



**Waltham Conservation Commission
February 17, 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 7:01 PM.

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

Absent:

Public Meeting

Request for Determination of Applicability (Continued from 2/3/2022)

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.

Applicant explained the project. Commission received clarification of details. Discussion. Mr. Doyle moved to issue a negative determination, with the requirement that straw wattle erosion control be installed 5 feet outside the wetland boundary. Mr. Baker seconded. Friendly amendment to include the conditions noted by Cambridge Water Department in their letter of 1/24/2022. Seconded. All present in favor. **Motion passed.** The Conservation office was asked to notify the Building Department of this decision, in the case that they were waiting on ConCom for a decision.

Public Hearing

Notice of Intent (DEP File # 316-0798) (Continued from 2/3/2022)

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.

Applicant has requested a continuance to 3/10/2022 to address all issues raised by the Commission.

Mr. Moyer reported on communications with the DEP circuit rider regarding this project. The circuit rider has a lot of concerns. Based on these communications, Mr. Moser expects DEP to appeal if Waltham ConCom approves this project. DEP has also suggested that Waltham ConCom look into a peer review. The Commission discussed the options and potential outcomes. They deferred further discussion until the applicant could be present. The Commission felt that the applicant should be

aware of these issues and instructed the Commission office to request that the applicant review the relevant portion of this meeting's recording.

Mr. Doyle moved to continue. Mr. Baker seconded. All present in favor. **Motion passed.**

Public Hearing

Notice of Intent (DEP File # to be assigned)

Applicant: Maggie Capelle / ARE-MA Region No. 82 Holding LLC

Property Location: 40-60 Sylvan Road

Project Description: Renovations to building to include: building expansion, changes to parking and landscaping, partial demolition, construction of new amenity building, construction of patio space with rain garden.

Present for applicant: Maggie Capelle, Conor Nagle of VHB, Laura Laich of VHB. Mr. Nagle presented. He summarized the recent history of the site and the current state and explained planned work in some detail. He noted that one of Cambridge Water's concerns regarding an area of disturbance has already been addressed in revised plans by moving the location of a sidewalk away from the buffer zone. Mr. Doyle had questions regarding current and planned snow storage. Mr. Moser noted that the jurisdictional areas on the maps used by the applicant do not match those in the city GIS system. Mr. Nagle reminded that there was an ANRAD filing on this site [DEP# 316-0776] in early 2021 and those delineations have been used. Mr. Moser suggested waiting for the full response from Cambridge Water, as well as conducting a site visit prior to any determination. All Commission members except Mr. Moser are familiar with the site and do not feel an additional site visit is required. The hearing cannot be closed at this time because DEP has not yet assigned a file number. Public comments were solicited. Paul Pavone, business manager of Laborers International of North America, Local 560, at 681 Main Street, Waltham, spoke. Mr. Pavone represents 800 members and supports the project on behalf of his organization. Mr. Moser raised a specific question about the status of a possible wetland area near the southwest corner of the work area. Ms. Laich stated that VHB had relied on previous determinations and had no new information on that. Mr. Doyle believes it is a retention basin from previous work (after 1995). Mr. Doyle asked the Commission office to check the earlier file for clarification.

Mr. Doyle moved to continue. Mr. Baker seconded. All present in favor. **Motion passed.**

Commission Business

- Approval of meeting minutes from 2-3-2022. Motion to approve by Mr. Donovan, seconded by Mr. Dufromont. **Motion passed.**
- Storer Conservation Land Encroachment. Mr. Moser noted no response from an encroacher, will need follow-up with the Law Department.

Correspondence

- 225 Waverley Oaks Road (316-0723). Kevin Leverone has contacted the Commission to schedule a pre-work site visit. They expect to begin work soon after February 21. Mr. Doyle and Mr. Dufromont discussed making a site visit once erosion controls are in place, estimated for February 28. Commission does not need a pre-construction visit.
- Informational: AstraZeneca has submitted the annual site report for 2020-2021. No action.
- Lexington Street Outfall (DEP 316-0797). Mr. Baker and Mr. Moser attended the 2/16/2022 Zoom call with DEP. DEP approves of the changes made to the project and will be dropping their appeal.
- 336 Lexington Street (retaining wall collapse into Chester Brook). Property owner has responded to Commission letter of 26 January. Letter provides history of known issue and requests

clarification of ownership. Commission discussed response and issues. The boundaries might not be clear. There is no city property at this location, however. Commission instructed office to look up a previous filing for abutting property at 325 Bacon Street, which included a full survey. This may resolve the issue.

Old Business

- Mr. Moser provided some updated information on the new Conservation Agent position and office space. Start date has not yet been set. Expecting to start no later than end of April.
- Brief discussion of the need for more members on the Commission. There are currently 5. A full Commission would be 7. This raises potential problems with maintaining a quorum.

Site Visit Reports

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Committee Reports

- **CPC:** Met on February 8. No applications. CPC is having discussions about reducing the number of meetings to as few as 2 per year. Next scheduled meeting is March 15.

New Business

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

Meeting adjourned at 8:05 PM.