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

Thursday, March 15, 2018, Dedham Town Hall- Lower Conference Room

Members Present: Fred Civian (Chairman), Laura Bugay, Stephanie Radner, Andrew Tittler, Joseph Smith, Michelle Kayserman, Nathan Gauthier (alternate) and Sean Hanley (alternate).

Additional Present: Elissa Brown (Conservation Agent), Jennifer White Tahiraj (Administrative Assistant)

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

Mr. Civian opened the meeting by thanking the Dedham selectman and welcoming new member Michelle Kayserman, and alternates Nathan Gauthier, and Sean Hanley.

Mr. Civian then made a motion to continue the following applications to the April 5, 2018 meeting:

* + **235 & 243 Bussey Street, ANJOM, LLC, Applicant – Scott Henderson, Henderson Consulting Services, Rep** – Demolition of five existing structures on-site and construction of a new mixed use building (MSMP 2017-23).
  + **1000 Washington Street, Joseph Moussalli, Applicant – Michael Joyce, Joyce Consulting Group, Rep** –3-story mixed use redevelopment with 2,800 sf of proposed commercial space and 28 residential units above (MSMP 2017-18).
  + **95 Eastern Avenue, Dedham Marketplace, LLC, Applicant – David Johnson, Norwood Engineering, Rep –** Milling, repaving, and reconfiguration of existing surface parking lot, and retrofitting of existing catch basins (DEP File #141-0529, MSMP 2017-21).
  + **Elm Street and Rustcraft Road, Jason Mammone, App. – Matthew Crowley, Beta Group, Rep.** – Notice of Intent and Stormwater Management Permit for roadway widening and pavement milling and overlay, sidewalk reconstruction, high visibility crosswalk beacons, and new signs and pavement markings in the Buffer Zone, Bordering Vegetated Wetlands Land Under Water, Bank, Bordering Land Subject to Flooding, and Riverfront Area (DEP File #141-0534, MSMP 2018-06*).*
  + **270 & 290 Bussey Street, Delapa Plaza East, Inc, App – Jim Devellis, DeVellis Zrein, Inc – Rep. –** Notice of Intent and Major Stormwater Management Permit for commercial/residential redevelopment of an existing commercial building in Buffer Zone to Bordering Vegetated Wetlands, Bank, and Land Under Water; and Riverfront Area (DEP File # 141-TBD, MSMP 2018-07)
  + **637 East Street, Frank Gobbi, Applicant – John Glossa, Rep. -** Subdivision road and utilities (DEP File # 141-0486)
  + **26 Bryant Street (Public Safety Building), Town of Dedham, App. – Jonathan Hedlund, Nitsch Engineering, Rep. -**  Major Stormwater Management Permit for the demolition of the existing Town Hall and fire station and construction of a new public safety building to house the fire and police headquarters (MSMP 2018-08).

A member of the public spoke regarding 637 East Street. They asked when the agenda was changed. Mr. Civian replied we were waiting for additional documents and analysis from Mr. Gobbi’s attorney and that it was changed recently. Documents were public information and a copy could be forwarded to the person asking.

Mr. Civian continued the motion.

The motion was seconded by Laura Bugay. All in favor.

28 Mac’s Place- New Single Family Dwelling (SFD) (DEP #141-0533; MSMP 2018-04).

Applicant Laura Bradbury, Scott Henderson of Henderson Consulting Services, and Scott Goddard of Scott Goddard Consulting in attendance, representing. Mr. Henderson addressed the committee. Following the last meeting new site plans have been revised and updated to show the house footprint has been moved outside of UBA and shifted as far from wetlands as possible. Mr. Henderson continued by explaining the revised sewer layout. The line appears closer to the wetland on the drawings but in actuality this is a tree line. The new alignment will limit the amount of tree clearing. The new plan also includes roadway expansion required by the fire department for safety regulations. Access is a private way and cannot be governed by town. Opened to questions from the commissioners.

* Question from Stephanie Radner: How many trees were being removed and replanted for the site?

Mr. Henderson replied that five (5) trees were being removed and four (4) were to be planted.

* Question from Michelle Kayserman: Have any tests been done to show where the existing ground water is?

Mr. Henderson replied no, in lieu of digging at the site, they are using old plans from 1990’s that established soil conditions. The rain garden is as high as it can be, it cannot be changed.

* Questions from Laura Bugay (LB): What elevation are the wetlands at? The closest topography?

Mr. Scott Henderson (SH) replied 90. Discussion between the two ensued regarding several matters: Tying the sewer to the central sewer system and alternative methods. Ms. Bradbury also asked about any required offsets to the sewer line. SH replied it is a service line from certain points, and they cannot legally encroach on other’s property. LB: Did you look at potentially extending the service out of the house more north before moving west?

SH replied that they could go that way but in order to tie into the sewer manhole they would have to put the manhole closer to the wetland so it is a catch 22. With this alignment he can substantially maintain the existing topography.

LB: Do you have any dewatering plans?

SH: replied that he can put together a dewatering plan if needed.

LB: Water service? Electric? SH: Yes, water service would run out to central, overhead wires are from the opposite side of Icehouse lane. No gas.

* Questions from Andrew Tittler: On the back lawn are you clearing to the extent of limit of work?

SH: Yes we are clearing all the way through.

AT: Will the area of the UBA be filled and graded?

SH Yes. We can re-naturalize and plant that.

AT: That is the biggest area of UBA that you are affecting.

* Ms. Bugay asked Agent Brown if there are any invasive species in the buffer area. Agent Brown replied there is Honeysuckle, but the area has a history of fill and junk, and was not calling out for an invasive species management plan. She indicated the commission would be looking for a replanting plan with at least 2:1 and markers to identify the UBA line.

Mr. Civian explained that the reason they were scrutinizing the project was because it is a marginal lot given its proximity to state protected wetlands resource and sets precedent for other similar types of situations. He then asked Mr. Henderson wow many waivers were they asking for? Mr. Henderson replied

for work within the UBA, the ascertaining wall, but said they met the rule for 2 inch infiltration as well as zero run off water increase. Mr. Goddard interjected for work regarding the sewer line and indicated the grading work was kept out of the UBA area. Agent Brown also offered that they were looking for a waiver to postpone the test pits until the time of construction.

Mr. Civian asked Agent Brown what the next steps would be and she replied that since the commission had asked for some revisions to plans we would need to postpone until the next meeting on April 5th which would give everyone a chance to review the revisions.

Mr. Henderson raised the Possibility of that they may be looking for a zoning variance and if so would the commission be willing to support that? There was some discussion amongst the members as to why it may be necessary and explaining the benefits of doing so. Mr. Civian replied that yes, if it came to that the commission would most likely be willing to support them from an environmental standpoint.

Mr. Civian asked if the public had any questions and there were none.

Mr. Civian made a motion to continue the discussion to the April 5, 2018 meeting.

Ms. Bugay seconded the motion and all were in favor.

**30 Milton Street 30 Milton Street and 36 Sawmill Lane, Motherbrook Realty Trust, App – Jim DeVellis, DeVellis Zrein, Rep. - Redevelopment of a commercial 2-story building by adding one additional story of commercial space and two stories of residential space, as well as improvements to the existing landscaping, parking and stormwater system (DEP File # 141- TBD, MSMP 2018-10).**

Jim Devellis, Antonia Reda. Notified approximately 70 abutters and gave green cards to office.

Mr. Devellis explained the project, they are working within 100/200 feet of MotherBrook and in need of MSWP. The property is approximately 1 acre, a 2 story commercial, where Dunkin Donuts is. The buildings would stay unchanged as far as footprints, the bottom will stay commercial, top will be residential. Access to the site will stay the same. The landscaping on the site is new, and the existing main entrance will be removed. A Rain Garden will collect roof run off, right now it is coming down to the pole. Collection system will remain the same except larger volume to collect more. He had to condense the driveways, it was initially parallel parking but that is now removed. Landscaping has river stone and plantings.

Mr. Civian stated the Applicant has to meet the stormwater standards and the requirement that we improve existing conditions. We are going to be asking for money for a third party reviewer for this project.

Ms. Bugay asked about the fact that there were two fence lines shown, what is the actual plan?

Mr. Devellis answered that the dash line is the existing chain link fence and we are replacing it with a new fence. That is why it looks like there are two fences. Mr. Civian asked if agent Brown had any questions? Any questions from the public? There were none, Mr. Civian: The walking area, will that be on the client property or the town’s property? Mr. Devellis: A little bit of both. Mr. Civian: Is the proposal to have the pavement asphalt or gravel? Mr. Devellis: Assumed pavement, but it is up to the commission. Mr. Gauthier: Is there pedestrian access planned? JD: From the right and the left yes. NG: Is this part of the East Dedham Master Plan?

Mr. Civian made a motion for a third party review. Seconded by Ms. Bugay, all in favor.

Mr. Civian mad a motion to continue at April 5, 2018 meeting, second by Ms. Bugay, all in favor, motion carried.

**7:20 PM - 51 Booth Road, John Boulanger, App**. – New swimming pool and concrete patio (RDA 2018-03, mSMP 2018-01)

Agent Brown stated that the applicant had proposed moving the swimming pool three feet farther from the property line. Mr. Civian remarked that there had been some concern as to where the property lines were, and invited neighbors to feel free to ask questions.

Mr. Arne Kanan, an abutter, explained that he is going to proceed with a survey to determine property lines but he does not think it affects the project.

Bill Call, another abutter explained that he wants to proceed with a survey. He asked if the commission got a chance to view/walk the property. Mr. Civian replied that yes some of them informally inspected the property. Agent Brown recommended a request for a negative determination of applicability, and explained that she had a draft RDA for the commission’s signatures. Mr. Civian explained that a negative determination is a good thing for the applicant, it means there is no impact to the protected resource from the project.

Mr. Civian made a motion to close the public hearing on 51 Booth Street, Ms. Bugay seconded, all in favor.

Mr. Civian made a motion to issue a negative determination and issue a MSWP as recommended by Agent Brown, Mr. Tittler seconded, all in favor.

**195 Highland Street - Kanayo Lala/Robert Oellette, A Francis Contracting ,Rep.** Construction of a new Single Family Dwelling on an undeveloped lot (MSMP #2017-24)

Kanayo Lala presented plans and reviewed swales, added check dams, and discussed pervious paving detail. Mr. Civian asked if pervious paving changes were shown on plan and Mr. Lala replied no. Mr. Civian asked Agent Brown if she had reviewed the plans and she explained that she had not because Dedham Engineering still needed to look at them and the Board of Health still needed to review the septic system. Mr. Civian stated that it sounded like those meetings needed to take place before the additional hearing. Mr. Tittler asked Ms. Bugay about engineering drywell and inverts and Ms. Bugay explained that the rim is a foot below and that the drywell seems to be high. She went on to state that there were still a lot of inconsistencies in relation to the plans inverts, convert tie ins, potential grading and cuts, electric lines and gas lines running through locations of drywells, and that the plans still needed a lot of clean up. Mr. Tittler said he still did not understand what was happening with the circle.

Mr. Lala explained that with regards to the landscaping area of circle, the client has a statue they wish to display. Mr. Civian stated that Mr. Lala’s plans need to accurately display what is happening. He further stated that it sounded like Mr. Lala had a good plan but it just needed to be accurately portrayed on paper.

Ms. Bugay explained that there was a lot being shown in the plans and they need to be separated out better. Mr. Gauthier asked the commission what type of information he should be checking for when an application such as this comes in. Mr. Civian explained what types of details they are looking for with the Major Storm Water Permit. Ms. Kayserman asked about drywell covers and if they are catch basin grates or solid covers? Mr. Lala explained they are all solid covers. Mr. Civian said there are some field decisions that will be made but other things and details are becoming clearer. Mr. Lala said he will separate the plans. Agent Brown asked about setting up a meeting with Mr. Lala, possibly the 28th of March or 29th.

Mr. Civian made a motion to continue until the April 5th meeting. Ms. Bugay seconded, all in favor.

**93 Alden Street, Alena Pelipenko -Applicant; Rich Kirby, LEC – Rep** Addition and driveway extension at an existing SFD (DEP File #141-0531, mSMP 2017-01)

Rich Kirby went over changes to plans that had been made. Namely pervious paving, no sand, a deeper base and increased the plantings from 10 to 14 and two additional fruit trees. Boulders will be placed to demark the UBA every 20 feet or so. Ms. Bugay asked if the boulders will be between the eastern and western property lines? Mr. Kirby explained the boulders will start at the eastern side of the property and run along to the western side every 20 feet. Mr. Civian asked if there were other questions, and he noted that Agent Brown had a recommendation. Agent Brown explained that add draft order of conditions, one special condition, applicant was requesting a waiver from the requirement to infiltrate two inches of storm water from the surface due to tight space. Mr. Kirby had a chance to look at the draft and it is acceptable. Mr. Civian asked if there were questions from the public. No questions. Mr. Civian then made a motion to close the hearing on 93 Alden Street and Mr. Tittler seconded the motion, all in favor. He then made a motion to grant the waiver application for 93 Alden Street, Tittler seconded, and all in favor.

Mr. Civian made a motion to issue an order of conditions for 93 Alden Street, Ms. Bugay seconded, all in favor.

**97 Westfield Street, Christopher Cheever, App. – David Johnson, Norwood Engineering, Rep.** –Addition to an existing SFD, demolition of an existing garage and upgrade/relocation of the existing septic system (DEP File # 141- 0536, MSMP 2018-09)

David Johnson explained the plans, he said they are proposing an addition to the house, and abandoning the septic system. Agent Brown had proposed a rain garden, so they we added it. Documentation on run off was prepared to go with the full report. He handed out a summary and a storm water report. The summary of the findings were the following: the impervious roadway are going through the raingarden, 2 year, 2 inch storm, 10, 25, 100 discharges and runs to existing infiltration basin. There was a reduction of rate and reduction of volume. The only perimeter that was not reduced was the 100 year storm event. No overflow occurs within the 2 inch storm. A number of waivers have been requested. The UBA is not being changed. Agent Brown has not had a chance to review the changes since they were just handed out. She explained that they need a chance to review them but at face value they appear to address the changes we requested. Ms. Radner asked about property lines and how do we know the adjacent particle will not be modified at some point? Mr. Civian explained that Commissioner Radner wants to make sure that the two parcels are tied together. The possibility of a deed restriction was raised when Mr. Tittler suggested they seek legal advice as to how to proceed. There ensued some legal discussion on the authority of the commission. It was decided that the applicant will have his attorney draft the proper language for the land parcels before the next meeting.

Mr. Civian made a motion to continue until the April 5, 2018 meeting. Ms. Bugay seconded the motion, all in favor.

**124 Country Club Road, Dedham Country and Polo Club, App. – Michael Toohill, BSC Group, Rep.** – Replacement of 3 golf cart and 2 pedestrian bridges (DEP File # 141- 0537)

Mike Toohill addressed the commission. Agent Brown had put together a draft order of conditions with a recommendation that it be issued. Mr. Civian asked if there were any questions from the commissioners, or any questions from the public. There were none. He made a motion to close the hearing, Ms. Bugay seconded, all in favor.

Mr. Civian made a motion to issue an order of conditions, Mr. Tittler seconded and all were in favor.

**128 West Jersey Street, Larry Jackson, App – Paul Lindholm, Lindholm Engineering, Rep –** New SFD on a lot currently developed with one garage (MSMP 2018-11).

Mr. Civian opened the hearing for 128 West Jersey Street. Agent Brown recommended they issue a Major Stormwater permit with two waivers requests. The first waiver would be with a depth to seasonal high groundwater from 2 feet below the leaching structures and the second waiver would be for less than the storm water analysis results for less rate and volume of runoff.

Mr. Civian made a motion to close the hearing on 128 West Jersey Street, Ms. Bugay seconded and all were in favor. He then made a motion to issue the MSWP as recommended by Agent Brown, and a motion to issue waivers for a depth to seasonal high groundwater from 2 feet below the leaching structures and one for less than the storm water analysis results for less rate and volume of runoff. Ms. Bugay seconded, and all were in favor.

**383 Westfield Street, Kelly Clerkin, Wilson Mountain Realty Trust, App.** –Multi-family residential development in Buffer Zone to Bordering Vegetated Wetland (MSMP 2018-12)

Steven David, Attorney representing, requesting a re-issue of a Major Storm Water Permit that expired. The project is not in the buffer zone, and no work has been started on the project. Mr. Civian explained that once it has expired it needs to be re-issued and cannot just be extended. Mr. David agreed with this assessment. Mr. David also reaffirmed that the plans have not changed at all and are the same as in 2014. Agent Brown explained that there was an order of conditions issued so they would need to request a certificate of compliance stating that no work was done. For this project Agent Brown would like the opportunity to look at the plans since she was not the agent when this was approved the last time. There is a septic system that is little over 100 foot line from the wetlands. It is outside the buffer zone. Mr. David explained that it was only a proposed septic system at the time, and now they will be making sure the plans show the septic system is well outside the UBA and within Agent Brown’s acceptable range. Mr. Civian said they would like the chance to review the plans. Ms. Radner asked about a vernal pool but it was outside of the commission’s jurisdiction. Ms. Bugay asked about their timeline for the Board of Health. Mr. David said it was imminent. There was some discussion regarding the administration of the permit and it was decided it could be put to a vote.

Mr. Civian made a motion to close the hearing, Mr. Tittler seconded and all were in favor.

Mr. Civian made a motion to approve the MSWP with conditions of approval as will be recommended by Agent Brown. Ms. Bugay seconded and all were in favor.

**149 Common Street, Patrick Wilmerding, App. – Richard Grady, Grady Consulting, LLC, Rep** –Renovation of an existing in-ground swimming pool (DEP File # 141-TBD)

There was no one at the meeting to speak on this project.

Mr. Civian made a motion to continue the discussion until the April 5, 2018 meeting. Ms. Bugay seconded and all were in favor.

**Clary Coutu, Keolis Commuter Services LLC, App. – Kyle Fair, Fair Dermody Consulting Engineers, Rep.** –Culvert replacement under the Franklin Branch Keolis Line (DEP File #141-TBD)

Clary Coutu, Kyle Fair and Dean Hazel presented. Kyle Fair explained they were talking about a culvert on the tracks behind Hamilton Circle, an old zone box culvert that does not function the way it needs to. They would like to dig it out and replace it. They use classified reinforced steel pipe and match intended flow with the structure and embed it six inches to mimic a natural substrate bottom. This is designed to be a quick in and out job so as to minimize the down time of the train.

Ms. Bugay asked can you talk through what you meant by the pipe embedment into the existing stream bottom. Mr. Fair explained we like to embed the pipe about six inches to give the same type of natural substrate bottom for any organisms. Discussion ensued regarding flooding problems in the area.

Ms. Coutu said they did discuss that with Agent Brown and the DPW, Joe Flanagan. Agent Brown said Joe Flanagan had retained Weston and Sampson to do a watershed analysis report. Mr. Fair explained that the area near Lantern Lane is a flood zone and it will always be a flood zone. Ms. Radner walks the area often and concurs it was under water and was deeper. Ms. Coutu said yes, they had put pumps there to try and clear some of the water. It is a situation that needs to be addressed once they receive the report from Weston and Sampson, it is a much higher discussion and requires a planning initiative with the MBTA. We keep the culvert in kind with the conditions that were prevalent. Ms. Radner said that the pumping work that was done during the summer did work and lowered the levels by the end of summer. Ms. Bugay asked about flow direction and Mr. Fair replied towards Rustcraft Road, it always flows that way. Agent Brown asked if their culvert meets stream standards and Mr. Fair replied it does not, they do not have the ability to do those structures within the time constraints they have to shut the railroad down. Questions were asked about box culverts and Mr. Fair explained box culverts would take longer and disturb the area more because of the requirements for FRA construction. The disturbance to the resource area would be greater. Mr. Civian asked if the work they are proposing is consistent with the Wetland Regulations. Mr. Fair said yes, it is they allow for routine maintenance of road draining structures and for limited projects to ensure flow capacity. Mr. Civian asked if there were any questions from the public. None. Mr. Gauthier asked about the 5,000 square feet zone they are proposing. Mr. Fair said no further space would be needed and it is extremely rare once they start that they would need any additional space. Ms. Radner asked how long the project would take and Mr. Fair answered 24 to 48 hours. Typically it would happen over a weekend. Ms. Bugay asked if they would notify neighbors of the impending work before it takes place. Ms. Coutu said yes there is one abutter they are in continual communication with and they will notify the others as well.

Mr. Civian made a motion to continue to the next meeting, April 5, 2018, Ms. Bugay seconded and all were in favor.

**547 & 538 Bridge Street & 8 Reservation Road, Dedham Westwood Water District, App**. **– Amanda Houle, Tighe and Bond, Rep**. Well development and cleaning RDA.

Eileen Commane, Amanda Houle and Ben Leveque were in attendance. Ms. Houle explained that they are doing this work in conjunction with Westwood. They fall within 100 foot buffer zone to DPW, and fall within 200 foot riverfront area and LSF. They asked to please strike 5 Reservation Road from the proposal, the plan does not include this area. There are 11 wells to be purged and cleaned. They will be adding Pantonite to the wells which is a chemical that is part organic and part inorganic acids. Ms. Houle showed a letter from DEP approving the chemical which is used to remove iron and manganese from the wells. This will allow the wells to purge and recharge. They will allow the water to settle in a stilling basin and discharge on the site. Stilling basins, lined below grade basins are plastic boxes that will be excavated in next to the wells, they will be lined, below grade basins.

Ms. Houle stated it is exempt work under the wells protection act and they are only applying under the Dedham bylaw. Mr. Civian asked about the work being exempt from the Wetlands protection act and Ms. Houle replied yes, it is maintenance of a public water supply. Ms. Bugay asked about the stilling basins, what ground surface will they be placed on? Mr. Leveque answered that the contractor will be providing those, they will be excavated into the soil, which will then be restored. Agent Brown stated that she had asked before for a detail of the stilling basins would be and Mr. Leveque replied it has not been designed yet but will be provided to the commission. Agent Brown said she is not aware of this technology so would be interested to see an example. Mr. Leveque explained the process: there are two tanks – first they pump Pantonite into the well, let it sit 24 hours, pump it out, then it goes into a smaller basin where they add soda ash to bring the PH back up and neutralize it, then that spills into the stilling basin so that it does not make a mess everywhere, it collects any sediment that comes out then the water recharges into the ground. Ms. Bugay asked if they then test the water. Mr. Leveque said yes, they do. Ms. Bugay asked if at any time there has been concern regarding the buildup of iron and manganese, that it could become a slug upon release. Mr. Leveque replied it is build up that dissolves and gradually gets pumped out, and it is done every couple of years. Ms. Kasyerman asked if there is a type of soil erosion planned. Mr. Leveque said they will be looking to the commission to advise on that, possibly straw bales. Mr. Levique will be speaking with the contractor to get some more specifics that the commission has asked for.

Mr. Civian asked if there were any questions from the public, and there were none.

Mr. Civian made a motion to continue the matter to the April 5, 2018 meeting.

The motion was seconded by Mr. Tittler, and all were in favor.

**Informal Discussion- Informal discussion among the committee members then took place regarding the following:**

**46 Clisby Avenue** – CoC for a SFD (MSMP 2016-17) Agent Brown stated the owner had to put in a pervious pavement system. A motion was made to issue a certificate of compliance since the work was completed. Ms. Bugay seconded, all in favor.

**256 Sprague Street** – CoC for a Dedham OoC for a new SFD. No work was conducted (WPB 2006-02) Agent Brown explained no work was done but in order to clear the title they need to close the matter and issue a certificate of compliance for the outstanding Order of Conditions that was granted. Mr. Civian made a motion to issue the COC, Mr. Tittler seconded the motion, and all were in favor.

**Dedham Corporate Center/Keolis Franklin Branch -** Ratification of Emergency Certification Agent Brown explained that Keolis people were already pumping and that she had issued an emergency certification and needed it to be ratified by the commission. Mr. Civian made a motion to ratify the emergency certification, Ms. Bugay seconded and all were in favor.

**Generic Order of Conditions for Dedham Department of Public Works** The commission discussed possibly issuing a generic order of conditions for the DPW to perform small task work.

**At 10:00 pm** Mr. Civian made a motion to adjourn the meeting, it was seconded by Ms. Bugay, all were in favor.