



**Waltham Conservation Commission
February 3, 2022
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, Gerard Dufromont, Michael Donovan, Matthew Deveau, Bradley Baker

Absent:

Public Hearing

Notice of Intent (DEP File # 316-0798) (Continued from 1/20/2022)

Applicant: Curtis Beaton / Heles Irrevocable Trust

Property Location: 326 Lexington Street

Project Description: Construction of two single-family houses, driveway modifications, stormwater management, and riverfront area restoration.

Paul McManus of EcoTech presented. Also present: Phil McCourt, James Emmanuel. Mr. McManus reviewed photos of the site. Discussed the "previously developed vs. degraded" definition. There was a technical discussion of the plantings and restoration plan. This addressed previous Commission comments. Applicant showed existing and proposed site plan, new restoration, stormwater management, invasive management. Impervious area will be reduced and run-off captured. Mr. Emmanuel spoke on the plantings. Species were changed based on Commission input. Plan will now include 7 species in the understory, selected to thrive under existing canopy. Invasives management discussed. Mr. McManus asserted that all work will be within previously developed area. Mr. Dufromont asked about placing permanent markers to note wetlands area and keep future work outside. Applicant is amenable to this. Mr. Doyle raised the issue of comments and potential objections from the DEP on this project. Extensive discussions followed which covered numerous issues. "Is it a net improvement?" (per WPA and DEP regulations). "No significant adverse impact." The project is entirely within riverfront area (not buffer zone), so more strict regulations apply. There were concerns over exercising consistency in approval and conditions with a previous project on an adjacent lot. Exactly how the regulations apply to the parcel was discussed. The parcel is a single property, but is likely to be subdivided after completion, and this might impact how the regulations apply to the site. Mr. McCourt expressed a preference for subdivision, but noted that it is not required if this would be a sticking point. Parts of the discussion were very specific to the wording and interpretation of DEP regulations (e.g. 10.58(4) and (5)). [Mr. Doyle had a technical problem partway through this discussion and dropped out of the meeting for a few minutes to correct.]

The Commission believed that this application should be continued until clarification of some of these issues, specifically regarding subdivision, can be had from the DEP. Mr. McCourt was amenable and planned to seek more information himself. The Commission will ask the DEP circuit rider for clarification on the interpretation of relevant regulations. Motion to continue by Mr. Doyle, seconded by Mr. Dufromont. **Motion passed.**

Public Meeting

Request for Certificate of Compliance (DEP File # 316-0778) (Continued from 1/20/2022)

Applicant: Foth Infrastructure and Environment, LLC – Carlos G. Peña, P.E.

Property Location: 194 Moody Street (Moody Street Pier)

Carlos Peña appeared for the applicant. Also Michael Driscoll of DCR. Work done over summer and fall. Project completed in November. Derelict pier removed, new railing installed, site cleaned up. The Commission had no comments. Mr. Doyle moved to issue, Mr. Donovan seconded. All present in favor. **Motion passed.**

Public Meeting

Request for Determination of Applicability

Applicant: Elizabeth Moran

Property Location: 45 Woodchester Road

Project Description: Addition to single-family house, to include new back deck and addition to existing porch.

No one was present for the applicant. Cambridge Water Department is aware of the project and has submitted a letter with additional conditions for the project. The Commission office will follow up on Monday to confirm that the applicant will be present at the next meeting. Motion to continue by Mr. Baker, seconded by Mr. Doyle. All present in favor. **Motion passed.**

Commission Business

- Approval of meeting minutes from 1-20-2022. Motion to approve by Mr. Donovan, seconded by Mr. Doyle. All present in favor. **Motion passed.**
- Storer Conservation Land Encroachment. No update.

Correspondence

- EverSource: Notification of Vegetation Maintenance Activities. Noted.
- Gannett News (Waltham News-Tribune) change to legal ad placement process. Noted. Brief discussion. ConCom office will work to smooth the process and not cause delay for applicants.
- Discussion of condition reminders, prompted by correspondence from Anthony Cardillo. Consensus is that it will not be ConCom responsibility to send reminders, but the office will continue to work on improving tracking of NDAs and OOCs to ensure compliance prior to issuing certificates of compliance.
- Regarding planting plan for and DEP comments on the Lexington Street Outfall project (316-0797). Brief discussion. Commission is happy with the planting plan.
- MSMCP notification of potential ARPA funding for certain conservation-related projects. Mr. Moser has reviewed, and this does not seem relevant to Waltham ConCom due to pandemic revenue loss requirement.

- Hardy Pond Association/Betty MacKenzie quote from GeoSyntec to add updated watershed information to online state maps. Mr. Doyle is investigating if DEP or CPC can budget this. The data is broadly useful and should be made available. The Commission would like to see it in the Waltham municipal budget.

Old Business

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Site Visit Reports

- Mr. Baker. Paine Estate forest "Baby Hemlock research initiative." The project was approved in 2018 and the first step, tagging all the trees and a rough mapping, was completed last week. He has had volunteers assisting. The next step will be to identify when pests are most active (the "crawler stage") and when the trees are most vulnerable. Project will continue in the spring.

Committee Reports

- **CPC:** Next meeting is February 8, 2022.

New Business

- Mr. Deveau announced that he will be resigning from the Commission and this will be his last meeting. As of February 7th, he will be on the Zoning Board of Appeals. He believes a replacement will be named in the next week but does not know details. The Commission thanked Mr. Deveau for his service and discussed the need for a replacement in this seat, as well as the second currently vacant seat on the Commission.

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

Meeting adjourned at 8:42 PM.