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

Thursday, February 2, 2017, Dedham Town Hall- Lower Conference Room

Members Present: Fred Civian (Chairman), Andrew Tittler, Joseph Smith and Joseph (Matt) Hickey.

Members Absent: Laura Bugay & Michael Williams.

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

725 Providence Highway – *Notice of Intent for a fast food restaurant (DEP #141-0508)*

Mr. Civian made a motion to continue 725 Providence Highway until February 16th, seconded by Mr. Hickey, UA.

38 Icehouse Lane, Giorgio Petruziello, Supreme Development, Inc –*Notice of Intent .for a new SFD in Riverfront and UBA (DEP #141-0510)* & 13 Powers Road, Giorgio Petruziello, Supreme Development, Inc.**-** *Notice of Intent for a new SFD in Riverfront and UBA (DEP #141-0511)*

Mr. Civian explained that the applicant is claiming and demonstrating that these are 2 buildable lots and they have the rights to build on them. A memorandum was provided from Attorney Peter Zhaka.

David Johnson of Norwood Engineering explained that the applicant would like to make sure the project is approvable before putting significant expenses into pre and post development.

Mr. Civian explained that the Commission is compiling a list of decisions that have to be made.

Giorgio Petruzziello explained that he does not have a problem with some of the items needed, but in a single family development he normally doesn’t have these same requirements. For example, the requirement about trees; is it really necessary to flag the trees when the whole lot is being cleared? Also with regards to the request for full pre and post runoff calculations, is that typical of other single family developments?

Mr. Johnson commented that single family homes are normally exempt by the state of these requirements that the Agent has requested. Mr. Johnson offered for the applicant to document the number of trees being removed rather than locating each tree to be removed on a plan.

Mr. Civian explained that the issues being presented are more procedural. There are other issued with the proposal that are potential barriers.

Agent Brown explained that a riverfront analysis does not require an alternatives analysis for single family development.

Mr. Civian commented that lack of an alternatives analysis could be a potential barrier.

Mr. Civian explained that it is the applicant’s responsibility to claim and demonstrate they are meeting the different requirements.

Mr. Johnson asked if they could they expect to have the list in time to respond to it in time for the next meeting.

Paul Lombardi, an abutter, asked if an alternatives analysis was requested on December 15th.

Mr. Civian responded that an alternatives analysis needs to only be a write up, it is not necessary to develop plans for the alternatives.

Mr. Tittler commented that the scope of the alternatives analysis needed for a single family home is less than with a commercial project.

Mr. Lombardi commented with regards to the meeting between town employees and Attorney Zahka. It was confirmed at a previous meeting that Mr. Cimeno makes the call on zoning and that there are 2 buildable lots; he would still like to see something documented in writing from Mr. Cimeno.

Agent Brown has asked for a table to be put together for the calculations.

Mr. Lombardi asked how the UBA is not a concern. Mr. Johnson confirmed that the entire lot is in the UBA.

Mr. Civian commented that the UBA is a concern and since he has been on the Commission he has not seen a request to build completely within the UBA.

Mr. Johnson commented that the lot is not entirely within the 100 foot buffer zone.

Mr. Lombardi commented that he has an issue with some of the signature pages on the application. He found there were cross outs and from a clerical standpoint he would think a cleaner copy where you can determine the signatures would be appropriate.

Mr. Lombardi asked who would make sure that the Operations and Maintenance plan is adhered to. Mr. Petruzziello explained that prior to the sale of this property he will maintain stuff, and afterwards it’s the responsibility of the owner. Mr. Civian added that the Operations and Maintenance plan requirements run with the property deed.

Mr. Lombardi asked who is responsible for overseeing the quality of the build and quality of the road on a private way.

Mr. Civian explained that the applicant will provide final plans of everything they are doing, and the Town will inspect throughout the process to ensure the final plans are adhered to.

Barbara Michachio an abutter on Icehouse Lane asked if the soil has been tested yet and if not, how they can know what is under that hill.

Agent Brown explained that she is still requesting that a soil test be done.

Erin Akroid an abutter from Icehouse Lane asked about the impact to her property. Mr. Petruzziello explained that the pavement will be pulled back in front of their property and landscaped they will be gaining front yard.

Mr. Civian made a motion to continue 38 Icehouse and 13 Powers until February 16th, seconded by Mr. Tittler, UA.

Southern Extra High Redundant Pipeline, MWRA- *Notice of Intent for a new water main (DEP # 141-0509)*

Hillary King was present for the hearing. She reviewed updates since the last hearing including planting plans, invasive species removal, and the procedure for invasive removals.

Agent Brown believes they are very close to resolving this matter.

Mr. Tittler confirmed with Agent Brown that she has not yet drafted an Order of Conditions.

Mary White commented that they would like to close tonight if the Commission is ready.

Mr. Smith made a motion to close the public hearing, seconded by Mr. Tittler, UA.

Mr. Civian made a motion to continue Southern Extra High Redundant Pipeline- MWRA, until February 16th, seconded by Mr. Tittler, UA.

Emmett Avenue & Dedham Boulevard, DCR – *Notice of Intent for a Headwall Construction (DEP File #141-0512)*

Robert Lowell was present from Stantec with Deborah Duhamel and reviewed the requirements that the project needed to meet and explained how they are meeting those requirements as well as presented updates since the last meeting.

Mr. Civian confirmed that the Conservation Agent will draft an order of conditions for approval for the next meeting. He asked that additional details needed on the plantings be provided soon so they can be reviewed. The plan will be to close and issue at the next meeting.

Mr. Civian made a motion to continue Emmett Avenue & Dedham Boulevard, DCR until February 16th, seconded by Mr. Hickey, UA.

209 Court Street-*Request for a Certificate of Compliance for Order of Conditions (DEP #141-0236)*

Jeff Sullivan, the potential property owner, was present for the request.

Agent Brown explained that the as-built differs from the approved plans in that a deck was built and the driveway was expanded a bit, but the driveway is gravel.

Mr. Civian made a motion to issue a Certificate of Compliance for 209 Court Street, seconded by Mr. Smith, UA.

Town of Dedham, Colburn Street Dam – *Notice of Intent for dam rehabilitation (DEP #141-TBD)*

A representative from the Town was not able to attend this evening.

Agent Brown questioned whether the dam should be fixed or removed. Mr. Civian suggested that Agent Brown request costs from the applicant of other options.

Agent Brown commented that there is an advantage to doing this work in the winter.

Mr. Civian commented that doing this project as proposed will increase the regulatory burden. Additional rules will need to be met that probably wouldn’t be there if there were cofferdams.

Mr. Civian made a motion to continue Town of Dedham Colburn Street Dam until February 16th, seconded by Mr. Tittler, UA.

123 Eastern Avenue, David Raftery – *Notice of Intent to demolish an existing SFD and construct a new 2-family dwelling (DEP #141-TBD).*

Mr. Civian made a motion to continue 123 Eastern Avenue until February 16th, seconded by Mr. Smith, UA

**Informal Discussion**

Agent Brown informed the Commission that the Papa Gino’s Plaza will need to be addressed again. Mr. Smith confirmed with Agent Brown that they had agreed to weekly clean-ups.

ConCom Vacancy Posting- Agent Brown informed the Commission that the vacancy was reposted as there were not applicants on the last round.

Proposed By-Law Change- Agent Brown informed the Commission that the by-law language still references the term “Blanket” when it is now called a “Minor” Stormwater Management Permit.

Lisa Eggleston Update- Agent Brown informed the Commission that Lisa Eggleston will be out on a family situation.

Conflict of Interest Training- Agent Brown reminded the Commission that is it time to complete the required Conflict of Interest Training.

MACC Conference- Agent Brown informed the Commission that the conference will be held on March 4th. Mr. Smith expressed interest in attending.

MSMP and New Houses- Agent Brown asked the Commission their thoughts on a house on Milton Street where they plan to use the same footprint of the existing foundation. The Commission agreed to let them do it as a Minor Stormwater Management Permit.

Mr. Tittler thanked Agent Brown for the progress report; he finds it helpful.

Mr. Civian provided an update from his attendance at the Wetlands Study Committee meeting.

8:55 PM: Mr. Tittler made a motion to adjourn, seconded by Mr. Smith, UA.