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| Conservation Commission - Meeting Minutes Thursday, March 10, 2016, Dedham Town Hall- Lower Conference RoomMembers Present: Fred Civian (Chairman), Laura Bugay, Brian McGrath, and Andrew Tittler.Members Absent: Joseph Smith, Kristine Langdon, and Joseph Hickey.Mr. Civian called the meeting to order at 7:30 PM. |  |

|  | The Town of DedhamCommonwealth of MassachusettsConservation Commission26 Bryant StreetDedham, MA. 02026 |
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 450 Washington Street- *Stormwater Management Permit Application (SWP 2015-19).*

Mr. Civian made a motion to continue 450 Washington Street until March 24th, seconded by Ms. Bugay, UA.

62 Abbott Rd- *Proposed amendment to SWP 2015-01 as a result of NOV.*

Mr. Civian made a motion to continue 62 Abbott Road until March 24th, seconded by Ms. Bugay, UA.

22 Bridge Street-*Notice of Intent (DEP 141- 0493)*

Steve Fleming was present from Vineyard Engineering to represent the applicant. He explained that the owner has agreed to put a shed roof over the waste tank. They feel that since the storage tank is double walled the shed roof will add the necessary protection that is desired. They also plan to put a new inspection plan in place and to trigger notification to the attendants when the tank is 65 percent full.

Mr. Civian asked Mr. Fleming if they have met all stormwater requirements for this project. Mr. Fleming confirmed that they have met the standards.

Mr. McGrath commented that he likes the installation of drainage swales, but he wondered if it would affect the ability to get to the dumpster in the back. Mr. Fleming responded that is not the property owner’s dumpster. He explained that originally they thought it was part of the property which is why it was noted on the plans, but they later discovered it was not.

Kevin Gotwald, contractor, confirmed the dumpster is on a different property.

Agent Brown commented that the alternatives analysis does not address the interests of the act but the work being proposed is a great improvement over what is there.

Mr. Fleming explained that they did consider moving the tanks, but they found that they would not function as well in other locations. He also explained that they are not including any additional parking.

Mr. Civian explained that the applicant will need to meet the requirements of the local bylaw as well as the Wetland Protection Act, and his sense is that they have done enough to meet both. He added that the applicant may need to provide something to the Commission to spell out how the seven interests of the act have been met.

Agent Brown recommended that an Order of Conditions be issued and that as a condition they require that the applicant provide the Conservation Agent with a document that describes how the seven interests of the act are being addressed. Mr. Civian agreed the outstanding item could be included as a condition.

Mr. Civian made a motion to close the public hearing, seconded by Mr. McGrath, UA.

Mr. Civian made a motion to issue an Order of Conditions for 22 Bridge Street as recommended by Agent Brown with the condition that prior to construction a brief description of how the alternatives analysis meets the interests of the act is provided to the Conservation Agent. This motion was seconded by Ms. Bugay, UA.

Mr. Tittler commented that he would vote against this because he felt they needed to ensure this met the interests of the act prior to being approved.

Mr. McGrath commented that he does not believe the process needs to be stopped since they heard that the interests of the act will be met and they are just missing a piece of paper.

It was voted 3-1. (Mr. Tittler was opposed)

7:55 PM: 637 East Street**-** *Notice of Intent (DEP 141-0486)*

John Glossa was present from Glossa Engineering to represent the applicant, Frank Gobbi.

Mr. Glossa explained that they were last in front of the Commission in October 2015 and at that meeting they were given a list of 14 items to address, and he believes that all of them have been addressed. Mr. Glossa reviewed those items with the Commission. Mr. Glossa explained that an existing conditions plan was drafted at the Commission’s request and presented it to the Commission. Mr. Glossa then demonstrated updates that were made to the proposal. He explained that the wetlands were reflagged and that data has been added to the plans. The stormwater calculations were redone using the Cornell Method.

They were asked to pull the hay bales to the lip of construction, and they have done this. Mr. Gobbi has given the Commission a check to fund the third party review process. Mr. Glossa informed the Commission that an O & M plan has been added.

Mr. Glossa explained that they did not propose to do anything with the swale as it is not related to their request and he is not sure exactly why they were asked to deal with it. He explained that his client believes the reason it is a problem is because they are not maintaining it.

Mr. McGrath commented that the Commission had asked for verification of the capacity of drainage basin. He asked if this was included in the calculations. Mr. Glossa confirmed that it was included, and explained that the volumes of the basin is in the drainage calculations. Mr. McGrath asked if that calculation is specifically for the roadway, or if it includes the future lots. Mr. Glossa responded that it does include the proposed lots, and also some of the mitigation is infiltration chambers for each house. Mr. Glossa explained that the infiltration for each lot on their own will not meet a 100 year storm; they will overflow to the basin which does meet the requirements.

Mr. McGrath commented that the UBA was mapped, modifications were made to it, and asked which of the lots the applicant is planning to develop keeping in mind that a number of these lots are located in part in the UBA and special approvals would need to be requested. Mr. Glossa responded that they plan to develop all of them. Mr. McGrath explained that by their own application they are showing the Commission more than half of this development is going to require special variances and special consideration for each lot.

Mr. Glossa explained that at one point all of these lots had Orders of Conditions or Stormwater Permits from the Conservation Commission. Mr. Civian asked if those are still in effect. Mr. Glossa responded that he would say the Stormwater Permits are; he didn’t read anything that said that Stormwater Permits expire.

Mr. Civian asked if they are looking for approval of the development of the house lots at this time. Mr. Glossa confirmed they are not.

Mr. Civian explained that the rules have become more protective since the previous time this applicant got approvals for this subdivision and that stormwater structures will need to be larger and that permits that expired would need to meet current rules.

Mr. Glossa commented that this is a subdivision that had no sunset provision because of when it was approved.

Agent Brown commented that there is a new delineation that they should look at before moving on. This has not been sent out to the 3rd party reviewer yet, but she thinks this is the appropriate time to do so. Agent Brown confirmed with Mr. Glossa that the driveway aprons for each of the houses was included in the stormwater calculations.

Henry Fahey commented that his wife owns property on Fairbanks Road and they were concerned about Lowder Brook becoming impeded, blocked, or dammed in any way. He added that he was assured by Mr. Gobbi that will not happen.

John Cray, an abutter of Wentworth Street, asked if anyone has made a determination of the drainage utilities or if there has been any thought about improving the drainage swale which is not adequate. Mr. Civian responded that his understanding is they plan to include drainage structures that are part of the project area, but the applicant did not plan to address the swale. Mr. Civian explained that the Conservation Commission will make their own determination as to whether that is appropriate, in the review process. Mr. Cray responded that the proposed lots are sloping towards the swale.

Ms. Bugay commented that there is a note on the plans that says the swale needs to be reconstructed due to piled up leaf matter and other yard debris.

Kiley Calzone commented that they pull out leaves from the swale every year, so it is being maintained. She also added that the dirt files do have mature trees and plants growing on them and she believes that is impacting the water going into the swale.

Mr. Glossa commented that the dirt pile they are referring to is a pile of loam that will be reused so they will have to take the trees out of there to use it.

Ms. Calzone also commented on the 1995 FEMA flood maps that were used and noted that the flood map was updated in 2012 and the area is now considered an “A” flood zone.

Charles Jinest, an abutter from Wentworth St. asked who owns the swale. Mr. Glossa explained that the easement is on both sides of the lot line, and it would not be in the best interest of anyone who develops the lots to leave the place a mess back there, but at this point they are only proposing a roadway and they are not really dealing with the swale. Mr. Jinest commented that it is very insulting that Gobbi blames neighbors for not cleaning up the swale considering he has not done his part. He also added that he pays flood insurance since 2012 and he believes it really is a flood zone.

Agent Brown asked if this would be a public street. Mr. Glossa confirmed that it is planned to be a public street. Agent Brown commented that as a public way the Town Engineer would require a setback from the drainage structure.

Mr. Civian asked Agent Brown to put together a master list of all of the different issues that have popped up to ensure that the 3rd party reviewer is looking at everything that they should be looking at. Mr. Civian confirmed with Agent Brown that the applicant has already paid $1,000 towards a peer review.

Mr. Civian made a motion to continue 637 East Street until April 7, seconded by Mr. Tittler, UA.

 34 Hyde Park Street- *Notice of Intent (DEP 141-0494)*

Joe Porter was present from VPP Associates to represent the applicant. He handed out a revised plan and rights of access.

Mr. Porter explained that a test pit was done and the soil was found to be a sandy loam. They did encounter water while doing the test pit so the drainage system was altered to reflect that. The overflow to the Town drain was installed.

Mr. Tittler commented that it looks like most of building is out of buffer zone.

Patrick Rampino, abutter, apologized for not getting back to Mr. Porter. He asked where the project currently is in the process. He wondered if the road will be widened. Mr. Porter confirmed the road will not be widened. Mr. Rampino asked if he has a choice regarding the type of tree to be planted, and commented that he is not familiar with arborvitae trees. Mr. Porter agreed to work with Mr. Rampino on the final appropriate tree selection for the site and explained that arborvitaes are generally a good choice for screening. Mr. Rampino asked if there will be sidewalks. Mr. Porter confirmed there would not be sidewalks. Mr. Rampino asked if they will be blasting. Mr. Porter explained that while blasting is not planned, if it ends up being required, a study of nearby houses would be done and they would be aware. Mr. Rampino expressed concern with the current grading of road runoff not allowing the water to reach the catch basin and asked them to consider improvements to address this issue at the time that other work is being performed.

Ms. Bugay commented that she likes the arborvitae proposed for screening, but she thinks the neighbor should weigh in on the tree selection. Her only concern would be that the arborvitae would not replace the canopy of the big trees that were taken down.

Mr. Civian made a motion to 34 Hyde Park Street until March 24th, seconded by Ms. Bugay, UA.

Agent Brown commented that she would like to schedule a site walk with the neighbor.

75 Maverick Street- *RDA for addition of a bulkhead within the 200 foot buffer zone (RDA 2016-01)*

Mr. Civian made a motion to continue 75 Maverick Street until March 24th, seconded by Mr. McGrath, UA.

370 Common Street- *RDA from Northeastern University for repairs to an existing turf field (RDA 2016-02)*

John Tobin was present from Northeastern University. Trey Sasser of Sasaki Associated was present to represent Northeastern. Mr. Sasser explained the existing conditions of the field, and how it had settled with time and required repairs.

Mr. Tittler confirmed with Mr. Sasser that the plan is to pull out the drain line, compact the trench and then to put the pipe back in and asked what would keep it from settling again. Mr. Sasser explained how they would eliminate the cavities which currently allow for the settling to occur.

Ms. Bugay asked that the erosion control barrier be shifted closer to the track and further from resource area.

Mr. Tittler asked how long they expect the project to take. Mr. Sasser responded they estimate it to take 10 to 12 weeks.

Mr. Civian commented that he would like more information on how Northeastern is helping the Town of Dedham with its recreation needs.

Agent Brown explained that she recommends that a Negative Determination of Applicability be issued, and that she has prepared special conditions but plans to make some revisions to them to address issues raised tonight.

Mr. Civian made a motion to issue a Negative Determination of Applicability as recommended by Agent Brown with revisions to be made to the special conditions, seconded by Mr. Tittler, UA.

270 & 280 Bridge St.- *Notice of Intent for proposed work within the 100 foot buffer zone of a bordering vegetated wetland and also within a riverfront area (DEP 141-TBD)*

Scott Henderson, of Henderson Consulting Services was present to represent the applicant. He reviewed the existing site conditions with the Commission and explained that the area is within the 200 foot buffer zone of the river. They plan to take the existing gravel area and replace it with porous asphalt; the Planning Board does not consider gravel areas to be suitable for parking as parking must be striped. Mr. Henderson reviewed the alternatives analysis with the Commission.

Ms. Bugay suggested delineating between the porous pavement and the non porous pavement in the Operations and Maintenance plan.

Ms. Bugay confirmed with Mr. Henderson that by re-grading, the flood storage would essentially be the same, and it is not decreasing.

Mr. Tittler asked how long the owner has owned this site. Mr. Henderson responded, a little over a year. Mr. Tittler asked when the last time they cleaned the catch basins was. Mr. Henderson responded about two months ago.

Agent Brown commented that there is no file number from DEP, so this will need to be continued.

Mr. Civian made a motion to continue 270 and 280 Bridge Street until March 24th, seconded by Ms. Bugay, UA.

159 Meadowbrook Rd- *Notice of Intent for work within the 100 foot buffer area of a pond and Isolated Land Subject to Flooding (DEP 141- TBD)*

Paul Lindholm explained that his clients are under an agreement to buy this property, but they have plans to renovate and to add a 2 stall garage, entryway and walkway. Mr. Lindholm explained that they also would like to rehabilitate the boathouse, but they are not able to do this without getting rid of the old septic.

Agent Brown confirmed there is no file number from DEP yet.

Mr. Lindholm explained that while the proposed work would most likely impact some trees, they would be willing to replace them.

Mr. Tittler asked for clarification on what makes this a restoration. Mr. Lindholm explained that by removing the septic and replacing it with better conditions, that is restoration.

Ms. Bugay asked if the existing septic is failing. Mr. Lindholm responded that it is possibly failing, but the real issue is that it is not up to code and the property is no longer viable in the current state which is a hardship to the property itself.

Ms. Brown commented that it is possible to make a connection without going through the UBA, but that alternative connection would require pumping.

Ms. Bugay commented that it seems that an alternatives analysis would potentially favor this alternative over others.

Mr. Tittler commented that he would feel more comfortable moving forward with a waiver.

Mr. Lindholm clarified that the home is not uninhabitable with the current septic system.

Ms. Bugay commented that eliminating a cesspool near a water body is a good idea.

Mr. Civian commented that to avoid the applicant spending money to re-route and have it be a pump system that will eventually fail, the Commission will entertain a waiver under the bylaw.

Ms. Bugay asked if the applicant considered putting the garage in different area to shift the sewer line away from the UBA. Mr. Lindholm explained the site constraints.

Ms. Bugay commented that she is not concerned about erosion for a 3:1 slope.

Ms. Bugay asked about the condition of the existing catch basin. Mr. Lindholm responded that he did not know.

Mr. Civian made a motion to continue 159 Meadowbrook Road until March 24th, seconded by Ms. Bugay, UA.

10:00 PM: Lot 2, 1056 East Street- *Stormwater Management Permit Application (SWP 2016-04)*

Ms. Bugay asked how the Stormwater approval for the roadway relates to the lot because the trench drains for the driveways end at the right-of-way line, but then there is additional driveway that extends out to the curb line. Agent Brown confirmed this is standard practice.

Mr. Civian made a motion to issue the Stormwater Management Permit for Lot 2, 1056 East Street as recommended by Agent Brown, seconded by Ms. Bugay. *It was voted 3-0-1*. (Mr. Tittler abstained)

Lot 3, 1056 East Street**-***Stormwater Management Permit Application for the construction of a single family home with a deck, porch and driveway. (SWP 2016-05)*

Mr. McGrath made a motion to issue a Stormwater Management Permit for Lot 3, 1056 East Street as recommended by Agent Brown, seconded by Mr. Civian, UA.

Lot 4, 1056 East Street-*Stormwater Management Permit Application for the construction of a single family home with a deck, porch and driveway. (SWP 2016-06)*

Ms. Bugay suggested that a condition be added to add spot grading on east side of the house to ensure the water flows as designed and does not puddle.

Mr. Civian made a motion to issue a Stormwater Management Permit for Lot 4, 1056 East Street as recommended by Agent Brown, seconded by Ms. Bugay, UA

 Lot 5, 1056 East Street-*Stormwater Management Permit Application for the construction of a single family home with a deck, porch and driveway. (SWP 2016-07)*

Mr. Civian made a motion to issue a Stormwater Management Permit for Lot 5, 1056 East Street recommended by Agent Brown, seconded by Mr. Tittler, UA.

Informal Discussion

Agent Brown discussed a response to the Notice of Violation that was issued to 122 Bridge Street. She has given administrative approval for the property owner to remove trees and to also replace trees and shrubs.

Mr. Tittler informed the Commission of his attendance at the MACC conference.

Mr. Civian commented that he was at the Saturday Finance Committee meeting in the Conservation Agent’s absence and therefore was not able to make it to the MACC conference this year.

Mr. Tittler made a motion to adjourn at 10:15 PM, seconded by Ms. Bugay, UA.