

CONSERVATION COMMISSION MINTUES

Date: January 30, 2020
Time: 7:05 – 9:18 pm
Place: City Hall, Room 204

With a quorum present, the meeting opened at 7:05 with Dan Green presiding as Chair

Members Present: Susan Lunin, Jeff Zabel, Kathy Cade, Leigh Gilligan

Members Absent: Judy Hepburn, Ellen Katz

Staff Present: Jennifer Steel

Members of the Public: See sign-in sheet

DECISIONS

I. WETLANDS DECISIONS

1. 140 Brandeis Road – RDA – installation of field lighting

- Owner/Applicant: City of Newton Representative: Luis Perez-Demorizi, City of Newton
- Request: Issue DOA.
- Documents Presented: plans, photos, draft DOA
- Jurisdiction: Buffer Zone
- Project Summary
 - Install 4 field lights at the currently unlit Newton South High School field, with related trenching for electrical wiring.
 - Erosion controls are proposed for between the proposed lights and the resource area.
 - Work within the buffer zone is limited to the installation of the bases for 2 of the light structures and the trenching associated with the necessary electrical conduit.
- Presentation (Luis Perez-Demorizi and Mike Berry from Musco Lighting) and Discussion
 - This project is a buffer zone only project occurring immediately adjacent to the track and within existing turf grass.
 - The contractor provided lighting reports showing that there will be minimal spillage into the wetland resource area. He noted that 0.2 foot-candles in the wetland is almost dark.
 - Trenching within the buffer zone will be 2.5' wide and 38" deep. The timing of trenching is weather dependent, but applicant believes the trench will be open for 1 week.
 - The contractor said the light bases will be precast, pre-stressed concrete shafts installed into a "pier excavation" backfilled with concrete.
 - As negotiated with the neighbors, the lights will be turned off by 9:00 pm unless games go into overtime. Lights will, therefore, only be used in spring and fall (~35 nights/year).
 - Lights will be able to be remotely operated and dimmed for practices and clean-up
 - Doug McCarthy (girls soccer advocate) noted that the field improvements are valuable)
- Vote to issue neg 3 Determination with the special conditions listed below.
 - The applicant must schedule and attend a pre-construction site visit to check erosion controls.
 - All spoils from trenching and auguring must be properly disposed of off-site.
 - Concrete for the footings must be mixed on site to reduce waste. Any excess concrete must be properly disposed of off-site.
 - Any concrete washout must occur outside the 100' buffer zone.
 - All disturbed areas must be fine-graded, loamed, and seeded to ensure permanent stabilization.

2. 148 Pine Street – NOI – demo of existing duplex and construction of 3 single-family homes – DEP File #239-856

- Owner/Applicant: Vincent Mastroianni, 148 Pine Realty Trust Representative: Verne Porter, VTP Associates, John Rockwood, EcoTec, Inc., Terry Morris, Attorney
- Request: Issue OOC.
- Documents Presented: colored plans, photos, draft OOC
- Jurisdiction: Buffer Zone to bank of an intermittent stream, City Floodplain
- Project Summary
 - Tear-down the existing duplex and detached garage and remove pavement.



Mayor
Ruthanne Fuller

**Director
Planning &
Development**
Barney Heath

**Senior
Environmental
Planner**
Jennifer Steel

**Assistant
Environmental
Planner**
Claire Rundelli

**Conservation
Commission
Members**
Kathy Cade
Dan Green
Judy Hepburn
Ellen Katz
Susan Lunin
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- Construct three new single-family homes with associated shared driveway, patios, stormwater management, grading, and landscaping, and install a 3,412 s.f. bounded mitigation planting area. The proposed conditions will result in a net increase in impervious area within the buffer zone. Portions of the proposed work fall outside the 100' buffer zone.
 - 10 trees (118 caliper inches) are proposed to be removed and 2 existing trees on site are to be protected.
 - The 3,412 s.f. mitigation area with stone bounds is proposed to include 20 saplings, 105 shrubs, and a large number of herbaceous grasses and wildflowers. Total plantings within the BZ include 48 saplings and 117 shrubs.
 - Presentation (Verne Porter and John Rockwood) and Discussion
 - Engineering's recommendation that a stormwater treatment unit be installed prior to discharge to the infiltration system was deemed by the applicant unnecessary and too expensive. They are proposing a catchbasin with a sump and a hood prior to being pumped to the infiltration area.
 - The proposed mitigation planting plan enhances the buffer zone and City floodplain from existing conditions by transforming what is essentially a dirt parking lot into a naturalized buffer strip that is larger in area than the proposed impervious area increase within the Commission's jurisdiction. Roughly 18" of junky soil will be removed and replaced with good sub-soil and topsoil.
 - Grading includes an 8" deep grass swale to channel runoff from 136 Pine St. around the infiltration area and to the brook.
 - Erosion control barriers have been revised and now include an entrenched silt fence and compost sock along the outer site boundaries and a secondary compost sock between the work area and the mitigation planting area.
 - A groundwater monitoring well was installed in the infiltration area to better determine ESHGW (it is probably higher than the standing water seen during the August test pits). The whole infiltration area can be raised if more height is needed to assure 2 feet of separation to groundwater.
 - Snow storage was discussed at length, as it will be difficult to avoid piling snow on the double catchbasin, the grass swale, or the mitigation planting area. Condo association agreements, fencing and signage were all discussed.
 - The application includes a stormwater O&M plan and it will be included in the condominium documents.
 - Frank Perry, abutter, has hired an engineer to review the stormwater calculations. He is concerned that the infiltration area will not hold the 100-year storm.
 - Phil Mastroianni stated that no vehicle repairs or oil leaks have ever occurred on the site.
 - Vote to continue the hearing to 2/20/20 (with materials due 2/10/20) to receive more information on:
 - Snow storage areas and protections (e.g., hedges, fences, signs)
 - Concrete washout areas
 - Dewatering areas
- [Motion: Susan Lunin, Second: Jeff Zabel, Vote: 5:0:0]

II. CONSERVATION AREA DECISIONS

3. Encroachment Procedure – Discussion

- Documents Presented: draft encroachment procedure
- Discussion
 - Staff are aware of a number of encroachments onto Conservation land. We have approached a number of the subject abutters, but others have not yet been approached. Some abutters are willing to facilitate restoration, others are less willing. Staff would like to ensure that all remedial efforts follow the same procedure.
 - Known encroachments include:
 - lawn at 261 Parker Rd – planted with shrubs by ConCom contractor, completed fall 2019
 - lawn at 230 Dudley Rd – to be planted with shrubs and meadow mix by owner, in progress
 - lawn at 170 Suffolk Rd – under consideration
 - lawn at 70 Wayne Rd – to be staked by City, restoration plantings under consideration
 - lawn at 149 Harwich Rd – yet to be addressed
 - landscaping at 92 Pine St – yet to be addressed
 - lawns at 24 and 28 Rebecca Rd – yet to be addressed
 - Discussion ensued about the draft.
 - Vote to approve the draft encroachment procedures. [Motion: Jeff Zabel, Second: Susan Lunin, Vote: 5:0:0]

The location of this meeting is wheelchair accessible and reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the city of Newton's ADA/Sec. 504 Coordinator, Jini Fairley, at least two business days in advance of the meeting: jfairley@newtonma.gov or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

III. ADMINISTRATIVE DECISIONS

4. Flood Zone Policy to Ensure Adequate Compensatory Flood Storage

- Documents Presented: draft Compensatory Flood Storage policy
- Discussion:
 - Staff made edits to the policy based on the conversations at the 12/5/19 meeting and added a preamble to clarify the reasons for developing the policy.
 - The ConCom discussed whether there should be a cap on total volume of extra flood storage capacity provided. The consensus was that there should not be. Other minor edits were made to clarify the exemptions applicants could seek
- Vote to approve the compensatory flood storage policy as amended. [Motion: Susan Lunin, Second: Kathy Cade, Vote: 5:0:0]

5. Minutes of 1/9/20 to be approved

- Documents Presented: draft minutes
- Vote to accept the 1/9/20 minutes as edited to correct typos. [Motion: Jeff Zabel, Second: Leigh Gilligan, Vote: 5:0:0]

IV. ISSUES AROUND TOWN DECISIONS – none at this time

UPDATES

V. WETLANDS UPDATES

VI. CONSERVATION AREA UPDATES

VII. ISSUES AROUND TOWN UPDATES

- Christina Street Bridge: Staff submitting the Christina Street Rail Bridge Feasibility Study grant application on Feb. 1st.
- Open Space and Recreation Plan: Our second meeting with Committee members and our first meeting with the Conway School student contractors went well and we have sent off all materials to the students. The first public meeting will be on Feb. 6th from 7-9pm at the War Memorial. Please consider attending!

VIII. ADMINISTRATIVE MATTER UPDATES

- Wetland Ordinance: We will start the February 20th meeting at 6:30 pm in order to have a full discussion regarding a potential wetland ordinance for the City.
- MACC Annual Environmental Conference: is scheduled for 2/29/20. Please consider attending and save the date!

OTHER TOPICS NOT REASONABLY ANTICIPATED BY THE CHAIR 48 HOURS BEFORE THE MEETING

- 6. 1114 Beacon St. DEP file #239-827 OOC was appealed** by a group of abutters. Jennifer Steel is crafting a letter of response to DEP. The draft letter was reviewed with the ConCom and was met with approval.
- 7. 27-55 Boylston St., The Street, DEP File #239-765** seeks an extension to November 1, 2020 to allow their plantings more time to flourish. Vote to accept the request to extend to November 1, 2020. [Motion: Susan Lunin, Second: Kathy Cade, Vote: 5:0:0]
- 8. Hazard Tree Replacement Policy. draft guidance.** Staff seek the guidance of the ConCom with regard to the number and size of saplings staff should be requiring applicants to plant when staff are giving Administrative Approval to remove a hazard tree. Consensus was that the following chart would be appropriate for most circumstances, but that staff discretion was appropriate.

DBH of hazard tree cut	Number of 1" caliper, 8' tall saplings to be planted	Number of shrubs to be planted
8-16"	1	2
16"-24"	2	3
>24"	3	5

- 9. ConCom member terms are due to expire.** Susan, Ellen, Jeff, and Judy's terms are due to expire on 5/31/20. Kathy's term is due to expire on 5/31/20. It was decided that all members present were interested in reapplying, but that it would be in the interest of the commission to stagger their terms. Each member present opted to request a 2- or 3-year reappointment. Each member will send a letter to the Mayor's Office seeking reappointment. Jennifer will send a sample form letter to the commissioners.

ADJOURN Vote to adjourn at 9:18. [Motion: Jeff Zabel, Second: Kathy Cade, Vote: 5:0:0]