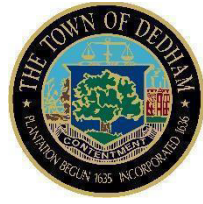


Tim Puopolo, Chair
Erik DeAvila, Vice Chair
Stephanie Radner, Clerk
Nathan Gauthier, Associate
Leigh Hafrey, Associate
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TOWN OF DEDHAM

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CONSERVATION COMMISSION

Minutes of July 25, 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

The following Staff were present:

Meredith LaBelle, Conservation Agent

The following Applicants and/or Representatives were present:

Amanda Stivaletta, Applicant for 42 Thomas Street
Genci Pace, Applicant for 17 Maverick Street
Ardi Rrapi, Representative for 17 Maverick Street
Steven Labossiere, Representative for 200 Legacy Boulevard
Sarah Printy, Representative for 370 Common Street
Stephen Schneider, Representative for 370 Common Street
Todd Freemont-Smith, Applicant For 75 & 125 Stergis Way
George Ryan, Representative for 75 & 125 Stergis Way

Chair Puopolo called the meeting to order at 7:09 pm in accordance with the Wetlands Protection Act, M.G.L. Chapter 131, Section 40 and the Dedham Wetlands Bylaw.

AGENDA:

1. Public Comment

Commissioner Puopolo opened the floor for any conservation questions or general comments from members of the public.

Richard Irving, of 235 Common Street, stated that he was made aware that the Conservation Commission is doing a Bylaw and Regulation update over the next few months, and wanted the Commission to

consider looking at updating the existing Tree Policy. He expressed that the current tree policy, which requires 2:1 replacement of any tree removed in the buffer zone, does not account for the size and the historical significance of the removed tree. Mr. Irving added that under the current policy, a 150-year old Oak tree could be removed and replaced with two one-inch caliper trees. He stated that he hopes the Commission look at potentially updating the policy to account for the size and significance of the removed trees. Commissioner Puopolo thanked Mr. Irving for his comments and stated that the Commission would take these comments into account when looking at updating their regulations. Agent LaBelle stated she would send the Commissioners the list of other town's tree policies that Mr. Irving emailed to her.

Jim Maher, Chair of Open Space and Recreation Subcommittee introduced himself, and asked Agent LaBelle if there was a quorum present of the Open Space and Recreation Subcommittee. Agent LaBelle stated that there was no quorum present.

2. Open Space and Recreation Sub-Committee Update

Ryan O'Toole, Clerk of the Open Space and Recreation Sub-Committee, introduced himself and gave a status update on the Open Space GIS map. He stated that committee members and town staff have had a chance to test out the new GIS map and have provided initial feedback. Mr. O'Toole stated that he has been working with the town's Director of Communications, Amanda Smith, and the town's GIS Manager Thomas Nethercott to make updates to the map according to the initial feedback. Mr. O'Toole added that they are still in the stages of making these updates and are not at a point where the map is ready to go live on the website yet. He also suggested that once they get the next round of edits back from the GIS Manager that the Open Space and Recreation Subcommittee and Conservation Commission have a joint meeting to review the changes.

Commissioner Radner stated she can send Mr. O'Toole spreadsheets of parcel ID's. Mr. O'Toole asked the Commission their preference on including the legal name of a location versus local/informal names. He added that there is an option to have an alias field, which would include alternative names that are sometimes used to describe certain properties and would be helpful when residents search for various properties. The Commissioners agreed with this approach but cited that only commonly used aliases should be included. The Commissioners thanked Mr. O'Toole for his work on this project and for keeping them updated on the progress.

3. New Applications

3.1. 42 Thomas Street- RDA 2024-13 – Above-Ground Pool

Amanda Stivaletta of 42 Thomas Street introduced herself and explained they wish to install an above-ground pool and replace their existing vinyl fence at their property. Commissioner Puopolo asked if any clearing or disturbance was needed, and Ms. Stivaletta confirmed and stated there would need to be only minor grass removed to install the above-ground pool. Commissioner Radner asked if there are times when above-ground pools need to be drained. Ms. Stivaletta stated she didn't think the pool would need to be drained but assured the Commission that no pool water would be drained directly into the wetland. Agent LaBelle stated she could add a condition to the permit about no pool water being discharged to the wetlands. Commissioner Radner suggested that if any discharge of water does need to occur, to check with Stormwater and Engineering first. Commissioner Puopolo informed Ms. Stivaletta that the Commission is working on marking boundaries of conservation parcels around town, and so she may see boundary markers hung along the property line in the future, and Ms. Stivaletta expressed that she appreciated this effort and hoped it would prevent dumping.

Commissioner Puopolo opened the floor for comments from the public. He received no responses.

Commissioner Radner motioned to close the public hearing and issue the Negative Determination of Applicability for RDA 2024-13. Commissioner DeAvila seconded the motion. Commissioner Puopolo led a roll call vote. All Commissioners present voted "aye" and the **motion passed by a 4-0 vote.**

4. Request for Certificate of Compliance

4.1. 17 Maverick St – DEP 141-0602- New Multi-Family Dwelling

Ardi Rrapi of Cheney Engineering, representative for the project, stated that an as-built and invasive species monitoring report has been provided since the last meeting, and a native seed mix has been planted to stabilize the backyard. He added that a letter has been drafted that will be sent along with the permit to the new owner. Commissioner Puopolo stated that this letter should be sufficient for making any new buyer aware of the ongoing conditions. Commissioner Radner asked for clarification on the contents of the letter. The letter was shared to the Commission which outlined the ongoing conditions remaining. Commissioner DeAvila asked about what would happen if the buyer was not willing to take on the ongoing conditions of the permit. Nora Pance, daughter of the homeowner Genci Pance, clarified that the buyer is completely aware of the ongoing conditions. Mr. Rrapi added that they are not abandoning the responsibility of closing out the permit and plan to be back before the Commission in September once the final invasive species report is submitted and the ground is fully stabilized.

Commissioner Puopolo opened the floor for comments from the public. He received no responses.

Commissioner Radner motioned to issue the Partial Certificate of Compliance for DEP 141-0602.

Commissioner DeAvila seconded the motion. Commissioner Puopolo led a roll call vote. All Commissioners present voted “aye” and the **motion passed by a 4-0 vote**.

4.2. 200 Legacy Place Boulevard – DEP 141-0618 – Parking Lot Improvements

Steven Labossiere, representative for the project, stated that the project was complete and during a final walkthrough two follow-up items were noted: one was that only one out of the six required “No Snow Storage” signs were installed and the other was that two landscaped islands in the buffer zone needed to be stabilized. Mr. Labossiere stated he was working on these action items and would hopefully return in a month or so to request the full Certificate of Compliance, but for now obtaining the Partial Certificate of Compliance would allow the contractors to get paid for the work. Commissioner Radner commented that she recently walked the site and the property is in great shape and she was happy to see that there is very little trash in the wetland areas. Commissioner DeAvila asked Mr. Labossiere about where the loom for the project came from since the Commission is trying to keep tabs on any contaminated loom around town, and Mr. Labossiere stated he would get that information and forward to Agent LaBelle. Commissioner Radner noted that she did not notice any weeds at the Costco Parking Lot, but did note a pile of dirt at an adjacent property that was growing smartweed.

Commissioner Puopolo opened the floor for comments from the public. He received no responses.

Commissioner Radner motioned to issue the Partial Certificate of Compliance for DEP 141-0618.

Commissioner DeAvila seconded the motion. Commissioner Puopolo led a roll call vote. All Commissioners present voted “aye” and the **motion passed by a 4-0 vote**.

4.3. 370 Common Street (Northeastern University) – DEP 141-0488 – Turf Field

Sarah Printy, representative for Northeastern University at the 370 Common Street campus, stated that the Certificate of Compliance request is for the turf field that was installed back in 2012. The team has now submitted the as-built for the project and wishes to close out the permit.

Commissioner Puopolo stated that they were able to review the materials and Agent LaBelle conducted a site visit to groundtruth the as-built.

Commissioner Puopolo opened the floor for comments from the public. He received no responses.

Commissioner Radner motioned to issue the Partial Certificate of Compliance for DEP 141-0488.

Commissioner DeAvila seconded the motion. Commissioner Puopolo led a roll call vote. All Commissioners present voted “aye” and the **motion passed by a 4-0 vote.**

4.4. 370 Common Street (Northeastern University) – DEP 141-0519 – New Track

Sarah Printy, representative for Northeastern University at the 370 Common Street campus, stated that the Certificate of Compliance request is for the installation of the new track facility in 2019. Ms. Printy confirmed that an as-built has been submitted, and in 2021 the Commission issued a Partial Certificate of Compliance since there were a few invasive species monitoring reports that still needed to be submitted. She added that they now have submitted those reports and would like to request a full Certificate of Compliance.

Commissioner Radner asked if the area adjacent to the intermittent stream had been replanted with natives following the violation issued for unpermitted invasive species work. Stephen Schneider, with Northeastern University, clarified that the replanting plan was in response to the initial violation issued by the former Agent in 2019. He added that following the invasive species removal, he and the Agent walked the site and natives were coming back to the area, therefore the Agent recommended letting the area re-naturalize instead of replanting it.

Commissioner Puopolo opened the floor for comments from the public. He received no responses.

Commissioner Gauthier motioned to issue the Partial Certificate of Compliance for DEP 141-0519.

Commissioner DeAvila seconded the motion. Commissioner Puopolo led a roll call vote. All Commissioners present voted “aye” besides from Commissioner Radner who abstained, and the **motion passed by a 3-0 vote.**

5. Continued Applications

5.1. 75 & 125 Stergis Way – DEP 141-0620 – New Mixed-Use Development

Todd Freemont-Smith, with Nordblom Company, gave an overview of where the project team was at with the permitting process with other boards in the town. George Ryan, civil Engineer with Stantec, then provided a detailed update to the Commission on changes that were made to the site plan since their last meeting in November of 2023. Mr. Ryan explained that the project will result in a reduction in impervious and the existing pavement line that goes right up to the edge of the wetlands will be pulled back and a buffer of plantings and pervious surfaces will be added. He added that almost an acre of green space will be added to the property as part of the site redevelopment.

Commissioner DeAvila asked if a boat launch is proposed as part of the project, and Mr. Ryan answered that no boat launch is proposed. Mr. Freemont-Smith added that a launch or dock area would not be a part of this filing, but could be proposed in the future as a separate filing with the Commission. Commissioner Puopolo asked the applicant if they would be willing to donate to the Wigwam Pond Revitalization Fund as part of the redevelopment, and Mr. Freemont-Smith stated he had discussed this with Planning Director Jeremy Rosenberger and the team would be very willing to make a donation as part of the ongoing effort to improve the ecological health of the pond.

Commissioner Radner asked about the planting plan, and stated she noticed there are a few non-native species and cultivars proposed and would like to see the planting plan include only native species to best benefit the habitat surrounding Wigwam Pond. Mr. Ryan stated that they did note that comment after the first meeting with the Commission and would provide updated site plans that include the updates to the plan. Mr. Freemont-Smith and Mr. Ryan also explained that they modified the dog park design to improve the treatment of any runoff from the park area per the suggestion of the Commission.

Mr. Ryan explained that following the peer review, no major changes occurred but some minor tweaks occurred to the stormwater design at the suggestion of the peer reviewer. He added that the stormwater design primarily involves a bioretention basin, water quality units on the flared-end sections, and silva cell tree planters.

Commissioner DeAvila commented that he would like to see documentation about any construction fill or loom that is brought onto the site during construction, and the project team confirmed they could provide this information when the time comes. Commissioner Radner asked if the walkway proposed adjacent to Wigwam Pond would be open to the public, and Mr. Freemont-Smith confirmed that the walkway would be publicly accessible.

Mr. Freemont-Smith explained that the project was still awaiting a decision from Planning Board, but a straw-pole vote from the Conservation Commission would be very helpful going into their next meeting with the Planning Board. Commissioner Gauthier stated he was in favor of the project, and the redevelopment would be a clear improvement to the resource area. Commissioner DeAvila agreed that the proposed project will be a great improvement to the property and the overall goals of the Wigwam Pond Improvement project. Commissioner Radner also agreed and noted the proposed project's significant reduction in impervious area. Commissioner Puopolo stated that the project will be an improvement to the pond and resource area.

Commissioner Puopolo opened the floor for comments from the public. He received no responses.

Commissioner Radner motioned to continue the public hearing for DEP 141-0620 until the meeting of August 22nd. Commissioner DeAvila seconded the motion. Commissioner Puopolo led a roll call vote. All Commissioners present voted "aye" and the **motion passed by a 4-0 vote.**

6. Minutes

The Commissioners discussed the minutes from the previous meeting.

Commissioner DeAvila made a motion to approve the minutes for the July 11th meeting as drafted. Commissioner Radner seconded the motion. Commissioner led a roll call vote. All Commissioners present voted "aye" and **the motion passed by a 6-0 vote.**

7. Bylaw and Regulations Discussion

Agent LaBelle updated the Commissioners that KP Law is reviewing the proposed Bylaw Changes. The Commissioners reviewed Section 271-3 of the Dedham Wetlands Protection Bylaw and discussed whether it was worthwhile to keep jurisdiction over the 100' buffer zone to Bordering Lands Subject to Flooding. After some discussion, the Commissioners decided it was OK to eliminate regulation of this area since it has historically not been enforced and has no applicable performance standards. The Commissioners delegated a sub-committee consisting of Commissioner Radner and Commissioner DeAvila to look into the regulation updates in more detail.

8. Programming and Events Discussion

The Commissioners discussed planning a Dedham Biodiversity Day event in September. The Commission delegated a sub-committee consisting of Commissioner Radner and Commissioner Puopolo to work on some of the planning details for the event. Commissioner Gauthier suggested reaching out to the Open Space sub-committee, and Agent LaBelle stated she would reach out to Ryan O'Toole to see if he was interested in helping since he is the Parks & Recreation Commissioner as well.

9. Agent's Report

Agent LaBelle stated that a Request for Determination was filed for 39 Lamoine Street and suggested that they set up a site visit for that property before the hearing.

The meeting was adjourned at approximately 9:36 pm.