

CONSERVATION COMMISSION AGENDA

The Conservation Commission will hold this meeting as a virtual meeting on Tuesday, December 8, 2020 at 7:00 pm. No in-person meeting will take place at City Hall.

Zoom access information for the December 8, 2020 Conservation Commission meeting will be posted at the following web address 48 hours in advance of the meeting.

<http://www.newtonma.gov/gov/planning/conserv/default.asp>

Please feel free to email jsteel@newtonma.gov and crundelli@newtonma.gov with any questions about filings prior to the meeting or access to the meeting.

NOTE: Items may be taken out of order at the Chair's discretion.

NOTE: Discussions of wetland cases may be limited to 20 minutes for RDAs and 40 minutes for NOIs

DECISIONS

I. WETLANDS DECISIONS

1. **1 Quinobequin Rd – Minor Plan Change – replacement gas line – DEP File #239-810**
 - Owner: Massachusetts DCR Applicant: National Grid Representative: Lori McDonald, National Grid
 - Request: Accept new methods and means as a minor plan change approval not requiring an amended OOC.
2. **22 David Road – RDA – expand second floor sunroom**
 - Owner/Applicant: Ilia and Monika Coka Representative: Michele Cospes, Brady Built, Inc.
 - Request: Issue DOA.
3. **42 Day Street – RDA – new deck**
 - Owner/Applicant: Sena Gopal Representative: Domenick Rossi, DR Construction
 - Request: Issue DOA.
4. **193 Lake Ave – NOI – restoration of the disturbed slope – DEP File #239-XXX**
 - Owner/Applicant: Robert E Hughes Jr. and Laura Kay Hughes Representative: David Burke, Youngblood Builders, Inc.
 - Request: Issue OOC.
5. **40 Albemarle Road – NOI – teardown/rebuild single-family home – DEP File #239-880**
 - Owner/Applicant: Jeremy Osinski and Megan McHugh Representative: John Rockwood, EcoTec, Inc.
 - Request: Issue OOC.
6. **1000 Commonwealth Avenue – COC – OLD dredging of ponds – DEP File #239-627**
 - Owner: City of Newton Applicant: Maria Rose, DPW
 - Request: Issue COC.

II. CONSERVATION AREA DECISIONS

7. Trailhead Signs
8. Trails
9. Conservation Area Projects

III. ADMINISTRATIVE DECISIONS

10. Minutes of 11/19/20 to be approved

IV. ISSUES AROUND TOWN DECISIONS

UPDATES

V. WETLANDS UPDATES

VI. CONSERVATION AREA UPDATES

VII. ISSUES AROUND TOWN UPDATES

VIII. ADMINISTRATIVE UPDATES

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

ADJOURN



Mayor
Ruthanne Fuller

**Director
Planning &
Development**
Barney Heath

**Chief
Environmental
Planner**
Jennifer Steel

**Assistant
Environmental
Planner**
Claire Rundelli

**Conservation
Commission
Members**
Kathy Cade
Dan Green
Judy Hepburn
Ellen Katz
Susan Lunin
Jeff Zabel
Leigh Gilligan

1000 Comm. Ave.
Newton, MA 02459
T 617/796-1120
F 617/796-1142

www.newtonma.gov

The location of this meeting/event 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/Section 504 Coordinator, Jini Fairley, at least two business days in advance (2 weeks for ASL or CART) of the meeting/event: 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.

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NOTE: Discussions of wetland cases may be limited to 20 minutes for RDAs and 40 minutes for NOIs

DECISIONS

I. WETLANDS DECISIONS

1. 1 Quinobequin Road – Minor Plan Change Request – replace gas line under the Charles River – DEP File #239-810

- Owner: Massachusetts DCR Applicant: National Grid Representative: Lori McDonald, N.Grid
- Request: Accept new methods & means as minor plan change not requiring an amended OOC
- Documents Presented: Narrative and revised plans, site photos
- Jurisdiction: Bank, LUWW
- Performance Standards

- **Bank: 310 CMR 10.54**

(a) Work on a Bank shall not impair the following:

1. The physical stability of the Bank;
2. The water carrying capacity of the existing channel within the Bank;
3. Ground water and surface water quality;
4. The capacity of the Bank to provide breeding habitat, escape cover and food for fisheries;
5. The capacity of the Bank to provide important wildlife habitat functions. A project ... that (cumulatively) alter(s) up to 10% or 50 feet (whichever is less) of the length of the bank found to be significant to the protection of wildlife habitat, shall not be deemed to impair its capacity to provide important wildlife habitat functions. 6. Work on a stream crossing

(b) Structures may be permitted in or on a Bank ...

(c) No project may be permitted which will have any adverse effect on specified habitat sites of Rare Species.

- **LUWW: 10.56**

(a) Work shall not impair the following:

1. The water carrying capacity within the defined channel, which is provided by said land in conjunction with the banks;
2. Ground and surface water quality;
3. The capacity of said land to provide breeding habitat, escape cover and food for fisheries; and
4. The capacity of said land to provide important wildlife habitat functions. A project... that (cumulatively) alter(s) up to 10% or 5,000 square feet (whichever is less) of land in this resource area found to be significant to the protection of wildlife habitat, shall not be deemed to impair its capacity to provide important wildlife habitat functions. Additional alterations... may be permitted if they will have no adverse effects on wildlife habitat, as determined by procedures established under 310 CMR 10.60.
5. Work on a stream crossing....

(b) The issuing authority may issue an Order to maintain or improve boat channels

(c) No project may be permitted which will have any adverse effect on rare species.



Mayor
Ruthanne Fuller

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Planning &
Development**
Barney Heath

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- Summary of Changes: The proposed method of vacuuming sediment to create a trench for the replacement pipe was not workable due to the size of stones encountered and the slow pace of vacuuming. The applicant will have to use a long reach excavator (backhoe) to excavate the trench in the riverbed. This proposed change will result in the following site changes:
 - Three additional trees will have to be removed to accommodate the excavator and its arm swing.
 - The applicant will increase mitigation plantings.
- Staff Notes
 - The project team has been very communicative throughout the process and has worked diligently to limit adverse impacts to the riverbank, BVW, and flood plain.
 - The project is necessary, and the alternatives are few.
 - The increased alterations on the Newton side are limited in scope and are unavoidable.
 - Staff spoke with DCR and National Grid employees about mitigation plantings and they expressed their intention to plan mitigation plantings for the additional trees. To date, no new restoration planting plan has been provided.
- Staff Recommendations:
 - A mitigation planting plan should be required.
 - Required restoration plantings should include native canopy trees and a native shrub layer.
 - Leaf mulch should be required since maintenance will likely be limited.

2. 22 David Road – RDA – expand second floor sunroom, reconstruct existing deck

- Owner/Applicant: Ilia and Monika Coka Representative: Michele Cosper, Brady Built, Inc.
- Request: Issue DOA.
- Documents Presented: Plans, site photos, draft DOA
- Jurisdiction: Buffer Zone, Riverfront Area, BLSF (115' NAVD88), City Floodplain
- Performance Standards
 - **Riverfront Area: 10.58(4)**
 - (c) Practicable and Substantially Equivalent Economic Alternatives.
 - (d) No Significant Adverse Impact.
 1. Within 200 foot riverfront areas, the issuing authority may allow the alteration of up to 5000 square feet or 10% of the riverfront area within the lot, whichever is greater ..., provided that:
 - a. At a minimum, a 100' wide area of undisturbed vegetation is provided... preserved or extended to the max. extent feasible....
 - b. Stormwater is managed ...
 - c. Proposed work does not impair the capacity of the riverfront area to provide important wildlife habitat functions. ...
 - d. ...incorporating erosion and sedimentation controls and other measures to attenuate nonpoint source pollution.
 - **Bordering Land Subject to Flooding: 10.57**
 - Compensatory storage shall be provided for all flood storage volume that will be lost ... Such compensatory volume shall have an unrestricted hydraulic connection to the same waterway or water body.
 - Work shall not restrict flows so as to cause an increase in flood stage or velocity.
 - Work in those portions of bordering land subject to flooding found to be significant to the protection of wildlife habitat shall not impair its capacity to provide important wildlife habitat functions.
 - **City Floodplain. Sec. 22-22. Floodplain/Watershed Protection Provisions**
 - (b)(1) Except as provided in subsections (b)(2) and (e) of this section, no building or other structure shall be erected, constructed, altered, enlarged or otherwise created for any residence or other purpose ... which will restrict floodwater flow or reduce floodwater storage capacity shall be permitted.
 - (b)(3) No order of conditions shall be issued under paragraphs (2)(b)-(2)(f) of this subsection unless it is demonstrated to the satisfaction of the conservation commission that the cumulative effect of the proposed project, when combined with all other existing and anticipated development, will not increase the water surface elevation of the 100-year flood at any point within the city.
- Project Summary
 - Demolish existing sunroom (16'x11') and deck. Construct new, slightly larger sunroom (16'x13.8') and new deck.
 - The new sunroom will be supported by 4 new helical piers and reuse the existing two piers. No changes are proposed to the number of deck support number or stair dimensions.

- No groundworks are proposed other than the 4 new piers, as the sunroom is over an existing concrete pad.
- The existing and proposed sunrooms are above the flood elevation (115'). The rear yard elevation is currently ~112' and there is proposed to be roughly 6' of space under the sunroom.
- Staff Notes
 - This request is not exempt because it is not more than 50' from the wetland and in flood zone.
 - The 3-foot expansion of the sunroom and 4 new helical piers seems like a minor change in a previously developed area with limited wildlife habitat.
 - New fill in flood zone is minimal as it is only the 4 new 6x6" posts.
 - Should the Commission feel some mitigation plantings are necessary, staff would suggest 2 or 3 shrubs be planted along the edge of the concrete pad.
- Staff Recommendations: Vote to issue a negative 2 and negative 3 determination with the following special conditions.
 - The area under the sunroom and deck may not be enclosed in any way which conflicts with the Newton Conservation Commission Guidelines for Construction in Flood Zone.

3. 42 Day Street – RDA – new deck

- Owner/Applicant: Sena Gopal Representative: Domenick Rossi, DR Construction
- Request: Issue DOA.
- Documents Presented: Colored plans, site photos, draft OOC
- Jurisdiction: Buffer Zone
- Performance Standards:
 - **Buffer Zone. 10.53(1): General Provisions**: "For work in the Buffer Zone subject to review under 310 CMR 10.02(2)(b)3., the Issuing Authority shall impose conditions to protect the interests of the Act identified for the adjacent Resource Area. ... where prior development is extensive, may consider measures such as the restoration of natural vegetation adjacent to a Resource Area to protect the interest of [the Act]. ... The purpose of preconstruction review of work in the Buffer Zone is to ensure that adjacent Resource Areas are not adversely affected during or after completion of the work."
- Project Summary: Construct a new deck on the rear of house, expanding an existing deck area.
- Staff Notes:
 - This deck request is not exempt because it is not more than 50' from the wetland.
 - The proposed deck is to be built over existing lawn and patio and behind an existing retaining wall.
 - Should the Commission feel some mitigation plantings are necessary, staff would suggest several shrubs be planted along the barren embankment near the stairs.
- Staff Recommendations: Vote to issue a negative 3 determination with the following special condition.
 - Several native shrubs must be planted along the barren embankment near the stairs.

4. 193 Lake Ave – NOI – restoration of the disturbed slope – **DEP File #239-XXX**

- Owner/Applicant: Robert E Hughes Jr. and Laura Kay Hughes Representative: David Burke, Youngblood Builders, Inc.
- Request: Issue OOC.
- Documents Presented: Colored plans, site photos, draft OOC
- Jurisdiction: Buffer Zone
- Performance Standards:
 - **Buffer Zone. 10.53(1): General Provisions**: "For work in the Buffer Zone subject to review under 310 CMR 10.02(2)(b)3., the Issuing Authority shall impose conditions to protect the interests of the Act identified for the adjacent Resource Area. ... where prior development is extensive, may consider measures such as the restoration of natural vegetation adjacent to a Resource Area to protect the interest of [the Act]. ... The purpose of preconstruction review of work in the Buffer Zone is to ensure that adjacent Resource Areas are not adversely affected during or after completion of the work."
- Project Summary
 - Staff misinterpreted a proposed sewer and water line replacement proposal and inappropriately issued administratively approval for the work. The new sewer and water line installation resulted in disturbance of the buffer zone on the north side of the sloping rear yard.

- The permitting error was identified, more robust erosion controls have been installed, and the owners have filed a Notice of Intent for the sewer and water line work (post facto) and a robust restoration planting of the disturbed areas.
- Staff Notes:
 - The restoration planting plan is comprised of mostly native species of saplings, shrubs, and perennial groundcover.
 - There are a few inconsistencies between the proposed number of plantings shown in the schedule and illustrated on the plan sheet. Applicant should clarify the exact number of shrubs being proposed.
 - All tree and groundcover species proposed within the buffer zone are native; however; a number of shrubs proposed within the buffer zone are not native. The Commission should determine if these species are acceptable or should be replaced with native species.
- Staff Recommendations: When appropriate, vote to close the hearing and issue an OOC with the standard landscape special conditions.

5. 40 Albemarle Road – NOI – teardown/rebuild single-family home – DEP File #239-880

- Owner/Applicant: Jeremy Osinski and Megan McHugh Representative: John Rockwood, EcoTec, Inc.
- Request: Issue OOC.
- Documents Presented: Colored plans, site photos, draft OOC
- Jurisdiction: Buffer Zone, Riverfront Area
- Performance Standards
 - **Riverfront Area: 10.58(4)**
 - (c) Practicable and Substantially Equivalent Economic Alternatives.
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 - b. Stormwater is managed ...
 - c. Proposed work does not impair the capacity of the riverfront area to provide important wildlife habitat functions. ...
 - d. ...incorporating erosion and sedimentation controls and other measures to attenuate nonpoint source pollution.
- Project Summary
 - The demolition of the existing 1,047± square foot single-family house with one car garage and bulkhead and associated site features including paved driveway, and front and side/rear walkways and stairs, and the removal of one 18" spruce tree.
 - The construction of a 2,027± square foot single-family house with a two-car garage, front porch, and bulkhead; paved driveway; and front walkway and stairs with associated grading, lawn, and landscaping.
 - The project will result in 901± s.f. increase in total impervious area on the site.
 - Drainage improvements proposed include a trench drain, manhole sump, and two infiltration systems to address driveway and roof runoff.
 - Two mitigation planting areas with a total of 9 saplings and 53 shrubs are proposed, totaling 1,890± s.f. (a 2:1 ratio for the increase in impervious area).
- Staff Notes:
 - There is a dashed line with x's drawn around the proposed house roughly 6 feet beyond the foundation/wall. It is not clear what this line represents, and the applicant should clarify.
 - Comments about the proposed stormwater system have not yet been received from Engineering.
 - Conservation staff have concerns that the loam placed on top of the stone infiltration area will clog the pores of the system in short order.
 - Staff imagine that a walkway from the driveway to the front door will be desired. If so, it should be accounted for in drainage calculations and shown on any revised plans.
 - Test pit information indicates that seasonal high groundwater is 4' below ground level, so the basement will be in the groundwater table. Applicant should provide details of any mechanical/physical drain systems for keeping the foundation dry.
 - Dewatering plans must be provided.

- Stockpile locations must be shown on the plan sheets.
- The two fruit trees shown as to be protected will need broad protection areas to adequately protect their roots, but they are very close to the construction and will likely be in the way of access. Additionally, the proposed fill may cause long term harm to the trees. Applicant should clarify methods of protecting these trees.
- Staff feel that in order for the mitigation planting areas to serve their purpose to the fullest extent possible, they should be:
 - recessed below the surrounding grade by at least 6" so that mulch applications will not preclude run-on.
 - Ground cover species should be added between the shrubs and saplings. As these areas are intended to be as natural as possible, as quickly as possible, groundcovers would help reduce the need for mulch and increase the habitat capacity of the mitigation planting areas. The inclusion of groundcover should not come at the expense of the proposed shrubs and saplings, but in addition to. If no groundcover is added to the planting plan, additional shrubs should be added.
- Staff Recommendations: Await applicant responses, Engineering review, and plan revisions.

6. 1000 Commonwealth Avenue – COC – OLD dredging of ponds – DEP File #239-627

- Owner: City of Newton Applicant: Maria Rose, DPW
- Request: Issue COC.
- Jurisdiction: Buffer Zone, City Floodplain
- Staff Notes: During the review of DPW's recent NOI for the dredging of the City Hall ponds, staff noticed that the previous dredging project had not been closed out. This is the request to close the old file. Dredging was completed, mitigation plants were installed. We received the Environmental Engineer's certification of project completion, WPA Form 8a, records of the volume of dredged material, and photos of plant installation.
- Staff Recommendations: Vote to issue a complete Certificate of Compliance.

II. CONSERVATION AREA DECISIONS

- 7. Trailhead Signs**: Staff need Commission's decision on wording for trailhead signs. One response has been received.
- 8. Trails**: Are any commissioners interested in field-truthing ACROSS layouts?
- 9. Conservation Area Projects**
 - Would the Commission like to have our contractor chipped dumped brush in Wilson CA?
 - Ideas for Eagle Scout projects?

III. ADMINISTRATIVE DECISIONS

- 10. Minutes of 11/19/20 to be approved**
 - Documents Presented: Draft minutes
 - Staff Recommendations: Vote to accept the 11/19/20 minutes.

IV. ISSUES AROUND TOWN DECISIONS – None at this point in time.

UPDATES

V. WETLANDS UPDATES

- Bullough's Pond Skating Shed Violation: Native shrubs were installed at the base of the retaining wall (seating wall).

VI. CONSERVATION AREA UPDATES

- Houghton Garden – Hydroraking: Hydroraking is now underway. Organic material is being deposited on site and will be deposited in the Old Deer Park swimming pool to alleviate the risk of falling.
- Charles River Pathway – Stairs: Contract has been signed; we are hoping work can begin before the season ends.

VII. ISSUES AROUND TOWN UPDATES

- OSRP approval: The state is awaiting a complete ADA inventory for every PRC parcel. PRC staff are working to complete this effort.
- Christina Street Bridge Feasibility Study: Staff are working to send out a "solicitation of qualifications" to potential vendors and secure the MBTA access license.
- Climate action implementation rolls along! Interviews for the Energy Coach position will begin next week and the MOU between the City and the utilities will be initiated next week.

VIII. ADMINISTRATIVE UPDATES

- Interns: Staff hope to get a Northeastern co-op student for the spring to assist with land management efforts.

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

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1 Quinobequin Rd

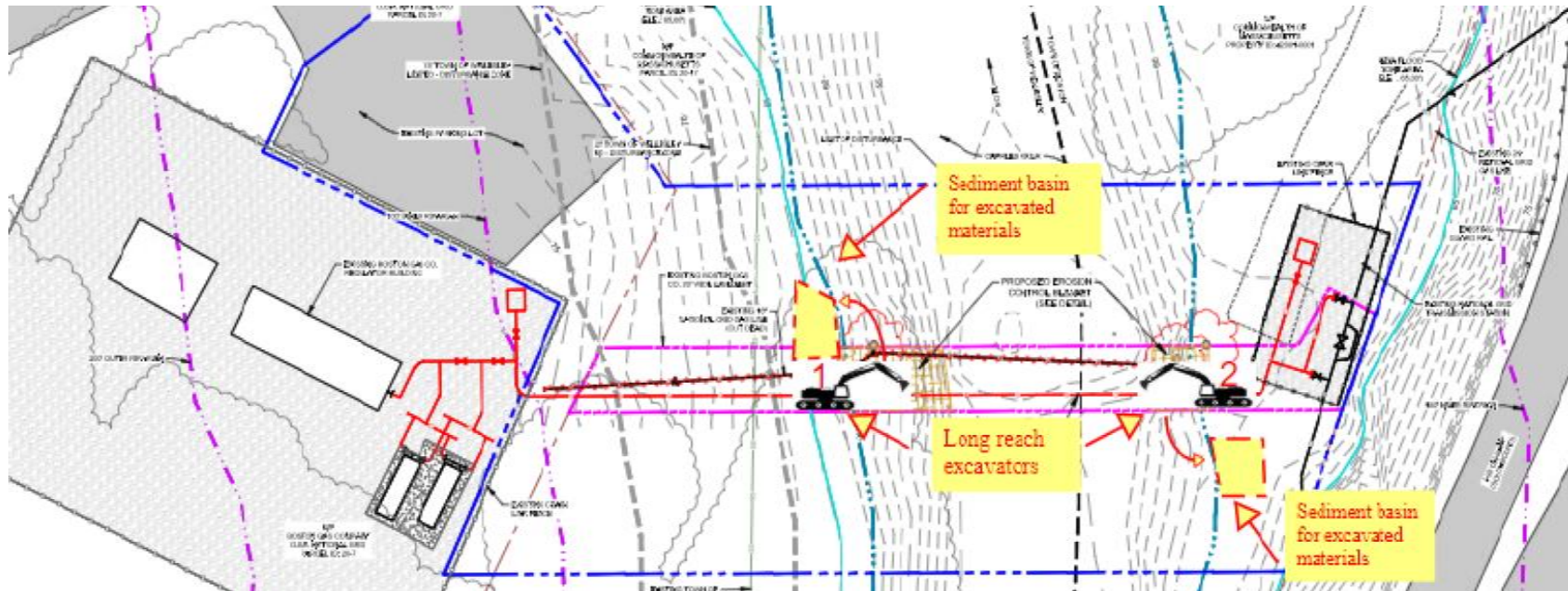
Proposed new trees to be removed

Tree Removal Photo – Location:



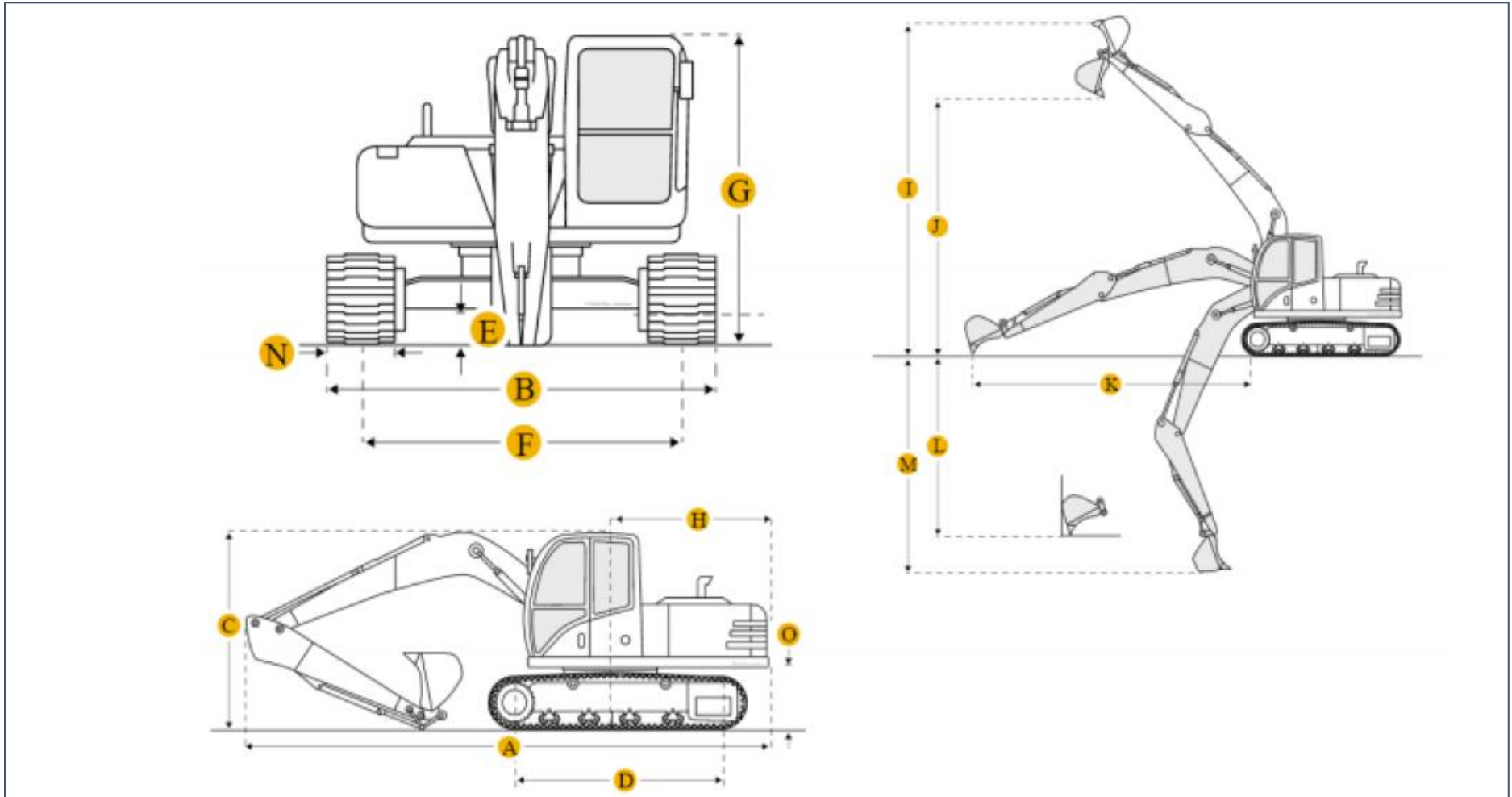
1 Quinobequin Rd

Sediment Basin Locations



1 Quinobequin Rd

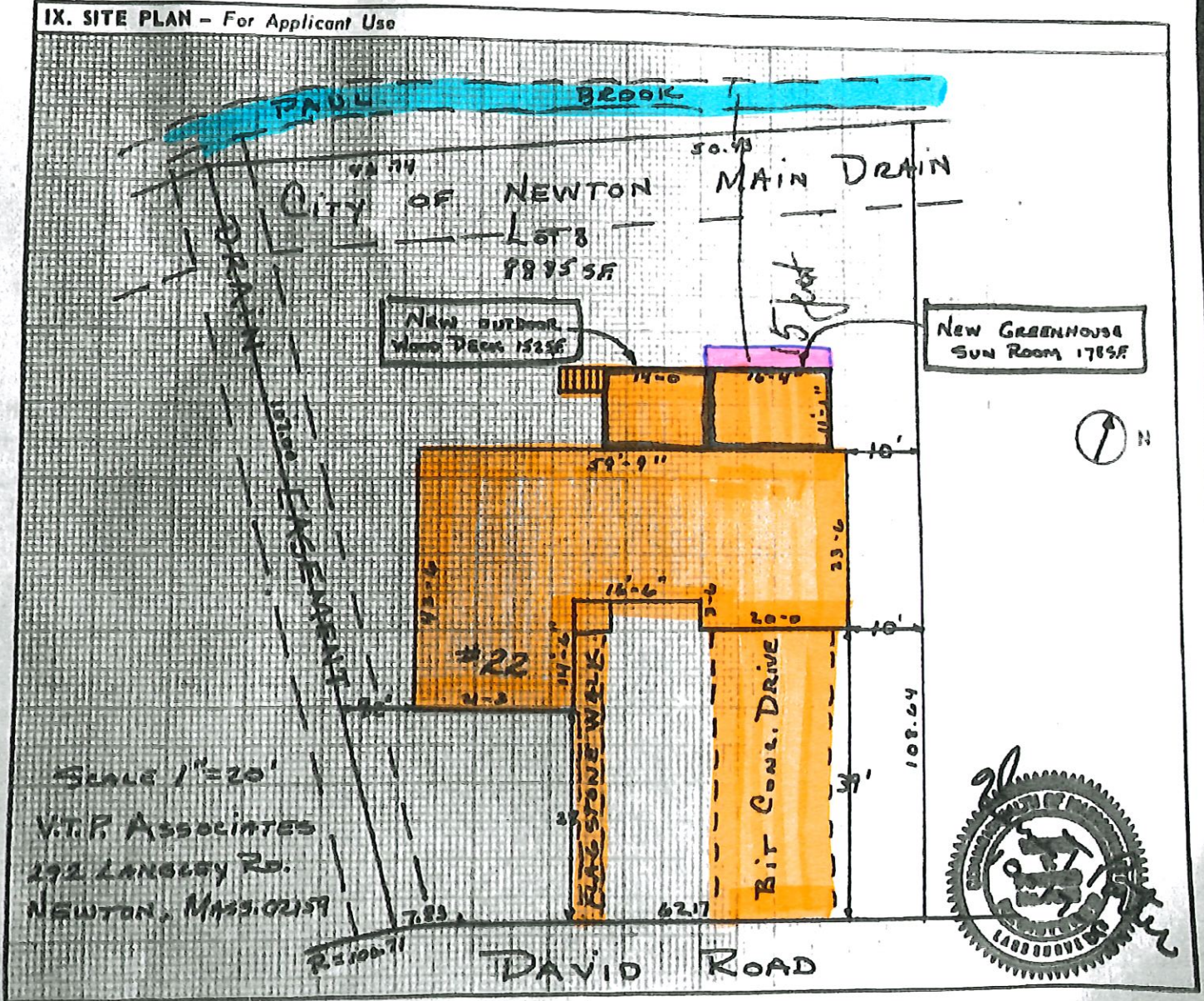
Long Reach Excavator Details

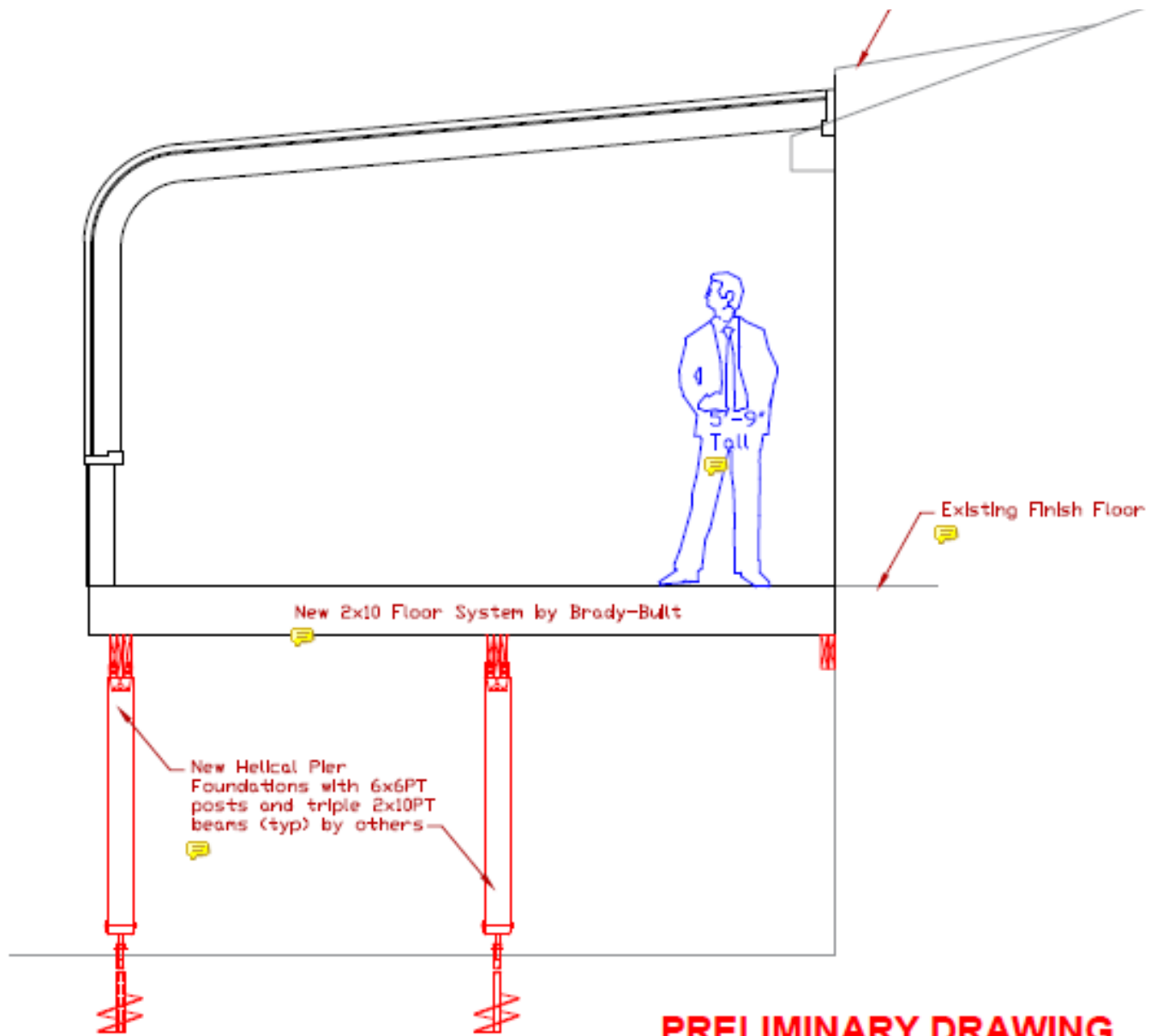


VIII. ZONING PLAN EXAMINERS NOTES

DISTRICT	
USE	
FRONT YARD	
SIDE YARD	SIDE YARD
REAR YARD	
NOTES	

IX. SITE PLAN - For Applicant Use



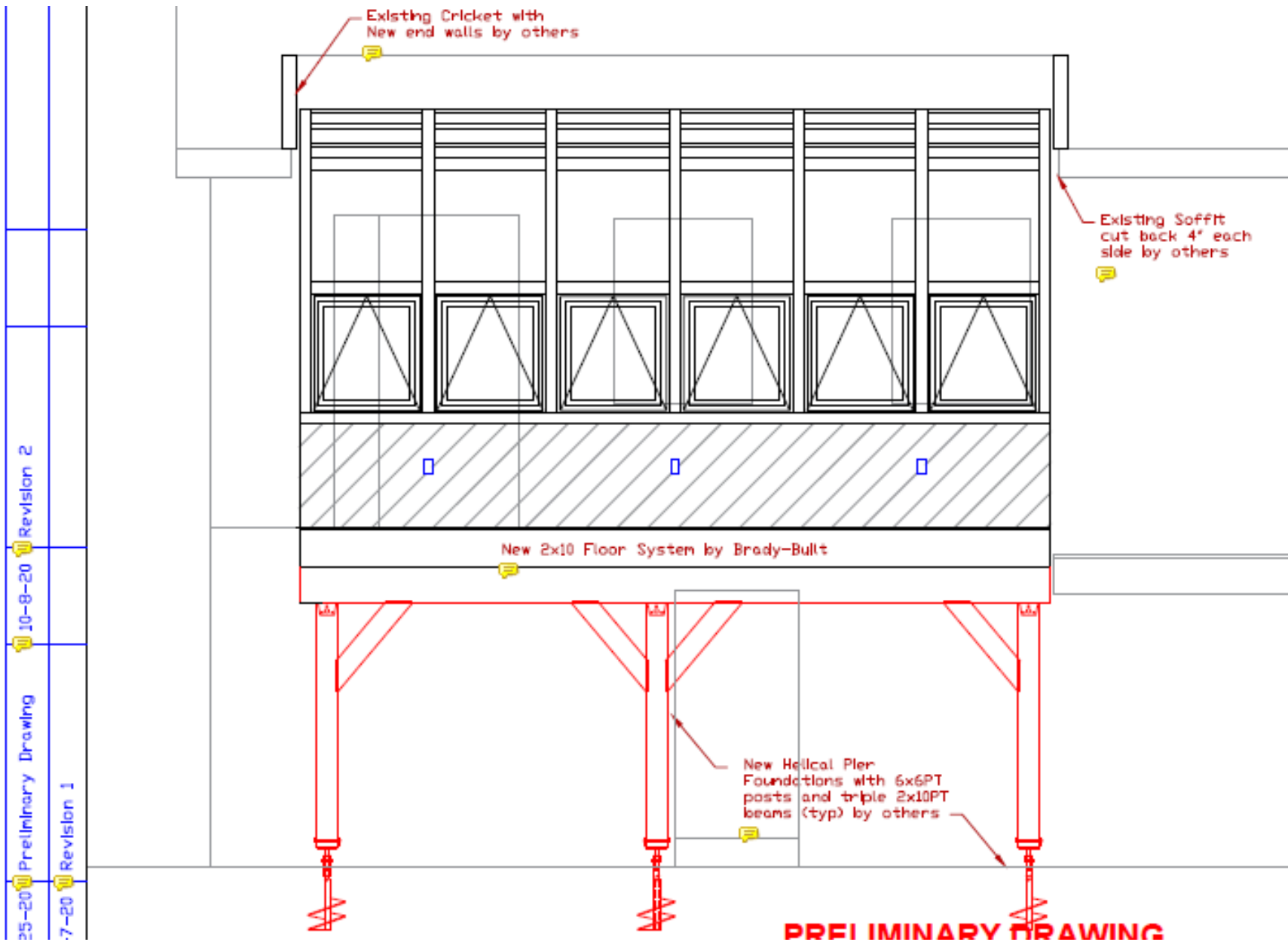


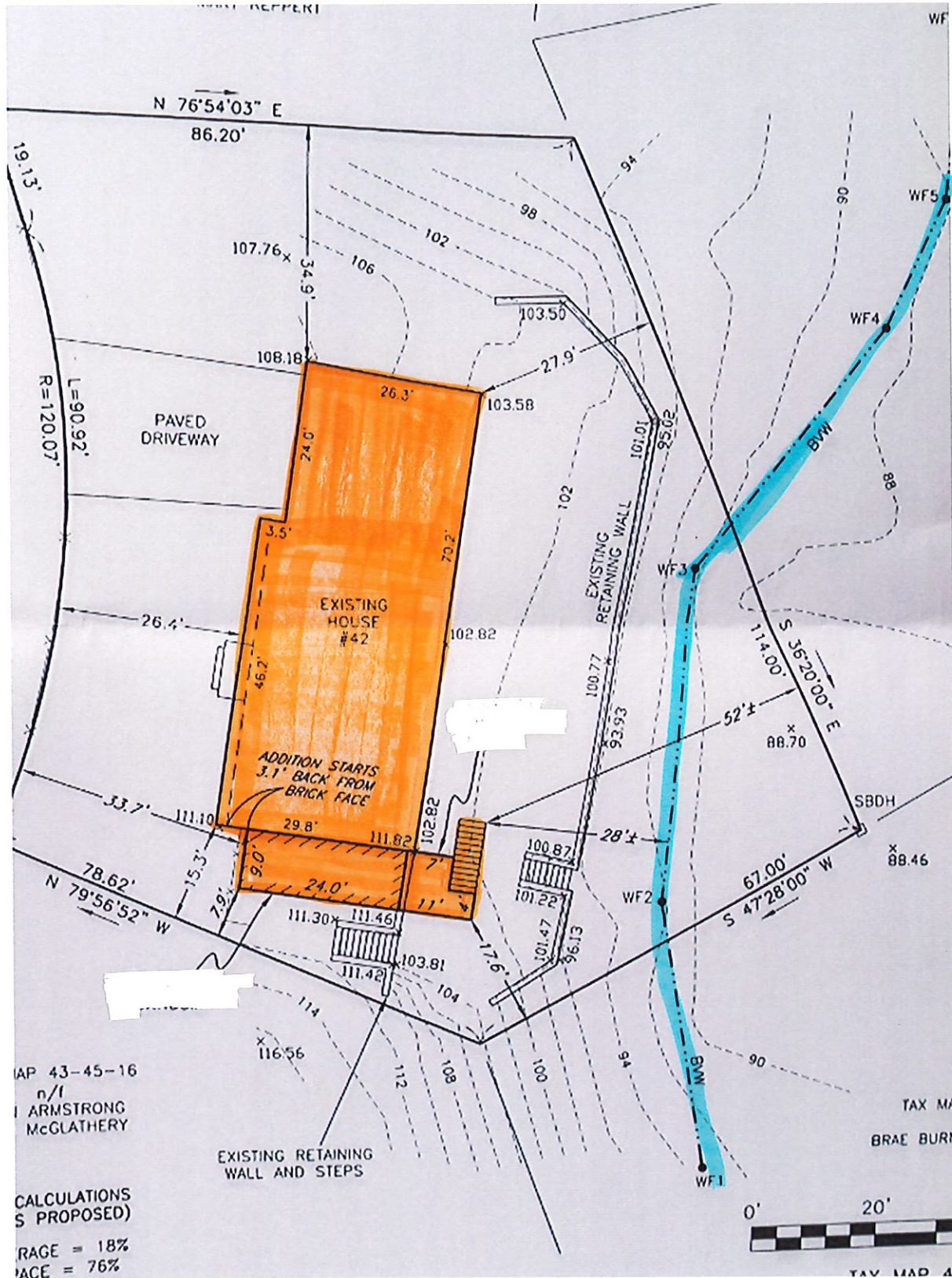
New 2x10 Floor System by Brody-Built

Existing Finish Floor

New Helical Pier Foundations with 6x6PT posts and triple 2x10PT beams (typ) by others

**PRELIMINARY DRAWING
NOT FOR CONSTRUCTION**

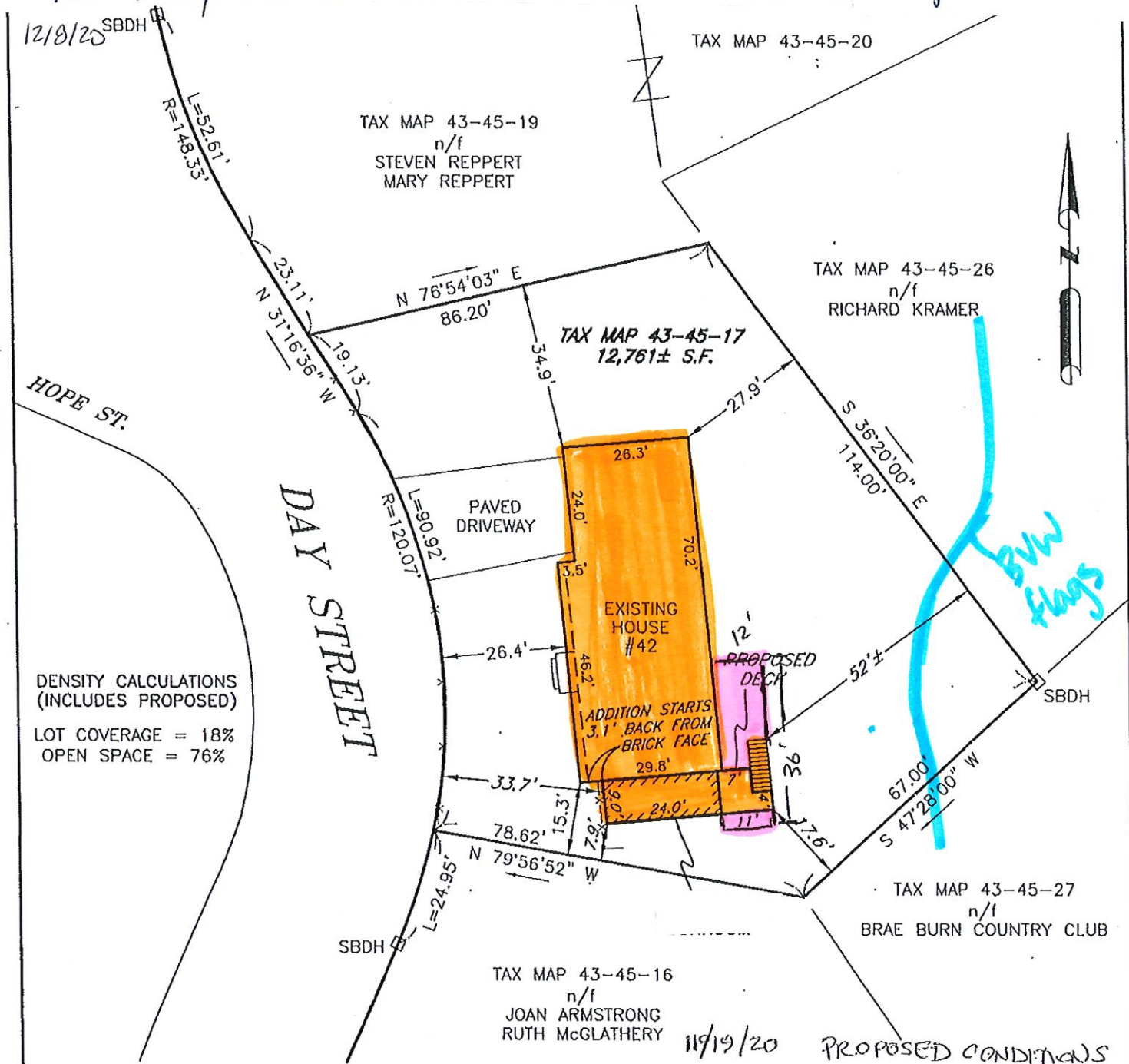




12/8/20

42 Day Street

Proposed Conditions



DENSITY CALCULATIONS
(INCLUDES PROPOSED)
LOT COVERAGE = 18%
OPEN SPACE = 76%

THIS PLAN IS TO BE USED FOR DETERMINATION OF ZONING SETBACK COMPLIANCE OF THE EXISTING AND PROPOSED STRUCTURES SHOWN HEREON ONLY. IT IS NOT TO BE USED FOR THE LAYING OUT OF PROPERTY LINES OR ANY OTHER PURPOSE OR IMPROVEMENT.

11/19/20 PROPOSED CONDITIONS
TAX MAP 43-45-17
CERTIFIED BUILDING PLOT PLAN
DATE: 11/03/08 SCALE: 1"=30'

DEED REF: L.C. CERT. 233354
PLAN REF: L.C.C. 9868C
PLAN 296 of 1934

ADDRESS: 42 DAY ST.
NEWTON, MA
PREPARED FOR: SENA GOPAL
42 DAY ST.
NEWTON, MA 02466
RECORD OWNER: SENA GOPAL
HARSHA GOPAL



CERTIFICATION:
TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF I HEREBY CERTIFY THAT THE EXISTING BUILDINGS AND/OR STRUCTURES ARE LOCATED AS SHOWN.

(ORIGINAL SURVEYORS SEAL IS BLUE INK)
PLAN NOT VALID IF ALTERED OR COPIED

RS PATRIOT LAND SURVEYING, LLC
P.O. BOX 949 TEL. (603) 635-3521
PELHAM, NH 03076 FAX (603) 635-8111

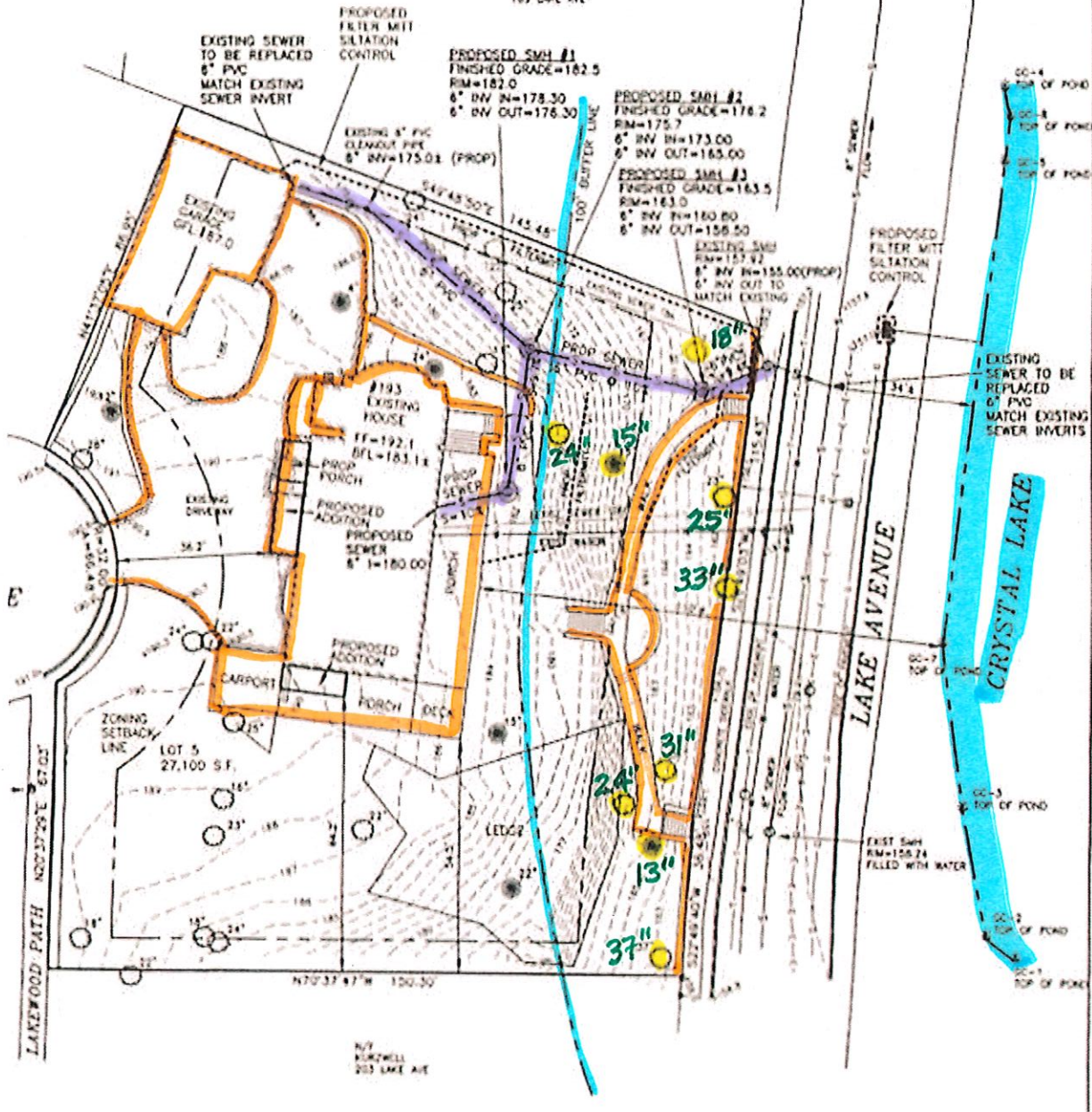
EXISTING CONDITIONS - 193 Lake Ave

12/8/20

+
PROPOSED SEWER

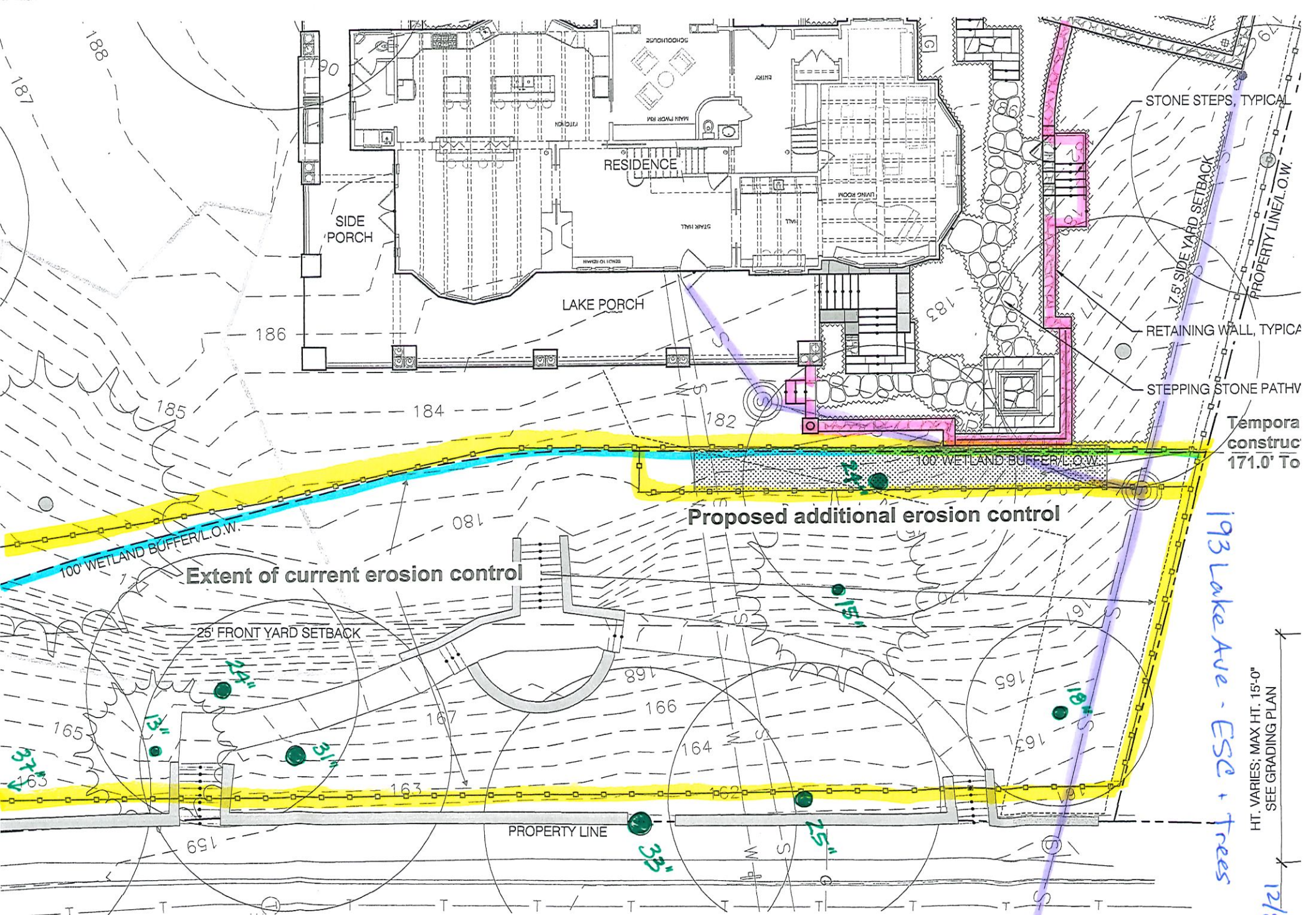
EMI
EVERETT M. BRC,
SURVEYORS & ENG.
49 LEXINGTON ST
WEST NEWTON, MA 1

(617) 547-8734
info@everettbrc.com



LEGEND

- UTILITY PO
- WATER GAS
- HYDRANT
- GAS GATE 1
- SEWER MAN
- DRAIN MAN
- CATCH BAS
- TREE
- LIGHT POLL
- SIGN
- TO BE REM
- TO BE ADJ
- DEEP TEST
- PENCIL MARK
- SPOT ELEV
- PROPOSED I
- EXISTING CC
- DRAIN LINE
- ROOF DRAIN
- FOUNDATION
- WATER LINE
- SEWER LINE
- GAS LINE
- OVERHEAD
- FENCE
- STONE WALL
- HEDGE
- TREE LINE
- MISL. FLU



Tempora
construc
171.0' To

193 Lake Ave - ESC + trees

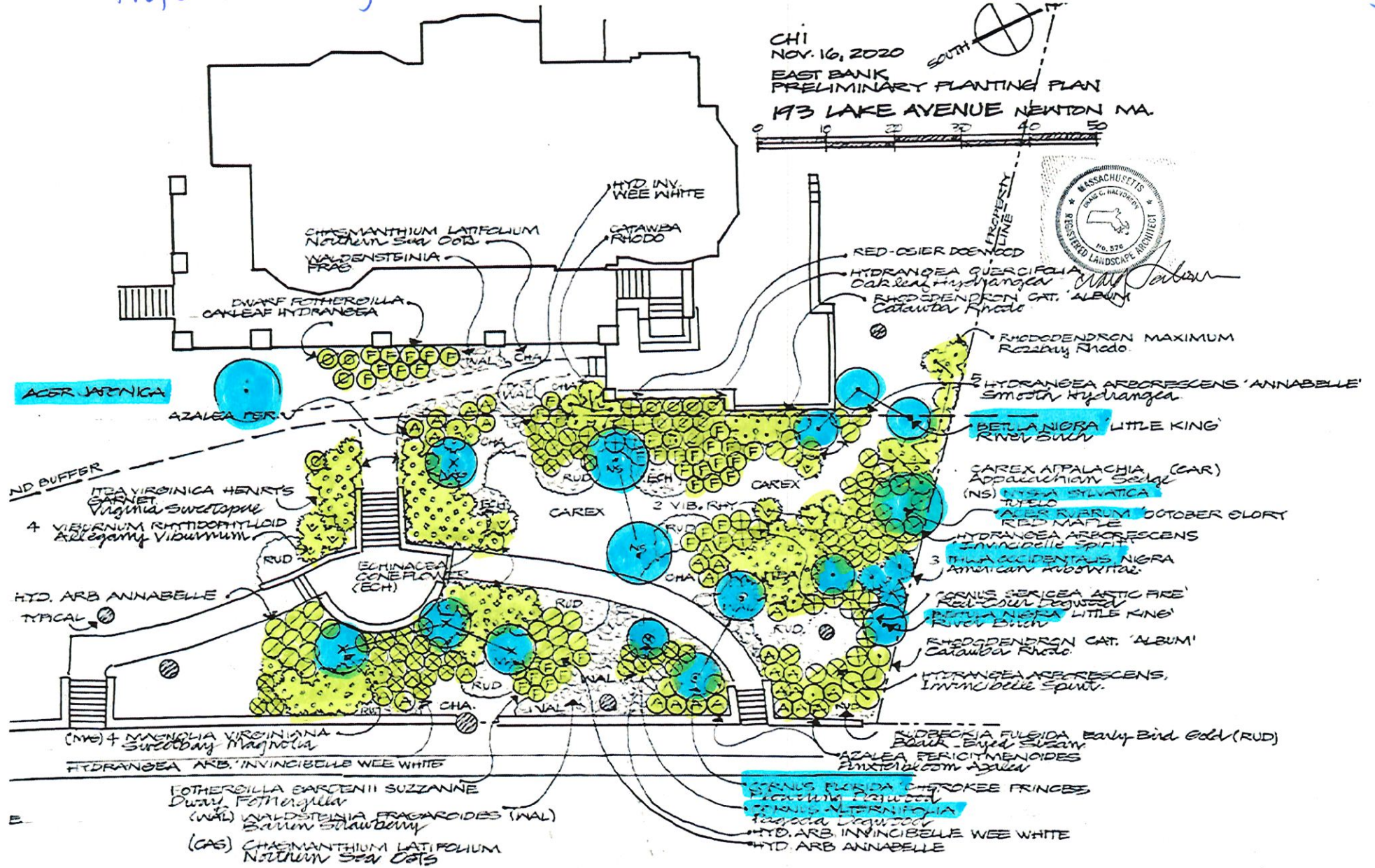
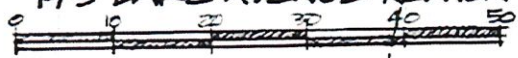
HT. VARIES; MAX HT. 15'-0"
SEE GRADING PLAN

12/8/20

Proposed Planting 193 Lake Ave.

12/8/20
con.com mtg.

CHI
NOV. 16, 2020
EAST BANK
PRELIMINARY PLANTING PLAN
193 LAKE AVENUE NEWTON MA.



ACOR JAPONICA

BETULA NIGRA 'LITTLE KING'
River Birch

CAREX ATLANTICA (CAR)
Atlantic Sedge

AKER FULVUM 'OCTOBER GLORY'
Red Maple

HYDRANGEA ARBORESCENS 'ANNABELLE SPIRIT'

3 BILBA OCCIDENTALIS NIGRA
American Hornbeam

CORNUS SERICEA 'ARTIC FIRE'
Red Dogwood

BETULA NIGRA 'LITTLE KING'
River Birch

RHODODENDRON CAT. 'ALBUM'
Catawba Rhodo.

HYDRANGEA ARBORESCENS 'ANNABELLE SPIRIT'

RHOBECKIA FULGIDA 'BANK'S EYE'S VIEW'
Bank's Eye's View

AZALEA FERICITMENDICIS 'PENNSYLVANICA'
Penncorn Azalea

CORNUS FLORIDA 'CHEROKEE PRINCESS'
Cherokee Princess

CORNUS ALTERNIFOLIA 'SOLAR FLARE'
Solar Flare

HYD. ARB. INVICIBELLE WEE WHITE

HYD. ARB. ANNABELLE

FOTHERGILLA BARCENII SUZANNE
Dwarf Fothergilla

(WAL) WALDENSTEINIA FRAGAROIDES (WAL)
Bartram Strawberry

(CAS) CHAEMANTHIUM LATIFOLIUM
Nodding Sea Cats

4 VIBURNUM RHYTHIDANTHOID
Allegheny Viburnum

HYD. ARB. ANNABELLE
TYPICAL

(MAG) 4 MAGNOLIA VIRGINIANA
Sourwood Magnolia

HYDRANGEA ARB. 'INVINCIBELLE WEE WHITE'

E

12/8/20
con commtg

Proposed Planting 193 Lake Ave

PLANT COST ESTIMATE



MICHAEL S. COFFIN
LANDSCAPE CONSTRUCTION
85 MAIN St. | HOPKINTON, MA 01748
508.293.4244 | WWW.MICHAELSCOFFIN.COM

Project
Lake Ave Restoration
Location
193 Lake Ave. | Newton, MA
Date
18 November 2020

Item Description	Size	#	
Trees			
Acer japonica	1.5-2" Cal.	1	
Betula nigra 'Little King'	6-8'	5	
Nyssa sylvatica	1.5-2" Cal.	2	
Acer rubrum 'October glory'	1.5-2" Cal.	1	
Thuja occidentalis 'Nigra'	6-8'	3	
Cornus florida 'Cherokee princess'	1.5-2" Cal.	2	
Cornus alternifolia	1.5-2" Cal.	1	
Magnolia virginiana	6-8'	4	3
Shrubs			
Hydrangea quercifolia	3 Gal.	12	
NN Fothergilla gardeni suzanne	3 Gal.	41	38
C Hydrangea arborescens 'Innvincibelle wee white'	3 Gal.	30	38
NN Rhododendron 'Cat album'	24-30"	17	
Redosier dogwood	3 Gal.	5	13
C Hydrangea arborescens 'Annabelle'	3 Gal.	5	7
Rhododendron maximum	24-30"	11	
C Hydrangea arborescens 'Invincible spirit'	3 Gal.	38	28
NN Viburnum Rhytidophylloid	3 Gal.	7	8
Azalea periclymenoides	3 Gal.	32	29
C Hydrangea arborescens 'Annabelle'	3 Gal.	17	
Itea virginica		" 110	
Perennials			
Waldsteinia fragarioides	Plug	664	
Crex appalachian	Plug	448	
Echinacea	1 Gal	15	
Rudbeckia fulgida 'Early bird gold'	1 Qt.	143	
Chasmanthum latifolium	1 Gal	94	
All plantings shall be native variety and diversity subject to availability in April 2021 we seek to achieve 75% or greater aerial coverage within the buffer zone utilizing native plantings			

NN = Non Native

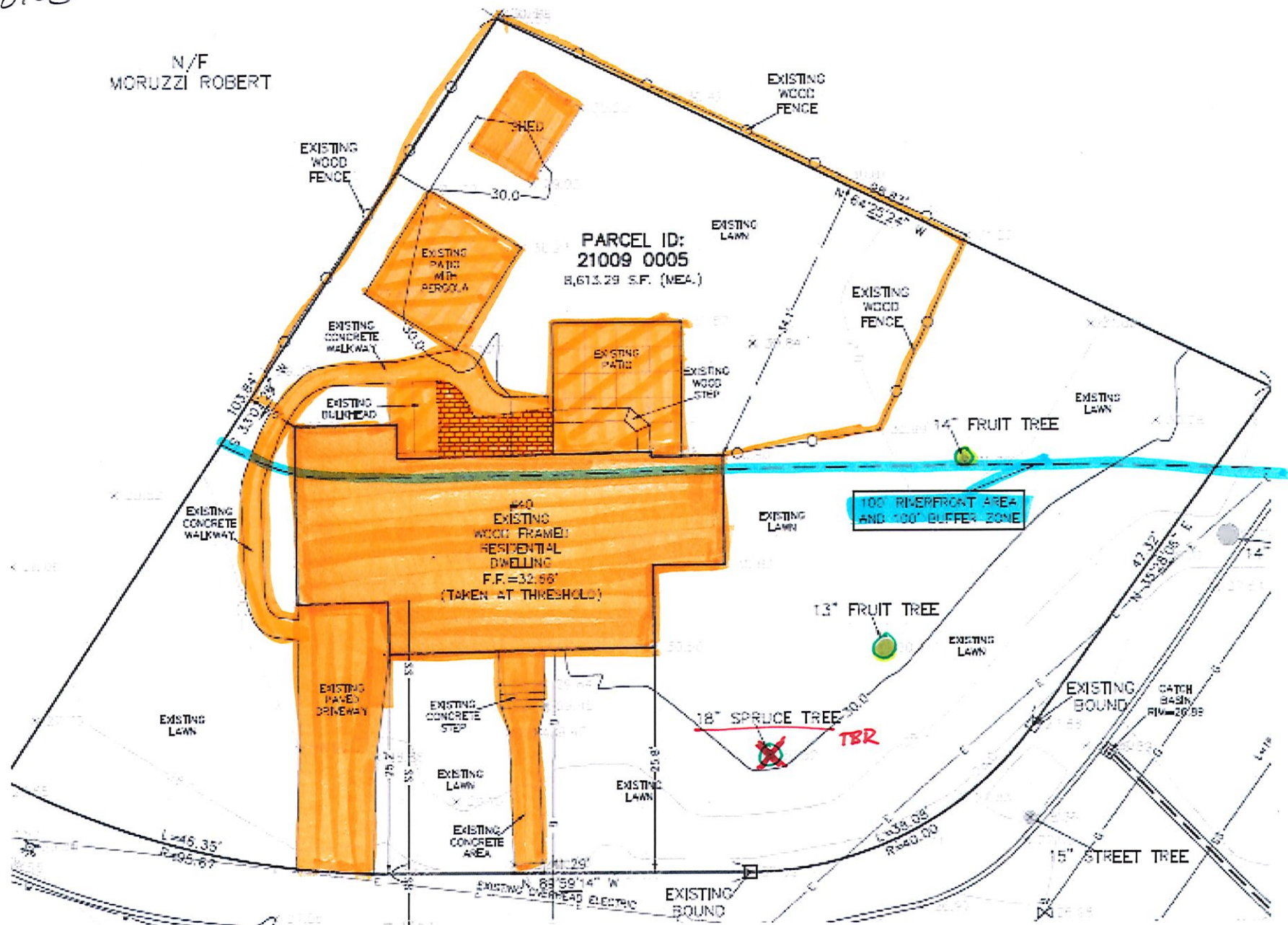
C = Cultivar

40 Albemarle Road

Existing Conditions

12/18/20

N/F
MORUZZI ROBERT

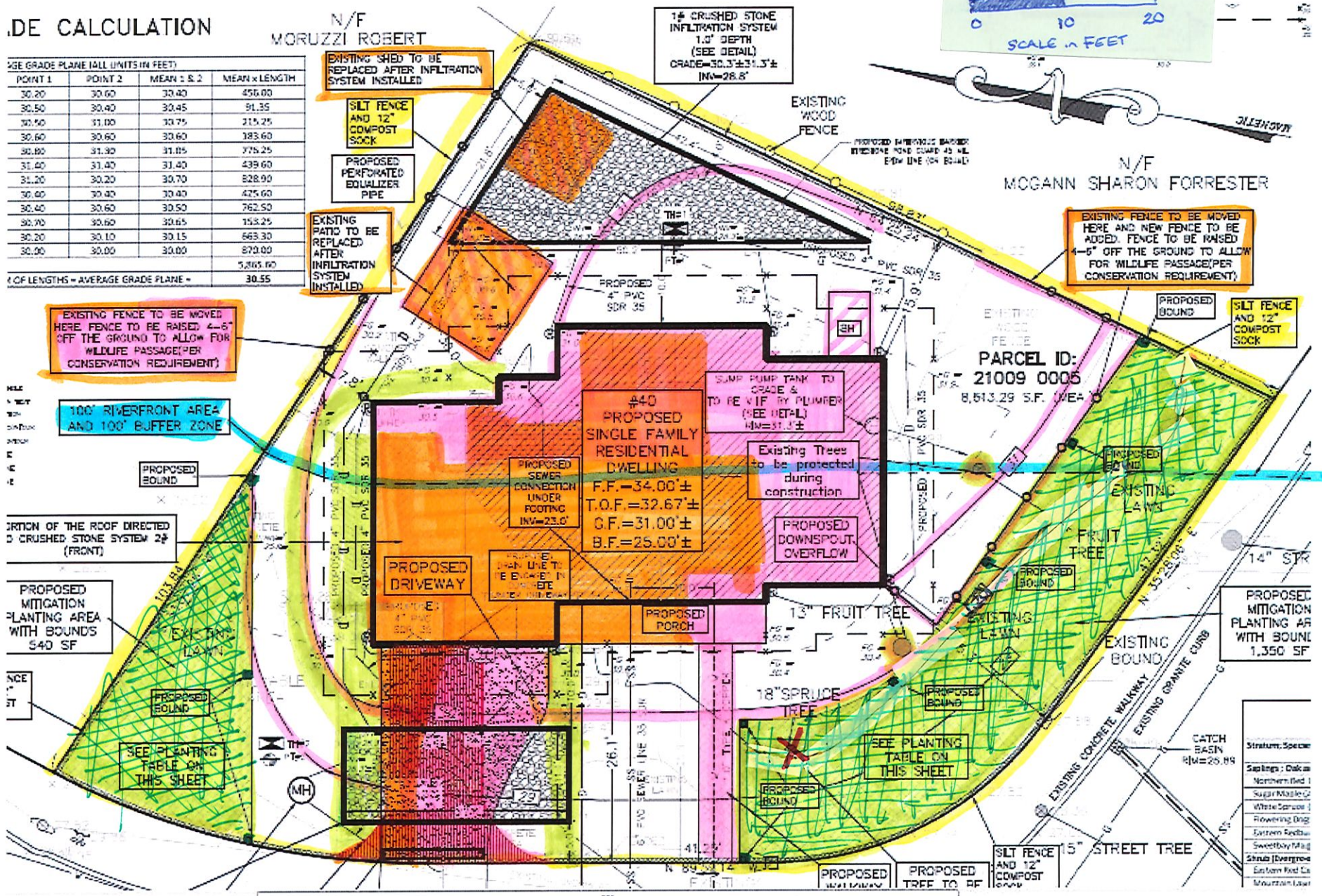
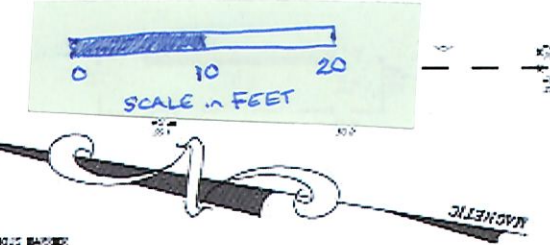


40 Albemarle Road

Proposed Conditions

GRADE CALCULATION

AVERAGE GRADE PLANE (ALL UNITS IN FEET)			
POINT 1	POINT 2	MEAN ± & 2	MEAN x LENGTH
30.20	30.60	30.40	456.00
30.50	30.40	30.45	91.35
30.50	31.00	30.75	215.25
30.60	30.60	30.60	183.60
30.80	31.30	31.05	775.25
31.40	31.40	31.40	439.60
31.20	30.20	30.70	828.90
30.40	30.40	30.40	425.60
30.40	30.60	30.50	762.50
30.70	30.60	30.65	153.25
30.20	30.10	30.15	663.30
30.00	30.00	30.00	870.00
			5,865.60
TOTAL LENGTHS = AVERAGE GRADE PLANE =			30.55



EXISTING FENCE TO BE MOVED HERE AND NEW FENCE TO BE ADDED. FENCE TO BE RAISED 4-6" OFF THE GROUND TO ALLOW FOR WILDLIFE PASSAGE (PER CONSERVATION REQUIREMENT)

100' RIVERFRONT AREA AND 100' BUFFER ZONE

#40 PROPOSED SINGLE FAMILY RESIDENTIAL DWELLING
 F.F. = 34.00' ±
 T.O.F. = 32.67' ±
 G.F. = 31.00' ±
 B.F. = 25.00' ±

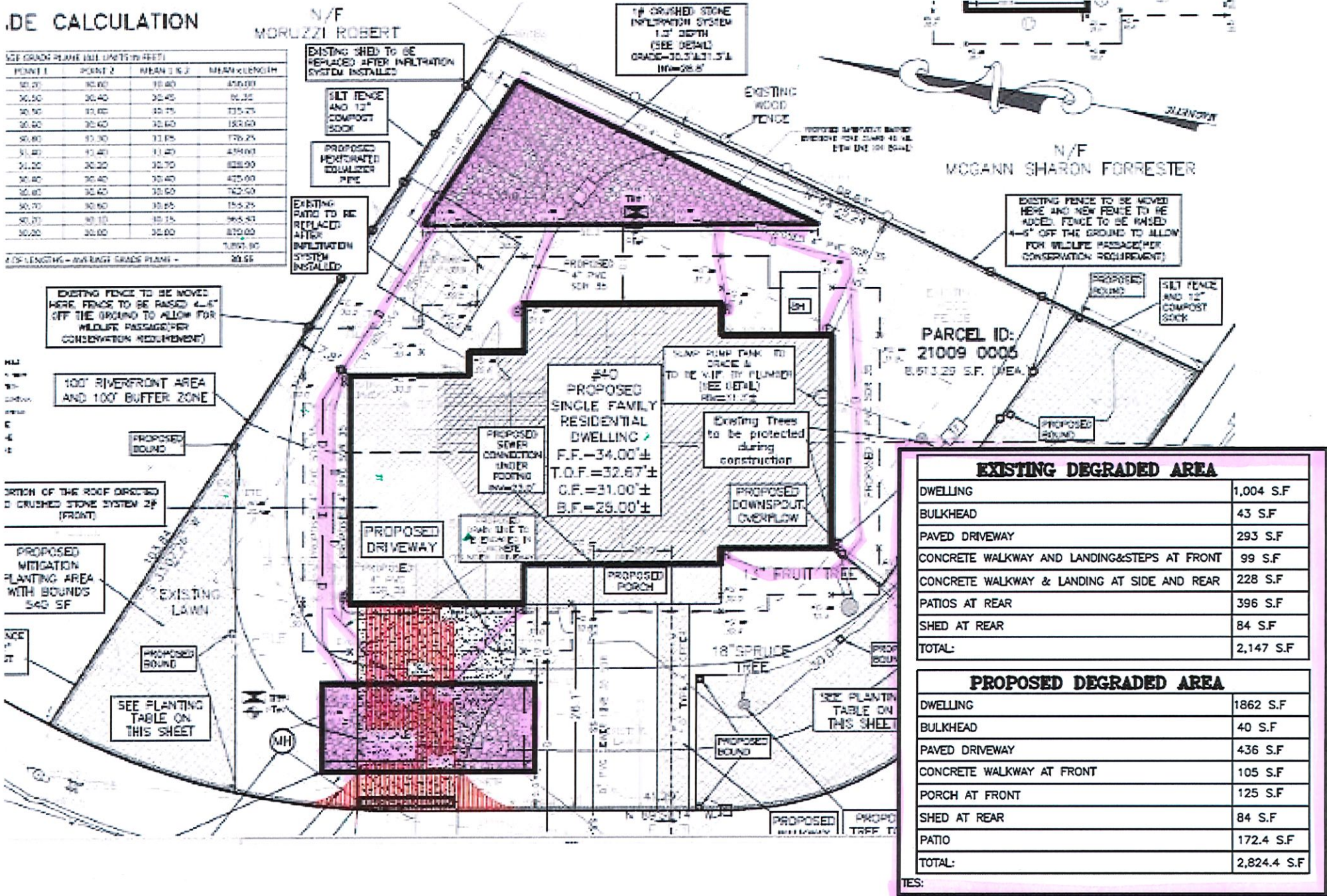
EXISTING FENCE TO BE MOVED HERE AND NEW FENCE TO BE ADDED. FENCE TO BE RAISED 4-6" OFF THE GROUND TO ALLOW FOR WILDLIFE PASSAGE (PER CONSERVATION REQUIREMENT)

PARCEL ID: 21009 0005
 8,513.29 S.F. (WEA)

- Stratum: Species
- Sedgemoor: Oak
 - Northern Red Pine
 - Sugar Maple
 - White Spruce
 - Flowering Dogwood
 - Sweetbay
 - Sweetbay
 - Shrimp
 - Eastern Red Cedar
 - Mountain Laurel

GRADE CALCULATION

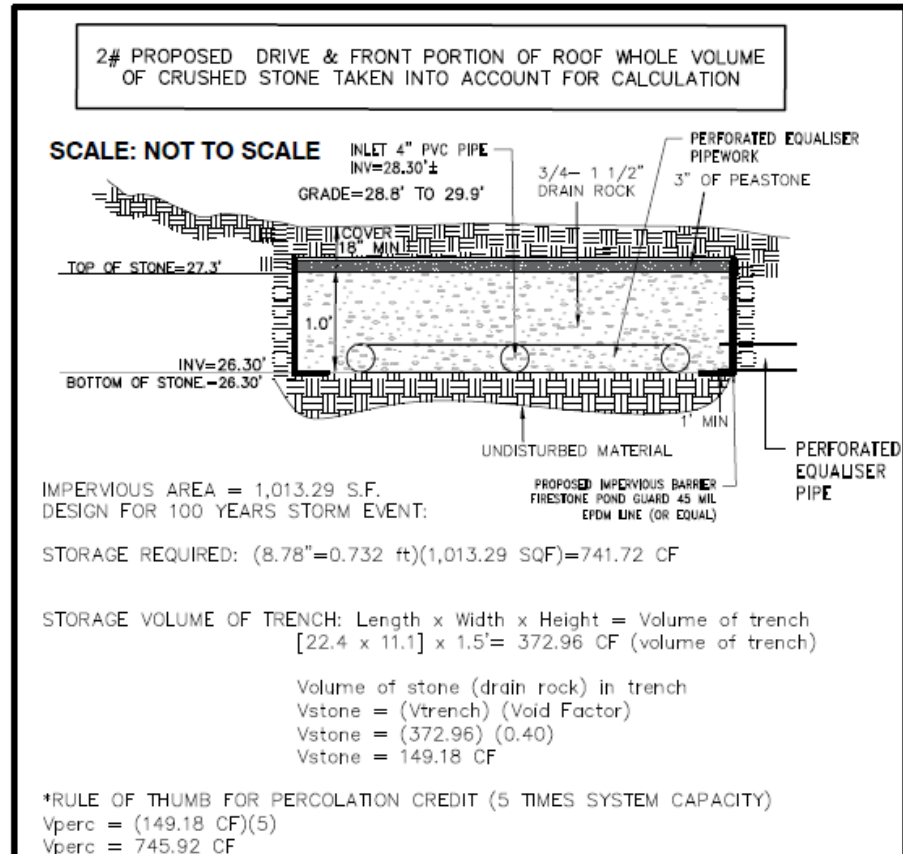
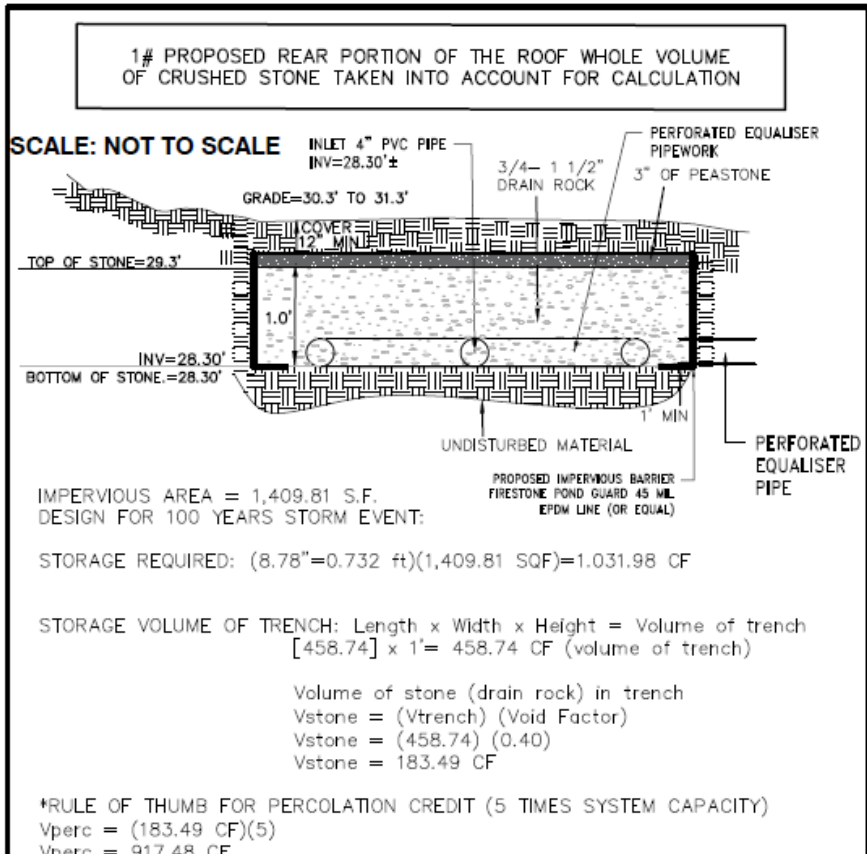
SEE GRADE PLANS (ALL UNITS IN FEET)			
POINT 1	POINT 2	MEAN SLOPE	MEAN LENGTH
30.20	30.60	19.40	456.00
30.50	30.40	32.45	61.25
30.50	31.00	19.75	135.25
30.50	30.40	32.60	183.00
30.80	31.30	33.85	176.25
31.40	31.40	33.40	474.00
31.20	30.20	32.70	828.00
30.40	30.40	30.40	432.00
30.60	30.40	33.60	742.50
30.70	30.60	33.65	155.25
30.70	30.10	33.15	365.51
30.20	30.60	32.60	870.00
			7,893.90
TOTAL LENGTHS - AVERAGE GRADE PLANS -			
20.55			



EXISTING DEGRADED AREA	
DWELLING	1,004 S.F.
BULKHEAD	43 S.F.
PAVED DRIVEWAY	293 S.F.
CONCRETE WALKWAY AND LANDING&STEPS AT FRONT	99 S.F.
CONCRETE WALKWAY & LANDING AT SIDE AND REAR	228 S.F.
PATIOS AT REAR	396 S.F.
SHED AT REAR	84 S.F.
TOTAL:	2,147 S.F.

PROPOSED DEGRADED AREA	
DWELLING	1862 S.F.
BULKHEAD	40 S.F.
PAVED DRIVEWAY	436 S.F.
CONCRETE WALKWAY AT FRONT	105 S.F.
PORCH AT FRONT	125 S.F.
SHED AT REAR	84 S.F.
PATIO	172.4 S.F.
TOTAL:	2,824.4 S.F.

NOTES:



Mitigation Planting Areas 1 and 2 (1,890± sf)

Stratum; Species, Size; Spacing	Area 1 (1,350±sf)	Area 2 (540±sf)
Saplings ; Oak and Maple 2" caliper; Others 5-6' height; 15' on-center	6	3
Northern Red Oak (<i>Quercus rubra</i>)	1	--
Sugar Maple (<i>Acer saccharum</i>)	1	1
White Spruce (<i>Picea alba</i>)	1	--
Flowering Dogwood (<i>Cornus florida</i>)	1	1
Eastern Redbud (<i>Cercis canadensis</i>)	1	1
Sweetbay Magnolia (<i>Magnolia virginiana</i>)	1	--
Shrub [Evergreen and Deciduous]; 3-4' height; 6' on-center	38	15
Eastern Red Cedar (<i>Juniperus virginiana</i>)	5	3
Mountain Laurel (<i>Kalmia latifolia</i>)	4	2
American Witch-hazel (<i>Hamamelis virginiana</i>)	4	2
Chokecherry (<i>Prunus virginiana</i>)	4	2
Alternate Leaf Dogwood (<i>Cornus alternifolia</i>)	4	2
American Cranberrybush (<i>Viburnum trilobum</i>)	4	--
Sweet Pepper-bush (<i>Clethra alnifolia</i>)	4	--
Inkberry (<i>Ilex glabra</i>)	3	2
New Jersey Tea (<i>Ceanothus americanus</i>)	3	2
Sweet-fern (<i>Comptonia peregrina</i>)	3	--

Plants to be placed under direction of qualified wetland scientist.

Plants must be natives; cultivars and varieties will not be accepted.

After planting, the areas will be mulched with a 3" thick layer of a 4:1 mixture of decomposed leaf compost and natural bark mulch.

CONSERVATION COMMISSION MINUTES

Date: November 19, 2020

Time: 7:01pm – 9:42pm

Place: This meeting was held as a virtual meeting via Zoom

<https://us02web.zoom.us/j/81133904116>

With a quorum present, the meeting opened at 7:01 Dan Green presiding as Chair.

Members Present: Leigh Gilligan, Kathy Cade, Jeff Zabel, Judy Hepburn, Ellen Katz

Members Absent: Susan Lunin

Staff Present: Jennifer Steel and Claire Rundelli

Members of the Public: not recorded due to remote nature of the meeting

DECISIONS

I. WETLANDS DECISIONS

1. Zoning Redesign – Community Engagement Update Presentation

- **Presenter:** Nevena Pilipovic-Wengler, City of Newton Community Planning/Engagement Specialist
- **Presentation (Nevena Pilipovic-Wengler):**
 - City staff provided background on what zoning means for Newton and what the “form-based” (not use-based) zoning redesign process is focusing on before detailing the different engagement opportunities and strategies of the zoning redesign process.
 - Commissioner Ellen Katz read a statement regarding the need for limits on cut and fill volumes and retaining walls allowed by right, and proposed an earth moving ordinance to help maintain natural landforms.
 - Commissioners requested more detail about what the zoning redesign process is focusing on and what City staff would like from the Commission. City staff replied that they are looking for folks to attend the upcoming community engagement opportunities to give feedback.
 - City staff asked the Commission how they engage the constituents of the Commission. Normally, in regard to wetland issues, it is constituents coming to the Commission. Land management engagement is often handled by staff.
 - Commissioners wanted to know how the zoning redesign process can support the enforcement of the Wetlands Protection Act, mentioning specifically stormwater management through City ordinance.
 - Commissioners asked what the purpose or end goal of the zoning redesign process is. Councilor Lisle Baker provided some context on the hopes of the Zoning and Planning Committee for housing, preservation of neighborhoods, and sustainability. The idea is go through the Ordinance article by article.
 - Commissioners asked about the effectiveness of form-based zoning for a City of Newton’s density. Councilor Baker described how form-based zoning would work for Newton.
 - Commission staff noted that they would share the zoning redesign website information with Commissioners.

2. 1000 Commonwealth Avenue (City Hall Ponds) – OOC – pond dredging – DEP File #239-878

- **Owner:** City of Newton **Applicant:** Maria Rose, DPW **Representative:** Robin Casioppo, GZA GeoEnvironmental, Inc.
- **Request:** Issue OOC.
- **Documents Presented:** Colored plans, site photos, draft OOC
- **Jurisdiction:** Bank, LUWW
- **Project Summary**
 - Restore the open water resource and hydraulic capacity of City Hall Ponds, improve flood control, and improve the ecological and recreational values of the historic City Hall Ponds by performing maintenance sediment removal (including the removal of accumulated sediment from a portion of the upgradient Hammond Brook and Cold Spring Brook culverts).



Mayor

Ruthanne Fuller

Director

Planning & Development

Barney Heath

Chief

Environmental Planner

Jennifer Steel

Assistant

Environmental Planner

Claire Rundelli

Conservation Commission Members

Kathy Cade

Dan Green

Judy Hepburn

Ellen Katz

Susan Lunin

Jeff Zabel

Leigh Gilligan

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Newton, MA 02459
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www.newtonma.gov

The location of this meeting/event 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/Section 504 Coordinator, Jini Fairley, at least two business days in advance (2 weeks for ASL or CART) of the meeting/event: 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.

- Remove 1-3 feet of accumulated sediment over 0.9 acres.
 - Work will likely begin Fall 2021; planting will likely occur Spring 2022.
 - Timeline of Work: (1) Install erosion controls. (2) Install temporary access roads. (3) Bypass pump stream. (4) Dewater ponds. (5) Excavate ponds from within the basin by excavators, backhoes, and similar equipment. (6) Repair bridge surfaces. (7) Revegetate disturbed areas.
 - A total of 3,270±CY of sediment is estimated for removal from City Hall Ponds and 330±CY from culverts.
 - Most sediment dewatering will occur in the basins, but some stockpiling may occur on land prior to trucking material off the site.
- Project Notes:
- The ponds treat a 2.7 square mile watershed.
 - The ponds are man-made, and stone walled. There is no BVW. There may be a clay liner in places.
 - City Hall Ponds have been managed as stormwater collection facilities, flood management/attenuation facilities, and aesthetic features. The ponds were built with clay liners and should be 3-5' deep, but now hold 1-3' of water.
 - The ponds were previously dredged in 1980, 1992, and 2013.
 - Sediment is clean enough for the City to use it at 70 Crescent Street. DEP confirmed upland reuse is okay.
 - Wildlife habitat is fairly limited. It will not be adversely impacted and will likely be improved. A full Wildlife Habitat Evaluation was conducted and found that for all likely wildlife (i.e., frogs, turtles, birds, fish, and mammals), the project will likely improve pond bottom habitat, the buffer zone habitat, and bank habitat.
 - Sediment quality is better than it used to be, thanks to better watershed management.
 - O&M of the upgradient pond (with monthly inspections) will limit need for future dredging.
- Presentation (Maria Rose, Robin Casioppo, Jennifer Burke with GZA) and Discussion:
- The applicant provided background on the pond system, historic maintenance, and the other permitting required by the project.
 - The applicant noted that because of exceeding thresholds for Bank and LUWW a wildlife habitat assessment was conducted. Additional permit needs have been addressed: historical, DEP water quality certification, and dredging (USACE Sec. 404, triggered by more than 100 cy of dredge material).
 - The applicant's representative provided a description of the chosen dry dredging process and that this process also allows DPW to make some concrete repairs to the two footbridges.
 - After a site visit with Conservation staff in the field it was determined that there is a better, more level access point and that the revised plans have changed the access location to the area with a gentler slope.
 - The applicant's representative provided a summary of the timeline for proposed work.
 - All water coming into the culvert during the project will be bypassed pumped from the inlet to the outlet of the pond system, thereby allowing the water to remain out of the pond basins but continue the flow of the system.
 - All sediment removed from the pond, after being evaluated through the 401 process, will be reused for upland use at 70 Crescent Street.
 - The ponds will be allowed to naturally refill after work is completed.
 - The applicant team did provide a set of revised plans addressing almost all staff notes presented in the agenda. Staff provided a brief summary of the changes made to address the notes and recognized that the notes not addressed (i.e., the alternate access path) was not an ultimately appropriate recommendation.
 - Conservation staff displayed the pond profiles to show just how much sediment (up to 3') needs to be removed from the ponds.
 - Conservation staff discussed how they requested the restoration shrubs be spread out to particularly barren areas of the bank that will not be impacted by the project but will more fully revegetate the entire pond banks.
 - Commissioners asked about the survival of the plantings required during the previously approved dredging projects and for clarification on the proposed plant list (which was cut off in the packets). The applicant team provided the list of proposed plantings and that the previous plantings are doing nicely. The previous plantings will have to be removed as the access points are the same as previous projects, but that an excess of shrubs is proposed for this project (27) and the species can be varied if the Commission wishes.
 - Commissioners raised concerns about the proposed arrowwood plants due to pest problems and suggested that this species be swapped out. The applicant team agreed to swap.
 - Commissioners asked if the rate of sedimentation we are seeing in these ponds is normal. Conservation staff provided some context that a large portion of the organic material is coming from the trees on site. The applicant team also provided context that the overall drainage area is quite large and that the ponds are very level and do not receive regular cleansing "scour" that more gradient streams and water bodies receive.

- The applicant is requesting that the Commission consider a provision to allow for future maintenance when needed, specifically in Pond 1, through an ongoing Special Condition including required notification to the Commission and reporting to be specified by the Commission. Staff feel that future maintenance of the culvert areas with vactoring could be approved, but maintenance of the larger pond areas through dredging needs to be more clear and likely can not be conditioned appropriately. Any volume over 100 cubic yards also triggers other permitting process.
 - Staff feel that the DPW general stream maintenance provides a method for approving future limited maintenance rather than through special conditions.
 - The applicant determined that it is favorable for a 5-year Order of Conditions to be issued.
 - Special conditions regarding how macrofauna would be dealt with if found. Commissioners and staff suggested that macrofauna could be captured and moved to Bullough's Pond. The applicant team claimed that they did not find much macrofauna in the previous dredging attempts and that they feel this likely isn't necessary. Language was settled on.
- Vote: To close the hearing and issue a 5-year OOC for the proposed dredging with the following special conditions. [Motion: Jeff Zabel; Second: Ellen Katz; Roll-call vote: Gilligan (aye), Green (aye), Zabel (aye), Hepburn (aye), Cade (aye), Katz (aye). Vote 6:0:0]
- The Stowmwater Pollution Prevention Plan (SWPPP) must be submitted to the Conservation Office prior to the start of work.
 - The applicant must schedule and attend a pre-construction site visit.
 - Approved plans, notes, and pertinent aspects of the NOI narrative must be adhered to. The proposed sequencing of activities such as sediment and erosion control, dewatering, access creation, dredging operations, and restoration is critical and must be adhered to.
 - In general, dewatering shall occur as noted on plan sheet C-6. Details associated with the dewatering of North Pond must be submitted to the Conservation Office for review and approval prior to execution. At no time shall sediment-laden water be allowed to enter Bullough's Pond.
 - Restoration plantings (27 native shrubs, as per the approved plans) within Commission jurisdiction must:
 - a. Be distributed through all disturbed and unvegetated areas (a sketch plan showing proposed locations will be submitted to the Conservation Office for review and approval prior to installation)
 - b. Be installed in compliance with the approved plans (desired changes must be approved by the Conservation office in advance)
 - c. Be installed within 5 months of the completion of dredging.
 - d. Have a survival rate of 80% of total number of shrubs (after 2 growing seasons)
 - e. Disturbed soil around the shrubs will be mulched and seeded as per the approved plans.
 - All areas of disturbed turf shall be restored immediately upon conclusion of construction activities as per the approved plans.

3. 41 Concord Street (Leo J Martin Golf Course) – OOC (cont'd) – irrigation and snowmaking upgrades – DEP File #239-877

- Owner: Massachusetts Department of Conservation and Recreation Applicant: Raul Silva, DCR Representative: Jay Viamari, Tighe & Bond
- Request: Issue OOC.
- Documents Presented: Colored plans, site photos, draft OOC
- Jurisdiction: Buffer Zone, Riverfront Area, Bank, LUWW, BLSF, City Floodplain
- Project Summary
 - Project goals: install new snow making and irrigation infrastructure.
 - Project activities include:
 - demolition/removal of a masonry irrigation pump house and intake structure,
 - dredging of the manmade lagoon,
 - installation of a new pump house building,
 - installation of new water lines and electrical conduit, and
 - associated tree and understory vegetation removal.
- Presentation (April Doroski and Matt Wzorek with Tighe & Bond) and Discussion:
 - Applicant provided a summary of the revisions made to the plan set and stated that the project will be cutting fewer mature trees, reducing impervious area, creating an excess of compensatory flood storage, improving water use efficiency, and providing a healthy restoration area planting.

The location of this meeting/event 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/Section 504 Coordinator, Jini Fairley, at least two business days in advance (2 weeks for ASL or CART) of the meeting/event: 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.

- Flood elevations and flood calculations were corrected, so there will be a net gain in storage capacity.
- The pump house was moved to reduce tree cutting. Only 3 trees are now proposed to be removed at a total of 84 caliper inches instead of the previous 234 caliper inches.
- Dredging access will be from the south side for less disturbance.
- Plantings have been revised to include 52 trees and 47 shrubs.
- Grading out small pump area at the southeast of the lagoon on the access driveway (C-110).
- Corrected Sheet C-105 to show the correct trees as to be removed.
- Erosion controls and snow fencing installation locations were clarified.
- Applicant team also clarified that they went back into the field to re-delineate the wetland line and flag out the location of the new structures.
- Staff noted one error on the most recent plan set that shows the limit of work and shows certain trees to be saved within the limit of work and asked that the limit of work be revised (potentially with snow fence) to provide further protection for the trees. Applicant stated that this would be no problem.
- Conservation staff provided the Commission with a virtual site visit through photos.
- Vote: To close the hearing and issue an OOC with the following special conditions. [Motion: Leigh Gilligan; Second: Jeff Zabel; Roll-call vote: Gilligan (aye), Green (aye), Zabel (aye), Hepburn (aye), Cade (aye), Katz (aye). Vote 6:0:0]
 - Details of the dewatering plan (e.g., intake location and design) designed to limit and control any adverse on the wetlands resource area(s) must be presented to an agent of the Conservation Commission for review and approval prior to the start of any construction activities on site.
 - A concrete washout plan designed to limit and control any adverse on the wetlands resource area(s) must be presented to an agent of the Conservation Commission for review and approval prior to the start of any construction activities on site.
 - Snow fencing, erosion controls, turbidity curtains, compost socks, and silt sacks must be installed as per the approved plans.
 - The Limit of Work Line shall be moved to not include the three mature trees near the existing pump house shown on the approved plans as to remain.
 - Near the existing and proposed pump houses, plywood must be installed over the roots of the 4 mature trees and 2-by lumber must be lashed to trunks of the 4 mature trees that are close to equipment access, parking, or potential activity and shown on the approved plans as to remain.
 - Near the access channel, plywood must be installed over the roots of the 2 mature trees and 2-by lumber must be lashed to trunks of 2 mature trees shown on the approved plans as to remain.
 - Near the electrical conduit crossing, plywood must be installed over the roots of the mature tree and 2-by lumber must be lashed to trunks of the mature trees shown on the approved plans as to remain.
 - The sediment dewatering basin shall be installed (and reviewed and approved by an agent of the Commission) prior to any dredging equipment being mobilized on site.
 - The applicant must schedule and attend a pre-construction site visit.
 - Prohibitions include:
 - a. Cutting or damaging any mature trees not already shown on the approved plans as to be removed.
 - b. Dewatering work areas without a dewatering plan having been reviewed and approved by an agent of the Commission.
 - Approved plans and the accompanying NOI narrative must be adhered to.
 - Trenching spoils may not be stockpiled unprotected and may not be stockpiled within 25' of surface waters or the roadway.
 - During dredging operations, macrofauna found in the excavate shall be hand transferred to a safe zone.
 - During dredging operations, the stone walls and stone bottom (if any) shall not be disturbed.
 - All disturbance of Bank shall be restored using the Lagoon Bank Restoration and seed mix details in the approved plan set. This shall pertain to the bank of the lagoon and to the bank of the entry channel.
 - All dredge spoils shall be dewatered as shown on the plans and properly disposed off-site.
 - Landscape plantings must be installed as per the approved plans (desired changes must be approved by the Conservation office in advance):
 - a. Be installed within 6 months of the completion of the irrigation system.
 - b. Have a survival rate of 75% of total number of trees (after 2 growing seasons).
 - c. Have a survival rate of 75% of total number of shrubs (after 2 growing seasons).

- All areas of disturbed turf shall be stabilized and/or restored immediately upon conclusion of construction activities.
- Mulch applications (if any) and mowing shall diminish over time and eventually cease as the planted areas are allowed to fully renaturalize.
- The approved mitigation planting areas shall be maintained in perpetuity in their predominantly natural condition.

4. 2345 Commonwealth Avenue – OOC Amendment – relocation of aboveground propane tank – DEP File #239-869

- Owner: CHSP Newton LLC Applicant: Andrew Shelby, Boston Gas Company Representative: Amanda Houle, Tighe & Bond, Inc.
- Request: Amend OOC.
- Documents Presented: Colored plans, site photos, draft OOC amendment
- Jurisdiction: Riverfront Area
- Approved Project Summary
 - Relocation of a 1,000-gal propane tank and the associated pouring of a 16'x6' concrete pad in the new location; and construction of a 35' long and retaining wall around the proposed new location.
 - Proposed project will result in a 139 s.f. increase in impervious area.
 - Proposed 14" wide retaining wall will range in height from 1.5' to 3' and will require the excavation of a trench for the footings.
 - Existing concrete pad for the tank is proposed to remain, but the existing tank will be removed once the propane has been transferred to the new tank.
 - Existing non-native shrubs in the proposed tank location are proposed to be removed and an in-kind number of native plantings (~9) are proposed for replacement.
- Requested Amendments
 - In order to comply with fire safety regulations, the location of the newly proposed tank, vaporizer, and transformer must be moved.
 - The tank and vaporizer must be at least 25' from the building.
 - The tank and the transformer must be at least 10' from each other.
 - The vaporizer and transformer must be at least 15' from each other.
 - The new design places the tank and the vaporizer 30' from the building, while leaving the transformer in the originally proposed location. The distance of 30' was to minimize impact on the 25' naturally vegetated buffer.
- Presentation () and Discussion:
 - The applicant team provided a summary of the changes and why the revisions were required (Fire code).
 - The largest impact change in the requested amendment is a larger area of regrading (an additional 745 sq. ft.) for the new equipment location, versus the previous location adjacent to the building.
 - The regrading does impinge on the 25' buffer but will not result in the removal of natural woody vegetation, only the regrading of lawn and mulch bed. Disturbed areas within the 25' buffer zone are proposed to be reseeded with the New England Wetland Plants Erosion/Restoration Mix for Dry Sites.
 - All other proposed plantings remain the same.
 - Applicant clarified that they are planning on installing jute matting in the seeded areas.
- Vote: To close the hearing and issue an amended OOC with the following special conditions. [Motion: Jeff Zabel; Second: Judy Hepburn; Roll-call vote: Gilligan (aye), Green (aye), Zabel (aye), Hepburn (aye), Cade (aye), Katz (aye). Vote 6:0:0]
 - Erosion controls (staked 9" compost sock AND entrenched silt fence) must be installed along the toe of the slope, inspected regularly, and properly maintained during construction until the site is stable. If a breach of the erosion control barriers occurs, the Newton Conservation Commission shall be notified, and measures shall be taken to remediate said breach. City streets shall be kept clean and catch basins in the immediate area shall be protected from eroding soils. An adequate supply of extra erosion control materials shall be stored on-site at all times for repair or replacement. Hay bales are prohibited without permission from the Commission. Erosion control barriers shall remain in place until written authorization for their removal has been received from the Newton Conservation Commission.
 - Landscape plantings shall consist of 12 native shrubs and 3 native saplings, along with seeding in disturbed areas, within the general area of the work zone, in consultation with the Chief Environmental Planner, a majority to be installed in the barren mulch slope adjacent to the western edge of the adjacent parking lot.
 - a. Shrubs shall be at least 2-feet tall upon installation
 - b. Trees shall be at least 1.5 caliper inch upon installation

The location of this meeting/event 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/Section 504 Coordinator, Jini Fairley, at least two business days in advance (2 weeks for ASL or CART) of the meeting/event: 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.

- c. These plantings must stabilize all areas exposed during construction
- d. These plantings must be installed on or before October 15, 2020
- e. These plantings must survive 2 growing seasons for a Certificate of Compliance to be issued
- f. *Jute matting or the equivalent must be installed to ensure slope stability while the seed mix becomes established.***
- g. If any trees within the project area die within 2 years of the start of construction or have been demonstrably harmed by construction activities, they shall be replaced at a ratio of 2:1 with native canopy saplings (of roughly 2 caliper inches).

5. 326 Fuller Street – OOC Extension – new paddle tennis courts – DEP File #239-813

- o Owner/Applicant: Sean McLaughlin, Brae Burn Country Club Representative: none
- o Request: Issue 3-year OOC Extension.
- o Jurisdiction: Buffer Zone, City Floodplain
- o Discussion:
 - The applicant has constructed 1 of the 2 approved new courts.
 - The applicant has requested a 3-year extension to the OOC issued in 2018 (due to expire in 2021), as they are unsure of when and if the second court will be constructed because of impacts from COVID-19.
 - Staff feel that a 3-year extension is appropriate since there is a 2-season planting survival requirement.
- o Vote: To issue a 3-year OOC extension for project 239-813. [Motion: Ellen Katz; Second: Leigh Gilligan; Roll-call vote: Gilligan (aye), Green (aye), Zabel (aye), Hepburn (aye), Cade (aye), Katz (aye). Vote 6:0:0]

6. 55 Boylston Street – COC – new open dining deck and rain gardens – DEP File #239-765

- o Owner/Applicant: Chestnut Hill Shopping Center LLC Representative: none
- o Request: Issue COC.
- o Jurisdiction: Buffer Zone, City Floodplain
- o Discussion: Staff site visit on 10/22/20 confirmed compliance; all required paperwork has been received. On-going maintenance and planting will occur within the rain gardens as they are impacted by foot and car traffic in the adjacent parking lot.
- o Vote: To issue a complete Certificate of Compliance. [Motion: Leigh Gilligan; Second: Jeff Zabel; Roll-call vote: Gilligan (aye), Green (aye), Zabel (aye), Hepburn (aye), Cade (aye), Katz (aye). Vote 6:0:0]

II. CONSERVATION AREA DECISIONS

7. Bee Policy

- o Presentation (Ellen Katz) and Discussion:
 - Ellen Katz is working to develop guidelines on beekeeping on Conservation lands limiting the number of hives per area and ensuring permission for beekeeping doesn't transfer hands without notice and approval. The Commission has currently approved hives at Norumbega and the Old Deer Park.
 - Ellen provided detail on her own experience with beekeeping and some of the research she has done regarding beekeeping, specifically the interactions between honeybees and native bees (e.g., competition for forage and disease transmission).
 - Other peer communities (Somerville, Weston, and Boston) have guidelines regarding bee keeping in the City.
 - Commissioners thanked Ellen for her efforts!

III. ADMINISTRATIVE DECISIONS

8. Commission Engagement: Packets, site visits, etc.

- o Discussion:
 - Staff would like feedback on the nature and format of information and engagement. Would Commissioners like more info from applications? Regular schedules for site visits? More active sub-committees? More engagement with Conservation Areas?
 - The only comments Commissioners had were: (1) a request to see elevations of construction in flood zone to better understand skirting and (2) more consistent orientation of plan sheet in packets.

9. Recognition of past Commissioners

- o Discussion: Commissioners discussed next steps in producing and delivering appreciations of past commissioners. Staff will schedule a time with remaining Commissioners to record their statements via Zoom. The Chair will finalize his efforts to get certificates of service for the two Commissioners from the Mayor and place a plaque on a bench.

10. Minutes of 10/29/20 to be approved

- Documents Presented: Draft minutes
- Vote: To accept the 10/29/20 minutes as edited. [Motion: Kathy Cade; Second: Judy Hepburn; Roll-call vote: Gilligan (aye), Green (aye), Zabel (aye), Hepburn (aye), Cade (aye), Katz (aye). Vote 6:0:0]

IV. ISSUES AROUND TOWN DECISIONS – None at this point in time.

UPDATES

V. WETLANDS UPDATES

- Bullough's Pond Skating Shed Violation: PRC staff met with Conservation staff on site to discuss the revised restoration planting plan for the area around the unpermitted wall. 15 native shrubs are due to be installed by the Bullough's Pond Association within a week.
- MBTA Green Line Herbicide Spraying. MBTA may have sprayed more often than their RDA allowed. Staff will look into it.

VI. CONSERVATION AREA UPDATES

- Houghton Garden – Hydroraking: Solitude is currently set to start hydroraking the pond the week of November 16th.
- Charles River Pathway – Stairs: We received 2 bids on the connector stair project. The low bid was awarded the project and we are working to get the contract signed so work can begin ASAP.

VII. ISSUES AROUND TOWN UPDATES

- OSRP approval: Staff received further comments on the OSRP, mainly regarding the need for a complete facility inventory for PRC parcels with their template. PRC staff are working to plan this effort, but final approval may be delayed.
- Christina Street Bridge Feasibility Study: Staff are working with DCR to finalize all requisite paperwork and with City staff to finalize the scope of services. Once all DCR permits have been received the scope will be sent out for estimates. The next step will be to secure the required MBTA access license.
- Climate Action rolls along! Website coordination with Green Newton is active, the Energy Coach position has been posted, solar installations continue, BlueBikes are here, EV chargers are being installed, zoning changes are under discussion, etc.!
- Stormwater Ordinance: A new draft is being developed for internal review.

VIII. ADMINISTRATIVE UPDATES

- Office Move: The Conservation Office (and the rest of the Planning Department) has moved to the second floor of City Hall. Staff can be found within the Inspectional Services Department and our assistance can be requested at the counter.
- Native Species List: Staff will be working over the winter to update the native plants list that is provided to residents.
- Interns: Staff had an initial interview with a potential Northeastern co-op but lack of funds quashed the possibility.

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

- Requests from Potential City Council Candidates: A few Commissioners have received calls from potential a City Council candidate regarding their opinions on certain issues. Staff said they would check in with the Mayor's office on how to respond, but noted that Commissioners should never give personal opinions on behalf of or as members of the Commission, but may give personal opinions if they so choose.
 - **ADJOURN at 9:42** [Motion: Kathy Cade; Second: Jeff Zabel; Roll-call vote: Gilligan (aye), Green (aye), Zabel (aye), Hepburn (aye), Cade (aye), Katz (aye). Vote 6:0:0]
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