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

Thursday, October 4, 2018, Dedham Town Hall- Lower Conference Room

Members Present: Laura Bugay (Chairman), Andrew Tittler, Stephanie Radner, Michelle Kayserman, Nathan Gauthier (Alternate), Leigh Hafrey

Also in attendance: Elissa Brown (Agent), Jennifer Doherty (Assistant)

Ms. Bugay called the meeting to order at 7:01 PM.

Applications to be continued until the October 18th 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).
* **456 Providence Highway & 62 Eastern Avenue, RK Associates, Inc., App - Forrest Lindwall, Mistry Associates, Rep.**  –Demolition of a 2-story commercial building and construction of a 1,800 sf 1-story retail building (RDA 2018-07, MSMP 2018-19).
* **218 High Street, Map 111, Lot 3,** Stephen Clifford, Applicant – Byron Holmes, Holmes Engineering, Representative: Major Stormwater Management Permit for the construction of a new two family dwelling (MSMP #2018-22).
* **218 High Street, Map 111, Lot 67,** Stephen Clifford, Applicant – Byron Holmes, Holmes Engineering, Representative: Major Stormwater Management Permit for the construction of a new single family dwelling (MSMP 2018-23).
* **339 Washington Street, Garnett Realty Trust, Applicant – Sue Harrington, GCG Engineering, Rep.**  Major Stormwater Permit Application for the redevelopment (mixed use addition) of a commercial building (MSMP 2015-25).

Ms. Bugay asked if anyone from the public was in attendance for the above mentioned applications, and no one was. She then made a motion to continue the above applications to the October 18, 2018 Conservation Commission meeting, Mr. Tittler seconded the motion, and all were in favor.

* **270 & 290 Bussey Street, Delapa Plaza East, Inc, App – Jim Devellis, DeVellis Zrein, Inc – Rep. –C**ommercial/residential redevelopment of an existing commercial building in Buffer Zone to Bordering Vegetated Wetlands, Bank, and Land Under Water; and Riverfront Area (DEP File # 141-0535, MSMP 2018-07)*.*
* **637 East Street, Frank Gobbi, Applicant – John Glossa, Rep.** - Roadway and utilities for a proposed subdivision adjacent to Bordering Vegetated Wetlands- (DEP File # 141-0486).

Ms. Bugay made a motion to continue the above two applications to the November 1, 2018 meeting. The motion was seconded by Nick Garlick, and all were in favor.

**Application that had been opened previously:**

**59 Durham Road, Giorgio Petruzziello, Supreme Development Inc., Applicant – Michael Carter, GCG Associates , Rep.** – New Single Family Dwelling (MSMP 2018-27)

Ms. Bugay asked for an update from the Conservation Agent. Elissa Brown, Conservation Agent, explained that previously there had been concerns that the Operation and Maintenance Plan (O&M Plan)was not robust enough, particularly with respect to porous pavers. At the suggestion of Ms. Kayserman, the Applicant reviewed the Massachusetts Stormwater Management handbook, copied the section on maintenance from the handbook, and incorporated it into the O&M plan. As a result, the new updated O&M plan is sufficient.

Ms. Bugay asked if there were any questions from Commissioners. Nathan Gauthier had a question regarding how the O&M plan would get transferred to any new property owners. Agent Brown explained that the plan needs to be signed by the owner and then recorded with the deed at the Norfolk Registry of Deeds. In theory, any new owner should read the deed in entirety and then would be aware of the O&M plan.

Ms. Bugay made a motion to close the public hearing on 59 Durham Road for a Major Stormwater Management Permit, the motion was seconded by Mr. Tittler, and all were in favor.

Ms. Bugay made a motion to approve the Major Stormwater Management Permit with the updated O&M plan as recommended by Agent Brown. The motion was seconded by Mr. Tittler and all were in favor.

**530 Providence Highway, Frank Gobbi, Jr., Applicant – John Glossa, Glossa Engineering, Rep**. – After the fact permit for the redevelopment (regrading) of a commercial building (MSMP 2018-24).

Mr. John Glossa of Glossa Engineering was in attendance to represent the applicant. He began by apologizing for missing the ConCom meeting on September 20th and stated it was not intentional. He had discussed a plan with Mr. Gobbi and had two possible proposals. First, he would like to propose an approximately 2,000 gallon oil and grit chamber to remove suspended solids from the stormwater before it enters the system. He has not designed it yet but he detailed the way he intended it to work. He believed they could connect into a manhole that was approximately 15 feet deep on the property. He would install a trench drain and connect it to the grit chamber, and then connect to the main drainage line through the manhole. His second proposal was that they could capture the water coming from Mah Way and tie into a pipe where it was more shallow; this option would depend on Digsafe [other utilities and subsurface conflicts]. Mr. Glossa explained that the applicant was insistent he would not consider infiltration. The applicant is only open to considering the two options described above.

Ms. Bugay stated that the redevelopment standards require improvement of existing conditions and the TSS removal [from the installation of the oil/grit separator] would be considered an improvement to the site. In consideration of the design, since it is a larger area she would require seeing calculations that would show that the single trench drain could accommodate the volume of water that would flow to it. Also, Ms. Bugay requested that since trench drains do not provide a sump for TSS removal, a deep sump manhole should be considered as part of the drainage improvements. Ms. Bugay asked if there were questions from the Commission.

Mr. Tittler asked about the area on the lower right side of the parking lot and if it could be used for parking spaces. He asked if there was chance to use this area to reduce impervious parking area and improve aesthetics with greenery. Mr. Glossa explained that due to the approved parking plan they would not be able to reduce the number of parking spaces. They were currently at the lowest amount of parking spaces they were allowed per the plan and cannot reduce the number of spaces any further. However, he would speak to the applicant about increasing the greenery and upgrading the current trees and plantings to be more aesthetically pleasing. Ms. Bugay explained that the Commission had concerns about topographic changes made from the existing to the proposed conditions and the site plan did not depict the swale that was claimed to exist that directed stormwater away from Route 1. Mr. Glossa explained that he just forgot to add them and he will add them in the future.

Elissa Brown asked if Assistant Jennifer Doherty could inform the Commission and Mr. Glossa as to actions from the Planning Board. Mrs. Doherty, Assistant to the Planning Board Office, stated that the Planning Board had just sent a certified letter to Mr. Gobbi requesting his presence at a future meeting to discuss the property. The parking plan Mr. Glossa had been referring to was originally approved by the Planning Board and they should have been consulted prior to any changes being made. They had not been consulted and therefore the Planning Board was requesting to speak with Mr. Gobbi in person.

Ms. Bugay asked Agent Brown for further comments and Agent Brown stated she thought the proposed improvements were a good step and a good effort moving forward.

Mr. Glossa and the applicant were requesting a continuance of two weeks in order to propose a design that would be acceptable to the Commission. Mr. Tittler explained that they would want a plan, details and calculations that proved a reduction in TSS. The applicant must provide this demonstration and calculations in writing to the Board by the end of the day next Thursday, with copies for the commissioners. Mr. Tittler stated that if these design plans and calculations were not received he would move to direct Town Counsel to begin proceedings against Mr. Gobbi. Mr. Glossa stated that he understood.

Ms. Bugay made a motion to continue the proceedings to October 18, 2018. Mr. Tittler seconded the motion and all were in favor.

**10 Brook Terrace, Steven Locke, Applicant – Patricia Seitz, Seitz-Architects, Inc., Rep.**  –Conversion of a carport to an addition with the installation of 3 new sonotubes and footings in the 100-foot buffer zone to a Bordering Vegetated Wetlands (RDA 2018-11)

Mr. Steven Locke, the owner of the property, representing himself was present. He explained that there is currently an existing carport located under a deck on the property. When Mr. Locke bought the house he spoke with the Building Inspector and discovered that the carport was not built to code. Mr. Locke would like to seal off the carport, remove the deck portion, open up that side of the house, and shift the roofline to make a proper walk out basement, making the current carport a single story, closed addition and bringing the entire portion of the structure to code.

There were questions from the Commission regarding the surrounding concrete, landscaping, and the existing lawn. The existing lawn is mostly gravel, with very little greenery. The house is within the 100-foot buffer zone to the wetlands and Mr. Locke would be amenable to installing erosion control measures where necessary due to the proximity.

Nathan Gauthier asked if there would be downspouts installed. Mr. Locke said yes, he would be installing gutters in order to drain rain off the back of the house, not to the side of the house. It would drain to the gravel. Ms. Bugay asked if there were any questions from the public, or any further questions from the Commission, and there were none.

Agent Brown made a recommendation to issue a Negative Determination of Applicability. Ms. Bugay made a motion to issue the Negative Determination of Applicability, and Michelle Kayserman seconded the motion. All were in favor.

**Informal Discussion**

Agent Brown informed the Commission that her office had received from Mr. Gobbi’s attorney a “freedom of information act” request for a voluminous amount of material. Due to the extremely large quantity of the materials being requested, her office had consulted Town Counsel and Town Counsel had indicated that it was proper for the applicant to provide payment for the extra labor that would be incurred due to this request. Therefore, Agent Brown had provided a response letter stating that the gathering and preparation of the requested information would cost over $6,000, which is what she determined it would cost in extra labor to provide the requested documentation, approximately 300 plus hours. She was awaiting a response.

Agent Brown wished to inform the Commission that there had been interest in developing the land behind the Federico Crushing Plant, however there were wetlands violations dating back to the 1970s. The owner is currently working with DEP to restore the property under a consent order. An Order of Conditions from 1999 still needs to be closed out. They will be going through the NOI process with the Dedham Conservation Commission for the Dedham By-Law regulationsportion only.

*Administrative approvals from Agent Brown* – An Argyll Road resident wanted permission to cut limbs on a neighbor’s tree as the limbs are hanging over his shed. They have approval from their neighbors and Agent Brown has granted them permission as well.

A resident at 10 Anthony Lane wanted permission to cut down a dead tree and Agent Brown has granted approval.

Special Condition for Surety from Developers – Agent Brown is suggesting to amend the Stormwater Regulations to include a Bond. Prior to issuing a Certificate of Compliance to a Developer, the developer would need to comply with the Conservation Commission’s standards. In order to enforce this, the Commission would require a Surety Bond of $5,000 to be held in escrow, which the developer would have returned once the obligations were met. Mr. Tittler stated it would be wise to inform the public of this new requirement, perhaps as an appendix to their regulations. Agent Brown agreed and she will include this for the Public Hearing that will address this proposal.

**Minutes** – Ms. Bugay made a motion to approve the minutes of the September 20th meeting with recommended changes, the motion was seconded by Nathan Gauthier and all were in favor.

Ms. Bugay asked if members of the public wished to speak on any matters discussed at the meeting. Mrs. Rita Mae Cushman remarked that she thought the Commission all did a very good job.

A motion was made by Ms. Bugay to adjourn the meeting at 8:00 pm. The motion was seconded by Mr. Tittler and all were in favor.