



**Waltham Conservation Commission
November 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 7:03 PM.

Attendees: Chair Philip Moser, Vice Chair Bill Doyle, Gerard Dufromont, Michael Donovan, Bradley Baker, Louis Andrews, Alexander Sbordone [Mr. Sbordone joined the meeting approximately 7:06.]

Absent:

Public Hearing

Notice of Intent (DEP File # 316-0812) (Continued from 11-3-2022)

Applicant: Keir Evans – 1265 Main Street LLC C/O Boston Properties

Property Location: 1265 Main Street

Project Description: Development at 1265 Main Street. Phase I consists of lab/office space building, two amenity buildings, surface parking, access drives, utility improvements, landscape/pedestrian improvements, and site preparation for anticipated future development.

Applicant is still resolving issues with Cambridge Water Department and requests a continuance. Motion to continue by Mr. Doyle, seconded by Mr. Baker. **Motion passed.**

Public Hearing

Notice of Intent (DEP File # 316-0813) (Continued from 11-3-2022)

Applicant: Gerald Autler – Massachusetts Department of Conservation and Recreation

Property Location: 123 R & 139 Moody Street, 71 AFT & 71 ADJ Felton Street.

Project Description: Improvements to existing section of the Charles River Greenway on the north side of the river between Prospect Street and Moody Street. Includes reconstruction of the shared-use path, improved road crossing, replacement of benches, landscape plantings, landscape amenities, stormwater management, and invasive species management.

Gerald Autler, Andrea Kendall, Marlin Hueil present for applicant. Mr. Autler summarized the project, noting the recent site visit (11/10) by the Commission. Updates and responses to items raised at the site visit have been submitted. Ms. Kendall presented updated plans and reviewed several specific changes based on the site visit and DEP concerns (which DEP circulated since the previous Commission meeting). Some additional flood plain compensation storage will be built-in (a DEP concern). Changes for ConCom concerns involve alleviating erosion around the drain pipe near Prospect Street, removing two trees (one invasive), knotweed removal, and accessibility issues

around the Moody Street entrance. Replacement plantings have been increased. Discussion of shifting of impervious pavement closer to river, square footage of plantings and paving.

Mr. Donovan asked about lighting and pruning, issues unresolved at the last meeting. Mr. Autler has consulted with DCR regarding lighting and the policy remains that DCR does not light greenways. The official hours of operation are dawn to dusk, although it is accessible at all hours. He recognizes that there are security concerns and will continue to lobby DCR for an exception. Mr. Dufromont asked about an extra bench which had been suggested; Mr. Hueil noted that two benches have been added to the plan near Moody Street. Mr. Dufromont noted slope concerns in the Moody area. Mr. Hueil confirmed that the new plan will meet ADA accessibility standards.

Tree pruning will be added to the contract for bid. This relates to the north edge of the property, and will allow more light from that area to reach the site. Mr. Dufromont commented that the lack of lighting is unfortunate but out of the city's hands. Commissioners agree that this is a good project and a major improvement.

Mr. Doyle asked about the project schedule. Applicant hopes to go to bid in December or January and start work in spring 2023.

Mr. Moser addressed regulatory definitions regarding 'degraded area' and DEP's specific concerns. Ms. Kendall clarified. Discussion and review of regulation. Mr. Moser stated that the project definitely meets "net improvement" criteria, and recommended including a finding to specify that in the order of conditions.

Kumi Wauthier spoke as a member of the public. She expressed dismay that the plan still does not include lighting and noted safety concerns, both in terms of crime and simple physical safety using the path after dark. She appreciated the opportunity to be involved in the process but felt resident and user concerns were not being addressed and that the project was not looking at the larger picture. Mr. Autler responded that he favors lighting but DCR has not approved it. He noted for the record that lighting was not removed from the project: it was never part of it. He will continue to make the argument for lighting with DCR. Mr. Moser suggested including an explicit condition that the Commission would not oppose adding lighting to the project, should DCR eventually approve it. Mr. Dufromont noted that Crescent Street exists as a well-lit alternative to the river walk after dusk. Jill Gaulding, Executive Director of Chaplains on the Way, spoke backing safety improvements for site users and unhoused residents of the area.

Motion to close the public hearing by Mr. Baker, seconded by Mr. Doyle. Motion passed.

Mr. Doyle moved to issue an order of conditions, to include the finding that the Commission recognizes this project as a net improvement to the riverfront area. Seconded by Mr. Donovan. Mr. Baker suggested including pruning and invasive management maintenance as a condition. Mr. Dufromont noted that some group, possibly Waltham Land Trust, already does work in the area. Mr. Doyle noted this would fit into standard operation and maintenance. All present in favor of the motion, with the finding. **Motion passed.**

Mr. Autler thanked the Commission and gave his email address (Gerald.Autler@mass.gov) so that commissioners and members of the public can contact him if they have additional questions or comments.

Public Meeting

Request for Determination of Applicability

Applicant: Michael Williams & Anna Sura

Property Location: 66 Hardy Pond Road

Project Description: Demolition of asphalt drive and low retaining walls, replacement of existing 8x8 shed with an 8x10 shed, replacement of fencing, paving of parking area with permeable pavers, addition of walks of concrete pavers and granite steps, and addition of a 1 ft. retaining wall reusing the existing granite blocks to enclose a reduced paved service area with a rain garden to hold and filter storm water before it enters the drain leading to the pond.

Mr. Moser recused, as he lives in the neighborhood and has a personal relationship with the applicant. He left the meeting at this point. Mr. Doyle assumed the chair.

Applicant and David Jay of Weinmayr/Jay Associates present. Mr. Jay presented and explained the project in detail. It will result in net reduction of impervious area and better retention/filtration of storm water into Hardy Pond. There will be significant re-use of existing material on site. The Commission asked into specific project details, which were clarified. Discussion focused largely on modifying or waiving the standard 4" fence gap for wildlife passage used by the commission. Interaction of applicant's and neighbor's dogs at the fence is a concern. The Commission decided to allow a 3" gap for fences on the property, with a full waiver (no gap) to apply to the new wooden fence along the north side (56 Hardy Pond Road). Existing fences not being modified would not be affected. Motion by Mr. Donovan to issue a negative determination, to include the discussed fence condition. Seconded by Mr. Andrews. Mr. Doyle added a condition that erosion control details along the pond side of the property be provided to the Commission. All present in favor. **Motion passed.**

Mr. Jay briefly updated the Commission regarding a different project (3 & 11 Waverley Oaks Road) and the experimental knotweed control effort there. It has been mostly successful. The Commission appreciated the update and considered a site visit.

Commission Business

- Approval of meeting minutes from 11-03-2022. Motion to approve minutes by Mr. Donovan, seconded by Mr. Baker. All present in favor. **Motion passed.**
- Storer Conservation Land Encroachment. No update.

Correspondence

- Resident contact re: run-off from Prospect Hill at Overland Road. Current rail trail work might resolve. Mr. Dufromont noted that paving of the rail trail has begun.
- Planned site view for the comprehensive permit at 1486 Main Street on 11/18, 10AM noted.
- Continuation of drought condition noted.
- Start of Chapel Hill Chauncy Hall School hydroraking noted.

Old Business

- Invasive control training (Mr. Baker). Mr. Baker suggested that this should be done annually and that the Waltham Land Trust should be involved. He believes about an hour will be needed each time. Mokema Woods would make a good site. Possibly the Fernald property as well. This is the best time of year, in the late fall before snow. Mr. Baker will talk to Adam Green, city park ranger, about Mokema, and also Sonja at WLT. He will update.

Site Visit Reports

- Paine Estate, 90' Pine tree, is down. Mr. Donovan visited today. They needed much longer than expected to get to the site, so the 4 Ailanthus trees slated for removal were not touched. Mr. Donovan is working with Adam Green and Kim Scott (Rec. Dept., needs to give permission) to take them down. There are some other large pines at this location which are also of potential concern.

Committee Reports

- **CPC:** Next meeting is November 22, 2022. Mr. Doyle noted that there is a new application on the agenda.

New Business

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Mr. Doyle recognized Jonathan Tomer attending the meeting. Mr. Tomer introduced himself as a new resident interested in getting involved with the commission and related issues in the city.

Motion to adjourn by Mr. Donovan, seconded by Mr. Baker. All present in favor. **Motion passed.**

Meeting adjourned at 8:20PM.