

DETAILED CONSERVATION COMMISSION AGENDA

Date: Thursday, November 18, 2021

Time: 7:00pm

Place: This meeting will be held as a virtual meeting via Zoom.

The Conservation Commission will hold this meeting as a virtual meeting; no in-person meeting will take place at City Hall.

Zoom access information for the meeting will be posted 48 hours in advance of the meeting at: <https://www.newtonma.gov/government/planning/boards-commissions/conservation-commission>

Please contact jsteel@newtonma.gov or 617-796-1134 with any questions.

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

NOTE: Times listed are estimates. Items may be taken out of order at the Chair's discretion. Discussion may be limited by the Chair.

DECISIONS

I. WETLANDS DECISIONS

1. (7:00) 5 Harwich Road – NOI – Addition to a single family home and deck – DEP #239-???

- Owner: Nicholas Acquavella and Morelia Blanco
- Applicant: Nicholas Acquavella and Morelia Blanco
- Representative: John Rockwood, EcoTec, inc.
- Request: Issue an OOC for the proposed work.
- Documents Presented: Plans, site photos, draft OOC
- Jurisdiction: Buffer Zone to BVW (Note: City Floodplain is on-site but out of work zone)
- Performance Standards
 - 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."
 - Newton Conservation Commission's 25-Foot Naturally Vegetated Buffer (NVB) Policy. "GOAL of this POLICY: To fully protect the vital functions and values of Newton's wetland resource areas by protecting and/or re-establishing a naturally vegetated buffer around all wetlands, waterbodies, and waterways...."
- Project Summary
 - Install entrenched silt fence and compost sock and tree protection for street trees
 - Remove the existing post-supported three-season porch (16' from BVW)
 - Construct a one-story addition with full basement and new 4-foot-wide cantilevered egress deck (addition 12' from BVW, deck 6' from BVW)
 - Deck will be underlain with crushed stone
 - Currently 212 sf of three-season porch and 150 sf of elevated deck and stairs are in the 25' Buffer Zone. Under proposed conditions 315 sf of three season porch and 299 sf of elevated deck and stairs will occur in the 25' Buffer Zone.
 - Install 2 bounded mitigation areas:
 - one 750 sf area for habitat enhancement,
 - one native hedge (350 sf) to serve as a barrier to encroachment.



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
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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: fairley@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.

- Impervious area will be increased by 244 sf.
- No trees will be removed.
- Concrete washout will be accommodated on site.
- Staff Notes:
 - The plans lack a north arrow and dated signatures.
 - Staff do not feel that the grading as shown on the surveyed plan is accurate in the northeast corner. The 142' contour and 143' contour lines do not seem to comport with the LIDAR topo on the City's GIS or staff's experience at the site. The discrepancy, however, is outside the area of proposed work.
 - The plan indicates stockpiling and concrete washout in the same location. They should be separated since they may occur simultaneously.
 - A dewatering plan must be submitted for review and approval.
 - Staff note that the full basement addition will likely be in groundwater.
 - The proposed work meets the "performance standard" for work in the 100-foot Buffer Zone
 - The proposed work and mitigation meet the intent of the Commission's 25-Foot Naturally Vegetated Buffer Policy to the extent practicable.
- Staff Recommendations: Vote to issue an OOC with the following special conditions.
 - A dewatering plan must be submitted for review and approval.

2 (7:30) 100 Boulder Road – NOI – tear down/rebuild single family home DEP file #239-???

- Owner/Applicant: Amir Nashat
- Representative: Rich Kirby, LEC, Inc.
- Request: Issue an OOC approving the proposed work
- Documents Presented: Colored plans, site photos, draft OOC
- Jurisdiction: Flood Zone (114' NAVD88), Riverfront Area, Buffer Zone to Bank
- 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.
 - RFA: Redevelopment within Previously Developed Riverfront Areas 10.58(5)
 - ... work improves existing conditions.
 - Redevelopment means ... reuse of degraded or previously developed areas.
 - A previously developed riverfront area contains areas degraded....
 - Work to redevelop previously developed riverfront areas shall ...:
 - (a) At a minimum, work shall result in an improvement over existing ...
 - (b) Stormwater management is provided according to standards
 - (c) Proposed work shall not be closer to the river than existing conditions ...
 - (d) Proposed work...shall be located... away from the river, ...
 - (e) ... proposed work shall not exceed the ... degraded area
 - (f) ... if an applicant proposes restoration ... of at least 1:1 ...
 - Bordering Land Subject to Flooding: 10.57
 1. Compensatory storage shall be provided for all flood storage volume that will be lost ...
 2. Work shall not restrict flows so as to cause an increase in flood stage or velocity.
 3. 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. ...

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- (c) Notwithstanding the provisions of 310 CMR 10.57(4)(a) or (b), no project may be permitted which will have any adverse effect on specified wildlife habitat sites of rare vertebrate or invertebrate species, as identified by procedures established under 310 CMR 10.59.
- Newton Conservation Commission’s 25-Foot Naturally Vegetated Buffer (NVB) Policy. “GOAL of this POLICY: To fully protect the vital functions and values of Newton’s wetland resource areas by protecting and/or re-establishing a naturally vegetated buffer around all wetlands, waterbodies, and waterways...”
- Project Summary
 - Raze 1,350± sf dwelling and rebuild a 1,915± sf dwelling single-family dwelling (565± square feet larger). The new dwelling will be constructed on the existing concrete foundation and over existing sonotube footings to the south. The dwelling also will extend (on helical piles) to the west over the existing deck and lawn area.
 - Replace the existing paved driveway and brick walkway with a pervious paver driveway and walkway. The driveway will be located farther from South Meadow Brook than the existing driveway.
 - Construct a deck off the rear of the dwelling. The wooden deck will be constructed above the flood elevation so only footings and stairs will displace flood storage. Chance Floodplain elevation
 - Construct a patio off the rear of the deck at existing grade.
 - Total degraded area within RFA will increase 965 sf.
 - Plant 53 native shrubs and 40 native ferns to:
 - Restore 1,054 sf of lawn
 - Enhance 1,155 sf of RFA
 - Provide 795 cf of compensatory flood storage by removing material from around the house (a 7.2 : 1 ratio).
- Staff Notes
 - Wetland Jurisdiction
 - The application states that “A non-jurisdictional Isolated Vegetated Wetland (IVW) also occurs on the site.” Staff note that this wet area is connect to South Meadow Brook by an admittedly man-made channel. It is apparent that the grading of the area was altered (and the stream was straightened and lined) long ago. The “IVW” is the current low point of the surrounding areas. Original grades would have provided a connection to the stream, but were altered with fill. The channel has clearly been installed to alleviate local area flooding. The IVW has wetland vegetation and is connected by the channel to a jurisdictional stream. Staff feel, therefore, that the “IVW” could well qualify as a “BVW”.
 - The application states that “Bank-MAHW line to South Meadow Brook occurs along the bottom of the concrete embankment” Staff wonder whether this is too low given the fairly regular high-flow events, and whether “top of slope” should be used instead.
 - Lot Coverage/“Degraded” Area
 - All of the existing dwelling, deck, patio, driveway, walkways, etc. qualify as “degraded’ in the language of the Regulations. The expanded deck and patio increase the degraded area on the lot by 965 sf.
 - The alternatives analysis did not appear to consider a reduction in the proposed degraded area, i.e., although the foundation is being reused, it does not appear that a smaller footprint of dwelling or non-exempt decks and patios was considered as a way of reducing impact. The redevelopment portions of the project meet the performance standards in 310 CMR 10.58(5), but it is not clear that the expansion of degraded area meets the performance standards under 310 CMR 10.58(4).
 - Stormwater Management
 - The application states that there will be a 528± square-foot reduction of impervious surface (due mostly to a pervious paver driveway. Staff (and Engineering) note, however, that pervious paver driveways often do not remain pervious for long.
 - Engineering’s preliminary review noted “Currently the City of Newton Engineering Division does not consider pervious pavers as pervious. There is concern that over time the pavers will become clogged either due to improper maintenance or a lack of maintenance. In addition, during winter months it is likely that the areas that would normally allow runoff infiltration will be frozen reducing the ability to mitigate stormwater runoff.” Therefore, stormwater infiltration will need to be supplied.
 - Restoration and Enhancement
 - The application states this project will
 - Restore 1,054 sf of lawn, and

- Enhance 1,155 sf of RFA
- [There is currently 3,005 sf of naturally vegetated land and will be 4,059 sf, a 1,054]

However:

- Some of the “restoration area” is a narrow strip along the stream -- some of that strip was due to have been planted with native shrubs under a prior OOC, the very narrow and shady nature of the area will make true restoration challenging, and the narrowness of the strip runs counter to the Commission’s Mitigation/Restoration Planting Area Guidelines: “Narrow strips of planting areas have limited habitat value. Bed should be shaped to be as “consolidated” (i.e., non-linear) as possible.” The remainder of the “restoration area” is lawn with 3 large native landscape shrubs and saplings viburnum, cherry, and serviceberry.
- All of the “enhancement area” is currently densely vegetated with many native species. The plans imply that all existing shrubs and small trees will be removed and new plant stock installed. If that is true, staff question the logic of removing well-established native plantings.
 - The planting schedule does not include any canopy trees.
- Staff note that there is no area identified for laydown or stockpiling on the plans.
- Engineering’s preliminary review noted:
 - New Granite curbing will be required along the property frontage
 - Property line bearings should be included on the plans
 - Both the existing water and sewer services will have to be upgraded. The plan should show the installation of both water and sewer services to the home.
- Two prior OOCs have not been closed out with recorded COCs.
- Staff Recommendation: Address the issues of jurisdiction, lot coverage, stormwater management, and restoration/enhancement plans. Seek a continuation to allow for plan revisions.

3 (8:15) 16 Cross Street – COC Re-Sign Request – addition – DEP #239-257

- Owner: Jonathan Katz
- Request: Issue COC.
- Staff Notes: We have a Certificate of Compliance in our paper files, but apparently it was never recorded. The Registry will not record a photocopy. A staff site visit on 11/9/21 found compliance with the OOC.
- Staff Recommendations: Vote to issue a re-sign of the original Certificate of Compliance.

4 (8:20) 177 Waban Street – COC Request – tree cutting – DEP #239-821

- Owner: Stephen Deveaux Applicant: Deborah Deveaux Representative: Jim DeVillis
- Request: Issue COC.
- Staff Notes: All required COC materials have been received. A staff site visit on 9/7/21 found general compliance with the OOC.
- Staff Recommendations: Vote to issue a Certificate of Compliance.

II. CONSERVATION AREA DECISIONS – none at this time

III. ADMINISTRATIVE DECISIONS

2. (9:30) Minutes of 10/28/21 to be approved

- Documents Presented: Draft 10/28/21 minutes as edited by Ellen Katz
- Staff Recommendation: Vote to approve the 10/7/21 minutes.

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

UPDATES

V. WETLANDS UPDATES

VI. CONSERVATION AREA UPDATES

VII. ISSUES AROUND TOWN UPDATES

VIII. ADMINISTRATIVE UPDATES

- The candidate for Assistant Planner has verbally accepted the offer and is due to start Nov. 22.

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

ADJOURN

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5 Harwich Rd



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THE BUILDING

ON THIS PLAN IS
THE PROPOSED
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CITY OF NEWTON

NOTE: ALL EXISTING AND
PROPOSED DOWNSPOUTS
WILL RECEIVE A SPLASH
BLOCK

PROPOSED MITIGATION
PLANTING AREA 2
(750 SF) (SEE
ECOTEC PLANTING
SCHEMATIC)

PROPOSED CANTILEVERED
ELEVATED DECK
(CRUSHED STONE BENEATH)

LIMIT OF ORDINANCE
FLOODPLAIN

SILT FENCE
AND 12"
COMPOST
SOCK

PROPOSED POST
SUPPORTED
ELEVATED DECK
(CRUSHED STONE BENEATH)

LIMIT OF ORDINANCE
FLOODPLAIN

EXISTING
GAS LINE/SERVICE

PROPOSED MITIGATION
PLANTING AREA 1
(350 SF) (SEE
ECOTEC PLANTING
SCHEMATIC)

EXISTING
AC UNIT

EXISTING
GAS LINE/SERVICE

4' ORANGE
CONSTRUCTION FENCE:
NO EQUIPMENT
ACCESS SIGN

EXISTING SMH
RIM=147.33
INV=138.66±

EXISTING
GAS LINE/SERVICE

EXISTING CATCH BASIN
RIM=146.39

EXISTING CATCH BASIN
RIM=146.33

#5
EXISTING
WOOD
FRAMED
RESIDENTIAL
DWELLING
F.F.=147.71'
(TAKEN AT
THRESHOLD)

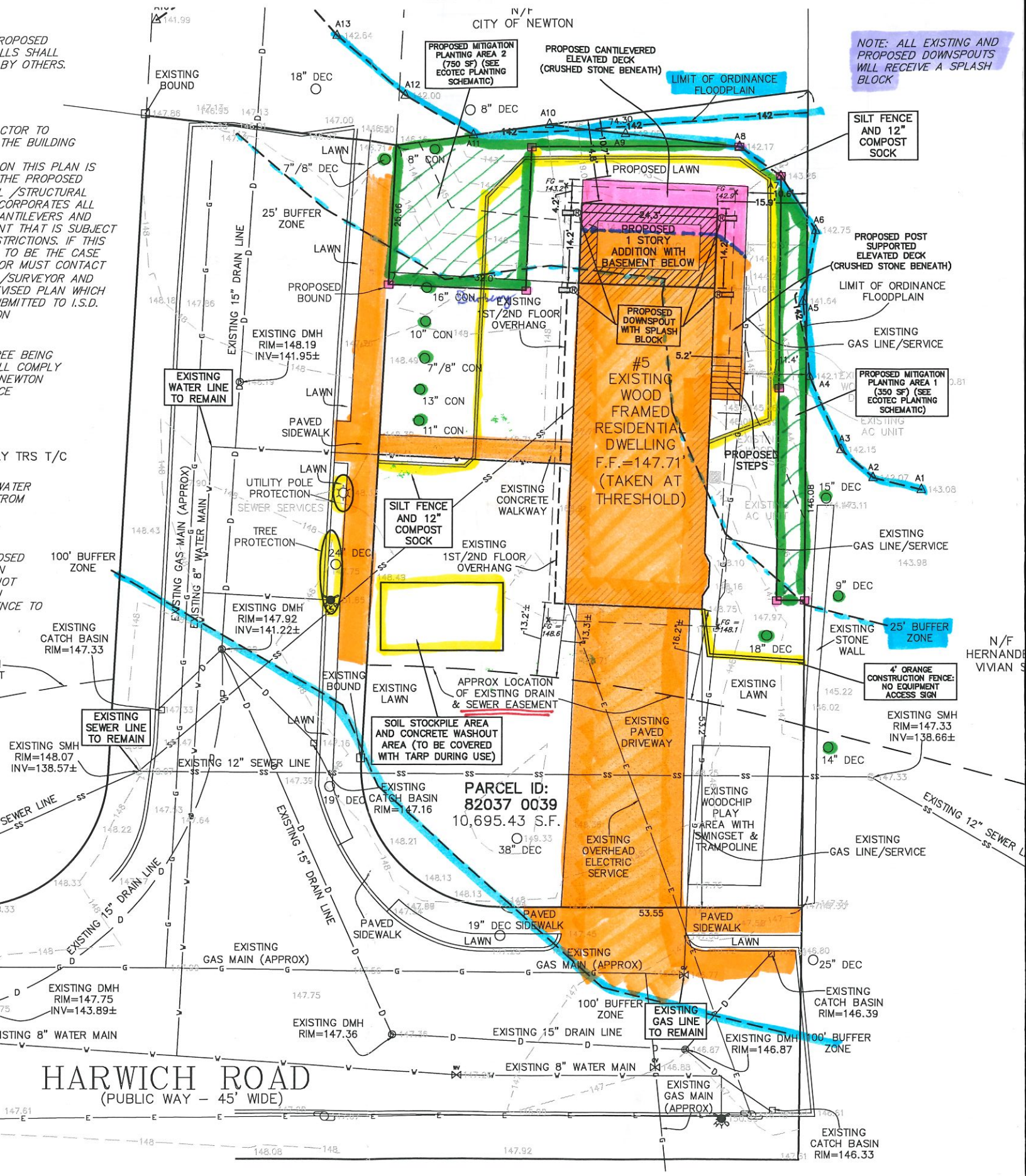
SILT FENCE
AND 12"
COMPOST
SOCK

SOIL STOCKPILE AREA
AND CONCRETE WASHOUT
AREA (TO BE COVERED
WITH TARP DURING USE)

PARCEL ID:
82037 0039
10,695.43 S.F.

HARWICH ROAD
(PUBLIC WAY - 45' WIDE)

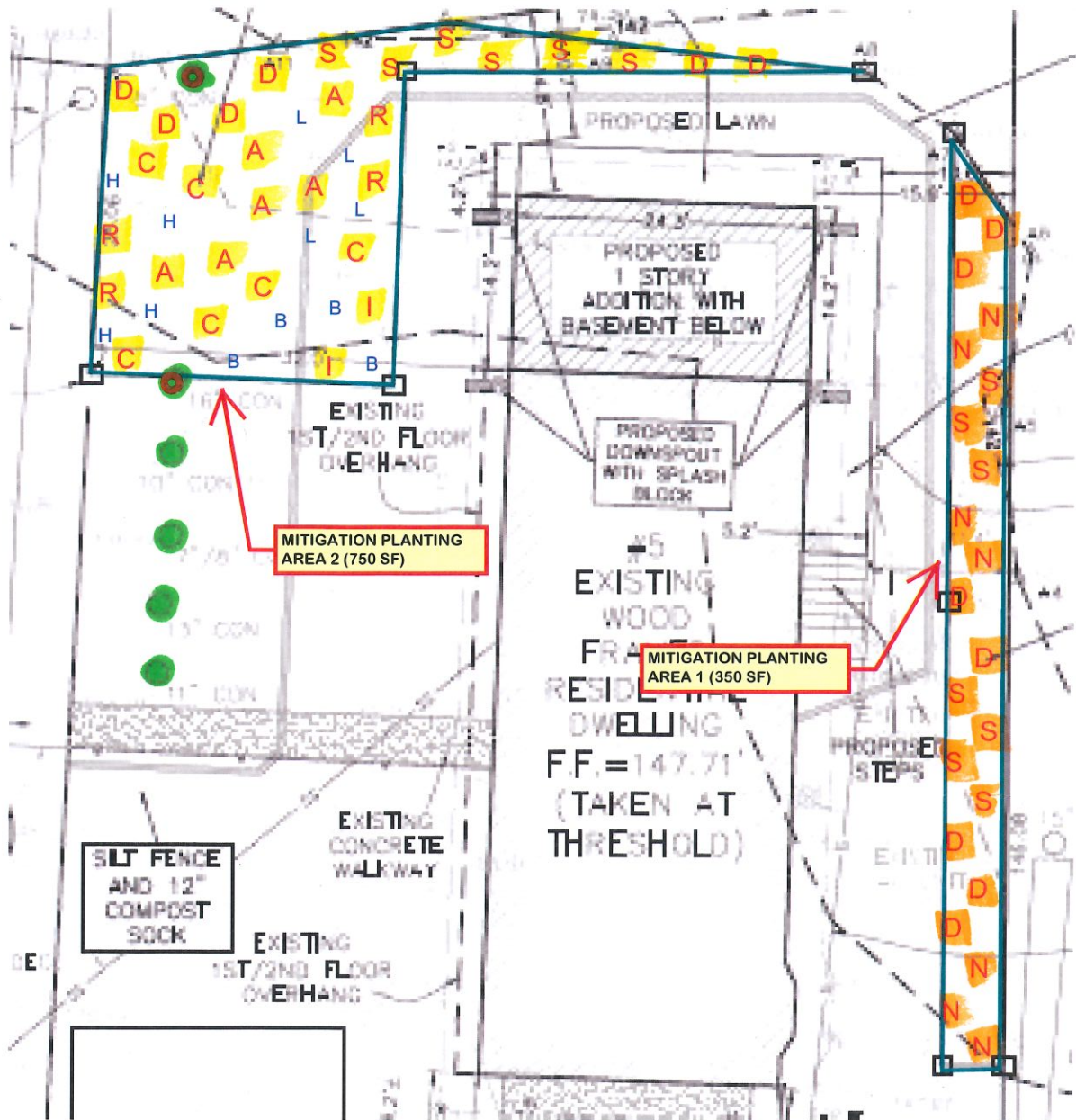
N/F
HERNANDEZ
VIVIAN S



Notes:

- The edges of the area must be graded so that the top of the applied mulch is even with the adjacent lawn.
- Plants to be placed under direction of overseeing wetland scientist.
- Substitutions are subject to approval by Conservation Staff.
- Plants must be natives; cultivars and varieties will not be accepted.
- The area must be mulched with a 3" thick layer of a 4:1 mixture of decomposed leaf compost and natural bark mulch.
- The plants must be watered-in well after planting and watered regularly for four weeks after planting.

Plan Section:



Note: The locations of the individual shrubs and ground cover are shown for permitting and review purposes; the locations of the plantings in the field will be based on this plan subject to the discretion of the overseeing wetland scientist.

PLANTING SCHEMATIC FOR ENHANCEMENT PLANTING AREAS 5 HARWICH ROAD, NEWTON

PREPARED BY ECOTEC, INC. -- OCTOBER 28, 2021

Enhancement Planting Area 1 (350± SF)

Stratum; Species, Size; Spacing	
Shrubs; 3-4' height; 4' on-center	22
D Silky Dogwood (<i>Cornus amomum</i>)	8
N Nannyberry (<i>Viburnum lentago</i>)	7
S Sweet Pepper-bush (<i>Clethra alnifolia</i>)	7

✓
✓
✓

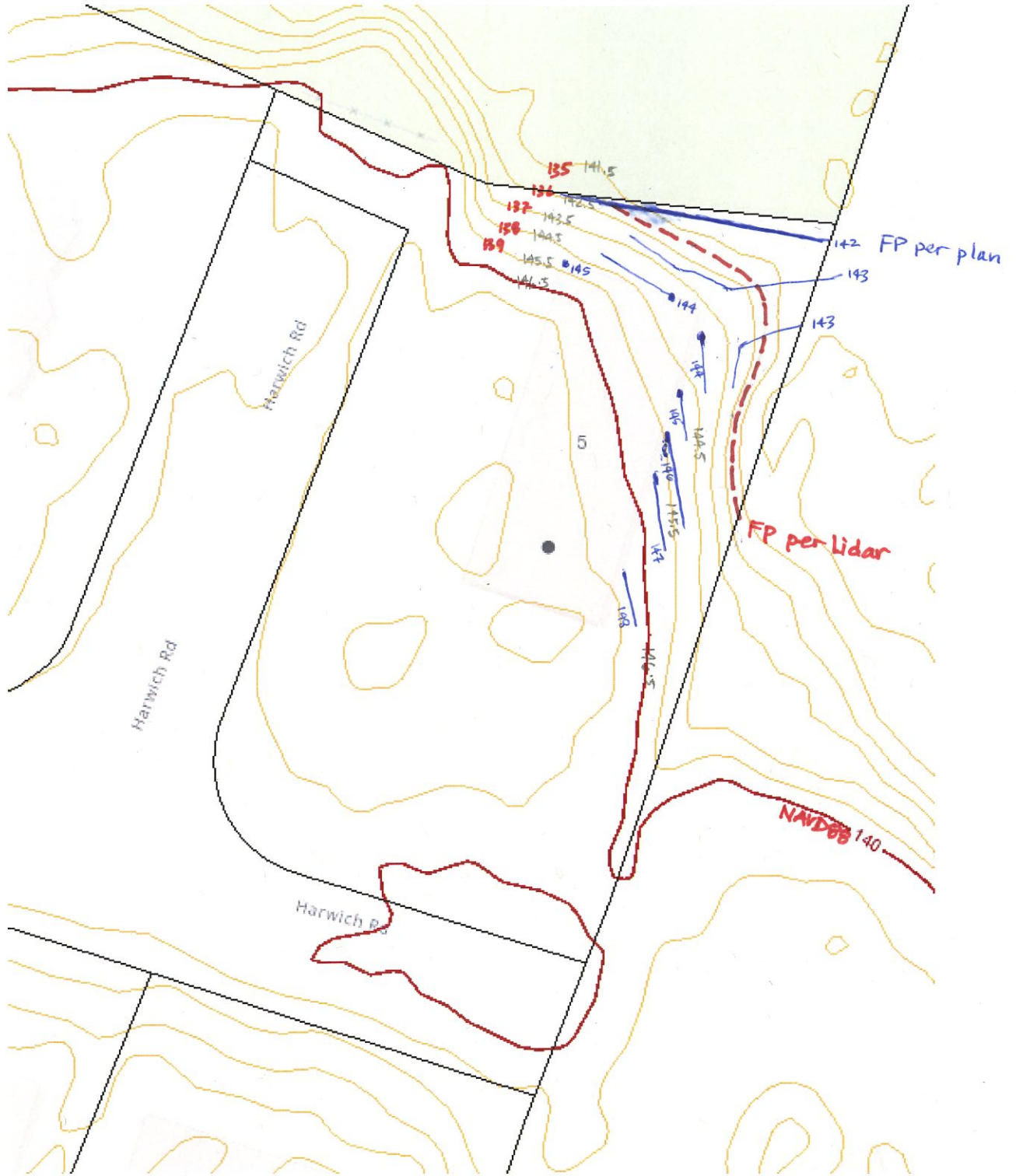
This planting area is intended to develop as a thick native hedge to separate the developed portion of the site from the off-site resources.

Enhancement Planting Area 1 (750± SF)

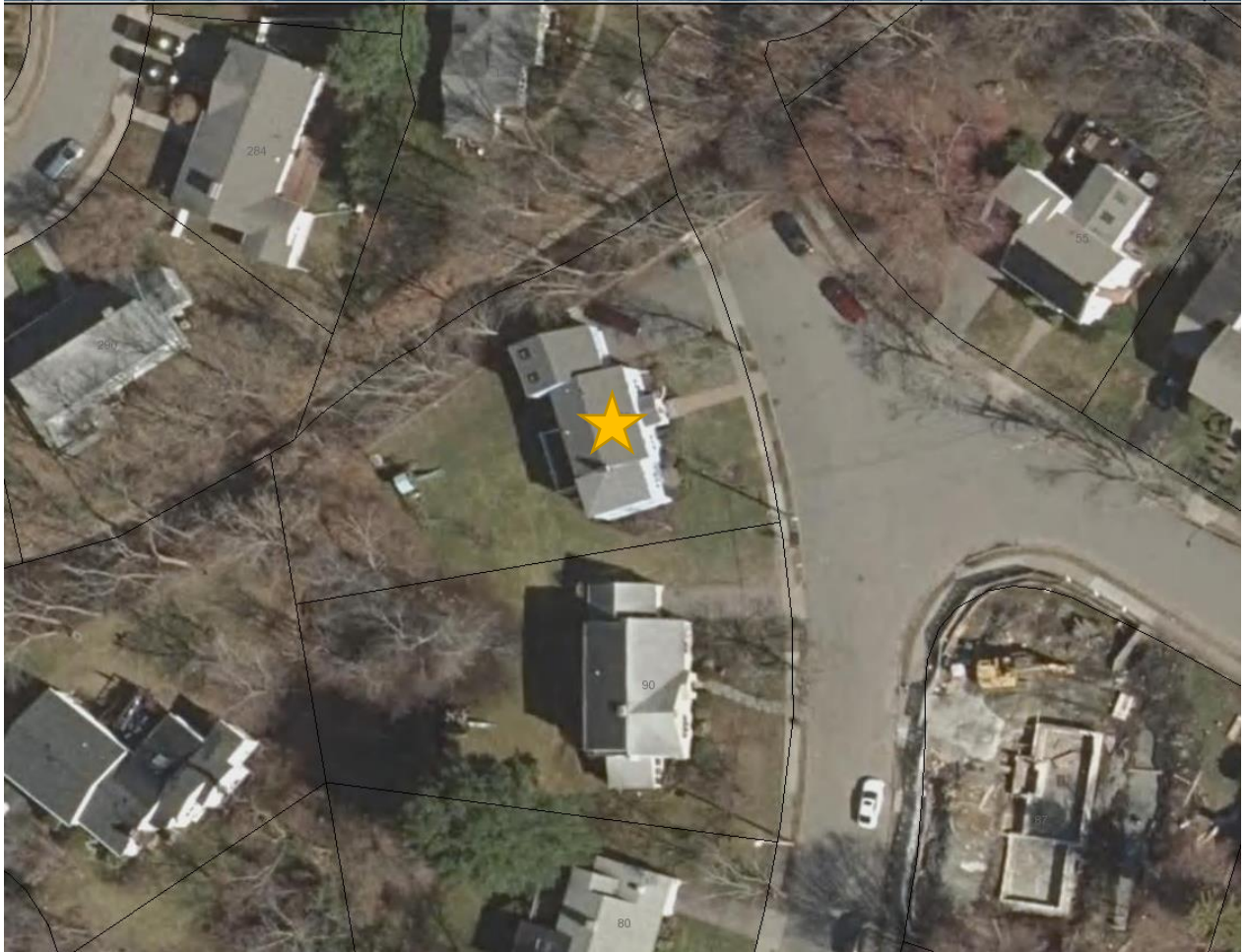
Stratum; Species, Size; Spacing	
Shrubs; 3-4' height; 5' on-center	30
D Silky Dogwood (<i>Cornus amomum</i>)	6
S Sweet Pepperbush (<i>Clethra alnifolia</i>)	6
R Eastern Red Cedar (<i>Juniperus virginiana</i>)	4
C Black Chokeberry (<i>Photinia melanocarpa</i>)	6
A American Witch-hazel (<i>Hamamelis virginiana</i>)	6
I Inkberry (<i>Ilex glabra</i>)	2
Small Shrubs; Sizes Below; 8' on-center	12
B Bearberry (<i>Arctostaphylos uva-ursi</i> ; 6-12")	4
L Lowbush Blueberry (<i>Vaccinium angustifolium</i> ; 6-12")	4
H Northern Bush Honeysuckle (<i>Diervilla lonicera</i> ; 12-18")	4

✓
✓
✓
✓
✓

This planting area is intended to develop in part as a native hedge to separate the developed portion of the site from the adjacent resource areas and largely as a typical mitigation planting area intended to enhance and provide additional habitat features within the area compared to the existing condition.



100 Boulder Road



NO.	DATE	REVISION

PREPARED BY:
RJO'CONNELL & ASSOCIATES, INC.
 CIVIL ENGINEERS, SURVEYORS & LAND PLANNERS
 83 MONTAGUE AVENUE, SUITE 201 STONEHAM, MA 02152
 PHONE: 781.278.9189 RJOC@CONNELL.COM

PREPARED FOR:
AMIR H. NASHAT
CARMEN M. BARNES
 100 BOULDER ROAD
 NEWTON CENTRE, MA 02459

PROJECT NAME:
100 BOULDER ROAD
 NEWTON, MA

DESIGNED BY: **CMM**
 DRAWN BY: **CMM**
 REVIEWED BY: **BYT**
 SCALE: **1" = 10'**
 DATE: **11/01/2021**
 DRAWING NAME:

GRADING, DRAINAGE AND UTILITY PLAN

DRAWING NUMBER: **C-1**
 PROJECT NUMBER: **20150**
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PLAN LEGEND

(NOT ALL FEATURES CONTAINED IN THIS LEGEND APPEAR ON THE PLAN)	
EXISTING	PROPOSED
GAS VALVE	PROPOSED NEW BUILDING ON EXISTING FOUNDATION
HYDRANT	PROPOSED CANTILEVERED BUILDING ADDITION
CATCH BASIN	PROPOSED PERVIOUS PAVERS
DRAIN MANHOLE	PROPOSED RAVERFRONT RESTORATION AND ENHANCEMENT AREA
SEWER MANHOLE	PROPOSED COMPOST SOCK
UTILITY POLE	PROPOSED WATER LINE
CONCRETE CURB	PROPOSED HELICAL FILES
RECORD PLAN (REC)	PROPOSED DOWNSPOUT
SEWER LINE	PROPOSED FINISHED FLOOR ELEVATION
WATER LINE	
DRAIN LINE	
ELECTRICAL CONDUIT	
GAS LINE	
PROPERTY LINE	
ABUTTING PROPERTY LINE	
CHAIN LINK FENCE	
STOCKADE FENCE	
CONTOUR	
25' NATURALLY VEGETATED BUFFER ZONE	
MEAN ANNUAL HIGH WATER	
BANK MEAN ANNUAL HIGH WATER FLAG	
WETLAND FLAG BY LEC ENVIRONMENTAL	
ISOLATED VEGETATED WETLANDS	

NOTES

1. THE PURPOSE OF THIS PLAN IS TO SHOW THE RELATIVE LOCATION AND DIMENSION OF THE PROPOSED BUILDING AS WELL AS SITE FEATURES TO BE CONSTRUCTED ON SITE. THE DIMENSIONS OF THE PROPOSED BUILDING ARE BASED UPON PLANS PREPARED BY HARVARD THOMPSON ARCHITECTS ENTITLED "NEWTON ZERO ENERGY HOUSE BASEMENT PLAN AND FIRST FLOOR PLAN" DATED 9/29/2021.
2. EXISTING UTILITIES SHOWN HEREON HAVE BEEN COMPILED FROM RECORD PLANS PROVIDED BY THE CITY OF NEWTON.
3. EXISTING CONDITIONS DEPICTED ON THIS PLAN ARE BASED UPON A PLAN PREPARED BY RJO'CONNELL & ASSOCIATES, INC. ENTITLED "EXISTING CONDITIONS SURVEY, 100 BOULDER ROAD, NEWTON, MASSACHUSETTS" DATED 10/16/2021.
4. THE VERTICAL DATUM IS CITY OF NEWTON BASE.
5. THE LOCATION AND ELEVATIONS OF EXISTING UTILITIES AND STRUCTURES AS SHOWN ON THESE PLANS ARE BASED ON RECORDS OF VARIOUS UTILITY COMPANIES AND PUBLIC AGENCIES AND ARE APPROXIMATE ONLY. THIS INFORMATION IS NOT TO BE RELIED UPON AS BEING EXACT OR COMPLETE. THE LOCATION OF UNDERGROUND UTILITIES AND STRUCTURES SHALL BE VERIFIED IN THE FIELD BY THE CONTRACTOR PRIOR TO THE START OF CONSTRUCTION. THE CONTRACTOR MUST CONTACT THE APPROPRIATE UTILITY COMPANY, GOVERNING PERMITTING AUTHORITY AND "DIG SAFE" AT 1-888-344-7233 AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO ANY EXCAVATION WORK TO REQUEST EXACT FIELD LOCATIONS OF UTILITIES. (EXCLUDING WEEKENDS AND HOLIDAYS) IF ANY DISCREPANCIES OR CONFLICTS ARE DISCOVERED, THE ENGINEER SHALL BE CONTACTED AND APPROPRIATE REMEDIAL ACTION TAKEN BEFORE PROCEEDING WITH THE WORK. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.

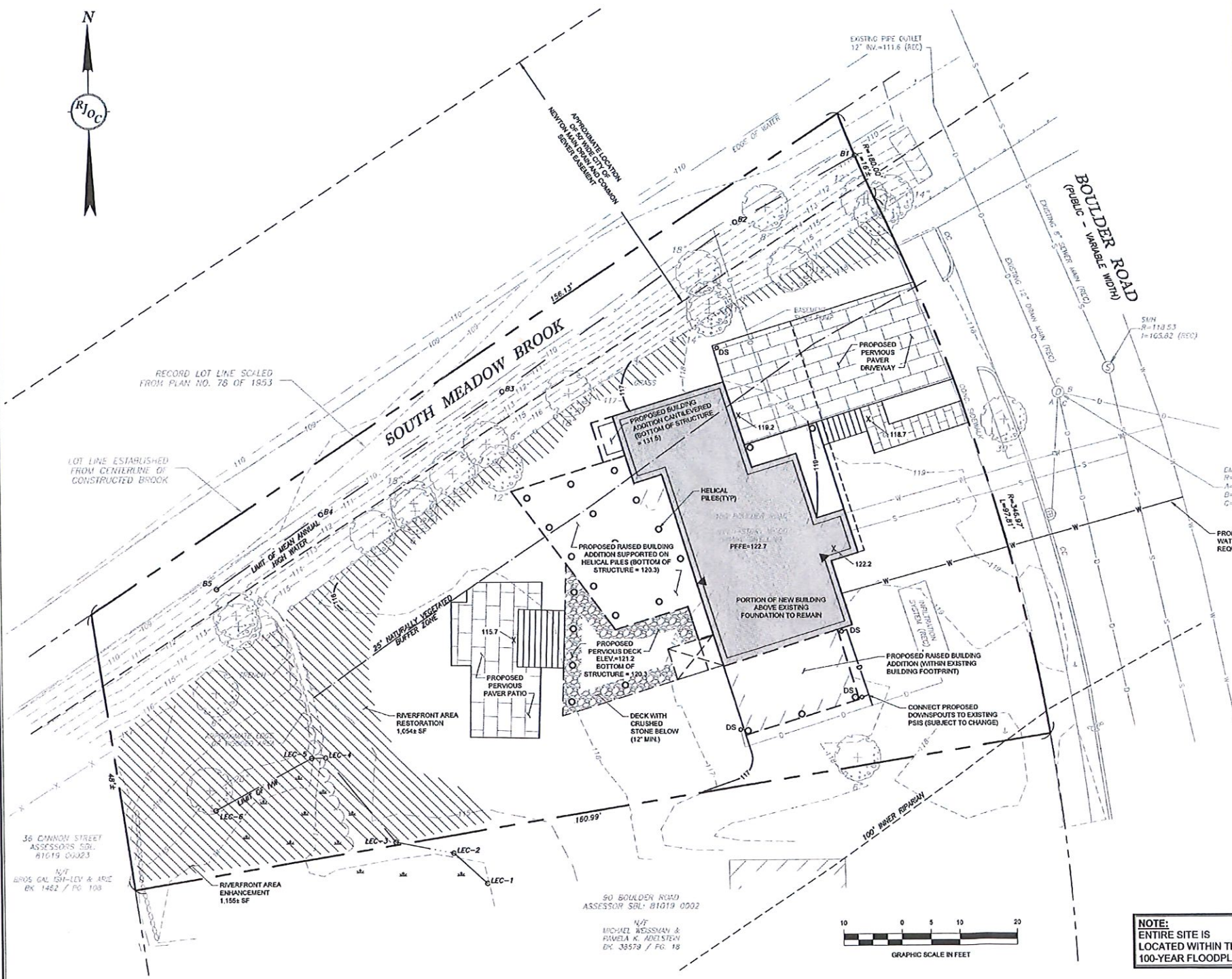
ONSITE IMPERVIOUS AREA

DESCRIPTION	EXISTING (SF)	PROPOSED (SF)
BUILDING	1,412 ±	1,934 ±
DECK(S) AND ASSOC. STAIRS	285 ±	80 ± (A)
FRONT PORCH, FRONT STOOP, AND FRONT STAIRS	31 ±	137 ±
DRIVEWAY	778 ±	0 (B)
WALKWAYS	173 ±	0 (C)
PATIOS	0	0 (D)
TOTAL	2,679 ±	2,151 ±

- A) PROPOSED DECK IS TO BE CONSTRUCTED OVER A BED OF CRUSHED STONE AND SHALL BE CONSIDERED PERVIOUS
- B) PROPOSED DRIVEWAY TO BE CONSTRUCTED OF PERVIOUS PAVERS
- C) PROPOSED WALKWAYS TO BE CONSTRUCTED OF PERVIOUS PAVERS
- D) PROPOSED PATIO IS TO BE CONSTRUCTED OUT OF PERVIOUS PAVERS

100-YEAR FLOODPLAIN

DESCRIPTION	ELEVATION
PER FEMA (NAV08)	113.7 ±
PER CITY OF NEWTON BASE	120.2 ±

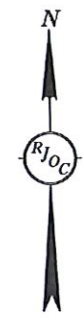


Elevation	Existing Volumes			
	Area Sq. Ft.	Avg. Sq. Ft.	Volume Cu. Ft.	Cumulative
115	3,104		0	
		4,201		
116	5,298		4,201	4,201
		6,505		
117	7,712		6,505	10,705
		8,366		
118	9,020		8,366	19,072
		9,924		
119	10,829		9,924	28,995
		11,228		
120	11,627		11,228	40,224
		11,635		
120.2	11,642		2,327	42,551
SUM			42,551	

Elevation	Proposed Volumes			
	Area Sq. Ft.	Avg. Sq. Ft.	Volume Cu. Ft.	Cumulative
115	3,104		0	
		4,204		
116	5,303		4,204	4,204
		6,641		
117	7,978		6,641	10,845
		8,502		
118	9,026		8,502	19,347
		10,258		
119	11,490		10,258	29,605
		11,569		
120	11,648		11,569	41,174
		11,648		
120.2	11,648		2,330	43,504
SUM			43,504	

Elevation	Cumulative Volumes	
	Fill Volume of New Structures (CF)	Increase in Flood Storage On-Site (CF)
<115	0.0	0.0
115-116	-0.2	2.8
116-117	-2.2	133.8
117-118	-50.1	65.9
118-119	-51.7	282.3
119-120	-52.7	288.3
120-120.2	-1.5	1.5
SUM	-158	755

Drawing name: G:\MA\Newtown\Amir Nashat\100 Boulder Road\Main\20150_Grading, Drainage and Utility Plan.dwg
 Nov 01, 2021 - 15:06pm



DATE
REVISION
NO.

Record Owner:
AMIR H. NASHAT & CARMEN M. BARNES
 100 BOULDER ROAD
 NEWTON CENTRE, MA 02459
 BK 43058 / PG 29

Location:
 PROPERTY SBL: 81019 0001
 100 BOULDER ROAD
 NEWTON CENTRE, MA

PREPARED BY:
RJO'CONNELL & ASSOCIATES, INC.
 CIVIL ENGINEERS, SURVEYORS & LAND PLANNERS
 83 MONTAIGNE AVENUE, SUITE 201 STONEHAM, MA 02152
 PHONE: 781.279.8189 RJOCONNELL.COM

PREPARED FOR:
AMIR H. NASHAT
CARMEN M. BARNES
 100 BOULDER ROAD
 NEWTON CENTRE, MA 02459

PROJECT NAME:
100 BOULDER ROAD
NEWTON, MA

THIS PLAN IS THE RESULT OF AN ON THE GROUND SURVEY PERFORMED BETWEEN 01/04/2021 AND 02/03/2021.



DATE: 10/18/2021
 DRAWING NAME:
EXISTING CONDITIONS PLAN

DRAWN BY: RJK
 REVIEWED BY: ML
 SCALE: 1" = 10'
 FIELD CREW: RJK / CAB
 FIELD BOOK: FIELD BOOK 37 / PG 74
 DATE: 10/18/2021
 DRAWING NUMBER:
EX-1

PROJECT NUMBER:
20150

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LEGEND

(NOT ALL FEATURES CONTAINED IN THIS LEGEND APPEAR ON THE PLAN)

	PROPERTY LINE		CONCRETE CURB
	ABUTTING PROPERTY LINE		VERTICAL GRANITE CURB
	EASEMENT LINE		BITUMINOUS CONCRETE CURB
	SEWER SERVICE		HPDE HIGH DENSITY POLYETHYLENE
	DRAIN SERVICE		CONC. CONCRETE
	WATER SERVICE		LSA LANDSCAPE AREA
	GAS LINE		DOOR
	ELECTRIC LINE		SIGN
	TELEPHONE LINE		IRRIGATION CONTROL VALVE
	OVERHEAD WIRES		SPOT GRADE
	GUARDRAIL		DECIDUOUS TREE
	CHAIN LINK FENCE		CONIFEROUS TREE
	STOCKADE FENCE		FROM RECORD PLANS
	INDEX CONTOUR		RETAINING WALL
	INTERMEDIATE CONTOUR		

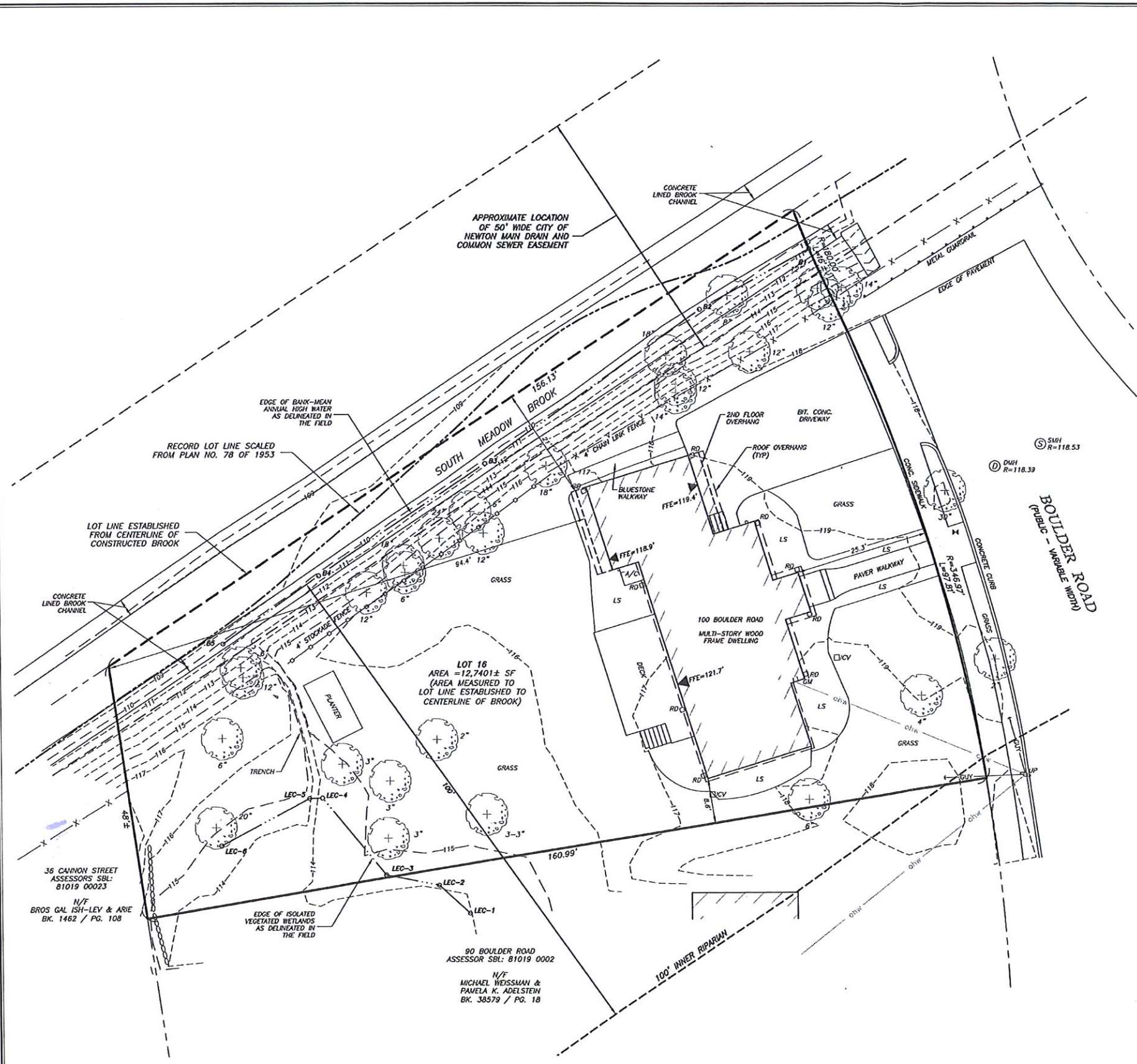
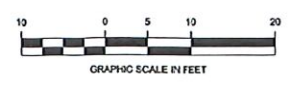
	UTILITY POLE		CONCRETE CURB
	LIGHT POLE		VERTICAL GRANITE CURB
	ELECTRIC HAND HOLE		BITUMINOUS CONCRETE CURB
	CABLE MANHOLE		HPDE HIGH DENSITY POLYETHYLENE
	SEWER MANHOLE		CONC. CONCRETE
	DRAIN MANHOLE		LSA LANDSCAPE AREA
	CATCH BASIN		DOOR
	WATER VALVE		SIGN
	FIRE HYDRANT		IRRIGATION CONTROL VALVE
	SPRINKLER CONNECTION		SPOT GRADE
	POST INDICATOR VALVE		DECIDUOUS TREE
	BOLLARD		CONIFEROUS TREE
	GAS METER		FROM RECORD PLANS
	GAS VALVE		RETAINING WALL
	ROOF DRAIN		
	AREA DRAIN		
	WETLAND FLAG		
	MEAN HIGH WATER FLAG		

NOTES

1. THE PURPOSE OF THIS PLAN IS TO SHOW THE EXISTING SITE CONDITIONS, AS THEY EXISTED AT THE TIME OF THE FIELD SURVEY OF THE LOCUS PARCEL FOR DESIGN PURPOSES. THIS PLAN WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND USING TOTAL STATION METHODS BY R. J. O'CONNELL & ASSOCIATES (RJOCA).
2. UNDERGROUND UTILITIES SHOWN ARE FROM OBSERVED SURFACE INDICATIONS, SUBSURFACE INDICATIONS, AND COMPILED FROM AVAILABLE RECORD PLANS OF UTILITY COMPANIES AND PUBLIC AGENCIES AND ARE APPROXIMATE ONLY. AS OF THE DATE OF THIS SURVEY, NO INFORMATION REGARDING RECORD UTILITIES HAS BEEN PROVIDED BY ELECTRIC AND GAS PROVIDERS. BEFORE CONSTRUCTION CALL "DIG SAFE" 811.
3. THE HORIZONTAL DATUM IS NAD83. THE VERTICAL DATUM IS CITY OF NEWTON. DATUMS WERE ESTABLISHED USING RTK GPS METHODS.
4. THE POSITIONAL ACCURACY OF THE DATA AND PHYSICAL IMPROVEMENTS ON THIS PLAN MAY BE APPROXIMATE. ANY USE OF ELECTRONIC DATA CONTAINED IN AUTOCAD VERSIONS OF THIS PLAN TO GENERATE COORDINATES OR DIMENSIONS NOT SHOWN ON THE PLAN IS NOT AUTHORIZED.
5. THE ENTIRE PARCEL IS LOCATED IN ZONE AE, BASE ELEVATION 114 (NAD83) (ELEVATION 120.5 AS CONVERTED TO CITY OF NEWTON DATUM), AS SHOWN ON "FLOOD INSURANCE RATE MAP, MIDDLESEX COUNTY, MASSACHUSETTS," PANEL 562 OF 556, MAP NUMBER 2501700562E, EFFECTIVE DATE JUNE 4, 2010.
6. WETLANDS WERE DELINEATED BY LEC ENVIRONMENTAL CONSULTANTS, INC. ON JANUARY 22, 2021. WETLAND FLAGS WERE LOCATED DURING THE FIELD SURVEY BY TOTAL STATION METHODS BY RJO'CONNELL & ASSOCIATES.
7. CONTOUR INTERVAL IS ONE FOOT (1').

PLAN REFERENCES

- PLAN BOOK AND PAGES REFERENCE THE MIDDLESEX SOUTH REGISTRY OF DEEDS
1. PLAN 78 OF 1953
 2. PLAN 421 OF 1953
 3. 1955 LAND COURT PLAN 25871-B
 4. PLAN 247 OF 1967



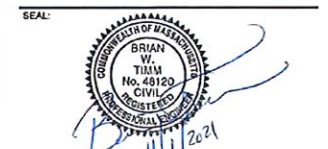
Drawing Name: C:\All\Newton\Amir Nashat\100 Boulder Road\Survey\DWG\20150_Survey.dwg

NO.	DATE	REVISION

PREPARED BY:
RJO'CONNELL & ASSOCIATES, INC.
 CIVIL ENGINEERS, SURVEYORS & LAND PLANNERS
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 PHONE: 781.278.0189 RJOC@CONNELL.COM

PREPARED FOR:
AMIR H. NASHAT
CARMEN M. BARNES
 100 BOULDER ROAD
 NEWTON CENTRE, MA 02459

PROJECT NAME:
100 BOULDER ROAD
 NEWTON, MA



DESIGNED BY: CMM
 DRAWN BY: CMM
 REVIEWED BY: BWT
 SCALE: 1" = 10'
 DATE: 11/01/2021

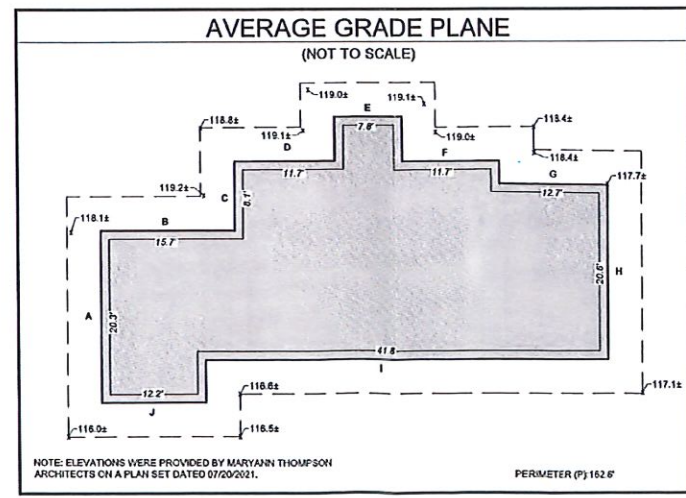
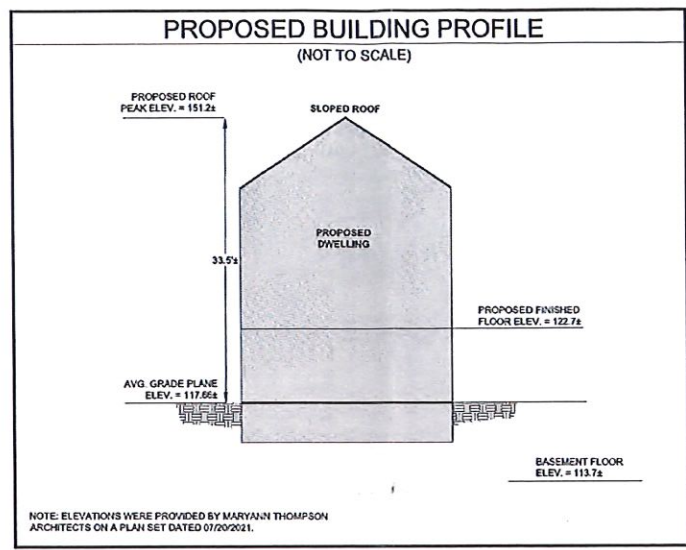
LAYOUT, DEMO AND EROSION CONTROL PLAN

DRAWING NUMBER:
DEMO-1

PROJECT NUMBER: 20150

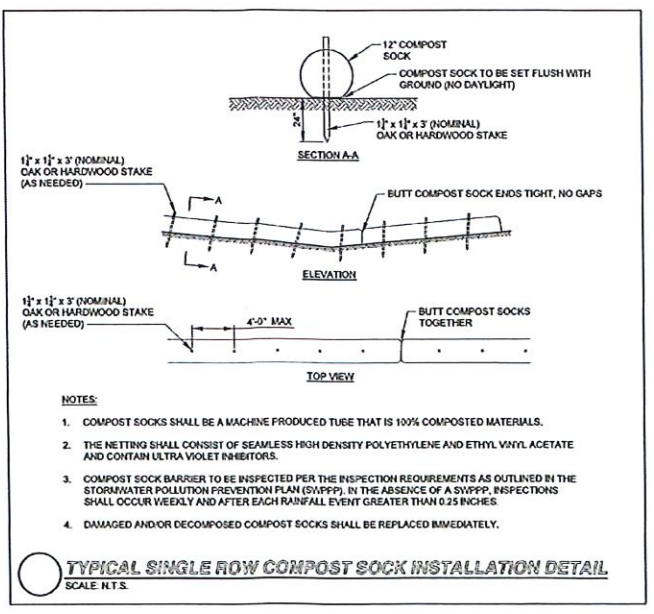
NOTES

- THE PURPOSE OF THIS PLAN IS TO DEPICT THE RELATIVE LOCATIONS AND DIMENSIONS OF THE BUILDING, DECK, DRIVEWAY AND WALKWAY PROPOSED TO BE CONSTRUCTED ON SITE. THE DIMENSIONS OF THE PROPOSED BUILDING ARE BASED UPON PLANS PREPARED BY MARYANN THOMPSON ARCHITECTS ENTITLED "NEWTON ZERO ENERGY HOUSE BASEMENT PLAN" AND "FIRST FLOOR PLAN" DATED 8/29/2021.
- SEE PLANS PREPARED BY LEC ENVIRONMENTAL FOR DETAILS OF THE RIVERFRONT RESTORATION AND RIVERFRONT ENHANCEMENT AREA.
- EXISTING CONDITIONS DEPICTED ON THIS PLAN ARE BASED UPON A PLAN PREPARED BY RJO'CONNELL & ASSOCIATES, INC. ENTITLED "EXISTING CONDITIONS SURVEY, 100 BOULDER ROAD, NEWTON, MASSACHUSETTS" DATED 10/18/2021.
- THE LOCATION AND ELEVATIONS OF EXISTING UTILITIES AND STRUCTURES AS SHOWN ON THESE PLANS ARE BASED ON RECORDS OF VARIOUS UTILITY COMPANIES AND PUBLIC AGENCIES AND ARE APPROXIMATE ONLY. THIS INFORMATION IS NOT TO BE RELIED UPON AS BEING EXACT OR COMPLETE. THE LOCATION OF UNDERGROUND UTILITIES AND STRUCTURES SHALL BE VERIFIED IN THE FIELD BY THE CONTRACTOR PRIOR TO THE START OF CONSTRUCTION. THE CONTRACTOR MUST CONTACT THE APPROPRIATE UTILITY COMPANY, OBTAINING PERMITTING AUTHORITY AND "DIG SAFE" AT 1-888-344-7233 AT LEAST SEVENTY-TWO (72) HOURS (EXCLUDING WEEKENDS AND HOLIDAYS) PRIOR TO ANY EXCAVATION WORK. TO REQUEST EXACT FIELD LOCATIONS OF UTILITIES. IF ANY DISCREPANCIES OR CONFLICTS ARE DISCOVERED, THE ENGINEER SHALL BE CONTACTED AND APPROPRIATE REMEDIAL ACTION TAKEN BEFORE PROCEEDING WITH THE WORK. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.



AVERAGE GRADE PLANE CALCULATIONS

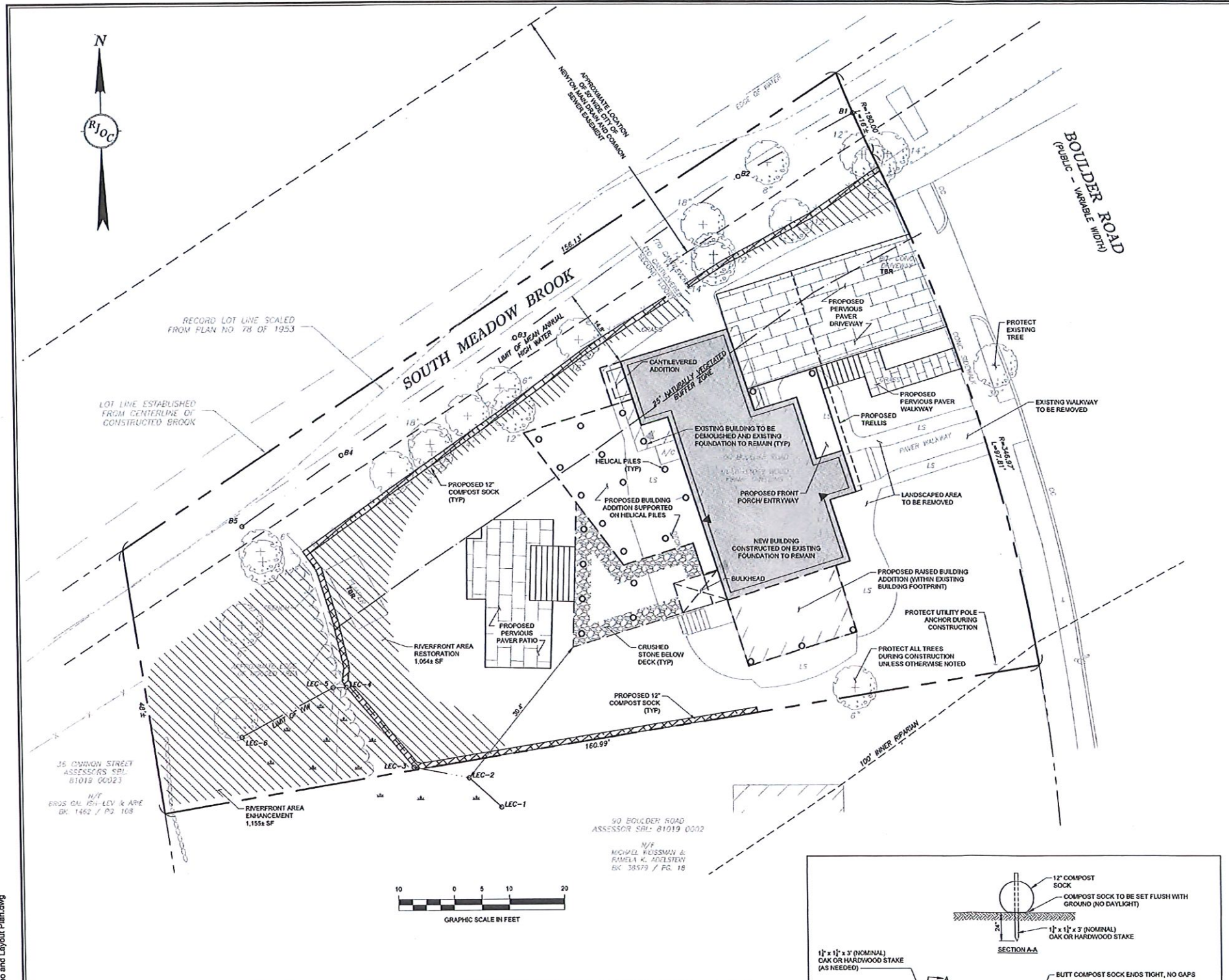
SEGMENT	E1	E2	L	(E1 + E2) / 2 x L
A	116.04	118.14	20.3'	14.80
B	118.14	119.24	15.7'	11.45
C	119.24	118.84	8.1'	5.92
D	118.84	119.1	11.7'	8.55
E	119.04	119.14	7.8'	5.71
F	119.04	118.44	11.7'	8.54
G	118.44	117.74	12.7'	9.21
H	117.74	117.14	20.8'	14.88
I	117.14	116.64	41.8'	30.10
J	116.54	116.04	12.2'	8.72
SUM			192.6'	117.66



PLAN LEGEND

(NOT ALL FEATURES CONTAINED IN THIS LEGEND APPEAR ON THE PLAN)

EXISTING	PROPOSED
CONCRETE CURB (CC)	PROPOSED BUILDING FOUNDATION
RECORD PLAN (REC)	PROPOSED CANTILEVERED BUILDING ADDITION
PROPERTY LINE	PROPOSED PERVIOUS PAVERS
ABUTTING PROPERTY LINE	PROPOSED RIVERFRONT RESTORATION AND ENHANCEMENT AREA
CHAIN LINK FENCE	PROPOSED COMPOST SOCK
STOCKADE FENCE	PROPOSED HELICAL PILE
25' NATURALLY VEGETATED BUFFER ZONE	
MEAN ANNUAL HIGH WATER	
BANK MEAN ANNUAL HIGH WATER FLAG	
WETLAND FLAG BY LEC ENVIRONMENTAL	
ISOLATED VEGETATED WETLANDS	



DIG SAFE

 BEFORE YOU DIG
 CALL 811

**Riverfront Area
Mitigation
Planting Plan**

100 Boulder Road
Newton, MA

Monday October 27, 2021

PREPARED BY:

LEC

Environmental Consultants, Inc.

100 Grove Street
Suite 302

Worcester, MA 01605

508-753-3077

508-753-3177 Fax

email: northlec@leceenvironmental.com

www.leceenvironmental.com

SCALE: 1" = 10'

(11 x 17" Print Size)

LEC File: RJOA20-423.04

SHEET 2 OF 2



Plan adapted by:
LEC Environmental Consultants, Inc.
from plan entitled;

GRADING DRAINAGE AND UTILITY PLAN

DATED October 8 2021

Prepared by:

RJO'CONNELL & ASSOCIATES, INC.

CIVIL ENGINEERS, SURVEYORS & LAND PLANNERS

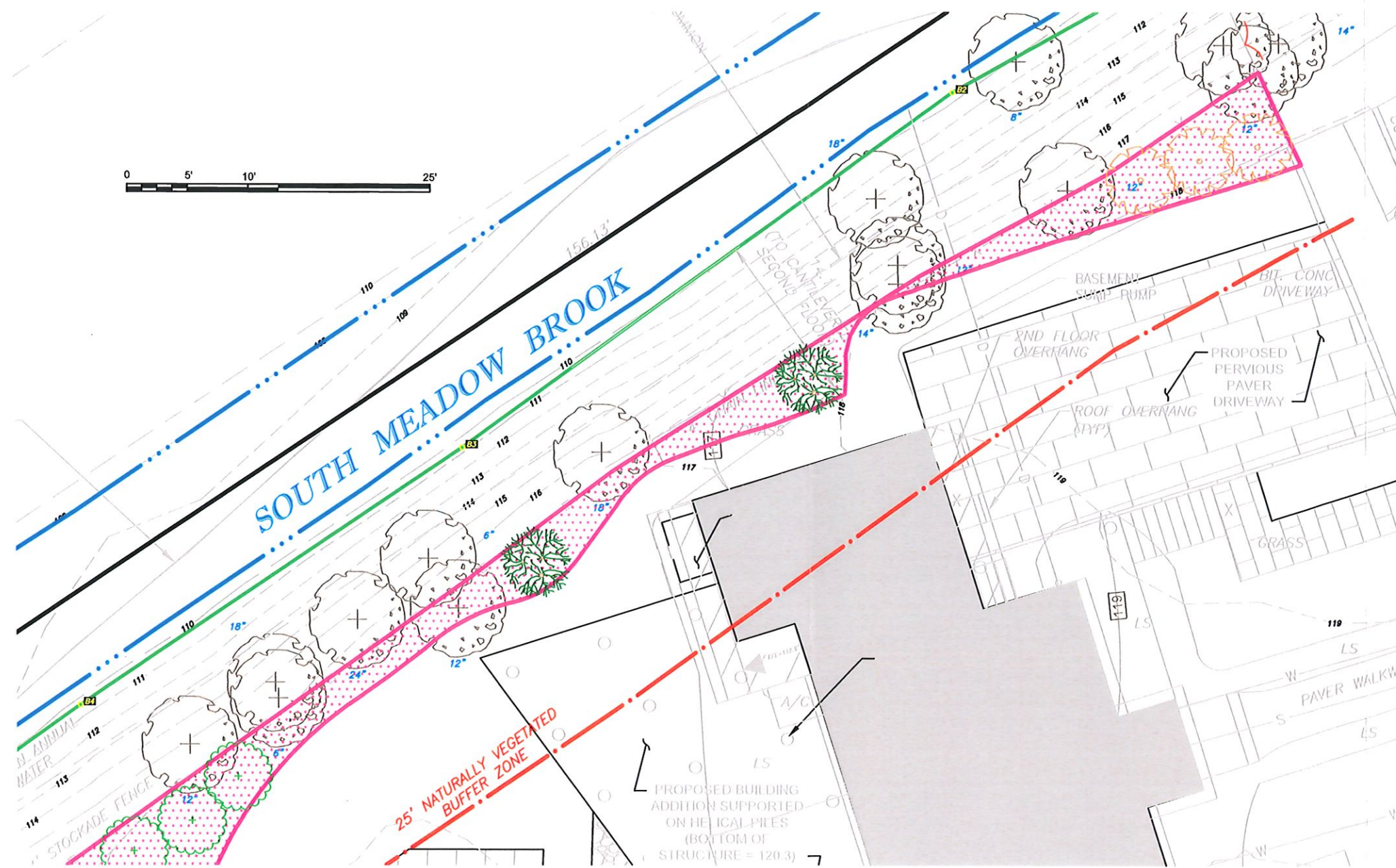
80 Montvale Ave., Suite 291

Stoneham, MA 02180

Tel: 781-278-0150 ext. 142

Cell: 617-797-0045

Fax: 781-278-0173



 RIVERFRONT RESTORATION

MITIGATION PLANNING - 2

**Riverfront Area
Mitigation
Planting Plan**

100 Boulder Road
Newton, MA

Monday October 11, 2021

PREPARED BY:

LEC

Environmental Consultants, Inc.
100 Grove Street
Suite 302
Worcester, MA 01605
508-753-3077
508-753-3177 Fax
email: northlec@lecenvironmental.com
www.lecenvironmental.com

SCALE: 1" = 10'
(11 x 17" Print Size)

LEC File: RJOA\20-423.04

SHEET 1 of 2



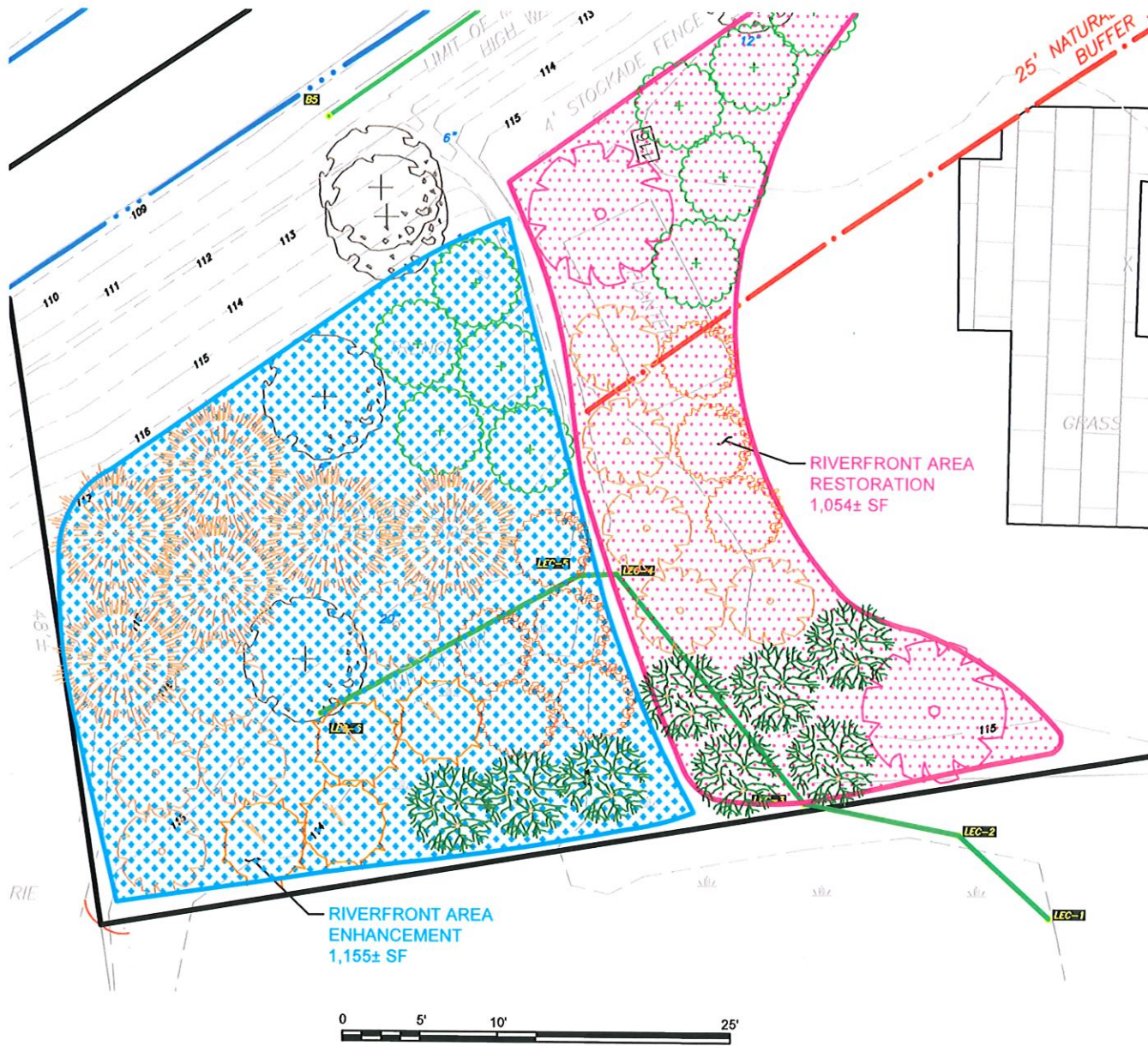
Plan adapted by:
LEC Environmental Consultants, Inc.
from plan entitled;

GRADING DRAINAGE AND UTILITY PLAN

DATED October 8 2021

Prepared by:

RJO'CONNELL & ASSOCIATES, INC.
CIVIL ENGINEERS, SURVEYORS & LAND PLANNERS
80 Montvale Ave., Suite 201
Storham, MA 02180
Tel: 781-279-0183 ext. 142
Cell: 617-397-0045
Fax: 781-279-0173



Common Name	Genus/Species	Size	Planting Specifications	No.
Shrubs				
arrowwood	<i>Viburnum dentatum</i>	2 - 3' min.	clusters 3-7, 4 - 6 feet o.c.	10
alternate leaved dogwood	<i>Cornus alterniflora</i>	2 - 3' min.	clusters 3-7, 4 - 6 feet o.c.	2
witchhazel	<i>Hamamelis virginiana</i>	2 - 3' min.	clusters 3-7, 4 - 6 feet o.c.	6
American hazelnut	<i>Corylus americana</i>	2 - 3' min.	clusters 3-7, 4 - 6 feet o.c.	10
red twig dogwood	<i>Cornus sericea</i>	2 - 3' min.	clusters 3-7, 4 - 6 feet o.c.	8
winterberry	<i>Ilex verticillata</i>	2 - 3' min.	clusters 3-7, 4 - 6 feet o.c.	4
nannyberry	<i>Viburnum lentago</i>	2 - 3' min.	clusters 3-7, 4 - 6 feet o.c.	13
Total:				53

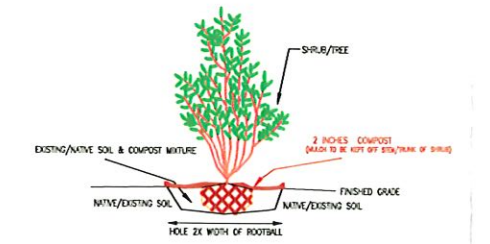
GROUND COVER

A MINIMUM OF 40 OF THE FOLLOWING HALF GALLON POTS TO BE PLANTED IN GROUPINGS OF 3-7, SPACED 1-3' O.C.

UPLAND AREA:
30 DENNSTAEDIA PUNCTILOBULA (HAY-SCENTED FERN)

UPLAND AND WETLAND AREA:
10 OSMUNDA CINNAMOMEA (CINNAMON FERN)

SHRUB PLANTING DETAIL
(NOT TO SCALE)



- EXCAVATE HOLE TO THE APPROXIMATE DEPTH FOR THE ROOT BALL.
- PREVENT BURYING OF ROOT FLARE (WHERE THE FIRST MAIN ROOTS ATTACH TO THE TRUNKS)
- LOOSEN EXPOSED ROOTS AS NECESSARY.
- WATER THOROUGHLY UNTIL ROOTBALL AND SURROUNDING SOIL IS COMPLETELY SATURATED.
- PLANTS THAT PREFER ACIDIC ORGANIC RICH SOIL (E.G. AZALEAS, RHODODENDRONS) SHALL INCLUDE PEAT IN SOIL AMENDMENT AND/OR ON SURFACE BENEATH MULCH.

NOTES

- THE LIMITS OF THE RESTORATION AREA SHALL BE STAKED IN THE FIELD PRIOR TO CONSTRUCTION AND ACCURATELY LOCATED BY A PLS.
- EROSION CONTROLS SHALL BE INSTALLED AT THE LIMIT OF WORK.
- IF TOPSOIL IS ABSENT, APPROXIMATELY 4-6 INCHES OF TOPSOIL (50/50 LEAF COMPOST AND LOAM MIXTURE) SHALL BE ESTABLISHED WITHIN THE RESTORATION AREA.
- ALL PLANTINGS SHALL BE NATIVE VARIETIES WITH NO LANDSCAPE CULTIVARS PROPOSED.
- SPECIFIC PLACEMENT OF SHRUBS AND TREES WITHIN THE PLANTING AREA ARE APPROXIMATE AND MAY BE ADJUSTED IN THE FIELD.
- IF NECESSARY, ANY REQUIRED SUBSTITUTE NATIVE PLANTS SHALL BE REVIEWED BY A WETLAND SCIENTIST PRIOR TO INSTALLATION.
- A DEEP WATERING SHALL OCCUR AT THE TIME OF INSTALLATION.
- PLANTING IN THE EARLY SPRING OR EARLY FALL IS RECOMMENDED.
- IMPLEMENTATION OF A WATERING SCHEDULE IN THE FIRST GROWING SEASON FOR THE PLANTINGS IS RECOMMENDED TO ENSURE ESTABLISHMENT.
- A ONE TIME APPLICATION OF 2 INCHES OF LEAF COMPOST MULCH SHALL BE APPLIED TO THE PLANTING AREA.

MITIGATION PLANTING - 1

DETAILED CONSERVATION COMMISSION MINUTES

Date: Thursday, October 28, 2021

Time: 7:00pm

Place: This meeting will be held as a virtual meeting via Zoom.

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

<https://us02web.zoom.us/j/81477829237>

With a quorum present, the meeting opened at 7:00pm with Dan Green presiding as Chair.

Members Present: Dan Green, Susan Lunin, Jeff Zabel, Judy Hepburn, Leigh Gilligan, Kathy Cade, Ellen Katz, and Sonya McKnight (associate member).

Members Absent: none

Staff Present: Jennifer Steel

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

DECISIONS

I. WETLANDS DECISIONS

1. (7:00) 0 Comm. Ave. (Lyons Field, The Cove) – NOI – Islington Force Sewer Main Replacement – DEP File #239-904

- **Owner:** Newton Parks, Recreation & Culture, Nicole Banks, Commissioner
- **Applicant:** Newton DPW, Ted Jerdee, Director of Utilities
- **Representative:** Weston and Sampson, Inc., Patrick Terrien
- **Request:** Issue an OOC for the proposed work.
- **Documents Presented:** Plans, site photos, draft OOC
- **Jurisdiction:** RFA, BLSF, BVW, Newton Floodplain
- **Project Summary**
 - Install a new HDPE sewer force main (taking sewage from the Islington Road area via the pump station on the east side of Ware's Cove) to a gravity sewer located adjacent to Lyons Field on Commonwealth Avenue.
- **Presentation (Ted Jerdee and Patrick Terrien) and Discussion**
 - The cast iron force main has experienced multiple corrosion related failures within the past 5 years. The station pumps sewer flow via a 56-year-old, 6-inch diameter, 865 foot long, cast iron force main from the Islington Road area to a gravity sewer located adjacent to Lyons Field. The force main is in an easement with portions in wetlands.
 - The applicant considered routing the new pipe up to Kaposia Street, but the hydraulics were not favorable.
 - The project is required to maintain public health but is not exempt under the Act.
 - The applicant hopes to bid the project immediately and undertake the work in the winter when there will be less foot traffic in Auburndale Park
 - During the replacement, sewer flow will be bypass pumped through fused HDPE piping up Kaposia Street to a gravity sewer located on Ware Road, approximately 525 feet away.
 - All work will take place in previously disturbed areas (lawn, dirt path, gravel path).
 - Open cut excavation is required. An average excavation depth of 6 feet will be required. The contractor is anticipated to use a mini excavator, backhoe, and small dump trucks.
 - There will be 1,300 square feet of temporary impact to BVW and 4,000 square feet of temporary impact to BLSF. The site will be returned to existing condition.
 - The area is susceptible to flooding, and portions of the pathway are regularly underwater.
 - No flood storage volume will be lost, so no compensatory storage need be provided.
 - All work within the Bordering Vegetated Wetland is temporary. The BVW will be restored to previous condition following project completion. The top 24 inches of topsoil will be



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: fairley@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.

carefully removed, and then used as backfill for the trench excavation top layer. This will ensure that the site will be returned to existing condition.

- A Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan has been submitted.
- Compost filter tubes will be used to minimize impacts to the surrounding landscape. At the suggestion of staff, the applicant submitted revised plans showing a reduced extent of erosion controls.
- Vote: to close the hearing and issue an OOC with the following special conditions. [Motion: Kathy Cade; Second: Jeff Zabel; Roll-call vote: Lunin (aye), Hepburn (aye), Green (aye), Cade (aye), Katz (aye), Gilligan (aye), Zabel (aye); Vote: 7:0:0]
 - Review all conditions with all contractors and workers involved in on-site operations prior to the commencement of construction on this project. Any contractors and workers arriving after construction commences must also be apprised of these conditions. The project supervisor overseeing daily operations at the site must read this Order.
 - Excavation shall not be initiated in an area if the area is underwater.
 - Spoils from trenches may be side-cast IF there is room to do so on existing pathways or it may be placed in trucks. Spoils may not be side-cast or stockpiled in vegetated areas beside the pathways.
 - Materials may be stockpiled in existing pathways, but stockpiles must be wrapped with compost sock.
 - At the end of construction, pathways shall be returned to their initial grade and topped with a firm material appropriate for walking paths and not susceptible to erosion.
 - The 5-page Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan has been submitted and shall be included in the OOC.

2. (7:25) Dunstan East 40B – Minor Plan Change Request – DEP #239-867

- Owners: c/o Robert Korff, Mark Development, LLC
- Applicant: Robert Korff, Mark Development, LLC
- Representative: Rich Hollworth, VHB
- Request: Allow the proposed changes as “minor plan changes” rather than requiring an amended OOC.
- Documents Presented: Revised plan sheets
- Jurisdiction: RFA, BLSF, Newton Floodplain
- Presentation (Rich Hollworth) and Discussion
 - Mr. Hollworth presented the list of proposed modifications to the prior approved plans. Commissioners discussed (and modified slightly, as drafted below, the one regarding street trees):
 - Add the Safelite parcel (1157 Washington Street) to the Project Site. Note: it is entirely outside RFA.
 - Demolish the Safelite and Tennant Building and expand Building 3 and the associated courtyard.
 - Expand streetscape improvements along Kempton Place and Washington Street adjacent to the Building 3.
 - Add 24 street trees, the precise species within the Conservation Commission’s jurisdiction to be approved by the Chief Environmental Planner as part of the review of the final landscape plan.
 - Eliminate curb cuts, add sidewalk, and make minor changes to the sidewalk grading at Bldg 3.
 - Modify the configuration of the compensatory flood storage (and “park” area) to accommodate refinements of the building structural grid, accessible routes and stairs (the deck and stone dust walkway were expanded a bit). There is no meaningful change in the incremental flood plain compensation. The current design continues to provide an increase flood storage and retains the improved hydraulic conditions consistent with the original design. The applicant will provide final design drawings in accordance with the Order of Conditions.
 - Increase the size of subsurface sand filtration system #1 by 10%, in response to peer review comments.
 - Increase the capacity of sand filtration system #2 in Kempton Place by 60% to address site expansion.
 - Mr. Hollworth stated that all changes have been reviewed and approved by the ZBA and that the changes to the stormwater treatment system and the changes to the floodplain have been reviewed and approved by the City’s peer reviewer (Horsley Witten).
 - The proposed changes within the Commission’s jurisdiction appear to meet or exceed all relevant performance standards. The proposed changes, whether subject to or not subject to the Commission’s jurisdiction, will likely have no demonstrable adverse effects on the functions or values of the wetland resource areas on site and appear to add environmental protection and enhancement.
 - The proposed plan changes and mitigation efforts appear to adequately compensate for the increased density of development outside the Commission’s jurisdiction.

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: fairley@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.

- The increased number of street trees will capture rainfall, provide shade/cooling, and provide some habitat value. Commissioners noted their interest in having native species of trees planted within their jurisdiction (not Ginko) and in having species interspersed with one another. One Commissioner suggested Basswood (Tilia).
- Vote: to approve the presented modified plan sheets as new Plans of Record (issued via a Minor Plan Change Approval Memo) [Motion: Kathy Cade; Second: Susan Lunin; Roll-call vote: Lunin (aye), Hepburn (aye), Green (aye), Cade (aye), Katz (aye), Gilligan (aye), Zabel (aye); Vote: 7:0:0]
- Staff Recommendations: Vote.

3. (7:50) 409 Crafts Street – NOI – second story addition, walkway work, tree removal and planting – DEP file #239-906

- Owner/Applicant: Chris and Carl Attardo
- Representative: Ian Ainslie of Meisner Brem Corporation
- Request: Issue an OOC approving the proposed work
- Documents Presented: Colored plans, site photos, draft DOA
- Jurisdiction: Buffer Zone, Riverfront Area
- Project Summary
 - Redevelop existing single-family home with second story addition, remove mudroom and some existing paved walkways, expand and re-pave existing driveway, remove 5 trees, plant new native trees
- Presentation (Chris Ainslie and Chris Attardo) and Discussion
 - Remove. No stump grinding is proposed.
 - The redevelopment portions of the project meet the performance standards in 310 CMR 10.58(5) – degraded area is being reduced (overall by 5 sf).
 - The driveway expansion falls under 310 CMR 10.54, but is permissible as it falls in the outer riparian zone.
 - The tree cutting: Trees 1, 2 and 5 were approved to be removed as dead & hazardous under a recent RDA. Cutting of Trees 3 and 4 is proposed to be compensated for.
 - Tree 1 – 20” Crimson Maple – damaged – REMOVAL PRIOR APPROVED
 - Tree 2 – 20” Black Locust – dead – REMOVAL PRIOR APPROVED
 - Tree 5 – 23” Norway maple – close to house – REMOVAL PRIOR APPROVED
 - Tree 3 – 10” Black Locust – leaning towards house
 - Tree 4 – 14” Black Locust – root system damaging driveway
 - Staff noted that the “existing tree to remain” on Albemarle Road is in poor health.
 - Staff and Commissioners noted: (1) the lack of biodiversity in the number and density of the proposed arbor vitae, (2) the non-native status and large size (4-inch) of the Japanese maples, (3) the large size (4-inch) of the flowering dogwood, and (4) the inappropriate placement of the proposed new trees.
 - Staff and Commissioners noted that the site is likely too small to accommodate all the caliper inches that the applicant is required to replace under the City’s Tree Ordinance.
 - Commissioners would like 30-40” of native trees planted and arbor vitae replaced with American holly, spruce, fir or Atlantic white cedar.
- Vote: to close the hearing and issue an OOC with the following special conditions once the planting plan has been revised to the Commission’s requirements above and to Staff’s satisfaction. [Motion: Susan Lunin; Second: Ellen Katz; Roll-call vote: Lunin (aye), Hepburn (aye), Green (aye), Cade (aye), Katz (aye), Gilligan (aye), Zabel (aye); Vote: 7:0:0]
 - Trees to be preserved must be protected by orange snow fencing at the drip line and with mulch and plywood over the roots prior to any work on site.
 - Mitigation planting must occur as shown on the approved plans; both oaks, all 6 Prunus nigra (Canadian plum) trees, both spruce trees, both mountain laurel, and 7 of the 10 arbor vitae must survive 2 growing seasons.
 - To protect wetland wildlife, exterior lighting shall be limited to “dark sky”, focused lighting. No spotlights or floodlights shall be directed at Cheesecake Brook.

4. (8:20) 791 Walnut Street/Newton Cemetery – RDA – “pond”

- Owner/Applicant: Newton Cemetery, Mary Ann Buras
- Representative: EcoTec, Inc., Paul McManus,
- Request: Issue a DOA finding that there is no ConCom jurisdiction in the subject portion of the cemetery.
- Documents Presented: Colored plans, site photos, draft DOA
- Jurisdiction: none

- Presentation (Paul McManus) and Discussion
 - The applicant laid out a clear case that the man-made and fully lined lagoon does not qualify as a jurisdictional wetland resource area. The “irrigation storage lagoon” was constructed between 1978 and 1994 under an engineered plan. The plan includes a detail that indicates the presence of a liner behind the ornamental stone perimeter and along the bottom. Photographs of the lagoon liner being installed were submitted. No hydrologic connections to the lagoon exist. The definition of “Pond” in 310 CMR 10.04 is “ ... the following human-made bodies of open water shall not be considered ponds: ...(b) swimming pools or other impervious human-made basins ...”
 - Staff showed photos of the site.
- Vote to close the meeting and issue a Negative 1 Determination noting that the “lagoon” shown on the Plan of Record is not a jurisdictional wetland resource area, and further, that the portion of the Newton Cemetery identified as the Northwest Quadrant contains no areas subject to the provisions of the Massachusetts Wetland Regulations at 310 CMR 10.00, or the Newton Floodplain Ordinance. [Motion: Judy Hepburn; Second: Leigh Gilligan; Roll-call vote: Lunin (aye), Hepburn (aye), Green (aye), Cade (aye), Katz (aye), Gilligan (aye), Zabel (aye); Vote: 7:0:0]

5. (8:30) 130 Countryside Road – RDA – landscaping

- Owner/Applicant: Chen Schor
- Representative: Tim McGuire, Goddard Consulting
- Request: Issue a DOA confirming: (1) the majority of the work (tear down/rebuild of a single-family house, driveway, pool and patio) is outside of buffer zone to an off-site BVW, (2) the proposed grading, removal of existing plants, and installation of native plants within the buffer zone is exempt under the Wetland Protection Act.
- Documents Presented: Colored plans, site photos, draft DOA
- Jurisdiction: Buffer Zone
- Project Summary (of work within the 100-foot Buffer Zone)
 - Remove existing vegetation, construct retaining wall (up to 3-feet tall), grade, install native vegetation
- Presentation (Tim McGuire and Chen Schor) and Discussion
 - The project proposal was reviewed, along with site photos.
 - Staff noted concern that there is insufficient space for grading & construction of the wall. The applicant stated there would be sufficient space.
 - Staff noted that erosion barriers must be staked, entrenched silt fence, since silt sock may not be sufficient where the grade changes will be significant.
 - The Commission discussed their interests in:
 - substituting the 3 proposed birch trees (which are all one clone) with native canopy trees with wildlife habitat value – 1 oak and 1 oak or maple
 - substituting the 8 proposed hemlocks (susceptible to wooly adelgids and scale) with 6 native trees (3 evergreens (spruce and/or fir) and 3 other trees).
 - Including one white pine tree.
- Vote to close the meeting and issue a negative 3 Determination (i.e., the Determination shall note that work is within BZ but will not alter the wetland) as soon as staff receive and approve revised planting plans reflecting the three interests above and with the following conditions. [Motion: Leigh Gilligan; Second: Susan Lunin; Roll-call vote: Lunin (aye), Hepburn (aye), Green (aye), Cade (aye), Katz (aye), Gilligan (aye), Zabel (aye); Vote: 7:0:0]
 - No grading or construction beyond what is shown on the referenced plans are hereby approved.
 - The erosion barriers within the 100-foot Buffer Zone must be staked, entrenched silt fence.
 - The approved landscape plans must be followed.
 - Photographs of the planting bed shall be forwarded to the Conservation Office at the time of installation.
 - All trees shown on the approved landscape plans must survive 2 growing seasons.

6. (9:00) 31 Kessler Way – NOI – patio expansion – DEP file #239-905

- Owner: Srikant and Ramya Rao
- Applicant: Jorge Oslan
- Representative: John Rockwood, Ecotec, Inc.; Joe Porter, VTP Associates engineer
- Request: Issue an OOC.
- Documents Presented: Colored plans, site photos, draft DOA
- Jurisdiction: Buffer Zone, Riverfront Area

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: fairley@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.

- Project Summary
 - Remove the existing 135 sf patio, safety fence, and 40 sf granite steps. Construct a new, expanded 293 sf patio with fence and 119 sf walkway, and install 7 native shrubs. New construction will be contained within retaining walls. The retaining walls will be 7' tall at the corner of the proposed patio and 1.5' tall along the proposed walkway. The increase in impervious surface is 277± square feet.
- Presentation (John Rockwood) and Discussion
 - This is a small project that will have no adverse impact on the wetland beyond the main/lawn retaining wall.
 - The proposed retaining walls are behind other retaining walls, so should not affect wildlife passage.
 - The proposed shrubs will add some native vegetation to the area.
- Vote to close the hearing and issue an OOC with the following special conditions. [Motion: Leigh Gilligan; Second: Jeff Zabel; Roll-call vote: Lunin (aye), Hepburn (aye), Green (aye), Cade (aye), Katz (aye), Gilligan (aye), Zabel (aye); Vote: 7:0:0]
 - Scheduling a pre-construction site visit
 - Submission of a concrete washout plan designed to limit and control any adverse on the wetlands resource areas or a signed statement that no concrete washout will occur on-site must be presented to the Conservation Office for review and approval prior to any activity on the site.
 - Submission of exterior lighting details, if applicable, shall be submitted to the Conservation Office for review and approval prior to installation.
 - Mitigation planting of 7 native shrubs (species and sizes at the time of installation must be approved by the Chief Environmental Planner) must occur as shown on the approved plans; all shrubs must survive 2 years.

7. (9:15) 1 Riverside Road – NOI – pedestrian bridge and park improvements – DEP File #239-903

- Owner: Mass DOT
- Applicant: Paul Jahnige, Mass. Department of Conservation and Recreation
- Representatives: Sam Campbell, Laura Krauss, and Brian Meyers, GPI
- Request: Issue an OOC.
- Documents Presented: Plans, site photos, draft OOC
- Jurisdiction: RFA, BLSF, Bank, LUWW, BVW, Stream Crossing Standards, Stormwater Standards, Newton Floodplain
- Project Summary: Improvement activities proposed within Newton include:
 - Demolition of the existing bridge, including removal of the existing northern abutment and northern pier;
 - Construction of an 18.2-foot wide, 195-foot-long bridge (approximately 97 feet in Newton), including installation of 6 bridge support piles (4 in Newton);
 - Installation of an approximately 300-foot-long 10-foot wide hot-mixed asphalt (HMA) shared-use path with vegetated shoulders connecting the bridge to the sidewalks on Riverside Road and parking lot;
 - Replacement of an approximately 150-foot-long paved path with two 5-foot-wide crushed aggregate foot paths with vegetated shoulders connecting the parking lot and the shared-use path to a companion/rest area space with park benches adjacent to the Charles River;
 - Milling and HMA overlay reconstruction of the parking area and sidewalk extensions;
 - Stormwater/drainage improvements: 4 deep-sump catch basins, gravel diaphragms, and water quality swale; and
 - Earthwork, tree removal, landscaping, and other activities incidental to construction of the rail trail.
- Presentation (Paul Jahnige and Sam Campbell) and Discussion
 - The responses to prior questions and concerns were summarized.
 - The flood elevation was confirmed to be at 38.0 feet.
 - Efforts were made to preserve the large oak, but construction requirements dictate its removal. In total: 3 dead, 10 invasive, and 9 native trees are due to be removed; 16 native trees are due to be planted.
 - All proposed impacts and alterations appear to meet all relevant performance standards.
 - Tree topping will not occur in Newton (only in Weston).
 - The restoration plan for along the Bank has been enhanced; many native shrubs will now be planted above the bank.
 - Test pits are not necessary, since in the models, the swale was not assumed to infiltrate..
 - Staff noted that invasive species control would likely be ineffectual if conducted only during construction. A longer-term management strategy should be provided to ensure that the restoration planting area will thrive. The applicant stated a willingness to have a 5-year OOC that would allow for more maintenance. The contractor will be

responsible for the invasive species management plan. Staff will be invited to the preliminary site visit with the contractor prior to his/her development of the invasive species management plan.

- A commissioner noted that standing dead wood snags were valuable habitat and should be maintained if possible. She also asked about including some evergreens, such as Atlantic white cedar, in the planting plan, but Paul Jahnige noted that there are very few evergreens in natural settings along the river.
- DCR will identify a site monitor to assist the Commission with oversight of tree cutting, invasive control, construction, and erosion control.
- Vote to close the hearing and issue an OOC with the following special conditions. [Motion: Kathy Cade; Second: Susan Lunin; Roll-call vote: Lunin (aye), Hepburn (aye), Green (aye), Cade (aye), Katz (aye), Gilligan (aye), Zabel (aye); Vote: 7:0:0]
 - This Order must be recorded prior to any demolition or construction operations on-site.
 - To ensure broad understanding of this Order and good lines of communication, the applicant must:
 - Must provide a signed Certificate of Understanding.
 - Provide contact information for those responsible for compliance with the Order on site. An emergency telephone number must be provided in the event that action is required during non-working hours.
 - Provide the anticipated timeline
 - Review all conditions with all contractors and workers involved in on-site operations prior to the commencement of construction on this project. Any contractors and workers arriving after construction commences must also be apprised of these conditions. The project supervisor overseeing daily operations at the site must read this Order.
 - Include this document in all contracts, subcontracts, and specifications associated with the proposed work and shall supersede any conflicting contract requirements. The Applicant shall ensure that all contractors, subcontractors and personnel performing the permitted work are aware of the permit's terms and conditions. Thereafter, the contractor will be held jointly liable for any violation of this Order. Nothing in this paragraph shall limit or restrict the liability of the Applicant for violations of this Order.
 - Prior to any demolition or construction operations on-site, the contractor must submit to the Conservation Office for review and approval:
 - Stormwater Pollution Prevention Plan prior to construction.
 - A construction phasing/site management plan designed to limit and control any adverse on the wetlands resource areas. At a minimum, it must address the following:
 - Anticipated phases/milestones with dates,
 - Erosion and siltation controls for different locations and/or phases of the project,
 - Parking and access for workers' vehicles and construction equipment,
 - Demolition and debris containment,
 - Turbidity control,
 - Staging and stockpiling for construction materials and equipment,
 - A dewatering plan designed to limit and control any adverse on the wetlands resource areas or a signed statement (with a locus and a detail).
 - A concrete washout plan designed to limit and control any adverse on the wetlands resource areas or a signed statement that no concrete washout will occur on-site.
 - An Invasive Plant Management Strategy (IPMS) plan.
 - A revised planting plan showing:
 - the inclusion of a few evergreen trees (such as Atlantic white cedar) and/or shrubs,
 - noting the desire to retain the standing dead wood snags along the river, if at all possible, and
 - the need to maintain native shrubs and saplings during the invasive removal efforts
 - The Conservation Agent shall be invited to attend the initial site visit with the contractor for the planning of the IPMS.
 - Tree protection must be installed around all trees to be preserved. Protection must include adequate protection of the roots (mulch and plywood), trunk (boards tied on), and branches (orange snow fencing near the drip line).
 - Prohibitions include:
 - a. Damage to any of the mature trees (branches, trunk, or roots) shown as to be protected.
 - b. Excavation near trees with heavy equipment.
 - c. Tracking of soil onto City streets.

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- Excavation (and “grubbing”) in close proximity to trees to be preserved shall be by hand or air-spade.
- Landscape restoration and planting areas within Commission jurisdiction must:
 - d. Be fully stabilized at the conclusion of the project
 - e. Be installed in compliance with the approved plans (desired changes must be approved by the Conservation office in advance)
 - f. Have a survival rate of 100 % of total number of trees (after 2 growing seasons)
 - g. Have a survival rate of 75 % of total number of shrubs (after 2 growing seasons)
 - h. Have a survival rate of 90 % aerial coverage of all other plants (after 2 growing seasons)
 - i. Mulch applications, if any, shall diminish over time and cease as ground cover species and shrubs spread.
- Invasive species control efforts shall:
 - a. follow the submitted, reviewed, and approved Invasive Plant Management Strategy plan (see condition 24.d.);
 - b. preserve native shrubs and saplings during the invasive removal efforts;
 - c. preserve the standing dead wood snags along the river to the maximum extent practicable;
 - d. address the initial removal of invasive species as identified on the approved plans;
 - e. follow best management practices for the disposal of each variety of invasive species addressed; and
 - f. be undertaken to ensure appropriate maintenance of the restoration areas following installation. To this end, DCR shall monitor the site twice per year for the period of this 5-year OOC and, should non-native species regenerate within more than 20% of the riverside restoration area, DCR will implement additional invasive controls.
- If any trees within the wetland or buffer within the project area “shown as to remain” 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).
- Compensatory flood storage must be provided in its entirety as per the plans and must be reflected in as-built plans.
- The stormwater infiltration system must be installed as per the approved plans.
- DCR shall seek volunteers to assist with the maintenance of the restoration planting area.
- As-built plans must clearly illustrate finished grading, utilities, etc.
- Letter from a landscaper certifying compliance with the approved planting scheme must be submitted.

8. (9:15) Receipt of Materials Policy

- Request: Approve an official “receipt of materials policy” for wetland cases.
- Documents Presented: Existing policy
- Staff Comments:
 - Hearings are held on Thursdays: date x
 - Packets/analyses are sent on Thursday: x-7
 - The January 25, 1996 Policy states: “All filings/applications must be complete and in the Commission office by noon sixteen days prior to the monthly meeting to facilitate the placement of the legal ad and to allow timely review by City departments in advance of the hearing.” and “Minor revisions (relocation of a driveway farther from a resource area, providing a planting list, etc.) must be in hand by the Tuesday noon (2 days) prior to the meeting. Major revisions (those resulting in additional impacts to resource areas or requiring engineering review such as drainage systems or compensatory storage calculations) must be received by the Thursday noon (7 days) prior to the meeting.
 - The May 27, 2010 policy states: “The current policy is that correct documentation must be in two weeks before the meeting (for a new filing, complete documentation must be submitted and it must be in the third Tuesday before the meeting. The policy going forward is that inaccurate filings will be considered to be incomplete.
 - A new policy should state. “To allow placement of legal ads, when necessary, and careful review by City staff, all applicants and inquirers under the Wetlands Protection Act, must submit (in hard copy and electronic form) complete materials as follows:
 - New applications -- by noon, Tues., 16 days prior to the hearing/meeting (9 days prior to packets);
 - Revisions -- by noon, Mon., 10 days prior to the hearing/meeting (3 days prior to packets).
 - Informal discussions -- by noon, Tues., 11 days prior to the hearing/meeting (2 days prior to packets)
 - Exceptions will be at the sole discretion of the Chief Environmental Planner.

- Vote to approve the new policy as stated and shown on the screen. [Motion: Dan Green; Second: Susan Lunin; Roll-call vote: Lunin (aye), Hepburn (aye), Green (aye), Cade (aye), Katz (aye), Gilligan (aye), Zabel (aye); Vote: 7:0:0]

II. CONSERVATION AREA DECISIONS – none at this time

III. ADMINISTRATIVE DECISIONS

9. (9:45) Minutes of 10/7/21 to be approved

- Documents Presented: Draft 10/7/21 minutes as edited by Ellen Katz
- Vote to approve the 10/7/21 minutes. [Motion: Susan Lunin; Second: Leigh Gilligan; Roll-call vote: Lunin (aye), Hepburn (aye), Green (aye), Cade (aye), Katz (aye), Gilligan (aye), Zabel (aye); Vote: 7:0:0]

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

UPDATES

V. WETLANDS UPDATES

- 33 Greenwood Street – Regraded and replanted
- 942 Watertown -- Planted and completed but for the pipe caps.
- The Farm wants to bridge (culver the stream) and clear/wood chip a 3 ft wide path.
- PRC has a lot of work in the offing – we are due meet as staff to identify Conservation jurisdiction and concerns.
 - Fields: Albemarle, McGrath, Burr Elem., Oak Hill/ Brown middle schools, Forte, and Braceland
 - Synthetic turf replacements: both high schools
 - Field lights: both high school turf fields
 - Gath Pool at Albemarle
 - Community garden: Spears Park
 - Amphitheater: Newton Centre Playground
 - Crystal Lake: Left Beach, main beach

VI. CONSERVATION AREA UPDATES

- Webster Conservation Area research efforts.
- Jennifer needs to get improvement projects underway.
- BC suit re Webster Woods taking is underway (in discovery)

VII. ISSUES AROUND TOWN UPDATES

- “Climate Summit” 10/27/21 – City staff and resident activists met to review and develop new priorities.
- EnviSci may be adopted by Parks and Rec.

VIII. ADMINISTRATIVE UPDATES

- A great candidate for Assistant Planner has been offered the position and is due to start Nov. 22. We had 62 applicants as of 10/20/21.
 - OSRP Trails subcommittee will be formed after the elections.
-

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

ADJOURN at 10:18. Vote to adjourn. [Motion: Jeff Zabel; Second: Judy Hepburn; Roll-call vote: Lunin (aye), Hepburn (aye), Green (aye), Cade (aye), Katz (aye), Gilligan (aye), Zabel (aye); Vote: 7:0:0]