



**Waltham Conservation Commission
March 22, 2018
Meeting Minutes**

Meeting called to order at 7:00 p.m.

Attendees: Chairman Bill Doyle, Vice Chairman Philip Moser, Brad Baker, Mike Donovan, Gerard Dufromont, Courtney Semlow

Absent: None

Public Hearing (Continued from 3-8-2018)

Notice of Intent (DEP File # 316-0733)

Applicant: 275 Wyman LLC c/o Hobbs Brook Management LLC

Property Location: 225, 235, 303 Wyman Street

Project Description: Demolition of two existing office buildings, construction of a new office building and parking garage, and a new stormwater management system.

Mr. Moser recused himself due to a potential conflict of interest.

Atty. Robert E. Connors, Jr. represented the applicant. He noted that #225 was put up in the 1950s. That was the first Class A office building on Rt. 128. Two years later, they built #275 which was taken down four years ago and VistaPrint was built. Behind it is 235 Wyman Street, which is the second building they will be talking about tonight. 235, 275 and 225 were the first Boston suburban office park. Hobbs Brook is looking to take down the buildings and put up one building. Joseph Orzel, Wetlands Preservation, noted there are three wetlands that were delineated. The vegetation is primarily cattail. There is some dogwood and glossy buckthorn. Drainage is to the north, then to the west to the Cambridge Reservoir. Jim White, H. W. Moore Associates, stated that presently stormwater from the site discharges into the wetlands to the east with no treatment. The only work being done in the buffer zone is stormwater improvements. They are saving the mature trees on Wyman Street, the southern side and to the east of the 235 building. The current stormwater discharges will be replaced. Cambridge Reservoir came back with a comment letter and they were satisfied with the Applicant's responses. For de-icing treatments, they are replacing salt with sand. Mr. Dufromont asked if the water flowing north flows over to the 275 building. He asked how many stories the parking garage will be. It will be five stories. The water from that goes to a treatment device to an underground infiltration system, which then discharges to the wetland. It first goes through an oil and sand separator. Ms. Semlow asked about the construction of the infiltration system near the wetland. Mr. White replied that it's pre-cast concrete galleys. She asked if they did a perc test. They did. Mr. Baker asked if they are able to connect the isolated wetland to the other two. Mr. White replied that it's a perched wetland and will remain unconnected. Mr. Donovan asked for the construction timeline. Mr. White stated it will be 18 – 24 months, but most likely closer to 24 months. Mr. Doyle asked about the fuel storage permit for the garage. He noted it will be an issue that comes up through the permitting process. He also asked where the sewer line near the garage goes. Mr. White showed Mr. Doyle on the map where it runs. Mr. Doyle asked if they know if the sewer line is leaking. He noted that the line runs under the wetlands and if it needs to be repaired, now it the time to add it to the project. Mr. White will look into it and have the line videoed. Mr. Dufromont asked what their plans are for the ice house. Mr. White replied that they are looking to fix it up and reuse it. Mr. Doyle recommended pulling back the gas line from the easement. Mr. White agreed. Mr. Donovan asked if there is an increase in asphalt pavement. Mr. White replied that they will have 8/10 of an acre more of impervious area.

A site visit has been scheduled for Wed., March 28th at 9:00 a.m.

Motion made by Mr. Baker to continue until the next meeting, seconded by Mr. Dufromont. All in favor. **Motion passed.**

Mr. Moser returned to the meeting.

Approved 5-3-2018

Public Hearing (Continued from 3-8-2018)

Notice of Intent (DEP File # 316-0734)

Applicant: Historic New England, Lyman Estate

Property Location: 185 Lyman Street

Project Description: The phased (2-3 years) removal of invasive plant species at the Lyman Estate adjacent to Lyman Ponds. Replant with native vegetation, and perform on-going vegetation management to control regrowth of invasive plant materials.

Kurt Bagli, Supervising Preservation Manager for Historic New England, stated that they have been looking at doing a vegetation plan at the Lyman ponds. Landscape Architect Stephen Mohr, Mohr and Seredin, noted they have been working with Historic New England for 20 years. They were asked to look at a long-term vegetation management plan at the Lyman Estate. The Land Trust initiated the project to develop a trail on the site. The Land Trust is interested in doing the volunteer work to help with the vegetation management plan. The Lymans dammed the brook and built three ponds. Over the years, the pond has colonized with invasive and exotic species. The Land Trust asked if the area could be restored to the original vegetation. They would like to go in and clear the invasive and exotic species, by either having volunteers cut them off flush to grade and treat the stump with Brush-B-Gone or do a selective fencing and release goats to graze them off. The goats will take several seasons. To take care of the seed drop, they propose hand raking the leaf litter and take the seed mass out, then overseed with nine native grasses, which range in height from 2 feet to 8 feet. They will periodically mow it 3-4 times per year. Tanya Seredin, Mohr and Seredin, noted that it's a tangled mess in there. There are some old trees in there that were at one time very nice, but over time the bittersweet has climbed up and a lot of it is dead. Mr. Donovan asked if most of the work is limited to the north side. Mr. Mohr replied that it will all be done on the north side at this time. Mr. Donovan asked if any work will be done in the waterway. Mr. Mohr replied not at this time. Mr. Baker asked if they are cutting off all of the invasives in the first year or are they doing it by section. Mr. Mohr replied that they are doing it section-by-section. He asked if Brush-B-Gone is safe to be used close to the waterway. Mr. Mohr stated that it will be brushed on by hand and it is allowed. Mr. Baker suggested having the things that can't be mowed, be lopped off by hand. Mr. Moser noted the commission received a letter of support from the Waltham Land Trust. He asked if the herbicide they are proposing requires a license or special insurance. Mr. Mohr replied that it is an over-the-counter, so no license is required for application. Mr. Moser asked if the Black Alder is on the Massachusetts prohibitive plant list. Ms. Seredin does not believe it is. She said it isn't classified as an invasive, but it is not native. Mr. Moser asked if there is some consideration for planting some native shrubs or other woody species. Mr. Mohr replied that they are open to that. Ms. Seredin stated that there are several species of trees that are being saved. They don't know what the area will look like once the area is cleared up. Secondly, Historic New England is looking at this property as a historic design landscape standpoint and want to carefully site the plant materials in accordance with the historic landscape. They prefer to hold off until they see what it looks like after the area is cleared out. Mr. Donovan asked if there is much elevation of the bank. Mr. Mohr replied it's about 3-4 feet. Mr. Dufromont noted that they pump water out of there which controls the pond. He said if they are pumping water back onto the site, it will pump invasive seeds back. He asked where the Land Trust walkway will be. Ms. Seredin noted that it will be going along the area where the work will be done. Mr. Doyle noticed that Ecological Restoration wasn't checked off on the NOI. He said that they may be able to apply for grants. Mr. Mohr didn't feel their project fits that category. Mr. Doyle recommended adding the south side on a revised plan as Phase 2, and Land Trust's Phase 1.5 for their walking path to avoid filing a second Notice of Intent. He would like the Applicant to check in with the Commission every year updating how the project is going.

A site visit has been scheduled for Thurs., March 29th at 9:00 a.m. Mr. Doyle suggested having a member from the Land Trust attend the site visit.

Mr. Doyle opened up comments from the public. There were none.

Motion made by Mr. Moser to continue until the next meeting, seconded by Mr. Donovan. All in favor. **Motion passed.**

Public Hearing

Notice of Intent (DEP File # 316-0735)

Applicant: Robert and Dovie Murray

Property Location: 67Aft (Lot 21) Knollwood Drive

Project Description: Construction of a single family home on a vacant lot.

Robert Bibbo, Bibbo Brothers, professional land surveyor, represented the applicants. It is a vacant lot and they are proposing to build a two-story house with a two-car garage. The lot is 13 feet above the Charles River. Alterations will be 4,954 sq. ft. The driveway is sloped toward the street. Mr. Dufromont asked what is under the deck. Mr. Bibbo replied there is nothing going under there: nothing pervious. Mr. Dufromont asked how far they are from the river. Mr. Bibbo replied that the entire lot is in the 200 riparian. Mr. Moser asked how they will excavate in the tight area. Mr. Bibbo replied that they will use mini-excavators. Mr. Moser asked if they will truck the excess soil off site. Mr. Bibbo confirmed that they will. Ms. Semlow asked if the wall is a retaining wall. Mr. Bibbo replied that it is a landscape wall. Mr. Doyle asked if the catch basin in the street leads to anything. He suggested Mr. Bibbo contact the City to see if it works. He also asked if they can get from the leaching basin in the driveway an overflow somewhere high on the leaching basin and take it out and around the right side of the house and dump it out the back. Mr. Bibbo replied that he can connect it to the back one. Mr. Doyle also requested they put a cover on it.

Mr. Doyle opened up questions from the public. There were none.

A site visit is scheduled for Fri., March 30th at 8:00 a.m.

Mr. Moser asked if the building code allows grades sloping toward the house. Mr. Bibbo replied that they are building up around the house and away from the foundation.

Motion made by Mr. Moser to continue until the next meeting, seconded by Mr. Baker. All in favor. **Motion passed.**

Informal Discussion

- Antico Snow Removal Update

Atty. Bret Francis appeared on behalf of the business owner to share a plan with the commission. Most of their operation is on-site snow. They have two ice melters. One stays on the location and the other goes out to other, larger projects. The process is quiet and the melting is done in the early evening hours. The owner put a silt sack in the catch basin, hay bales and straw wattles, for the short-term. For the long-term, the owner proposes installing an engineered stormceptor system into his ice melter. Mr. Dufromont asked when the stormceptor will be installed. Atty. Francis replied that the plan is to have it installed before the 2018 fall/winter season. Ms. Semlow asks what happens to the salt that is leftover once the salt dissolves. The silt sack will only filter out soluble materials. Atty. Francis will find out. He isn't sure if the snow coming from off-site is salted or sanded. Mr. Doyle met Mr. Antico on-site. He noted that there are no open Orders of Conditions or Certificates of Compliance for the site. What is installed there is a standard manhole to catch basin to manhole closed drainage system that discharges to the Beaver Brook. During the meeting, they discussed developing an engineered plan and looking at the Wetlands Protection Act regulations that talks about bringing snow from elsewhere. Atty. Francis asked what type of filing they need for this. Mr. Doyle replied that they should go through a filing process with the Engineering Department.

Mr. Moser would like the applicant to file an RDA to have something in writing to and from the commission.

Public Meeting (Continued from 3-8-2018)

Request for Certificate of Compliance (DEP File # 316-0689)

Applicant: Robert Farrington/Windsor Village at Waltham Co.

Property Location: 976 Lexington Street

Motion made by Mr. Moser to continue until the next meeting, seconded by Mr. Baker. All in favor. **Motion passed.**

Commission Business

- Motion made by Mr. Moser to approve the minutes from 3-8-2018, seconded by Mr. Dufromont. All in favor. **Motion passed.**

Correspondence

- **Pizzi Farms Condominiums:** Mr. Moser noted that the Commission reached out to both Pizzi Farms Condos and Briar Glen Village based on the GIS maps. Pizzi Farms Condos' attorney sent a letter stating that the area the Commission believed was theirs (based on the GIS map) has been sold to Briar Glen Village and he provided documentation. Mr. Moser suggested sending a retraction letter re: the Enforcement Order that was recently sent to them.

- **Keolis Tree Cutting:** The Commission sent a letter stating that cutting down hundreds of large trees in the riverfront and wetland is destruction of vegetation and requires a Notice of Intent. Keolis responded by saying that federal law requires them to manage vegetation. And they were given approval by the Commission to put up telephone poles and to spray herbicide on the tracks. Mr. Moser noted that when they received approval from the Commission, it was never mentioned that they would be cutting down trees. Mr. Doyle agreed that there needs to be some level of vegetation put back, and that the Commission needs to be notified if/when they plan to cut down trees through a Notice of Intent. The Commission's letter to Keolis and their response will be sent to DEP for their opinion. An e-mail will be sent to Keolis thanking them for their response and that the Commission is researching it further with DEP. The Commission would like a representative from Keolis to attend a future meeting. Dan Driscoll (DCR), Mayor of Waltham, City Council and Catherine Cagle (Planning Department who is heading the Rail Trail) were cc'd on the correspondence.

Old Business

Mr. Doyle

- **2018-2019 Budget Review:** Mr. Doyle explained the Commission's annual budget process. Mr. Baker asked about funding to treat the hemlocks at Paine Estate. Mr. Doyle will check with CPW to inquire whether or not it is in their budget. If not, he will request to add it to the Commission's budget (\$5,000). Mr. Doyle adjusts the spreadsheet with the proposed budget and then he meets with the mayor. It then goes to City Council which will have Mr. Doyle come in for a hearing and he needs to justify the Commission's costs. Mr. Moser asked if the Commission can hire a consultant to independently advise the best way to manage vegetation in Hardy Pond. Also, should the Commission continue to approve the current method of treatment, and if any conditions should be put on monitoring the treatment. Mr. Doyle stated that this could come out of the Commission's filing fees, rather than the budget.

Mr. Baker

- **Paine Estate:** Mr. Baker shared signs with the Commission that will be placed at Paine Estate indicating where the baby hemlock trees are located and where the wisteria removal is taking place.

Mr. Dufromont

- No updates

Mr. Moser

- No updates

Mr. Donovan

- **Paine Estate Sewer Project:** A letter will be sent to the Engineering Department asking for their design plans for the sewer line going through Paine Estate.

Ms. Semlow

- No updates

Committee Reports

- **CPC:** Mr. Dufromont reported that Councilor George Darcy made a presentation to request funding on the purchase of land near Hardy Pond. There is a large amount of acreage and they want to buy six of them right away. Three of the other larger pieces of land are being taken due to tax arrears.

New Business

- **Approval of the Conservation Commission's Special Order of Conditions Revisions:** Mr. Dufromont asked that the Commission finalize them at the next meeting. Ms. Semlow asked for clarification on how the Commission is notified when work is beginning on an approved project. She also noted that the state does not like straw bales being used as an erosion control and she recommended changing the requirement in the Commission's conditions. Mr. Doyle suggested specifying in the Order all of the options that can be used.

Motion made by Mr. Moser to adjourn, seconded by Mr. Dufromont. All in favor. **Motion passed.**

Meeting adjourned at 9:40 p.m.

Approved 5-3-2018