

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 February 7, 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 February 7, 2019.

The following Commissioners were present:

Laura Bugay, Chair
Michelle Kayserman, Clerk
Nick Garlick
Stephanie Radner
Eliot Foulds
Nathan Gauthier-Alternate

The following staff were also present

Elissa Brown, Agent
Renee Johnson, Administrator

The following staff were not present

Sean Gauthier-Alternate
Andrew Tittler-Vice Chair
Leigh Hafrey

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

The following applications were continued to February 21, 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).

- **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).
- **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).
- **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 February 21, 2019, Commissioner Radner seconded. All voted in Favor.

219 Lowder Street, Collis, LLC, Gregory Carlevale, Applicant – Scott Henderson Representative.
 – Seven unit Planned Residential Development (MSMP 2018-34). Scott Henderson and Gregory Carlevale were present, as well Joseph Oliveira, Sherwood Consulting and Design, the third party reviewer.

Documents of Record:

- Henderson Consulting Peer Review Letter
- Stormwater Report and Drainage Calculations
- Major Stormwater Management Permit Application; prepared by David Johnson, Norwood Engineering; dated January 8, 2019 (unsigned by property owner).
- Stormwater Management Building Permit Plan, 215 Central Avenue; prepared by Norwood Engineering and stamped by Matthew Smith, PE, PLS; dated November 26, 2018.
- Pre-Development & Post-Development Stormwater Calculations; prepared by Norwood Engineering and stamped by Matthew Smith, PE, PLS; dated November 26, 2018.

Mr. Henderson gave a recap of the project. He stated in total it would be 65,000 sq. feet. The project's current existing conditions consist of stone wall that will remain in place for the duration of the project. On site soil testing has been completed. There are two main categories of soils located on the site. The perimeter of the site in the southeast corner contains clean sands and gravel. Groundwater has not been observed in monitoring wells in this area, advanced to a depth of 13-14 ft. The center of the site consists of shallow ledge with outcroppings around and under the current house footprint. Additional testing also found ledge starting from 1 to 3 ft. There are no existing stormwater management controls.

The plan has been presented to the Planning Board. It allows for a seven unit multi-family condo building with a proposed 17 car underground garage. 20% of the site will be maintained as protected open space and recorded in the deed. Supplemental landscaping will be installed throughout.

The proposed stormwater management system consists of four infiltration systems to capture various portions of the roof. Two infiltration systems are designed to capture runoff from the paved areas in the front of the structure.

Mr. Oliveira stated his support for the project with the stipulation that the contractor be made aware that the stone wall would not be removed. Mr. Olivera also requested that Mr. Henderson consisted submit a final set of plans that agree with the report.

Mr. Henderson's stated that there are currently a total of 127 trees on the site. A total of 29 healthy trees, as determined by a Certified Arborist, would be removed and 64 would be planted in place. A comprehensive landscape plan has been submitted to the Commission. Commissioner Radner asked about the applicant removing the understory as indicated on the renderings, particularly about the rhododendrons. She stated that the intent of the Planned Residential Development is to maintain the land in its natural state and noticed the tree removal plan did not contain any other plantings besides trees, and for this she requested clarification. Applicant Carlevale explained that the plan was to maintain the existing rhododendrons.

Commissioner Gauthier asked if the applicant would be seeking a waiver for the tree removal bylaw. Mr. Henderson stated that they did submit a waiver request that asked for a 1:1 replacement instead of a 2:1. Commissioner Bugay stated that the Commission's new regulations dictated that the Commission look closely at the waiver requests and that they would be dealt with on a case by case basis.

Commissioner Bugay asked about the purpose of the monitoring wells shown on the plan. She also wanted to know if the Applicant planned on implementing French drains or sump pumps, and what the plan would be for removing the ledge. Mr. Henderson stated that when the property was purchased, they advanced test pits immediate to evaluate existing conditions. This was done in hopes of limiting the amount of impervious pavement needed on site. He further stated the ledge would be dealt with by blasting and that the required abutter survey was underway. He also stated that they did not currently anticipate installing any foundation drains, however they plan on installing an elevator which may require drainage. If they find that installation of the elevator shaft warrants installation of any drains, the plan would be to submit a revised plan. Commissioner Bugay asked if the underground parking had drainage and if those drains would be connected to the town sewer. The applicant confirmed that a drain exists in the plans and he had already begun the process of meeting with Joe Flanagan, DPW.

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

Commissioner Bugay made a motion to approve the waiver request for 2.1 tree replacement. All were in favor.

Commissioner Bugay made a motion to approve a MSMP, pending the receipt of final plans. Commissioner Radner seconded. All were in favor. Motion carried.

122-124 Milton Street, Matt Jasset, Applicant – Paul Lindholm, Representative – New two family residence in Riverfront Area (DEP File # 141-0546, MSMP 2018-33). Paul Lindholm Representative. Matt Jasset applicant.

Mr. Lindholm presented to the Commission updated status on the issues presented at the last ConCom meeting. He shared that the applicant wishes to remove the waiver request for Stormwater infiltration

as he is now in compliance. He shared that the additional landscape plan submitted provided additional planting as requested by the Commission is also committed to removing paving and the concrete patio to remove the impervious space, but is subject to the owner's approval. He stated that he addressed all the issues presented by the Commission.

He shared that a report had been issued with Dedham Engineering Department, with a request to tie into the town drain, as well as questions that had been raised with percolation test. Mr. Lindholm had been able to find soil capable of infiltration four feet below grade in the front of the property. He utilized the DEP rate to be conservative, and found that DPW was satisfied.

Commissioner Bugay raised concerns regarding the revised planting plan, and the proposed planting plan at the top of slope and shared that there would be room for another tree at the top of the lot, and if utilities prohibit her suggestion for additional landscaping. Mr. Lindholm shared that he would be willing to plant another tree, and the species proposed to be planted at the top of the slope would thrive.

Commissioner Kayserman requested further clarification of the plans for regarding on the neighbor's property line.

Mr. Lindholm stated that in order to submit a revised plan to the ConCom, he would need the written permission of the neighbors to complete the grading as requested.

Commissioner Bugay made a motion to continue the application until the next meeting of February 21st. Commissioner Kayserman seconded. All were in favor.

215 Central Ave, 155 Pleasant LLC, Applicant – David Johnson, Norwood Engineering, Representative – New single family dwelling (MSMP 2019-01), David Johnson Norwood Engineering

Documents of Record:

- Major Stormwater Management Permit Application; prepared by David Johnson, Norwood Engineering; dated January 8, 2019 (unsigned by property owner).
- Stormwater Management Building Permit Plan, 215 Central Avenue; prepared by Norwood Engineering and stamped by Matthew Smith, PE, PLS; dated November 26, 2018.
- Pre-Development & Post-Development Stormwater Calculations; prepared by Norwood Engineering and stamped by Matthew Smith, PE, PLS; dated November 26, 2018.
- Revised Stormwater Management Plans
- Stormwater BMP Inspection and Maintenance Request

Mr. Johnson updated the Commission on the revised plans per the previous meeting requests of the Commission. The Commission requested Mr. Johnson decentralize the Stormwater infiltration, with additional Stormwater infiltration into the rear. He shared that the Stormwater in the front treatment train continued with infiltration by a trench drain leading into a manhole with a hood, to a Cultech chamber functioning as sediment forebay, lastly continued infiltration with additional Cultech chambers. The Stormwater generated by the driveways impervious area runoff will also flow to this area. In the rear of the home Mr. Johnson stated that he has a total of nine 4x4x4 concrete galleys to capture runoff generated from the roof with a small lawn drain which is amplified by the concrete chamber system. Mr. Johnson stated he originally proposed an infiltration trench to catch runoff from the slope and the Commission requested an additional berm to the landscape. He submitted a landscape plan and in addition requested a waiver for the 2-1 tree replication due to the size of the lot. He stated that 52 shrubs will be located between upper and lower retaining wall, with decorative landscaping around the building and other species as needed. He shared that he addressed and

submitted responses to the Conservation Agent's comments. Commissioner Bugay shared that she concern about the downgrading of the property, and removing additional soils. She stated that the area should be over excavated down so that the water would flow laterally, and asked for the location of the construction entrance as the coming and going of trucks would impact the soil. She asked if possible to move the entrance. Mr. Johnson stated that he would be willing to move the location if necessary. Commissioner Kayserman stated that the Stormwater table showed the peaks at an increase within the drainage summary, as it had been a concern of the neighbors previously. Jim Desliva, a butter asked about the construction entrance, and the depth of the concrete galleys in the back. He also questioned the location of the trees to be removed, as well as explanation of the waiver request.

Mr. Johnson stated that the stone galley bottom would be at 9 feet below with an elevation at 104. He also addressed that seven trees along the property of Mr. DaSilva would be planted by the applicant, including red maple, and dogwood. Along the property would also be green giant aviaries 52 shrubs that would be scatted about the site, along with 37 plantings of perennials and the implementing of perennial beds with a total proposed of 100 varieties of vegetation.

Another abutter shared that a site visit by the Commission would provide the opportunity to see the large variety of trees on the property. Her concern would be that stripping down every single tree there and replaced with the variety proposed are so dissimilar. She also expressed her concern about other trees currently located on the abutting properties being damaged by the removal of the existing trees as well as excavation. Lastly she expressed her concerns about destabilization of surrounding properties by cutting into existing landscape as well as debris being tossed into the infiltration trench. She also stated that the 2-1 replacement of trees needed clarification, and how are shrubs determined to be a valuable replacement.

Commissioner Bugay asked Mr. Johnson to speak on maintenance of the property. Mr. Johnson stated that the O&M plan would be implemented however it is the responsibility of the owner of the property. In terms of the infiltration trench, leaves, sediment for bay and manhole with the hood would be intended to trap most of the debris and would not affect the water. In addition the oxidation report to view the inside, with pipes are four inches, to make it easier to clean with a jet vac to pull any sediment out. The trench drain would be visible and if there was debris or sand, and not cleaned it would back up into the yard drain or flow into the street, or come up the downspout.

Commissioner Bugay addressed the concerns of the abutters in terms of the excavation, the earth would be retained by a wall, and explained that the Commission requires as much tree replacement as possible as it impacts ground and stormwater, and collectively try to decide what can be done and what is best for the site and the applicant.

A direct abutter asked about a property line survey and if it had been done.

Mr. Johnson suggested that the abutter contact his client directly to discuss tree removal and property lines to come to an agreement on property lines.

At the suggestion of Commissioner Bugay she advised the client to survey the lot and land to clear confusion with the abutters.

Mr. Johnson stated that he would rather have his client spend money on property line staking.

Agent Brown stated that the regulations required a survey of all trees over 6 inch caliper, and requested a stake with barrier tape to see which trees are on property line, and tree protection detail for trees not being removed as well as an acknowledgement of which trees will not be removed.

Commissioner Radner stated that having an inventory in proximity of the property line, is required for all applications and should be on the plan. In order to set a fair precedent for others it is necessary.

Commissioner Bugay stated that the concerns of the abutters about property lines and trees being taken down should be considered in deciding that staking of property lines as well as indicating which trees to be removed that are closest to the property is necessary.

Abutter Jim DeSilva asked for clarification on the new property connecting to the town sewer and if that what effect that had on the project.

Paul Lombardi abutter commented that he contacted the DPW and the post office and researched the stretch of street and was labeled as private.

Commissioner Gauthier stated that private street abutters jointly own the street, and all abutters have the right to connect to the public sewer.

Commissioner Bugay made a motion to continue application to the next meeting of February 21st. Commissioner Gauthier seconded. All were in favor.

270 & 290 Bussey Street, Delapa Plaza East, Inc., App – Jim Devellis, DeVellis Zrein, Inc – Rep. –
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 # 141-0535, MSMP 2018-07). Jim DeVellis was present.

Mr. DeVellis summarized the project and his response to recent comments from the 3rd party reviewer and the Dedham Engineering Department. He stated that the waiver request for the dumpster had been withdrawn, but that he was still requesting a waiver for permeability testing until the start of construction. Agent Brown recommended that the Commission reviews the UBA before they issue an Order of Conditions. The Commission will vote on the waivers at the next meeting.

Commissioner Bugay made a motion to close the public hearing. Commissioner Radner seconded. All were in favor.

72 Carol Drive, Kenneth Cunningham, Applicant - Driveway and parking area in Buffer Zone to Bordering Vegetated Wetlands (RDA 2019-01, mSMP 2019-01).

Mr. Cunningham presented the new plans for moving the driveway in front of the home to the back of the home to facilitate the handicapped residents. He stated that the driveway would be constructed using 100% pervious pavers that would be installed in accordance with the UNH standard detail.

Agent Brown stated that by removing the existing paved driveway and keeping the area of disturbance under 2000 ft., that a Minor Stormwater Management Permit is applicable.

The project is partially within the Buffer Zone to BVW and thus requires a Determination of Applicability.

Abutters Joe and Maggie O'Malley stated that their mother is an abutter and wanted clarification on the parking in the back and where it would be located. She shared her concerns about plowing and snow removal. Mr. O'Malley shared his concerns about runoff from the soil.

Mr. Cunningham stated that it would be six feet from the house and would be located right above the former pool area. He stated that soils on the site consisted of well-drained sand that would easily infiltrate the runoff.

Commissioner Bugay made a motion to close the public hearing. Commissioner Gauthier seconded. Commissioner Bugay made a motion to issue a Negative Determination of Applicability as well as authorize Agent Brown to sign the Minor Stormwater Permit. All were in favor.

Near #106 Washington Street , Jason Mammone, Applicant – Installation of an oil/gas separator at 106 Washington and ±470 lf of gravity sewer to connect the auto body shop to the existing sewer system (DEP File # 141-0547). Michael Paulin, Weston and Sampson and Jason Mammone, Town Engineer were present.

Jason Mammone explained that 106 Washington needed to be connected to the Town sewer due to a failing septic system. The project was first brought in front of the Commission in 2015 but had not yet been completed.

The Town hired Weston and Sampson to complete the design. He stated that there would be erosion control between the work area and Motherbrook as well as catch basin protection in the roadway and the opposite side of the road, with straw wattles.

Commissioner Bugay expressed her concern that straw wattles located in the street might prove to be an oversight as the heavily traveled road contains four lanes. She suggested that silt sacks instead. She then called for clarification of where the catch basins were called out, as two were shown on the plans not just one. The Consultant stated that it would be placed as far from the travelled way as he could on the sidewalk.

Agent Brown stated that she would like to see changes made to the Wetlands Delineation report and expressed concerns with Alternative Analysis.

Commissioner Bugay made a motion to continue the application to February 21st. Commissioner Hafrey seconded. All were in favor.

28 Stormy Hill Rd – Notice of Violation

Clayton Almeida, Owner, was present.

A Notice of Violation was sent to Mr. Almeida for alteration within the Riverfront Area of Mother Brook and associated Buffer Zone to BVW, as well as alterations in excess of that allowed under the Town's stormwater management bylaw. Mr. Almeida stated he purchased the house last year and was unaware of any necessary actions or policies and procedures to make changes to his property. The Commission suggested he seek help in order to apply for the appropriate permits and assess and repair the changes.

Mr. Almeida told the Commission that he had only recently received the violation letter as he does not live in the property and his tenants passed along the letter three days before the request to appear. The Commissioners requested that he return with a progress update at the February 21st meeting.

Agents Report

Agent Brown provided a summary of wetland fees from neighboring towns with a proposal for revised fees to be proposed for fall Town Meeting.

Minutes

Commissioner Bugay made a motion to approve meeting minutes as amended from January 3rd and 17th 2019. Motion Carries

Commissioner Radner made a motion to adjourn. All were in favor.

Respectfully submitted,

Renee Johnson,
Conservation Administrator