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

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

Members Present: Fred Civian (Chairman), Laura Bugay, Andrew Tittler, Kristine Langdon, and Sean Hoxie.

Members Absent: David Gorden, Brian McGrath

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 February 20, 2014.)*

Agent O’Connell informed the Commission that the applicant has requested that this hearing be continued to March 20, 2014.

Mr. Civian made a motion to continue the hearing on 399 West Street until March 20, 2014, seconded by Ms. Bugay. UA.

7:02 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 Lot 1 Schoolmaster Lane. DEP File number 141-0341 (Continued from 02/20/14)*

Giorgio Petruzziello was present with Mike Carter of GCG Associates.

Mr. Carter explained the proposal to the Commission. When discussing the proposed driveway to the barn, Mr. Carter explained that there is an existing path on the site, but that it crosses a substantially more wetland than the proposed path. Mr. Carter demonstrated the location of both the existing and proposed paths on the plan.

A sketch showing tree sizes was distributed to the Commission. Mr. Carter explained that 15 trees would be removed. He added that if they went with the existing pathway that was there, no trees would need to be removed, but more wetlands would be impacted.

Mr. Tittler confirmed with Mr. Carter that the existing path runs through what would presently be considered wetland. Mr. Tittler asked if there would need to be restoration to that area to make it wetland again. Agent O’Connell responded that there would need to be some kind of restoration due to compaction from vehicles. Mr. Tittler asked if the applicant would be willing to commit to doing the restoration. Mr. Civian commented that the applicant has already proposed wetland replication in another area, and asked Mr. Tittler if he would be willing to have that instead. Mr. Tittler asked how long they think it would take for the old crossing to fade into the swamp. Agent O’Connell commented that if it is not being used it probably would not take that long.

Ms. Langdon asked if the Commission could request a planting of trees to mitigate for the removal of 15 trees. Mr. Civian agreed this would be possible.

Agent O’Connell read comments from Mr. Tittler and Mr. Gorden into the record.

An abutter, Charles Tetakas of 328 West Street, commented that he is concerned about any change to the drainage onto his property.

Agent O’Connell commented that she met with Sally Joslin this afternoon, an abutter who was not able to be present for the meeting but had requested that Agent O’Connell make her concerns known. Agent O’Connell explained that Ms. Joslin has access rights through an easement where her property meets the lot being discussed, and she has the right to enter the rear of her property through that easement. MS. Joslin would prefer to see a limitation to the amount of trees that are cut in that location, and that her access to her property through that easement is not impeded in any way. One concern would be construction vehicles parking there and not allowing her access.

Mr. Carter responded that Ms. Joslin’s property line is about 50 feet from the tree clearing line, and that they will not be touching any grades or trees in that area.

Agent O’Connell commented that she has mixed feelings about the crossing location. She is sorry to see 15 good sized trees being removed. She explained that she feels that under the interests of the Wetlands Protection Act they are almost obliged to go with the shorter crossing with lesser wetlands impacts. Agent O’Connell added that this would also reduce the amount of replication area that would be necessary which is good, since to the success rate of wetland replication is fairly low. Ms. Bugay agreed that the shorter crossing would be better in this situation. Mr. Tittler also agreed, and added that the Commission has a statutory mandate to protect the wetlands, but not one to protect the trees.

Mr. Civian commented that the alternative that disturbs more wetland and fewer trees would be disturbing wetlands that have already been disturbed. The shorter one that disturbs less wetland would newly disturb the wetland and take more trees.

Ms. Langdon asked how the Commission can be assured that the already disturbed wetland will recover. Mr. Civian responded that things succeed over time. Ms. Langdon asked what measures the applicant can take to enhance its capability to succeed as a wetland. Mr. Carter responded replacement of trees would be helpful.

Mr. Petruzziello commented that he believed there is a misconception that the old path is usable today since it has not been an active path for 8-10 years. There is no road; it is just a clearing. Mr. Civian added that it looks to him to be something that was cleared 10-15 years ago, that had been used intermittently.

Mr. Hoxie commented that he is concerned about the tree removal.

Mr. Civian commented that from what he is hearing from the Commissioners, he thinks that the approved plan should include some rehabilitation of the old path including the replanting of native trees in that area.

Ms. Bugay commented that she thinks approximately 8 trees would be needed.

Mr. Petruzziello asked where the new trees should be planted. Mr. Civian responded that a planting plan would need to be prepared by a wetland scientist.

Mr. Civian suggested that the Commission add a condition to the approval requiring a supplemental planting plan be developed by a wetland scientist prior to beginning work, and that a supplemental narrative and detail be presented to the Conservation Agent for approval. Mr. Carter requested that the Commission consider not requiring this be submitted prior to beginning work due to the appropriate seasonal timing of having this done and the urgency of the applicant to begin work. He commented that things really begin to grow in April and May. Mr. Civian suggested putting a deadline of June 30th, 2014.

Mr. Civian made a motion to close the public hearing for 42 Burgess Lane, seconded by Mr. Tittler. UA.

Mr. Civian made a motion to approve the project based on the recommendations from Agent O’Connell plus the additional condition that the applicant provide a supplemental planting plan and narrative to the Conservation Agent by June 30, 2014, seconded by Ms. Bugay. UA.

370 Common St., Northeastern University – *Request for an amendment to an existing Order of Conditions from Northeastern University, to replace an existing running track around the new artificial turf field hockey field, as well as associated stormwater management. DEP File number 141-0448.*

Zachary Crisco of Sasaki Associates was present to represent Northeastern University. He described the proposed project and reviewed what was approved by the Commission a year and a half ago including the removal of a natural turf field and the replacement of that with synthetic turf for the field hockey team. The approved project is mostly completed at this point. They now would like to amend that approval so that they can resurface the existing track. The existing track has many tripping hazards that need to be addressed, and is not able to be used for competitive events right now. They plan to also re-grade the sub-surface, and to remove and replace the existing fence. Within the fenced area will be new track surfacing and in some areas a concrete walkway. The applicant proposed an 8,000 square foot increase in impervious surface between the existing track and the fence line.

Mr. Crisco explained that they are within the 50 foot buffer of the intermittent stream. All of the area that they are proposing to disturb has been previously disturbed.

Mr. Civian asked if they are meeting the standards as per the DEP handbook and if they can demonstrate that they are both treating and infiltrating the increased impervious surface.

Mr. Civian explained that a 3rd party reviewer will be needed to review this project. Agent O’Connell explained that she has not received an estimate yet on what the cost of a peer review of this project would be.

Agent O’Connell suggested that the applicant forward all materials on the project to the peer reviewer for review.

Ms. Langdon inquired about the history of the location of the track, and how much fill had been put in that location when the track was initially constructed. Mr. Crisco did not know the answer to that question.

Mr. Tittler asked why the new impervious surface would be necessary. Mr. Crisco responded that this would be made impervious for maintenance purposes, and to improve how the track functions during an event. This would allow space for people to move around the outside of the track.

Mr. Civian made a motion to continue the hearing until March 20th, seconded by Ms. Bugay. UA.

Informal Discussion: 383 Westfield Street-

Scott Henderson with McKenzie Engineering present with Kelly Clerkin owner of the property and applicant for the project. He explained the history of the property, and how stormwater management on the site is difficult to accommodate. The site had an Order of Conditions issued for an unrelated project that was never recorded at the Registry of Deeds. They plan to file a Stormwater Management Permit, not another Notice of Intent.

Agent O’Connell explained that there is still the question of whether the wetland boundaries had been confirmed and how. She recommended that the applicant refresh the flags since they are so close to the limit of the jurisdiction.

Mr. Henderson explained that they plan to file an Abbreviated Notice of Resource Area Delineation (ANRAD).

Mr. Civian confirmed with Mr. Henderson that most of the water drains towards the street. Mr. Henderson further explained the drainage pattern and proposed grading. He explained that they will be lobbying for a 16 foot driveway with crushed stone shoulders, and how they plan to consider Low Impact Development (LID).

Ms. Landon asked what the width of the current driveway is and the rationale for moving it. Mr. Henderson explained that the current driveway is at approximately 15 feet. Mr. Henderson explained that the rationale for moving the driveway is so vehicular lights would not shine into the houses along the driveway.

The commission agreed that they did not see any conflicts with the proposed project.

Ms. Bugay commented that the level-spreaders are usually run perpendicular to pavement, and suggested that a change be made so that water is not being directed to a neighboring property.

8:45 PM- Informal Discussion: Animal Rescue League Parking Lot-

Bob Williams, Director of Facilities at the Animal Rescue League, was present. He explained that corrections need to be made to the building.

He explained that they plan to do two things; add a 182 square foot addition to building and also to add parking. The current parking is not sufficient. Mr. Williams discussed the challenges of determining a spot on the property where they could potentially add parking, and asked for the Commission’s opinion.

Mr. Civian suggested the applicant complete an application for a Stormwater Permit with grading.

Meeting Minutes-

Mr. Civian made a motion to approve the meeting minutes with edits for 11/7/13 & 12/12/13, seconded by Ms. Bugay. UA.

The Commission had a discussion about an alternative meeting night. It was determined that Thursdays still seem like the best option for most Commissioners and also for room availability.

Mr. Civian made a motion to adjourn at 9:30 PM, seconded by Ms. Bugay. UA.