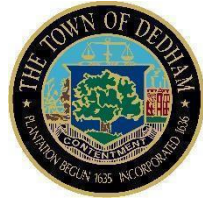


Stephanie Radner, Chair
Nathan Gauthier, Vice Chair
Tim Puopolo, Clerk
Leigh Hafrey, Associate
Bob Holmes, Associate
Erik DeAvila, Associate
Elissa Brown, Agent
Patrick Hogan, Asst. Agent



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TOWN OF DEDHAM CONSERVATION COMMISSION

Minutes of September 1, 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
Leigh Hafrey
Erik DeAvila
Bob Holmes

The following staff were also present:

Elissa Brown, Agent
Patrick Hogan, Assistant Agent

The following Commissioners were absent:

Tim Puopolo, Clerk

The following Applicants and/or Representatives were present:

Stephen Kenny, Applicant – 27 Martin Bates Street
Brian Nelson, MetroWest Engineering, Representative – 27 Martin Bates Street
Genci Pance, Applicant – 17 Maverick Street
Ardi Rrapi, Cheney Engineering, Representative – 17 Maverick Street

Commissioner Radner called the meeting to order at 7:03 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. 27 Martin Bates Street – RDA 2022-08/MSMP 2022-16 – Residential Site Improvements

Applicant: Stephen Kenny Representative: Robert Gemma, MetroWest Engineering, Inc.

Brian Nelson, representative for the project, stated the plan had been updated based on comments from the last meeting. Updates include the addition of topographic lines, the completion of 2 test pits, and the addition of a trench drain and manhole with a sump. The trench drain is at the lowest possible elevation on the driveway to still allow gravity flow to the proposed drywell. Mr. Nelson stated a Major Stormwater

Management Permit application has been submitted and waivers have been requested to allow for an infiltration system with less than 2' separation from groundwater and because not all impervious surfaces are captured in the current design.

Commissioner Radner asked if a drainage report was submitted as part of the Major Stormwater Management Permit application. Mr. Nelson denied, but stated he had completed the calculations for the drywell sizing. He also stated that he believes the recharge capacity of the proposed system exceeds the requirements due to the permeability of the underlying soil. Agent Brown noted the drainage report is typically used to ensure there is no increase in peak discharge or peak volume.

Agent Brown asked if the drywell is sized for 2" of runoff from new impervious surfaces or all impervious surfaces. Mr. Nelson stated it was sized based on what is flowing to it, not for all impervious area on the site. Commissioner Radner asked for clarification on what is being directed to the drywell. Mr. Nelson stated that neither the northeast corner of the roof nor the lowest portion of the driveway is being directed to the drywell. Commissioner Radner asked if anything could be placed at the base of the driveway to capture runoff. Mr. Nelson declined and stated there was no way to drain it since it is at the lowest elevation.

Commissioner Hafrey asked if a rain garden could be used to capture runoff from the lower driveway. Mr. Nelson stated he had considered it, but constraints (trees, utilities, grading requirements, soil variability) made it infeasible.

Agent Brown clarified the drywell calculations, stating that 441 ft³ is required, but 180 ft³ of storage is proposed. Mr. Nelson stated site constraints make additional storage difficult. He stated he considered a stormwater measure in the northern yard, but he was concerned the soil there would not bear the weight of a structure.

Commissioner Radner asked if any trees had been removed. Mr. Nelson declined, but noted red maples and viburnum are proposed as new plantings anyway.

Commissioner Radner asked if the existing depression in the northern yard could be further utilized as a rain garden. Mr. Nelson said he could consider it, but he was concerned about digging in this area due to the soil's composition and high organic content.

Commissioner DeAvila asked who owned the land between the retaining wall and the street and if a swale could be placed there. Mr. Nelson stated the wall is near the edge of the owner's property and there wasn't enough room for a swale.

Commissioner DeAvila asked if a Cultec unit could be included in the southwest lawn to capture the lower portion of the driveway. Mr. Nelson it would likely be too close to groundwater to function properly.

Mr. Nelson stated he had considered porous pavement for the lower portion of the driveway, but noted that DEP doesn't like porous pavement near wetlands. Agent Brown stated she was not familiar with that position from DEP and believes porous pavement or permeable pavers could be effective in this area. Mr. Nelson agreed permeable pavement was the best way to capture the lower driveway runoff and, if the Commission was in favor of it, he would pursue including it in the design.

Commissioner Radner opened the floor to the public for comment. She received no responses.

Commissioner Radner stated she felt the application wasn't complete and a drainage report should be prepared, but with the current information she didn't feel the proposal met the regulations to the maximum extent practicable.

Mr. Nelson stated he had prepared and could submit HydraFlow calculations, but he has not completed a full drainage report as he felt confident the design would result in a reduction in peak flow and peak volume. He stated he could prepare the full drainage report if the Commission wished, however.

Mr. Nelson also noted that the system as designed provides 2,800 ft³/day of capacity when both storage and infiltration are taken into account. He asked for clarity on whether this was acceptable or if the system had to be redesigned to provide the required 441 ft³ as storage alone. Commissioner Radner commented that there was a concern that a heavy rainstorm could cause water to accumulate quicker than it could be infiltrated. Mr. Nelson stated his HydraFlow model suggested a 100-year storm would generate 870 ft³ of runoff, with 827 ft³ being infiltrated. Based on these results, he felt providing the full amount as dry storage was excessive, but requested guidance on what the Commission preferred. Commissioner Gauthier noted shallow groundwater at the site could interfere with the expected daily infiltration rate and suggested the retainage be provided as dry storage. Mr. Nelson stated he believed there was enough separation from groundwater to allow for the full daily infiltration rate, but noted that the full drainage report would help illustrate the point.

Commissioner Radner stated she was understanding of the constraints, but believed some construction on the driveway may have continued after the Notice of Violation was issued, which may have led to more issues. Mr. Kenny stated that the only construction that had been completed since the meeting where the violation was discussed was the front entryway, which the Commission allowed. Agent Brown confirmed that the Notice of Violation had been issued around the time of the driveway paving, but it likely wasn't received by the applicant until after the paving was complete. Commissioner Radner understood.

Commissioner Radner asked that the project team reconsider any opportunity to increase the stormwater storage capacity on the site and, if further increasing the capacity is not feasible, formally request a waiver in writing with clear justification. Mr. Nelson stated he could expand on the previously submitted materials, potentially include permeable pavement, and prepare a drainage report. Agent Brown asked for additional detail drawings on the trench drain and the proposed paver drive on the plans.

Commissioner DeAvila noted the natural swale to the north side of the property and asked if it could be utilized. Mr. Nelson said it could be expanded, but he didn't believe there would be much runoff generated by that area. He reiterated his concern about machinery working in this area having an effect on the existing structures.

Commissioner Hafrey noted that the adjacent property to the north occasionally floods and asked if a rain garden on that side would create an involuntary draw for that extra runoff. Mr. Nelson stated he didn't believe that would occur, but would include a modeled point at that location in the drainage report.

Commissioner Radner **motioned to continue the hearing on RDA 2022-08 and MSMP 2022-16 to the 9/15 meeting**. Commissioner Hafrey seconded. Commissioner Radner led a roll call vote. All attending commissioners voted "aye." The motion carried 5-0.

2. New Applications

2.1. 17 Maverick Street – DEP #141-0602/MSMP 2022-15 – Demo Existing House and Construct New Two-Family Dwelling

Applicant: Genci Pance, E&N Investments LLC Representative: Ardi Rrapi, Cheney Engineering LLC

Mr. Rrapi presented the proposal. He stated the existing structures and driveway on the site will be removed and replaced with a two-family dwelling and parking area. A portion of the parking area will be within the 200' Riverfront Area, but not as far into Riverfront as the existing driveway. A fence is proposed on each side of the property to the 100' Inner Riparian Zone, but it will only be present on the sides of the property and will not fully enclose the yard. Two trees will be removed and two new apple trees are

proposed. The project is also proposing invasive species removal on the site. Overall, the project will result in a decrease of about 1,718 ft² of impervious area on the site.

Commissioner Radner asked for specifics on the proposed invasive species removal. Mr. Rrapi stated they are unsure of the species currently on the site or the removal methods. He is requesting the Commission approve the permit with a condition that a Wetland Scientist plan and perform the work with the approval of the Conservation Agent.

Commissioner Radner noted there are only two replacement trees planned, but the regulations would require 4. Mr. Rrapi stated two additional trees could be added to the plan, but would prefer this was included as a condition of approval.

Commissioner Radner stated a Homeowner's Agreement for maintenance of the stormwater system would be needed since the system was shared between two units. She noted that the applicant requested submission of the agreement be conditionally required prior to the issuance of a Certificate of Occupancy.

Commissioner Holmes asked for clarification on the planned fence as a barrier to wildlife. Mr. Rrapi clarified that there would likely be a gap along the bottom subject to the terrain, but the back of the yard would not be fenced, so it would not present a continuous barrier.

Commissioner Gauthier noted that the alternatives analysis did not consider smaller footprints or fewer parking spaces. Mr. Rrapi stated the owner had already received approval from the Zoning Board of Appeals for the footprint of the house, so it remained the same in all considered alternatives. The project team did consider shrinking the parking area, but it would have made parking difficult.

Commissioner Radner asked if there were plans for a snow storage area. Mr. Rrapi stated he thinks the snow will be plowed into the yard at the edge of the parking spaces. He noted that while this is slightly within the Riverfront Area, it is part of a large flat field with a long distance before the terrain slopes more significantly toward the river.

Commissioner Radner opened the floor to the public for comment. She received no responses.

Commissioner Radner asked Agent Brown for her comments. Agent Brown stated that a draft Order of Conditions and Major Stormwater Management Permit have been drafted. Based on the conversation, she suggested the permit could be approved on the condition that a revised plan showing two additional trees be provided prior to issuance. Additionally, conditions requiring two years of invasive species removal and monitoring and a 6" gap at the bottom of the fence could be included.

Commissioner Radner noted the proposed edge of lawn just outside the 100' Inner Riparian Zone and suggested something be placed on site to clearly designate the edge of the lawn. She suggested the proposed shrub plantings be placed along this area. Mr. Rrapi agreed this was possible and asked that he be able to coordinate with Agent Brown to approve their placement. Agent Brown stated she would like to see a final plan that included the additional trees and the placement of monuments or plantings at the edge of the lawn before permit issuance. Mr. Rrapi agreed this was acceptable.

Commissioner Radner **motioned to close the hearing on DEP 141-0602 and MSMP 2022-15 and issue the applicable permits as drafted with the added condition that 2 years of invasive species management be performed under the supervision of a wetlands scientist, on the condition that a new revised plan is submitted prior to issuance.** Commissioner Gauthier seconded. Commissioner Radner led a roll call vote. All attending commissioners voted "aye." The motion carried 5-0.

3. Minutes – 8/18/2022

Commissioner Radner **motioned to approve the 8/18/2022 meeting minutes as drafted.** Commissioner Gauthier seconded. Commissioner Radner led a roll call vote. All attending commissioners voted “aye.” The motion carried 5-0.

4. Agent’s Report

Agent Brown provided the following updates:

- Commissioner Puopolo completed the MACC Certification Program.
- Commissioner Radner has been working with a local garden club who has been publishing articles in the Dedham Times called “Conservation Matters.” The club has asked if the Conservation Department and/or Commissioners would like to contribute content to these articles. Commissioner Radner is still gathering details on logistics, but she would reach out and ask if anyone was interested once they are ready for additional authors.
- Paul Lindholm is continuing to work with the homeowners at 121 Whiting Avenue and 177 Meadowbrook Road to prepare a filing in response to the noted violations.
- The response to the violation at 414 Westfield Street is nearly complete. The pipe has been disconnected, the catch basin in the road is now a leaching basin, the site is stabilized with seed and natural weeds, and some woody vegetation has been planted. She stated some shrubs will be replaced if they don’t survive and some soil piled at the base of trees still needs to be removed.
- The litigation at 530 Washington Street is ongoing and currently in negotiation. Another meeting is scheduled for next week.
- A draft Administrative Approval Policy is still available in DropBox. She has checked with the Massachusetts Society of Municipal Conservation Professionals and has found that other towns do not necessarily have a formal policy. If the Commission were to approve the policy, she believes it would grant more clarity to the process. Commissioner Radner requested more time to review the draft.
- A tree across the Charles River between the Dolan Center and Newbridge of the Charles has been sufficiently cleared by an unknown kayaker and Parks and Rec.
- An Administrative Approval has been issued for minor maintenance and repair of the Weld Pond Dam. The Office of Dam Safety has determined the dam is hazardous, so they will likely be submitting a Notice of Intent for more significant repairs in the near future.

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

The meeting was adjourned at 9:20 PM.