



**Waltham Conservation Commission  
October 4, 2018  
Meeting Minutes**

Meeting called to order at 7:02 p.m.

**Attendees:** Chair Philip Moser, Brad Baker, Gerard Dufromont, Vice Chair Bill Doyle (arrived at 7:05 p.m.)

**Absent:** Mike Donovan, Courtney Semlow

**Informal Discussion**

- 3 & 11 Waverley Oaks Road

The property owner, Stan Bloomenthal, did not appear. He feels he did nothing wrong on his property. Mr. Moser will draft a potential violation letter to be sent to Mr. Bloomenthal.

**Public Meeting**

**Request for Certificate of Compliance** (DEP File # 316-0671)

**Applicant:** Andi Abes

**Property Location:** 70 Hiawatha Avenue

Mr. Moser noted that Mr. Abes is his neighbor and will be refraining from voting on this item.

Andi Abes represented himself. He noted that the construction of the house is complete, but the landscaping has not been done. Mr. Baker asked if the erosion controls are still up. Mr. Abes replied that they are still up, but there is so much vegetation along the edge of the pond, that nothing can get through. He noted that the hay bales have decomposed over the past three years. Mr. Dufromont recommended putting in straw wattles before the Commission comes out for a site inspection.

Mr. Doyle arrived at 7:05 p.m.

Mr. Abes has an as-built plan drawn up by his architect. He will be able to provide a copy of the land survey within the next two to three weeks. Mr. Dufromont asked if there have been any changes to what was approved and what was built. Mr. Abes stated that the Building Department requested pavers, rather than asphalt, be used in the driveway. The meeting will be continued until Mr. Abes can obtain a copy of the survey and also determine if the tree in the front of the house is his or the City's property.

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

**Public Meeting**

**Request for Determination of Applicability**

**Applicant:** Boston Gas Company dba National Grid

**Property Location:** 160 Newton Street

**Project Description:** Resurfacing the majority of existing paved asphalt areas of the site and repairing/installing Cape Cod berms.

Claire Hoogetboom, LEC Environmental Consultants, represented the Applicant. She gave an overview of the proposed project. Mr. Moser asked about new/expanded parking areas. Ms. Hoogetboom replied that there will not be any expansion to parking spaces. All of the work will be located in existing development. Mr. Dufromont asked if the catch basin area will be redone. Ms. Hoogetboom does not believe it's part of this project. Mr. Dufromont asked how long they expect to keep the old asphalt on site before it's removed. Ms. Hoogetboom replied that it will depend on the contractor,

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but it should be removed fairly quickly. They will cover any stockpiling while it remains on site.

Mr. Doyle would like to have them clean out and maintain the stormwater retention basin as part of this project. Mr. Baker asked if there will be a stormceptor cleanout. Ms. Hooceboom replied that there is some sort of structure that needs to be repaired. Mr. Moser asked if she can characterize the stormwater structure: Is it just a catch basin or could it be upgraded to a gross particle separator? Ms. Hooceboom replied that she doesn't know what is being repaired or upgraded, but she will get the answer for the Commission. Mr. Baker asked if wattles against the river is enough. Mr. Moser and Ms. Hooceboom stated that the site is flat. Mr. Doyle noted that if anything spills over, it will go into their system, which will have to be cleaned out. He also pointed out that the drainage system in area 1A and 1B on the plan connects to four catch basins which dump into the retention basin. This doesn't meet current standards and the City's Engineering Dept. has been asking property owners to change their configurations as they repave their lots. If they are required to bring the drainage system up to code, the Applicant will need to come back for a Notice of Intent.

Motion made by Mr. Doyle to issue a negative Determination of Applicability with the following conditions:

- 1) The drainage systems shall be maintained and/or brought back to their original design condition.
- 2) A stormceptor, or other type of proprietary additional trap system, shall be installed in the 1A and 1B parking lots to improve sediment removal.
- 3) Applicant shall notify the Commission before digging out and cleaning out the sediment trap system when doing the Operation and Maintenance.
- 4) If the design changes after any other departmental review, a Notice of Intent shall be filed with the Conservation Commission.

Motion seconded by Mr. Baker. All in favor. **Motion passed.**

### **Commission Business**

- **Approval of meeting minutes from 9-6-2018 and 9-20-2018:** Motion made by Mr. Doyle to approve the meeting minutes from 9-6-2018 and 9-20-2018, seconded by Mr. Dufromont. All in favor. **Motion passed.**
- **Question from a Waltham resident:** Mr. Baker stated that a neighbor asked him how the Conservation Commission protects the trees in the City. He researched the Wetlands Protection Act and found that wildlife habitat is a huge part of the WPA revision which was made in 1987. "The statute protects habitat value not wildlife *per se*." He further went on to say that wildlife is no less or no more important than anything else in the ecosystem. Mr. Baker gave a presentation showing what trees are responsible for. He asked if the Commission has funds to help create a program and a process to identify and tag all the trees within the Commission's jurisdiction. He would like them monitored and cared for. Initially, this would begin with public trees, but Mr. Baker would like private property owners to be included. Mr. Doyle recommended adding a few tree-related items to the Commission's standard Order of Conditions. He also suggested checking with the City's tree warden to find out what the City's mandate is. He noted they should start with the City's parks. Mr. Dufromont recommended asking CPC for funding and the Land Trust for volunteers. He suggested using some of the money to assist residents with maintenance of the trees. Mr. Moser pointed out three possible revenue sources:
  - 1) Through the annual budget process;
  - 2) CPC funds;
  - and 3) ConCom filing fees.

### **Old Business**

#### **Mr. Moser**

- **Lazazzero Playground:** Mr. Moser noted that he is receiving reports that the rocks that were used to shore up the walkway are continued to be thrown into the pond. This will be readdressed next year.

#### **Mr. Doyle**

- No updates

#### **Mr. Baker**

- No updates

#### **Mr. Dufromont**

- No updates

### **Committee Reports**

- **CPC:** Mr. Doyle would like the CPC projects on their agenda listed here.
- **Trust Fund:** Potential purchases of land, easements or conservation restrictions using trust fund

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### Site visit reports

- **Elm Street Bridge:** Mr. Baker took a picture of the elm tree on the Elm Street bridge. As part of the Cooper Street project (DEP File # 316-0696), the Commission identified the significant trees on the property and asked the Applicant's consultants to take pictures of them from various angles over the next six months. They have agreed to do so. Mr. Dufromont noted that some of the trees were affected by the fire, but most of them weren't.
- **Lyman Estate:** The brush has been cut down and the area seeded with a wildflower mix.

### New Business

- **Potential uses for filing fees in administering the Wetlands Protection Act**

Mr. Moser noted that the Commission has been asked to come up with a plan for spending the filing fees. Some ideas are: taking inventory of the trees in jurisdictional areas that are publicly owned in the City, Hardy Pond vegetation management, hiring a Conservation agent, or continue to save it. Mr. Baker would like to hire a lawyer to draft a letter asking homeowners for access (granting an easement) to the underground pipes and important trees on their property. Mr. Moser noted that might be able to come from the Trust Fund account. Julie will ask the Auditing Department for the average amount of money the Commission has been earning every year in filing fees over the past few years.

Motion made by Mr. Baker to adjourn, seconded by Mr. Doyle. All in favor. **Motion passed.**

Meeting adjourned at 8:33 p.m.