|   | The Town of DedhamCommonwealth of MassachusettsConservation Commission26 Bryant StreetDedham, MA. 02026 |
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Conservation Commission - Meeting Minutes

Thursday, February 6, 2014, Dedham Town Hall- Lower Conference Room

Members Present: Fred Civian (Chairman), Laura Bugay, Brian McGrath, and David Gorden.

Members Absent: Andrew Tittler, Kristine Langdon, and Jonathan Briggs

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

7:00 PM- 399 West Street- *Abbreviated Notice of Resource Area Delineation from Perry and William Phinney, represented by Goddard Consulting, for the confirmation of all wetland resource areas at 399 West Street. (DEP File number 141-0462) Continued from 01/16/14*

Agent O’Connell informed the Commission that the applicant has requested to continue until the February 20th meeting.

Mr. Civian made a motion to continue the hearing for 399 West Street to the February 20th meeting, seconded by Ms. Bugay. UA.

7:02 PM- 2-4 Bridge Street- *Notice of Intent from Ken Murphy of Laroma Realty Trust, to conduct soil cores throughout the riverfront area located at 2-4 Bridge Street to map out the extent of buried debris under the parking lot from a boathouse fire in 1946. (DEP File number 141-0463)*

Kevin Doherty was present to represent the applicant from Knoll Environmental. Mr. Doherty provided an aerial photograph of the boathouse from the past and additional photos and sketches of the boathouse that existed before the fire. He explained that they found some of the burnt debris and in that debris was old paint consisting of metals and lead which are not allowed to stay buried under the ground. They are trying to map out where the burnt debris was buried and what the ground is made of. The proposal would be to do two inch diameter soil core borings throughout the entire area so that they can clearly see where the ash layer is located to determine the extent of contamination. Following a limited site investigation, they know that there is an ash layer in that area. Mr. Doherty explained that the worst case scenario would be if they do borings along the riverbank area and find an ash layer there, in which case they would need to go along the riverbank itself to determine if the contaminates from the soil are leaching into the river. A better scenario would be that it does not extend to the riverbank area.

Mr. Gorden asked if the ash in the ground actually constitutes urban fill and therefore can be left in the place. Mr. Gorden also asked if they are doing this so that when something is planned to be developed there that it would be a “clean parcel”. Mr. Doherty responded that this would not be classified as urban fill because you are only allowed to have lead paint in the ground if it is a certain distance from your house, and since it does not fall into that category they are required to do something about the ash layer containing lead and chrome. Mr. Gorden asked if they were able to confirm where the lead that was found came from. Could it be from the gas station? Mr. Doherty responded that it was tested and they were able to confirm the source was the boathouse fire.

Ms. Bugay asked what standard they are comparing groundwater sampling results to. Mr. Doherty responded groundwater 2 and 3.

Agent O’Connell commented that this would be beneficial to the public’s health, so she recommended that an Order of Conditions be issued.

Mr. Civian commented that the applicant has requested a waiver to do work within the buffer zone. The Commission voted to issue the waiver.

Ms. Bugay asked when they plan to do the soil cores. Mr. Doherty responded that due to the frozen ground and limited visibility they would not be able to begin for at least a month.

Mr. Civian made a motion to close the public hearing for 2-4 Bridge Street, seconded by Ms. Bugay. UA.

Mr. Civian made a motion to issue an Order of Conditions with standard conditions of approval as recommended by Agent O’Connell, seconded by Ms. Bugay. UA.

7:20 PM- Mass DOT Route 128 Add-A-Lane Project – *Request for a minor modification to an existing Order of Conditions for the on-going highway project. (DEP File number 141-0415)*

Consultants for DOT were present. Sayeed Salom, Highway Engineer, and Daniel Dang, Structural Engineer were present for the hearing. Mr. Salom explained that they will be replacing the catch basins in the 7 locations in the southbound and 1 location in the northbound where they were not able to located the outlets. The water at each location will then flow through a new pipe and come out at the headwall and a stone end. Mr. Salom explained that this will ensure an efficient drainage system.

Agent O’Connell confirmed with Mr. Salom that in all cases the catch basins will have deep sumps and hoods.

Agent O’Connell commented that she feels the requests are relatively minor, and she recommended approval of the minor modifications. She did not feel an amended order would be necessary.

Mr. Gorden asked if there have been any other issues with this project. Agent O’Connell explained that in the past a minor modification was needed in another location, but otherwise there have not been any other issues that have come up.

Mr. Civian made a motion to affirm that this request is a Minor Modification for the Add-a-lane project, seconded by Ms. Bugay. UA.

7:40 PM- 42 Burgess Lane (aka Lot 1, Schoolmaster Lane) – *Request for an amendment to an existing Order of Conditions, from Supreme Development, Inc., to relocate a proposed wetland crossing, reduce the proposed amount of wetland fill and construct a single-family house, pool, patio, driveway and associated accessory buildings on property located at 42 Burgess Lane, also known as Lot1 Schoolmaster Lane. (DEP File number 141-0341)*

Mike Carter from GCG Associated presented details on the plan to the Conservation Commission. He explained that lot 1 previously consisted of 5 lots. The new proposal would eliminate the 2 wetlands crossings that were previously approved.

Agent O’Connell asked if the boxed culvert would be bottomless. Mr. Carter explained why he prefers to use one that has a bottom and the process of installing such culvert, but added that if the desire of the Commission would be to remove the bottom he can do that.

Mr. Gorden asked about the flow rate of the stream at the new proposed crossing. Mr. Carter explained that they had calculated the flow rate at the original location and since they were moving the crossing about 500 feet upstream it would be less. They will keep the same boxed culvert for the openness ratio. Mr. Carter added that he doesn’t have the exact flow rate at this time.

Mr. Gorden asked if there were any plant species of special concern at the area of the new proposed crossing. Mr. Carter responded that there are fewer plants in that location due to an existing pathway at that location.

Mr. Gorden asked if the proposed road at the rear of the house would be paved. Mr. Carter responded that it would be a 1 ½ inch crushed stone. Mr. Gorden asked about plowing this road. Mr. Carter responded that the road would not need to be plowed.

Ms. Bugay asked what the comparison would be from the original submission to the current submission for UBA disturbance. Mr. Carter responded that the original plan had approximately 70,000 square feet of disturbance within the 100 foot buffer zone, the amended plan from a couple of years ago reduced it to 32,000 square feet, and the new plan brings it just over 75,000 square feet. Ms. Bugay asked if the UBA disturbance numbers are included on the revised plans. Mr. Carter responded that they are not.

Mr. Civian asked about the proposed wetland replication. Mr. Carter responded that it is a 2:1 ratio. Mr. Carter showed the original planting plan. The process would include removal of the existing soil and replacing with more organic material, and the list of plantings that were provided.

Agent O’Connell commented that the plan mentions transplanting plants, and she questioned how feasible they really think that is. Mr. Carter responded that he has done this in the past, but he realizes that most wetlands specialists find it easier to bring in new plants.

Mr. Civian confirmed with Mr. Carter that the new plan would have more disturbances within the 100 foot buffer, more disturbances within the UBA, and significantly less disturbance in the wetland itself.

Mr. Civian suggested that the Commission schedule a site-walk. Agent O’ Connell confirmed that is a good idea, but with the amount of snow it may be difficult to see where the wetland is located.

Agent O’Connell asked for more information on the replication plan per the local bylaw.

Mr. Civian made a motion to continue the hearing on 42 Burgess Lane to February 20, 2014, seconded by Ms. Bugay. UA.

8:05 PM- 255 & 303 West Street- *informal discussion*

Attorney Peter Zahka was present and explained that during the last informal discussion they discussed a senior living facility at 255 West Street, but now the client also has 303 West Street under agreement. The applicant’s preference would still be a one story facility.

Mr. Civian asked which other boards the client will need to go in front of for approvals. Mr. Zahka responded the Zoning Board of Appeals for a special permit, the Planning Board for major site plan review, and the Design Review Advisory Board.

Scott Henderson of McKenzie Engineering Group, was present with other consultants and civil engineers for the project from McKenzie Engineering, as well as their legal counsel. Mr. Henderson explained that the total parcel is now approximately 7.7 Acres. Mr. Henderson described the constraints that they had with the project at this location prior to the acquisition of additional land. Mr. Henderson informed the Commission that they had also considered a two-story footprint with a 30% smaller footprint which would not work for many reasons. This was when the applicant approached the abutters of the property to the West so that the additional property could be acquired and included in the site plan. The new proposed layout is a singles story footprint, approximately 36,000 square feet which would cover 11% of the lot. There will also be more space between the neighboring home and the proposed building. Mr. Henderson described where the UBA would fall, and explained that the closest 100 foot buffer to the project would be for the flood plain.

Mr. McGrath asked for an explanation of the corridor that was pictured on the plan going down to the river. Mr. Henderson responded that it is an easement that they cannot touch.

Ms. Bugay commented that she feels that this is a better concept than the previous layout since they are expanding to the lot next door and are able to pull more away from the disturbance on the riverfront and all of the buffer areas.

Mr. Gorden asked if the applicant would be giving Needham a formal presentation on the project due to their proximity to Needham. Mr. Henderson replied that they do need to notify the Needham Conservation Commission and the Planning Board and they will once they have a formal request and plan.

Agent O’Connell asked if they have considered how they will handle roof runoff. Mr. Henderson responded that it would be easy to infiltrate into sub-surface chambers. They are also considering bio-retention cells and a possible rain garden. Agent O’Connell also asked if they have any information on the quality of the soils. Mr. Henderson responded that will be conducting soil testing on the site.

Mr. Civian asked how they will be obtaining water for the landscaping. Mr. Henderson responded that they have not considered this yet. Mr. Civian explained the importance of fully exploring Low Impact Development techniques.

Mr. Gorden commented about preservation of existing trees and working them into the landscape where possible.

Mr. Henderson commented that they will be happy to address Low Impact Development concerns where possible, and happy to work on tree preservation. He assured the Commission that they will do the best that they can to satisfy their concerns.

Mr. Civian commented that the Commission will also be responsible for looking at the Endangered Species Habitat at this location. Mr. Henderson confirmed that he they did discuss their intent with Natural Heritage, and he will submit all of the documentation that they submit for the Notice of Intent to them as well. Ms. Bugay commented that Natural Heritage take about 30 days to review a filing. Mr. Henderson responded that they are likely going to submit the current plan to them this week and then keep them updated throughout the process.

Mr. Gorden asked about the datum used for their survey. Mr. Henderson responded that they are using the NAVD-88 which is the latest and greatest.

Mr. Henderson asked if the Conservation Commission will entertain any work within the UBA? Mr. Civian responded that they would prefer work to stay outside of the UBA, but at times applicants have made case that they should be able to go within the UBA and in those cases a need to do so would need to be presented. Agent O’Connell added that a waiver request would also be required for any work within the UBA.

8:35 PM - Manor Fields – *informal discussion regarding vegetation clearing along Sprague St.*

Patrick Maguire of Activitas was present. He explained that they were present to provide a design update and they are looking for the Commission’s input. He explained that the Sprague Street project will likely come before the Manor Fields project. A continuing issue for the site has been determining access points. The proposal is to have a driveway that comes into the site and a bridge over the wetlands.

With the Gateway to the Manor project, there was a traffic study to monitor speeds and they were relatively slow at 37 -39 MPH. Some clearing would need to be done with the Buffer Zone of wetlands for necessary site distance. This would consist mostly of Norway Maples and Black Locusts.

Ms. Bugay commented that if the clearing is necessary for site lines and they are improving the buffer zones buy taking out invasive species and replacing them with native species then it seems relatively minor.

Agent O’Connell commented that she does not object to the clearing of the invasive species. She thinks it is a win-win.

Mr. Maguire commented that he agrees with Agent O’Connell that this would be a win-win, and he hopes that there is enough energy in Town to support the cost of this project.

Mr. Gorden asked about any soil investigation that has been done on site. Mr. Maguire responded that there was investigation of the soils done in the past, but he suspects that they will find a sandy/gravelly type of soil. Some work will need to be done to investigate the soils before they move forward.

8:50 PM- Mr. Civian commented that he would like to formalize the conversation from the previous meeting appointing him to the Open Space and Recreation Committee.

Mr. Civian made a motion to appoint himself to the Open Space and Recreation Committee as the Conservation Commissions designated representative, seconded by Ms. Bugay. UA.

Mr. Civian informed the Commission that the Selectmen did appoint a commissioner to replace Jonathan Briggs and they are waiting for written confirmation from him. Agent O’Connell confirmed that he has not yet been sworn in.

Ms. Bugay commented that it would be nice if in the future the Commission could see the resumes of the applicants that are being considered.

8:55 PM- Fence for Churchill Place Lot- Agent O’Connell informed the Commission that a potential buyer asked if he would need approval to fence in the small backyard of the house to prevent small children from falling into the detention basin. Agent O’Connell asked if an RDA would be necessary, and explained she feels it would be a minor impact. The commissioners agreed it is only a minor impact.

Agent O’Connell informed the Commission that there is need for a Conservation Commission member to site on the Manor Fields sub-committee. The committee meets once a month on Tuesdays.

9:00 PM- Mr. Bugay made a motion to adjourn, seconded by Mr. McGrath. UA.