

CONSERVATION COMMISSION MINUTES

Date: September 12, 2019

Time: 7:00 pm

Place: City Hall, Room 204

With a quorum present, the meeting opened with Dan Green presiding as Chair

Members Present: Judy Hepburn, Ellen Katz, Jeff Zabel, Susan Lunin, Kathy Cade, Leigh Gilligan
(Associate)

Staff Present: Jennifer Steel

Members of the Public: See sign-in sheet

DECISIONS

I. WETLANDS DECISIONS

1. 149 Pleasant St – NOI – installation of solar canopy -- DEP File #239-844

- Owner: City of Newton Applicant: William Ferguson, Newton Co-Director of Sustainability
Representative: Stuart Clark, Green Seal Environmental
- Request: Issue an OOC.
- Documents Presented: colored plans colored plans, photos, draft OOC
- Jurisdiction: Buffer Zone, Riverfront Area, City Flood Plain
- Project Summary:
 - Applicant is proposing to install two solar canopies supported by columns. All support columns will be installed using a 48" auger within the existing parking lot pavement and grassy verge as part of the City's Solar Installation Phase III. The canopy closest to Hammond Brook will extend over the existing lawn/vegetated area between the existing pavement and the brook.
 - Applicant is proposing to install new electrical conduits to connect the canopies to the grid. Some of this trenching for this conduit will occur within existing pavement, but a fair amount occurs within existing lawn/vegetated areas surrounding the parking lot.
 - Applicant is proposing to remove two trees (1 10" Norway maple and 1 6" crab apple). This cutting will be mitigated by planting 29 trees within the park area associated with the school.
- Presentation (Stuart Clark) and Discussion
 - Conservation staff fully support the installation of solar canopies over municipal lots.
 - Revised plans show appropriate erosion controls on the down-gradient perimeter; two trees as "to be removed" and one tree as "to be trimmed"; and tree protection details for existing trees within the limit of work proposed to remain.
 - The proposed trenching alignment now avoids impacting the existing trees to remain.
 - The parking lot will be patched, as needed after canopy installation.
 - The proposal to plant 29 trees as mitigation is very robust. The City's Tree Warden will be doing the planting and will provide a plan of native species and specific locations prior to planting.
 - The canopies have gaps, so rain will penetrate and drainage will not be changed.
 - There were some concerns about the shade cast by the canopies precluding the reestablishment of grass and killing bank vegetation. The solar canopy contractor is obligated, for 20 years, to ensure revegetation under the canopies.
 - The project is due to begin in the spring of 2020 and be completed in the summer of 2020.
- Vote to close the hearing and issue an Order of Conditions with the following special conditions. [Motion: Jeff Zabel; Second: Kathy Cade; Vote: 6:0:0]
 - The proposed mitigation planting of 29 native trees will be undertaken by the Parks and Rec. Department. The applicant shall supply \$7,250 and Parks and Rec. will install 29 native saplings on the 149 Pleasant St. or abutting Newton Center Playground parcels. The trees must be installed on or before June 15, 2020. A plan showing the location of the planted trees must be supplied to the Conservation Office on or before July 15, 2020. The trees must have a survival rate of 75% of total number of trees (after 2 growing seasons) for a Certificate of Compliance to be issued.



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
Norm Richardson
Jeff Zabel

**Conservation
Commission
Alternates**
Leigh Gilligan

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- If the shade of the canopy causes the death or significant decline of bank vegetation at any time during the lease term of the solar panels (20 years), the City (through the solar contractor), shall ensure re-stabilization of the affected bank area with native, shade-tolerant species of vegetative and woody plants.
- Concrete washout must occur off-site or within the area designated on the plans.

2. 100 Old England Rd – cont'd RDA – confirmation of wetland resource area

- Owner/Applicant: Sean Wilder Representatives: Tom Rebula, Goddard Consulting; Franklin Schwartz, Attorney
- Request: Issue Determination of Applicability.
- Documents Presented: Drainage maps Drainage maps
- Jurisdiction: TBD (likely: RFA, Buffer Zone to bank and BVW)
- Presentation and Discussion:
 - The stream's watershed is large enough to be perennial, however there is an elevated and regularly dry section of "stream bed" near 100 Old England Road. A dam structure upstream of the area in question can "negate" the dry areas (i.e., the stream would not qualify as intermittent because of the dam), but field investigations showed that the dam does not affect the dry portion of the stream because even when the dam is being over-topped, the dry portion remains dry.
 - A dye test was conducted and dye placed near the pond appeared behind 440 Beacon Street.
 - Documentation provided by the applicant's representative shows a previously unknown storm drain main under the dry portion of the stream, ending near the culvert that goes under Hammond Pond Parkway. City survey records confirm that there is a pipe in that location.
 - Therefore, the dry portion of Hammond Brook near Old England Road would not have RFA because of the >200' culvert and the discontinuous flow (due to the stormdrain main?).
- Vote to issue a Negative 1 Determination, confirming that there is not an open reach of perennial stream across the from 100 Old England Road (at 0 Old England Rd), so 100 Old England Road is not encumbered by a 200' Riverfront Area. [Motion: Jeff Zabel; Second: Judy Hepburn; Vote: 6:0:0]

3. 303-309 Winchester St – RDA – removal of mature pines and restoration planting

- Owner: Winchester Park Applicant: David Altman, Advantage Property Management Representatives: Steve Gold, Boston Tree Company
- Request: Issue Determination of Applicability.
- Documents Presented: aerial, proposed plantings aerial, proposed plantings, draft DOA
- Jurisdiction: Buffer Zone, Flood Plain (112 NAVD88)
- Project Summary: Applicant is proposing to remove 8 mature pine trees and one broken stump (total caliper inches dbh of 198"). The proposal includes a restoration planting proposal.
- Presentation and Discussion:
 - Applicant is requesting approval for the removal of 8 mature pine trees and 1 roughly 10' tall stump since one pine tree in this row fell (leaving the stump TBR) and did serious damage to an abutting home (291 Winchester St.). Applicant wishes to remove these pines to avoid similar damages the neighboring properties.
 - Steve Gold did a tree assessment and found the trees to be a "moderate risk" because of old pruning and "included bark".
 - Applicant has received a tree permit from the City Tree Warden.
 - Most of the trees are outside the Buffer Zone, but all are within the Flood Zone.
 - Applicant is proposing to plant 8 native saplings and 8 native shrubs of a variety of species. The performance standard of note is wildlife habitat value, so consideration was given to recreating viable flood zone habitat.
 - The Commission asked that a total of 12 native saplings and 12 native shrubs be planted and that the additional trees be black spruce and the additional shrubs be rhododendron maximum to provide replacement for the loss of evergreen canopy.
- Vote to close the meeting and issue a "Negative 2" determination confirming that the work does not require a Notice of Intent and a "Negative 3" determination with the following conditions. [Motion: Susan Lunin; Second: Ellen Katz; Vote: 6:0:0]
 - Mitigation plantings shall include, at a minimum, the 12 native trees (at least 3' tall) and 12 native shrubs (at least 2' tall), as detailed on the approved Native Plant Installation List.

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.

- Plantings shall be installed within Flood Zone in the general area of the permitted tree removal (see the approved Tree Removal Plan)
- Plantings must be installed within 6 months of tree removal.
- 75% of the mitigation plantings must survive 2 growing seasons. Photographic proof of survival must be sent to the Conservation office at the end of the 2 growing seasons. Should 75% not survive, applicant must replace the dead plants.

4. 212 Kenrick St – cont'd NOI – vegetation management in golf course ponds – DEP File #239-834

- Owner: City of Newton “Owner’s Rep.”: Steven Meyer, Newton Commonwealth Foundation Applicant: David Stowe, Newton Comm. Golf Course Representative: Keith Gazaille, SOLitude Lake Management
- Request: Issue an OOC.
- Documents Presented: revised proposal, map of hydroraking revised prop., map of hydroraking, photos, draft OOC
- Jurisdiction: Bank, Land Under Waterbodies and Waterways (LUWW), City Floodplain
- Project Summary:
 - Five ponds (three connected by an intermittent stream, 2 isolated) are contained within the played portion of the golf course. All are suffering overgrowth of weeds and algae.
 - The applicant is proposing regular monitoring and chemical treatments and hydroraking to address the broad variety of nuisance aquatic vegetation and accumulated sediment in year 1.
 - As presented, this project seems that it may not fully to qualify as an ecological restoration project (as filed) and so staff has recommended issuing a standard Order of Conditions.
- Presentation and Discussion:
 - The site is over-run with nuisance aquatic plants and so significant removal is appropriate to reestablish flow, preclude flooding, and allow a healthier aquatic environment.
 - Revised plans reflect the Commission’s interests in:
 - Seeing real watershed management improvements such as:
 - the installation of vegetated buffers (to limit geese, reduce grass trimmings from entering waterways, and trap nutrients)
 - stream and pond dredging/cleaning (to “reset the clock”).
 - Limiting the use of chemical controls (e.g., the accumulation of copper and the flow of chemicals downstream) by reducing the concentrations.
 - Protecting some cattail areas (while removing 100% from stream corridors and 50% from ponds to re-establish flow).
 - The Applicant’s proposal includes bi-monthly monitoring April – September to provide information on how to adapt pond management.
 - Applicant will consider more robust native herbaceous buffers in future years.
 - Site staff have already initiated a 5’ wide no/high mow strip around all water features.
 - The Applicant has filed to close out several old filings for 212 Kenrick St.:
 - 1997: An Order of Conditions (#239-317) was issued on March 19th, 1997 for project approving several aspects of golf course management.
 - 1998: An Order of Conditions (#239-340) was issued for the project approving the construction of a clubhouse with the appropriate compensatory flood storage.
 - 2005: An Order of Conditions (#239-459) was issued for the project approving the proposed vegetation management for one year (with second and third year work only being approved with annual management reports submitted to the Conservation Office) and no further chemical management after year 1. An extension request was submitted on March 26th, 2008 and a 3-year management summary was provided on April 24th, 2008 at the request of the Conservation Agent (Anne Phelps). Several extensions were granted for mechanical vegetation management and once for the repair of the irrigation pond. No chemical management was approved for these extensions.
- Vote to close the hearing and issue an Order of Conditions with the following special conditions. [Motion: Jeff Zabel; Second: Kathy Cade; Vote: 6:0:0]
 - This OOC is valid for three years. Different actions will be taken in different years.
 - a. In all years, a 5’-wide high-mow or no-mow strip shall be maintained around all ponds and streams in the subject area.
 - b. Calendar year 2019 efforts shall be limited to hydro-raking and hand-pulling.
 - c. Hydro-raking must be undertaken as described in the approved letter entitled “Newton Commonwealth Golf Course Pond Management Plan.”

- d. In calendar years 2020, 2021, and 2022, the chemical treatments outlined in the tables in the approved letter entitled "Newton Commonwealth Golf Course Pond Management Plan" may be undertaken if/as necessary based on the regular monitoring.
- Annual reports of weed conditions found, management activities undertaken, and effects of the management activities will be submitted to the Conservation Office by November 15th of each calendar year for the life of this Order.
 - By March 15, 2020, the applicant shall submit to the Conservation Office a plan for buffer zone plantings designed to protect the streams and ponds from nutrient runoff and enhance wetland wildlife habitat.
- 5. 188-192 & 210 Needham St – cont'd NOI – 36-stall expansion of parking and restoration of RFA -- DEP File #239-841**
- Owner/Applicant: Kerry McCormack, Crosspoint Associates Representative: Brandon Li, Kelly Engineering; Brad Buitenhuys (Cross Point)
 - Request: Continue hearing to 10/3/19 Conservation Commission meeting.
 - Documents Presented: none
 - Jurisdiction: Riverfront Area, BLSF (~113' NAVD88)
 - Staff Notes: Applicant is seeking a continuation
 - Staff Recommendations: Vote to accept applicant's request to continue hearing to 10/3/19. [Motion: Ellen Katz; Second: Susan Lunin; Vote: 6:0:0]
- 6. 1114 Beacon St – cont'd NOI – construction of 25-unit residential condominiums -- DEP File #239-827**
- Owner: Ronald Simons, 1114 Beacon Street LLC Applicant/Representative: Kevin Riopelle, DGT Associates
 - Request: Withdraw Notice of Intent filing.
 - Documents Presented: none
 - Jurisdiction: ILSF
 - Presentation and Discussion: Applicant requested to withdraw the Notice of Intent as they are exploring renting the building to a commercial tenant, however, they just sought to withdraw that request and instead continue to 10/3/19. Staff recommends accepting the request to withdraw their request to withdraw and instead continue to 10/3/19 with the requirement that the Applicant notify abutters of the 10/3/19 hearing and pay for a new legal ad in the TAB.
 - Vote to continue to 10/3/19. [Motion: Judy Hepburn; Second: Susan Lunin; Vote: 6:0:0]
- 7. 22 Hollywood Dr – Ratification of Enforcement Order – DEP file #239-368**
- Owner: James McKay Representative: John Rockwood, EcoTec, Inc.
 - Request: Ratify "friendly" Enforcement Order.
 - Documents Presented: photos, colored restoration plan
 - Jurisdiction: BVW, Buffer Zone, Riverfront Area, and City Floodplain
 - Performance Standards: Compliance with 3 Enforcement Orders and an open OOC
 - Project Summary: Applicant proposes to move fence to rear property line, plant required native shrub and understory tree species, remove invasive species and diseased/hazard trees, and prune existing canopy to allow light into the restoration plantings.
 - Staff Notes: As per the discussions at the 8/1/19 Conservation Commission meeting, staff issued the "friendly" Enforcement Order to approve and require the proposed restoration plan for the existing encroachment area. The E.O. needs to be ratified by the full Commission.
 - Vote to ratify the Enforcement Order issued 8/2/19 by Conservation staff. [Motion: Judy Hepburn; Second: Susan Lunin; Vote: 6:0:0]
- 8. 56 Greenwood St – OOC Extension – interior work, hardscaping, and utility install– DEP File #239-768**
- Owner/Applicant: Rita and Gene Spivak Representative: none
 - Request: Extend Order of Conditions by 3 years to allow for the applicant to install the final landscaping and to allow for the 2-year growing season survival requirement be met.
 - Documents Presented: photos, draft OOC extension
 - Jurisdiction: Buffer Zone
 - Project Summary: Approved work included significant interior renovations, hardscaping of the front walkway and driveway, utility installation, and required mitigation.
 - Staff Notes: A staff site visit on 8/22/19 confirms the site is still in compliance with the OOC and approved plans.

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- Vote to approve request to extend Order of Conditions 239-768 for three years. [Motion: Jeff Zabel; Second: Ellen Katz; Vote: 6:0:0]

9. 50 Grace Road – OOC Extension – teardown/rebuild single-family home – DEP File #239-772

- Owner/Applicant: Carole and Russell Jackson Representative: Jonathan Buchman, Banner Construction Company, Inc.
- Request: Extend Order of Conditions by 3 years. Applicants have not started construction on the approved project and are still determining if they will go forward with the work.
- Documents Presented: photos, draft OOC extension
- Jurisdiction: Riverfront Area
- Project Summary: Approved work included the demolition of the existing single-family home and the construction of a new single-family home with associated site features.
- Staff Notes: A site visit on 8/22/19 confirmed that the site is in compliance with the Wetlands Protection Act. No work has begun on site.
- Vote to approve request to extend Order of Conditions 239-772 for three years. [Motion: Susan Lunin; Second: Jeff Zabel; Vote: 6:0:0]

10. 204 Dedham St – COC Request – exterior hardscaping and landscaping – DEP File #239-829

- Owner/Applicant: Alex Kane, Kane Innovations Representative: Michael Quinn
- Request: Issue COC to close out Order of Conditions 239-829.
- Documents Presented: photos, draft COC
- Jurisdiction: FEMA 100-yr Flood Plain
- Project Summary: OOC 239-829 was issued in response to the NOI required by the Enforcement Order issued against the applicant for unpermitted work in the flood plain. The OOC permitted exterior hardscaping (driveway repave, front walkway re-construct in place, replace failing retaining walls) and landscaping (removal of existing vegetation, required restoration plantings).
- Staff Notes: A site visit on 8/16/19 confirmed that the site is in substantial compliance with the approved plans and OOC.
- Vote to issue a Certificate of Compliance for the approved work under OOC 239-829. [Motion: Kathy Cade; Second: Susan Lunin; Vote: 6:0:0]

11. 44 Olde Field Rd – COC Request – teardown/rebuild with landscaping – DEP File #239-742

- Owner/Applicant: Mark Quian Representative: Chris Utano, Pinecone Construction
- Request: Issue COC to close out Order of Conditions 239-742.
- Documents Presented: photos, draft COC
- Project Summary: Approved work included the teardown and rebuild of an existing single-family home outside of wetlands jurisdiction. Approved work within wetland jurisdiction included the removal of mature vegetation, replacement of an existing fence, and new landscaping.
- Jurisdiction: Buffer Zone, FEMA 100-yr and City Flood Plain
- Staff Notes: A staff site visit on 8/6/19 confirmed that the site is in substantial compliance with the OOC and the approved plans.
- Vote to issue a Certificate of Compliance for the approved work under OOC 239-742. [Motion: Jeff Zabel; Second: Susan Lunin; Vote: 6:0:0]

12. 36 Parsons St – COC Request – teardown single-family and rebuild duplex – DEP File #239-728

- Owner/Applicant: Arto Dermovsesian Representative: John Rockwood, EcoTec, Inc.
- Request: Issue COC to close out Order of Conditions 239-728.
- Project Summary: Approved work included the teardown of an existing single-family home and the construction of a new duplex with associated drainage, driveway, and mitigation plantings.
- Documents Presented: photos, colored plans
- Jurisdiction: Flood Zone, Riverfront Area
- Staff Notes: A staff site visit on 8/21/19 noted that the building and plantings were according to plan, but staff discovered that there was no letter of approval from the as-built engineer and that excess fill had been added in the flood zone.
- Consensus: to have Jennifer Steel issue a memo noting denial of a Certificate of Compliance for 239-728 and requiring, through an Enforcement Order, a new plan and a new NOI. Jennifer will send a draft to Dan and Leigh for their review prior to sending it out.

13. 296 Islington Rd – COC Request – new deck and addition on single-family home with landscaping – DEP File #239-380

- Owner/Applicant: Lucia Marshall Representative: self
- Request: Issue complete COC to close out Order of Conditions 239-380
- Project Summary: Approved work included the construction of an addition and a new deck with impervious surface underneath with associated landscaping.
- Documents Presented: photos, draft COC
- Jurisdiction: Buffer Zone, Riverfront Area, FEMA 100-yr and City Flood Plain
- Staff Notes: The project received a partial COC in 2010 but did not qualify for a complete COC due to the need for the approved plantings to prove themselves. A staff site visit on 8/22/19 confirmed that the site is now in compliance with the OOC and the approved plans.
- Vote to issue a Certificate of Compliance for the approved work under OOC 239-380. [Motion: Susan Lunin; Second: Jeff Zabel; Vote: 6:0:0]

14. 4 Bryon Rd – COC Request – driveway expansion and rain garden – DEP File #239-798

- Owner/Applicant: Dino Rossi Representative: self
- Request: Issue COC to close out Order of Conditions 239-798.
- Project Summary: Approved work included the ex-post facto approval of a driveway expansion and the installation of improved stormwater drainage, including a rain garden and required plantings.
- Documents Presented: photos, draft COC
- Jurisdiction: Buffer Zone, Riverfront Area
- Staff Notes: A staff site visit on 9/3/19 confirmed that the site is in compliance with the OOC and the approved plans.
- Staff Recommendations: Vote to issue a Certificate of Compliance for the approved work under OOC 239-798. [Motion: Kathy Cade; Second: Susan Lunin; Vote: 6:0:0]

II. CONSERVATION AREA DECISIONS

15. Encroachment Resolution Policy – Discussion

- Documents Presented: draft encroachment procedure draft encroachment procedure
- Staff Notes:
 - After meeting with the Law Department about the 170 Suffolk Road encroachment, it was recommended that the Commission develop and adopt a formal policy for dealing with historic, new, and future encroachments.
 - Existing known encroachments include:
 - lawn at 230 Dudley Rd – to be planted this fall by owner
 - lawn at 170 Suffolk Rd – under consideration
 - lawn at 70 Wayne Rd – to be staked this fall by City
 - lawn at 261 Parker St – to be planted this fall by City
 - lawn at 149 Harwich Rd – yet to be addressed
 - landscaping at 92 Pine St – yet to be addressed
 - lawns at 28 Rebecca Rd – yet to be addressed
 - Problems with restoration of encroachments:
 - Restoration plantings are subject to drought and invasive plants
 - Some property lines are very close to existing houses, so planting trees or shrubs could adversely affect abutters.
 - The Commission should develop a standardized procedure for approaching encroachers and correcting encroachments.
- Actions: None at this time.

16. 170 Suffolk Road – Encroachment into Houghton Garden – Discussion

- Request: Develop a clear goal for resolution and determine best path forward to achieve that goal.
- Staff Notes:
 - Staff met with the Law Dept. to discuss potential resolutions to the historic encroachment from 170 Suffolk Rd.
 - It was determined that a land swap is not a viable option as the City-owned land falls under Article 97 and any land swap would be categorized as a change of use of that protected land. This means that the land swap would have to be approved by 2/3 vote of the City Council and a 2/3 vote of the Massachusetts state legislature.
 - Possible resolutions include: (1) immediate removal of the encroachment, (2) licensing the encroachment (with or without compensation) for a time limited duration, (3) ignoring the encroachment.

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- Discussion:
 - The Conservation Commission may not be able to license Article 97 land at all.
 - Leigh Gilligan will research Article 97.
 - Jennifer Steel will speak with Brandon in Wellesley's Natural Resources Department to see how they deal with long-standing encroachments.
 - Jennifer Steel will speak with the Newton Law Department again to see what else they might suggest.

17. Charles River Pathway – assessment for a restoration and maintenance plan

- Project Summary: The Conservation Stewards for the Charles River Pathway would like to discuss hiring outside contractors to perform an assessment of the Charles River Pathway and develop a long-term restoration and maintenance plan, in light of the impending development at Northland and the need to address knotweed and trail connectivity (i.e., a set of stairs allowing access to the Greenway rail trail). Private funding may be available through Newton Upper Falls Community Development to augment any Commission contributions.
- Discussion: The Conservation Commission was very supportive.
- Public Comment: A Charles River Pathway Steward noted concerns about the work recently conducted on the site by Mark Neves' crew, including leaving trash on site, cutting a sapling specifically noted as to be saved, and one crew member sitting idle while another walked the site and drove to get gravel.

III. ADMINISTRATIVE DECISIONS

18. New Liaison to the Newton Commonwealth Foundation - Discussion

- Discussion
 - With the resignation of Norm Richardson, there is an open Commission liaison position on the NCF Board.
 - Currently, no commissioner is willing/able to attend more than 1-2 Foundation meetings each year.
 - Since the need for a ConCom liaison is not clear, as a starting point, Jennifer Steel will ask the Foundation to send the Commission copies of their minutes. The Commission can always act later to appoint a liaison.

19. Invasive Species Disposal Special Condition - Review

- Documents Presented: UNH "Methods for Disposing Non-Native Invasive Plants"
- Staff Notes: At the request of Commissioners, staff drafted the language below to be added to the Special Conditions and Findings for appropriate Orders of Conditions.
 - "In order to prevent contamination of City yard waste, invasive species approved to be removed must be disposed of per the University of New Hampshire 'Methods for Disposing Non-Native Invasive Plants.' For no reason may removed invasive species be disposed of through the City of Newton yard waste collection."
- Discussion:
 - There is already an Invasive Policy with removal details that could be augmented.
 - There was concern about some of the content of the UNH Methods.
 - Commissioners also noted the need to translate the final document into Russian, Portugese, and Mandarin.
 - The policy should be clearly posted on the City's website.

20. Earth Moving Ordinance – Homework Assignment

- Discussion:
 - Staff was not clear on the intent of a new ordinance that would require large cut/fill projects to be reviewed by the Commission.
 - Staff will send around Westwood's bylaw.
 - To better understand what the Commission is aiming to protect and what authority it would enforce under, staff have asked Commissioners to develop a "purpose" statement for the ordinance that they envision.

21. Fall Conference MACC – October 19th, 2019

- Staff Notes:
 - The MACC Fall Conference will be on 10/19/19 at the Devens Common Center.
 - For more information about units and workshops see www.maccweb.org/events/Sessions.aspx?id=1268814.
 - If Commissioners are interested in attending, please let staff know that you would like to attend and what classes you would be interested in signing-up for before the 10/3/19 meeting. Registration must occur through staff for the City to pay.

22. Minutes of 8/1/19 to be approved

- Documents Presented: draft minutes draft minutes
- Vote to accept the 8/1/19 minutes. [Motion: Susan Lunin; Second: Jeff Zabel; Vote: 5:0:1]

IV. ISSUES AROUND TOWN DECISIONS – none at this time

UPDATES

V. WETLANDS UPDATES – none at this time

VI. CONSERVATION AREA UPDATES

- Houghton Pond Dredging: Staff received a surprisingly positive response from NHESP in regard to potentially dredging Houghton Pond, a certified vernal pool. They would support a dredging project once a hydroperiod study confirms that dredging is necessary to reestablish vernal pool functions. John Rockwood suggested looking at 314 CMR 9 (Water Quality Certification regulations).
- Norumbega Slope Restoration: We have received final design plans from SumCo and work will be starting this month.

VII. ISSUES AROUND TOWN UPDATES

- New, Large Developments in the pipeline: Northland and Riverside are still going through the Special Permitting process; Washington Place and Austin Street are being constructed; the City just received 40B applications for two new developments, Dunstan East and Riverdale.
- Aqueducts: There will be a public presentation on 9/26/19 regarding the potential City acquisition of portion of Sudbury aqueduct from MWRA through an 8m license.
- Ticketing: Staff met with the Law Dept. to discuss ticketing under 21D for off-leash dogs. The Law Dept. and Conservation Staff will continue working towards the goal of being able to issue tickets against off-leash dog offenders. Commissioners recommended that Jennifer Steel look into a hand-held machine that would allow on-site payment and registration for off-leash medallions.
- Open Space and Recreation Plan: Request for quotes was sent out. Jeff Zabel and Susan Lunin are interested in participating in the OSRP update.
- Climate Action Plan: Next steps are to marry the long-term vision of the Citizen's Climate Action Plan (developed by the Citizens Commission on Energy) and the City's plan. The plan will be back in front of ZAP on 10/2/19.

VIII. ADMINISTRATIVE MATTER UPDATES – none at this time

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

- 2310 Washington St wants to repave its parking lot: Jennifer discovered that the down-gradient border is not curbed or catch-basined, so treatment improvements are possible. Jennifer Steel will let the potential applicant know that an NOI should be filed and stormwater improvement should be offered.

ADJOURN Motion to adjourn at 10:12 pm: Susan Lunin; Second: Judy Hepburn; Vote: 6:0:0.

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