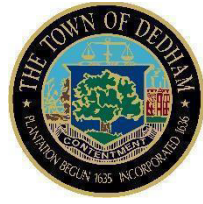


Tim Puopolo, Chair
Erik DeAvila, Vice Chair
Stephanie Radner, Clerk
Nathan Gauthier, Associate
Anne Gotay, Associate
Leigh Hafrey, Associate
Meredith LaBelle, Agent



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TOWN OF DEDHAM

CONSERVATION COMMISSION

Minutes of March 7, 2024

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:

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

The following Staff were present:

Meredith LaBelle, Conservation Agent
Patrick Hogan, Stormwater Manager

The following Applicants and/or Representatives were present:

Gregory Carlevale, Applicant for 1 Rocky Ridge
Scott Henderson, Representative for 1 Rocky Ridge

Commissioner Puopolo called the meeting to order at 7:03 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 Puopolo opened the floor for general comments from members of the public. He received no responses.

2. Stormwater Update

Stormwater Manager Patrick Hogan was introduced by commissioner Puopolo, who noted this would be the final stormwater update before the Stormwater Department becomes independent of the Conservation Commission.

Stormwater Manager Hogan shared that since the last month, two new stormwater permit applications had been received. He informed the Commission that one of the applications was for 2 Prospect St, noting that this parcel was a subdivision created from another property which had recently been before the commission for wetlands permitting, 4 Prospect St. It was noted by Stormwater Manager Hogan that the project area was outside of the wetland buffer areas. The other application received was for an abbreviated major stormwater permit for M.S. Walker Inc.'s facility at 300 Meadow Road. Stormwater Manager Hogan noted that the abbreviated major stormwater permit was designed to make it easier for homeowners to remove impervious surfaces from their properties without imposing any additional conditions on any such work. He explained that the AMSP permit would allow the Town to record reductions in phosphorous runoff in relation to Dedham's MS4 permitting obligations.

Stormwater Manager Hogan also noted that the stormwater permit for road construction as part of the 1 Rocky Ridge development had been issued. He added that permits for the three house construction projects that are part of the development project would be issued shortly.

Stormwater Manager Hogan shared that this would be the first project covered by new regulations on forest clearing. He went on to explain that under the TMDL, the town is exempt from phosphorous loading from forest land, so this conversion could potentially increase the amount of phosphorous pollution the Town of Dedham would be obligated to abate under its MS4 permit. He explained that he discussed abatement with Scott Henderson, the project engineer, and it shouldn't present a serious issue.

Stormwater Manager Hogan shared that the bylaw updates making stormwater permitting an administrative process had been approved by the attorney general, so stormwater permitting would no longer be operating under the designation agreement with the Conservation Commission.

Stormwater Manager Hogan added that he was working on drafting updates to the stormwater rules and regulations. He stated that the updates would include a new tree fund and some clarifying details.

Commissioner Radner then asked Stormwater Manager Hogan if there was a Chapter 61 parcel being converted as part of the Rocky Ridge project. Stormwater Manager Hogan responded that the basis for the area in question being designated as forest land was a 2005 land use dataset which was used by EPA to generate the TMDL. Commissioner Radner then asked if the proposed work at the M.S. Walker property was in a resource area. Stormwater Manager Hogan responded that the work as described by the site plan was out of the buffer area, but that some modifications to the work plan may occur and that he would check for the Conservation Commission's approval if the finalized plans include work within the buffer area. Commissioner Radner then laid out her concern that the M.S. Walker property contains mile-a-minute, an aggressive invasive vine. She expressed that when the asphalt is removed, efforts including wheel washing should be made to ensure that Mile-a-Minute seeds are not spread as part of the work. Stormwater Manager Hogan stated that he would keep this concern in mind before finalizing the work and, at Commissioner Radner's request, agreed to mention the issue to the project manager so that they would be aware of the risk of spreading the Mile-a-Minute.

Commissioner Gauthier then asked about the stormwater permit for the new daycare development on Washington Street, stating that he was surprised to see a large number of trees cleared from the site and that he was curious if all of the aforementioned trees were accounted for.

Stormwater Manager Hogan responded that he would double check this issue at the site on a future visit.

Commissioner Radner then asked about whether the MS Walker work could potentially impact any nearby vernal pool resource areas, to which Stormwater Manager Hogan responded that he would investigate the possibility.

3. New Applications

3.1. 1 Rocky Ridge Road – RDA-2024-06 – Outfall Pipe Installation

Applicant: Gregory Carlevale

Representative: Scott Henderson, Henderson Consulting Services, LLC

Commissioner Puopolo prefaced the discussion by stating that according to the Dedham bylaws, no work can be done in the UBA (undisturbed boundary area) buffer area with the exception of an outfall pipe related to stormwater infrastructure. He went on to say that no waiver would be required due to the project being an instance of the aforementioned work type.

Scott Henderson, the project representative, introduced himself and Gregory Carlevale, the applicant. Mr. Henderson then provided background on the project. He explained that this RDA would likely be the last step in the permitting process for the Rocky Ridge project. He stated that the site currently features a single-family home on a predominantly forested lot. Mr. Henderson described the work as involving building three new homes and upgrading the entry driveway to a subdivision access road. He described the potentially impacted resource area, which is a sizeable wetland along the north boundary of the property. He noted that a major stormwater permit had already been issued for the driveway project and that the current RDA was for a proposed outfall for an overflow from a stormwater basin on the south end of the property. He stated that the proposed stormwater outflow would extend about 30' into the 100' buffer area and installation would involve the removal of two trees within the buffer area, a 6" diameter pine tree and a 16" diameter deciduous tree. Mr. Henderson then stated that adhering to the 2:1 tree replanting requirement for removals within the buffer area might not be feasible. He explained that the entirety of the buffer area is densely wooded, so any replacement trees would be shaded and thus unlikely to survive. He stated that the applicant would be willing to replace the removed trees with native shrubs as well as understory planting, which would have a greater likelihood for survival in the shady site conditions, if the commission were amenable to allowing for this substitution of replacement plantings.

Commissioner Puopolo stated that the shrub species the applicant was considering planting included site appropriate shade tolerant understory shrubs such as witch hazel and nannyberry viburnum. He then asked Mr. Henderson to restate the reasoning for why tree replanting would not be a viable option for the site. Mr. Henderson shared a satellite image showing a dense tree canopy over the site and reiterated that he did not believe trees planted at the site would be likely to survive. Commissioner Puopolo concurred that trees would likely not be successful at the site and added that shrub replacement could contribute to a healthy, multi-layered forest and provide forage for wildlife. Commissioner Radner shared that she was comfortable with the proposed 4:1 shrub planting to tree removal ratio. Commissioner Puopolo stated that the stormwater coming out of the outflow in the buffer area would likely be clean and up to standard. Commissioner Radner asked Mr. Henderson about whether there is any plan for work in an area of wetland she noticed on a GIS map of the site. He responded that, while this area, described as "Existing Lot C1" on the plans, was technically part of the site, it was likely unbuildable and that there would never be any work in that area of the site. Commissioner DeAvila then inquired about whether any riprap stone was being used at the proposed stormwater outflow. Mr. Henderson responded that riprap was indeed going to be installed and added that it would be allowed to overgrow with vegetation over time. He stated that there would be annual maintenance of the outfall pipe.

Commissioner Puopolo then opened the meeting to comments or questions from the public, to which there was no response.

Commissioner Radner motioned to close the public hearing and issue a Negative Determination of Applicability for RDA 2024-06 with the added details about the shrub to tree replacement.

Commissioner DeAvila seconded. Commissioner Puopolo led a roll call vote. All attending commissioners voted "aye." The motion carried 5-0.

4. Minutes

Commissioner DeAvila motioned to approve the minutes from February 15 as drafted. Commissioner Gauthier seconded. Commissioner Puopolo led a roll call vote. All attending commissioners voted “aye.” The motion carried 5-0.

5. Vernal Pool Season

Agent LaBelle introduced the topic, explaining that vernal pool season was underway. Commissioner Radner had produced an educational flyer which Agent LaBelle and town staff were planning to convert into a social media posting, including audio of wood frogs, which are considered an obligate vernal pool species. Commissioner Radner provided some background information on how amphibians will migrate in large numbers to vernal pools during this time each year to reproduce, and how many of the species involved are threatened. She stated that Dedham has several potential vernal pools (PVP’s) in addition to our certified vernal pools. Agent LaBelle had created an online iNaturalist project that would allow the public to contribute to documentation and potential protection of Dedham’s vernal pools.

The commissioners proceeded to discuss their own experiences with vernal pool species and how to best educate people about vernal pools. Commissioner Gotay offered to apply her marketing expertise to any vernal pool outreach materials. Commissioner Puopolo shared his insights on public information campaigns, including the value of including QR codes on flyers to connect people with further resources. Agent LaBelle stated that the effort to get the public to document wild species could be a playful and competitive experience, akin to the game Pokémon Go. Commissioner Puopolo encouraged a continued effort to make vernal pool-related content and share it with the public over the coming weeks. Commissioner Radner shared that there is an online form via MassWildlife’s Heritage Hub for certifying vernal pools based on observations of wild species.

6. Water Resource Advisory Committee Discussion and Appointment

Commissioner Puopolo referred to the discussion of this topic at the Commission’s previous meeting and asked if any of the Commissioners would like to become involved. Commissioner DeAvila asked about the schedule for potential meetings to which Agent LaBelle responded that meetings would likely be held at 7:00 pm, with dates not chosen yet. She added that any of the commissioners present would be eligible to be appointed to this temporary committee. Commissioner Gauthier then volunteered to join the committee and the other Commissioners proceeded to state that they wished to nominate him.

7. Agent’s Report

Agent LaBelle began her report by giving Commissioner Gotay the opportunity to share that she was stepping down from her role on the Conservation Commission due to increasing obligations related to her professional career. She shared her respect and appreciation for her fellow Commissioners. The Commissioners thanked Commissioner Gotay for her work over the years.

Agent LaBelle shared that there would be a townwide summit hosted by the Select Board on Monday, March 18th, during which both she and Commissioner Puopolo would be making short speeches with updates about the Commission’s work.

Agent LaBelle notified the Commission that the state AG had approved the recategorization of Open Space Committee as a subcommittee of the Conservation Commission. This would require the Commission to hold votes to appoint the current members of Open Space Committee as members of the new Open Space and Recreation Plan Sub-Committee (OSRPSC). Agent LaBelle stated that an upcoming meeting between herself and the town’s legal provider would help clarify the details of how the transition would proceed.

Commissioner DeAvila provided an update the Commission regarding Open Space. He shared three update items: The first was that Open Space is working on a document that would outline key dates for

the 2026 update of the Open Space and Recreation Plan. His next update was to notify the Commission that the sheriff's department was planning to have inmates do trash cleanups along several major roadways including Providence Highway. The final update was that a "Dedham Cleanup" webpage was being created to get members of the public involved in cleanup efforts.

Commissioner Radner expressed that rubbish cleanup efforts should be carried out with minimum impact on wetland areas. She added that Neponset Watershed Association could be a useful partner for future cleanup efforts.

Agent LaBelle asked the Commissioners if any members had interest in joining the Open Space and Recreation Sub-Committee to fill the vacant Conservation Commission positions. None of the Commissioners expressed interest, but it was decided that this would be re-visited at the next meeting once Agent LaBelle had a chance to discuss appointments to this committee with the town's legal counsel.

The meeting was adjourned at 8:25 p.m.