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

Conservation Commission - Meeting Minutes

Thursday, August 14, 2014, Dedham Town Hall- Lower Conference Room

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

Members Absent: Andrew Tittler, Sean Hoxie & Kristine Langdon

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

7:00 PM- 1020 High Street- *Stormwater Management Permit Application from Diane Patriarca for an 800 square foot patio in rear of existing house. (SWP 2014-16)*

Agent O’Connell explained that this application is for a very large patio.

Ms. Bugay commented that not all pavers are considered permeable. The permeable pavers have notches that are part of the paver that creates a separation or void to allow the water to pass through. Ms. Bugay commented that the pavers that are proposed do not appear to be the specific permeable pavers; however she was not sure what the Commission has approved in the past.

Mr. Civian commented that people can either buy permeable pavers or when they are putting in other types of pavers that do not have the spacers; they can put in spacers which would make them permeable.

Diane Patriarca, owner, explained that they have a very large lot and they are not draining anywhere else except to their own yard so she doesn’t understand why she has to go through this process.

Mr. Civian explained that there is local bylaw in Dedham that says when you increase impervious surface you have to manage stormwater by putting it into stormwater BMP’s. Ms. Patriarca responded that they already have those. Mr. Civian asked where they are. Ms. Patriarca responded that in one of the pictures she shows where one is already located.

Ms. Patriarca explained the issues she has and have been the working to address water in her basement in her 100 year old home, including having fixed the gutters.

Mr. Civian explained that Ms. Patriarca either needs to show on her plan that she is going to have pervious pavers or that the water is being directed to a drywell.

Mr. McGrath explained the stormwater bylaw to the applicant as she was unclear as to why she was being asked to follow a specific process.

Ms. Patriarca explained that she has been struggling to get the correct information about what is needed from the Conservation office. She requested that the Commission tell her what she needs to do and she will do it.

Mr. Civian explained that he is not comfortable moving forward with the plan that is proposed. He explained that either the applicant would need to use truly permeable pavers, or they would need to present plans for a stormwater management system with sufficient drywell structures to handle the runoff.

When asked why the stormwater calculations were not completed, Ms. Patriarca explained that was told she didn’t need to do those calculations. Agent O’Connell explained that was because Ms. Patriarca told her she was using permeable pavers. Ms. Patriarca responded that she did not say she was using permeable pavers, she only said she was using pavers. Ms. Patriarca explained that she would prefer to use impervious pavers and a stormwater management system because she doesn’t want the water to go into her house, and she has already purchased concrete pavers. She suggested that the stormwater form be updated because it says that if the area is under 1000 square feet that she does not have to do the calculations or a stormwater system.

Agent O’Connell explained that although there is some conflicting information in the bylaw due to the size of this patio a stormwater management permit is required. The issue is that people were missing the fine print in the bylaw which says that the patio can’t be more than 150 square feet to have the permit waived.

Mr. Civian asked Agent O’Connell to change the incorrect information on the form. Ms. Patriarca explained that if that was more clear she would have done what was needed from the start and the process would not have taken as long.

Mr. Civian made a motion to continue the hearing on 1020 High Street until September 4th, seconded by Ms. Bugay, UA.

7:15 PM: 750 Providence Highway- *Notice of Intent from David Spiegel for the redevelopment of a 7.5 acre parcel containing a freestanding retail building and 28 additional parking spaces while filling and replicating an area of Bordering Vegetated Wetlands (DEP# 141-0465)* *Continued from July 24, 2014.*

Matthew Smith, Engineer, was present to represent the applicant from Norwood Engineering along with Paul McManus an Environmental Scientist with EcoTec.

Mr. Smith explained that there were six items that he was asked to do at the July 24th meeting:

1. The first item was that he was asked to draw a cross section of what they were proposing to do versus what exists now. Mr. Smith presented this cross-section to the Commission, pointing out the differences between the existing and the proposed. He explained how by getting rid of the driveway they would have a continuous resource area across the project.
2. The second item was to address the existing trash on the site. They went out and made sure that all of the trash was cleaned up on the site, and they sent a letter certifying that has been done.
3. They have submitted a wetland inspection program, where they are proposing that once per week either a representative from Norwood Engineering or EcoTec will inspect the sited depending on what is being built, and will determine at that time what is needed. They will also do as-builts to make sure that that what is happening was being done correctly. They are proposing interim as-builts throughout the project, and this can also be monitored by the Conservation Agent.
4. An Operations and Maintenance Plan was done for the trash container. They are proposing concrete pads, 6 inch curbs, lockable gates, spill containment, grooves in the concrete, a visual screen and periodic inspections.
5. They have submitted a green roof Operations and Maintenance Plan which was provided by the firm Greener by Design.
6. There were questions about the materials planned to be used in the rain garden and the replicated wetland. Paul McManus explained the needs of rain gardens and described the materials needed to make it successful. He explained the need for high organic material in the wetland.

Lisa Eggleston of Eggleston Environmental, peer reviewer for the project, explained that she has reviewed the recently submitted materials. She commented that the dumpster management plan is one of the nicer versions that she has seen. She thinks this would be a good example to use for other projects. She commented that in the conditions they should note that regular monitoring will be needed for the replicated wetland during construction.

Mr. Civian asked if there was anyone from the public present to speak on this project. There was no one. He addressed Agent O’Connell for the next steps.

Agent O’Connell explained that the next steps would include a discussion on the findings for the order and whether there needs to be additional mitigation other than what is being proposed. She added that the office has been in contact with one Dedham resident who is very interested in the possibility of gaining access to Wigwam Pond. She is not sure of a location where the access would be best, but there is a spot where the existing culvert is present that could be a potential spot to make that connection.

Mr. Civian explained that this was a degraded stormwater BMP that required protection under the act. It receives water runoff from a heavily traveled regional highway. It is directly connected to an adjacent wetland system. It can be redesigned to both expand and improve the adjacent wetland. Design modifications are likely to improve the quality of the adjacent wetlands and design modifications include extensive removal and modification of invasive species.

Mr. Civian asked if anyone was suggesting they have additional mitigation. Agent O’Connell responded that she had suggested potential access to the pond. There is an existing access location people use behind “A Tent for Rent” that could benefit from improved signage and access as well.

Matt Smith will talk to his client about mitigation options.

Matt Smith submitted a document list to the Commission.

Lisa Eggleston commented that additional mitigation would be connecting the floodplain and providing continuous floodplain.

Mr. Civian made a motion to close the public hearing for 750 Providence Highway, seconded by Ms. Bugay, UA.

Mr. Civian thanked Mr. Smith and others associated with the project for taking the time and energy to work through a change in the way the Town does development. Mr. Smith thanked the Commission for having a great dialogue and working through this with them; it has been a valuable process.

Mr. Civian made a motion to continue 750 Providence Highway until September 4th, seconded by Ms. Bugay, UA.

7:40 PM: Schoolmaster Lane*- Notice of Intent from Dedham Land Company, LLC for the widening of Schoolmaster Lane, as well as the widening of an existing intermittent stream/culvert crossing, filling 180 square feet of wetlands, installation of retaining wall on both sides of the road and wetland replication work. (DEP # 141- 0467) Continued from July 24, 2014*

Mr. Civian made a motion to continue Schoolmaster Lane until October 16th as requested by the applicant, seconded by Ms. Bugay, UA.

126 Jefferson Street - *Stormwater Management Permit Application from 126 Jefferson Street, LLC for the demolition of an existing dwelling and the construction of a new single family house, associated utilities, grading and stormwater management. (SWP-2014-15) Continued from July 24, 2014*

Mr. Civian made a motion to issue a Stormwater Management Permit for 126 Jefferson Street as recommended by Agent O’Connell, seconded by Ms. Bugay, UA.

60 Emmett Avenue – *Stormwater Management Permit Application from Phoenix Property Group, LLC for the conversion of an existing 3 unit residential building to 3 townhouse units including an expansion of an existing detached garage building and additional pavement for parking. (SWP-2014-14) Continued from July 24, 2014*

Matt Smith was present from Norwood Engineering to represent this project. Mr. Smith explained that the rain garden is no longer being proposed. The access drive has been reduced to 20 feet in width. They are also proposing to reduce the amount of pavement by 1000 square feet.

Mr. Civian commented that there is too much pavement; the scale is too commercial. He still would like to see pervious pavement.

Mr. Smith confirmed with Mr. Civian that they have an approval from the Zoning Board of Appeals, and they still require the Planning Boards approval. The next Planning Board meeting is August 28th.

Agent O’Connell will add a condition that the detail be added to the plans for the pervious pavers.

Mr. Civian asked if they had considered using gravel for the parking areas. Mr. Smith responded that gravel would be an issue with plowing, and also it is not a positive element for the sale of the units.

Mr. Smith explained how the pervious pavement would be difficult to construct in this case.

Ms. Bugay commented that she is sorry to see the rain garden being eliminated from the proposal.

Mr. Civian made a motion to approve the Stormwater Management Permit for 60 Emmett Avenue, as recommended by Agent O’Connell, with the added condition that was discussed tonight. This motion was seconded by Ms. Bugay, UA.

383 Westfield Street - *Stormwater Management Permit application from Wilson Mountain Realty Trust. (SWP 2014-07) Continued from July 24, 2014*

Mr. Civian made a motion to issue a Stormwater Management Permit for 383 Westfield Street, as recommended by Agent O’Connell, seconded by Ms. Bugay, UA.

Informal Discussion

59/61 Solaris Road- *Minor Modification*

Paul Lindholm was present and requested a minor modification to the existing permit. He explained that the proposed work would still be within the previous limit of work. The front yard would be filled, with a low retaining wall in the front. The deck would still be the existing limit of work.

Mr. Civian made a motion to consider this work a minor modification as recommended by Agent O’Connell, seconded by Ms. Bugay, UA.

480 Sprague Street – *Information discussion of minor modification to stormwater management system*

Mr. Civian made a motion to consider additional proposed work to be a minor modification to the plans as recommended by Agent O’Connell, seconded by Ms. Bugay, UA.

1056 East Street – *Notice of Intent from Supreme Development for a three lot residential subdivision, including a roadway, utilities, grading, stormwater management and the construction of three new dwellings within 100’ of a Bordering Vegetated Wetland. (DEP # 141- 0469)*

John Glossa was present to represent the applicant for this project.

Bill Gorman, former member of the Dedham Conservation Commission and Dedham resident, explained that he would like to see the public record corrected to show the pond’s increased in size as 10,000 square feet.

Mr. Glossa responded that the pond is 9,675 square feet as per measurements done during previous filings; he might be willing to expand the pond.

Mr. Civian explained that he would like the applicant to tell the Commission what the actual edges of the pond are using verifiable information.

Mr. McGrath asked if they should be seeing the method to infiltrate impervious surfaces for the houses at this stage.

Mr. Glossa confirmed that they should, but he also wants to take credit for removing some of the existing impervious surfaces.

Mr. Civian commented that he would like to see 2-inches of stormwater infiltrated in all areas of the impervious surfaces.

Mr. Gorden commented that there was a discrepancy between the dates of wetland delineation on the materials they received. Also Mr. Gorden had some issues with the plants listed on the wetland data forms. Mr. Gorden explained that they may want to see the flags placed closer together in the delineation.

Brendon Malloy, an abutter at 38 South Gate Street, had questions relevant to the higher elevation in which his property sits.

The Commission discussed the scheduling of a site visit. Agent O’Connell will poll the Commission on dates and times that would work best.

Mr. Civian made a motion to continue 1056 East Street until September 4th, seconded by Ms. Bugay, UA.

161 Schoolmaster Lane *(SWP 2013-15) Request for a Stormwater Certificate of Compliance from Supreme Development, Inc.*

Ms. Bugay made a motion to issue a Certificate of Compliance for 161 Schoolmaster Lane, seconded by Mr. McGrath. It was voted 3-1. Mr. Civian was opposed due to minor elements on the as-built differing from the approved plans with no explanation from the applicant prior to changes being made.

175 Schoolmaster Lane *(SWP 2014-02) Request for a Stormwater Certificate of Compliance from Supreme Development, Inc.*

Ms. Bugay made a motion to issue a Certificate of Compliance for 175 Schoolmaster Lane, seconded by Mr. McGrath. It was voted 3-1. Mr. Civian was opposed.

66 Gibson Ave. *(SWP 2013-08) Request for a Stormwater Certificate of Compliance from Supreme Development, Inc.*

Ms. Bugay made a motion to issue a Certificate of Compliance for 66 Gibson Avenue, seconded by Mr. McGrath. It was voted 3-1. Mr. Civian was opposed.

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