



## **Waltham Conservation Commission**

**March 7, 2024**

### **Meeting Minutes**

Meeting took place via public Zoom call with participation information posted at City Hall, Government Center, and on the Commission's page of the city web site. Zoom information was circulated directly to all applicants and others on the public agenda.

Meeting called to order at 7:02 PM.

**Attendees:** Chair Philip Moser, Vice Chair Bill Doyle, Michael Donovan, Louis Andrews, Gloria Champion, Gerard Dufromont. Conservation Agent Meghan Sullivan.

**Absent:** Alexander Sbordone.

#### **Development Prospectus Sign Off**

- 1265 Main Street. Nick Skoly of VHB presented. This prospectus is for a hotel on the parcel. The developer requires a special permit, which is before City Council. The hotel has gone through the ZBA for a height variance. Mr. Skoly clarified that this development area is not in WPA jurisdiction. He noted on the site plan where it would share some utilities, specifically a previously approved sewer line which the hotel would connect to. [Previously approved work is DEP file 316-0812.] Mr. Doyle moved to authorize the Chair to sign the prospectus. Mr. Donovan seconded. Mr. Moser noted that he usually recuses for projects involving Boston Properties; Mr. Skoly clarified that BXP is not involved in this project. The motion was amended to allow Ms. Sullivan to sign the prospectus on behalf of the commission. All present in favor. **Motion passed.**

#### **Public Meeting**

##### **Request for Determination of Applicability** (continued from 12-7-2023)

**Applicant:** Melissa and George Fox

**Property Location:** 77 Copeland Street

**Project Description:** After-the-fact permission for removal of a tree, trimming of pine tree branches overhanging home and driveway, and removal of shrubs at the front of the house. All vegetation to be replaced through a restoration plan.

George and Melissa Fox were present. Mr. Fox allowed Ms. Sullivan to summarize the revised application (this is a revision of an RDA originally submitted in November 2023). Ms. Sullivan noted that the RDA does not include new work, it is only for after-the-fact approval of previous work. A restoration plan is included for the previously removed vegetation. The plan allows for substitution of other suitable native plants if the species listed cannot be acquired. This will be noted in the NDA if the commission approves this plan. Clarifying discussion regarding some of the restoration plan details, previous and current site conditions, and commission practice around restoration conditions. Mr. Moser thanked the neighbor for bringing the original violation at this site to the commission's attention, and the applicant for being responsive to correct the violation. He raised the issue of some restoration species being native to regions farther south, and suggested the commission request

substitutions of species native to Massachusetts. Mr. Doyle moved to issue a negative determination, to include the native species substitution. Seconded by Mr. Andrews. Discussion. Voting in favor: Moser, Doyle, Donovan, Andrews, Dufromont. Abstained: Champion. **Motion passed.**

## **Public Meeting**

### **Request for Determination of Applicability**

**Applicant:** City of Waltham

**Property Location:** 295 Totten Pond Road

**Project Description:** Improvement of pedestrian access on Totten Pond Road and between Veterans Memorial Skating Rink and Prospect Hill Park.

Bob Winn and John Getherall of the City Engineering Department present for the applicant. Mr. Winn summarized the planned work, which includes new sidewalks, a parking lot entrance realignment, and resurfacing. Only a section of the sidewalk is within commission jurisdiction. Discussion and review of plans. All work is on the rink side of Totten Pond Road, opposite Prospect Hill Park. There are plans to add or relocate one or more traffic lights and pedestrian crossings, but that is the responsibility of the traffic commission and is not part of this project. The engineering department is not involved. Motion to issue a negative determination by Mr. Doyle, seconded by Mr. Dufromont. In favor: Moser, Doyle, Donovan, Andrews, Dufromont. Abstained: Champion. **Motion passed.**

## **Commission Business**

- Approval of meeting minutes from 2-15-2024. Motion to approve by Mr. Donovan, seconded by Mr. Doyle. Ms. Champion noted a correction. Motion passed, minutes approved as corrected.
- Tree and Stump Removal Policy. Ms. Sullivan noted numerous recent inquiries and suggested that a formal policy would be useful. She referenced the approaches used by some other towns. Discussion. Ms. Sullivan will draft a policy for review by the commission.
- Update to plantings at Fernald property, DEP file 316-0748. This is the stream daylighting project. The city engineering department has received a plan from the contractor to replace the dead or dying trees affected by the 2022 drought and will move forward.

## **Correspondence**

- The commission noted receipt of the 1265 Main Street Redevelopment Route 20 W-17 Basin Study Findings. This study was required as a condition on DEP file 316-0812.
- Notification by Eversource of Line 450-580 ROW 8-3 Maintenance noted.

## **Old Business**

- Status of release of Conservation Trust Fund monies for Paine Estate invasive species management. Mr. Moser had previously been asked to appear before the City Council Finance Committee's 3/4/24 meeting to explain the request. On 3/4/24, the City Auditor's office notified Mr. Moser that the request had been sent to the Law Department for review. The finance committee has declined to take action while the Law Department is reviewing. Mr. Moser informed the committee that this work (invasive species management) is seasonal and that the commission will need to be able to move forward within a month or so. He asked if the finance committee would relay this to the Law Department and ask for a response by a date certain, so that it can be known if work should be planned for this year or if the commission should expect to put the project on hold for a year.

## **Committee Reports**

- **CPC:** Next meeting is scheduled for March 19, 2024. Mr. Doyle noted one application known to be on the agenda.

## **New Business**

- Mr. Donovan has seen that the high-pressure water main connection on Totten Pond Road has been made. He would like Ms. Sullivan to take a look where it crosses the brook to ensure compliance.
- Mr. Donovan noted that along the new bike path, in the vicinity of Linden Street and Waverley Oaks Road, erosion is visible from the street. The commission has contacted CPW and will follow up.

## **Site Visit Reports**

- Chester Brook at Lyman Estate. Mr. Moser presented photos of the area where the upper Lyman Pond weir has been partially removed by the city engineering department [DEP file 316-0821]. He pointed out that the stream has begun to meander and cut through the built-up sediment and is becoming more natural. The commission is pleased with the results.
- 480 Totten Pond Road. Mr. Moser noted the site configuration and wetland and drainage areas, which are headwaters of West Chester Brook. He has observed that the retention pond appears to be draining into and polluting the brook. He presented photos and contrasting clean water in other locations on the property. Mr. Moser would recuse himself from any commission action on this property. Discussion. Mr. Doyle believes the dirty appearance of the pond is caused by intrushing water stirring up very fine silt during rain events. It is probably not a pollution or erosion problem, but an issue with stormwater entering the pond at high velocity and resuspending sediment. He thinks proper cleaning would mitigate this. He suggests reviewing their O&M plan and any recent cleaning reports. Ms. Sullivan noted that due to another recent violation at this site, she is already in contact with the property manager. [Reference 12-07-2023 and subsequent commission minutes, 450-500 Totten Pond Road, non-permitted vegetation clearing and possible stream dredging.] The O&M plan is being reviewed and she will raise this specific concern with them.

Motion to adjourn by Mr. Doyle, seconded by Mr. Andrews. All present in favor. **Motion passed.**

Meeting adjourned at 8:04 PM.