



**Waltham Conservation Commission**  
**March 24, 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 7:01PM.

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

**Absent:**

**Development Prospectus Sign Off**

- 1345 Main Street / 22 Bear Hill Road. Michael Connors of Connors & Connors appeared for the property owner, LPC Northeast LLC (Lincoln Property Company). Mr. Connors explained the project. They have already received variances from the ZBA. He described the existing structures and site conditions. The site is not in wetlands jurisdiction, and the project is expected to improve storm water runoff in the area. The Commission has some questions to clarify the project, which Mr. Connors answered to their satisfaction. Motion to authorize the Chair to sign off on this development prospectus by Mr. Dufromont, seconded by Mr. Doyle. All present in favor. **Motion passed.**

**Public Hearing**

**Notice of Intent** (DEP File # to be assigned) (Continued from 2/17/2022)

**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.

Conor Nagle appeared for the applicant. Mr. Moser noted that questions raised at an earlier meeting concerning the resource area delineations were settled by a recent ANRAD filing. He noted that city GIS maps will soon be corrected to reflect this. Mr. Nagle explained that the project is still waiting for a DEP file number. He was available if the Commission had any additional questions, but otherwise was present only to ask for a continuance until DEP issues the number. Mr. Doyle motioned to continue. Mr. Dufromont seconded. Mr. Moser expressed sympathy at the DEP delay. All present in favor. **Motion passed.** Continued to next meeting.

**Public Meeting**

**Request for Determination of Applicability** (Continued from 3/10/2022)

**Applicant:** Hussam Sayegh

**Property Location:** 42 Pine Vale Road

**Project Description:** Two story addition of 254 s.f. and uncovered deck addition of 79 s.f. at front of residence.

Mr. Sayegh present as well as Ron Bourque, architect. Mr. Bourque summarized the project. Mr. Moser asked about drainage improvements possibly required by the Engineering Department. Mr. Burke said this will done or else the size of the project might be reduced. Mr. Bourque showed the plan. The Commission had questions regarding precise boundaries, new foundation vs. helical pilings, flood plain concerns, fill issues. Mr. Moser required more information as the applicant was not able to precisely note elevations and floor levels. Mr. Dufromont would like to see the flood plain and elevation lines on the plan before voting. The Commission anticipated approval is this is done satisfactorily. Mr. Baker agreed that drainage should be on the plan. Mr. Moser suggested that, if approved, an NDA should include a condition that any drainage structures built as part of the project would be in the front yard, greater than 100' from the wetland. Mr. Doyle concurred. Mr. Bourque agreed to provide this information and was amenable to continue.

Motion to continue by Mr. Donovan, seconded by Mr. Dufromont. All present in favor. **Motion passed.**

### **Public Meeting**

**Request for Determination of Applicability** (Continued from 3/10/2022)

**Applicant:** City of Waltham

**Property Location:** 155 Bacon Street (Leary/Yetten Fields)

**Project Description:** Renovation of running track, installation of synthetic turf field, renovation to grandstands and press box, renovation of parking lot, conversion of baseball field to synthetic turf, lighting updates, construction of field house with locker rooms, showers, and concessions. Flood storage and drainage improvements to overall site.

Arsen Hambardzumian and Hipolito Aguilera present. Mr. Moser noted that this was previously discussed, but no vote was taken as the Commission lacked a quorum. Mr. Donovan has reviewed the earlier discussion. He noted a concern about Taylor & Murphy nearby, which is below grade, but the plans indicate that this will not be an issue. Mr. Baker, likewise has reviewed, agrees with the rest of the Commission, and has no concerns. Mr. Hambardzumian had no new information to present. Mr. Doyle recommended including a condition to include the NPDES permit. There was some brief additional discussion about flooding plans, the additional of backflow preventers to the underground drain pipe. The pipe will not be removed or reconstructed, but will get some upgrades. Mr. Baker asked where the excavated soil will go. This will be stockpiled, tested, then disposed of off-site. Nothing staying on site. Mr. Doyle moved to issue a negative determination with the condition that a copy of the NPDES permit, when secured, will be forwarded to the Commission. Mr. Dufromont asked when the project will start. It will likely begin in the fall with a second portion to be done during the winter. Applicant does not expect anything will be torn up this summer. The motion was seconded by Mr. Dufromont. All present voted in favor. **Motion passed.**

### **Public Meeting**

**Request for Determination of Applicability** (Continued from 3/10/2022)

**Applicant:** Enterprise Rent-A-Car

**Property Location:** 140 Moody Street

**Project Description:** Construction of oil/gas trap and sewer manhole to tie into existing sewer main.

Matt Tavares of JK Holmgren Engineering was present for the applicant. He explained the project and showed the plan. He clarified that this is a sanitary sewer connection, not storm sewer. Mr. Donovan

noted that this looks like an upgrade, so no concerns. Mr. Doyle inquired if this lot is within the 25' zone per WPA regulations. This will need to be clarified and, if necessary, noted on the NDA. Mr. Moser suggest that erosion controls should be more localized for containment of any excavated material. Mr. Doyle suggested a condition of including the correct lines (200' vs. 25', if applicable) on the plan included with any determination. Mr. Dufromont asked about excavation storage. Mr. Tavares said it would probably not stay on site. Mr. Moser suggested conditioning that it be tarped, for best practice. Motion to issue a negative determination by Mr. Doyle with the two conditions (plan notation and tarping of excavated material). Seconded by Mr. Donovan. All present in favor. **Motion passed.**

## **Public Hearing**

**Notice of Intent** (DEP File # to be assigned) (Continued from 3/10/2022)

**Applicant:** Bradley Cardoso

**Property Location:** 303 Wyman Street

**Project Description:** Repair of broken sewer line adjacent to wetlands.

James White and David White of H.W. Moore Associates and Michael Burns, project manager, present for applicant. Mr. James White explained the project. Video inspection for a sewer lining project has revealed that the line at this location has an offset from a previous bad repair. It will need to be fixed before continuing; it is in a wetland area and excavation is required. They have contacted CWD, no issues raised.

Mr. Moser recused. Mr. Doyle assumed chair. Mr. Donovan had no issues. Mr. Dufromont had no issues, but noted the lack of a DEP file number. Mr. Baker had no concerns. Mr. Doyle had no concerns. There were no comments from the public. Motion to continue by Mr. Donovan, seconded by Mr. Dufromont. All present in favor. Motion passed.

Mr. Moser resumed as chair.

## **Public Meeting**

**Request for Determination of Applicability**

**Applicant:** Chapel Hill Chauncy Hall School (Gwen Pojasek, CFO).

**Property Location:** 785 Beaver Street

**Project Description:** Hydroraking of pond.

Al Trakimas of SITEC Engineering present, also Gwen Pojasek and Al Umina of CHCH. Mr. Trakimas explained the project. The pond has not been raked in about 20 years and leaf litter, branches, etc. has accumulated. He expects about 18" of material to be present. They have contracted with Solitude Lake Management to do the work. SITEC has not done this type of work in Waltham before, but Solitude has. Mr. Doyle asked about what material is in the pond and where it will go after removal; he was specifically interested in invasives. Mr. Trakimas noted that most invasives were removed as part of another project in recent years. Mr. Umina said they will let removed material dehydrate on site and re-use. Mr. Donovan asked about precautions to prevent material leaving the pond via the spillway during the project. Mr. Trakimas said they will likely reduce the level of the pond temporarily to better contain the work and they will also use filter curtains. Mr. Dufromont asked who would be overseeing. It will be Mr. Umina. Mr. Baker asked how often this should be done, if it's been 20 years. Mr. Trakimas did not have a solid answer and will ask Solitude for a recommendation. Mr. Baker asked if this would need an appearance before the Commission each time, which Mr. Trakimas confirmed as it does not qualify as routine maintenance. Mr. Moser expressed concerns that this project might qualify as "dredging" under WPA regulations and for NOI requirements. Discussion on this point followed. Mr. Moser noted this pond would probably become a marsh if not maintained, but

as a man-made pond it should be treated differently. He challenged the assertion that the project would add flood storage, but did not see this as a roadblock to the project, only a technical clarification. Mr. Moser looked up the specific dredging definition for WPA purposes. Discussion. Trakimas discussed “removal of sediment” explanation from hyrdoraking documentation. Mr. Doyle viewed the plan as staving off eutrophication of the pond by removing organic matter, without significant disturbance of pond sediment. Mr. Umina clarified that material will be placed behind Harrington Hall at CHCH to break down. Mr. Doyle moved to issue a negative determination with the conditions (1) filter material/sediment transport protection will be placed at the pond’s outlet to prevent downstream transport and (2) the applicant will note on plan and/or in project narrative the location of both spoils storage and the path for transport of equipment and spoils to and from the pond. Seconded by Mr. Donovan. All present in favor. **Motion passed.**

### **Commission Business**

- Approval of meeting minutes from 2-17-2022 and 3-10-2022. Motion by Mr. Donovan, seconded by Mr. Doyle. **Motion passed.**
- Storer Conservation Land Encroachment. Mr. Moser reported that the property boundary survey is underway. He expects it will finish before leaf-out.
- Proposal to continue Commission meetings remotely through July 7, 2022, based on recent extension signed by Governor Baker. Motion by Mr. Doyle, seconded by Mr. Dufromont. **Motion passed.**
- Vote to release and post the minutes of the 4-8-2021 executive session. These minutes were approved at a previous meeting. The legal action they are related to has concluded and they should now be made public. Motion by Mr. Doyle, seconded by Mr. Dufromont. **Motion passed.**

### **Correspondence**

- CRWA: Request for letter of support re: Watertown Dam removal. Mr. Moser explained. They are willing to come in to give a presentation. The Commission agreed that this would be useful and recommended allocating between 10 and 20 minutes seems a consensus. This would best be scheduled after the new member(s) join the Commission, perhaps at the 4/28 meeting.
- Informational: VCS, on behalf of the City of Waltham DPW, has notified regarding herbicide application along public ways as part of the City’s Yearly Operational Plan. Comment period ends April 22. No action.
- Informational: Waltham ConCom has been copied on an RDA for paving work at 10-30 Manley Way in Watertown. This abuts the jurisdictional wetland (“Walker Pond”) at 66 Seyon Street, Waltham. ConCom office has asked to receive updates as the filing proceeds.
- Informational: ZBA has approved the 40B project at 21 Newton Street (Leland Home). Approved plan is available for review.
- Follow up to 336 Lexington Street / 325 Bacon Street discussion (collapsed retaining wall, West Chester Brook). Mr. Doyle was contacted by the Bacon Street owner, Ernie Rogers. Mr. Rogers has contacted the neighbor at 336 Lexington and they seem interested in working to take action on this. The Commission notes that it is good to see neighbors working together. Mr. Baker noted that there was a similar situation (a wall on a boundary line collapsing into a stream) at the Piety Corner Club property. He suggested that the Commission be proactive about situations like this. Mr. Moser suggested sending a similar letter to this owner as used for the current case. The Commission office will use the current letter to create a template for future use.
- Informational: The Waltham News Tribune has announced that it will cease print publication after May 5. Commission office is looking into alternatives for the publication of required legal notices for WPA filings after that date. Mr. Daly provided an update based on what is known from DEP

and the city legal department. Discussion of requirements, options, deadlines, future alternatives. Mr. Daly will contact the Globe directly, as a contingency in case the city does not resolve this promptly. Will also contact MACC and DEP to express concerns about the print publication requirement being outdated. Will contact Abby Auld, city online media coordinator, to discuss circulation of notices.

## **Old Business**

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## **Site Visit Reports**

- 1036 Lexington enforcement follow-up. No additional action has been taken. Mr. Moser plans to draft a letter noting potential violations.
- Fernald stream daylighting, 3/24. Reviewed photos taken earlier today. Extensive discussion of work done to date and what it will look like when entirely complete. Mr. Doyle noted some approved changes vs. the original plan. The Commission is pleased with the results. Mr. Moser raised the issue of whether this will now be jurisdictional area, as well as whether the man-made wetland above, which is being partly removed by this project, will cease to be jurisdictional. Mr. Doyle added that this is an ecological restoration project, so regulations will ultimately apply in differently than for a normal project. It is restoration as opposed to simple storm water management. When the as-built plan is ready, the Commission will work with the wetlands scientist to make sure that boundaries are correctly identified and then mapped in the city system. Mr. Dufromont noted that additional work on the site had been discussed. It is not clear if any additional work is planned. Mr. Baker asked about the weir on original plans. Mr. Doyle noted that two exist, but they are not visible in today's photos because of the initial high flow from breaching the wetland. Mr. Doyle expects the city to come before the Commission to request a certificate of compliance in late April or May.

## **Committee Reports**

- **CPC:** Next meeting is April 12, 2022. Mr. Doyle had nothing to report.

## **New Business**

- Mr. Moser introduced Hanna Conlon, the new Conservation Agent (Code Enforcement Officer), starting in late April. Ms. Conlon introduced herself to the Commission and summarized her work and education background. The Commissioners briefly introduced themselves.

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

Meeting adjourned at 8:51 PM.