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

Thursday, January 12, 2017, Dedham Town Hall- Francis O’Brien Meeting Room

Members Present: Fred Civian (Chairman), Laura Bugay, Andrew Tittler, and Joseph Smith.

Members Absent: Michael Williams and Joseph (Matt) Hickey.

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

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

Mr. Civian made a motion to continue 725 Providence Highway until January 19th, seconded by Ms. Bugay, UA.

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

Mr. Civian made a motion to continue the Southern Extra High Redundant Pipeline until January 18th, seconded by Ms. Bugay, UA.

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

Mr. Civian made a motion to continue the Emmett Avenue & Dedham Boulevard, DCR until January 18th, seconded by Ms. Bugay, UA.

Meadowbrook Road, John Shaw – *Request for Determination for private roadway improvements (RDA 2016-10)*

Paul Lindholm, Engineer, was present and explained that greater detail was added onto the plans. He has reviewed the draft Negative Determination of Applicability and agrees with it. He explained that they would be controlling the edge of the pavement by pinning boards in place 6 inches away from the edge of pavement to prevent any increase in impervious area. In general the shoulders are going to be improved.

Mr. Tittler confirmed with Mr. Lindholm that there will not be any work within resource areas and that work will only take place in pavement area and shoulder area.

Ms. Bugay asked about the material of the boards proposed to be used and how they would be installed. Mr. Lindholm responded that they would be 2 x 12 wooden boards pinned with rebar and attached on the rear and pinned into the ground 6 inches from edge of pavement.

Ms. Bugay confirmed with Mr. Lindholm that the work proposed will be to reclaim or mill and overlay. If they can reclaim they will do that, but if it is too hard they will mill and overlay. Ms. Bugay commented that the cold planers make a lot of mess, kicking up debris so she asked for more detail on the scope of the repaving with the wetland edge being so close to the work area. Mr. Lindholm responded that they plan to compact the material in place.

Mr. Smith confirmed with Mr. Lindholm that the proposed width of the road will remain the same as the existing width of the road, and that the grading will remain the same.

Agent Brown expressed concern that if they are adding 2 courses of pavement there will be a steep drop off. Agent Brown explained that she has reviewed the criteria and believes the proposal meets the criteria to be considered an RDA with stipulations. She added that the stormwater improvements will not meet stormwater standards in their entirety.

Kelly Jenkins, an abutter at 65 Deer Path Road commented that her property extends 5 feet into the center of Meadowbrook Rd and questioned whether they have the right to propose work on her private property.

Mr. Tittler commented that the Commission does not have the authority to adjudicate property rights but it does have the authority to decide if a project meets the rules under its jurisdiction.

Mr. Civian added that an abutter wanting someone to make a decision about property rights is something that would need to be done in civil court.

Kelly Jenkins commented that a ton of projects are already being done on Meadowbrook Road contributing to the degradation of the roadway.

John Pallola of 195 Meadowbrook Road explained he is an abutter who is in favor of the proposal. He explained that John Shaw had a meeting with the abutters from the road and although the project is very costly they have enough momentum to get it done.

Greg Hagger was present with wife Kirsten, abutters, also in support of the project and want to contribute towards the Homeowners Association to ensure the road is maintained and to prolong the life of improvements.

Ms. Jenkins commented that she wanted to make sure there that gravel put down is not used for cars to pass. She is concerned about the road continuing to erode and extending further onto her property.

Mr. Shaw explained that they are only reestablishing the shoulders, not creating them.

8:15 PM: Mr. Civian made a motion to close the public hearing for Meadowbrook Road, seconded by Mr. Tittler, UA.

Mr. Civian commented that if they decide to file a Notice of Intent they will need to meet the stormwater requirements.

Mr. Tittler asked that the condition be that the HOA be formed within 2 years.

Mr. Smith suggested requiring them to form the association before they do the work on the road, and to provide proof to the Conservation Agent.

Mr. Civian made a motion to issue a Negative Determination of Applicability with conditions of approval as presented 1/5/17 with the added requirement that the HOA be created and proof of such provided to the Commission prior to the start of construction and also with erosion controls within 100 feet of the isolated wetland and the pond. The motion was seconded by Ms. Bugay.

Ms. Bugay commented that it seems that the project scope would require a Notice of Intent according to the regulations.

Mr. Civian explained that the road is in bad shape and they have to do something to fix the road. Presently the wetlands are being altered by the degradation of the road. He is concerned if they hold out for the whole project people will just walk away from it and nothing will be done to fix the road.

It was voted 3-0-1. (Mr. Tittler abstained from voting)

Geotechnical Borings, Eversource– *Request for a Certificate of Compliance (DEP File #141-0506)*

Mr. Civian made a motion to issue a Certificate of Compliance for DEP 141-0506 as recommended by Agent Brown, seconded by Ms. Bugay, UA.

480 Sprague Street – *Request for a partial Certificate of Compliance for phase 1 of a driveway realignment with parking expansion (DEP File #141-0475)*

Mr. Civian made a motion to issue a partial Certificate of Compliance as recommended by Agent Brown, seconded by Ms. Bugay, UA.

**Informal Discussion**

Draft letter to Governer Baker- Agent Brown explained this would be a letter to not support gas pipelines. Mr. Smith commented that it doesn’t feel like it is the Commissions place to get involved with this. Mr. Civian suggested bringing this up at the next meeting.

271 Bridge St- Agent Brown explained that the applicant will come back to the Commission in July with a stormwater permit as he is being deployed until then. Agent Brown explained that while they meet the requirements for storage she is still requiring that a Stormwater Permit be issued.

750 Providence Highway- Agent Brown informed the Commission that the DEP denied the Commission’s amendment and has issued a Superseding amendment to the Order of Conditions.

Agent Brown informed the commission that the vacancy on the Commission has been posted.

8:50 PM: Mr. Civian made a motion to adjourn, seconded by Ms. Bugay, UA.