

CONSERVATION COMMISSION AGENDA

Date: Thursday, Sept 22, 2022

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>

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

A. WETLANDS DECISIONS

1. 7:00 – 21 Albemarle Rd – continued NOI – driveway expansion – DEP #239-932

- Owner/Applicant. Devanshu Mehta
- Representatives. Ryan Roseen, Goddard Consulting
- Request. Issue OOC.
- Documents in packets. None
- Additional documents presented at meeting. TBD
- Jurisdiction. RFA
- Performance Standards.

RFA: Redevelopment in Previously Developed Riverfront Areas; Restoration & Mitigation: 10.58(5)

- ... work improves existing conditions.
- Work to redevelop previously developed riverfront areas shall ...:
 - (a) At a minimum, work shall result in an improvement over existing conditions ...
 - (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....
- Proposed Project Summary.
 - Enlarge paved driveway by 310 sf to allow two cars to be parked side by side.
 - Install a mitigation planting area
- Staff Notes.
 - Staff have not received any revised plans from the applicant.



Mayor
Ruthanne Fuller

**Director
Planning &
Development**
Barney Heath

**Chief
Environmental
Planner**
Jennifer Steel

**Assistant
Environmental
Planner**
Ellen Menounos

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

**Associate
Member**
Sonya McKnight

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- The mitigation planting area is now planned to be on the subject parcel, not on City land along Cheese Cake Brook, but new planting plans have not yet been submitted for staff review.
- Under 10.58(5)(h), the planting area must be 2:1 and must be bounded to ensure permanent protection.
- **Staff Recommendation:** If an appropriate restoration or mitigation plan is received, illustrating an appropriate area, plant species, and plant sizes, vote to close the hearing and issue an OOC with the state's required conditions, Newton's special conditions, and the following site-specific special conditions:
 - The roots, trunks, and branches of street trees and ????? must be protected during construction.
 - If street trees and other mature trees in the proximity of the driveway expansion or mitigation planting area die or are demonstrably harmed as a result of this project, they must be replaced as per the Commission's Tree Replacement Guidelines.
 - The mitigation planting area must:
 - a. Be installed on or before _____
 - b. Be installed in compliance with the approved plans (desired changes must be approved by the Conservation office in advance)
 - c. Be installed and maintained in such a manner as to replicate to the maximum extent practical a diverse ecological system, provide habitat for native species, and keep invasive species in check. Mulch applications, if any, shall diminish over time and eventually cease as ground cover species and shrubs spread.
 - d. Stabilize all exposed areas
 - e. Include ____ native trees and have a survival rate of ____ % of total number of trees (after 2 growing seasons)
 - f. Include ____ native shrubs and have a survival rate of ____ % of total number of shrubs (after 2 growing seasons)
 - g. Include ____ native spreading herbaceous/groundcover plants and have a survival rate of ____ % aerial coverage of such plants (after 2 growing seasons)
 - h. Include ____ organic leaf-litter mulch to minimize aggressive weed growth but not impede spread of groundcover.
 - i. Be bounded, as shown on the plans, with bounds that: (1) are 4"x4"x36" stone or concrete post, (2) have instructive language regarding the required protection, (3) have at least 6" maintained above grade, and (4) are placed at every boundary corner and never more than 20 feet apart.

2. 7:25 – 423 Albemarle Rd – NOI – addition and porch extension -- DEP #239-???

- Owner/Applicant. Burt Granofsky
- Representative. Timothy Burke, Architect
- Request. Issue OOC.
- Documents in packets. Highlighted plan
- Additional documents presented at meeting. Locus map, site photos, planting plan?
- Jurisdiction. RFA
- Performance Standards.
 - **RFA: Redevelopment in Previously Developed Riverfront Areas; Restoration & Mitigation: 10.58(5)**
 - ... work improves existing conditions.
 - Work to redevelop previously developed riverfront areas shall ...:
 - (a) At a minimum, work shall result in an improvement over existing conditions ...
 - (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 ...
- Proposed Project Summary.
 - Build an addition with a footprint of 85 sf and extend an existing covered porch, for a total increase in 205 sf impervious
 - Limited excavation amounts to five piers with footings.
 - New gutters and downspouts will connect to existing infiltration system.
 - Work site is fairly level, so low risk of erosion.
- Staff Notes.
 - Expansion of the deck is exempt under the Commission's guidance regarding "Interpretation of 310CMR 10.02(2)(b)(2)(e) "Minor Exempt Activities".

- The 85 sf addition is not exempt and should be addressed through a mitigation plan (of at least 170 sf) or a restoration plan (of at least 85 sf). Options include, for example, removal/restoration of a portion of the driveway or planting and bounding a mitigation planting area per the Commissions guidelines.
- **Staff Recommendation.** If an appropriate restoration or mitigation plan has been received, illustrating an appropriate area, plant species, and plant sizes, vote to close the hearing and issue an OOC with the state's required conditions, Newton's special conditions, and the following site-specific special conditions:
 - Driveway removal must be at least 85 sf and must be followed with the approved planting plan of "herbaceous and woody species appropriate to the site"
 - The mitigation planting area must:
 - a. Be installed on or before _____
 - b. Be installed in compliance with the approved plans (desired changes must be approved by the Conservation office in advance)
 - c. Be installed and maintained in such a manner as to replicate to the maximum extent practical a diverse ecological system, provide habitat for native species, and keep invasive species in check. Mulch applications, if any, shall diminish over time and eventually cease as ground cover species and shrubs spread.
 - d. Stabilize all exposed areas
 - e. Include _____ native trees and have a survival rate of _____ % of total number of trees (after 2 growing seasons)
 - f. Include _____ native shrubs and have a survival rate of _____ % of total number of shrubs (after 2 growing seasons)
 - g. Include _____ native spreading herbaceous/groundcover plants and have a survival rate of _____ % aerial coverage of such plants (after 2 growing seasons)
 - h. Include _____ organic leaf-litter mulch to minimize aggressive weed growth but not impede spread of groundcover.
 - i. Be bounded, as shown on the plans, with bounds that: (1) are 4"x4"x36" stone or concrete post, (2) have instructive language regarding the required protection, (3) have at least 6" maintained above grade, and (4) are placed at every boundary corner and never more than 20 feet apart.

3. 7:50 – 71 Harwich – continued NOI – single-family home demo and construction – DEP #239-933

- Owner/Applicant. Vlad Vilkomir, GS Harwich 71 LLC
- Representatives. Debbie Anderson
- Request. Continue to 10/3/22 to allow time for receipt of modified materials.
- Documents in packets. none
- Additional documents presented at meeting. none
- Jurisdiction. BZ only
- Staff Recommendation: Vote to accept request to continue to 10/3/22 at _____ (with revised materials due by _____) to address the following application deficiencies:
 - Soil tests should be conducted to determine the extent of BVW (in this disturbed site).
 - Plans should be augmented to show the size and species of each existing trees and the existing lawn line.
 - Mitigation should be proposed for the proposed tree cutting and footprint expansion.
 - Plans for the stormwater management system should revised, adding a proper site plan, test pit data, and an O&M plan.

4. 7:55 – 43 River Ave – continued NOI – demo single family home/rebuild 2 family home – DEP #239-931

- Owner/Applicant. Dina Onur
- Representatives. John Rockwood, Eco-Tec
- Request. Continue to 10/3/22 to allow time for receipt of modified materials.
- Documents in packets. none
- Additional documents presented at meeting. none
- Jurisdiction. RFA, BLSF, Buffer Zone
- Staff Recommendation: Vote to accept request to continue to 10/3/22 at _____ (with revised materials due by _____) to address the following application deficiencies:
 - On-site stormwater management and an accompanying long-term O&M plan
 - Clarification of how the project meets the state's minimum standards for restoration and mitigation or modification of the mitigation plan to address the following concern: The proposed mitigation planting area mitigates for the expansion of degraded area, however, there is no mitigation proposed for the cutting of the trees near the river.

5. 8:00 – 326 Fuller St – NOI – course-wide drainage improvements at Brae Burn Country Club – DEP #239-937

- Owner/Applicant. Sean McLaughlin, Brae Burn Country Club
- Representatives. Sarah Stearns & Andrew Gorman, Beals and Thomas

- Request. Issue OOC.
- Documents in packets. Highlighted plans. Memo (with illustrations) from Beals and Thomas. Compilation of illustrations by staff.
- Additional documents presented at meeting. Site photos
- Jurisdiction. Buffer Zone only (to BVW and Bank of Cheesecake Brook.)
- Performance Standards. Buffer Zone 10.53(1): General Provisions: "... the Issuing Authority shall impose conditions to protect the interests of the Act identified for the adjacent Resource Area.
- Proposed Project Summary.
 - Overview
 - The Club is the low point and takes (and infiltrates) runoff from surrounding developed areas.
 - Work will occur in 3 areas of ConCom jurisdiction.
 - Work is a replacement and upgrade of the existing subsurface drainage system to remedy a pattern of slow infiltration/flooding in the fairways which results in golf course closure.
 - The project will address both subsurface saturation ("seepage water") and surficial runoff (stormwater).
 - More precipitation will percolate before it reaches the pipes, resulting in a more consistent volume of flow to Cheesecake Brook.
 - Methods: Using a trencher (or excavator if ledge is found), trenches will be 2-4' deep; turf will be removed with a sod-cutter and reinstalled; trenches will be backfilled with sand. Existing drain lines will be abandoned in place.
 - There will be temporary work on bank, as part of the work.
 - Total linear feet of trenching within the buffer zone is approximately 6665 lf.
 - Drainage improvements
 - The full-time pump-and-gravity system is designed to provide infiltration capacity in advance of rain events, thereby promoting infiltration in the fairways and filtration of stormwater. Thus, less over-land flows and cleaner, more consistent base flows reach the streams. Additionally, aerobic conditions are promoted, encouraging biological activity and reducing soil compaction.
 - The proposed project, "industry-standard system", addresses both subsurface saturation ("seepage water") and surficial runoff (stormwater) and will improve conditions of the turf and the streams by reducing direct discharge to the stream.
 - The seepage system is made up of sand, waffle drains geotextile fabric wrapped around an inner core) that collect water that has filtered through the sand/soil), and collection pipes which transport to the streams whatever water doesn't remain in the soil.
 - New surface water drains (perma basins and channel basins) will be installed in the fairways to address overland flow.
 - Cart paths will be curbed to direct water to catch basins.
 - Mitigation
 - Create ±26,000 natural meadow (no maintenance area) in Drainage Area 1 (> 0.6 acres) in the buffer zone
 - Create ±5 feet wide (where possible) no-mow strip (to be seeded with an appropriate seed mix) on both sides of the channel in the Highlands Course in Drainage Area 4.
 - Avoid and protect trees with matting or fencing where trenching is proposed close to tree roots.
- Staff Notes.
 - Staff feel that this project represents a win-win situation: improving golf play and improving the ecological health of the headwaters of Cheese Cake Brook.
 - Staff would like a clearer understanding of the anticipated impacts to bank and plans to ensure long term bank stability.
- Staff Recommendation: Vote to close the hearing and issue an OOC with the state's required conditions, Newton's special conditions, and site-specific special conditions.
 - Once the subsurface system had been designed, a plan showing the proposed installation must be provided to the Conservation Office for their files.
 - Following the installation of new discharge pipes, stream banks must be stable and fully vegetated.
 - Mitigation areas (the no-mow strip and the expanded wet meadow) must be provided as outlined in the **attached narrative** and must be maintained in their predominantly natural state.

6. 8:30 – 115 Elinor Rd – NOI – single-family home demo and construction – DEP #239-936

- Owner/Applicant. Alan Mayer Architects
- Representatives. Ryan Roseen, Goddard Consulting
- Request. Issue OOC.

- Documents in packets. Highlighted revised plans
- Additional documents presented at meeting. Aerial photo, site photos
- Jurisdiction. BLSF
- Performance Standards.
 - **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.
- Proposed Project Summary: Demo single-family home, construct new single-family home. Pool will not be demolished.
- Proposed Project within ConCom jurisdiction:
 - Demo
 - Site grading to provide compensatory flood storage
 - Minor alteration of pool deck, construction of corner of deck and stairs
- Staff Notes.
 - Sheet 1: Construction plan: erosion control line is beyond the area due to be altered and so trees are not protected by the erosion control, so either the erosion control line should move or extra tree protection should be provided on the plans.
 - Sheet 1. Construction plan: 5 cuts are shown but only 4 are properly annotated with volume calculations. It would be easiest if all the cut and fill numbers (including the new deck and stairs) appeared in one table.
 - Sheet 1. Construction plan: The changes from existing to proposed pool deck area are not clear.
 - Sheet 2: Existing conditions plan: doesn't label fence, and shows apparent erosion control line (why?)
 - The 14" tree near the garage on the existing conditions plan has been removed and should possibly be mitigated for.
 - Plans showing property lines are supposed to be stamped by a PLS.
- Staff Recommendation. Once all plan concerns have been addressed, vote to close the hearing and issue an OOC with the state's required conditions, Newton's special conditions, and site-specific special conditions.
 - No trees within BLSF may be damaged or removed.
 - Finished grades may not deviate from the approved plans, even if high groundwater is encountered.
 - No concrete washout may take place in BLSF
 - No discharge from dewatering shall take place in BLSF
 - No skirting, other than that minimal skirting which comports with the Commission's policy shall be permitted on the deck and stairs within the flood zone
 - Adequate protection must be installed for the trees within the limit of work/erosion controls. This may include the addition of orange snow fencing near the drip line, boards tied to the trunk, and/or mulch and plywood placed over the roots.
 - If any trees intended to be protected within the project area die within 2 years of the start of construction as a result of the 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).
 - The plans do not call for any fill in the yard within the BLSF. No new loam may be brought into the BLSF without a compensatory amount (of at least 110%) of prior removal.
 - No Certificate of Occupancy shall be approved by Conservation unless a Certificate of Compliance has been issued or the request receives the written approval of the Chief Environmental Planner.
 - No skirting, other than that minimal skirting which comports with the Commission's policy shall be permitted on the deck and stairs within the flood zone
 - To protect the water quality of area wetlands, fertilizers shall be of low-nitrogen content and be used in moderation
 - To protect the full suite of benefits of area wetlands, wildlife, and native insects and pollinators, no herbicides and pesticides shall be used.
 - To protect wetland wildlife, exterior lighting shall be limited to "dark sky", focused lighting. No spotlights or floodlights shall be directed within the BLSF.

7. 8:50 – 230 Lake Ave – NOI – sewer line connection – DEP #239-938

- Owner/Applicant. Karen Ayas
- Representative. Karen Ayas
- Request. Issue OOC.
- Documents in packets. Highlighted plan

- Additional documents presented at meeting. Aerial photo, site photos
- Jurisdiction. Buffer Zone to Bank of Crystal Lake
- Performance Standards. Buffer Zone 10.53(1): General Provisions: "... the Issuing Authority shall impose conditions to protect the interests of the Act identified for the adjacent Resource Area.
- Proposed Project Summary.
 - Install sewer line to connect a new bathroom.
 - Line will avoid tree in front of house.
- Staff Notes.
 - This is a simple project that will have minimal impact on the wetland resource area (the bank of Crystal Lake).
 - The base plan is inaccurate (e.g., grade lines are incomplete, grading annotations are incorrect and the wetland boundary is not accurately shown, and the 100-foot buffer line is not shown). The homeowner has sought revisions, but to no avail. Staff do not want the homeowner to suffer; the work is minimal and the disturbance will be temporary.
- Staff Recommendation. Vote to close the hearing and issue an OOC with the state's required conditions, Newton's special conditions, and the following site-specific special conditions:
 - The tree in the front yard may not be damaged or removed.
 - If the tree in the front yard intended to be protected dies within 2 years of the start of construction as a result of the construction or has been demonstrably harmed by construction activities, it shall be replaced with 2 native understory saplings (of roughly 2 caliper inches).
 - This order does not approve the wetland line or grading shown on the approved plan.
 - Dewatering must occur on the subject parcel, away from Crystal Lake (i.e., in the front of the house).

8. 9:05 – 100 Boulder Road – continued informal discussion re Minor Plan Change – DEP #239-908

- Owner/Applicant. Amir Nashat
- Representative. Chris McDonnell and Brian Timm, RJ O'Connell
- Request. Determine if proposed design changes constitute a Minor Plan Change, or if applicant needs to seek an amended OOC.
- Jurisdiction. Flood Zone (114' NAVD88), Riverfront Area, Buffer Zone to Bank
- Performance Standards.
 - **RFA: Redevelopment in Previously Developed Riverfront Areas; Restoration & Mitigation: 10.58(5)**
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 - (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 ...
- Proposed Project Summary.
 - Existing OOC
 - Was issued Jan 10, 2022 for the following "Reasons for Approval (Impact Analysis)".
 - **Riverfront Area:** 580 sf of addition, 26 sf of cantilevered overhang, 213 sf of open deck and 80 sf of patio have been permitted because:
 - The scale of construction was significantly reduced and pulled back way from the stream.
 - No work is occurring closer to the stream than the current structure.
 - The enhancement planting plan will expand the area of natural native vegetation and provide greater protection for the wetland and stream.
 - Stormwater will be managed through a new infiltration system under the driveway.
 - RFA enhancement planting area A (converting lawn to natural area) was to be 1,054 sf.
 - RFA enhancement planting area B (the 1,155 sf natural area beyond the drainage channel) was to have plants added
 - Proposed changes include:
 - Expand first level decking and tiered steps.
 - Replace previously-approved pervious deck with an at-grade pervious paver patio.

- Reduce area of mitigation plantings 1,054 sf to 900 sf.
- Applicant states that the stormwater system under the driveway can accommodate the proposed increased impervious area
- Applicant's materials indicate that the proposed revisions would result in an additional 155 sf of impervious area (488 sf of expansion proposed compared to 243 sf of expansion previously approved).
- The applicant's materials indicate that the proposed revisions would result in an increase in degraded area of 765 sf.
- Documents Presented. Revised plans
- Staff Notes.
 - A minor plan change must be within the scope of the original OOC or reduce the impact on the protected wetland resources. An amended OOC requires abutter notification and can allow for an expanded scope, if it remains in compliance with the regulations.
 - Clarity is needed on extent of original expansion (it seems as if more than 243 sf of expansion of impervious area was originally approved, see above) and extent of proposed expansion.
 - A revised planting plan is needed that meets the RFA requirements for mitigation (i.e., at least 1,530 sf of conversion of lawn to fully natural area). Note: Plantings in lawn are not "restoration" as defined in the regulations.
- Staff Recommendations. Staff feel that the request, as submitted, is not approvable as a minor plan change.

9. 9:20 – 27 Cross St – NOI – demo and construction of two-family house -- DEP #239-???

- Owner/Applicant. Gabriel Askarinam
- Representative. Chris Lucas, Lucas Environmental
- Request. Issue OOC.
- Documents in packets. Locus map, plans
- Additional documents presented at meeting. Site photos
- Jurisdiction. Bank (won't be altered), Land Under Water Bodies and Waterways (won't be altered), RFA, BLSF (39' NAVD88 or 45.5' CNVD)
- Performance Standards.

RFA: Redevelopment in Previously Developed Riverfront Areas; Restoration & Mitigation: 10.58(5)

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 - (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

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.

- Proposed Project Summary.
 - Demolition of the existing single-family residence, shed, and driveway and construction of a two-family residential dwelling, driveway, stormwater infiltration system (6 StormTech units), and resource mitigation area (a 1,111 sf naturalized wildflower area).
 - The proposed project will result in an overall increase in impervious area on the lot of approximately 1,805 square feet.
 - The proposed project will result in an increase in the flood storage capacity on the site of approximately 3,041 cubic feet
 - The applicant proposes to install a 1,111 sf naturalized wildflower area at the rear of the lot.
- Staff Notes.
 - Staff do not feel that the project as proposed meet the Riverfront Area performance standards of 10.58(5)(a): Improvement, or 10.58(5)(e) that requires restoration or mitigation for the expansion of degraded area at a ratio of at least 1:1 or 2:1 respectively. The performance standards of 10.58(4) are not relevant to this lot/project.
 - The increase in impervious area was noted to be 1,805 sf. What is the total increase in degraded area?

- Staff feel that adequate compensatory flood storage has been provided – and don't understand why an additional 14 cu ft of excavation is proposed in the back yard.
- Staff feel that the mitigation area proposed (1,111 sf) is too small to meet state requirements (over 3,610 sf), and without shrubs or understory trees is insufficiently robust to meet state requirements of "plantings of herbaceous and woody species appropriate to the site".
- Based on a site visit, staff feel that a robust mitigation planting area of 3,300 sf could be installed at the rear of the lot. Additional mitigation area could be provided along the stream.
- Any restoration or mitigation area must be permanently bounded.
- Staff Recommendation. Seek resolutions and modified plans that address all questions posed.

10.9:50 – 12 Hollywood Rd – COC's – MWRA exploratory borings for sewer line -- DEP # 239-469

- Owner/Applicant. Yitshak Ashkenazi
- Representative. Avi Liss, Attorney
- Request. Issue COC.
- Documents in packets. None
- Additional documents presented at meeting. Site photos
- Staff Notes. This very old OOC was for MWRA to conduct exploratory borings for a sewer line. The borings and the sewer line work were completed. Staff note that this release should be recorded on all other encumbered parcels.
- Staff Recommendation. Vote to issue a complete COC.

11.9:55 – 1 Quinobequin Rd – 2-year extension – gas line replacement across the Charles River-- DEP # 239-810

- Owner: Massachusetts Department of Conservation and Recreation (Patrice Kish)
- Applicant: Andrew Shelby (Boston Gas Company d/b/a National Grid)
- Representative: Jon Novak (Coneco Engineering)
- Request. 1-year extension.
- Staff Notes. This project is proceeding very well, but there was a temporary halt to the work, causing an unexpected delay. The required plantings will need to survive 2 growing seasons, so an extension is necessary.
- Staff Recommendation. Vote to issue a 2-year extension.

B. 10:00 – CONSERVATION AREA DECISIONS

C. 10:00 – ADMINISTRATIVE DECISIONS

12. Minutes to be approved

- Documents in packets. Draft 9/1/22 minutes as edited by Jeff Zabel.
- Staff Recommendation. Vote to approve the 9/1/22 minutes.
- Volunteer. Who will volunteer to review the 9/22/22 minutes?

D. 10:05 – ISSUES AROUND TOWN DECISIONS

UPDATES

E. 10:05 – WETLANDS UPDATES

F. 10:05 – CONSERVATION AREA UPDATES

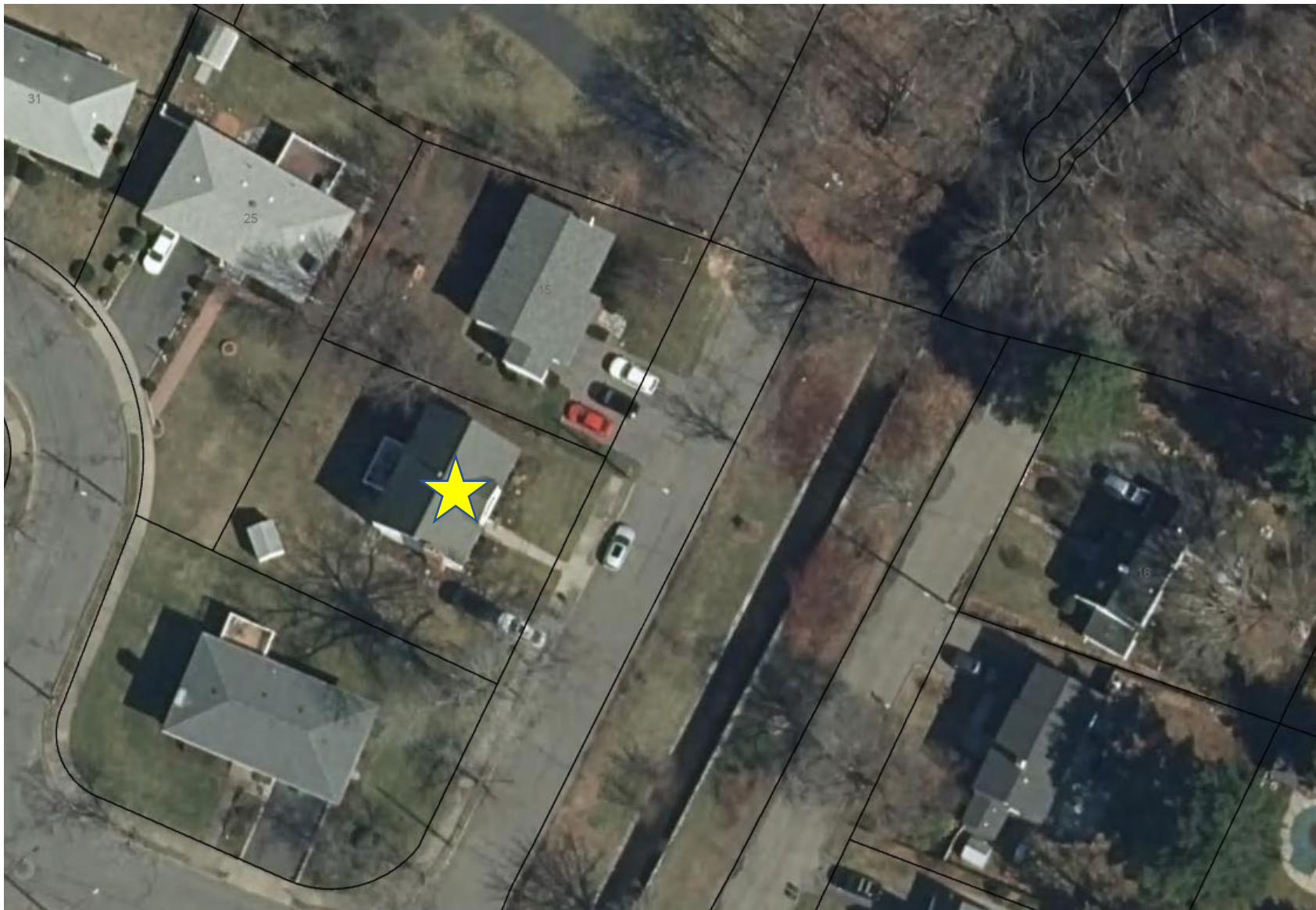
G. 10:05 – ADMINISTRATIVE UPDATES

H. 10:05 – ISSUES AROUND TOWN UPDATES

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

ADJOURN

21 Albemarle Rd



423 Albemarle Rd

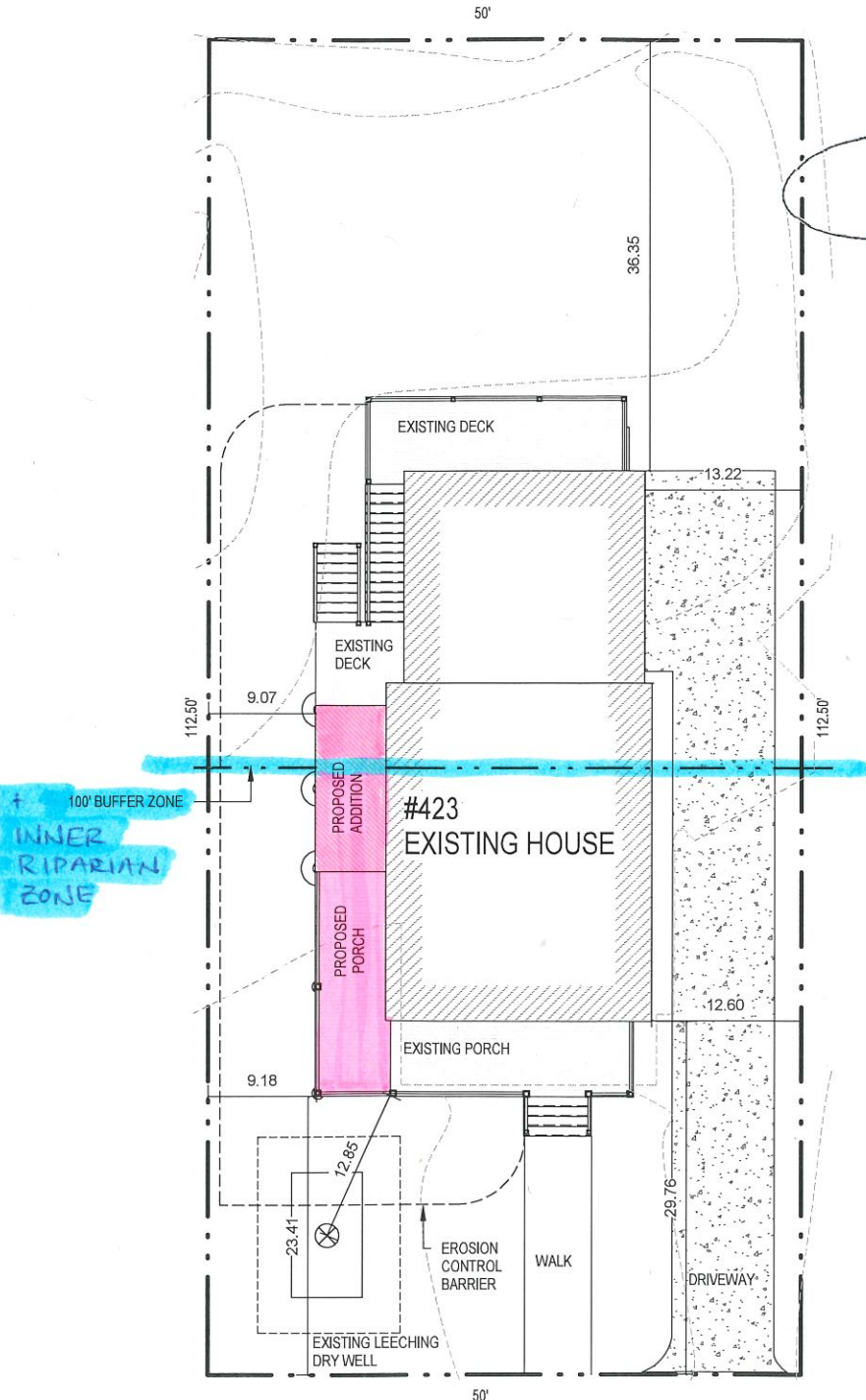




PROPERTY INFORMATION:

ADDRESS 423 ALBEMARLE ROAD, NEWTON, MA 02460
PARCEL 21036 0017
ZONE MR1
YEAR BUILT 1880
LOT SIZE 5,625 FT²

AUGUST 26 2022



IMPERVIOUS AREA CALCULATIONS

PROPOSED ADDITION ADDS 205 SF OF IMPERVIOUS AREA WHICH IS 3.6% OF LOT AREA

1 SITE CONDITIONS PROPOSED
1" = 10'-0"

326 Fuller St

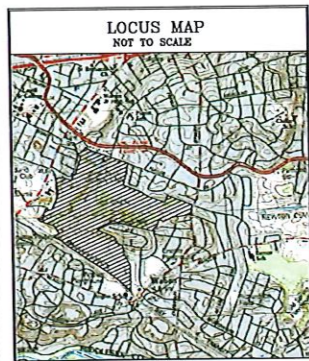




SURVEY NOTES:
 1. UNDERGROUND UTILITIES NOT SHOWN. BEFORE CONSTRUCTION, CALL "DIG SAFE" 1-888-344-7233.
 2. THIS PLAN WAS PREPARED USING AN AERIAL PHOTOGRAMMATIC SURVEY TAKEN IN FALL OF 2015.
 3. WETLAND RESOURCE AREAS GPS LOCATED BY B+T ON JULY 26, 2022 WITH TRIMBLE SPECTRA SP20 SUBMETER UNIT.
 4. ALL ELEVATIONS REFER TO NEWTON CITY BASE DATUM WHICH IS 6.5' BELOW NAVD88.



PREPARED FOR:
BRAE BURN COUNTRY CLUB
 326 FULLER STREET
 WEST NEWTON, MASSACHUSETTS



Kenneth Conte
 8/11/22

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PREPARED BY:
BEALS + THOMAS
 Civil Engineers + Landscape Architects +
 Land Surveyors + Planners +
 Environmental Specialists

BEALS AND THOMAS, INC.
 Reservoir Corporate Center
 144 Turnpike Road
 Southborough, Massachusetts 01772-2104
 T 508.366.0560 | www.bealsandthomas.com

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PROJECT:
COURSE-WIDE DRAINAGE IMPROVEMENTS
 WEST NEWTON, MASSACHUSETTS

SCALE: 1" = 200' DATE: AUGUST 11, 2022

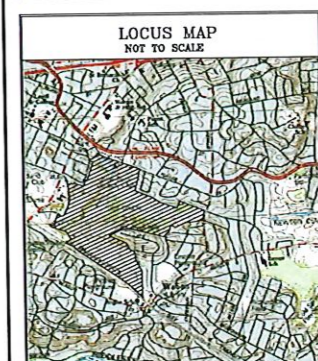
OVERALL SITE PLAN

B+T JOB NO.0797.48
 B+T PLAN NO. 079748P092A-001 **C1.0**

FOR NOTES, REFERENCES AND LEGEND SEE SHEET C2.1
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PREPARED FOR:
BRAE BURN COUNTRY CLUB
 326 FULLER STREET
 WEST NEWTON, MASSACHUSETTS



STATE OF MASSACHUSETTS
 COMMONWEALTH OF MASSACHUSETTS
 KENNETH CONTE
 No. 36033
 PROFESSIONAL LAND SURVEYOR
Kenneth Conte
 8/11/22
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PROJECT:
COURSE-WIDE DRAINAGE IMPROVEMENTS
 WEST NEWTON, MASSACHUSETTS

SCALE: 1" = 40' DATE: AUGUST 11, 2022

DRAINAGE IMPROVEMENT AREA 1

B+T JOB NO.0797.48

B+T PLAN NO. 079748P092A-002

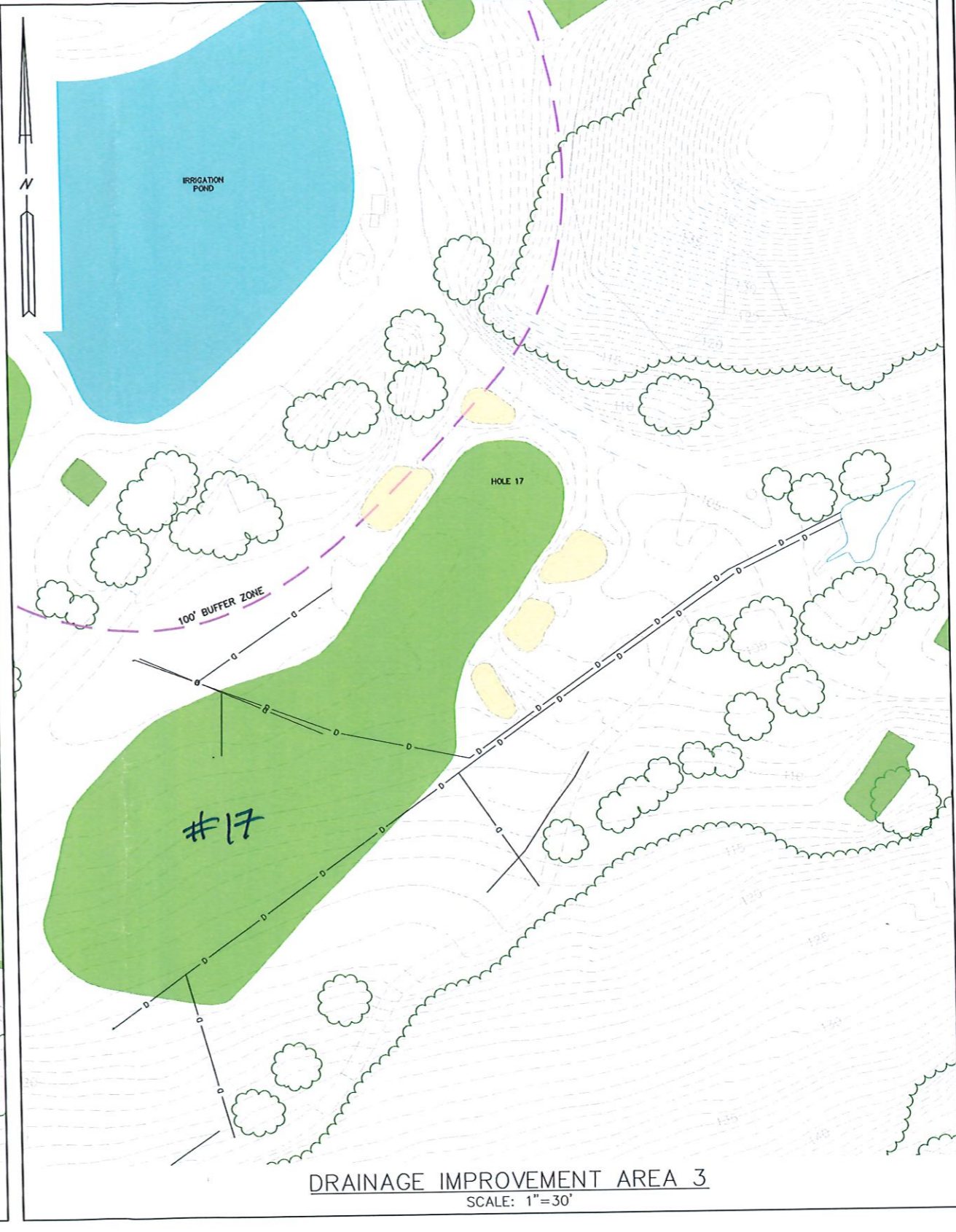
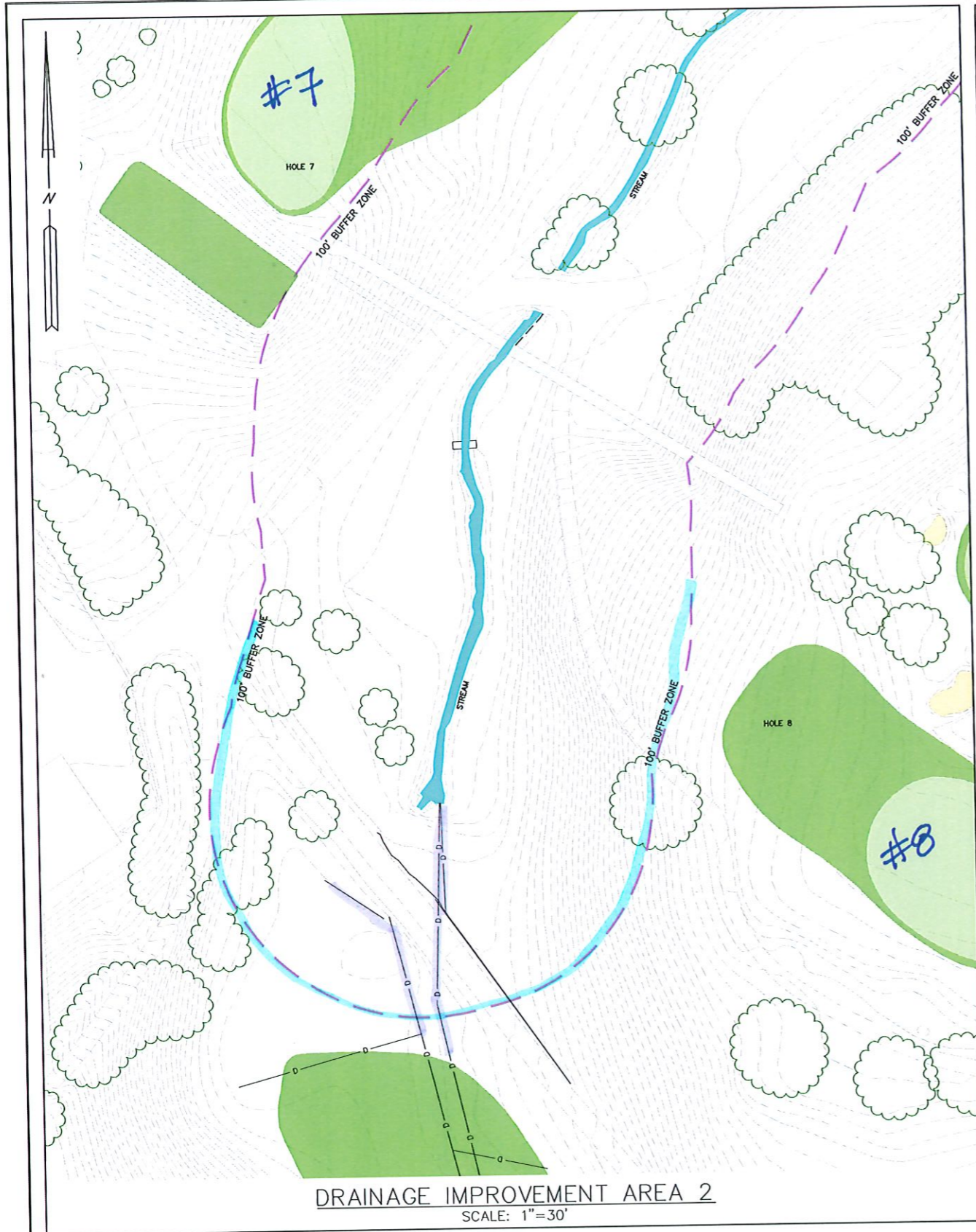
C1.1

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Area 1



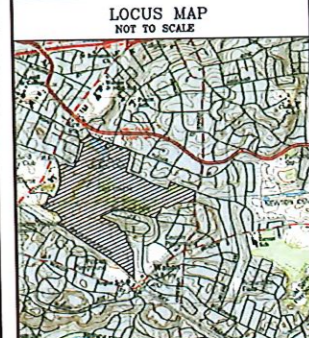
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BRAE BURN COUNTRY CLUB
326 FULLER STREET
WEST NEWTON, MASSACHUSETTS



PROFESSIONAL SEAL OF KENNETH CONTE, No. 36033, dated 8/11/22.

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PROJECT:

COURSE-WIDE DRAINAGE IMPROVEMENTS
WEST NEWTON, MASSACHUSETTS

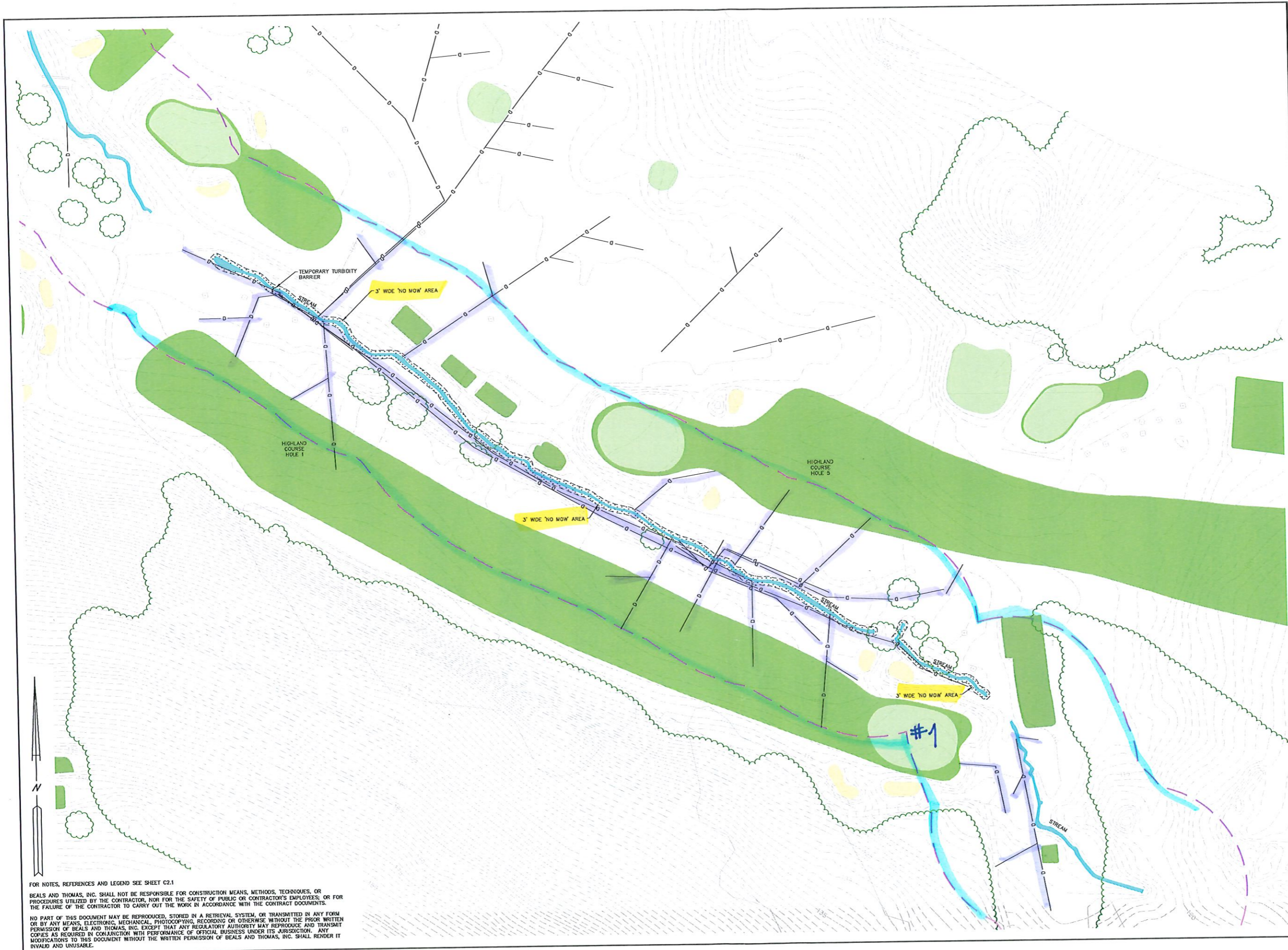
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DRAINAGE IMPROVEMENT AREA 2 AND AREA 3

B+T JOB NO. 0797.48

B+T PLAN NO. 079748P092A-003

C1.2



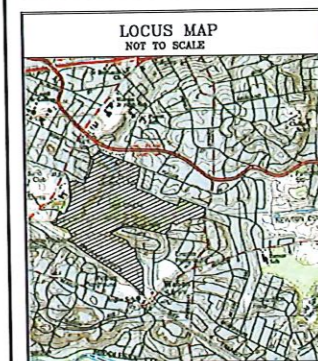
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BRAE BURN COUNTRY CLUB
 326 FULLER STREET
 WEST NEWTON, MASSACHUSETTS



Professional Engineer Seal for Kenneth Conte, No. 39033, State of Massachusetts. Signature of Kenneth Conte, dated 8/11/22.

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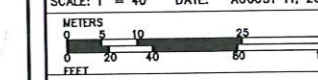
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PROJECT:

COURSE-WIDE DRAINAGE IMPROVEMENTS
 WEST NEWTON, MASSACHUSETTS

SCALE: 1" = 40' DATE: AUGUST 11, 2022



DRAINAGE IMPROVEMENT AREA 4

B+T JOB NO. 0797.48
 B+T PLAN NO. 079748P092A-004

C13

Sarah Stearns, Beals + Thomas memo re course-wide drainage improvements at Brae Burn Golf Club, DEP # 239-937

9/13/22

Jennifer and Dan:

Thank you for your time on 9/8 and thoughts on the Club's proposed drainage replacement and upgrade project. The Club is trying to prepare a succinct summary for the Commission's next hearing and wanted to run it by you for initial feedback. It's clear that we need to address the proposed hybrid drainage system whereby the goal is to infiltrate more in the fairways (capturing more of that water in place) and help reduce what is currently running off or through surface area drains directly to the stream channels. In addition to improving drainage on the fairways, the Club believes this project will improve water quality of the stream, and provide more consistent flow, which will help avoid flooding downstream. The Club hopes that the summary below is a better representation of the intent of the system and buffer zone mitigation commitments. We also added a note about potentially pumping water to the human-made, lined irrigation pond if the Commission deems that a better alternative in Drainage Area 1.

While the Club agrees that calculations and/or a hydrograph could provide some valuable information, there simply is not enough time to provide accurate information of this nature. What the Club is focusing on is that this project will provide bona fide benefits to the ecological system, which at this point they are not able to calculate.

Please let us know what you think and thank you again.

Proposed Project Summary:

- The Club wishes to undertake this project as a replacement and upgrade as compared to current conditions, similar to the 2018 irrigation replacement project, using more innovative and customized drainage infrastructure (as compared to conventional surface area drainage only) benefitting both the fairways and the stream, while also avoiding and minimizing work in jurisdictional areas. Notably, the MA Stormwater Handbook encourages infiltrating and keeping water in the ground, which is one of the goals for the Club in this project.
- The Club is situated as the low point and Drainage Areas 1 and 4 are largely surrounded by impervious development (see attached existing topography overlaid on aerial image for clarity). The onsite wooded areas, turf and wetlands all act as a filter for stormwater runoff from various points of the surrounding higher elevations from Fuller, Pickwick, Dartmouth, Bonnybrook, Kent, Hereford, Windsor streets and roads and the MBTA. A drainage system is often required by properties like this to assist in maintaining a functional golf course. The aging, existing surface area drainage system has failed in

certain areas and to help alleviate slow infiltration/flooding in the fairways, the Club proposes to replace and upgrade the aged system in key areas of the property.

- The Club believes that the proposed innovative, two-pronged system - which addresses both subsurface saturation (“seepage water”) and surficial runoff (stormwater) - will be an improvement over current conditions both for the turf and the stream as there will be less standing water on fairways, thereby reducing the runoff and direct discharge to the stream.
- The system to be replaced is the industry standard of surface area drains which has been used by Clubs, including other Clubs in Newton, for decades. The Club is pleased to be able to incorporate this customized hybrid system that is considered more beneficial through the promotion of infiltration in the fairways to help balance what is flowing directly to the stream. The introduction of a seepage system (see attached exhibit) is considered an improvement over the standard approach.
- The seepage system is made up of a combination of sand and piping with a waffle drain that collects water filtered through the soil profile. Water moves through the waffle drain into a pipe, some of which remains in the groundwater and the remainder is transported to the stream. The waffle device consists of two components; an outer geotextile fabric wrapped around an inner core. The unique core design provides a greater collection area for water to enter the flow area than is possible with perforated pipe. The Club notes that water that reaches the stream via this filtration path is a preferable improvement to overland runoff (current situation).
- The intent of this hybrid system is that by addressing the seepage water and creating more well-drained areas within the fairway, there will be less water running off (and/or traveling through surface area drains) directly to the stream during storm events.
- The outdated surface water drains in fairways are failing in many areas, contributing to ponding and increased runoff directly to the stream (even when surface area drains are functional, there is less opportunity for filtration than in the proposed hybrid design).

Proposed Mitigation:

Though the Club believes that the overall project is indeed an improvement to the current poorly drained system and surrounding resource areas, the Club understands that the Commission requests mitigation for work in jurisdictional areas, so the Club would like to specify its mitigation commitment as part of this project to include:

1. Addition of natural meadow (no maintenance area) located in Drainage Area 1 to include an additional ±26,000 square feet, or over 6/10ths of an acre, in the buffer zone as depicted below:



2. Increase the previously submitted no mow strip (to be seeded with an appropriate seedmix similar to that which was approved in previous project for restroom project) from ± 3 feet to ± 5 feet wide (where possible) on both sides of the channel located on the Highlands Course in Drainage Area 4 as depicted below:



3. As with past projects on the property, the Club plans to avoid and protect trees as part of this project. As done in the past, matting or fencing will be applied to areas where

trenching is proposed close to tree roots to ensure equipment and subsurface infrastructure does not cause detrimental effects.

Additional Pumping Option for Consideration:

There is an opportunity to install a pipe exiting Drainage Area 1 to direct and pump a portion of the water collected into the human-made, lined irrigation storage pond on Hole 7 where it can be further filtered and used as part of the Club's irrigation supply. If the Commission would like the Club to undertake this aspect, the Club is amenable to a condition requiring this installation as part of an Order of Conditions.

Best Management Practices and Understanding of Common Goals:

The Club strives to adhere to best management practices including the US Golf Association (USGA) guidance which notes specifically that, "Ultimately, one of the best things all golf facilities can do to protect water quality is to maintain healthy turf. Not only does healthy turf require less fertilizer and plant protectants than weak turf, but a dense stand of turf is very efficient in filtering and cleansing water. A healthy stand of turf will prevent soil erosion, reduce surface water runoff and intercept pollutants in the water before reaching groundwater sources."

The Club also understands that soil plays an important role in capturing and cleaning water and continue to work toward achieving common goals of required turf maintenance and environmental responsibility. "Soil texture, structure, and land coverings all have roles in determining how easily water will move through the soil to filter, store, and distribute water to reduce runoff and flooding. The work of cleaning water is done by physical, chemical, and biological processes. Healthy soils are critical to ensure clean water for recreation, consumption, crop production, and more." (<https://www.soils.org/files/sssaiys/april-soils-overview.pdf>)

Thank you, Sarah

Sarah W. Stearns, PWS
Associate



32 Court Street, Plymouth, MA 02360
508.366.0560 ext. 4863 c: 508.858.1601
sstearns@bealsandthomas.com | www.bealsandthomas.com

Illustrated Summary of Drainage Improvements Approved for Brae Burn Country Club (9-15-22)

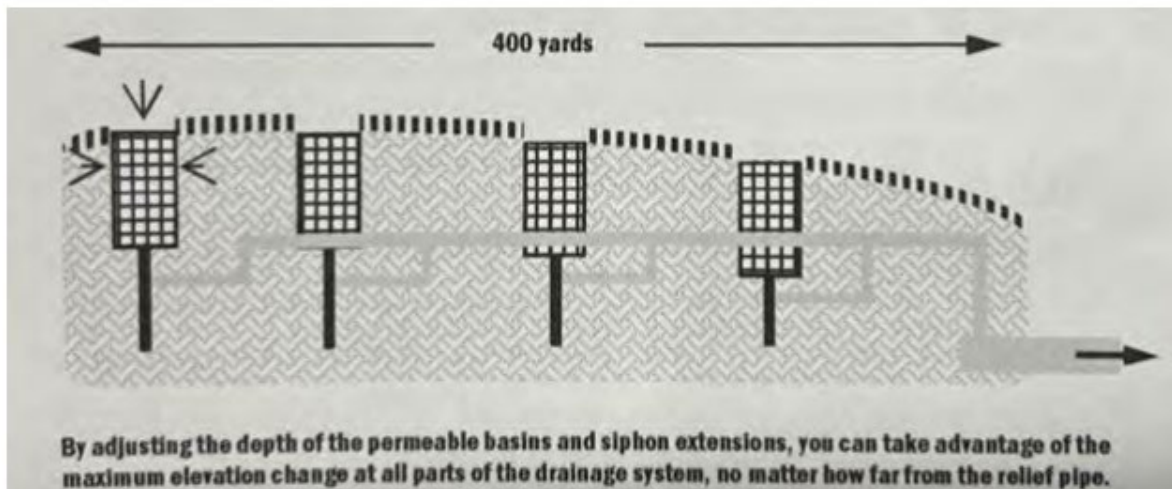
Surface Drainage System Components

We are also adding 63 Perma Basins as additional collection points, strategically placed so the collection provided by the basin will be the most effective. Like the Channel Drain, the Perma Basin's patented design also allows seepage water collection through the sidewalls.



Figure 5- Perma Basin

In some areas, where the water flow is too large for a Perma Basin (above 11 tee), we suggest a larger, 24" Special basin, and recommend building a slight berm to direct water into the basin.



By adjusting the depth of the permeable basins and siphon extensions, you can take advantage of the maximum elevation change at all parts of the drainage system, no matter how far from the relief pipe.

Sample detail of catchment system



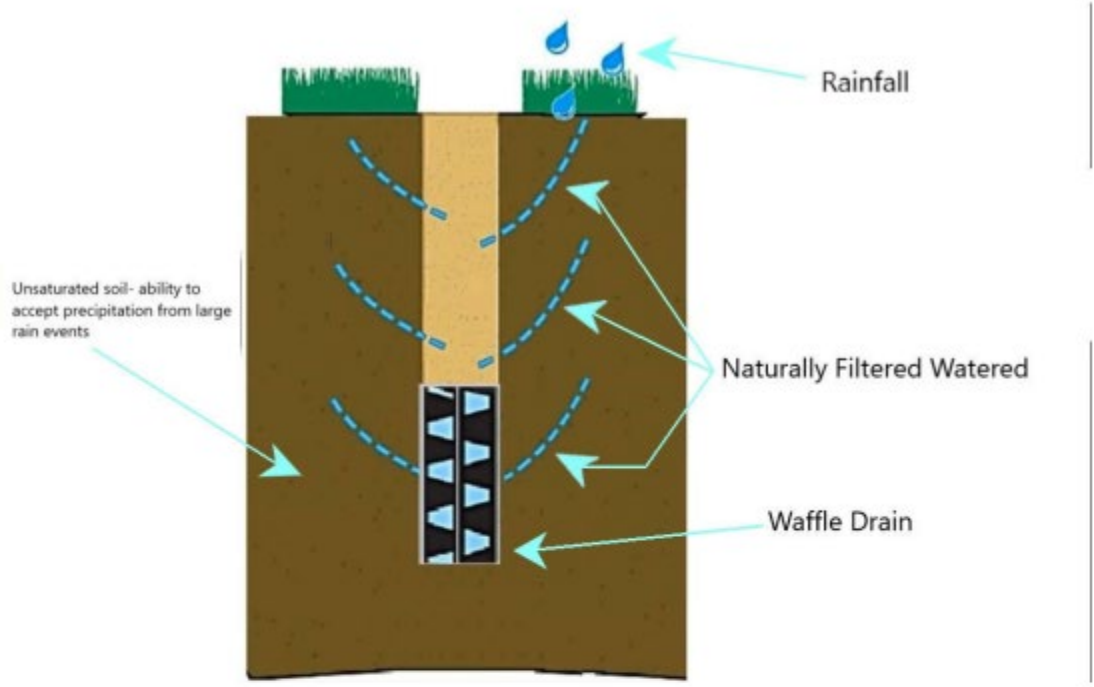
Figure 3- Channel Drain

Here is a picture of a channel drain collecting water at Valhalla Golf Club.

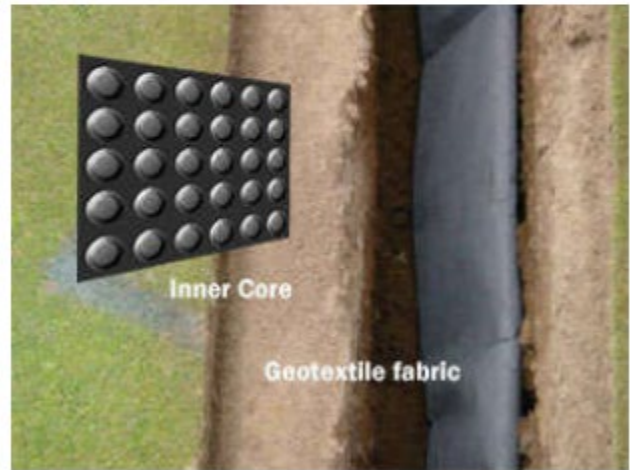


Figure 4- Channel Drain at Valhalla Golf Club

Seepage drain system components



Waffle Drain (side view)



Waffle Drain



Examples of trenching



Backfilling trenching with sand

Curbing

We also recommend curbing installed along the cart path at Highlands #2 to direct water on the path to a new Channel Basin installed at the edge of the cart path.



This curbing should extend all the way up to #2 green, and back approximately 40 feet toward #1 green.

115 Elinor Rd



Drawing Reference

This plan based on the drawing provided by Meyers & Associates Architects and the survey performed by Everett M. Brooks Co., Surveyors & Engineers.
 City of Newton Bench Marks Used - TBMs set at front of property as noted

All utility design shall be installed in accordance with the requirements of the City of Newton Department of Public Works..

Owner Address
 115 Elinor Road
 Newton, MA 02461
 Contact Person - Andrew Lamuda
 (617) xxx-xxxx

Owner of Record
 Andrew Lamuda
 Phoebe Lamuda
 Book 76762, Page 138

Map ID
 129NE
Property ID
 81034 0013

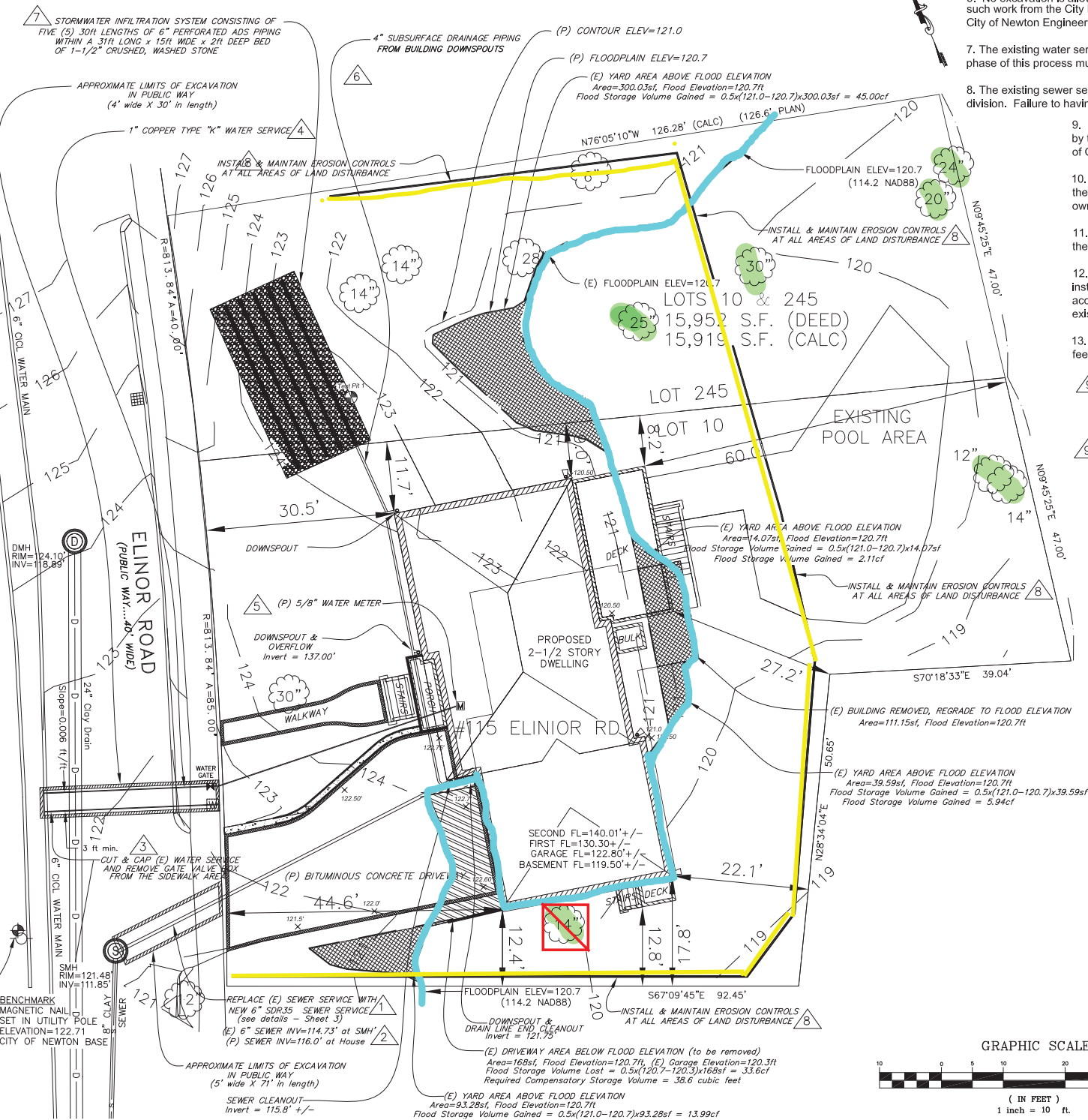
Project Information

Construction of a new Single Family Residential Dwelling
 4 Bedrooms Total

1. Anticipated Daily Sewage Flow = 440 gpd
2. (P) 6" SDR35 Sanitary Sewer Connection
3. (P) 1" Domestic Water Service with a 5/8" Meter.
4. Drainage: Rain leaders connected to 4" PVC subsurface piping that is directed into a drainage system consisting of 6" ADS perforated piping embedded in a 31" x 15' x 2' field of 1-1/2" crushed, washed stone located at the left side of the property.

General Notes

1. The Applicant will have to apply for Street Opening Permit.
2. After all engineering permits are obtained, the site utilities and stormwater components inspection shall be required.
3. The contractor must provide Police Details, to be open to emergency vehicles at all times. Contractor shall be responsible for the cost of the Police Details.
4. All work must be done in accordance with the City of Newton Engineering Department prior to the start of work. All work shall be subject to inspection and approval by the City of Newton Engineering Department.
5. As of January 1, 2009, all trench excavation work shall be subject to inspection and approval by the City of Newton Engineering Department.
6. No excavation is allowed within any City right-of-way without such work from the City DPW Commissioner via the City of Newton Engineering Department prior to the start of work.
7. The existing water service must be completed prior to the start of this process must be inspected by a registered Professional Engineer.
8. The existing sewer service must be completed prior to the start of this process must be inspected by a registered Professional Engineer.
9. The new sewer service must be completed prior to the start of this process must be inspected by a registered Professional Engineer. Failure to having these inspections performed may result in the City of Newton Engineering Department suspending the Occupancy permit.
10. The new water service must be completed prior to the start of this process must be inspected by a registered Professional Engineer. The Utilities Division (617) 552-3300 owner/contractor shall follow the City of Newton Engineering Department.
11. With the exception of the City of Newton Engineering Department, the City of Newton Engineering Department shall not be responsible for the design of the City of Newton Engineering Department.
12. Per City of Newton Engineering Department, the contractor shall install/replace sidewalk and curb and gutter access as required. The contractor shall be responsible for the existing sidewalk and curb and gutter.
13. 5 Year Moratorium Applies to all new sidewalks and curbs and gutters in each direction from the City of Newton Engineering Department.
14. The contractor shall be responsible for the design of all subsurface sanitary sewer and stormwater. The contractor shall be responsible for the design of all subsurface sanitary sewer and stormwater. **Contractor to notify the City of Newton Engineering Department.**
15. Prior to the start of work, the contractor shall be assigned Engineer of Record for final grading. The contractor shall be responsible for the design of all subsurface sanitary sewer and stormwater.

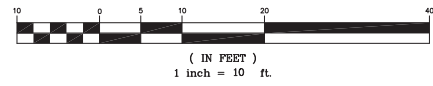


Material Specifications

1. The following materials shall be used: Polyvinyl chloride (PVC) pipe, 6-inches to 12-inches diameter.
2. All water service pipe shall be copper.
3. The subsurface drainage piping shall be 4-inch ADS perforated pipe.
4. The drainage system shall be installed in a 31ft long x 15ft wide x 2ft deep trench.
5. Drain Cleanouts shall be installed and cleaned out.

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9	DATE:

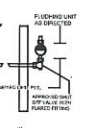
GRAPHIC SCALE



230 Lake Ave



FOR TO FINAL
THE METERS,
THE SHEDDING,
AND MAY
CONNECTIONS



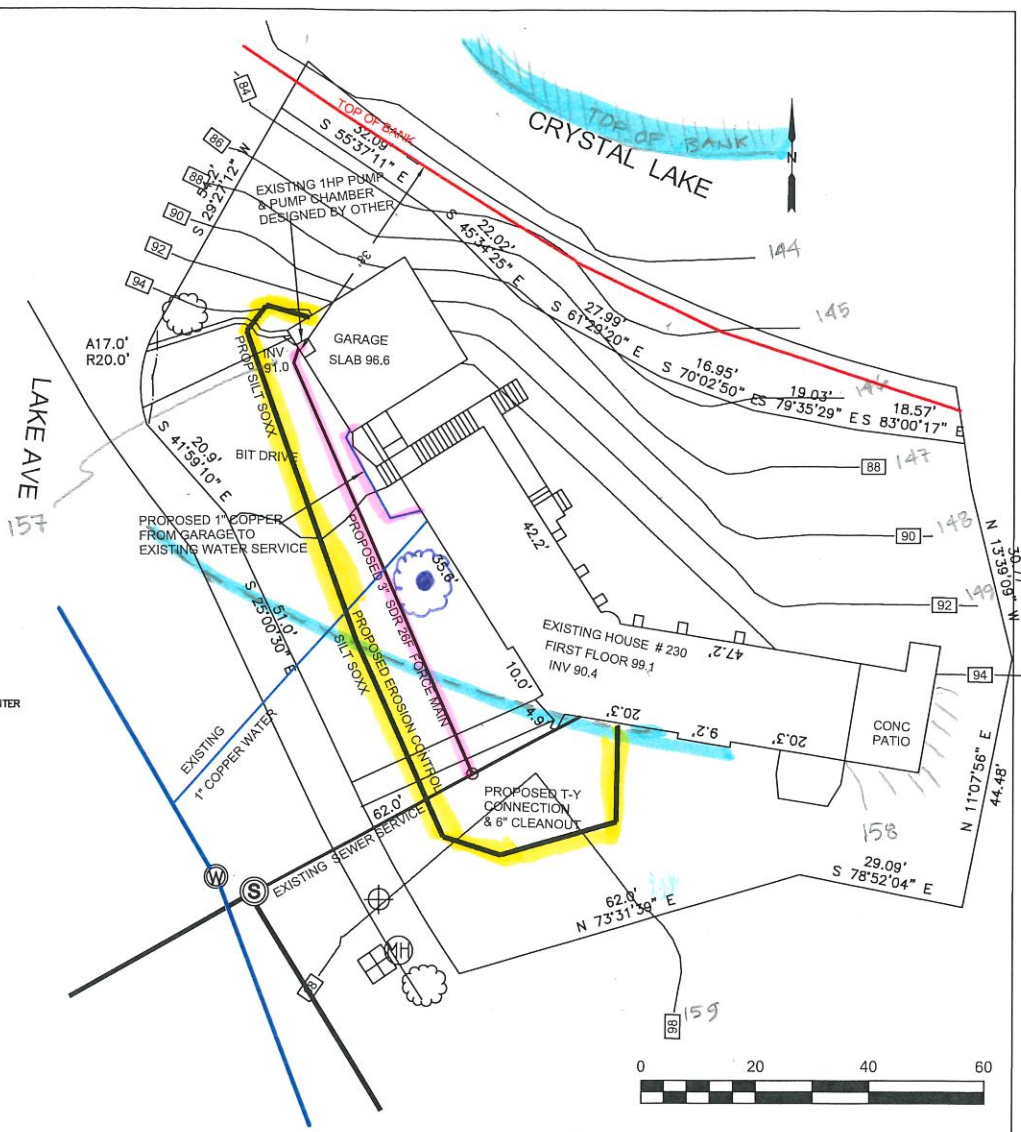
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STONE OR CONC.
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1" IF ALLOWED
STONE OR CONC.
FOUNDATION

AND CLAMP IS TO BE SECURELY
FOR SERVICE PINS BEHIND THE GUNLET
VALVE. ALL CURRENT ELECTRICAL
WIRING TO BE PROTECTED BY
CONCRETE.

- 2"X2" WOODEN STAKES
SET APPROX. 15' ON CENTER
- SILT FENCE FILTER FABRIC
MIRAFI 100X OR EQUAL
- FLOW
- SET SILT SOXX IN 6"X6" TRENCH,
BACKFILL & COMPACT

SILT SOXX DETAIL

SEQUENCE
SEDIMENT CONTROL MEASURES WILL BE INSTALLED
CONSTRUCTION



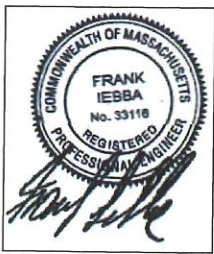
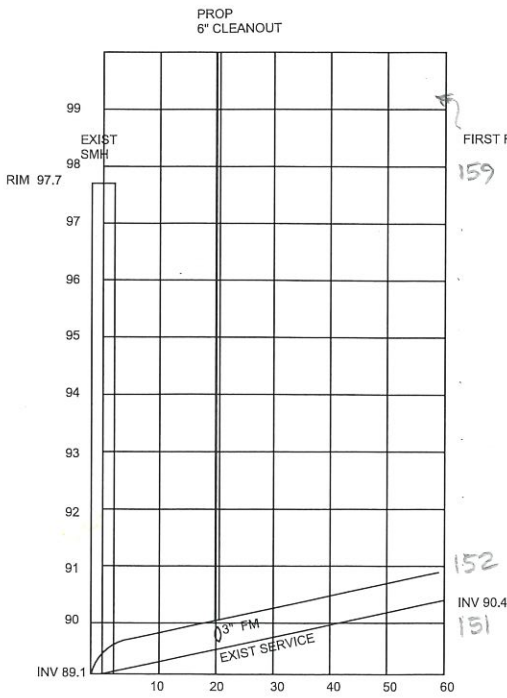
TOPO LINES ARE 1'
BUT LABELED AS 2'

TOP OF BANK IS
INCORRECT

PROPERTY LINES ARE
UNCLEAR

PROPERTY ANGLES
ARE UNCLEAR

TREE WASN'T LOCATED



PROPOSED WATER & SEWER

230 LAKE AVE
NEWTON, MA

SCALE: 1 IN = 20 FT

APRIL 13, 2022
AUG 9, 2022

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

617-797-7342

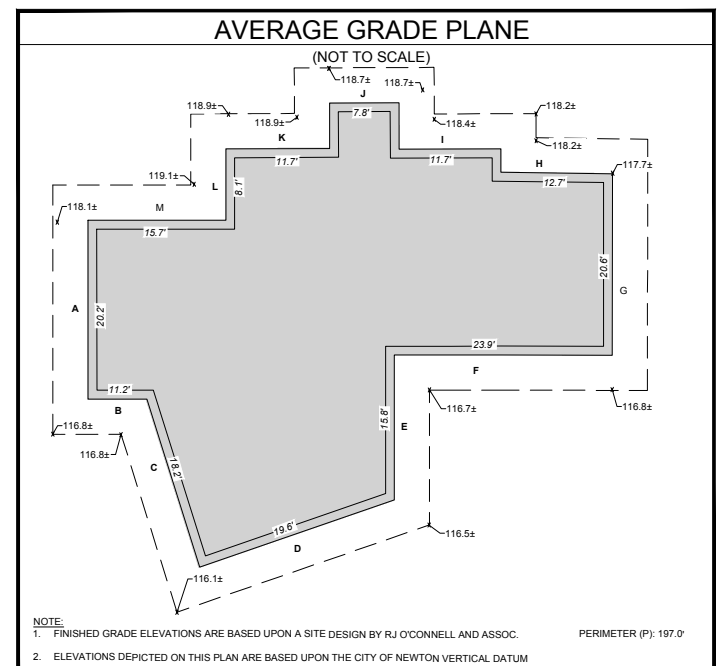
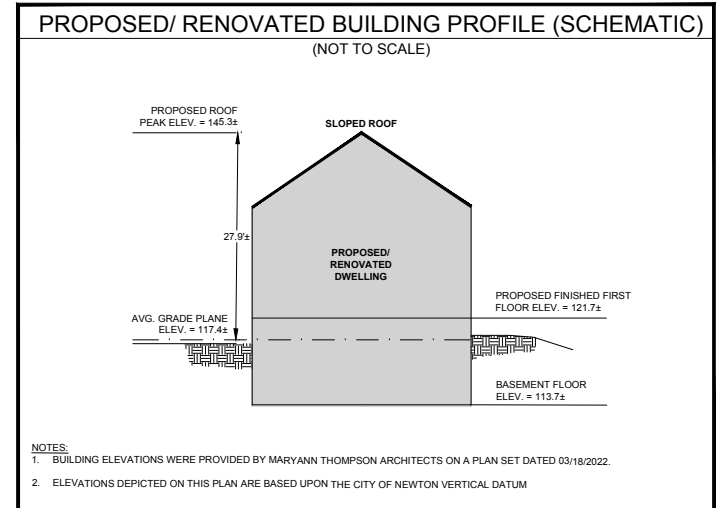
FRANK.IEBBA@GMAIL.COM

100 Boulder Rd



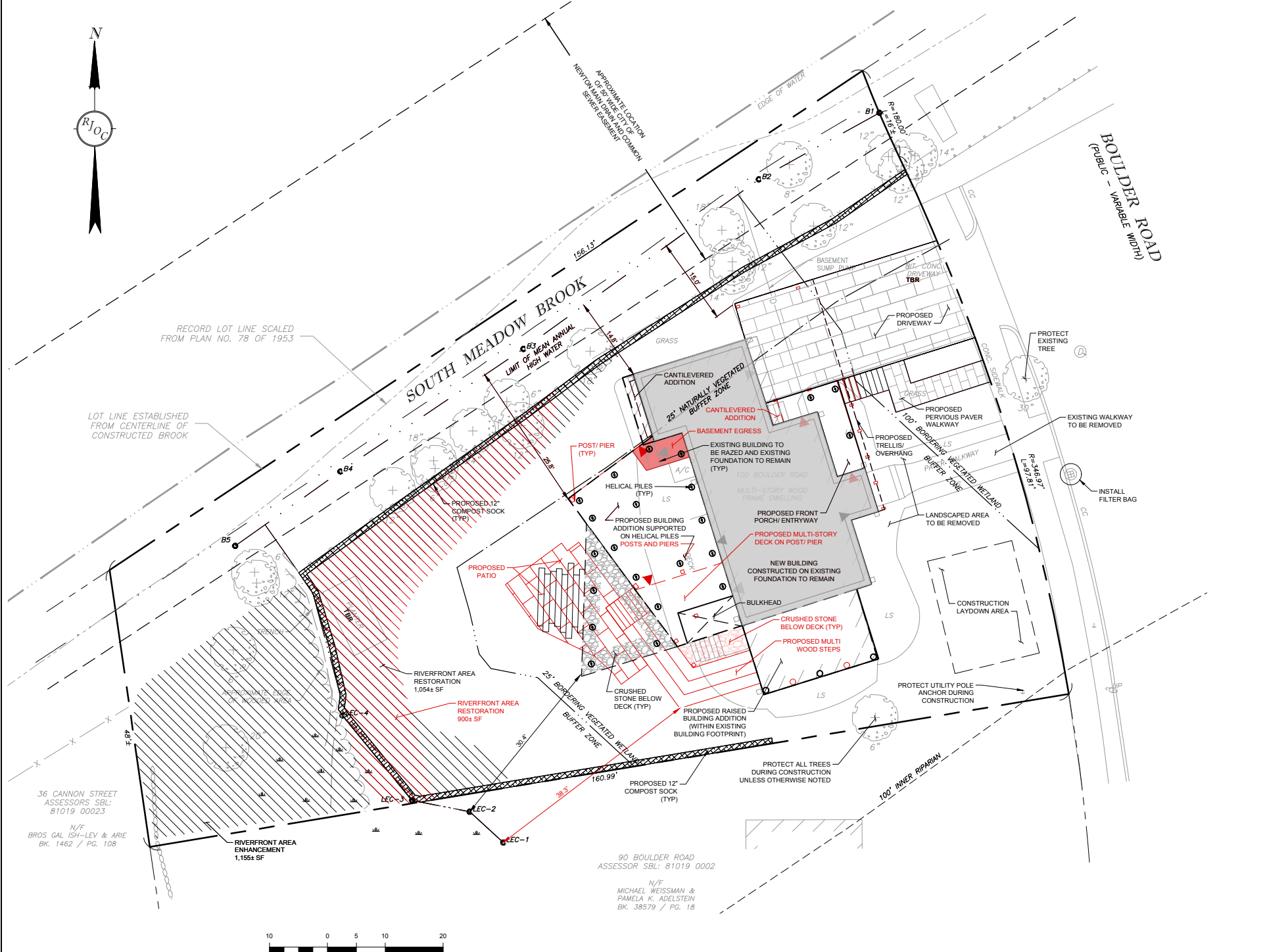
NOTES

1. 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 CAD FILES PROVIDED BY MARYANN THOMPSON ARCHITECTS DATED 08/04/2022.
2. SEE PLANS PREPARED BY LEC ENVIRONMENTAL FOR DETAILS OF THE RIVERFRONT RESTORATION AND RIVERFRONT ENHANCEMENT AREA.
3. EXISTING CONDITIONS DEPICTED ON THIS PLAN ARE BASED UPON A PLAN PREPARED BY RJ O'CONNELL & ASSOCIATES, INC. ENTITLED 'EXISTING CONDITIONS SURVEY, 100 BOULDER ROAD, NEWTON, MASSACHUSETTS' DATED 12/21/2021.
4. THE LOCATION AND ELEVATION 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 (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	118.1±	116.8±	20.2'	12.03
B	116.8±	116.8±	11.2'	6.63
C	116.8±	116.1±	18.2'	10.75
D	116.1±	116.5±	19.6'	11.56
E	116.5±	116.7±	15.8'	9.34
F	116.7±	116.8±	23.9'	14.15
G	116.8±	117.7±	20.6'	12.25
H	117.7±	118.2±	12.7'	7.60
I	118.2±	118.4±	11.7'	7.02
J	118.7±	118.7±	7.8'	4.70
K	118.9±	118.9±	11.7'	7.06
L	118.9±	119.1±	8.1'	4.89
M	119.1±	118.1±	15.7'	9.44
SUM			197.2'	117.4±



NO.	REVISION	DATE

PREPARED BY:
RJO'CONNELL & ASSOCIATES, INC.
CIVIL ENGINEERS, SURVEYORS & LAND PLANNERS
80 MONTVALE AVENUE, SUITE 201 STONEHAM, MA 02180
PHONE: 781.279.0180 RJOCONNELL.COM

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

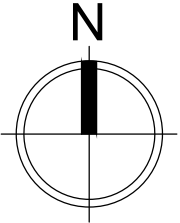
PROJECT NAME:
100 BOULDER ROAD
NEWTON, MA

SEAL:

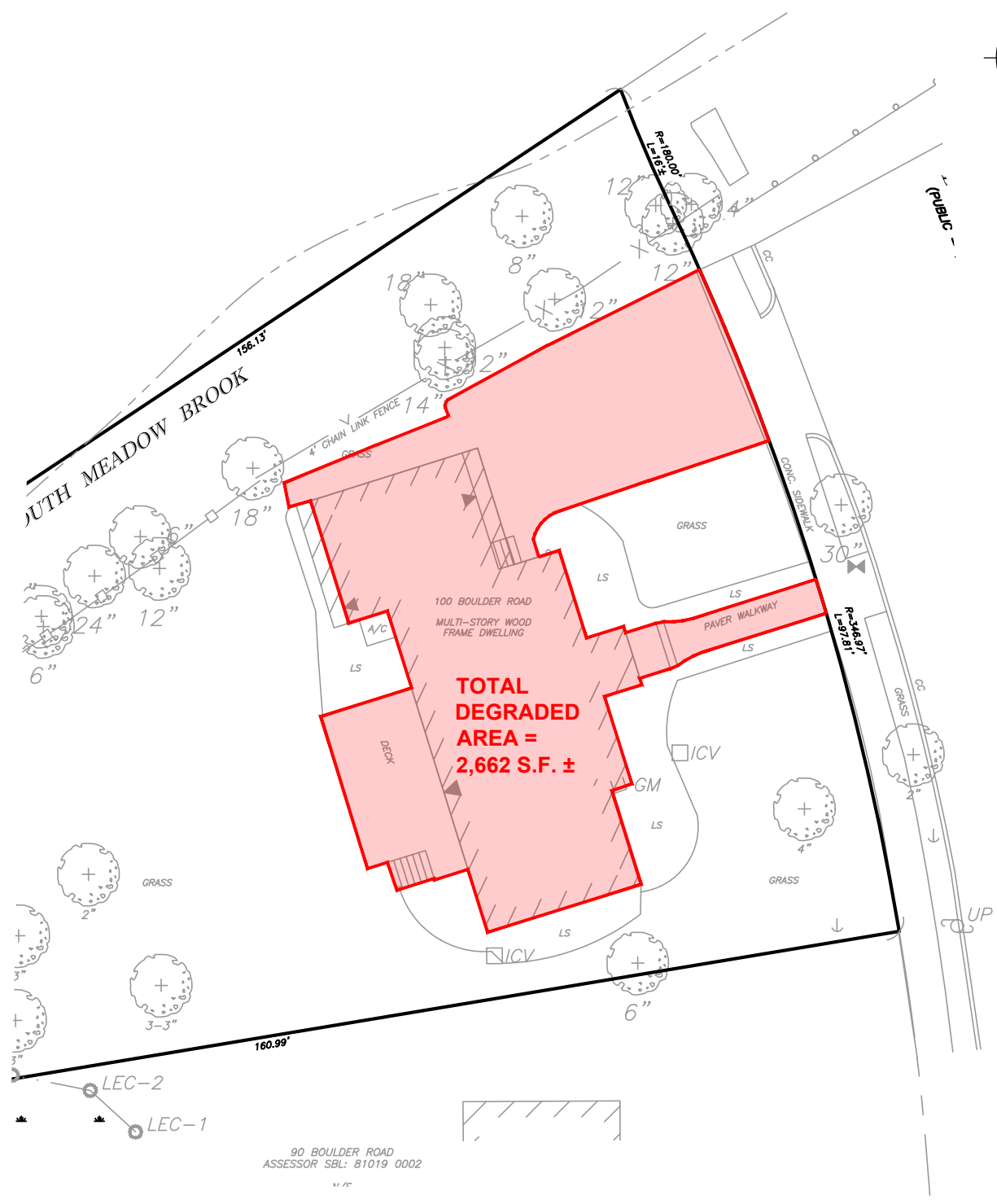
DESIGNED BY: CMM
DRAWN BY: CMM
REVIEWED BY: BWT
SCALE: 1" = 10'
DATE: 09/13/2022
DRAWING NUMBER:
COMP
PROJECT NUMBER:
20150

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Drawing name: G:\MA\Newton\Amir Nashat\100 Boulder Road\Engineer\Sketches\Existing Area Sketches\2022-09-13 Response to Comments\20150_Existing Degraded Area on Site (Updated 9-13).dwg
Sep 13, 2022 - 10:59am

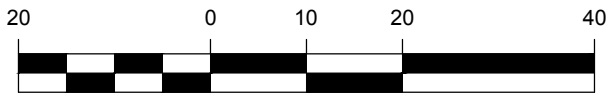


**TOTAL
DEGRADED
AREA =
2,662 S.F. ±**

100 BOULDER ROAD
MULTI-STORY WOOD
FRAME DWELLING

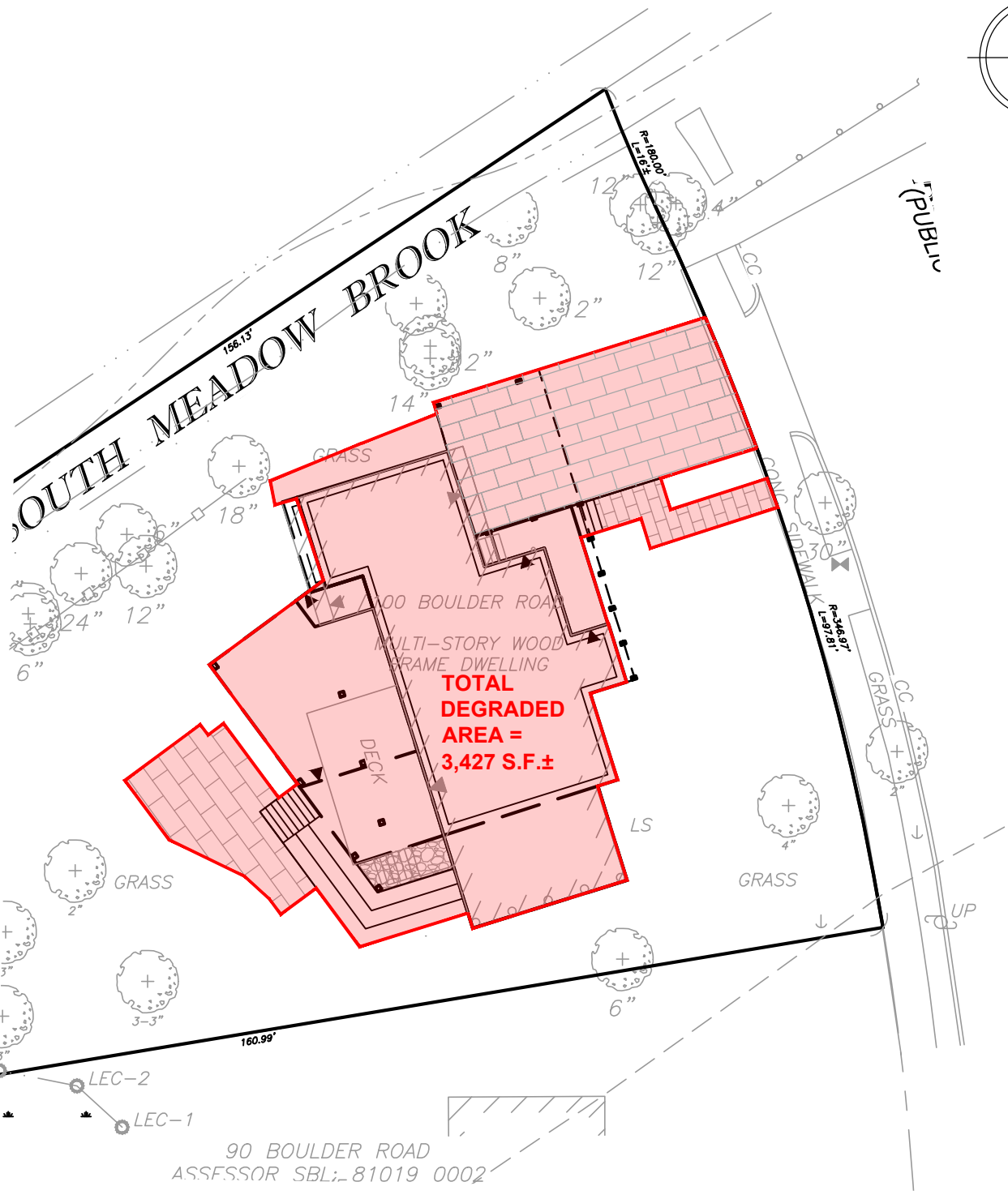
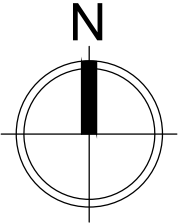
JUTH MEADOW BROOK

90 BOULDER ROAD
ASSESSOR SBL: 81019 0002



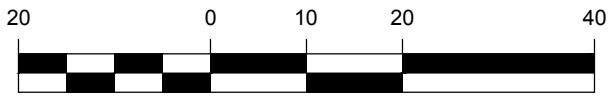
GRAPHIC SCALE IN FEET

**RJO'CONNELL
& ASSOCIATES, INC.**
CIVIL ENGINEERS, SURVEYORS & LAND PLANNERS
DATE: 09/13/2022 SCALE: 1"=20'
**QUANTITY OF EXISTING DEGRADED AREA
(SK-1)**
100 BOULDER ROAD
NEWTON, MA



**TOTAL
DEGRADED
AREA =
3,427 S.F.±**

90 BOULDER ROAD
ASSessor SBL: 81019 0002



GRAPHIC SCALE IN FEET

**RJO'CONNELL
& ASSOCIATES, INC.**
CIVIL ENGINEERS, SURVEYORS & LAND PLANNERS
DATE: 09/13/2022 SCALE: 1"=20'
**QUANTITY OF PROPOSED DEGRADED AREA
(SK-2)**
100 BOULDER ROAD
NEWTON, MA

Drawing name: G:\MA\Newton\Amir Nashat\100 Boulder Road\Engineer\Sketches\Existing Area Sketches\2022-09-13 Response to Comments\20150_Proposed Degraded Area on Site (Updated 9-13).dwg
Sep 13, 2022 - 11:01am

IMPERVIOUS SURFACE COMPARISON

PREVIOUSLY APPROVED PLANS WILL
INCREASE ONSITE IMPERVIOUS SURFACE BY.....243 S.F.±

MODIFIED DESIGN PLANS WILL
INCREASE ONSITE IMPERVIOUS SURFACE BY.....488 S.F. ±

BOTH DESIGNS INCLUDE A PROPOSED DRYWELL
THAT WILL COMPLETELY INFILTRATE RUNOFF FROM
THE ENTIRE NEW DRIVEWAY TOTALING.....675 S.F. ±

THE TOTAL AREA FLOWING TO THE DRYWELL IS GREATER THAN THE INCREASE OF IMPERVIOUS SURFACE. THIS WILL RESULT IN A **DECREASE** OF OVERLAND STORMWATER RUNOFF.

RIVERFRONT RESTORATION AREA

Per Section 10.58 of the MA WPA:

Redevelopment Within Previously Developed Riverfront Areas; Restoration and Mitigation:

Degraded Area: *“A previously developed area contains areas degraded prior to August 7, 1996 by impervious surface from existing structures or pavement, absence of topsoil... Work to redevelop previously developed riverfront areas shall conform to the following criteria: ...*

- (f) When an applicant proposes restoration on-site of degraded riverfront area, alteration may be allowed notwithstanding the criteria of 310 CMR 10.58(5)(c),(d), and (e) at a ratio in square feet of at least 1:1 of restored area to area of alteration...”*

DEGRADED AREA ON EXISTING SITE.....2,662 S.F.±

DEGRADED AREA ON MODIFIED DESIGN PLANS.....3,427 S.F.±

INCREASE IN DEGRADED AREA ABOVE EXISTING CONDITIONS.....765 S.F.±

PROPOSED RIVERFORNT RESTORATION AREA.....900 S.F.±

RATIO OF RESTORATION TO INCREASE OF DEGRADED AREA.....(1.2 : 1)

27 Cross St



Proposed Conservation Commission Meeting Schedule 2023
9/12/22 by jms

APPLICATION DEADLINE	Legal Ad DEADline	PACKETS	THURSDAY MEETING DATE	shift	NOTES
Tuesday, November 15, 2022	November 25, 2022	November 24, 2022	Thursday, December 1, 2022	7	Meet 1 week later b/c THANKSGIVING
Tuesday, December 6, 2022	December 16, 2022	December 15, 2022	Thursday, December 22, 2022		
Tuesday, January 3, 2023	January 13, 2023	January 12, 2023	Thursday, January 19, 2023	7	Meet 1 week later b/c holiday season
Tuesday, January 24, 2023	February 3, 2023	February 2, 2023	Thursday, February 9, 2023		
Tuesday, February 14, 2023	February 24, 2023	February 23, 2023	Thursday, March 2, 2023		
Tuesday, March 7, 2023	March 17, 2023	March 16, 2023	Thursday, March 23, 2023		
Tuesday, March 28, 2023	April 7, 2023	April 6, 2023	Thursday, April 13, 2023		
Tuesday, April 18, 2023	April 28, 2023	April 27, 2023	Thursday, May 4, 2023		
Tuesday, May 9, 2023	May 19, 2023	May 18, 2023	Thursday, May 25, 2023		
Tuesday, May 30, 2023	June 9, 2023	June 8, 2023	Thursday, June 15, 2023		
Tuesday, June 20, 2023	June 30, 2023	June 29, 2023	Thursday, July 6, 2023		
Tuesday, July 11, 2023	July 21, 2023	July 20, 2023	Thursday, July 27, 2023		
Tuesday, August 1, 2023	August 11, 2023	August 10, 2023	Thursday, August 17, 2023		
Tuesday, August 22, 2023	September 1, 2023	August 31, 2023	Thursday, September 7, 2023		
Tuesday, September 12, 2023	September 22, 2023	September 21, 2023	Thursday, September 28, 2023		
Tuesday, October 3, 2023	October 13, 2023	October 12, 2023	Thursday, October 19, 2023		
Tuesday, October 24, 2023	November 3, 2023	November 2, 2023	Thursday, November 9, 2023		
Tuesday, November 14, 2023	November 24, 2023	November 23, 2023	Thursday, November 30, 2023		
Tuesday, December 5, 2023	December 15, 2023	December 14, 2023	Thursday, December 21, 2023		
Tuesday, December 26, 2023	January 5, 2024	January 4, 2024	Thursday, January 11, 2024		
Tuesday, January 16, 2024	January 26, 2024	January 25, 2024	Thursday, February 1, 2024		

Suggestions for Increasing Conservation Commission Meeting Efficiency

jms: 9/13/22

The problems

- The Commission has lots of obligations that take time to address (Ch 40 Sec. 8C.):
 - “the promotion and development of the natural resources”
 - “the protection of watershed resources of said city or town.”
 - “conduct researches into its local land areas”
 - “co-ordinate the activities of unofficial bodies organized for similar purposes”
 - “conservation and passive outdoor recreation plan”
 - “Acquisitions of interests in land”
 - “adopt rules and regulations governing the use of land and waters under its control”
- The Commission (not staff) are the decision makers and must be aware of what they are deliberation on, voting on, and signing.
- Jam-packed agendas
 - Wetland hearings -- Digesting the information (to get to a decision quickly)
 - We receive lots of applications, with lots of complicated facts/issues that must be understood and addressed through plan changes and/or conditions.
 - Currently there are generally 5 phases of every hearing undertaken for the benefit of the applicant, the Commission, and the public.
 1. Applicant presentation of highlighted site plans
 2. Staff photo tour
 3. Staff commentary -- questions and concerns
 4. Commission discussion
 5. Commission revision of draft conditions
 - Each public hearing usually takes 30 minutes (10 minutes of presentation, 10 minutes of discussion, 10 minutes to revise draft conditions) to an hour (for more complex cases).
 - If meetings are to be kept to 3 hours, only 3-6 hearings can be held (and still leave some time for land management, and advocacy discussions).
 - Despite staff’s best efforts to summarize lengthy NOIs, compile information on a few highlighted plan sheets, provide clear assessments, coordinate with applicants before the hearing, and provide a framework for progress, continuations are common.
 - Continuations use up a lot of Commission time, fill up future agendas, and “squeeze” new applications.
 - Continuations leave little time for the creation of revised materials (see “Deadlines for Receipt of Materials Policy”, below).
 - New applicants have expectations and legal rights to be heard promptly.
 - The new on-line application system makes it harder to defer new applications.
 - Land management and advocacy -- The Commission has obligations to actively engage.

- Meeting for 3 hours once every 3 weeks may not provide sufficient time to “do it all”. (Many Commissions meet twice monthly to meet the 21-day requirement to hear applications and undertake other responsibilities.)

A spectrum of possible solutions

- Digesting information in advance of the hearing
 - ConCom members could vet the packets (and/or the full applications on-line) and prepare questions or suggested conditions for presentation at the hearing
 - ConCom members could go on site visits prior to the hearing.
- Deliberating more concisely at the hearing
 - Put all continuations at the end of the following hearing.
 - The Chair could limit Phase 1 (presentation of highlighted site plans) to 10 minutes.
 - If Commissioners have made site visits, we could skip Phase 2 (photo tour).
 - If Commissioners have read the packets, we could skip Phase 3 (staff commentary.)
 - The Commission could decide that only the most minor changes will be allowed to continue to the next hearing, and push most continuations out 2 meeting cycles.
- Meet more
 - Stay late on nights with heavy agendas,
 - Change our schedule to meet twice monthly (as many ConComs do), or
 - Schedule “special” meetings to address continuations in between regular meetings.

Newton Conservation Commission Deadlines for Receipt of Materials Policy

Approved: 10/28/21

To allow placement of legal ads (when necessary) and to facilitate 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
 - All materials are due by noon, Tuesday, 16 days prior to the hearing/meeting,
 - i.e., 9 days prior to packet distribution/posting.
- Revised materials for open hearings
 - All materials are due by noon, Monday, 10 days prior to the hearing/meeting*,
 - i.e., 3 days prior to packet distribution/posting.

* NOTE: For complicated sites, cases, or revisions, the Conservation Commission and/or the Chief Environmental Planner may require that materials be submitted up to 16 days prior to the hearing.
- Informal discussions
 - All materials are due by noon, Tuesday, 9 days prior to the hearing/meeting,
 - i.e., 2 days prior to packet distribution/posting.

Exceptions to these deadlines will be at the sole discretion of the Chief Environmental Planner.

CONSERVATION COMMISSION AGENDA

Date: Thursday, Sept 1, 2022

Time: 7:00pm

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

With a quorum present, the meeting opened at 7:02 pm with Susan Lunin presiding as Chair.

Members Present: Dan Green (Chair) (joined at 7:05), Susan Lunin (Vice-Chair), Kathy Cade, Jeff Zabel, Leigh Gilligan, Associate Member Sonya McKnight.

Members Absent: Judy Hepburn, Ellen Katz,

Staff present: Jennifer Steel, Ellen Menounos

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

DECISIONS

A. WETLANDS DECISIONS

1. 7:00 – 107 Truman Rd – NOI – addition to a single-family home – DEP #239-935

- Owner/Applicant. Lev Sachakov
- Representatives. John Rockwood, Eco-tec
- Request. Issue OOC.
- Documents in packets. Locus map, highlighted plans
- Additional documents presented at meeting. Site photos
- Jurisdiction. RFA, BLSF, BZ
- Proposed Project Summary.
 - Demo front walk, steps, and landing. Demo rear mudroom and patio.
 - Construct front and rear additions on piers. Expand deck at rear (no change to existing deck posts.) Remove concrete patio at rear and convert to lawn.
 - No trees are proposed to be removed. Mature evergreen hedge at rear of property will be pruned. Existing edge of lawn will be maintained.
 - The project will result in a reduction of degraded area of 33.7 sf.
 - The project will result in a decrease in impervious surfaces of 33.7 s.f.
 - Project will result in an increase in flood storage capacity of 331 cf.
 - The project is exempt from the state stormwater standards and no stormwater improvements are proposed.
 - No restoration or planting enhancement is proposed.
- Presentation (John Rockwood) and Discussion.
 - The Representative summarized the project (as described above).
 - Two easements occur on the property. A sewer/drain easement and a drain easement.
 - Property has a large driveway which was recently repaved by City.
 - Project will require limited equipment and limited excavation.
 - Proposed erosion on east side stops at pavement.
 - Soil stockpile and concrete washout areas are located on the plans.
 - City Engineering has approved the project design as-is.
 - The arbor vitae hedge is not proposed to be removed at this point because it would trigger the City's Tree Ordinance.
 - Commissioners wanted to be proactive and permit the removal of the arbor vitae hedge with the submission of a robust native mitigation planting plan.
- Vote: To close the hearing and issue an OOC with the state's required conditions, Newton's special conditions, and the following site-specific special conditions [Motion: Lunin, Second: Gilligan; Roll-call vote: Cade (aye), Green (aye), Lunin (aye), Zabel (aye); Gilligan (aye). Vote: 5:0:0].
 - Prior to the removal of any or all of the arbor vitae hedge that runs along the rear of the property parallel to the stream, the owner must submit a robust native mitigation planting plan to Conservation staff for review and approval. Peer monitoring and 2 years of survival will be required.



Mayor
Ruthanne Fuller

**Director
Planning &
Development**
Barney Heath

**Chief
Environmental
Planner**
Jennifer Steel

**Assistant
Environmental
Planner**
Ellen Menounos

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

**Associate
Member**
Sonya McKnight

**Contact
Information**
1000 Comm. Ave.
Newton, MA 02459

T 617/796-1120
F 617/796-1142

www.newtonma.gov

jsteel@newtonma.gov

- To maintain the approved increase in flood storage capacity, no loam or other fill may be brought on to the site.
- All debris and trash shall be removed from the site.
- If any trees intended to be protected within the project area die within 2 years of the start of construction as a result of the 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, by removing 331 cubic feet of the front steps and sunroom.
- No Certificate of Occupancy shall be approved by the Conservation Commission unless a Certificate of Compliance has been issued or the request receives the written approval of the Chief Environmental Planner.
- To protect the water quality of area wetlands, fertilizers shall be of low-nitrogen content and be used in moderation.
- To protect the full suite of benefits of area wetlands, wildlife, and native insects and pollinators, no herbicides and pesticides shall be used.
- To protect wetland wildlife, exterior lighting shall be limited to “dark sky”, focused lighting. No spotlights or floodlights shall be directed at South Meadow or Paul Brooks.
- To maintain the flood storage capacity of the site and to ensure that flood waters can flow freely under the permitted structures to be built on piers, the area(s) under the permitted structure(s) shall not be enclosed with lattice, screen, lath or covering of any sort that:
 - a. covers more than 50% of the area of any opening, and/or
 - b. has openings/holes with any dimension less than 1 inch.

2. 7:25 – 162 Islington Rd – NOI – driveway expansion, deck, shed, landscaping – DEP #239-934

- Owner/Applicant. Daniel and Emily VanHassel
- Representatives. John Rockwood, Eco-tec
- Request. Issue OOC.
- Documents in packets. Locus map, highlighted plans
- Additional documents presented at meeting. Site photos
- Jurisdiction. BZ to BVW of a small pond on the abutting property to the north and west.
- Performance Standards. Buffer Zone 10.53(1): General Provisions: “... the Issuing Authority shall impose conditions to protect the interests of the Act identified for the adjacent Resource Area.
- Proposed Project Summary (within Commission jurisdiction).
 - Remove rear landing, stairs, and stone patio.
 - Repave/expand driveway and add a Cape Cod berm – as required by Engineering.
 - Construct wood deck and stairs on footings, shed, short segments of retaining walls and boulder borders.
 - Regrade rear lawn and establish landscape beds to define the area and stabilize the slope.
 - Install shed (an exempt activity).
 - Install lawn and plantings.
 - Flush cut a dead tree that could fall on the garage.
 - No formal mitigation or enhancement areas are proposed.
- Presentation (John Rockwood) and Discussion.
 - The Representative summarized the project (as described above).
 - There is steep topography on property—retaining walls at front of property will be rebuilt for safety and longevity. Most of that work is outside of Conservation Commission jurisdiction.
 - A combination of entrenched silt fence and compost sock will be used for erosion control.
 - A full set of landscape plans was included with application.
 - A Commissioner noted that the street catch basin down-gradient of the property overflows during heavy rains and that directing the driveway runoff to the street (via the Cape Cod berm) could exacerbate area flooding. Staff said that they would contact the Utilities Division and ask they clean the system to ensure optimal function.
 - Neighbor Peter Ezrin noted the street area flooding and his concerns about the stability of and drainage from the embankment in front of the house. Staff noted that work on the steep front embankment was outside the Commission’s jurisdiction and recommended that he speak with the applicant team and the Engineering Division, if necessary.
- Vote: To close the hearing and issue an OOC with the state’s required conditions, Newton’s special conditions, and the following site-specific special conditions [Motion: Zabel, Second: Gilligan; Roll-call vote: Cade (aye), Green (aye), Lunin (aye), Zabel (aye); Gilligan (aye). Vote: 5:0:0].
 - No mature live trees may be removed or demonstrably harmed.

- To protect the water quality of area wetlands, fertilizers shall be of low-nitrogen content and be used in moderation
- To protect the full suite of benefits of area wetlands, wildlife, and native insects and pollinators, no herbicides and pesticides shall be used.
- To protect wetland wildlife, exterior lighting shall be limited to “dark sky”, focused lighting.

3. 7:50 – 518 Quinobequin Rd – NOI cont’d – demo/rebuild single family home – DEP #239-928

- Owner/Applicant. Vsevolod Vagodny
- Representatives. John Rockwood, Eco-Tec; Tom Ryder, RAV Engineering
- Request. Issue OOC.
- Documents in packets. Locus map, highlighted plans
- Additional documents presented at meeting. Site photos
- Jurisdiction. RFA
- Proposed Project Summary.
 - Remove existing single-family house, construct new single-family house with two-car garage.
 - Install stormwater infiltration chambers.
 - Degraded area will be increased by 99 sf.
 - Install a 350 sf (3.5:1) mitigation planting area incorporating 14 large shrubs and 14 small shrubs.
 - No trees will be cut.
- Presentation (John Rockwood) and Discussion.
 - The Representative summarized the project (as described above).
 - The limit of work was adjusted to protect the large maple in the northwest corner of the site.
 - Low bush blueberry was removed from planting plan and replaced with New Jersey tea, juniper, and bush honeysuckle.
 - The stormwater infiltration chambers were reengineered to comply with the State/City standards.
 - A stand-alone O&M plan has been submitted.
 - Staff is still concerned about the health/safety of the 24” tree shown inside the erosion control line.
- Vote: To close the hearing and issue an OOC with the state’s required conditions, Newton’s special conditions, and the following site-specific special conditions [Motion: Zabel, Second: Gilligan; Roll-call vote: Cade (aye), Green (aye), Lunin (aye), Zabel (aye); Gilligan (aye). Vote: 5:0:0].
 - No damage to the large maple near the northwest corner of the proposed garage may occur during construction.
 - Grades are not proposed to be changed and shall not be raised.
 - Adequate protection must be installed for the large maple near the northwest corner of the proposed garage. This may include the addition of orange snow fencing near the drip line, boards tied to the trunk, and/or mulch and plywood placed over the roots.
 - Landscape plantings within Commission jurisdiction must be installed in compliance with the approved plans (desired changes must be approved by the Conservation office in advance) and must:
 - a. Be bounded, as shown on the plans, with bounds that: (1) are 1” capped iron pipe or 4”x4”x36” stone or concrete post, (2) have instructive language regarding the required protection, (3) have at least 6” maintained above grade, and (4) are placed at every boundary corner and never more than 20 apart.
 - b. Have a survival rate of 80 % of total number of shrubs (after 2 growing seasons)
 - c. Mulch applications shall diminish over time and eventually cease as shrubs spread.
 - The stormwater infiltration system must be installed as per the approved plans.
 - No Certificate of Occupancy shall be approved by Conservation unless a Certificate of Compliance has been issued or the request receives the written approval of the Chief Environmental Planner.
 - To protect the water quality of area wetlands, fertilizers shall be of low-nitrogen content and be used in moderation.
 - To protect the full suite of benefits of area wetlands, wildlife, and native insects and pollinators, no herbicides and pesticides shall be used.
 - To protect wetland wildlife, exterior lighting shall be limited to “dark sky”, focused lighting. No spotlights or floodlights shall be directed at Cheesecake Brook.
 - The required Riverfront restoration and/or mitigation areas shall be maintained and bounced in perpetuity in its predominantly natural condition.
 - The approved Stormwater Operations and Maintenance Plan is appended hereto and must be adhered to.

4. 8:15 – 326 Fuller St – NOI – course-wide drainage improvements at Brae Burn Country Club – DEP #239-937

- Owner/Applicant. Sean McLaughlin, General Manager of the Brae Burn Country Club

- Representatives. Sarah Stearns & Andrew Gorman, Beals and Thomas; Mike Quilter, CFO of the Brae Burn Country Club; Sean Nolan, Superintendent of the Brae Burn Country Club
- Request. Issue OOC.
- Documents in packets. Locus map, plans
- Additional documents presented at meeting. Site photos
- Jurisdiction. Buffer Zone to BVW and Bank of Cheesecake Brook.
- Performance Standards. Buffer Zone 10.53(1): General Provisions: "... the Issuing Authority shall impose conditions to protect the interests of the Act identified for the adjacent Resource Area.
- Proposed Project Summary.
 - Work is proposed to remedy a pattern of flooding which results in golf course closure, inconsistent flow to Cheesecake Brook, anaerobic soils, and compaction. The goal is for precipitation to percolate before it reaches gravity pipes, resulting in a more consistent volume of flow to Cheesecake Brook.
 - Work consists of trenching for channel drain lines and area drains in 4 areas of heavy surface flow. Sub-surface drain lines and their sand-filled trenches will speed conveyance of surface runoff to nearby intermittent streams and water features. System design allows for infiltration through trench sidewalls.
 - Methods: using a trencher (or excavator if ledge is found), trenches will be 2-4' deep; turf will be removed with a sod-cutter; trenches will be backfilled with sand; sod will be reinstalled. Existing drain lines will be abandoned in place.
 - There will be temporary work on bank to install the new outfalls.
 - There will be approximately 6,665 linear feet of trenching within buffer zone.
 - Mitigation will be provided in the form of a 3' wide and 850' long, no-mow strip that will revert to natural conditions.
- Presentation (Sarah Stearns, Sean McLaughlin, Sean Nolan) and Discussion.
 - The Representatives summarized the project (as described above).
 - They stated that they hired a drainage consultant and received this plan for remediation.
 - They noted that there is a drainage network in place, but that it is old and failing. They do not have as-builts that illustrate its age or the extent of its coverage.
 - They noted that no work within Conservation Commission jurisdiction would occur in Area 3.
 - Staff and Commissioners expressed concern about speeding stormwater runoff to the streams and thereby increasing "flashiness" and nutrient loading. They noted that while the sand trenches may provide some additional storage and improved infiltration, during heavy rains, the soils will be saturated and so infiltration will not occur.
 - Staff and Commissioners noted that using grading and natural wetlands and ponding areas might solve the flooding issues (the applicant's interest) and protect the wetland resources (the interests of the Wetlands Protection Act).
 - One Commissioner asked if the consultant had developed any calculations for volume needing management and the capacity of the proposed system. The applicant team said they could get such calculations and stated that the system was designed to flow quickly enough to be "self-cleaning" and avoid the build-up of sludge and sediment.
- Vote: To continue the hearing to 9/22/22 at 8:30pm to allow for a meeting between the applicant team, their consultant, and staff [Motion: Zabel, Second: Gilligan; Roll-call vote: Cade (aye), Green (aye), Lunin (aye), Zabel (aye); Gilligan (aye). Vote: 5:0:0].

5. 8:40 – 115 Elinor Rd – NOI – single-family home demo and construction – DEP #239-936

- Owner/Applicant. Alan Mayer Architects
- Representatives. Ryan Roseen, Goddard Consulting
- Request. Issue OOC.
- Documents in packets. Locus map, highlighted plans
- Additional documents presented at meeting. Site photos
- Jurisdiction. BLSF
- Proposed Project Summary.
 - Tear down and rebuild single family home, decks, driveway, lawn; existing pool will remain.
 - Driveway will be filled (34 cf) to meet new higher garage slab.
 - Compensatory storage (81 cf) will be provided through 3 cut areas in the yard and the removal of some of the old foundation.
- Presentation (Ryan Rosee) and Discussion.
 - The Representatives summarized the project (as described above).
 - Staff noted the limited jurisdictional area.
 - Staff noted concern about the inconsistencies of the plans shown on different plan sheets.

- Staff noted concern about the recent cutting of one 14” tree and the threat to the 28” tree shown within one area of proposed “cut” but suggested that simple shifting of the cut area could protect the 28” tree.
- One Commissioner noted that if the fence is replaced, it must be elevated to meet the Commission’s policy for fences in a flood zone.
- Neighbor Fabian Liss asked whether area flooding would be exacerbated by the driveway fill. The Commission explained that extra on-site flood storage and in-ground infiltration were being supplied.
- Vote: To continue the hearing to 9/22/22 at 9:00pm to allow for revised plans [Motion: Lunin, Second: Gilligan; Roll-call vote: Cade (aye), Green (aye), Lunin (aye), Zabel (aye); Gilligan (aye). Vote: 5:0:0].

6. 9:05 – 100 Boulder Road – informal discussion re Minor Plan Change – DEP #239-908

- Owner/Applicant. Amir Nashat
- Representative. Brian Timm and Chris McDonnell, RJ O’Connell; Rayhaneh Ramezany, Maryann Thompson Architects
- Request. Determine if proposed design changes constitute a Minor Plan Change, or if applicant needs to refile.
- Jurisdiction. Flood Zone (114’ NAVD88), Riverfront Area, Buffer Zone to Bank
- Documents Presented.
 - Comparison of Unenclosed Deck Designs and Rendering.
 - Table: Comparison of Impervious Area and Mitigation.
 - Table: Comparison of Degraded Area and Riverfront Restoration Area.
 - Excerpt of previously approved plan showing restoration and enhancement.
 - Table: Comparison of Approved vs Proposed Flood Plain.
- Presentation (Brian Timm) and Discussion.
 - An OOC for an addition and deck/patio was issued Jan 10, 2022.
 - The applicant tried to clarify the proposed changes.
 - Expand first floor level deck.
 - Replace and expand deck with an at-grade patio.
 - (These would result in an increase in degraded area and impervious area. The applicant noted that the infiltration system was sized to accept/infiltrate more than the proposed degraded area.)
 - Use sonotubes rather than helical piles. (The applicant noted that excess flood capacity would still be provided.)
 - Reduce the mitigation planting area.
 - Staff and Commissioners noted their confusion about the awkward use of regulatory terminology, and the internal inconsistency of the plans and drawings provided. They asked for internally consistent drawings and a clearer description of the desired changes.
 - Staff and Commissioners expressed concerns about the proposed reduction of the mitigation planting area.
 - Staff reminded the Commission that the question before them was whether to accept the proposed changes as Minor Plan Changes or whether the changes would require an amended OOC.
- Consensus: To continue the discussion to 9/22/22 at 9:30pm to allow for revised plans [Motion: Lunin, Second: Gilligan; Roll-call vote: Cade (aye), Green (aye), Lunin (aye), Zabel (aye); Gilligan (aye). Vote: 5:0:0].

B. CONSERVATION AREA DECISIONS

7. 9:30 – Presentation and approval of Eagle Scout Rohan Peters Cliff Trail Project

- Owner. Conservation Commission
- Representative. Rohan Martin Peters, Eagle Scout candidate
- Request. Approve completed Eagle Scout project
- Project Summary. Construction of stairs at trail by cliffs in the NW corner of Webster Conservation Area.
- Presentation (Rohan Martin Peters) and Discussion.
 - Rohan showed slides of his project building a new set of stairs at “the Cliffs” in Webster Conservation Area.
 - He was able to secure a 30% Manager’s Discretion Discount from Home Depot to purchase items for the project.
 - The stairs are very well-designed and installed.
 - It was a big, but very successful project.
 - Commissioners and staff were very impressed and appreciative.
 - Staff will install trail head sign(s) on Hammond Pond Parkway when they install new signs throughout Newton.
- Vote: To have staff sign Rohan’s Eagle Scout project book [Motion: Gilligan, Second: Lunin; Roll-call vote: Cade (aye), Green (aye), Lunin (aye), Zabel (aye); Gilligan (aye). Vote: 5:0:0].

C. 9:40 – ADMINISTRATIVE DECISIONS

8. Minutes to be approved

- Documents in packets. Draft 8/11/22 minutes as edited by Kathy Cade.
- Vote: To approve the 8/11/22 minutes as edited by Jennifer Steel [Motion: Cade, Second: Gilligan; Roll-call vote: Cade (aye), Green (aye), Lunin (aye), Zabel (aye); Gilligan (aye). Vote: 5:0:0].
- Volunteer. Dan Green volunteered to review the 9/1/22 minutes.

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

9. 166 Pond Brook Road – COC re-issue – DEP #239-200 (1988) and DEP #239-208 (1989)

- Owner. Elaheh Golestani
- Representative. none
- Request. Re-sign prior approved COCs
- Presentation (staff) and Discussion.
 - #239-200 = Construction of house; received COC in 1991 (satisfactory completion).
 - #239-208 = Construction of pool; received COC in 1991 (never initiated).
 - Both COCs were closed out with COCs
- Vote: To re-issue both COCs [Motion: Gilligan, Second: Cade; Roll-call vote: Cade (aye), Green (aye), Lunin (aye), Zabel (aye); Gilligan (aye). Vote: 5:0:0].

10. 43 River Ave. – NOI cont'd – DEP #239-931

- Owner/Applicant. Dina Onur
- Representatives. John Rockwood, Eco-Tec; Tom Ryder, RAV Engineering; Edmond Spruhan, Engineer
- Request. Continue hearing to 9/22/22.
- Documents in packets. none
- Additional documents presented at meeting. none
- Jurisdiction. RFA, BLSF, Buffer Zone
- Staff Comments. This hearing had been continued to this meeting, but the applicant requested another continuation to 9/22/22 and staff neglected to put it on the agenda. The Commission must vote to accept the request to continue.
- Vote: To continue the hearing to 9/22/22 at 8:00 pm [Motion: Lunin, Second: Gilligan; Roll-call vote: Cade (aye), Green (aye), Lunin (aye), Zabel (aye); Gilligan (aye). Vote: 5:0:0].

ADJOURN at 10:10

- Vote: To adjourn [Motion: Lunin, Second: Gilligan; Roll-call vote: Cade (aye), Green (aye), Lunin (aye), Zabel (aye); Gilligan (aye). Vote: 5:0:0].