

Laura Bugay, Chairperson
Andrew Tittler, Vice
Chairperson
Stephanie Radner, Associate
Michelle Kayserman, Clerk
Leigh Hafrey, Associate
Nick Garlick, Associate
Eliot Foulds, Associate
Nathan Gauthier, Alternate
Sean Hanley, Alternate
Elissa Brown, Agent
Renee Johnson, Administrator



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TOWN OF DEDHAM CONSERVATION COMMISSION

MINUTES of March 21, 2019

Pursuant to the notice filed with the Town Clerk, the meeting of the Conservation Commission was held in the Lower Conference Room at Dedham Town Hall, 26 Bryant Street, at 7:00 p.m. on Thursday March 21, 2019.

The following Commissioners were present:

Laura Bugay, Chair
Andrew Tittler-Vice Chair
Stephanie Radner
Michelle Kayserman, Clerk
Nick Garlick
Leigh Hafrey
Nathan Gauthier-Alternate
Sean Hanley-Alternate

The following staff were also present

Elissa Brown, Agent
Renee Johnson, Administrative Assistant

The following Commissioners were not present

Eliot Foulds

Commissioner Bugay called the meeting to order at 7:00 pm. in accordance with the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, the Dedham Wetlands Bylaw, and the Dedham Stormwater Management Bylaw.

Continuances

The following applications were continued to April 4th, 2019:

- **339 Washington Street, Garnett Realty Trust, Applicant – Michael Carter, GCG Engineering, Rep.** Major Stormwater Permit Application for the redevelopment (mixed use addition) of a commercial building (MSMP 2015-25).
- **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).

Commissioner Bugay moved to continue until April 4, 2019, Commissioner Tittler seconded. All voted 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). John Glossa, Glossa Engineering was at the hearing representing the applicant.

Mr. Glossa stated there was no new information to present and there would not be any other changes offered than what was submitted on the previous plan.

Agent Brown stated that a meeting was held with Town Counsel regarding how to proceed if the Commission determines that the proposed plan is not in compliance with the stormwater bylaw and regulations. A draft Denial has been prepared and reviewed by Town Counsel.

Commissioner Bugay moved to close the public hearing. Commissioner Hanley seconded. All were in favor.

Commissioner Tittler moved to issue the Major Stormwater Management Permit as requested. The motion was not seconded.

Commissioner Tittler moved to issue the denial as drafted. Commissioner Bugay, asked to amend the denial with a small editorial change Commissioner Hanley seconded. All were in favor.

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). Scott Henderson, Henderson Consulting was present to represent the applicant.

Mr. Henderson gave a de novo presentation of the project to refresh old Commissioners and inform new Commissioners, noting that the Planning Board had already approved the Site Plan. He also informed that Commission that Dedham Engineering has agreed to the increase in stormwater volume to the town's storm drain, as long as the peak discharge rate decreases.

The Commission discussed soil conditions with Mr. Henderson, including the presence of fill to a depth of at least 4 feet, the presence of groundwater at 5 – 7 feet, and the tightness of the natural soils. The Commission also questioned how the proposed conditions would decrease runoff to neighboring properties. Mr. Henderson noted that even if the subsurface infiltration system size increased or the trench were to be over-excavated, the infiltration rate would not increase due to the soil tightness.

Ms. Kayserman stated her wish for more green space and Ms. Radner suggested incorporating pollinator species. Mr. Henderson offered to look into the possibility.

Ms. Bugay noted a couple of inconsistencies in the plans, i.e., on the thickness of the liner material and need for MassDOT coordination. Mr. Henderson stated that he would fix those errors.

Mr. Henderson described the Downstream Defender, which is proposed for TSS removal. He noted that he will need a waiver for in-line configuration of the proprietary system. Mr. Gauthier suggested that the O&M manual be modified to provide more detail on maintenance and maintenance frequency.

Commissioner Bugay moved to continue until April 4th. Commissioner Kayserman seconded. All were in favor.

105 Schoolmaster Lane, Armando Petruzzello, Applicant – Karon Skinner Catrone, Rep. – Request for Determination of Applicability for construction of a new single family dwelling (RDA 2019-02). No one was present for the applicant.

Agent Brown stated that comments were sent to applicant requesting delineation of wetlands. The applicant has requested a continuance, and also asked that Agent Brown visit the property to make observations in the field.

Commissioner Bugay moved to continue to April 4th, 2019. Commissioner Hanley seconded. All were in favor.

28 Stormy Hill, Anderson Almeida, Applicant – Paul Lindholm, Representative. – After the fact Request for Determination of Application for vegetation clearing to create parking spaces in Mother Brook Riverfront Area (RDA 2019-03). Mr. Lindholm was present for the applicant.

Mr. Lindholm submitted a photo showing the site on 3/21/19 and one taken from Google Maps dated October 2013.

The applicant has submitted information documenting that the work was conducted in Riverfront Area. Mr. Lindholm stated that the client has offered to restore the area to initial conditions or to reduce the parking area and install a vegetated swale. He requested guidance from the Commission on alternative mitigation plans.

Commissioner Bugay stated that the Commission was amenable to the owner creating some driveway space, and suggested the applicant inquire about the rules and constraints of the DPW and what they require for driveway curb cuts. Commissioner Bugay recommended that the applicant work within those standards, as well as those of the Commission. The Commission suggested that the applicant look at the net change in impervious area and the potential for using materials other than asphalt or gravel.

Commissioner Kayserman observed that the alteration had been more extensive than previously thought, and advised the applicant to share this information with the Landscape Architect when looking in restoration of planting. She also noted that the plan should include tree replacement as well.

Mr. Gauthier stated that it is the responsibility of the applicant to propose a remediation plan. The Commission requested the applicant provide a status update to Agent Brown prior to the next meeting.

Commissioner Bugay moved to continue the application to April 18, 2019. Commissioner Kayserman seconded. All were in favor.

Request for Extension and Modification of a Major Stormwater Management Permit -22 Bridge St. –John Milewski Representative.

The existing OOC expired on March 15, 2019. Mr. Milewski submitted a request for an Extension on March 13, before the deadline, but not the required 30 days before.

Mr. Milewski stated that he also wanted to revise the plans. Previously the Commission had permitted replacement of a 275-gallon heating oil tank with a Roth double containment tank and a secondary containment for the waste oil tank. That has been done, but he would also like to would like to install a shed roof over the entire back of the garage building for added protection.

Commissioner Bugay moved to issue the extension for the existing OOC/MSMP. Commissioner Tittler seconded. All were in favor.

Certificate of Compliance - 74 Hooper Rd, Nasir Khan, Applicant.

Agent Brown noted that the applicant is selling his house, which has an outstanding Order of Conditions for an above-ground swimming pool. When Agent Brown visited the site, she found that the pool was being dismantled. She suggested issuing the Certificate of Compliance to close the Order of Conditions so that the sale could proceed, and suggested the Commission issue a RDA after the fact.

Commissioner Kayserman requested that the applicant place stabilization so that the bare soil is not washed down into the Wetlands.

Commissioner Tittler proposed issuing the Certificate of Compliance with instructions for Agent Brown to hold it, until the Agent is satisfied that temporary stabilization has been done.

Commissioner Bugay moved to issue the Certificate of Compliance and hold it until temporary stabilization has been completed and direct Agent Brown to send a letter to the new owner regarding the need for permanent stabilization after sale of the house. Commissioner Kayserman seconded. All were in favor.

Authorization to return \$700 in unused funds from 3rd Party Escrow Account – 270-290 Bussey Street, Delapa Plaza. Agent Brown asked for an official vote, per the Director of Finance’s request, to authorize the return of the unused funds. Commissioner Bugay motioned to approve. Commissioner Hanley seconded. All were in favor.

Agents Report:

- Commissioner Radner has requested comments from the Conservation Commission for the Open Space Plan she worked on and will send out a form letter of support to send out.
- Agent Brown stated that, per Commissioner Tittler’s suggestion, she had drafted letter of Non-Compliance to the local Wetlands and Stormwater Management Bylaws. Commissioner Bugay

commented that a note should be made that the ConCom is aware that the DEP is following up on non-compliance issues with their Superseding Order of Conditions. Commissioner Tittler and Commissioner Bugay both stated that using more definitive language within the document specifically stating that the Conservation Commission is “requiring” instead of “take action”. Commissioner Tittler added that a corresponding sentence should be added that a fund should be set aside that assures that the work will be completed as well as maintained.

Commissioner Bugay moved to authorize Agent Brown to send the letter of Non-Compliance. Commissioner Kayserman seconded. All were in favor.

- Agent Brown shared that each year since she has been in Dedham the ConCom has made a donation to the Dedham Civic Pride and asked if the Commissioners would like to contribute this year. All were in favor.
- Ocean River Institute has approached the Conservation Commission about presenting information to the ConCom to create a lawn management bylaw. The Commission decided that they were not interested in a bylaw at this time but would, however, be open to receiving educational material. Agent Brown will follow up with the Ocean River Institute.
- Agent Brown stated the 2019 Town Meeting Warrant was available on the town Website. She requested the Commissioners review the Warrant to see if there were any issues they would want to support.
- Agent Brown stated that she received the Town of Dedham Providence Highway District Improvement Finance report, which recommends the development of an overlay district along Route 1 that would have a special tax to generate use for projects in the district. The Economic Development office requested ConCom support for establishing the district. Agent Brown will pass along the information to the Commissioners for their review.

Minutes - Commissioner Bugay moved to approve the ConCom Minutes from 2/7, 2/21, and 3/7/2019 as edited by Commissioners.

Commissioner Tittler made a motion to adjourn at 8:40 PM. Commissioner Bugay seconded. All were in favor.

Respectfully submitted,

Renee Johnson
Administrator