

CONSERVATION COMMISSION AGENDA

NOTE: In addition to the documents presented in the Commission's packet (available on the Commission's website, full NOI plans and narratives are available on [the Commission's website](#).

NOTE: Items may be taken out of order at the Chair's discretion and discussions of wetland cases may be limited in their time.

The Conservation Commission will hold this meeting as a virtual meeting on Thursday, February 18, 2021 at 7:00 pm. No in-person meeting will take place at City Hall.

Zoom access information for the February 18, 2021 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.



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
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DECISIONS

I. WETLANDS DECISIONS

- 1. 145 Warren Street – cont'd NOI – renovation and additional units onto single-family home – DEP File #239-882**
 - Owner/Applicant: David Oliveri, Norton Point Warren St LLC Representative: John Rockwood, EcoTec, Inc.
 - Request: Issue OOC.
- 2. 25 Bernard Street – NOI – teardown and rebuild single-family home – DEP File #239-883**
 - Owner/Applicant: Albert Chin Representative: John Rockwood, EcoTec, Inc.
 - Request: Issue OOC.
- 3. 942-944 Watertown Street – Compliance Discussion – new duplex – DEP File #239-427**
 - Owner/Applicant: Janet Edsall Fields Representative: Stephen Fields
 - Request: Determine how unapproved changes made to site should be mitigated in order to bring the site into compliance for a Certificate of Compliance.
- 4. 116 Upland Avenue – Compliance Discussion – enclosure of deck – DEP File #239-824**
 - Owner/Applicant: Ilya Zvenigorodskiy
 - Request: Vote on plan to bring site into compliance.
- 5. Needham Street/Highland Ave Bridge – informal discussion – DEP File #239-741 and DEP File #239-8155**
 - Owner/Applicant: MassDOT Representative: Michael Smith, Gioioso and Marie Sullivan, Stantec
 - Request: Determine if an Amendment or Minor Plan Change is appropriate for the requested changes to the approved project (#239-815).
- 6. 55 Bernard – Partial COC – after-the-fact landscaping – DEP File #239-871**
 - Owner/Applicant: Jim Corsi, Corsi Realty LLC Representative: John Rockwood, EcoTec, Inc.
 - Request: Issue partial Certificate of Compliance.

II. CONSERVATION AREA DECISIONS

- 7. Orienteering at Kennard**
 - Owner: Conservation Commission Applicant/Representative: Newton Parks, Recreation, and Culture (Channon Ames)
 - Request: Determine if the proposed orienteering course for Kennard Conservation Area is appropriate and approvable for installation.

III. ADMINISTRATIVE DECISIONS

- 8. Minutes of 1/28/21 to be approved**

IV. ISSUES AROUND TOWN DECISIONS

UPDATES

V. WETLANDS UPDATES

VI. CONSERVATION AREA UPDATES

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VII. ISSUES AROUND TOWN UPDATES

VIII. ADMINISTRATIVE UPDATES

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

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CONSERVATION COMMISSION AGENDA

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DECISIONS

I. WETLANDS DECISIONS

1. 145 Warren Street – cont'd NOI – renovation and additional units onto single-family home – DEP File #239-882

- **Owner/Applicant:** David Oliveri, Norton Point Warren St LLC **Representative:** John Rockwood, EcoTec, 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**
 - The property is under new ownership. This is a revised version of a plan that was presented to the ConCom and for which an OOC was issued on April 19, 2019.
 - Demolition of existing detached garage, renovation of the existing single-family home and construction of 3 additional units on the lot.
 - Stormwater management includes several infiltration systems, both in and out of Commission jurisdiction. The proposed system also includes an overflow outlet with a flared end within the 25' Buffer Zone.
 - The proposed increase of impervious area within Commission jurisdiction is roughly 2,100 s.f. This represents a decrease in impervious area from the currently approved plans. An increase of roughly 5,000 s.f. of impervious area is proposed for the entire lot.
 - Proposed to be removed within ConCom jurisdiction are 17 of trees (10 of those over 8 caliper inches) totaling 131 caliper inches and invasive Norway maple saplings and bush honeysuckles.
 - The mitigation planting plan within ConCom jurisdiction includes 35 saplings (both canopy and understory), 30 shrubs, and 55 1-gallon perennials.
- **Staff Notes:**
 - Changes to the plans include:



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- significant reduction of impervious area within the buffer zone;
- reduced retaining wall length within buffer zone;
- added back lawn, a more useable (and therefore maintainable) landscape plan; and
- a well-defined and robust planting area 30-40' deep.
- The new proposed planting plan does appear to take into account previous staff notes regarding clarity. One non-native species is still proposed on the edge of the 100' Buffer Zone, Alaskan Weeping Cedar.
- The proposed white pines will likely be relatively short-lived given their density and proximity to the homes.
- It appears that there will be no access along the western property line. Stairs may be desired.
- The site is extremely tight. A preliminary phasing plan must be submitted that clearly illustrates that there is/will be appropriate access for all excavation, construction (e.g., construction of the retaining wall on the western property line), stockpiling, dewatering, access for planting, etc.
- Because the site is so tight, erosion controls should be silt fence reinforced with wire fence.
- Infiltration areas will likely be subject to significant compaction during demolition and construction. Engineering should require proof of percolation rates immediately prior to installation.
- The planting area will likely be subject to significant compaction during demolition and construction. That area must be generally prepared/deeply aerated, and the soil enhanced prior to plant installation.
- Significant tree plantings are proposed right next to the infiltration chambers. The applicant should clarify how that might affect long-term performance (and maintenance) of the chambers.
- Engineering Comments:
 - It is imperative to note that the ownership, operation, and maintenance of the proposed drainage system and all appurtenances including but not limited to the drywells, catch basins, and pipes are the sole responsibility of the property owner(s).
 - A revised stormwater report must be submitted.
 - Recharge Systems
 - System No. 1 conforms to the Engineering Division stormwater policy
 - System No. 2 must have test pit dug within 25-feet of this system
 - System No. 3 must have SHGWT confirmed, must be reassessed with the correct exfiltration rate, must be provided with adequate coverage
 - System No. 4 must be provided with adequate coverage, must have the overflow pipe raised
 - The flared end overflow should have a stone rip rap swale to prevent erosion. Note: It is possible that when the overflow invert elevation is adjusted, the overflow may not be required.
 - A dewatering plan must be submitted. A site stockpile area needs to be identified on the plans.
- **Staff Recommendations:** Address the questions and concerns above and others raised during the hearing, then, if/as appropriate, vote to close the hearing and issue an Order of Conditions with the following special conditions.
 - Engineering requirements
 - A revised stormwater report must be submitted.
 - Recharge system no. 2 must have test pit dug within 25-feet of this system.
 - Recharge system no. 3 must have SHGWT confirmed, must be reassessed with the correct exfiltration rate, must be provided with adequate coverage.
 - Recharge system no. 4 must be provided with adequate coverage, must have the overflow pipe raised
 - A dewatering plan must be submitted.
 - A site stockpile area needs to be identified on the plans.
 - The flared end overflow (if it is installed) must have a stone rip rap swale to prevent erosion.
 - Stone bounds (3' granite posts) must be installed (2.5 feet deep with a 6" reveal) at the edge of the marked lawn line on the eastern property boundary and in the corner of the lawn line near the western property line to foster long-term maintenance of the planting area.

2. 25 Bernard Street – NOI – teardown and rebuild single-family home – DEP File #239-883

- **Owner/Applicant:** Albert Chin **Representative:** John Rockwood, EcoTec, Inc.
- **Request:** Issue OOC.
- **Documents Presented:** colored plans, site photos, draft OOC

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- Jurisdiction: Buffer Zone, Riverfront Area, BLSF, City Floodplain
- Performance Standards
 - **Riverfront Area**: 10.58(4)
 - c) No 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 ... to provide important wildlife habitat functions. ...
 - d. ... incorporating erosion and sedimentation controls ... to attenuate nonpoint source pollution.
 - **10.58(5) RFA: Redevelopment within Previously Developed Riverfront Areas; Restoration & Mitigation**
 - ... work improves existing conditions.
 - Redevelopment means ... reuse of degraded or previously developed areas.
 - A previously developed riverfront area contains areas degraded prior to August 7, 1996....
 - Work to redevelop previously developed riverfront areas shall ...:
 - (a) At a minimum, work shall result in an improvement over existing conditions ...
 - (b) Stormwater management is provided according to standards
 - (c) Proposed work shall not be closer to the river than existing conditions or 100', whichever is less
 - (d) Proposed work...shall be located... away from the river, except in accordance with 10.58(5)(f) or (g).
 - (e) ... proposed work shall not exceed the ... degraded area ... except in accordance with 10.58(5)(f) or (g).
 - (f) despite what it says in 310 CMR 10.58(5)(c), (d), and (e), more alteration at the RFA outer boundary may be allowed if an applicant proposes restoration ... of at least 1:1 ...
 - (g) despite what it says in 310 CMR 10.58(5)(c), (d), or (e), more alteration at the RFA outer boundary may be allowed if an applicant proposes mitigation ... of at least 2:1
 - (h) The issuing authority shall include a continuing condition in the COC ...under 10.58(5)(f) or (g) prohibiting further alteration within the restoration or mitigation area....
 - **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)(2) ... the conservation commission may issue an order of conditions for the following uses in the Floodplain/Watershed Protection District:
 - a) Any building or structure for which compensatory storage is provided ...
- Project Summary
 - The 200-foot RFA line runs through the back of the lot. Only a very small amount of the RFA on the site is proposed to be altered with hardscape or grading.
 - The site has a drain and sewer easement which runs through the rear of the site.
 - The overall project will entail:
 - Demolition of existing 1123 s.f. single-family home. No trees are proposed to be removed.
 - Construction of a new 2215 s.f. single-family home with a paver patio, stormwater infiltration, and planting area. The proposed project will result in a total of 595 s.f. of impervious area within the outer riparian zone.
 - Within RFA jurisdiction:
 - Impervious area is proposed to increase by roughly 467 s.f. (over the existing 128 s.f.) to 595 s.f.
 - 960 s.f. of mitigation planting (56 native shrubs) will be provided.

- The existing driveway, deck, and lawn will be replaced with a portion of the proposed house, filled retaining walls and mitigation planting area.
- The existing house is 204± feet, the existing paved driveway is 193± feet, and the existing stairwell is 197± feet from the Charles River.
- The proposed house is 189± feet, the proposed driveway is located 226± feet, the proposed walkway and stairs are located 189± feet, and the closest retaining wall is located 185± feet from the Charles River.
- A replacement fence will be elevated 4-6" for wildlife passage.
- Staff Notes:
 - New development considerations (10.58(4)):
 - The overall new proposed Riverfront Area alteration is 467 s.f. (below the threshold of 5,000 s.f. or 10%).
 - The new proposed work in the Riverfront Area is for the installation of retaining walls, a short segment of walkway and stairs, and associated grading, lawn, and landscaping.
 - Re-development considerations (10.58(5)) -- site improvements noted in the application include:
 - The proposed driveway has been relocated entirely outside the Riverfront Area.
 - The proposed project includes stormwater management features not required under the Regulations to address both driveway and roof runoff; no such features are present under the existing condition.
 - The project will also enhance 960± square feet of lawn in the Riverfront Area with native shrub and ground cover plantings which will serve to enhance wildlife habitat features and improve the capacity of the Riverfront Area on the site to protect the statutory interests presumed to be significant within the Riverfront Area.
 - Currently, there is no access shown from the rear of the house to the rear lawn area. Staff imagine that a deck and/or stairs may be desired. Although such structures may be considered exempt, they should be shown on the plan and accounted for in the proposed degraded area within RFA (and the mitigation planting area).
 - The proposed planting area is in the drain and sewer easement, so no canopy trees can be planted. The proposed planting schedule seems appropriate. Staff have concerns about 6" elevated stone bounds within the drain and sewer easement and the danger they may pose to maintenance vehicles travelling through the easement; staff suggest elevating the stone bounds 2".
 - The applicant should clarify whether pre- and post-construction monitoring of the sewer line will be required by the Engineering Division.
 - The proposed retaining walls will restrict wildlife movement, but a very limited amount of Riverfront Area will be affected by the impingement and the wildlife habitat value of the up-gradient area is limited.
 - Staff note a typo in note #13 (stamPed).
- Staff Recommendation: Address the questions and concerns above and others raised during the hearing, then, if/as appropriate, vote to close the hearing and issue Newton's standard Order of Conditions with the following special conditions.
 - Landscape plantings within Commission jurisdiction must:
 - a. Stabilize all exposed areas.
 - b. Be installed in compliance with the approved plans (desired changes must be approved by the Conservation office in advance).
 - c. Have a survival rate of XX % of total number of shrubs (after 2 growing seasons).
 - d. Mulch use shall decrease and eventually cease as plant material spreads throughout the enhancement area.
 - The stormwater infiltration system must be installed as per the approved plans.
 - The City Engineer must inspect the infiltration system. The applicant must submit proof of inspection to the Cons. Office.

3. 942-944 Watertown Street – Compliance Discussion – new duplex – DEP File #239-427

- Owner/Applicant: Janet Edsall Fields Representative: Stephen Fields
- Request: Determine how unapproved changes made to site should be mitigated in order to bring the site into compliance for a Certificate of Compliance.
- Documents Presented: Revised as-built, annotated revised as-built
- Jurisdiction: Buffer Zone, Riverfront Area, BLSF, City Floodplain
- Performance Standards

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- **Riverfront Area: 10.58(4)**
 - e) No Practicable and Substantially Equivalent Economic Alternatives.
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 - 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 ... to provide important wildlife habitat functions. ...
 - d. ... incorporating erosion and sedimentation controls ... 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)(2) ... the conservation commission may issue an order of conditions for the following uses in the Floodplain/Watershed Protection District:
 - a) Any building or structure for which compensatory storage is provided ...
- **Staff Notes:**
 - A revised as-built has been submitted based on field corrections. No letter has been received with the revised plans stating what changed between the first and second as-built plans.
 - Staff will make a secondary site visit prior to this meeting to try and determine if the new as-built accurately reflects the on-site conditions.
 - The originally approved project involved the demolition of an existing single-family home and the construction of a duplex. There were a number of issues on site, including some that required the issuance of an Enforcement Order, and the permit was never closed out.
 - Below is a timeline of events for filing 239-427:
 - July 1, 2004 – Order of Conditions issued for the demolition of the existing single-family home and construction of 2 townhomes, referencing July 7, 2004 plans.
 - July 13, 2004 – Order of Conditions is recorded at the Registry of Deeds, proof not forwarded to the Conservation Office.
 - January 13, 2005 – Enforcement Order issued for lack of compliance of the following and other issues. (Please see the full list of violations and requirements in packet materials for this agenda item.)
 - IMMEDIATELY remove the porta-potty from the floodplain.
 - IMMEDIATELY remove all fill from the floodplain – soil, equipment, materials
 - IMMEDIATELY construct the compensatory storage and have it certified by a
 - Unpermitted plan changes (subsequently approved through Minor Plan Change #1)
 - February 12, 2005 – Letter received from Frank Iebba stating that the compensatory storage has been provided per the approved plans (resolving some of the Enforcement Order issues).
 - March 31, 2005 – Revised plans approved by Engineering Department for work.
 - May 6, 2005 – Revised plans (approved by Engineering) approved as a minor plan change by the Commission. (resolving remaining Enforcement Order issues)
 - September 27, 2005 – Reduction in required “native shrubs” reduced from 48 to 25 approved as a minor plan change by the Commission.
 - September 28, 2005 – Date listed on plan that may be equivalent to an as-built but is not titled “as-built.”
 - December 20, 2005 – Request to remove all required plantings was denied by the Commission.

- Since the approved work was finished, further changes have been made to the site where were not reviewed or approved by our office.
 - Installation of 56' section of fence was added at the rear lot line along Cheesecake Brook.
 - A 12'x12' brick patio was installed.
 - No shrubs remain from the required planting plan.
- Staff Recommendations: Discuss the revised as-built and determine what steps are appropriate for closing out the permit and returning the site to compliance with the Wetlands Protection Act.

4. 116 Upland Avenue – Compliance Discussion – enclosure of deck – DEP File #239-824

- Owner/Applicant: Ilya Zvenigorodskiy
- Request: Vote on plan to bring site into compliance.
- Jurisdiction: BLSF
- Performance Standards
 - **Bordering Land Subject to Flooding: 10.57**
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 - (b)(2) ... the conservation commission may issue an order of conditions for the following uses in the Floodplain/Watershed Protection District:
 - a) Any building or structure for which compensatory storage is provided ...
- Staff Notes:
 - Staff are awaiting the results of conversations between the homeowners and the Chair.
 - Options discussed by Chair and the homeowners:
 - Remove bottom 4" board along the side (10'), back (16'), and change door to >50% open lattice.
 - Replace boards with 1.5" gap between.
- Staff Recommendations: Vote on a plan to bring site into compliance with the Order of Conditions.

5. Needham Street Bridge and Roadway Reconstruction – informal discussion – DEP File #239-815 (and DEP File #239-741)

- Owner/Applicant: MassDOT Representative: Michael Smith, Gioioso and Marie Sullivan, Stantec
- Request: Determine whether an Amendment or Minor Plan Change would be most appropriate for the requested changes to the approved project (#239-815).
- Documents Presented: Colored plan excerpts
- Jurisdiction: Buffer Zone, Riverfront Area, BLSF, City Floodplain
- Staff Notes:
 - The project team is looking for approval to expand tree cutting (no grubbing) and expanded earthworks in a ~700 s.f. area on the west and ~900 s.f. on the east side of the bridge. The proposed expanded tree removal is for trees that were approved to be protected during construction and the expanded earthworks are due to occur in an area not previously shown within the limit of work.
 - Issues to address: Contractor has revised plans not seen by ConCom and with some “discrepancies” where the two projects (the Oak St /Christina St intersection project (239-741) and the Needham Street/Highland Ave Bridge and Needham Street reconstruction project (239-815) meet.
 - Retaining wall construction and grading (on east and west sides)
 - Erosion controls (not shown or revised plans)
 - Tree protection vs. removal
 - Temporary utility pole installation (other alternatives to location/height, etc. should be explored in an effort to save a large canopy tree close to the riverbank)

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- Stantec response indicates that proposed expanded work area is already covered under the OOC
- Detailed plans of grading, vegetation, and stabilization needed
- The applicant team did attend multiple pre-construction visits and meetings with the Engineering Department, but may have not realized that a separate pre-construction site visit was required under the OOC.
- Staff Recommendations: Discuss the issues, requirements under the Act/regulations, and determine what form of filing would be most appropriate: request for minor plan change or amended OOC.

6. 55 Bernard – Partial COC – after-the-fact landscaping – DEP File #239-871

- Owner/Applicant: Jim Corsi, Corsi Realty LLC Representative: John Rockwood, EcoTec, Inc.
- Request: Issue partial Certificate of Compliance.
- Jurisdiction: Buffer Zone, Riverfront Area, BLSF, City Floodplain
- Staff Notes:
 - All required paperwork has been received. The annual monitoring report from EcoTec and a staff site visit on 2/5/21 confirmed compliance, though the plants have not yet survived the required 2 growing seasons.
 - Staff prefer to issue detailed letters indicating the status of the project and the items that remain outstanding rather than a partial COC. At the Registry of Deeds, partial COCs are indicated with “certificate” and can obfuscate the need for a full COC to be sought and recorded. Most banks, owners, and prospective purchasers accept without question a letter indicating that the site is in compliance and that a full COC is expected after two growing seasons have successfully passed.
- Staff Recommendations: Vote to issue a “COC expected” letter or a partial Certificate of Compliance.

II. CONSERVATION AREA DECISIONS

7. Orienteering at Kennard

- Owner: Conservation Commission Applicant/Representative: Newton Parks, Recreation, and Culture (Channon Ames)
- Request: Determine if the proposed orienteering course for Kennard Conservation Area is appropriate and approvable for installation.
- Documents Presented: Course overview
- Staff Notes
 - Staff accompanied the applicant on a site walk; unfortunately, given the time of year, it was impossible to tell the exact nature of ground cover vegetation alongside the trail.
 - Staff feels that:
 - Superb preparation has been undertaken by PRC.
 - Every post that is proposed to be right along the trail is appropriate.
 - Almost every post proposed to be just off the trail has been carefully considered, is in an area relatively devoid of vegetation, and is appropriate.
 - Only marker 8’s potential off-trail location could draw excessive foot traffic through what might be sensitive groundcover.
 - Staff feels that some means of “measuring” off-trail impacts and defining a threshold of acceptability should be discussed and “conditioned” in any agreement.
 - PRC staff would also like to discuss the possibility of a temporary course throughout Flowed Meadow Conservation Area and Auburndale Park in partnership with the New England Orienteering Club. This week-long “Orienteering” event would take place in mid-March and involve temporary codes being posted (no posts, just printed codes tied onto existing features). All markers in Flowed Meadow are being placed as close to the trail as possible.
- Staff Recommendations: If determined to be an appropriate use of Conservation land, vote to approve the course as presented for a one-year pilot effort, allow installation of course posts, and require spring and fall photo monitoring report.

III. ADMINISTRATIVE DECISIONS

8. Minutes of 1/28/21 to be approved

- Documents Presented: Draft minutes
- Staff Recommendations: Vote to accept the 1/28/21 minutes.

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

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.

UPDATES**V. WETLANDS UPDATES**

- Riverwalk: Staff are investigating unpermitted tree cutting in Riverfront Area.

VI. CONSERVATION AREA UPDATES

- Houghton tree cutting: Staff are reviewing quotes for removal of 5 hazard trees.
- Beekeeping on Conservation Land: Staff are working with the Legal Department to determine if a more formal agreement needs to be put in place for the current beekeeping practices on City conservation land.

VII. ISSUES AROUND TOWN UPDATES

- Christina Street Bridge Feasibility Study: Staff are moving forward with VHB to perform the feasibility study.
- Beekeeping in Newton: Staff are part of discussions relating to the legality of beekeeping by private landowners in Newton.

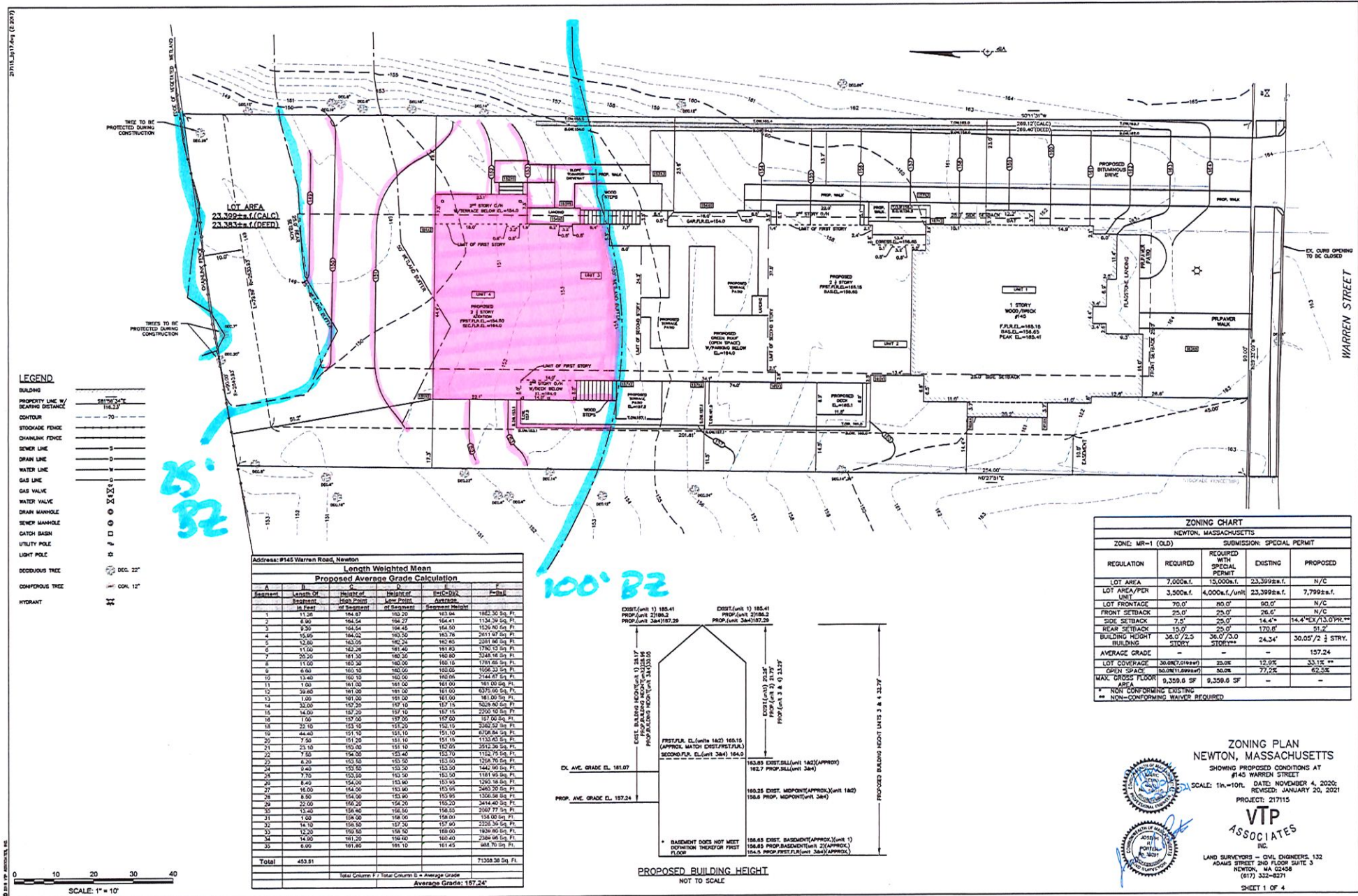
VIII. ADMINISTRATIVE UPDATES

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

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.

145 WARREN ST

PROPOSED CONDITIONS

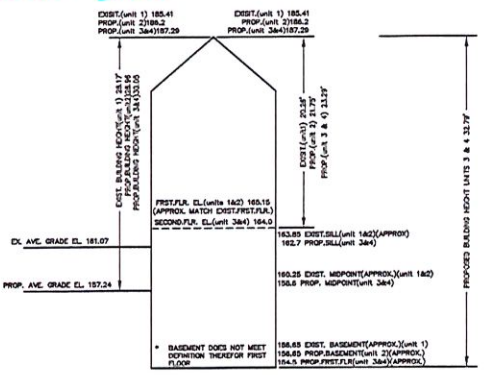


- LEGEND**
- BUILDING
 - PROPERTY LINE W/ SETBACK DISTANCE
 - CONTOUR
 - STOCKPILE FENCE
 - CHARMING FENCE
 - SEWER LINE
 - DRAIN LINE
 - WATER LINE
 - GAS LINE
 - GAS VALVE
 - WATER VALVE
 - DRAIN MANHOLE
 - SEWER MANHOLE
 - CATCH BASIN
 - UTILITY POLE
 - LIGHT POLE
 - DECIDUOUS TREE
 - CONIFEROUS TREE
 - HYDRANT

Address: #145 Warren Road, Newton

Length Weighted Mean Proposed Average Grade Calculation

A	B	C	D	E
Segment	Length of Segment	Height of High Point	Height of Low Point	Average
1	111.30	164.87	163.20	162.30 Sq. Ft.
2	6.90	164.54	164.27	164.41 1134.30 Sq. Ft.
3	2.30	164.54	164.45	164.50 1520.60 Sq. Ft.
4	15.69	164.02	163.30	163.76 2611.87 Sq. Ft.
5	12.50	163.05	162.20	162.63 2037.87 Sq. Ft.
6	8.50	162.08	161.40	161.83 1790.75 Sq. Ft.
7	20.20	161.30	160.30	160.80 3248.16 Sq. Ft.
8	17.00	160.30	160.00	160.15 2763.65 Sq. Ft.
9	6.60	160.10	160.00	160.05 1050.33 Sq. Ft.
10	13.40	160.10	160.00	160.05 2146.87 Sq. Ft.
11	1.80	161.10	161.00	161.05 811.00 Sq. Ft.
12	39.60	161.00	161.00	161.00 6378.60 Sq. Ft.
13	1.80	161.00	161.00	161.00 811.00 Sq. Ft.
14	32.00	157.20	157.10	157.15 5028.80 Sq. Ft.
15	14.50	157.20	157.10	157.15 2290.10 Sq. Ft.
16	7.50	157.00	157.00	157.00 1177.50 Sq. Ft.
17	22.10	155.10	155.20	155.15 3402.52 Sq. Ft.
18	44.40	155.10	155.10	155.10 6804.84 Sq. Ft.
19	7.50	151.20	151.10	151.15 1133.63 Sq. Ft.
20	23.10	150.00	151.10	150.55 3512.36 Sq. Ft.
21	7.50	154.00	153.40	153.70 1152.75 Sq. Ft.
22	8.20	153.50	153.20	153.35 1257.47 Sq. Ft.
23	9.40	153.50	153.20	153.35 1442.80 Sq. Ft.
24	7.50	153.20	153.20	153.20 1149.00 Sq. Ft.
25	8.40	154.00	153.90	153.95 1293.18 Sq. Ft.
26	16.00	154.00	153.90	153.95 2463.20 Sq. Ft.
27	8.50	154.00	153.90	153.95 1308.58 Sq. Ft.
28	32.00	155.20	154.20	154.70 4950.24 Sq. Ft.
29	15.40	156.00	156.50	156.25 2397.75 Sq. Ft.
30	1.80	154.00	154.00	154.00 811.00 Sq. Ft.
31	14.10	156.50	157.30	156.90 2220.36 Sq. Ft.
32	12.00	156.50	157.30	156.90 1882.80 Sq. Ft.
33	14.40	161.20	159.80	160.50 2203.20 Sq. Ft.
34	6.00	161.80	161.45	161.63 849.78 Sq. Ft.
35				
Total	453.81			71308.38 Sq. Ft.
Total Column F / Total Column E = Average Grade				Average Grade: 157.24'



ZONING CHART

NEWTON, MASSACHUSETTS

REGULATION	REQUIRED	EQUIPPED WITH SPECIAL PERMIT	EXISTING	PROPOSED
LOT AREA	7,000s.f.	15,000s.f.	23,399s.f.	N/C
LOT AREA/PER UNIT	3,500s.f.	4,000s.f./unit	23,399s.f.	7,799s.f.
LOT FRONTAGE	70.0'	80.0'	60.0'	N/C
FRONT SETBACK	25.0'	25.0'	26.0'	14.4'x13.0'PR.**
SIDE SETBACK	7.5'	25.0'	14.4'	11.2'
REAR SETBACK	15.0'	25.0'	11.2'	11.2'
BUILDING HEIGHT	36.0'/2.5 STORY	36.0'/3.0 STORY	24.34'	30.05'/2.5 STORY
AVERAGE GRADE	-	-	-	157.24
LOT COVERAGE	30.0%(1.5over)	30.0%	12.9%	33.1% **
OPEN SPACE	30.0%(1.5over)	60.0%	77.2%	62.3%
MAX. GROSS FLOOR AREA	9,309.6 SF	9,309.6 SF	-	-

* NON CONFORMING EXISTING
** NON-CONFORMING WAIVER REQUIRED

ZONING PLAN
NEWTON, MASSACHUSETTS

SHOWING PROPOSED CONDITIONS AT #145 WARREN STREET

SCALE: 1/4"=10'-0". DATE: NOVEMBER 4, 2020; REVISION: JANUARY 20, 2021

PROJECT: 217115

VTP ASSOCIATES INC.

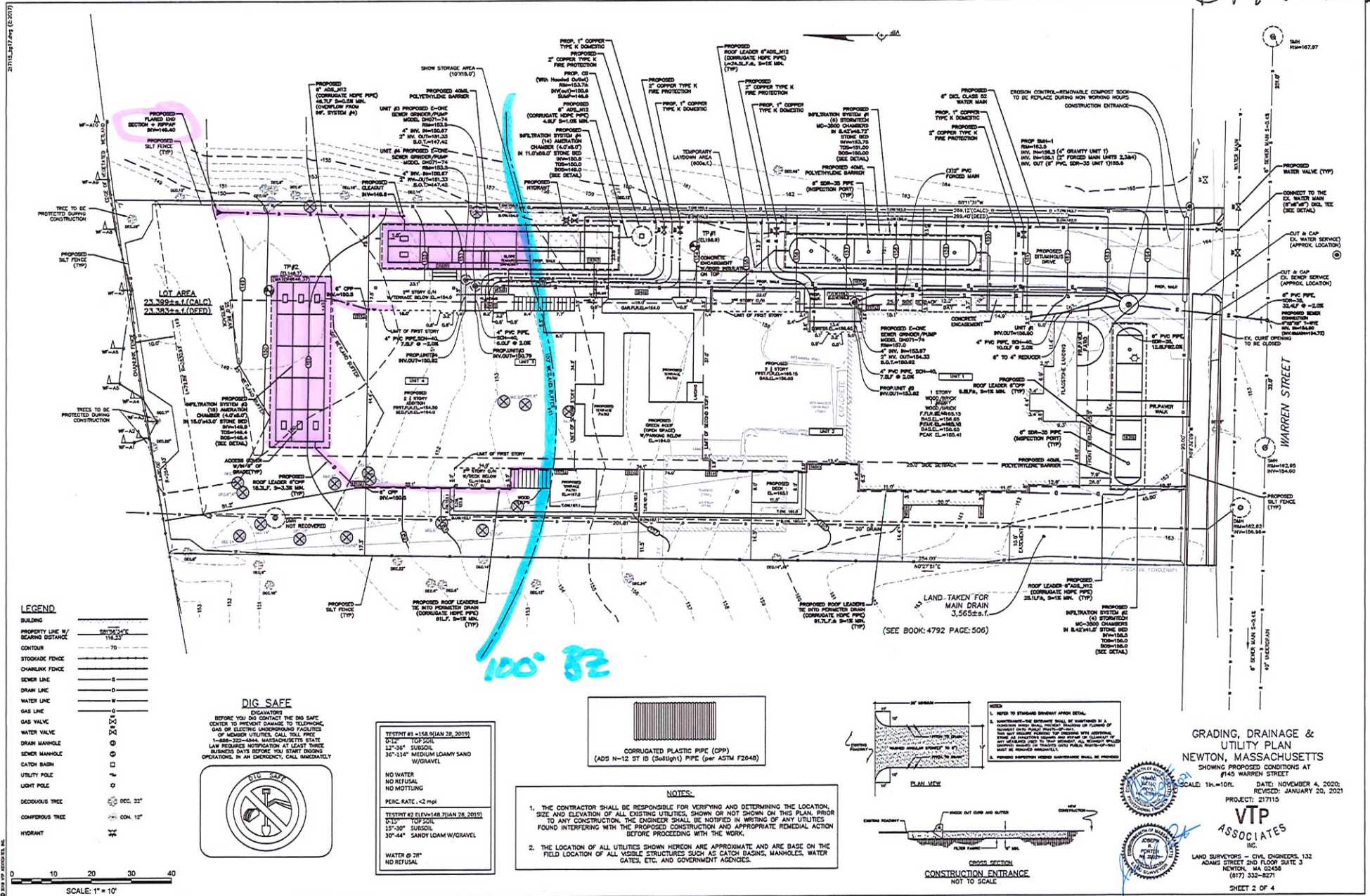
LAND SURVEYORS - CIVIL ENGINEERS 132 ADAMS STREET 2ND FLOOR SUITE 3 NEWTON, MA 02458 (617) 332-8271

SHEET 1 OF 4

for 2/18/21

145 WARREN ST

PROPOSED DRAINAGE



100' 5/2'

LEGEND

BUILDING	---
PROPERTY LINE W/ SCARING DISTANCE	---
CONTOUR	---
STOCKADE FENCE	---
CHAINLINK FENCE	---
SEWER LINE	---
DRAIN LINE	---
WATER LINE	---
GAS LINE	---
GAS VALVE	⊗
WATER VALVE	⊗
DRAIN MANHOLE	⊗
SEWER MANHOLE	⊗
CATCH BASIN	⊗
UTILITY POLE	⊗
LIGHT POLE	⊗
DECIDUOUS TREE	⊗
CONIFEROUS TREE	⊗
HYDRANT	⊗

DIG SAFE

CAUTION: BEFORE YOU DO CONTACT THE DIG SAFE CENTER TO PREVENT DAMAGE TO TELEPHONE, GAS OR ELECTRIC UNDERGROUND FACILITIES OF NEIGHBOR UTILITIES, CALL TOLL FREE 1-888-333-3444. MASSACHUSETTS STATE LAW REQUIRES NOTIFICATION AT LEAST THREE BUSINESS DAYS BEFORE YOU START DIGGING OPERATIONS. IN AN EMERGENCY, CALL IMMEDIATELY.

TESTITY #1 ±158 (JUN 29, 2010)	12" TO 20"
TESTITY #2 ±148 (JUN 28, 2010)	12" TO 30"
TESTITY #3 ±148 (JUN 28, 2010)	15" TO 30"
TESTITY #4 ±148 (JUN 28, 2010)	30" TO 44"

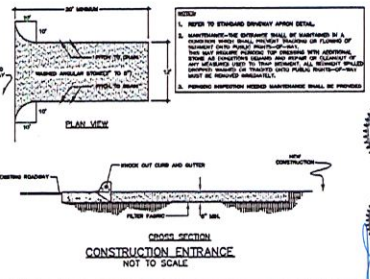
NO WATER
NO REFUSAL
NO MOTTLING

PERC. RATE: <2 mph

WATER @ 20"
NO REFUSAL



- NOTES:**
1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING AND DETERMINING THE LOCATION, SIZE AND ELEVATION OF ALL EXISTING UTILITIES, SHOWN OR NOT SHOWN ON THIS PLAN, PRIOR TO ANY CONSTRUCTION. THE ENGINEER SHALL BE NOTIFIED IN WRITING OF ANY UTILITIES FOUND INTERFERING WITH THE PROPOSED CONSTRUCTION AND APPROPRIATE REMEDIAL ACTION BEFORE PROCEEDING WITH THE WORK.
 2. THE LOCATION OF ALL UTILITIES SHOWN HEREON ARE APPROXIMATE AND ARE BASED ON THE FIELD LOCATION OF ALL VISIBLE STRUCTURES SUCH AS CATCH BASINS, MANHOLES, WATER GATES, ETC. AND GOVERNMENT AGENCIES.



GRADING, DRAINAGE & UTILITY PLAN
NEWTON, MASSACHUSETTS
SHOWING PROPOSED CONDITIONS AT
#145 WARREN STREET

SCALE: 1in.=10ft. DATE: NOVEMBER 4, 2020; REVISD: JANUARY 20, 2021

PROJECT: 27115
VTP ASSOCIATES
INC.

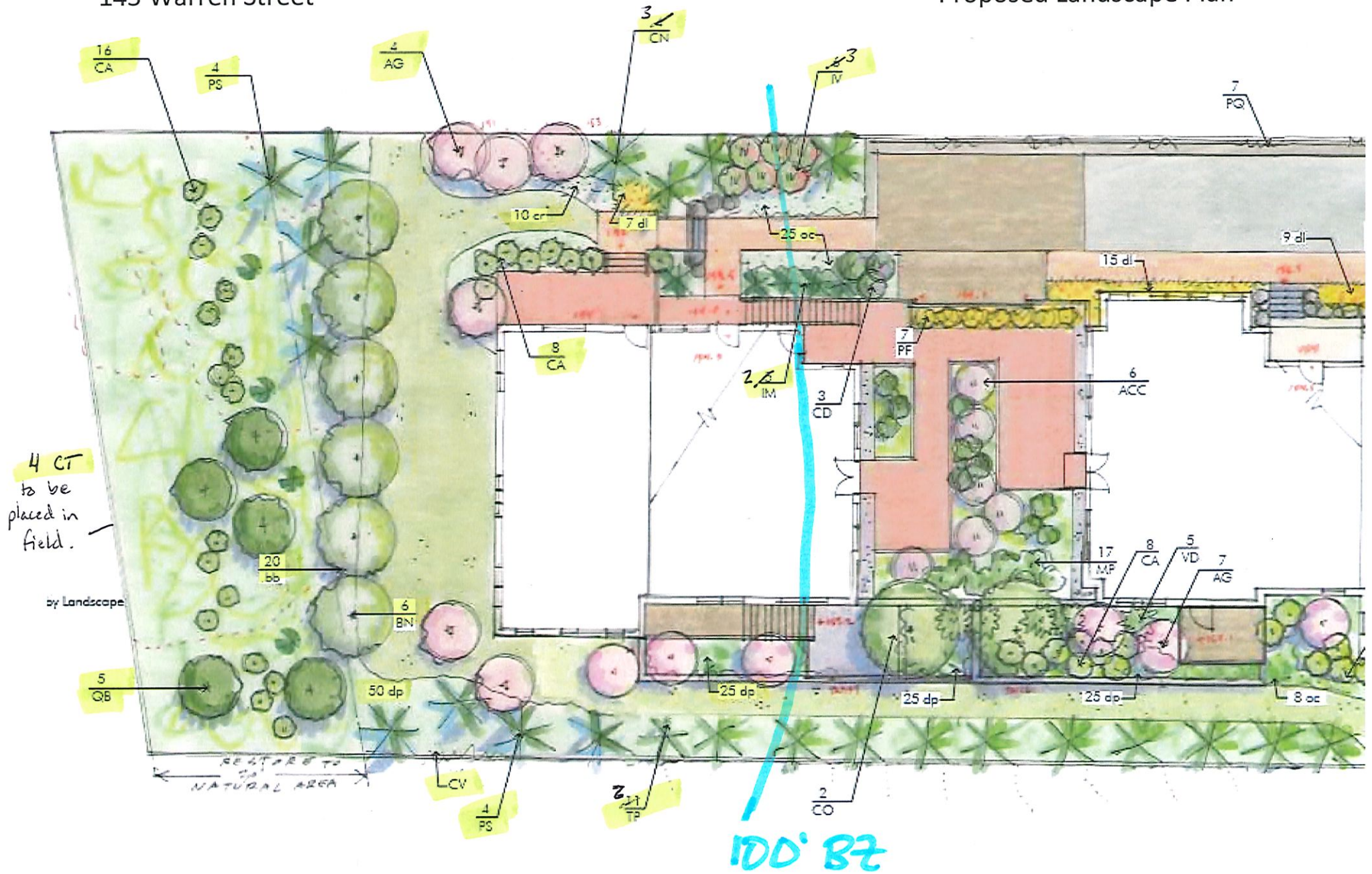
LAND SURVEYORS & CIVIL ENGINEERS, 132 ADAMS STREET 2ND FLOOR SUITE 3 NEWTON, MA 02458 (617) 332-8271

SHEET 2 OF 4

for 2/18/21

145 Warren Street

Proposed Landscape Plan



For the 2/18/21 meeting

145 Warren Street

PROPOSED PLANT LIST

Within
Jurisdiction

Trees:	Latin Name	Common Name	Min. Size	Subtotal"
4	AS Acer sacharum	Sugar Maple	3-3.5" cal. B&B 3.5" cal.	14"
9	AG Amelanchier grandiflora 'Autumn Brilliance'	Serviceberry	8-10' ht. B&B 3" cal.	51"
6	BN Betula nigra 'Heritage'	River Birch	3.5" cal. B&B 3.5" cal.	21"
2	CO Celtis occidentalis	Hackberry	3.5" cal. B&B 3.5" cal.	7"
4	CT Chamaecyparis thyoides	Atlantic White Cedar	7'-8' ht. B&B 2.5" cal.	10"
3	CN Chamaecyparis nookatensis 'Pendula'	Weeping Alaskan Cedar	8-10' ht. B&B 4" cal.	16"
8	PS Pinus strobus	White Pine	8-10' ht. B&B 4" cal.	32"
5	QB Quercus bicolor	Swamp White Oak	1.5-2" cal. B&B 2" cal.	10"
2	TP Thuja plicata x 'Green Giant'	Green Giant Cedar	8-10' ht. B&B 4" cal.	44"

Total Caliper Inches of replacement trees: 205"

Shrubs and Vines:

6	ACC Amelanchier canadensis	Shadblow	6'-7' B&B
24	CA Clethra alnifolia	Summersweet	3 gal.
4	BD Buddaleia davidii 'Purple Haze'	Butterfly Bush	3 gal.
3	CD Callicarpa dichotoma	Beauty Bush	3 gal.
1	CV Clematis virginicus	Virgins Bower Vine	2 gal.
4	H Hydrangea arborescens	Smooth Hydrangea	3 yr. pots
2	IM Ilex x meservea 'Meschick'	Dragon Lady Holly	3-3.5' cal. B&B
3	IV Ilex verticillata 'Winter Red'	Winterberry Holly	3'-4' B&B
17	ILH Itea virginica 'Little Henry'	Dwarf Itea	3 gal.
17	MP Myrica pennsylvanica	Bayberry	3 gal.
7	PQ Parthenocissus quinquefolia	Woodbine	2 gal.
7	PF Potentilla fruticosa	Goldfinger Yellow Potentilla	3 gal.
6	VD Viburnum dentatum	Arrowwood Viburnum	3'-4' ht. B&B

Perennials:

37	cid Carex morrowii 'Ice Dance'	White Variegated Sedge	1 gal.
10	cr Actaea racemosa 'Atropurpurea'	Purple Snakeroot	1 gal.
75	dp Dennstaedtia punctilobula	Hayscented fern	1 gal.
7	dl Hemerocallis 'Hyperion'	Daylily	1 gal.
20	bb Monarda 'Cambridge Scarlet'	Bee Balm	1 gal.
14	nf Nepeta faassenii 'Blue Wonder'	Catmint	1 gal.
25	oc Osmunda cinnamomea	Cinnamon Fern	2 gal.

Landscape Architect shall place plants within natural area. This includes the Chamaecyparis thyoides, Quercus bicolor and Monarda.

Seed all disturbed areas within natural area with New England Erosion Control/Restoration Mix For Detention Basins and Moist Sites - available from newp.com

Seed shaded lawn areas with:

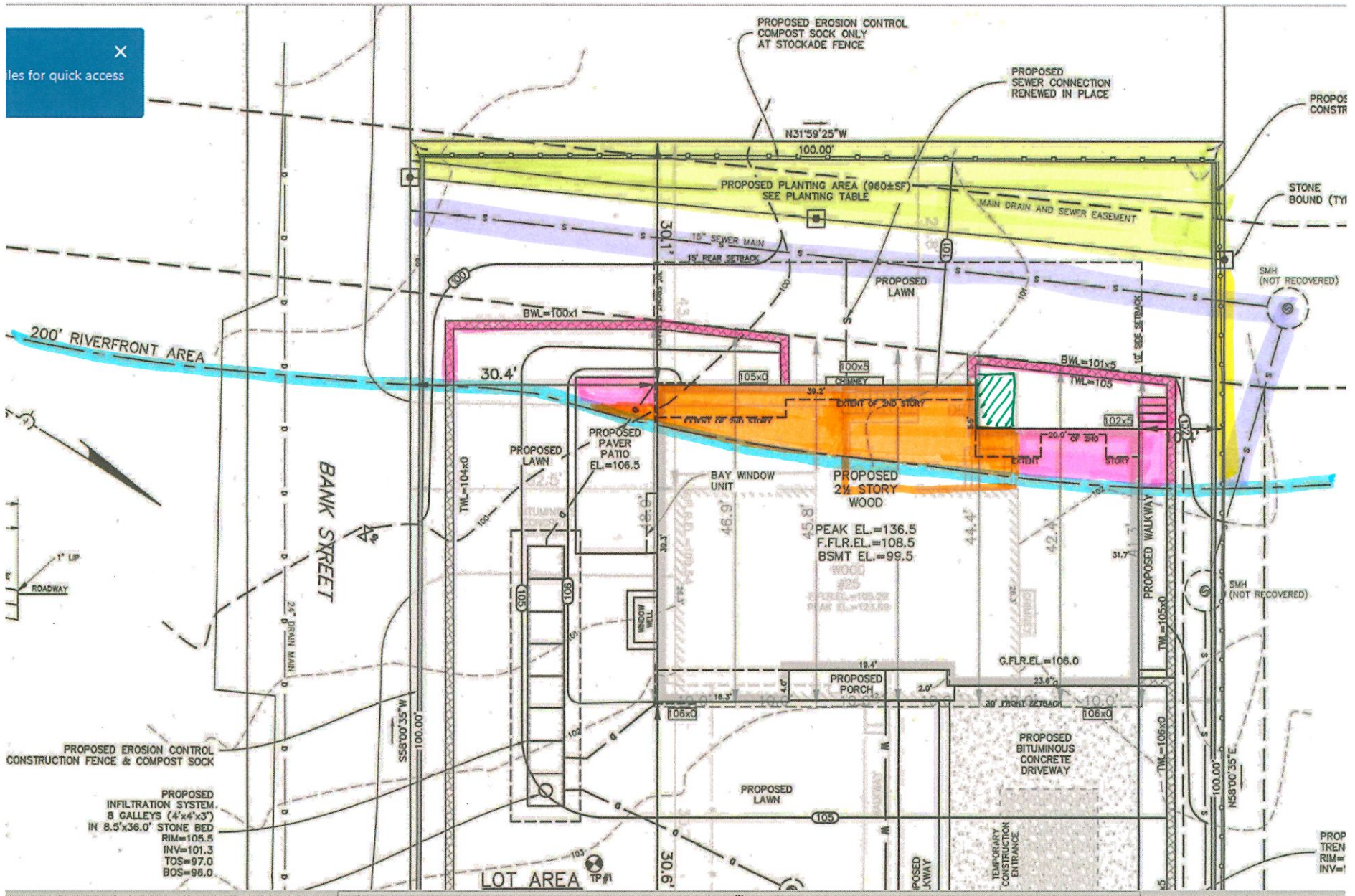
Tall Fescue	33%
Chewings Fescue	33%
Red Fescue	33%

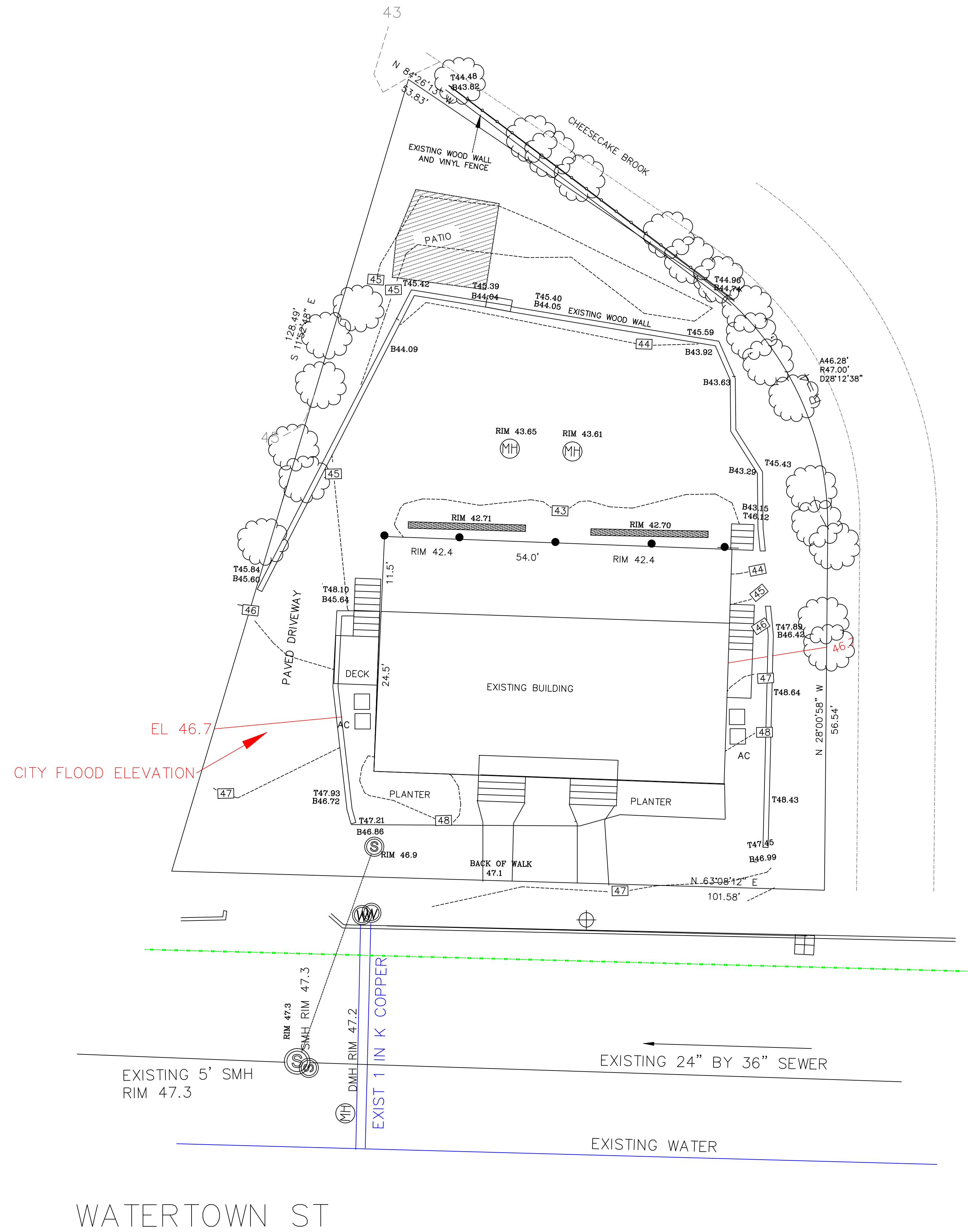
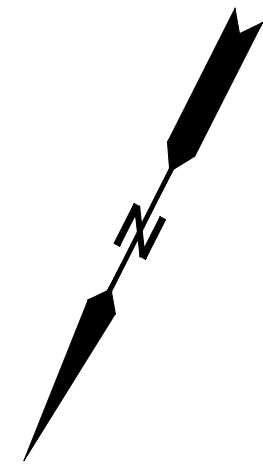
Seed sunny lawn areas with:

Reliant Hard Fescue	40%
Jamestown II Chewings Fescue	40%
Palmer II perennial ryegrass	20%

25 BERNARD ST - PROPOSED CONDITIONS

X
 les for quick access

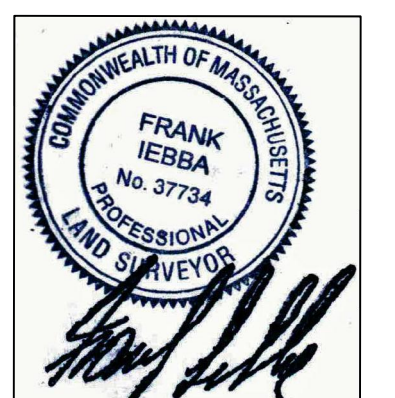




AREA: 8855 SF +/-
 LOT COVER: 22 %
 OPEN SPACE: 50.5 %

LEGEND

- EXIST WATER GATE
- EXIST UTILITY POLE
- EXIST STREET SIGN
- SEWER MANHOLE
- EXIST GAS TRAP MANHOLE
- EXISTING TREE
- T45.59 TOP OF WALL ELEVATION
- B43.92 BOTTOM OF WALL ELEVATION
- EXISTING VINYL FENCE
- TRENCH DRAIN



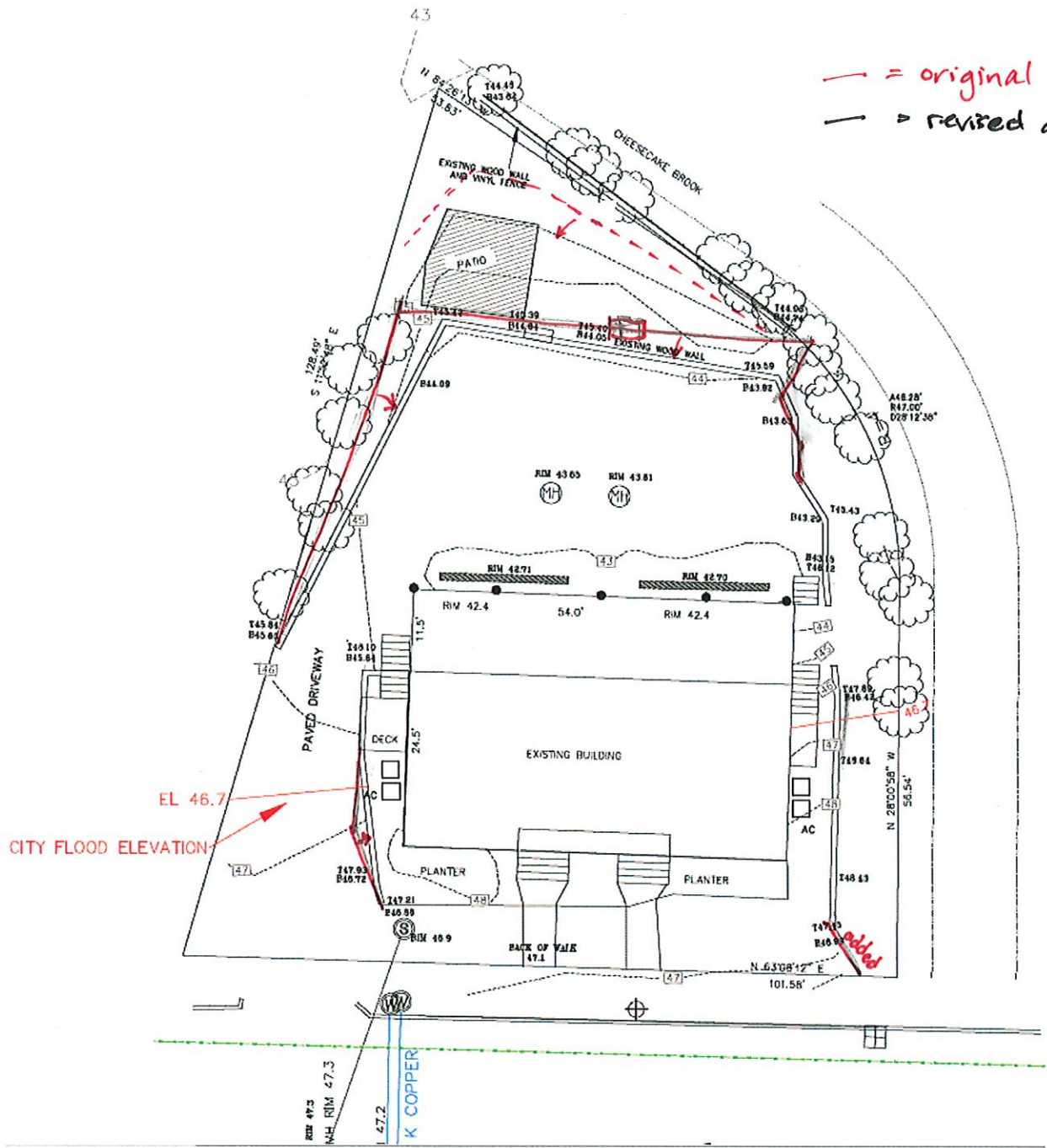
TOPOGRAPHIC PLAN
 DEP ORDER 239-479
 942 WATERTOWN STREET
 NEWTON, MA.
 SCALE: AS NOTED
 JAN 28, 2021
 FEB 4, 2021 (FIELD CORRECTIONS)

ESSEX ENGINEERING & SURVEY
 PO BOX 650217 WEST NEWTON
 MA. 02465

617-797-7342

ESSEX1@VERIZON.NET

--- = original as-built
--- = revised as-built

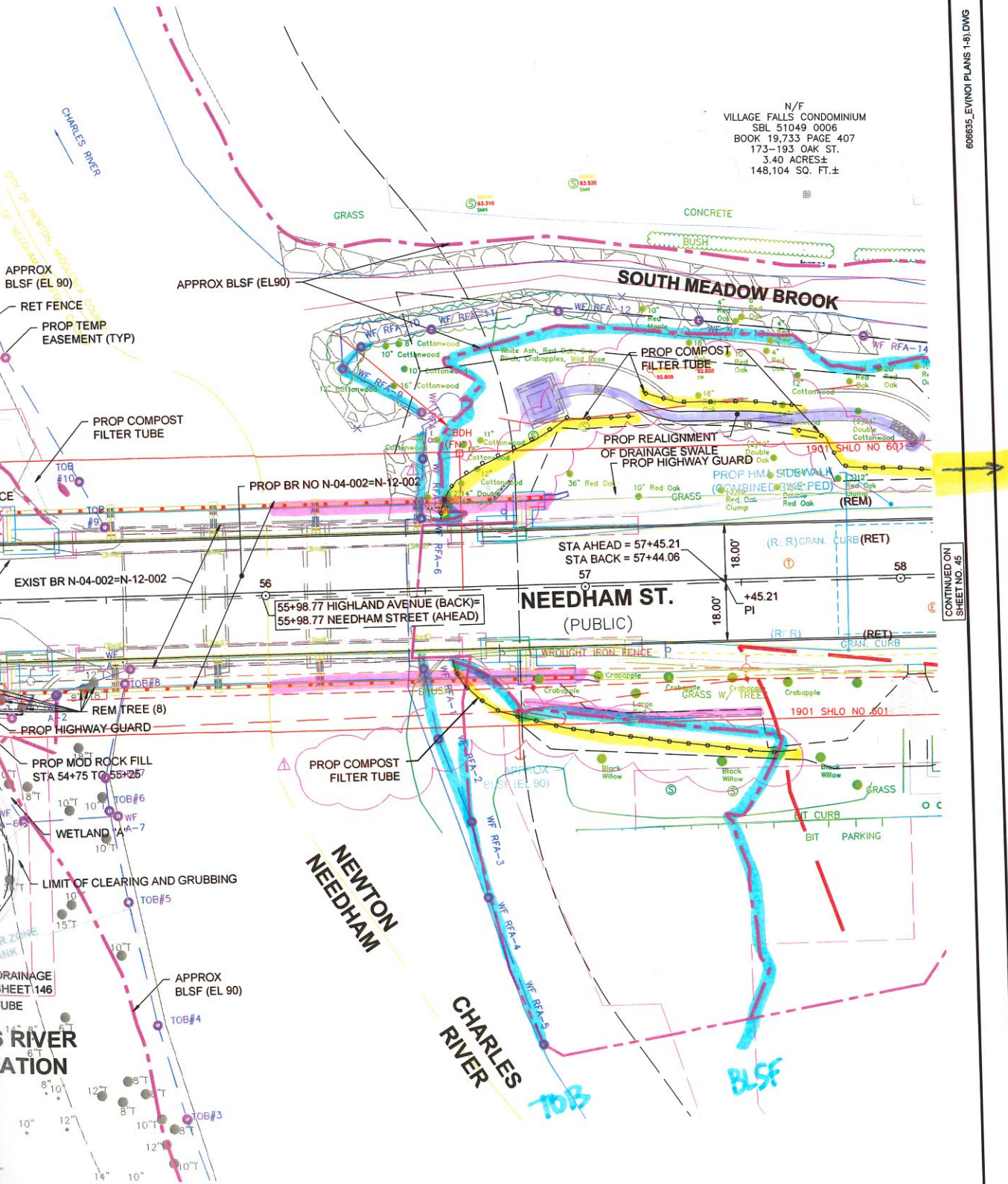


NEEDHAM / NEWTON
HIGHLAND AVENUE / NEEDHAM STREET

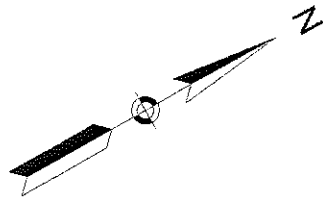
STATE	FED. AID PROJ. NO.	SHEET NO.	TOTAL SHEETS
MA		44	412
PROJECT FILE NO.		606635	

CONSTRUCTION PLANS
PART 7 OF 18

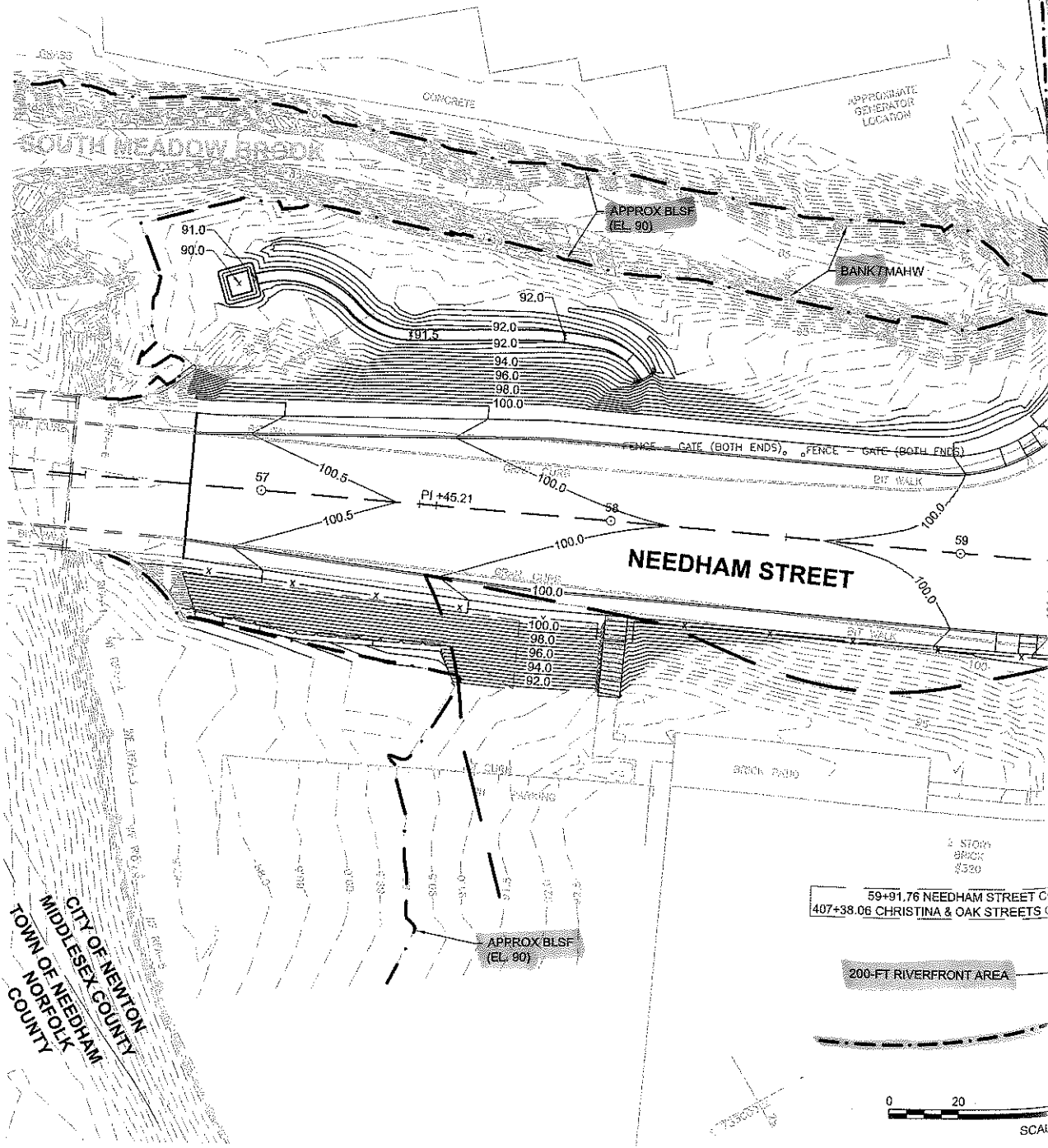
Plotted on 4-01-2018 9:24 AM



CONTINUED ON
SHEET NO. 45



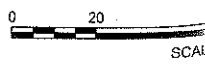
NOTE:
THE INTENT OF THIS PLAN IS TO CONVEY THE OVERALL INTERSECTION
GRADING CONCEPT. FOR PROPOSED SWALE DETAILS SEE SHEETS 18 - 20



CITY OF NEWTON
MIDDLESEX COUNTY
TOWN OF NEEDHAM
NORFOLK COUNTY

59+91.76 NEEDHAM STREET CO
407+38.06 CHRISTINA & OAK STREETS CO

200-FT RIVERFRONT AREA



SCALE

Proposal for Orienteering at Kennard on Conservation Land

Channon Ames, Recreation Manager, Newton Parks, Recreation & Culture

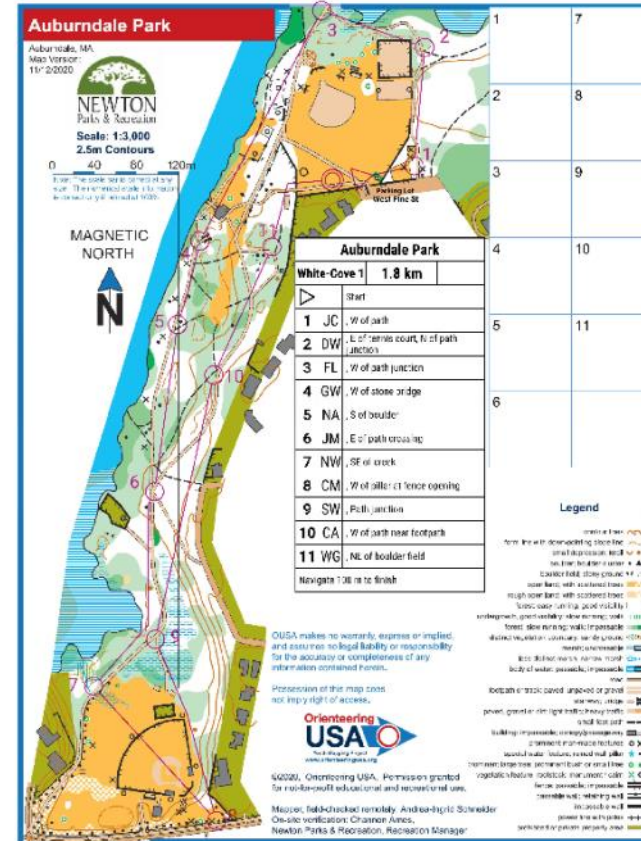
Newton Parks, Recreation & Culture hopes to make Kennard Park the 3rd course in our Beginner Orienteering Series. The goal of the beginner orienteering series is to teach beginners the skills needed to participate in the sport of orienteering while providing physical and educational opportunities in our parks. Courses are designed for beginners to build on their orienteering skills as they progress through the 5 courses. You can find out more about our orienteering program by going to:

<https://www.newtonma.gov/government/parks-recreation-culture/recreation-programs/orienteering>

1. Auburndale Park - our first and easiest course designed to build confidence in orienteering. It allows users to become familiar with reading an orienteering map and following trails to find control markers throughout the park. This is a great course to practice orienting and thumbing the map. 9 of the 11 markers are on an accessible route.
2. Cold Spring Park - helps to improve map reading skills. There are several connecting trails that make correctly reading and following the map important. This is a good course for beginners to start understanding map scale and pace, and controlling speed.
3. Kennard Park - includes a lot of different landform features on the map which lends itself to the introduction of control description symbols to the map. Moving a few controls off of the trails helps beginners to start to look for controls vs happening upon them.
4. Nahanton Park - this large park has open fields, meadows, wooded trails and a variety of different routes and encourages beginners to start to learn how to use a compass with an orienteering map.
5. Edmands Park - this course is an advanced beginner course with varied terrain, interconnecting trails and controls located on and off the trails. Additional orienteering skills such as aiming off and attack points help beginners to plan a better route.

The sport of orienteering uses a detailed map to find controls located throughout a course. Our courses use permanent markers that include a wooden post with a control punch, a control sign, and a QR code sign. Courses are being installed by local scouts as part of their Eagle Scout project.

Sample Orienteering Map



Sample post with control punch and signs



**Auburndale Park
Orienteering Course**

Eagle Scout Project by
Cam Dioun Troop 209

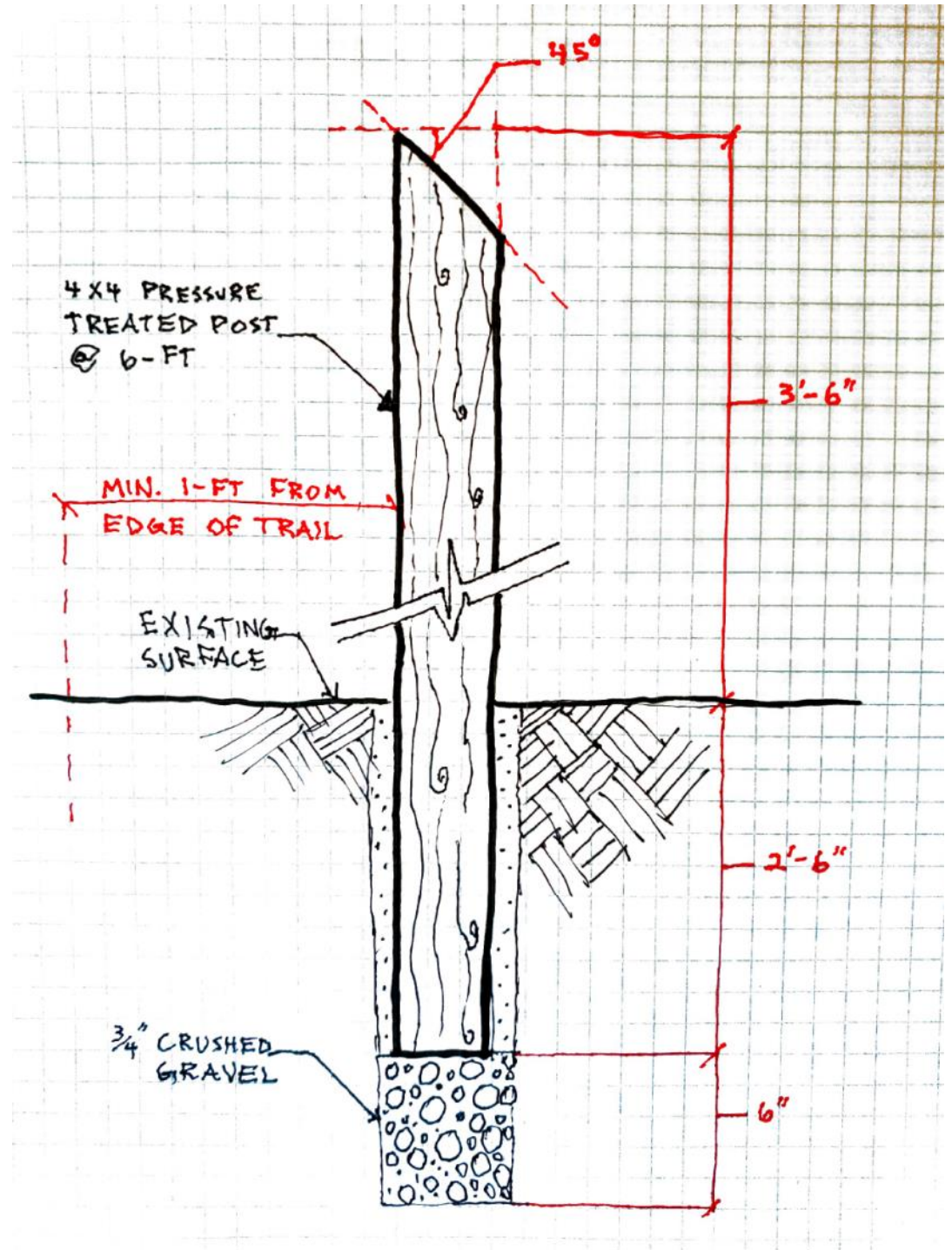


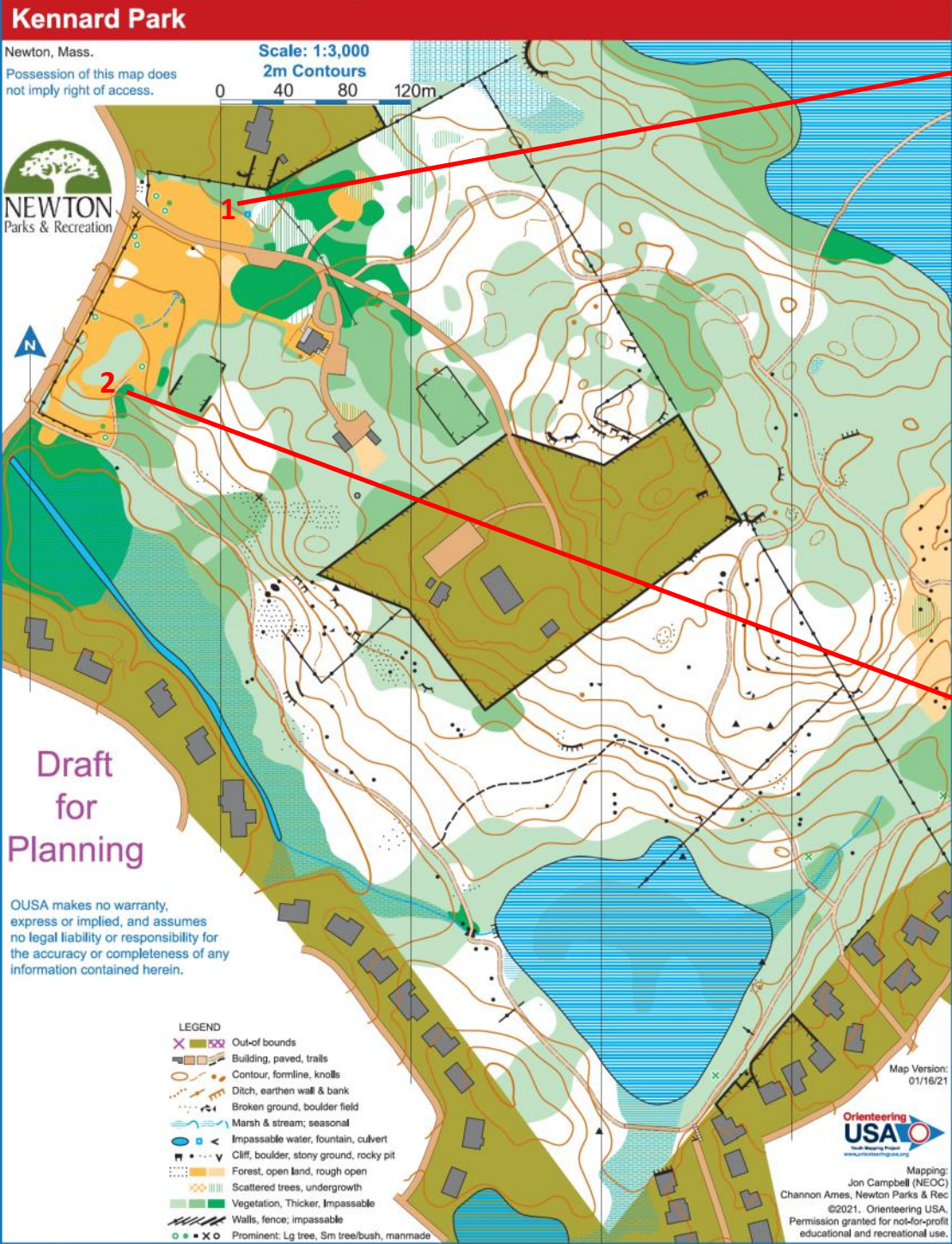
Post Installation Information:

Posts are 4"x4"x6' pressure treated wooden posts.

A hole is dug 3' into the ground. 3/4" crushed gravel is then added into the hole to a depth of 6" to assist with drainage. The post is inserted then dirt and stones removed from the hole is backfilled into the hole to stabilize the post. A level is used to make sure the post is straight and a tamper helps to pack down the dirt into the hole.

The control punch is screwed onto the 45 degree angle at the top of the post. The control sign and QR code sign are screwed in on the front of the post.





Marker 1

West of well in northwest corner of park



Marker 2

On pre-existing post with signs for renaturalization at start of trail



Kennard Park

Newton, Mass.

Possession of this map does not imply right of access.

Scale: 1:3,000
2m Contours

0 40 80 120m



Draft for Planning

OUSA makes no warranty, express or implied, and assumes no legal liability or responsibility for the accuracy or completeness of any information contained herein.

LEGEND

- Out-of bounds
- Building, paved, trails
- Contour, formline, knolls
- Ditch, earthen wall & bank
- Broken ground, boulder field
- Marsh & stream; seasonal
- Impassable water, fountain, culvert
- Cliff, boulder, stony ground, rocky pit
- Forest, open land, rough open
- Scattered trees, undergrowth
- Vegetation, Thicker, Impassable
- Walls, fence, impassable
- Prominent: Lg tree, Sm tree/bush, manmade

Map Version: 01/18/21



Mapping:
Jon Campbell (NEOC)
Channon Ames, Newton Parks & Rec
©2021. Orienteeing USA.
Permission granted for not-for-profit educational and recreational use.

Marker 3

East of trail,
west of
boulders
North of
stony ground

Option 1

15 feet off of
trail

Option 2 not pictured

Somewhere
between 2
and 15 feet
off of trail

Option 3

2 feet off of
trail



Kennard Park

Newton, Mass.

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Scale: 1:3,000
2m Contours

0 40 80 120m



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- Walls, fence, impassable
- Prominent: Lg tree, Sm tree/bush, manmade

Map Version: 01/16/21



Mapping:
Jon Campbell (NEOC)
Channon Ames, Newton Parks & Rec
©2021. Orienteeing USA.
Permission granted for not-for-profit educational and recreational use.

Marker 4

2 feet West of trail
West of cliff
Northwest of boulder field



Marker 7

2 feet West of trail
south of depression
East of fallen tree with big root stock



Kennard Park

Newton, Mass.

Possession of this map does not imply right of access.

Scale: 1:3,000
2m Contours

0 40 80 120m



Draft for Planning

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- Prominent: Lg tree, Sm tree/bush, manmade

Map Version: 01/16/21



Mapping:
Jon Campbell (NEOC)
Channon Ames, Newton Parks & Rec
©2021. Orienteering USA.
Permission granted for not-for-profit educational and recreational use.

Marker 5

North of trail, East of bridge, southwest of dam

Option 1

10 feet off of trail

Option 2

not pictured

Somewhere between 2 and 10 feet off of trail

Option 3

2 feet off of trail



Kennard Park

Newton, Mass.

Possession of this map does not imply right of access.

Scale: 1:3,000
2m Contours

0 40 80 120m



Draft for Planning

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- Out-of bounds
- Building, paved, trails
- Contour, formline, knolls
- Ditch, earthen wall & bank
- Broken ground, boulder field
- Marsh & stream; seasonal
- Impassable water, fountain, culvert
- Cliff, boulder, stony ground, rocky pit
- Forest, open land, rough open
- Scattered trees, undergrowth
- Vegetation, Thicker, Impassable
- Walls, fence, impassable
- Prominent: Lg tree, Sm tree/bush, manmade

Map Version: 01/16/21

Orienteering USA
www.orienteingusa.org
Mapping:
Jon Campbell (NEOC)
Channon Ames, Newton Parks & Rec
©2021. Orienteering USA.
Permission granted for not-for-profit educational and recreational use.

Marker 6

Northwest of trail, Southeast of spur, southeast of knoll

Option 1

18 feet off of trail

Option 2
not pictured

Somewhere between 6 and 18 feet off of trail

Option 3

6 feet off of trail



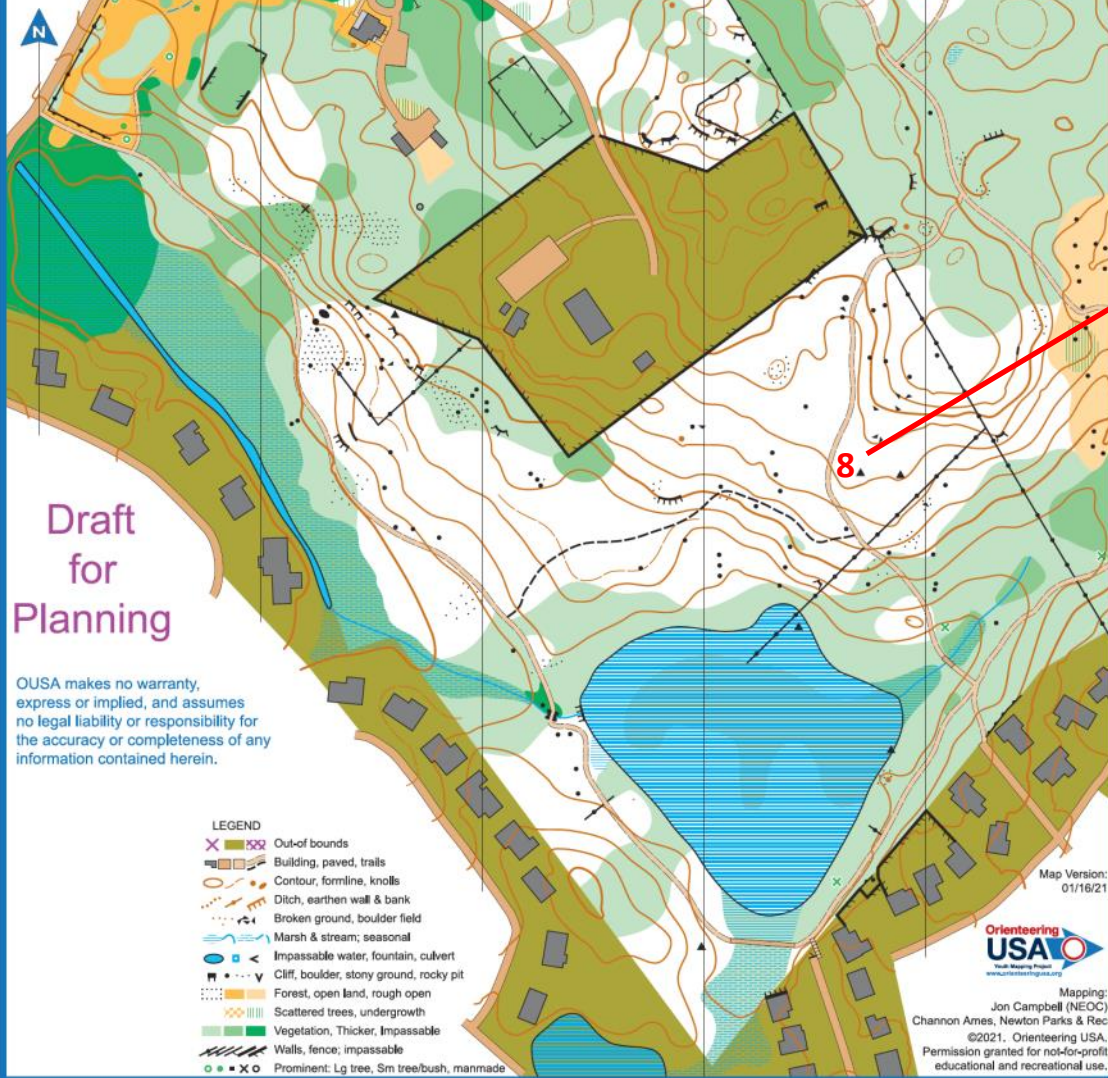
Kennard Park

Newton, Mass.

Possession of this map does not imply right of access.

Scale: 1:3,000
2m Contours

0 40 80 120m



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LEGEND

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Marker 8

East of trail,
West of
boulder
cluster

Option 1

12 feet off of
trail

Option 2
not pictured

Somewhere
between 2
and 12 feet
off of trail

Option 3

2 feet off of
trail



Kennard Park

Newton, Mass.

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Scale: 1:3,000
2m Contours

0 40 80 120m



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Map Version:
01/16/21



Mapping:
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Marker 9

Northwest of
trail, lower
part of cliff,
West of
stonewall

Option 1

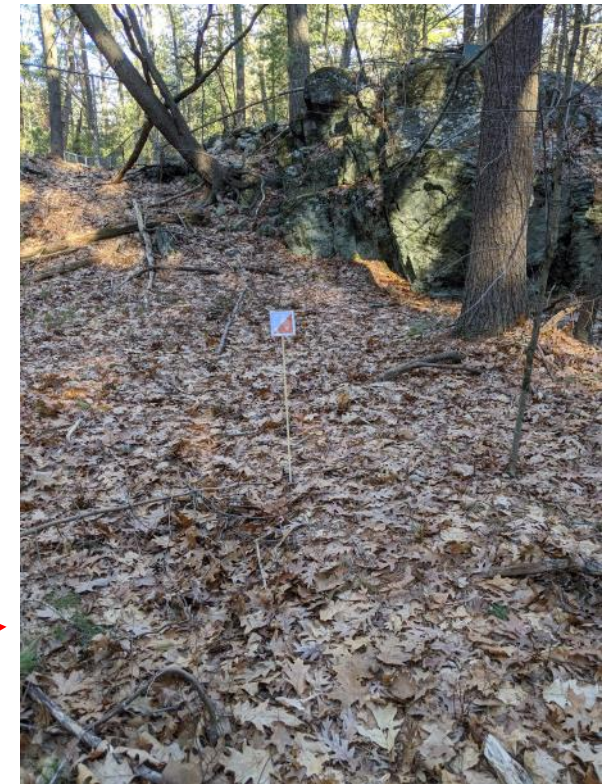
12 feet off of
trail

Option 2 not pictured

Somewhere
between 2
and 12 feet
off of trail

Option 3

2 feet off of
trail



Kennard Park

Newton, Mass.

Possession of this map does not imply right of access.

Scale: 1:3,000
2m Contours

0 40 80 120m



Draft
for
Planning

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Map Version:
01/16/21



Mapping:
Jon Campbell (NEOC)
Channon Ames, Newton Parks & Rec
©2021, Orienteering USA.
Permission granted for non-for-profit
educational and recreational use.

Marker 10

4 feet East
of trail

West of
stonewall,
North of hill



Marker 11

2 feet North
of trail



Marker 12

Southwest
corner of
building,
Northwest of
knoll



IOF Control Descriptions 2018

This is a summary of the IOF pictorial control descriptions. Full details can be obtained from the IOF web site at <http://www.orienteering.org>

A	B	C	D	E	F	G	H
1	123	↓	○	●	15 x 5	○	☐

- A Control number
- B Control code
- C Which of any similar feature
- D Control feature
- E Appearance
- F Dimensions/combinations/bend
- G Location of control flag
- H Other information

C - Which Feature

- Northern
- Upper
- Lower
- Middle

D - Control Feature

See below.

E - Appearance

- Low
- Shallow
- Deep
- Overgrown
- Open
- Rocky, Stony
- Marshy
- Sandy
- Needle leaved
- Broad leaved
- Ruined

G - Location of Flag

- West Side
- South East Edge
- East Part
- South West Corner (inside)
- North Corner (outside)
- North West Tip
- South East End
- Upper Part
- Lower Part
- Top
- Foot
- North East Foot
- Beneath
- Between

F - Dimensions

- Height or Depth
- Size
- Height on slope
- Heights of two features
- Crossing
- Junction
- Bend

H - Other Information

- First aid post
- Refreshment point
- Manned control

- Distance to Start Triangle from point of timed start
- Follow Taped Route away from control
- Follow Taped Route between controls
- Mandatory crossing point or points
- Mandatory passage through out of bounds area
- Follow Taped Route to Map Exchange
- Follow Taped Route to Finish
- Navigate to Finish Funnel, then follow tapes
- Navigate to Finish, no tapes

Land forms

- Terrace
- Spur
- Re-entrant
- Earth bank
- Quarry
- Earth wall
- Erosion gully
- Small erosion gully
- Hill
- Knoll
- Saddle
- Depression
- Small depression
- Pit
- Broken ground
- Ant hill, Termite mound

Rock and boulders

- Cliff, Crag
- Rock pillar
- Cave
- Boulder
- Boulder field
- Boulder cluster
- Stony ground
- Bare rock
- Narrow passage
- Trench

Water and marsh

- Lake
- Pond
- Waterhole
- River, Stream, Watercourse
- Minor water channel, Ditch
- Narrow marsh
- Marsh
- Firm ground in marsh
- Well
- Spring
- Water tank, Water trough

Vegetation

- Open land
- Semi-open land
- Forest corner
- Clearing
- Thicket
- Linear thicket
- Vegetation boundary
- Copse
- Prominent tree
- Root stock, Tree stump



Maprunner
www.maprunner.co.uk
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Man-made features

- Road
- Track, Path
- Ride
- Bridge
- Power line
- Power line pylon
- Tunnel
- Wall
- Fence
- Crossing point
- Building
- Paved area
- Ruin
- Pipeline, Bobsleigh track
- Tower, Pylon
- Shooting platform
- Boundary stone, Cairn
- Fodder rack
- Platform
- Monument, Statue
- Canopy
- Stairway
- Out of bounds area

Special features

- Special item
- Special item

CONSERVATION COMMISSION MINUTES

Date: January 28, 2021

Time: 7:03pm – 9:30pm

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

<https://us02web.zoom.us/j/8429428454>

With a quorum present, the meeting opened at 7:03pm Dan Green presiding as Chair.

Members Present: Susan Lunin, Leigh Gilligan, Kathy Cade, Judy Hepburn

Members Absent: Jeff Zabel and Ellen Katz

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. 145 Warren Street – cont'd NOI – renovation and additional units onto single-family home – DEP File #239-882

- **Owner/Applicant:** David Oliveri, Norton Point Warren St LLC **Representative:** John Rockwood, EcoTec, Inc.
- **Request:** Continue hearing to 2/18/21.
- **Documents Presented:** Colored plans, site photos, draft OOC
- **Jurisdiction:** Buffer Zone
- **Project Summary**
 - Demolition of existing detached garage, renovation of the existing single-family home and construction of 3 additional units on the lot.
 - Stormwater management includes several infiltration systems, both in and out of Commission jurisdiction. The proposed system also includes an overflow outlet with a flared end within the 25' Buffer Zone.
 - An increase of 5,376 s.f. of impervious area is proposed over existing conditions for the entire lot. This proposal represents a decrease in impervious area of 607s.f. from the currently approved plans. The new total increase of impervious area within Commission jurisdiction is 2,660 s.f.
 - Proposed to be removed within ConCom jurisdiction are 17 of trees (10 of those over 8 caliper inches) totaling 131 caliper inches.
 - Proposed to be removed from the mitigation planting area are invasive Norway maple saplings and bush honeysuckles.
 - The mitigation planting plan within jurisdiction includes 35 saplings (both canopy and understory), 30 shrubs, and 55 1-gallon perennials.
- **Discussion:** No revised materials were received. The applicant has requested a continuation.
- **Vote:** To accept continuation request to the 2/18/21 Conservation Commission meeting. [Motion: Susan Lunin; Second: Leigh Gilligan; Roll-call vote: Gilligan (aye), Green (aye), Lunin (aye), Hepburn (aye), Cade (aye). Vote 5:0:0]

2. 116 Upland Avenue – Compliance Discussion – enclosure of deck – DEP File #239-824

- **Owner/Applicant:** Ilya Zvenigorodskiy
- **Request:** Vote on plan to bring site into compliance.
- **Jurisdiction:** BLSF
- **Presentation (Dan Green, Chair) and Discussion:** The Chair met with the homeowner on site and discussed options. The homeowner is developing a plan, but due to the timing of the meeting with the Chair, he was not prepared for this meeting. The homeowner requests that the conversation be continued at the 2/18/21 meeting.
- **Consensus:** Continue the discussion to the 2/18/21 meeting.

3. 942-944 Watertown Street – Compliance Discussion – new duplex – DEP File #239-427

- **Owner/Applicant:** Janet Edsall Fields **Representative:** Stephen Fields
- **Request:** Determine how unapproved changes made to site should be mitigated in order to bring the site into compliance for a Certificate of Compliance.



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

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- Jurisdiction: Buffer Zone, Riverfront Area, BLSF, City Floodplain
- Presentation (Steve Edsall) and Discussion:
 - Staff provided a brief history of the project.
 - The originally approved project involved the demolition of an existing single-family home and the construction of a duplex. There were a number of issues on site, including some that required the issuance of an Enforcement Order, and the permit was never closed out.
 - Below is a timeline of events for filing 239-427.
 - July 1, 2004 – Order of Conditions issued for the demolition of the existing single-family home and construction of 2 townhomes, referencing July 7, 2004 plans.
 - July 13, 2004 – Order of Conditions is recorded at the Registry of Deeds, proof not forwarded to the Conservation Office.
 - January 13, 2005 – Enforcement Order issued for lack of compliance of the following and other issues. (Please see the full list of violations and requirements in packet materials for this agenda item.)
 - Immediately remove the porta-potty from the floodplain.
 - Immediately remove all fill from the floodplain – soil, equipment, materials
 - Immediately construct the compensatory storage and have it certified by a
 - Unpermitted plan changes (subsequently approved through Minor Plan Change #1)
 - February 12, 2005 – Letter received from Frank Iebba stating that the compensatory storage has been provided per the approved plans (resolving some of the Enforcement Order issues).
 - March 31, 2005 – Revised plans approved by Engineering Department for work.
 - May 6, 2005 – Revised plans (approved by Engineering) approved as a minor plan change by the Commission. (resolving remaining Enforcement Order issues)
 - September 27, 2005 – Reduction in required “native shrubs” from 48 to 25 approved as a minor plan change by the Commission.
 - September 28, 2005 – Date listed on plan that may be equivalent to as-built but is not titled “as-built.”
 - December 20, 2005 – Request to remove all required plantings was denied by the Commission.
 - The current owner and their representative have made it clear that this request for close-out is time sensitive. They submitted a request for Certificate of Compliance. Immediately prior to this meeting they provided an “as-built” showing current site conditions.
 - The letter from the engineer states that the site is in compliance with the approved plans and OOC, even though the as-built clearly shows the site is not in compliance, but staff noted that the as-built, received 1/28/21, shows: (1) the parking area to be larger than what was on the approved plans taking up what was to be lawn in front of the mitigation planting area; (2) an unpermitted ~12’x12’ patio is in what was to be mitigation planting area; (3) absence of all mitigation shrubs; (4) solid panel fence atop railroad ties.
 - Commissioners asked for clarification regarding the jurisdictional area and staff answered that this is all 200’ Riverfront Area and 100-year flood zone.
 - Staff clarified that the OOC did not require perpetual maintenance of the mitigation plantings as it should have.
 - Staff noted that the work done in jurisdictional areas without a permit (i.e., additional paving, patio installation, and) is itself a violation.
 - Commissioners felt that the site is not in compliance with the OOC and that a COC cannot be issued tonight.
 - The homeowner provided clarification that the parking area was extended to accommodate snowplows and that the change in color in the asphalt is from the replacement area that was chewed up by the plow. She stated that these changes were made in ignorance and only in an effort to improve quality of life for the tenants.
 - Commissioners requested clarification on the planting requirement and whether there is proof they were ever planted. Staff noted that second minor plan change approval indicated that the plantings were installed but not in great health.
 - Staff and the homeowner clarified that the stream corridor behind and to the side of the property is owned by the City of Newton.
 - The Commission stated that mitigation is necessary, though exactly what that mitigation is still to be determined. Discussion centered around removing the patio and requiring plantings.
 - The owner’s representative stated that he would prefer a solution that does not require heavy equipment, but that he understands that he isn’t aware of all the facts that the Commission must address.
 - Staff stated that this is an issue of equity and consistency of standards for all projects. After the fact changes can be fixed with after the fact filings, but the state requirements need to be applied equitably.

- The homeowner stated that she takes responsibility for the actions, but that she was unaware that this filing was still open. There was a safety need for the fence and a quality of life request for the patio. Staff noted that the requirement to submit a Certificate of Compliance request is stated explicitly in the Order of Conditions.
 - The issue of the fence, in regard to wildlife passage and free passage of floodwaters, was discussed at length. The homeowner's representative stated that there is a safety issue at the edge of the stream, so a fence is necessary.
 - Staff stated that it seems appropriate to require a new Notice of Intent filing to review and permit a new plan that addresses the parking area, the patio, the fence, and mitigation. It was noted that plans for the fence should meet the Commission's new Guidelines for Construction in Flood Zone.
 - The homeowner provided further clarification on why the changes were made.
 - The Chair noted that the Commission is here to ensure that the Wetlands Protection Act being complied with.
 - Commissioners felt that, under a new OOC, the extended parking area may be allowed to remain if the patio is removed, the fence is either removed or changed to comply with regulations and policies, and mitigation plantings are installed.
 - The Commission came to consensus that the homeowner should develop a revised and accurate as-built to the relationship between the parking area retaining wall and the property line and fence.
- Consensus: Should the homeowner wish to maintain any of the unpermitted work, a new NOI must be filed and the homeowner should reach out to staff to receive guidance on any new filing materials. A revised as-built will be needed and may be brought before the Commission, one which accurately reflect the site, to be discussed.
- 4. 42 Hyde Avenue – OOC Extension Request – addition onto single-family home – DEP File #239-786**
- Owner/Applicant: Adam Young and Esther Freeman Representative: none
 - Request: Issue an extension for the maximum 3 years.
 - Documents Presented: Site photos
 - Jurisdiction: Buffer Zone
 - Presentation (staff) and Discussion
 - Staff provided clarification on the tolling of permits under the COVID State of Emergency Executive Order by Governor Baker. When the state of emergency ends, the time of a valid permit "lost" to the State of Emergency (3/10/2020) will be added on to after the end of the state of emergency (similar to the Permit Extension Act).
 - The OOC for this project was due to expire on 7/6/20, but because of the Governor's order, all permits active at the start of the state of emergency are automatically extended (as noted above).
 - COVID-19 has delayed the applicant in the work on their home. They are still in the process of construction but are looking for an extension to ensure that the permit does not expire while work is still occurring.
 - There is a 2-year survival requirement for mitigation plantings that needs to be met, so an extension seems appropriate.
 - Vote: To issue an extension for the maximum allowed 3 years. [Motion: Susan Lunin; Second: Leigh Gilligan; Roll-call vote: Gilligan (aye), Green (aye), Lunin (aye), Hepburn (aye), Cade (aye). Vote 5:0:0]
- 5. 73 Beaconwood Road – OOC Extension Request – demo single-family new duplex – DEP File #239-791**
- Owner/Applicant: Matthew Haney, PZ Realty Trust Representative: none
 - Request: Issue an extension for the maximum 3 years.
 - Documents Presented: "consolidated plan"
 - Jurisdiction: Buffer Zone
 - Presentation (Matthew Haney) and Discussion:
 - Staff provided a brief background on the site and the division of work between the two properties.
 - Demolition of the house has occurred, since the work was entirely on one parcel and did not affect the wetland resource area.
 - The OOC is due to expire on April 6, 2021.
 - Commissioners noted the prior discussion on permit tolling and estimated that 11 months would be added on after the state of emergency ends. [N.B. After the meeting, staff did a rough calculation to check the estimate of 11 months and, assuming the Emergency Order is not lifted until after April 6, 2021, determined that the OOC will have been valid under the Emergency Order 3/10/20 - 4/6/21, and so the permit will likely expire 392 days after the state of emergency ends.]
 - Staff stated that in their opinion, both landowners need to be party to the extension request for it to be granted.
 - The applicant described site flooding and zoning review as causing delays and being the reason for this request.

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- The homeowner described stream cleaning proposed by the City in Cold Spring Park. He believes that would lower the groundwater table on his site making the installation of footings easier.
 - The Commissioners stated that there is no problem with the reasoning behind the extension request, but that the crux of the issue is that there are two owners' properties encumbered by the OOC and so two owners need to agree to the extension. The homeowner felt otherwise.
 - The homeowner requested that the extension be issued tonight and conditioned on receiving approval from Capasso (the other owner). The Commission declined and noting that the permit will not expire for a long time, so Mr. Haney has lots of time to secure Mr. Capasso's approval.
 - Consensus: Mr. Haney must get Mr. Capasso to co-sign any request for an extension.
- 6. 62 Carlton Road – Minor Plan Change Request – new single-family home – DEP File #239-836**
- Owner/Applicant: Dainius Kuper, Hillcrest Development Representative: none
 - Request: Approve minor plan changes.
 - Documents Presented: Colored plans, site photos
 - Jurisdiction: Buffer Zone
 - Summary of Changes
 - (After-the-fact) The retaining wall on the rear right side of the house was divided into two retaining walls for structural and safety reasons. The total height of both walls stayed the same as in the proposed original wall.
 - (After-the-fact) The grading on the left -rear side of the house was significantly altered with the removal of the proposed and approved "mounding."
 - (Proposed) Applicant is requesting to install 5' high "guard rails" on the left and right-side slopes of the lot for safety. The railing would have 4-5" of space at the bottom to allow for any possible wildlife movement. The proposed location of the guard rail is marked by red lines on each side of the lot on the as built plan in the packet.
 - Presentation (Dainius Kuper) and Discussion:
 - The owner/applicant was having computer issues, so initially staff presented the proposed changes.
 - Staff noted poorly constructed stone retaining areas (distinct from the engineered retaining walls).
 - Staff noted that the "wing walls" seen in the field are not shown on the current as-built but that the project is mostly proceeding in compliance with the approved plans, aside from the wall changes seeking approval tonight.
 - Staff noted some instability of vegetation around the ends of some of the retaining walls, but that sod had only recently been installed, so determination of long-term stability is not known. The owner and staff noted that those areas will get torn up when the plants are installed and that the final conditions should be stable.
 - Commissioners asked the homeowner if the walls had been professionally engineered. The owner stated that they were approved by the Engineering Department and that they were included in the building permit submission. Staff stated that they would pull that information for our records.
 - Staff and Commissioners clarified that the slope stability must be ensured before a Certificate of Compliance request is submitted.
 - The tree that has been partially buried with stone and soil must have its root flare re-exposed by hand when ground conditions allow. A photo of this must be submitted to the Conservation Office as proof.
 - All field features must be included on the final as-built submitted for the COC request.
 - Vote: To approve the annotated plans (62 Carlton Road – Minor Plan Change Request, received by the Conservation Office 1/20/21) as a minor plan change request. [Motion: Leigh Gilligan; Second: Susan Lunin; Roll-call vote: Gilligan (aye), Green (aye), Lunin (aye), Hepburn (aye), Cade (aye). Vote 5:0:0]
- 7. 11 Chesley Road – COC – new shed and driveway improvements – DEP File #239-626**
- Owner/Applicant: Ellen Silver Representative: none
 - Request: Issue COC.
 - Jurisdiction: Buffer Zone, Riverfront Area, City Floodplain
 - Discussion: All required paperwork has been received. A site visit on 1/22/21 confirmed compliance.
 - Vote: To issue a complete Certificate of Compliance. [Motion: Susan Lunin; Second: Judy Hepburn; Roll-call vote: Gilligan (aye), Green (aye), Lunin (aye), Hepburn (aye), Cade (aye). Vote 5:0:0]
- 8. 326 Fuller Street – COC – footbridges across stream – DEP File #239-857**
- Owner: Brae Burn Country Club Applicant: Sean McLaughlin, BBCC Representative: Sarah Stearns, Beals & Thomas
 - Request: Issue COC.
 - Jurisdiction: Buffer Zone, Riverfront Area, City Floodplain
 - Discussion: All required paperwork has been received. A staff site visit on 10/23/20 confirmed compliance.

- Vote: To issue a complete Certificate of Compliance. [Motion: Susan Lunin; Second: Kathy Cade; Roll-call vote: Gilligan (aye), Green (aye), Lunin (aye), Hepburn (aye), Cade (aye). Vote 5:0:0]

II. CONSERVATION AREA DECISIONS

9. Trailhead Signs

- Request: Provide direction on map color palette, map font size, and draft text.
- Documents Presented: Color/font options
- Discussion
 - A sample of existing, pastel, and bright colored maps were provided to spur discussion.
 - Commissioners liked bolder colors, in particular the green color for the conservation area.
 - Commissioners noted that red and green should not be used together due to the issue with color blindness.
 - Staff developed proposed text for trail head signs based on conversations in the previous ConCom meeting.
 - Commissioners agreed that the language for non-trailed parcels is appropriate.
 - Commissioners agreed that the language for trailed parcels is appropriate, but that the language should perhaps be changed from “bicycling” to “cycling”.
 - Commissioners had concerns about icons being vague and harder to understand than words and felt that QR codes could better translate meanings into different languages.
 - There was a discussion of whether the QR code should be a sticker or printed on the sign. Ultimately all agreed that if staff felt stickers were most appropriate, we should go with that choice.
 - It was debated whether the text should be moved below the sign to break up the text, but Commissioners suggested that moving it to the bottom may cause it to be ignored.
 - It was suggested that staff look into having a graphic designer help. The Conservators’ may have a suggestion.
- Consensus: The language presented is appropriate and approved. The bolder color palette is preferred. Staff should continue moving forward with new sign designs.

III. ADMINISTRATIVE DECISIONS

10. Minutes of 1/7/21 to be approved

- Documents Presented: Draft minutes
- Vote: To accept the 1/7/21 minutes as revised. [Motion: Kathy Cade; Second: Leigh Gilligan; Roll-call vote: Gilligan (aye), Green (aye), Lunin (aye), Hepburn (abstain), Cade (aye). Vote 4:0:1]

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

UPDATES

V. WETLANDS UPDATES

- Riverwalk: Staff are investigating unpermitted tree cutting in Riverfront Area.

VI. CONSERVATION AREA UPDATES

- Houghton tree cutting: Staff are requesting quotes for removal of 5 hazard trees.

VII. ISSUES AROUND TOWN UPDATES

- Christina Street Bridge Feasibility Study: Conservation staff received 4 proposals and are in the process of reviewing them, along with other City staff.

VIII. ADMINISTRATIVE UPDATES

- Environmental Science Program: This is the last year the Planning Department will provide administrative support. The program will need to find a new home in Parks Rec and Culture or some other organization in the future.

OTHER TOPICS NOT REASONABLY ANTICIPATED BY THE CHAIR 48 HOURS BEFORE THE MEETING – none.

ADJOURN at 9:30pm [Motion: Susan Lunin; Second: Kathy Cade; Roll-call vote: Gilligan (aye), Green (aye), Lunin (aye), Hepburn (aye), Cade (aye). Vote 5:0:0]