

Stephanie Radner, Chair  
Nathan Gauthier, Vice Chair  
Tim Puopolo, Clerk  
Erik DeAvila, Associate  
Anne Gotay, Associate  
Leigh Hafrey, Associate



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Patrick Hogan, Interim Agent

## **TOWN OF DEDHAM**

### **CONSERVATION COMMISSION**

Website  
[www.dedham-ma.gov](http://www.dedham-ma.gov)

#### **Minutes of May 18, 2023**

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  
Tim Puopolo, Clerk  
Erik DeAvila (Joined during item 3.2)  
Anne Gotay  
Leigh Hafrey

#### **The following staff were also present:**

Patrick Hogan, Interim Conservation Agent

#### **The following Commissioners were absent:**

#### **The following Applicants and/or Representatives were present:**

Thomas Liddy, Representative – 39 Lamoine Street

Commissioner Radner called the meeting to order at 7:02 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. Public Comment**

Commissioner Radner opened the floor for general comments from members of the public. She received no responses.

#### **2. Request for Extension**

##### **2.1. 39 Lamoine Street – DEP 141-0568 – Order of Resource Area Delineation**

Applicant: Joseph Federico,      Representative: Thomas Liddy, Lucas Environmental, LLC  
Lamoine Street, LLC

Mr. Liddy stated the original Abbreviated Notice of Resource Area Delineation (ANRAD) application was submitted in May 2020 to confirm the delineation of wetland resource areas on the property at 39 Lamoine Street. A 3<sup>rd</sup> party reviewer assessed the delineation. The boundary was slightly modified prior to

the issuance of an Order of Resource Area Delineation (ORAD). The ORAD confirmed the presence of one isolated wetland on the site, which Mr. Liddy stated is not large enough to be considered Isolated Land Subject to Flooding by the Wetlands Protection Act and is therefore only considered under the Town Wetlands Bylaw. The ORAD was issued in June 2020, expiring after 3 years. The applicant is requesting an extension of the ORAD for another 3 years. Mr. Liddy stated the surveyor refreshed the wetlands flags and he walked the site with Interim Agent Hogan, who had no comments.

Commissioner Radner noted that the ANRAD was filed in response to a violation on the property where the wetlands were being drained. She stated that there was a concern at the time that the wetland was a vernal pool. She stated she believes it likely was a vernal pool prior to the violation, but noted the area has been monitored since the issuance of the ORAD with no vernal pool activity noted. She stated the issued ORAD specifically declines to make a determination on whether the wetland on the site functions as a vernal pool. She stated extending the ORAD also extends this lack of determination. She stated some neighbors have submitted their observations, but the evidence has been insufficient to certify the wetland as a vernal pool. Commissioner Radner stated she was comfortable extending the ORAD for 3 years.

Commissioner Gauthier agreed, stating the site seems to be unchanged since the ORAD was issued.

Commissioner Radner commented that she had visited the site during a rainstorm and noted that the berm that was installed to correct the violation still seemed to be functioning appropriately.

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

Commissioner Radner **motioned to extend the Order of Resource Area Delineation for DEP 141-0568 for 3 years.** Commissioner Puopolo seconded. Commissioner Radner led a roll call vote. All attending commissioners voted "aye." The motion carried 5-0.

### **3. Requests for Certificate of Compliance**

#### **3.1. 6 & 8 Dale Street – MSMP 2022-06 – New Two-Family Dwelling**

Request From: Antonio Reda, Roma-San Marino Corp., LLC

Interim Agent Hogan stated work had been completed on the site. A Temporary Certificate of Occupancy was issued while awaiting the plantings, which have since been installed. He stated all conditions of the permit have been satisfied, the as-built has been submitted, and all items have been constructed and stabilized according to the plan.

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

Commissioner Radner **motioned to issue a Certificate of Compliance for MSMP 2022-06.** Commissioner Gotay seconded. Commissioner Radner led a roll call vote. All attending commissioners voted "aye." The motion carried 5-0.

#### **3.2. 12 Prevett Terrace – MSMP 2022-02 – New Single-Family Dwelling**

Request From: George Mouawad, Supreme Development, Inc.

Interim Agent Hogan stated all conditions of the permits have been satisfied for this project, the as-built has been submitted, and all items have been constructed and stabilized according to the plan.

Commissioner Radner asked if the neighbors were satisfied with the tree work around the site, as that was mentioned during the initial hearing. Interim Agent Hogan stated that he has not received any complaints and his recollection was that the applicant met with the neighbor in person and agreed on a solution for the neighbor's concerns with the trees.

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

Commissioner Radner **motioned to issue a Certificate of Compliance for MSMP 2022-02**. Commissioner Hafrey seconded. Commissioner Radner led a roll call vote. All attending commissioners voted "aye." The motion carried 6-0.

#### **4. Minutes – 5/4/2023**

Commissioner Puopolo stated he reviewed the minutes and had no requested edits. Commissioner Gotay agreed.

Commissioner Puopolo, filling in momentarily as chair of the meeting, **motioned to approve the minutes from 5/4/2023 as drafted**. Commissioner DeAvila seconded. Commissioner Radner led a roll call vote. All attending commissioners voted "aye." The motion carried 6-0.

#### **5. Agent's Report**

Interim Agent Hogan provided the following updates:

- The DEP Circuit Rider has been offering a two-part training series on Riverfront regulations and all Commissioners are invited to attend. Part 2 of the first offering will be held on Monday, May 22. Parts 1 and 2 will be offered again in June.
- A modification for the Major Stormwater Management Permit at 297 Pine Street was approved. The modification included switching the approved impervious patio to a pervious deck, a change to the footprint of the house, and a change to the footprint of the driveway, resulting in a net reduction in impervious surfaces on the site without any changes to the approved stormwater system.
- An Administrative Approval was issued for installation of an HVAC pad more than 50' from the wetland at 45 Thomas Street.
- The job postings for the Conservation Agent and the Stormwater Manager were posted on 5/16. Jeremy Rosenberger, Town Planner, has asked if the Commission would like to have a member sit on the interview panel for the Conservation Agent. He stated the interviews were likely to be in mid-June during daytime hours. After discussion, the Commission generally agreed that a commissioner should be included on the interview panel. Commissioner Gauthier noted that it would be good for the top one or two candidates to be introduced the entire Commission at one of their meetings if possible. Interim Agent Hogan agreed to pass that suggestion on to the hiring panel. Commissioner Gauthier agreed to be the first option to sit on the interview panel, with all other Commissioners offering to be involved if he is unavailable.
- Interim Agent Hogan asked for the Commission's thoughts on whether two recent requests were within his authority as the Agent to approve, or if they should be heard by the Commission:
  - o The first request involved removing some dead limbs from trees that are closer than 50' from the wetland. He stated he would require the limbs to be placed in the buffer zone to decompose after removal. After discussion, the Commission generally agreed that this project could be administratively approved, as long as the methods and equipment used to remove the limbs were not impactful to the wetland.
  - o The second request involved a modification to the approved plans for the project at 400 West Street. The permittee would like to include a foundation drain to prevent water from accumulating in the basement. The permittee's representative has characterized it as an insurance measure and has stated the pipes are not intended to constantly collect

and discharge water. As part of the system, a small dry well will be placed outside the house, but it is intended to be dry and the presence of water would indicate something is wrong under the house. After discussion, the majority of the Commission generally agreed that this modification should be formally requested and presented during a public hearing so questions may be asked.

- Commissioner Radner reminded the Commission to consider and share thoughts about the previous discussion with the Town Engineer and Town Manager about the potential reorganization of Conservation and the creation of the Stormwater group. She added that she feels it's important to ensure the organization and authority of the Conservation Commission is codified in Town Bylaw or the Town Charter. She stated she has a copy of the original Town Meeting vote to establish a Conservation Commission and the state Conservation Commission Act that she can share for review.

Commissioner Hafrey **motioned to adjourn**. Commissioner Radner seconded. All attending commissioners voted "aye." The motion carried 6-0.

The meeting was adjourned at 7:38 PM.