

CONSERVATION COMMISSION AGENDA

Date: Thursday, December 1, 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

- 7:00 – 264-266 Lagrange Street – RDA – teardown/rebuild of a duplex**
 - Owner/Applicant. 264-266 Lagrange Street LLC
 - Representatives. John Rockwood, EcoTech
- 7:20 – 130R Wheeler Rd (140 Brandeis Rd) – NOI – replacement of synthetic turf fields and resurfacing of track – DEP #239-942**
 - Owner/Applicant. Parks, Recreation & Culture
 - Representatives. Greg Mellett
- 7:50 – Commonwealth Avenue – informal presentation -- Marty Sender Path improvements (Phase II)**
 - Owner/Applicant. Parks, Recreation and Culture
 - Representatives. Luis Perez Demorizi (Newton PRC), Cassie Bethoney (Weston & Sampson)
- 8:10 – 149 Charlemont Road/156 Christina Street -- informal presentation – Pending 40B development**
 - Owner/Applicant. Northland Development
 - Representatives. Steve Buchbinder
- 8:40 – 81 Albemarle Rd – COC – asphalt paving not in compliance -- DEP #239-762**
 - Owner/Applicant. Chirag Bhatt and Heena Pandya
 - Request. Issue COC.

B. 9:00 – CONSERVATION AREA DECISIONS – none at this time

C. 9:00 – ADMINISTRATIVE DECISIONS

D. 9:05 – ISSUES AROUND TOWN DECISIONS – none at this time

UPDATES

E. 9:50 – WETLANDS UPDATES

- PESA Ruling

F. 9:50 – CONSERVATION AREA UPDATES

- 85 Dudley Rd

G. 9:50 – ADMINISTRATIVE UPDATES

H. 9:50 – ISSUES AROUND TOWN UPDATES

- Flood Ordinance. Staff have drafted a revised version of Newton's Floodplain Ordinance and have sought information from DCR regarding the due date, etc.
- Christina St Bridge
- Stormwater projects

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

ADJOURN



Mayor
Ruthanne Fuller

**Director
Planning &
Development**
Barney Heath

**Chief
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Planner**
Jennifer Steel

**Assistant
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Leigh Gilligan

**Associate
Member**
Sonya McKnight

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

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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 – 264-266 Lagrange Street – RDA – teardown/rebuild of a duplex

- Owner/Applicant. 264-266 Lagrange Street LLC
- Representatives. John Rockwood, EcoTech
- Proposed Project Summary.
 - Overall: The 10,096± sf parcel is developed with a two-family house, paved driveway, walkways, three small understory trees, and lawn and landscaping. The project entails demolition of the existing two-family house, driveway and walkways, and the 3 understory trees, and construction of a two-family house, driveways, walkways, patios, a stormwater management system, and the establishment of four understory saplings.
 - Work within the 100' Buffer Zone: Demolition of a small portion of the existing house, removal of part of the existing driveway, removal of the existing front walkway and stairs/landing, the removal of 2 understory trees and the construction of two new paved driveways with trench drains, two new front walkways, utilities, stormwater management system, the establishment of four understory saplings, and associated grading, lawn, and landscaping. The existing Lagrange St concrete sidewalk will be replaced as required by the City.
 - Impervious area within the 100' Buffer Zone will increase by 1,100± sf from 565± to 1,665± sf, mostly due to larger driveways.
 - Driveway runoff will be treated and infiltrated; roof runoff will be collected and infiltrated.
 - The removal of 2 understory trees will be mitigated with the planting of 4 1.5" caliper understory saplings within the 100' Buffer Zone.
- Request. Issue a Negative 3 Determination.
- Documents in packets. Locus map, highlighted plans.
- Additional documents presented at meeting. Site photos.
- Jurisdiction. Buffer Zone to BVW
- Performance Standards.
 - **Buffer Zone** 10.53(1): General Provisions: "... the Issuing Authority shall impose conditions to protect the interests of the Act for adjacent Resource Area..." "... ensure that adjacent wetland resource areas are not adversely affected during or after completion ..."
- Staff Notes.
 - Is signature from Luis Diazgranados?
 - Only the outer portion of the 100-foot Buffer Zone occurs on the site.
 - The proposed house has been located outside of the 100' Buffer Zone.
 - Staff feel the southwestern driveway could be reduced in size.

- Staff feel the saplings could be augmented with some native shrubs.
- Staff Recommendation. Once final plans have been approved, vote to close the hearing and issue a negative 3 Determination with the following conditions.
 - The paved driveways shall not exceed ... x ... square feet within the Buffer Zone
 - Mitigation plantings shall consist of 4 native understory trees and

2. 7:20 – 130R Wheeler Rd (140 Brandeis Rd) – NOI – replacement of synthetic turf fields and resurfacing of track – DEP #239-942

- Owner/Applicant. Parks, Recreation & Culture
- Representatives. Greg Mellett
- Proposed Project Summary.
 - Remove and replace the existing artificial turf field and infill material to limit of curb (230' x 380') at Winkler Stadium
 - Add new crushed stone as necessary to attain level and even turf base surface
 - Resurface the running track at the Winkler Stadium – power-wash repair top course, new polyresin (“rubber”) topcoat
 - Inspect existing field manholes and in-line catch basins for debris, clean as necessary.
 - Fence and protect existing scoreboard, netting system, flagpole and adjacent trees during construction.
- Request. Issue an OOC.
- Documents in packets. Highlighted plans
- Additional documents presented at meeting. Aerial photo, site visit photos
- Jurisdiction. Buffer Zone
- Performance Standards.
 - **Buffer Zone 10.53(1):** General Provisions: “... the Issuing Authority shall impose conditions to protect the interests of the Act for adjacent Resource Area ...” “... ensure that adjacent wetland resource areas are not adversely affected during or after completion of the work.”
 - **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.
 - **City Floodplain. Sec. 22-22. Floodplain/Watershed Protection Provisions.**

(b)(1): Except as provided in subsections (b)(2) and (e) of this section, no building or other structure shall be erected, constructed, altered, enlarged or otherwise created for any residence or other purpose ... which will restrict floodwater flow or reduce floodwater storage capacity shall be permitted.
- Staff Notes.
 - The BVW to the west is an emergent marsh. dominated by common reed (*Phragmites australis*), with a shrub/wooded border wetland. There is an excavated channel along the eastern side of the wetland.
 - Only a very small sliver of Buffer Zone will be (temporarily) disturbed by this project.
 - At the time of initial installation of artificial turf there was a great deal of discussion about water quality. The Commission’s OOC was appealed by 14 Newton Petitioners who believed that the Commission’s conditions did not go far enough in ensuring that leachate from the fields would not harm the wetlands. DEP issued a superseding OOC with testing requirements and “snout” catch basins. The petitioners appealed the S-OOC. Ultimately, the Superseding Order of Conditions was recognized as the final permit of record with the conditions for testing and maintenance.
 - The existing artificial turf system includes 1 ¾ to 2 inches of loose rubber and sand infill, 9-12 inches of crushed stone (as a base material) and an underdrain system. The existing underdrain system has a 0.5% slope to encourage infiltration and maximize stormwater storage in the field. The overall design of the field is essentially a large infiltration basin. The stone base has an approximate 40 percent void ratio, which provides a flood storage within the field. Under existing conditions, some of the stormwater infiltrates into the remaining subsoils below the field. When the infiltration capacity is exceeded, runoff is collected in the underdrain system and discharges to an 84” culvert below the field (and will continue to do so).
 - The new in-fill will be Thermoplastic Elastomer (TPE) and so should not have the same zinc, cadmium, chromium and lead concerns as the crumb rubber in-fill from the original installation.
 - The carpets are now made with PFAS-free extrusion techniques, but some are still concerned about PFAS
 - The Winkler Stadium tack is 6-lanes.
 - Requests:
 - The owner of record must sign the NOI.
 - Flood zone information should be clarified.

- The current FEMA FIRMette shows flood zone far away, BUT ...
- The current FEMA flood profiles show the flood elevation:
 - above the Olde Field Rd culvert as 116.1' NAVD88 (122.6' CNVD)
 - above the Great Meadow Rd culvert as 115.6' NAVD88 (122.1' CNVD)
- The draft FEMA flood maps show the flood elevation right up to the outer edge of the track.
- Staff believe the accurate floodplain elevation is 115.6' NAVD88 (122.1' CNVD) as per the draft FEMA maps – i.e., right at the outer edge of the existing track – but the plans submitted do not have readily legible topography and the flood zone line appears to cross lines of topography at a lower elevation. Plan sheets with legible topography and a clear flood zone line should be submitted to demonstrate/ensure that work will remain outside (above) the flood zone.
 - Plans should show the 84" culvert referenced in the project narrative.
- Discuss/consider whether a third-party peer review should be required to address the materials proposed and the likelihood of adverse water quality effects.
- **Staff Recommendation.** Once questions have been answered and concerns addressed, issue an Order of Conditions with the following conditions.
 - Erosion controls shall be installed in such a way as to contain the power-washing of the track
 - Maintenance
 - "Snout" catch basins shall be inspected and cleaned if needed be at the beginning and end of each "field season" (spring and fall). This condition shall be in perpetuity.
 - Newton shall inspect the trench drain and in-line catch basins every 6-months and remove accumulated solids.
 - Newton shall maintain and inspect the vinyl screening on the 4' high chain link fence in proximity of the bordering vegetated wetlands every 6-months and remove accumulated solids.
 - Testing
 - Newton shall perform an EPA approved PFAS testing prior to construction (baseline) and thereafter ...???
 - Newton shall test the water from the Well #1 ???
 - Required responses to testing
 - ???

3. 7:50 – Commonwealth Avenue – informal presentation -- Marty Sender Path improvements (Phase II)

- **Owner/Applicant.** Parks, Recreation and Culture
- **Representatives.** Luis Perez Demorizi (Newton PRC), Cassie Bethoney (Weston & Sampson)
- **Proposed Project Summary.** Boardwalk and regrading/resurfacing of the Marty Sender Path from Islington Road to the pump station.
- **Request.** Provide preliminary feedback.
- **Documents in packets.** Locus map.
- **Additional documents presented at meeting.** Applicant presentation materials
- **Jurisdiction.** Buffer Zone and Flood Zone
- **Performance Standards.**
 - **Buffer Zone 10.53(1):** General Provisions: "... the Issuing Authority shall impose conditions to protect the interests of the Act for adjacent Resource Area ..." "... ensure that adjacent wetland resource areas are not adversely affected during or after completion of the work."
 - **Bordering Land Subject to Flooding: 10.57**
 1. Compensatory storage shall be provided for all flood storage volume that will be lost...
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 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.
 - **City Floodplain. Sec. 22-22. Floodplain/Watershed Protection Provisions.**
 - (b)(1): Except as provided in subsections (b)(2) and (e) of this section, no building or other structure shall be erected, constructed, altered, enlarged or otherwise created for any residence or other purpose ... which will restrict floodwater flow or reduce floodwater storage capacity shall be permitted.
- **Staff Notes.**
 - No comments at this point in time

4. 8:10 – 149 Charlemont Road/156 Christina Street -- informal presentation – Pending 40B development

- **Owner/Applicant.** Northland Development
- **Representatives.** Steve Buchbinder

- Proposed Project Summary. 40B development where HC Starck buildings are.
- Request. Provide preliminary feedback on preliminary presentation.
- Documents in packets. Locus map
- Additional documents presented at meeting. Applicant presentation
- Jurisdiction. Riverfront Area, Buffer Zone, and Flood Zone
- Staff Notes.
 - No comments at this point in time
 - Note. According to the Wetlands Protection Act, “No such notice shall be sent before all permits, variances, and approvals required by local by-law with respect to the proposed activity, which are obtainable at the time of such notice, have been obtained, except that such notice may be sent, at the option of the applicant, after the filing of an application”, and
 - Note: According to 310 CMR 10.05(4)(e), “The requirement under M.G.L. c. 131, § 40 to obtain or apply for all obtainable permits, variances and approvals required by local by-law with respect to the proposed activity shall mean only those which are feasible to obtain at the time the Notice of Intent is filed. Permits, variances, and approvals required by local by-law may include, among others, zoning variances, permits from boards of appeals, permits required under floodplain or wetland zoning by-laws and gravel removal permits. They do not include, among others, building permits under the State Building Code, M.G.L. c. 23B, § 16, or subdivision control approvals under the State Subdivision Control Law, M.G.L. c. 41, §§ 81K through 81GG, which are issued by local authorities. When an applicant for a comprehensive permit (under M.G.L. c. 40B, §§ 20 through 23) from a board of appeals has received a determination from the board granting or denying the permit and, in the case of a denial, has appealed to the Housing Appeals Committee (established under M.G.L. c. 23B, § 5A), said applicant shall be deemed to have applied for all permits obtainable at the time of filing.

5. 8:40 – 81 Albemarle Rd – COC – asphalt paving not in compliance -- DEP #239-762

- Owner/Applicant. Chirag Bhatt and Heena Pandya
- Request. Issue COC.
- Documents in packets. Sketch of permitted driveway superimposed on picture of driveway
- Additional documents presented at meeting. None
- Staff Notes.
 - All necessary paperwork was not received for this COC request—the applicant’s engineer disappeared before creating an as-built.
 - A site visit on 11/15/22 found that the site was in substantial compliance with the approved plans except for the driveway which was installed larger than the layout on the approved plan.
- Staff Recommendation.
 - To be fair and consistent, the extra asphalt should be removed or compensated for with a 2:1 permanently bounded mitigation planting area.

B. 9:00 – CONSERVATION AREA DECISIONS – none at this time

C. 9:00 – ADMINISTRATIVE DECISIONS

6. Minutes to be approved

- Documents in packets. Draft 11/3/22 minutes as edited by Susan Lunin.
- Staff Recommendation. Vote to approve the 11/3/22 minutes.
- Volunteer. Who will volunteer to review the 12/1/22 minutes?

D. 9:05 – ISSUES AROUND TOWN DECISIONS – none at this time

UPDATES

E. 9:50 – WETLANDS UPDATES

- PESA Ruling

F. 9:50 – CONSERVATION AREA UPDATES

- 85 Dudley Rd

G. 9:50 – ADMINISTRATIVE UPDATES

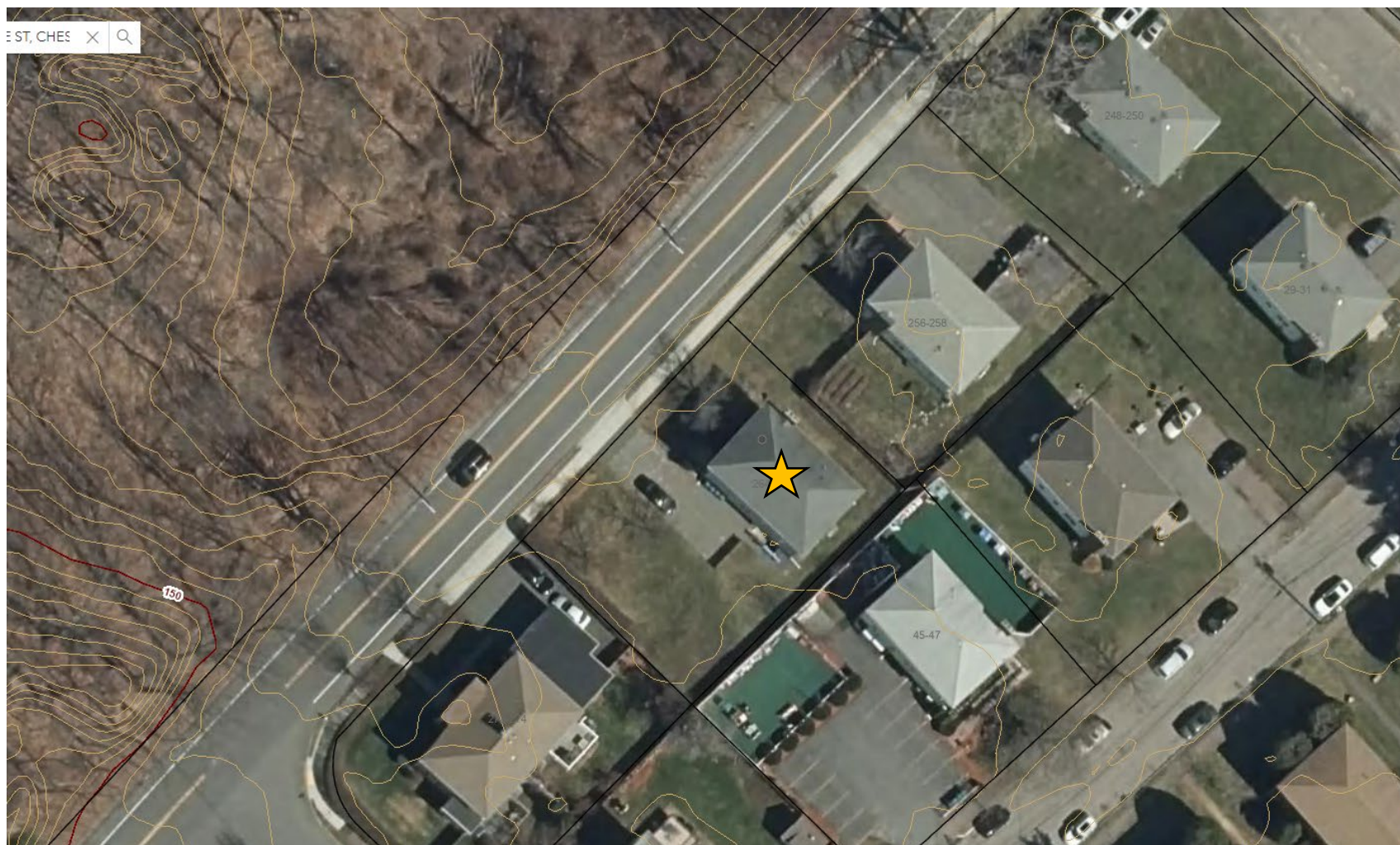
H. 9:50 – ISSUES AROUND TOWN UPDATES

- Flood Ordinance. Staff have drafted a revised version of Newton's Floodplain Ordinance and have sought information from DCR regarding the due date, etc.
- Christina St Bridge
- Stormwater projects

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

ADJOURN

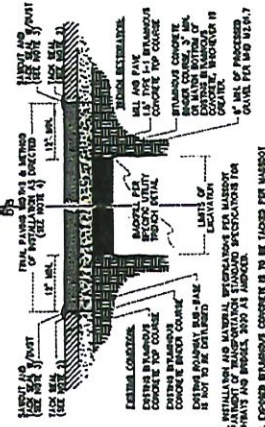
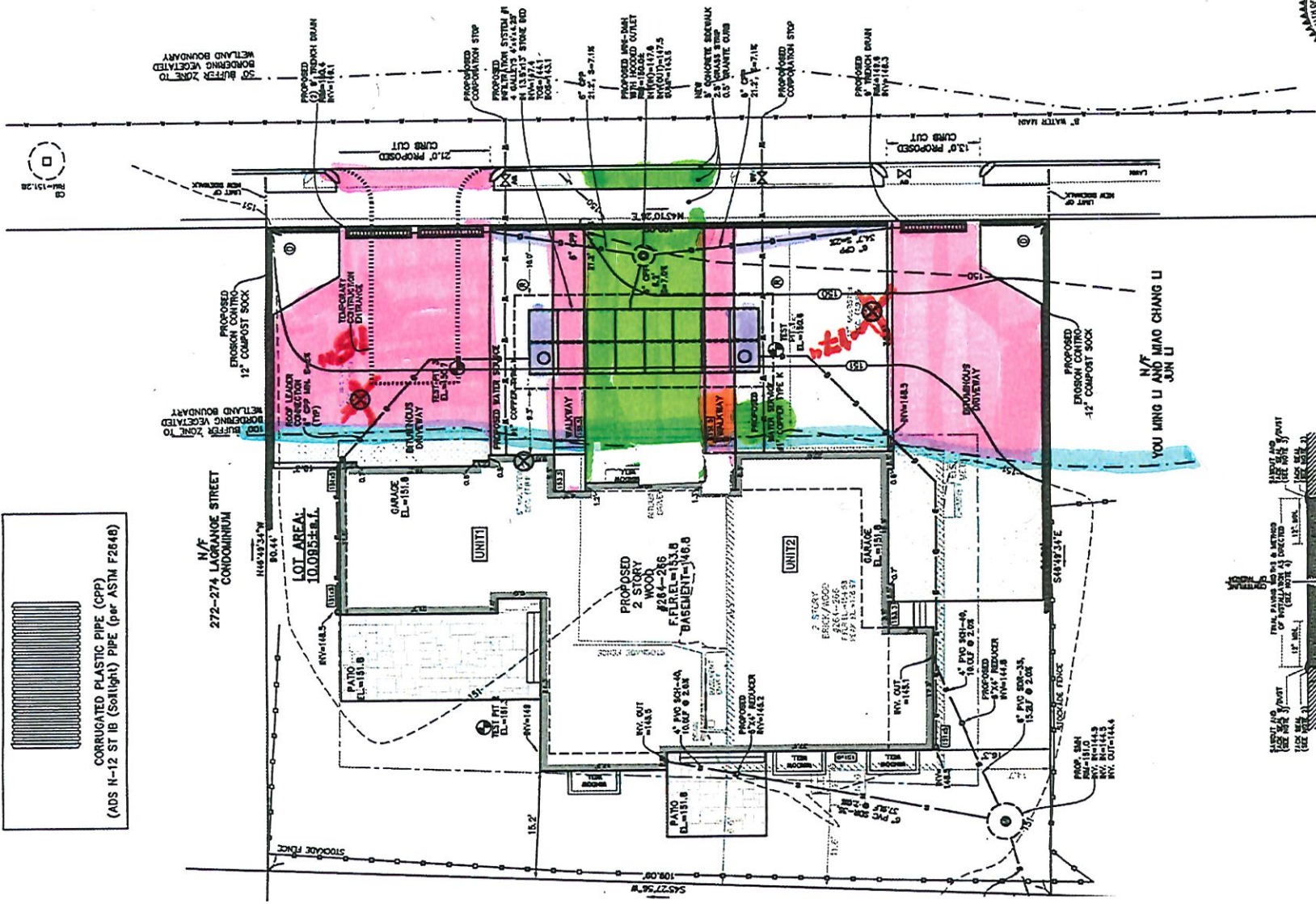
264 – 266 Lagrange Rd




 CORRUGATED PLASTIC PIPE (CPP)
 (ADS N-12 ST B (Softlight) PIPE (per ASTM F2848))

272-274 LAGRANGE STREET
 CONDOMINIUM
 N/F

LOT AREA:
 10,095-SQ. FT.



1. ALL MATERIALS AND MATERIAL SPECIFICATIONS PER MASSDOT FOR TRENCH REPAIR AND BRIDGES, 2003 AS AMENDED.
 2. ALL TRENCH REPAIR SHALL BE IN ACCORDANCE WITH MASSDOT FOR TRENCH REPAIR AND BRIDGES, 2003 AS AMENDED.
 3. ALL EXPOSED CURB ARE TO BE CURED WITH TACK AND STREK GEL.
 4. ALL NEW CURB SHALL BE AT A MINIMUM 4" THICK. ALL EXISTING CURB SHALL BE REPAIRED TO ORIGINAL OR EXCEED THEREIN AS DIRECTED BY THE CITY OF NEWTON.
- & REFER BACK FOR PAYMENT

TYPICAL TRENCH REPAIR &
 PAVEMENT SECTION DETAIL
 NOT TO SCALE



TOPOGRAPHIC SITE PLAN
 NEWTON(CH), MASSACHUSETTS

SHOWING PROPOSED CONDITIONS AT
 #264-266 LAGRANGE STREET
 SCALE: 1in.=10ft. DATE: NOVEMBER 1, 2022

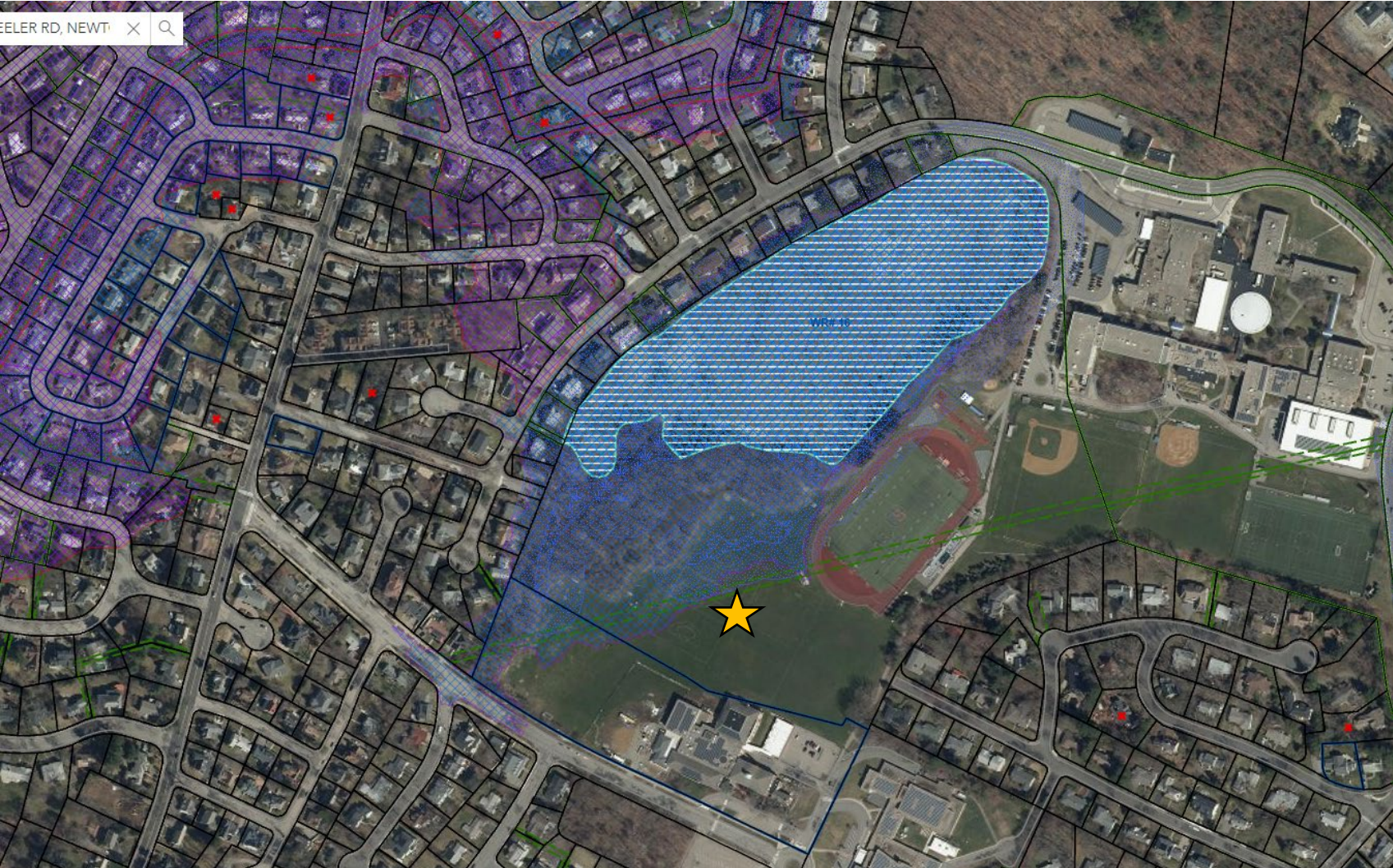
PROJECT: 222150

VTP
 ASSOCIATES
 INC.

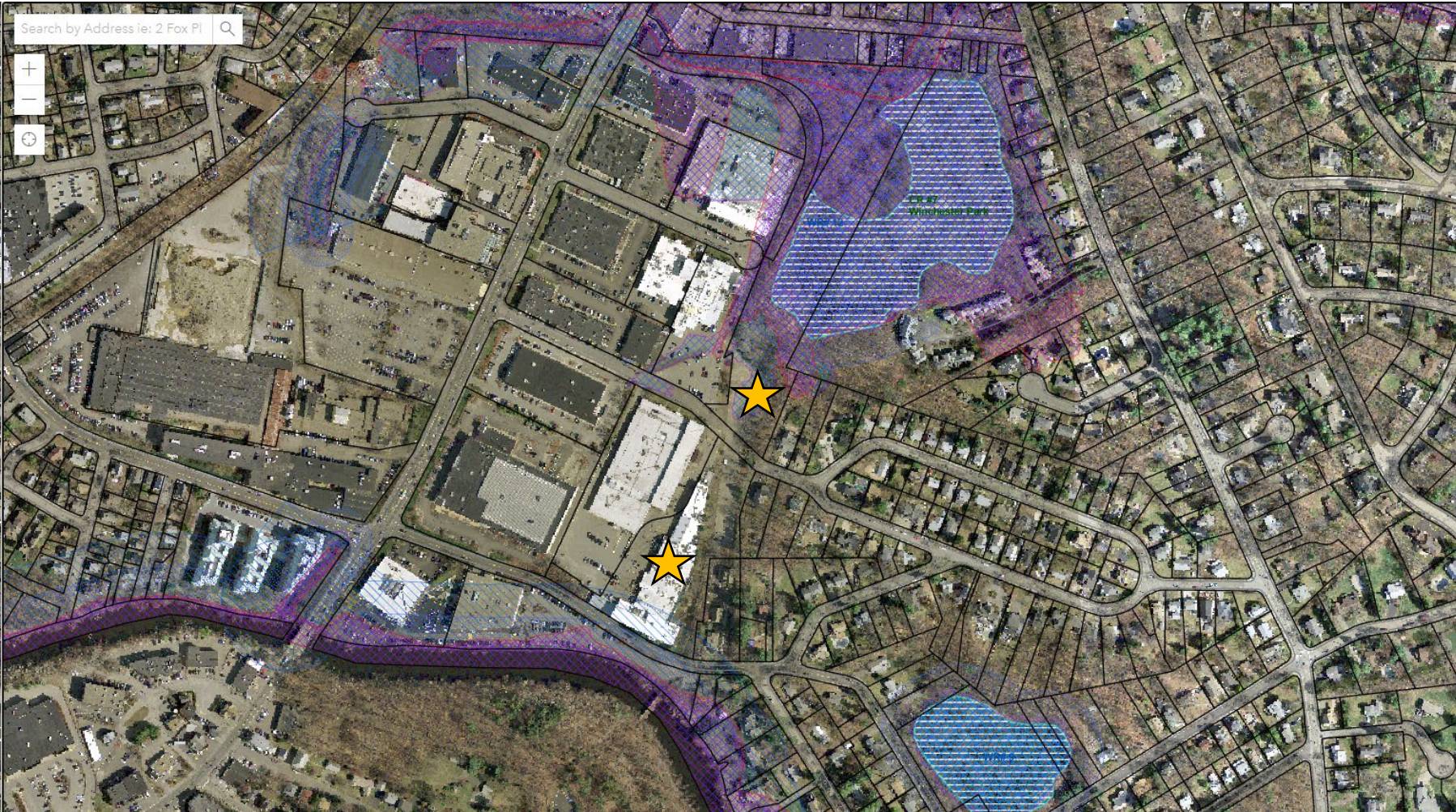
LAND SURVEYORS - CIVIL ENGINEERS,
 132 ADAMS STREET 2ND FLOOR SUITE 3
 NEWTON, MA 02459
 (617) 332-8271

SHEET 1 OF 2

130 Wheeler Rd / 140 Brandeis Rd



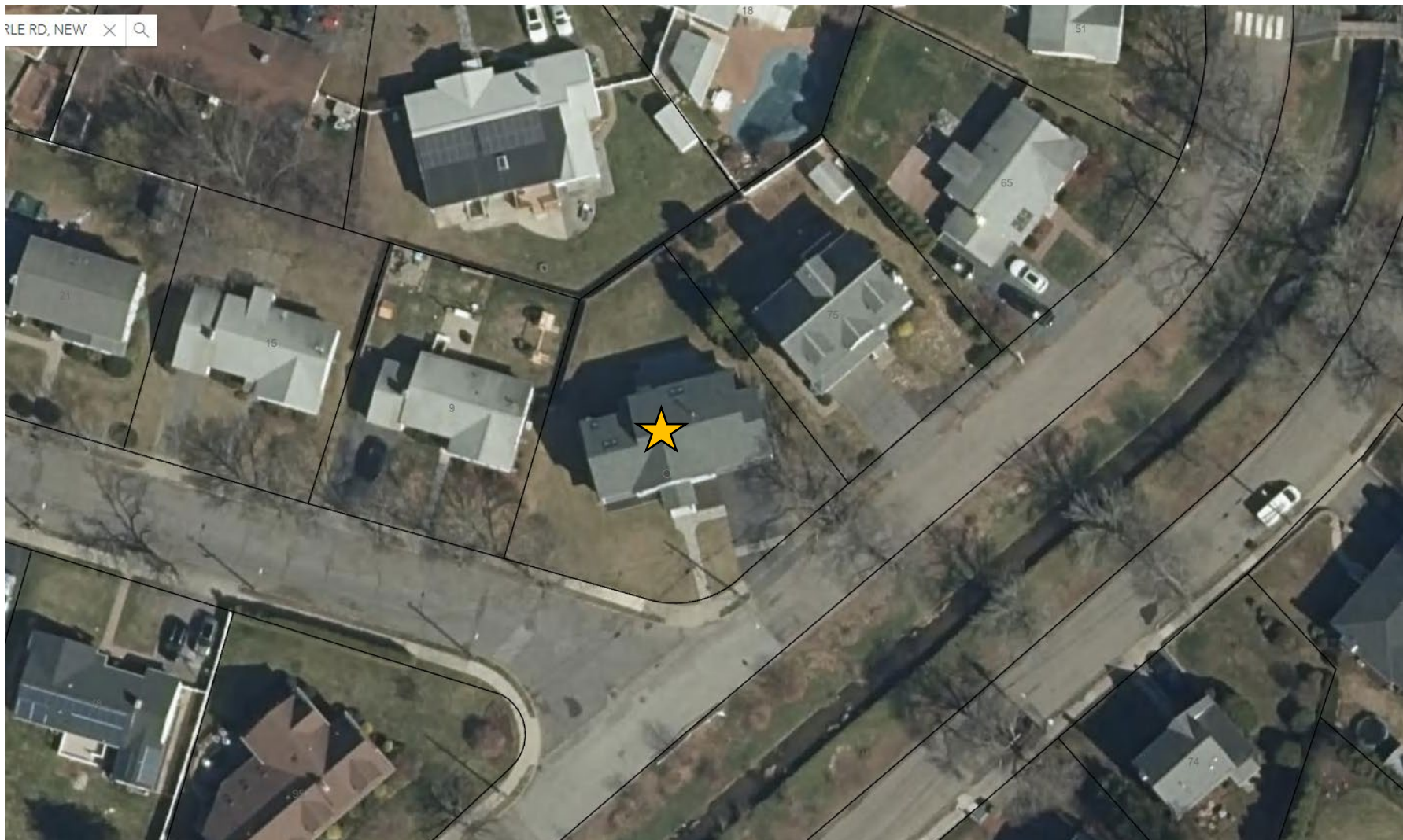
Charlemont Proposed 40B



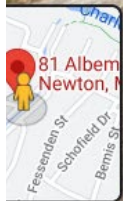
Marty Sender Path Phases I and II



81 Albemarle Rd



Marle Rd
Massachusetts
Google
Street View - Oct 2020



Google

Image capture

CONSERVATION COMMISSION MINUTES

Date: Thursday, November 3, 2022

Time: 7:00pm – 9:16 pm

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

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

Members Present: Susan Lunin (Vice-Chair), Dan Green (Chair) (joined at 7:10), Kathy Cade, Judy Hepburn, Jeff Zabel, Leigh Gilligan, Ellen Katz

Members Absent: Associate Member Sonya McKnight

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 – 1 Malvern Terrace – OOC extension request – demo/construct SFH -- DEP #239-808

- Owner/Applicant. Mandayam (Srini) Srinivasan and Anuradha Annaswamy
- Request. Three-year OOC extension.
- Documents in packets. Applicant's request letter dated Oct 14, 2022; approved site plan, approved planting plan, applicant's proposal for additional stone near the house.
- Additional documents presented at meeting. Site photos
- Presentation (staff and Srini) and Discussion.
 - This project was first permitted (#239-726) in May of 2015. That permit expired in 2018 with only building demo and site clearing completed.
 - This project was re-permitted (#239-808) in August of 2018 after 239-726 lapsed.
 - The Governor's COVID executive order extended the permit an additional 462 days.
 - Construction began in earnest in 2020 and is nearing completion. The applicants hope to complete construction and occupy the house in 2023. Required mitigation plantings have not been installed and will have to prove themselves for 2 growing seasons.
 - The permit is now due to expire on 11/14/22. The applicant is seeking a 3-year extension.
 - There has been very high groundwater on the site (the applicant stated that the soil doesn't percolate well), but in recent times the groundwater level seems to be back down to the levels found in the original test pits. The basement slab is currently above the groundwater level.
 - The applicant is contemplating plan modifications to address groundwater & stormwater (the addition of large areas of stone around the front, side and rear of the house – instead of chambers in the back of the house), but the applicants are currently only seeking an extension for the project as permitted. The applicant will have their engineer address that issue with Newton's Engineering Department in the future. If any changes are desired, the applicants will have to return to the full Commission for their review and approval.
 - The applicants were told that they should hire a professional landscape architect to ensure that the final landscaping is installed appropriately and will flourish.
- Vote: To issue a 3-year extension (to 11/14/25), with all the original conditions remaining in place, contingent upon the signing of a Memorandum of Understanding with the following additional conditions. [Motion: Green, Second: Lunin, Roll-call vote: Lunin (aye), Green (aye), Cade (aye), Hepburn (aye), Gilligan (aye), Zabel (aye), Katz (aye). Vote: 7:0:0]
 - To mitigate for the death of the spruce tree at the rear of the house, the applicant shall install 3 additional native canopy trees that are water-tolerant (such as red maple, tupelo, or willow) at the rear of the property (species and locations to be determined in consultation with Conservation staff.
 - The mitigation planting area must:
 - a. Be installed under the direction of a qualified wetland consultant to ensure proper installation, proper placement, and appropriate and even filling of the entire mitigation area.



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- b. 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.
- c. Be managed to control/minimize invasive species. If herbicides are use, manufacturer's recommended directions must be followed.

2. 7:25 – 2345 Commonwealth Ave – COC – tank relocation at Newton Marriott – DEP #239-869

- Owner/Applicant. Boston Gas
- Request. Issue COC
- Documents in packets. None
- Additional documents presented at meeting. None
- Staff Notes. All necessary paperwork was received for this COC request. A site visit on 10/27/22 confirmed full compliance with the approved plans and conditions and the necessary survival of plants.
- Vote: Vote to issue a complete COC. [Motion: Lunin, Second: Green, Roll-call vote: Lunin (aye), Green (aye), Cade (aye), Hepburn (aye), Gilligan (aye), Zabel (aye), Katz (aye). Vote: 7:0:0]

3. 7:30 – 140 Brandeis Rd – COC – Newton South H.S. tennis courts – DEP #239-735

- Owner/Applicant. Lou Taverna, Newton Engineering
- Request. Issue COC.
- Documents in packets. None
- Additional documents presented at meeting. None
- Staff Notes. All necessary paperwork was received for this COC request. Staff site visit on 10/26/22 confirmed full compliance with the approved plans and conditions.
- Vote: Vote to issue a complete COC. [Motion: Katz, Second: Hepburn, Roll-call vote: Lunin (aye), Green (aye), Cade (aye), Hepburn (aye), Gilligan (aye), Zabel (aye), Katz (aye). Vote: 7:0:0]

B. 7:35 – CONSERVATION AREA DECISIONS

4. Possible Eagle Scout project at UF Riverwalk – Proposal is to address eroded banks with water bars/steps. Is this appropriate?

- Presentation (staff) and Discussion.
 - Providing safe access and addressing erosion would be good.
 - The proposed location near the Greenway is not appropriate; it is far from the trailhead and may be on private land.
 - The bank closest to the Williams Street trailhead would be the most beneficial, but is too sensitive and challenging a site.
 - The severely gullied location near the Saco Street trailhead was considered “do-able” and beneficial.
 - The severely gullied location near the northerly bench and the Williams Street trailhead was considered “do-able” and the most beneficial site.
 - Staff will report back to the Eagle Scout.

5. Bike rack locations for Parks and Rec master list

- Presentation (staff) and Discussion.
 - Staff sought proposed locations for bike racks, to coordinate with Parks and Rec’s application for ARPA funds.
 - Desired sites, in rough priority order, are:
 - Webster -- Hammond Pond Parkway entrances (mall drive, near the vernal pool, Old Deer Park) (3 medium racks)
 - Houghton Garden – Lowell Lane entrance (1 small rack)
 - Norumbega – Woodbine entrance (1 small rack)
 - Upper Falls Riverwalk – Williams Street entrance (1 small rack)
 - Flowed Meadows – West Pine Street entrance (1 small rack)
 - Dolan Pond – Auburndale entrance (1 small rack)

C. 7:50 – ADMINISTRATIVE DECISIONS

6. Meeting process changes to increase efficiency

- The following revised procedure was appreciated by the Commission and will be used by the Chair at the next hearing. Staff will include mention of this new procedure in the email that accompanies Staff Notes.
 1. Chair notes that highlighted plans and detailed staff comments have been provided in the packets and on the web.
 2. Chair asks staff to project the highlighted site plan and site photos to introduce the project/refresh memories
 3. Chair asks applicant to fill in any blanks and answer any questions
 4. Chair calls for Commission discussion

5. Chair asks for draft permit language
 6. Commission reviews and edits the findings and conditions as legally required, then votes.
- Staff noted a request to post video recordings of Commission meetings. Several Commissioners noted their discomfort with web posting of their names, faces, and home interiors. Gilligan noted that she was not aware of any obligation to post or provide video recordings of meetings. Staff will continue to make audio recordings available upon request.
 - Commissioners discussed the detailed agendas and packets.
 - One proposed improvement was to add the “public agenda” as the “cover page” to the packet.
 - Another proposed improvement was to reject applications with bad plans or assessments as “technically deficient” since there is insufficient information for the Commission to render a decision.
 - Another proposed improvement was to reiterate the value of a preliminary meeting with/review by staff in advance of the application deadline. Staff will send out another email to “regular applicants” with this information and the new procedure (1-6), above.
 - A complete application was displayed and reviewed at the meeting so Commissioners could see in entirety what applicants and staff are responsible for.
 - A complete permit was displayed at the meeting so Commissioners could see what staff is responsible for and what applicants receive.

7. Minutes to be approved

- Documents in packets. Draft 10/13/22 minutes to be edited by Dan Green.
- Vote to approve the 10/13/22 minutes as edited. [Motion: Green, Second: Lunin, Roll-call vote: Lunin (aye), Green (aye), Cade (aye), Hepburn (aye), Gilligan (aye), Zabel (aye), Katz (aye). Vote: 7:0:0]
- Volunteer. Lunin volunteered to review the 11/3/22 minutes.

D. 8:15 – ISSUES AROUND TOWN DECISIONS – none at this time

UPDATES

E. 8:15 – WETLANDS UPDATES

- Staff reminded the Commission of many of its most important policies, and encouraged Commissioners to reread them.
 - My Property Has Wetlands - What Does That Mean?
 - Tree replacement guidelines. Staff noted the inadvertent omission of the Tree Replacement Guidelines and will fix that.
 - RFA and BZ mitigation planting areas
 - 25 foot naturally vegetated buffer
 - Construction in Flood Zone – buildings, fences, compensatory storage
 - Deadline for Receipt of Materials Policy

F. 8:30 – CONSERVATION AREA UPDATES

- Land Management highlights
 - Staff projected the “Field Book” summarizing each parcel and its management needs. Green and Katz asked for copies.
 - Staff projected photos of recent work by Essex Horticulture, noting their expertise, professionalism, diligence & quality.

G. 8:45 – ADMINISTRATIVE UPDATES

- Commissioners were reminded of the meeting date change from Thursday 12/22/22 to TUESDAY 12/20/22
- Staff reviewed the Conservation Office budget, just to let the Commission know how operations are funded.
 - Salaries and office – City General Fund – ~\$140K
 - Capital Grounds Improvements – City Capital Account – \$25K
 - Grounds Maintenance and Supplies – City General Account – \$25K
 - Public Property Repair and Maintenance – Commonwealth Golf Course donation – \$25K
 - John Menard was \$25K/yr; Mark Neves was \$18K/yr; Essex Horticulture is \$55K/yr (\$21K spent to-date)
 - Wetlands Filing Fees – we maintain a positive balance – money for wetlands implementation, training, etc. Commissioners were encouraged to ask to be signed up for trainings whenever they saw fit to do so.
- Staff provided an overview of Office efforts to illustrate to the Commission efforts that are outside Commission involvement
 - Administrative matters (web, GIS, budget, etc.)
 - Wetlands
 - 3 good wetland applications are now posted on the web as models.
 - Ellen will be adding graphics to the tree replacement & mitigation planting document.
 - The OpenGov on-line system is in place and working fairly well.

- A big batch of enforcement notices went out last week.
- COC requests are rolling in response to quarterly reminders
- Bound medallions are now available.
- Land Management
 - Completed: see highlights above
 - Pending:
 - All - trail head signs
 - Kessler trail easement – Jennifer had a site meeting on 10/20/22 with Tim Dolan and Zach Navarro
 - Norumbega - install fence atop slope to protect understory
 - Webster - address Elgin Road erosion
 - Frank Barney - fix erosion at northern trail head
 - Oakdale - move stone wall and add some plants
- Issues Around Town
 - OSRP staff team and OSRP Trails Subcommittee
 - Climate Action Plan staff team meetings
 - Climate Compact/Charles River Flood Model and mitigation projects
 - Pending: Flood Ordinance due 2023
 - Pending: Stream name signs, ...

H. 9:00 – ISSUES AROUND TOWN UPDATES

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

8. 9:00 – 135 Selwyn Road – COC – Addition to SFH – DEP #239-912

- Owner/Applicant. Laura Chandra
- Request. Issue COC for “work never initiated”
- Staff Comments.
 - The Chandras have decided to not pursue the addition. The only exterior work will be to reshingle the roof, replace windows, and replace some siding.
 - The two trees that were cut (on City land) in Riverfront Area without a permit must still be mitigated for. Staff will craft a Memorandum of Understanding to address that issue.
- Vote: Vote to issue a COC for “work never initiated”. [Motion: Kade, Second: Green, Roll-call vote: Lunin (aye), Green (aye), Cade (aye), Hepburn (aye), Gilligan (aye), Zabel (aye), Katz (aye). Vote: 7:0:0]

9. 9:05 – 12 Hollywood Ave – COC – MWRA sewer borings – DEP #239-469

- Owner/Applicant. Avi Liss
- Request. Issue re-signed COC
- Staff Comments. The COC issued on 9/23/22 was lost, so a new one with a wet signature is needed.
- Vote: Vote to issue a resign of the COC. [Motion: Lunin, Second: Gilligan, Roll-call vote: Lunin (aye), Green (aye), Cade (aye), Hepburn (aye), Gilligan (aye), Zabel (aye), Katz (aye). Vote: 7:0:0]

10. 9:10 – 180-210 Needham St. – OOC extension request – Parking expansion, mitigation plantings, rain garden – DEP #239-730

- Owner/Applicant. Kerry McCormack, CrossPoint Development
- Request. Two-year OOC extension.
- Staff Comments. A staff site visit on 11/3/22 found that:
 - For unpermitted alteration of Riverfront Area (associated with removal of the rails):
 - 8 of the 12 mitigation saplings were present.
 - For the required for mitigation of the expanded parking:
 - The rain garden was mostly devoid of the required vegetation
 - Only a few of the required trees were present
 - None of the required shrubs were found.
 - No work has been done on the project to create expanded parking with structural grass at the eastern end of the parcel.
 - The check held for completion of the planting has long since expired. Staff will solicit a new surety.
- Vote: To issue a 2-year extension (to 11/14/25), with all the original conditions remaining in place, contingent upon the signing of a Memorandum of Understanding with the following additional conditions. [Motion: Green, Second: Lunin, Roll-

call vote: Lunin (aye), Green (aye), Cade (aye), Hepburn (aye), Gilligan (aye), Zabel (aye), Katz (aye). Vote: 7:0:0] NOTE: After the hearing, staff discovered that the permit expired on 10/31/22, so this extension cannot be granted.

ADJOURN Vote to adjourn at 9:16. [Motion: Green, Second: Lunin, Roll-call vote: Lunin (aye), Green (aye), Cade (aye), Hepburn (aye), Gilligan (aye), Zabel (aye), Katz (aye). Vote: 7:0:0]