|  | The Town of Dedham  Commonwealth of Massachusetts  Conservation Commission  26 Bryant Street  Dedham, MA. 02026 |
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Conservation Commission - Meeting Minutes

Thursday, January 16, 2014, Dedham Town Hall- Lower Conference Room

Members Present: Fred Civian (Chairman), Laura Bugay, Brian McGrath, Andrew Tittler, Kristine Langdon, David Gorden and Jonathan Briggs

Mr. Civian called the meeting to order at 7:10 PM

7:10 PM- 17 Paradise Lane- *Request for a Stormwater Management Permit from Whiting Avenue LLC for the construction of a single family dwelling on a vacant lot at 17 Paradise Lane. (SWP 2013-22)*  Continued from December 12, 2013.

Don Myers of Norwood Engineering and the applicant, David Raftery were present for the hearing.

Agent O’Connell recommended approval based on the revised plans received from Norwood Engineering.

Mr. Civian made a motion to issue the Stormwater Management Permit with the standard conditions of approval as recommended by Agent O’Connell, seconded by Mr. McGrath. UA.

7:15 PM- 65 Gibson Ave (Lot 2)- *Notice of Intent from Supreme Development for the construction of a single family dwelling at 65 Gibson Avenue (Lot 2). (DEP # 141- 0461)*

Don Myers gave some background information on the Gibson Avenue project as a whole. He explained that for this filing, the work that is proposed to be in the buffer zone will only be grading.

Mr. McGrath asked for more information about the proposed grading and how much soil is being removed to the back of the lot. Mr. Myers explained that they will be taking it down about four feet to make the site work. Mr. McGrath asked how this would work with the adjoining lot. He was concerned about overflow from the berm going straight into the wetland. Mr. Myers responded that it would not affect the infiltration berm. Mr. McGrath confirmed with Mr. Myers that any sheet flow runoff will be contained to the site.

Mr. Civian commented that it appears that some of the sheet flow will be directed to the berm, so he was wondering why the height of the berm was lower than the height of the property? Mr. Petruzziello explained that there is not a particular reason that the berm is not higher, and they can make the berm higher to meet the height of the property if the Commission desires. Mr. Gorden expressed concern about the maintenance of a 3 inch berm.

Mr. Myers commented that with lot 3, the berm will be higher since the property is higher. Mr. Petruzziello explained that the house is the height it is due to desire to have a flat backyard when you walk out of the rear of the property and added that he would be willing to raise the berms if needed.

Ms. Bugay asked if any storm water would be directed towards the drainage basin that is between lot 3 and the previous lot. Mr. Myers described the overall grading of the properties. Ms. Bugay confirmed with the applicant that the sub-surface soil in the backyards of lots 2 and 3 would provide good infiltration. Agent O’Connell also agreed.

Agent O’Connell commented that she would like to see the berm higher than it is. She added that she thinks the grading plan will work given how permeable the soil is.

Mr. Gorden asked Agent O’Connell about the compaction of soil in that area. Agent O’Connell responded that she knows that material from the excavation was used to fill the large depression on the site. She explained that she is not aware of how much compaction there has been on the site, but she thinks that most of the heavier equipment that has been moving around the site has been closer to the roadway itself rather than on the individual lots. Mr. Petruzziello commented that there has not been much compaction.

Ron Gallick , and abutter from Central Avenue, commented that he is more concerned with the Gibson Avenue project overall, not just these two lots. He explained following the approval for the project, the trees came down in three waves. After the trees were removed there was a hawk that was screeching for four weeks and then it was gone. There were a lot of birds and bats in the neighborhood that are also now gone. Mr. Gallick explained that he just wants to be assured that the project will be done “right”. He added that there is nothing on the circle to mark the line for the “conservation- land”, and that the pavement on the circle is level with the street. He was not sure if this was in conformance with the approved plans for the Gibson roadway. Mr. Gallick added that they can now see Route 1 from their neighborhood, and as a result there is light pollution, and noise pollution. He has also noticed an increase in the amount of mosquitoes.

Mr. Civian explained that the Conservation Commission does not have the ability to regulate tree removal. He explained that if residents have concerns about tree removal, they should work on requesting a tree management bylaw at Town Meeting.

Mr. Gallick asked how close the “conservation land” is to the turnaround circle. Mr. Myers explained that the 100 buffer is just outside of the circle.

Agent O’Connell recommended that an Order of Conditions be issued for 65 Gibson Ave with the standard conditions of approval.

Mr. McGrath explained that he would still like to see the berm higher and more defined to prevent it from being washed out. Ms. Bugay agreed. Mr. Myers suggested that it be added as a condition to the Order of Conditions. Mr. Civian explained that he would like it to be a 15 inch berm.

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 65 Gibson Avenue, with the condition that the berm be changed to 15 inches, as well as the standard conditions of approval as recommended by Agent O’Connell, seconded by Ms. Bugay. UA.

8:00 PM- 515 Common Street- *Request for a waiver from Stormwater Managemen Requirements.* Continued from December 12, 2013.

John Marsoobian was present for the hearing.

Agent O’Connell gave her opinion that the area that she suspected could be a wetland is actually not jurisdictional. Agent O’Connell explained that Mr. Marsoobian has submitted an alternative to the drywell system.

Mr. Tittler mentioned that he had expected more information on the geometry to explain why a normal system could not be installed. Mr. Marsoobian explained that was not his recollection of what was requested at the last meeting, and reminded the commission of the issue of getting a machine to the back of the yard.

Mr. McGrath commented that the proposed trench would need to be larger to provide the necessary capacity from the runoff of the roof. Mr. Marsoobian responded that he would be willing to increase the size of the trench.

Agent O’Connell thinks expanding the trench is a logical solution. She reminded the Commission that this type of project would normally be covered under a Blanket Stormwater Permit.

Mr. Civian made a motion to issue a waiver from the infiltration requirements for 515 Common Street with the condition that the alternate system include plans that show a 2 foot by 2 foot trench along the length of the structure, seconded by Ms. Bugay. UA.

8:12 PM- 73 Gibson Ave (Lot 3)- *Notice of Intent from Supreme Development for the construction of a single family dwelling at 73 Gibson Avenue (Lot  3). (DEP # 141- 0460)*

Don Myers of Norwood Engineering was present for the hearing.

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

Agent O’Connell recommended that the Commission issue an Order of Conditions similar to the approval of 65 Gibson Avenue.

Mr. Civian made a motion to issue an Order of Conditions for 73 Gibson Avenue, with the standard conditions of approval as recommended by Agent O’Connell, seconded by Mr. McGrath. UA.

8:15 PM- 175 Schoolmaster Lane (Lot 11)- *Application from Supreme Development for a Stormwater Management Permit for the construction of a single family home at 175 Schoolmaster Lane. (SWP 2014-02)*

Agent O’Connell recommended that a Stormwater Management Permit be issued with the standard conditions of approval.

Mr. Civian made a motion to issue a Stormwater Management Permit for 175 Schoolmaster Lane with the standard conditions of approval as recommended by Agent O’Connell, seconded by Mr. McGrath, UA.

8:17 PM- Snow Lane- *Application from Supreme Development for the construction of a single family home to be located on Snow Lane. (SWP 2014-01)*

Agent O’Connell explained that her only concern is the steepness of grade on the side of this house.

Mr. Civian asked Mr. Myers how they will keep the runoff from going onto the adjacent lots. Mr. Myers explained that there are swales that will prevent this.

Agent O’Connell recommended that a Stormwater Management Permit be issued with special conditions.

Mr. Civian made a motion to issue the Stormwater Management Permit for Snow Lane with special conditions as recommended by Agent O’Connell, seconded by Ms Bugay. UA.

8:20 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.*

Rachel Watsky presented Goddard Consulting’s findings relevant to the delineation of wetlands at 399 West Street.

Agent O’Connell commented that when she visited the site and was looking at the surface of West Street, there were a couple of catch basins on either side, but the outlets for them were not visible anywhere on the side slopes. She added that it is possible that there could be an outlet but she agrees with Ms. Watsky that you cannot see where that water was going. Agent O’Connell added that she agrees that the mean annual high water line and the bank are concurrent with the edge of the river. Agent O’Connell added that she thinks the delineation is a good one with the exception of the one flow path which is not shown, and the buffer zone to the flood plain.

Chris O’Dea, an abutter from 381 West Street, commented that he is concerned with the accuracy of the 100 year flood plain. He explained that there have been times when a canoe could be taken around the back of the garage on this property. He added that flooding has been greater than the 100 year flood plain just about every other year.

Mr. Gorden requested that the applicant check the datum that was used to ensure accuracy of the delineation. Mr. Gorden suggested that Goddard Consulting use the online resources available for soil mapping to ensure accuracy. Mr. Gorden also informed the applicant that Needham is within 300 feet and that the Town would need to be notified.

Mr. O’Dea commented that he assumes fill will be needed and questioned what the Conservation Commission would think of that.

Dave Ramulen, an abutter, commented that he agrees with Mr. O’Dea that the data for the flood plain is out of date as the water in that area is consistently high.

Mr. Gorden asked that the flags for median annual high water and the top of the bank are each separately marked. Mr. Gorden also asked if Mr. O’Dea has had water in the front of his property. Mr. O’Dea responded that he has not.

Mr. Civian made a motion to continue the hearing for 399 West Street until the next meeting to be held on February 6th, seconded by Ms. Bugay. UA.

**8:55 PM- Schoolmaster Lane-**

**Agent O’Connell explained that she has recommended that the developer who is considering additional improvements come to the meeting tonight to discuss with the commission informally.**

**Allen Endriunas explained that they are planning on doing some upgrades to the existing portion of Schoolmaster lane that fall under the Conservation Commission’s jurisdiction. They plan to come before the commission to amend an Order of Conditions that has been amended previously for the road.**

**Agent O’Connell explained that there was an amendment to the original Order of Conditions that was issued in 2006. There was then an extension to the original order which extended it in to 2012 which made it current during the window of the permit extension act, which gave it four more years. Technically the first order has been extended through 2016. In the meantime, Supreme Development came to the Commission because they had purchased the property on the south side of Schoolmaster Lane that was part of the original order of conditions, and the amended plans superseded the original plans that had work adjacent to the existing culvert at the Country Club Road end of Schoolmaster Lane. The plans that were submitted under the amendment that was submitted in 2012 simply show a pavement overlay on the existing width of Schoolmaster Lane for the length of the road. Agent O’Connell explained that she is not sure if the incoming applicant can actually amend this order of conditions on the portion of the road that his property does not touch.**

**Mr. Civian commented that he does not think that someone can make an application for improvements on a property that they do not own. Agent O’Connell commented that she believes they could if the property owners approve.**

**Mr. Endriunas asked how the order was amended in 2012, and if they had the property owners’ consent at that time. Agent O’Connell addressed Giorgio Petruzziello to answer that question, and he responded that would prefer not to speak without his counsel present.**

**Mr. Civian asked what the new applicant is proposing to do. Mr. Endriunas responded that the road is currently only 12 feet, it was approved for 20 feet, and they are looking to bring it to 16 feet wide. He explained that what they would propose to do would be a far better situation than what is out there today.**

**Agent O’Connell commented that she thinks it would be cleaner if a new Notice of Intent was filed and she did not think it would be considerably more work. Mr. Civian explained that it seems it would be more work to do an amendment, and the new order would supersede any old order. The commission agreed that a new Notice of Intent should be filed.**

**9:20 PM- Open Space Committee Vacancy**

**Mr. Briggs explained there needs to be a representative from the Conservation Commission on the Open Space Committee. He added that the committee meets the second Tuesday of each month. Mr. Civian suggested allowing the commissioners some additional time to consider the opportunity.**

Agent O’Connell explained to the Commission that applicants with new projects will need to get an address assigned through GIS first going forward.

Agent O’Connell reminded the commissioners of the MACC March meeting and a fundamentals webinar which will take place in Worcester, MA.

Agent O’Connell informed the commission that she will be working with Mr. Civian to put in a capital request to fund an update the Stormwater Management and Wetlands related by-laws to help organize and streamline the information.

Meeting Minutes- Mr. Civian made a motion to approve the meeting minutes from 5/2/13, 8/15/13, 9/12/13, 10/3/13, and 10/17/14 with edits, seconded by Ms. Bugay. UA.

Mr. Civian made a motion to adjourn at 9:40 PM, seconded by Ms. Bugay. UA.