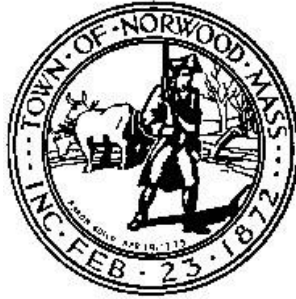


CONSERVATION COMMISSION

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ENVIRONMENTAL PLANNER/ CONSERVATION AGENT

HOLLY JONES, MSCI

OFFICE MANAGER/SR. ADMIN. ASST.
LYNN MARCHAND

Conservation Commission Meeting

April 20, 2021

7:30 P.M.

Present:

Stephen Washburn, Carly Rocklen, Catherine Walsh, John Gear, Peter Bamber, Kelsey Quinlan

Also Present: Holly Jones, Environmental Planner/Conservation Agent.

The April 20, 2022 meeting was held remotely using GoToMeeting software.

The meeting was called to order by Chairman Stephen Washburn at 7:30 p.m. who read meeting guidelines into the record followed by a roll call.

Public Hearings:

1. Off of Neponset St. and behind 290 Vanderbilt Street. DEP No. 251-0535 N2022-03

Applicant: Massachusetts Water Resource Authority Representative: Christine Walsh of CDW Consultants
Project Description: Repair and Maintenance of siphon structures and construction of an access road from the shoulder of Neponset St, and improvement of access road behind 290 Vanderbilt Ave. The project is in bordering vegetated wetland, riverfront area, and bordering land subject to flooding.

The Chair stated that they had received a continuance request for this project to May 4th

Motion: Ms. Walsh made a motion to continue to May 4th at a time to be determined.

Ms. Rocklen seconded the motion.

Motion passed unanimously, 6-0 by roll call vote.

2. 119 Sixth St. Determination of Applicability N2022-04

Applicant: John Feeney

Project Description: Replacing a fence and constructing a patio in the 200 ft Riverfront Area of Meadow Brook

The Chair read the project description into the record. Mr. Feeney said he received a citation for cutting trees down around his house and did not realize it was a violation. He said he was replacing a 4.5' high wooden fence with a 6' vinyl fence and wanted to add a patio. Mr. Feeney stated again that he did not realize he needed to have a permit from the Commission.

Ms. Jones said it came to her attention when she received a call. She met with Mr. Feeney and noted that 13 trees were cut in the riverfront area of Meadow Brook. Ms. Jones showed the highlighted site plan on the screen and pointed out the areas involved. She said the fence and patio were outside of the buffer zone and riverfront and asked for a plan to replace the trees that were cut. Ms. Jones provided a list to Mr. Feeney of native plantings that could be used to mediate the situation.

Mr. Feeney noted a safety concern and said some of the trees were rotted and that there are other trees that are also rotted and falling down. He said he is willing to replace the trees and do whatever the Commission requires. Ms. Jones explained the process for hazardous tree removal and said she can assess them or he can have a certified arborist do so. She said she is asking for a replanting plan to replace the trees for the ecological value that they gave, potentially with some shrubs.

Mr. Washburn noted that when planting shrubs instead of trees that the trees must be replaced at a 1.5 or 2:1 ratio.

Mrs. Feeney asked about the location of the replanting. Ms. Jones said it would be more beneficial to Meadow Brook if the plantings were closer to the Brook. Discussion was had regarding the shrubs.

Mr. Washburn thanked the Feeney's for their cooperation and asked that the plantings be native species.

The Chair opened the floor for public comment. There were no questions or comments. Mr. Washburn asked Ms. Jones for her recommendation. Mr. Feeney asked for a week to 10 days to shop for plantings and said he would have a plan for the next meeting and present them to Ms. Jones prior to the meeting for review.

Motion: Mr. Bamber made a motion to issue a negative determination RDA for the fence and the patio with the condition that the patio be constructed of permeable materials and proper erosion controls are utilized.

Ms. Walsh seconded the motion.

Motion passed unanimously, 6-0 by roll call vote.

3. 596 Boston Providence Highway Notice of Intent DEP No. 251-0536 N2022-05

Applicant: Irene Realty Trust

Representative: Matthew Smith of Norwood Engineering

Project Description: Construction of a parking lot and associated stormwater treatment and utilities in the buffer zone of a wetland.

Representing the applicant were Mr. Richard Hughes, Mr. Alex Kraplin, and Mr. Matt Smith of Norwood Engineering. Mr. Smith described the proposed parking facility for the Enterprise building near a wetland with no proposed work in the wetlands or 25' buffer zones. Mr. Smith reviewed the site plan on the screen with the Commissioners. He requested an OoC for this project.

Mr. Washburn asked about the need for an NPDES stormwater permit from the EPA. Mr. Smith confirmed that they did. Ms. Walsh asked about the fence material. Mr. Smith said it would be an 8' grey, composite fence and displayed a picture of it on the screen. Mr. Bamber commented that the project seems to meet or exceed the requirements. Ms. Jones concurred and said they did a good job of presenting an alternative that is the least impactful. It was noted that the standard for stormwater is higher for car storage due to the potential for pollution and that the design had met/exceeded these higher standards. Mr. Smith stated there was 6" of infiltration back into the ground and 1" treatment (vs the usual 1/2").

Ms. Jones recommended to the commission that NPDES approval be a requirement, that the applicant provide a stormwater pollution prevention plan, and noted that wetland flags were down (tied to fallen over reeds) and asked that they be refreshed during construction, and the limit of clearing be clearly marked. Ms. Jones said the tree buffer is a sensitive topic and recommended orange construction fencing. She said during construction, if a tree is accidentally knocked over, that the full caliber of that tree be replaced. Mr. Smith said he was agreeable.

The Chair opened the floor for public comment.

Gail Lidonni, 580 Neponset St: She stated that she walked property and tried to find markers for the wetlands. She asked what the orange flags on the trees meant and noted that orange ribbons hanging from particular trees close to property lines of abutting residents.

Matt Smith replied that they are traverse points, and not delineation of anything nor trees to be cut. He explained that they were traverse line; markers in ground and that they measure between the markers and set up coordinates for surveying. Mr. Smith referenced the colorized map and showed the areas and that there would be no tree cutting 30-40' from residential property lines.

Eve Hogan, 563 Neponset St: She asked that the different shades of green meant on the colorized site plan shown on screen. She commented that there are dense woods, 100' trees, and is habitat to many animals. Ms. Hogan asked about what else could be planted in its place. She also commented that the design of the plan still involved cutting down the same amount of trees, just in different areas based on feedback from the Planning Board. She asked for privacy screening equal to what they would be losing noting that a fence won't help much as the highway is elevated above the fence.

Matt Smith replied that the dark green represented no earth work or cutting and the light green indicated some work with replanting happening; loamed and seeded and then allowed to grow back naturally. Mr. Smith said there is a 30' requirement for green space but they can cut all the trees in that buffer and replant but they're not touching any of those trees (even though they could) and that there is an additional 30' where they will be doing no tree cutting or grading. He said they redesigned it to allow more green space untouched. He noted there is a gas line through the property and they are not allowed to plant trees in that area. He added that the fencing will screen the property as well.

Mr. Washburn asked Ms. Jones to explain what is within the purview and authority of the Commission. Ms. Jones detailed the parameters including the Norwood Wetlands Bylaw; 3 different buffer zones with requirements that an applicant must be met. She explained with this particular project that all of them are being met. She explained the intent of protecting the water quality in the wetlands. Mr. Washburn asked if it's within their authority to require a specific planting solution for privacy. Ms. Jones said the Commission can ask but the decision has to be protecting the wetland or the value that the wetland provides. Screening

for privacy would be outside the Commission's authority. Mr. Washburn asked if that would be viable/feasible in the vicinity of the fence. Mr. Smith said it would be difficult due to the gas easement and it being too small of an area. Ms. Hogan conceded that the screening sounds like it was more of the purview of the Planning Board despite having hoped with the amount of trees being cut that it would fall under the Commission's control.

Pamela Carpenter, 549 Neponset : She expressed wanting to preserve as much of the trees as possible and was upset about the displacement of the animals/loss of their environment. She asked if there was above ground visibility of the stormwater system. Mr. Smith said it would be an underground drainage design. She asked Mr. Smith to show the fence line on the site plan shown on the screen. Mr. Kraplin followed the fence line with the cursor on the screen as Mr. Smith narrated which areas would be fenced. He said there would be 30' of vegetation and then the fence.

Gail Ledonni 563 Neponset (spoke again): She said the fence stops and then begins again. Mr. Smith said that the fence cannot go over the gas line. She asked why no fence but they can put a parking lot? He replied that the gas company needs to be able to travel their line. She stated that the gas line goes through wetlands and and it was noted that they need to go before the Commission as well, however they needed to be able to travel unimpeded along the gas line.

Ms. Ledonni asked if they can have an entrance somewhere else as those neighbors will be looking at that area with no trees, no fence, and a line of cars around the rotary coming down Rt1. She also asked what would stop them from cutting more trees in the future if they have the right.

Matt Smith said that was more of a Planning Board issue and there could be a condition of approval or possibly a commitment that would run with the land (to avoid future tree cutting by current or future owners.) Easement and liability issues were being looked at. Mr. Washburn agreed that the question was more under the purview of Planning.

Gail Ledonni (continued) She asked if the Commission was aware that up until June 2022 that all of that area was residential zoned and that the Town changed the zoning. Mr. Washburn explained that zoning is not under the Commission's realm.

Craig Rickey 585 Neponset St: He asked if the Algonquin pipeline was approved. (Enbridge Gas) Matt Smith replied that it had not received a permit to proceed yet but they are in the processing of obtaining it. Mr. Rickey asked the Commission to wait until the report is in and said that construction will change the hydrology of the area. He said the stormwater system could undermine the gas line. Mr. Washburn, asked what was pending. Mr. Smith said the Planning Board will not issue an approval until they see approval of the permit. He added that it was not a Conservation issue other than a little bit of work on the edge of 100' buffer and requested that Commission issue the wetlands related permit.

Ms. Jones suggested that if the Commission were to issue an OoC that they add a condition stating there will be no construction without approval of the gas company. Mr. Smith said he would be agreeable to that.

Mr. Donald Hale thanked Commission for intelligent and cooperate listening of the public's concern. Mr. Washburn thanked Mr. Hale and said he hoped that he and others know that the Commission takes very seriously the preservation and protecting of resource areas.

Ms. Jones outlined recommended conditions:

Recommended motion: issue an Order of Conditions with Norwood's standard conditions and the following special conditions:

- 1) Prior to commencement of construction, proof of a NPDES permit application shall be provided to the Conservation Commission or their agent & SW protection plan
- 2) Wetland flags shall be refreshed before construction and maintained throughout the project
- 3) The Limit of Clearing shall be marked with orange construction fencing. If trees used in the determination for Tree Filter Zone are damaged or removed, they shall be replaced with an equivalent caliper of new, native plantings
- 4) Landscaping shall use only native plants
- 5) Prior to the start of any construction provide the Commission a letter of approval from gas line company

Motion: Ms. Walsh made a motion to close the public hearing and issue the Order of Conditions with the 5 Conditions outlined by Ms. Jones.

Mr. Bamber seconded the motion.

Motion passed unanimously, 6-0 by roll call vote.

Potential Violations:

1. 119 Sixth St--unpermitted clearing of trees in Riverfront Area of Meadow Brook and buffer zone to bank

Mr. Washburn passed over this agenda item as it was discussed and addressed during the public hearing.

2. 1400 Washington St. –unpermitted fill and clearing

Ms. Jones said that Mr. Copponi rented larger equipment to remove additional fill. At the site visit, Ms. Jones said she had concerns that removal of more fill could destabilize the slope and noted that there was some debris remaining at the bottom of the slope but was down to bare dirt in many places. She displayed pictures from the site visit on the screen. Arborvitaes were further damaged, which were intended as a barrier to deter further dumping. Mr. Jones suggested putting up a sign to prevent dumping instead of the trees. She suggested keeping an eye on the area but said she is satisfied that there is sufficient fill that was removed.

Mr. Rocklen asked if there were any erosion control suggestions. She asked if no seed is put down, would it fill in with invasive species.

Ms. Jones suggested that they could hydro-seed it but that it is not very accessible and would be difficult to incorporate woody plants. She said that you cannot walk or drive equipment on that area. She noted that the whole area is covered with invasive species; Japanese knotweed and roses.

Commissioners asked various questions: need for a compost sock, overstepping to ask for erosion control, and other alternatives.

Ms. Jones said there is material at the bottom of the slope to hold it in place. She pointed out that the Commission had asked for a plan from a wetland scientist which was never received so in lieu of that she has been trying to assist with Mr. Copponi's efforts and equipment.. Discussion was had regarding hydro seeding vs monitoring to ensure that the slope stays in place and taking action if it does not. The Commissioners affirmed that they were comfortable with regular monitoring/inspections and taking action if needed.

3. Off of University Ave—behind 825 University Ave—unpermitted work in wetland

The Chair passed over this agenda item and stated that the restoration plan was due on April 26th.

Conservation Commission Business:

1. Endean Orchard Subcommittee update

Ms. Jones said the K-mag, beans, and peas had been ordered as well as a replacement apple tree which DPW said that would be assisting with. She informed the Commissioners that a decision needed to be made about waiting until June for available shrubs or just purchasing 18 bayberries which are available now. Mr. Washburn suggested getting 1/3 bayberries now and 2/3 of the other kinds in June. Walsh agreed with waiting to in order to have diverse companion plantings.

Ms. Jones said she met with a boy scout who will do a presentation regarding the shed ramp and other improvements at the next meeting on May 4th. In closing she said that there was a need to assemble volunteers to water as well as for workdays spreading chips and planting.

2. CPC report

Ms. Walsh: no update. no meeting yet.

Next agenda: discuss preserving woodland areas/open space

3. Agent update

Ms. Jones:

The Personnel Board did not a quorum this evening; no update the position reclassification.

Dam removal is proceeding apace: much of the streambed is done now, and looks to be within our available funds and finished on time.

Connector Trail from Washington St. around Hawes ponds has been started and looks good.

Lots of Earth Day events this coming weekend—Friday from 9am-11am the Rec is hosting at Endean, I will lead a Tree ID walk and Orchard tour. On Saturday, NepRWA is organizing a clean-up at Brook St. On Sunday, Progress Norwood is leading local cleanups throughout town followed by a fair on the common.

Ms. Jones visited the area off of Prospect Street that Alexandria/Moderna wants to give a Conservation Restriction to the Commissions and said it was gorgeous.

Also, discussed was an informal picnic or get together with the new Commissioner.

4. Minutes 9/15/2021, 2/16/2022, 3/16/2022

Motion: Mr. Bamber made a motion to approve.

Mr. Gear seconded the motion.

Motion passed unanimously, 6-0 by roll call vote.

Adjournment:

Motion: Mr. Bamber made a motion to adjourn. Mr. Gear seconded the motion. Motion passed unanimously, 5-0 by roll call vote.

Meeting adjourned at approximately 9:34 p.m.

Next virtual meeting: May 4, at 7:30 p.m.

Respectfully Submitted by Lynn Marchand