



**Waltham Conservation Commission**  
**June 24, 2021**  
**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, Matthew Deveau, Bradley Baker

**Absent:**

**Development Prospectus Sign Off**

- 840 Winter Street. Michael Connors appeared for the property owner. Seeking approval for Floor Area Ratio special permit from City Council. Converting gym space in building to office and lab space. Work is entirely within building and is not affected by wetlands restrictions. Commission asked a few clarifying questions which were answered to its satisfaction. Motion authorizing the Chair to sign off on behalf of the Commission made by Mr. Doyle, seconded by Mr. Donovan. All present in favor. **Motion passed.** Mr. Connors preferred to receive sign-off on hardcopies vs. electronic approval, recognizing that this will include a delay due to Mr. Moser being out of town.

**Public Hearing**

**Request for Amendment to Order of Conditions** (DEP File # 316-0777)

**Applicant:** Alexandra Echandi / DCR

**Property Location:** Beaver Brook Reservation

**Project Description:** Ecological Restoration Limited Project (Invasive species removal)

Ms. Echandi appeared for DCR. No changes to NOI, DCR is asking for modifications to the standard special conditions (specifically conditions 25A-25K and 26A). DCR legal staff feels that the conditions are not relevant and could cause potential hardship because of the large parcel sizes involved. These conditions are too broad and should also not apply in perpetuity. Conditions restrict spraying to Japanese knotweed only, and would like to add ability to spray other invasives previously specified in NOI (black swallowwort and Asiatic bittersweet). DCR has also had DEP review conditions and DEP has no objection to these changes. Commission asked several questions and Ms. Echandi responded. The Commission is supportive of the changes. Motion to issue an amended Order of Conditions made by Mr. Doyle, seconded by Mr. Deveau. All present in favor. **Motion passed.**

Mr. Donovan moved to take an item out of order. Mr. Dufromont seconded. All present in favor.

Approved 7-15-2021

## **Correspondence**

- WLT request for Woerd Woods (mulch from DCR)

Commission discussed the Waltham Land Trust's (WLT) request to allow a mulch delivery by DCR on an invasive species management test plot at Woerd Woods. Ms. Echandi presented site maps and explained the project on behalf of WLT. A filing for a larger project will be made after a full invasive species survey and wetland delineation have been completed. WLT has posted signs around the area to inform the public of the project. Commission supports the project. As the pilot only concerns some mulch it can be viewed as maintenance activity. Mulch is expected to be a maximum of 3-4 inches deep. No Commission action is required, but will send a letter to WLT noting approval.

Motion to resume Commission business by Mr. Doyle, seconded by Mr. Baker. All present in favor.

## **Public Hearing**

**Notice of Intent** (DEP File # 316-0789)

**Applicant:** Paul Boche and Kathy Chen

**Property Location:** 98 Lakeview Terrace

**Project Description:** Application for construction of a driveway

Mr. Deveau recused from this item as he has had a financial transaction with the petitioner. Mr. Robert Nislick appeared for the petitioners, who were also present. Also in attendance were two neighbors in support and Mark Manganello from LEC Environmental, who presented. Applicant is seeking after-the-fact approval for work already completed. Mr. Manganello showed a site plan and explained original site conditions and recent work requiring approval. An enforcement order was issued in October 2020 as work had not been approved at that time. Chairman Moser recommended that applicant speak with City Engineering Department regarding stormwater requirements to avoid a re-hearing if project changes are needed. Commission had questions about fill, which would be approximately 15 yd<sup>3</sup>, per applicant's filing, but work might not have actually created any new fill. Significant discussion followed on the legal considerations involving "paper roads" (in this case, Hibiscus Avenue). Mr. Nislick provided details on this topic, which the Commission found extremely useful. An existing fence and stone wall on property were noted by the Commission to be either on City property or in the public way. Applicant was instructed to correct. Commission requested applicant to determine whether the 15 yd<sup>3</sup> of fill is real and requiring action, or exists only on paper. Applicant was instructed to consult City Engineering Department regarding stormwater and road issues prior to the Commission issuing a decision. Applicant Boche provided some information on previous state of property. Sandy Anagnostakis commented regarding public access and "pile of rocks" in public way, as well as existing driveway on property on Lakeview Terrace side. Motion to continue hearing to next public meeting by Mr. Doyle, seconded by Mr. Donovan. All present in favor. **Motion approved.**

## **Public Meeting**

**Request for Determination of Applicability**

**Applicant:** Waltham Land Trust

**Property Location:** 126 Lakeview Terrace (Smith Point)

**Project Description:** Invasive species removal

Betty MacKenzie presented for WLT. Sandy Anagnostakis also present. The request is to treat invasives at the Smith Point site, primarily Japanese knotweed, also some buckthorn and a small amount of purple loosestrife. A neighbor has agreed to allow WLT to also remove buckthorn from her property during the project. Only the cut-and-dab method will be used to apply herbicide. Ms. MacKenzie notes that there is a 24-48 hour safety period after use of the planned herbicide, so WLT will erect temporary fencing and post warnings around the site for about 72 hours. No soil disturbance is planned. Mr. Moser noted past involvement with WLT and this project, but has not been involved for about 1½ years, so no conflict. Mr. Dufromont requested that signage include “Approved by Waltham Conservation Commission” to forestall calls of concern from the community. Mr. Baker expressed the hope that the project succeeds, and that it could inform future knotweed removal efforts. Inquired into time frame of future native plantings. Ms. MacKenzie noted that some planting has already happened after previous hand removal work, but there is more to be done. Mr. Doyle moved to issue a negative determination of applicability. Seconded by Mr. Deveaux. All present in favor. **Motion passed.**

Ms. MacKenzie agreed to provide reports on progress of project as it moves forward this year and in the future.

## **Public Meeting**

### **Request for Certificate of Compliance (DEP File # 316-0766)**

**Applicant:** Andrew Marchand

**Property Location:** 17 Elinor Circle

Robert Bibbo appeared for the applicant. Applicant also present. Project has been completed and erosion controls removed. Commission had no questions or concerns. Motion to issue certificate of compliance by Mr. Doyle, seconded by Mr. Deveaux. All present in favor. **Motion passed.**

## **Commission Business**

- Approval of meeting minutes from 6-10-2021 and 3-25-2021. Approval of minutes from 4-8-2021 executive session. Motion to approve all minutes by Mr. Donovan, seconded by Mr. Baker. All present in favor. **Motion passed.**
- Discussion of approved 2022 budget. Mr. Moser noted that a City Conservation Agent has been included in the approved budget. Paine Estate wisteria removal was unfortunately not budgeted. Mr. Baker will continue to urge volunteer involvement in that effort.
- Update on filing fee projects. No update.
- Storer Conservation Land Encroachment. No update.
- Storer Conservation Land Management Plan. Mr. Moser will reach out to Paine Estate curator, as the employee hours there will change due to upcoming budget. Discussion related to approved funding from CPC for property markers.

## **Correspondence**

- WLT request for Woerd Woods (mulch from DCR) – addressed earlier in meeting
- 154 BEF River Street cleanup response. Positive cleanup response from owner, although did not act on offer of free saplings from the Commission.
- Algonquin gas pipeline maintenance. Standard notification from Algonquin, no Commission action needed.

## Old Business

- Follow-up discussion on continuation of remote meetings based on new state guidance. Commission previously agreed to continue meeting remotely if allowed through January, 2022. New state guidance allows remote meetings through April 1, 2022. Motion to re-vote on the issue and extend remote meetings through April 1, 2022 by Mr. Donovan, seconded by Mr. Dufromont. Some discussion: regarding the impact of voting at this time vs voting at a later time, the need to reserve public meeting space in advance, remote vs in-person meeting considerations. All present in favor. **Motion passed.** Commission office will book rooms for all scheduled 2022 meetings, with the expectation that meetings after April 1, 2022, will be in-person. Reservations that are not needed will be cancelled as the lack of need becomes known. Commission will revisit the issue to assess meeting requirements and needs at the November 4, 2021 meeting.

## Site Visit Reports

- None.

## Committee Reports

- **CPC:** Next meeting is September 14, 2021
- **Trust Fund:** Potential purchases of land, easements, or conservation restrictions using trust funds. Mr. Dufromont expects information from the accounting department in September.

## New Business

- Election of Commission officers for 2022 budget year. Mr. Dufromont nominated Mr. Moser as Chair. Mr. Dufromont nominated himself as secretary. Mr. Doyle nominated a full slate of officers for re-election: Chair-Moser, Vice Chair-Doyle, Secretary/Clerk-Dufromont, CPC Seat-Doyle. Mr. Baker seconded the slate of nominations. All present voted in favor. **Motion passed.** All Commission officers will continue in current positions through June 30, 2022.

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

Meeting adjourned at 8:30PM.