for virtual meetings has been extended to March 31, 2023.
- Agent Brown asked the DEP Circuit Rider for guidance on NOI’s for aquatic vegetation management and has received many responses from other municipalities. She will review this information and have it as reference the next time a similar NOI is submitted.
- Agent Brown has been working with the Town’s new Director of Procurement to create an on-call services contract for peer review.

Commissioner DeAvila **motioned to adjourn.** Commissioner Gauthier seconded. All attending commissioners voted “aye.” The motion carried 4-0.

The meeting was adjourned at 8:42 PM.