



**Waltham Conservation Commission**  
**March 28, 2019**  
**Meeting Minutes**

Meeting took place in the public meeting room, lower level, Government Center building, 119 School Street, Waltham.

Meeting called to order at 7:01PM.

**Attendees:** Chair Philip Moser, Vice Chair Bill Doyle, Gerard Dufromont, Michael Donovan, Bradley Baker, Courtney Semlow

**Absent:**

**Public Hearing** (Continued from 3-14-2019)

**Notice of Intent** (DEP File # 316-0746)

**Applicant:** Michael & Sang B. Watts

**Property Location:** 0 Pond End Road

**Project Description:** Proposed 2,300+/- sf residence with associated driveway, utilities, and drainage improvements.

Applicant has requested a continuance to 4/11/19 meeting. Motion to continue by Mr. Doyle, seconded by Mr. Dufromont. **Motion passed.**

**Public Meeting** (Continued from 3-14-2019)

**Request for Certificate of Compliance** (DEP File # 316-0709)

**Applicant:** 200 Smith NWALP Property Owner c/o ALP 200 Smith Manager LLC

**Property Location:** 200 Smith Street

Paul Finger appeared for the applicant. Stated previous requests by the commission. Has met with Jamie O'Connell at Cambridge Water and received approvals. Noted 2-year monitoring for phosphorous. Mr. Dufromont has visited the site recently. Believes the project is in compliance. Mr. Doyle moved to issue a Certificate of Compliance. Mr. Dufromont seconded. **Motion passed.**

**Public Hearing** (Continued from 3-14-2019)

**Notice of Intent** (DEP File # 316-0747)

**Applicant:** Paul Willoughby

**Property Location:** 36 Oakley Lane

**Project Description:** Construction of an addition on pilings to the rear of the house

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Bob Bibbo of Bibbo Brothers Associates appeared for the applicant. Described the project. Mr. Doyle and Mr. Baker recently visited the site to review minor changes. Mr. Donovan had some questions regarding erosion controls. Mr. Doyle moved to close the public hearing. Mr. Baker seconded. Motion passed. Mr. Doyle moved to issue a positive order of conditions with the standard order of conditions. Mr. Baker seconded. **Motion passed.**

### **Public Meeting**

**Request for Certificate of Compliance** (DEP File # 316-0691)

**Applicant:** Eversource Energy

**Property Location:** 200 Calvary Street

Applicant has requested a continuance to the next meeting. Mr. Doyle moved to continue, with Mr. Dufromont seconding. **Motion passed.**

### **Public Meeting**

**Request for Certificate of Compliance** (DEP File # 316-0712)

**Applicant:** City of Waltham

**Property Location:** Fernald: 21, 22, 23 & 24 Malone Park

Stephen Casazza, City Engineer, appeared for applicant. Described site condition and work completed. Mr. Dufromont asked about a concrete slab, which Mr. Casazza determined is actually natural rock ledge. The Commission inquired about whether the special conditions of the OOC have been met, specifically regarding trash and debris removal and invasive control, and whether meeting those would be necessary to issue the COC or if they apply as perpetual maintenance conditions. The Commission determined that this should not hold up certification. There was also discussion of open pits remaining as hazards on the property. Due to there being open questions regarding the actual cleanup status, the Commission continued this matter to the next meeting, in two weeks.

### **Public Hearing** (Continued from 3-14-2019)

**Notice of Intent** (DEP File # 316-0748)

**Applicant:** City of Waltham

**Property Location:** Fernald: 338 & 190 Trapelo Road

**Project Description:** Re-establishment of a wetland pond system and stream

Stephen Casazza appeared for the applicant. Mr. Casazza noted that City Councilors McLaughlin and Darcy and Mayor McCarthy were also present. He summarized discussions from a Commission site visit the week before, including work to be done, planned maintenance, and materials storage on site. Sam Bade and Joe Cohn [sp?] from Epsilon Consulting also spoke on the project on behalf of the city. The project largely relates to drainage improvements and also includes a restoration planting plan. Mr. Doyle offered information on the benefits of why this project is being considered ecological restoration and what that means for the work to be done. Specific information will need to be captured as part of the order of conditions for this. Mr. Dufromont asked the applicant to explain some parts of the project to have these details on the video meeting recording for the public record. Extensive discussion of drainage and restoration issues. Mr. Baker requested more species variety in the restoration plantings; the applicant agreed that this could be done. Additional discussion. Councilor McLaughlin spoke in favor of the project. Councilor Darcy spoke in favor of the project, specifically referencing the benefits to downstream flooding in the Linden Street area. He noted some history of the wetlands here and their loss from the 1970s and 1960s. [There is an interruption to the recording

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at this point and not all of Mr. Darcy's comments were captured. A Waltham resident, Bob Coleman, also spoke and was not recorded.] Mr. Bade noted the impact to flooding raised by Mr. Darcy and provided some specifics. The public hearing was closed.

Mr. Doyle motioned to issue an order of conditions with standard special conditions plus the following special conditions: extend term of the conditions to 4 years; allow the consultant to document the restoration over these 4 years to show progress (timing to be determined); ensure diversity in replantings (not more than 2 of any species); allow construction of 2 footbridges in appropriate locations to be determined by the consultant in consultation with the Commission; include the written recommendation of Epsilon to craft the OOC in such a way that this project will qualify as ecological restoration. Ms. Semlow seconded the motion. Discussion. Mr. Baker offered a friendly amendment to add a condition to allow an additional weir for flood control. Mr. Dufromont offered a friendly amendment to add a condition to plant at least two "Waverly Oaks" trees on the site. Mr. Moser requested clarification of the photographic documentation condition, which Mr. Doyle provided from state regulations. All present voted in favor. **Motion passed.**

## **Public Meeting**

### **Request for Certificate of Compliance (DEP File # 316-0671)**

**Applicant:** Andi Abes

**Property Location:** 70 Hiawatha Street

Mr. Moser recused, as he is a neighbor. Mr. Doyle acted as Chair.

Applicant described changes to original plan, including storm water maintenance system, French drains, and catch basin. Not all have been built. Applicant requested approval of plans and evaluation of plans as not substantial. The Commission raised numerous concerns about the changes to plans and the previous NOI having expired. Applicant and Commission clarified that he is not actually looking for a COC at this time; this is more to inform the Commission about changes that have been made, some of which are improvements on the approved plan. The Commission and the applicant discussed specific details at length. Mr. Doyle inclined to requiring that the NOI be re-filed, as the original NOI has expired and no COC has been issued. The Commission recommended a course of action for filing and compliance which would avoid violations being issued. The applicant agreed to file a new NOI addressing the issues from the discussion. Ms. Semlow raised a building code issue related to the basement of the structure, as it is in a FEMA flood zone. The applicant explained that there has been significant work with the building department and board of appeals for this. The applicant will apply for a new Notice of Intent specific to the drainage system and FEMA compliance. He will appear at a future meeting.

Mr. Moser returned to the meeting.

## **Commission Business**

- Approval of meeting minutes from 2-28-2019 and 3-14-2019. Full Commission has not reviewed minutes, so not approved at this time.
- Question from a concerned resident. Mr. Baker said this is still pending.
- Potential uses for filing fees in administering the Wetlands Protection Act. Mr. Moser offered to summarize, and will circulate information to the Commission after the meeting.
- Press release ideas. A consultant has offered to do press work with the Commission pro bono. It's related to a survey of Waltham residents, made available through various city Facebook pages. This would be more of a "communications strategy session" for ways to effectively

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communicate with the public. Mr. Donovan connected this item with Wisteria lopping at Paine Estate recently, which had been suggested as something to be promoted.

### **Correspondence**

- None.

### **Old Business**

- Mr. Doyle. Paine Estate Forestry Plan. This should be ready for approval soon. Some discussion regarding tree removal on the site, as well as lack of clarity on which city entities have responsibility and control over which parts of the site.
- Mr. Baker. Paine Estate planting. Paine Estate trees. No updates.
- Mr. Dufromont. Trail and Stonehurst interpretive brochure. No update.
- Mr. Donovan. Totten Pond Road project. No update.

### **Committee Reports**

- **CPC:** No update from Mr. Doyle.
- **Trust Fund:** No update from Mr. Dufromont.

### **Site Visit Reports**

- Discussed earlier under specific filing items.

### **New Business**

- Discussion of uses for filing fees. Ms. Semlow reported on how several potential projects have been priority ranked by the Commission. Mr. Moser plans to bring the top three projects to the mayor and city council at budget time. The others will be reconsidered next year. Mr. Dufromont made a motion to this effect, seconded by Mr. Baker. The **motion passed**.

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

Meeting adjourned at 9:11 PM.

[The time of meeting adjournment was not captured. This is an estimate.]

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