



**Waltham Conservation Commission  
August 15, 2019  
Meeting Minutes**

Meeting called to order at 7:01 p.m.

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

**Development Prospectus Sign-off**

- 180 Third Avenue

Atty. Phil McCourt represented the Applicant, Boston Properties. They are proposing to construct a building on Third Avenue right after Thermo-Fisher which was authorized by a special permit in 2014 and has been extended by the Commission. Construction is ready to start, however, they need an amendment to move the parking garage.

There will not be any impact on resource areas.

Motion made by Mr. Donovan to sign off on the development prospectus, seconded by Mr. Baker. All in favor. **Motion passed.**

**Public Meeting** (Continued from 7-18-2019)

**Request for Certificate of Compliance** (DEP File # 316-0705)

**Applicant:** Storage Development Partners, LLC

**Property Location:** 96 Linden Street

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

Mr. Doyle arrived at the meeting at 7:04 pm and stepped up as chair in Mr. Moser's absence.

Mr. Doyle asked for an update on the compensatory flood storage report.

Suz King of BL Companies represented the Applicant to update the Commission on the flood storage report. They are adding more compensatory flood storage in one location, which does not meet the proposed amount, however, it is above the required regulations.

Ms. Semlow pointed out that they are not putting back what they are taking out, however, the site was built following the plans as they were approved. The applicant is requesting a Certificate of Compliance in order to pursue a Certificate of Occupancy.

Motion made by Mr. Dufromont to issue a Certificate of Compliance, seconded by Mr. Donovan. All in favor. **Motion passed.**

**Public Meeting** (Continued from 7-18-2019)

**Request for Determination of Applicability**

**Applicant:** Kristin A. Genova

**Property Location:** 58 Hiawatha Avenue

**Project Description:** Addition of garage

The applicant was not present and has requested to continue to the next meeting.

Motion made by Mr. Dufromont to continue to the next meeting on September 12, seconded by Mr. Baker. All in favor. **Motion passed.**

Mr. Moser returned to the meeting and returned to chairing the meeting.

**Public Hearing** (Continued from 7-18-2019)

**Notice of Intent** (DEP File # 316-0754)

**Applicant:** Costco Wholesale Corporation

**Property Location:** 71 Second Avenue

Peter Tamm, J.P. Andrews, and Stephen Glowacki represented the applicant, Costco Wholesale Corporation. A site visit took place on July 30 and the team has resubmitted plans factoring in comments from the commission and the Cambridge Water Department.

Mr. Glowacki spoke about the site walk where the big discussion was swale on wetland. The proposed sidewalk has been removed from the scope of work, therefore changing the plan's approach. The revised plans have added a number of gas pumps back into the plans, essentially reverting back to the plan that was presented to the Commission in 2016.

No comments from the public.

Motion made to close the public hearing by Mr. Doyle, seconded by Mr. Donovan. All in favor. **Motion passed.**

The applicant has requested a change to the standard order of conditions for a specific ice treatment mixture as identified in the O&M. The Special Order of Conditions was modified to include this change.

Motion made to issue a positive order of conditions with no special conditions by Mr. Doyle, seconded by Mr. Dufromont. All in favor. **Motion passed.**

**Public Meeting**

**Request for Certificate of Compliance** (DEP File # 316-0732)

**Applicant:** 48 Woerd Property, LLC

**Property Location:** 48 Woerd Avenue

Jim DeVellis, a Civil Engineer from DeVellis Zrein, Inc. and Tom Kazinski of Hillco Properties represented the Applicant. A Notification of Intent was filed because the location is within 200 feet of the Charles River. They removed a building and a parking area and replaced it with a landscaped area and a storm sector. The Applicant is requesting a Certificate of Compliance.

The Commission stated this is a site improvement and there is no need for a site visit because of these improvements.

Motion made by Mr. Doyle to issue a Certificate of Compliance, seconded by Mr. Donovan. All in favor. **Motion passed.**

**Public Meeting**

**Request for Certificate of Compliance** (DEP File # 316-0276)

**Applicant:** Paul Hopkins

**Property Location:** 105 Galen Street

Atty. Howard Rock approached the board for Certificate of Compliance from a Notice of Intent filed in 1993. There have been several hearings and site visits, as well as a report by Eco-Tech submitted about the area in question.

Dr. John Rockwood, an expert scientist, described that following the Notice of Intent, there was an attempt at wetland replication, however, the plans did not survive over the years. The previous company created 2,100 square feet of wetland, which is short of what was approved. They are now proposing to take 6,500 square feet and remove the invasive species and plant 80 native shrubs to provide habitat value. The report has been revised to reflect what was discussed at the site visit, including two years of invasive species treatments and two years of monitoring.

Mr. Rock requested a partial Certificate of Compliance on all properties except 105 Galen Street.

Motion made to issue a partial Certificate of Compliance to release all lots except for 105 Galen Street as long as the plan from Eco-Tech is followed through by Mr. Doyle, seconded by Mr. Donovan. Mr. Moser and Mr. Doyle added a special condition for Eco-Tech to work with Mr. Baker to tag trees to be removed including the Norwood Maple trees along the

property line. Mr. Dufromont requested that the Commission be notified when the first round of work has been performed. All in favor. **Motion passed.**

### **Public Meeting**

#### **Request for Determination of Applicability**

**Applicant:** City of Waltham – CPW Department

**Property Location:** 380 Lexington Street

**Project Description:** Removal of a tree

Mr. Thompson, the City's Tree Warden, was unable to attend tonight's meeting, but did send a note listing the reasons why this tree needs to be removed, mainly that the tree is in decline and possibly infected with Emerald Ash borer.

Board discussion ensued.

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

- 1) Require the City to add three replacement trees to the area if the intersection project is not completed in two years.
- 2) Require the City's Tree Warden to give the commission a report on the condition of the tree and why it is sick.
- 3) Require the City's Tree Warden to appear at an upcoming Conservation Meeting to report on the Emerald Ash borer that is infecting trees in Waltham.

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

### **Public Meeting**

#### **Request for Determination of Applicability**

**Applicant:** Tom Cates

**Property Location:** 233 Seminole Avenue

**Project Description:** Abandon an existing failed septic system and install a new sewer line.

Mr. Bibbo, Bibbo Brothers & Associates, represented the Applicant. They are proposing to abandon a failed septic system and install a new sewer line.

Motion made by Mr. Doyle to issue a negative Determination of Applicability, seconded by Mr. Baker. All in favor. **Motion passed.**

### **Public Hearing**

#### **Notice of Intent** (DEP File # 316-0757)

**Applicant:** City of Waltham – Engineering Department

**Property Location:** Roadway Layout near 380 Lexington Street

**Project Description:** Intersection improvement project at Totten Pond Road at Lexington Street.

Mr. Steve Cazassa, the City Engineer, represented the Applicant along with team of professionals from BSE Group and the City's Traffic Department. Mr. Cazassa described the scope of the project and fielded questions from the Commission.

Mr. Moser opened up questions from the public.

An abutter to the project expressed his discontent about how little notification he has received about the proposed project. He also pointed out current drainage and flooding issues in this intersection.

A city resident also expressed interest in several aspects of the project, including gas pipelines, drainage, and improving the carbon footprint.

A site visit is scheduled for Wednesday, August 28 at 7:00 am. The public is welcome to attend.

Motion made by Mr. Doyle to continue to the next meeting on September 12, seconded by Mr. Baker. All in favor. **Motion passed.**

**Public Hearing****Notice of Intent** (DEP File # 316-0756)**Applicant:** City of Waltham Engineering Department**Property Location:** 617-655 Lexington Street**Project Description:** Installation of a flow control structure under Jack's Way.

Mr. Steve Cazassa, the City Engineer, represented the Applicant and explained the need to install a notch weir control structure to hold back flood storage under Jack's Way.

The Commission asked questions to better understand the project. Mr. Doyle pointed out that the Engineering Department is currently the applicant, however, the Applicant should be the School Department.

Motion made by Mr. Doyle to continue to the next meeting on September 12, seconded by Mr. Donovan. All in favor.

**Motion passed.**

An abutter interrupted to ask why they were not able to make comments.

Motion to resume 617-655 Lexington Street to open comments from the public.

Abutters and city residents expressed their concerns.

Motion made by Mr. Doyle to resume commission business, seconded by Mr. Baker. All in favor. **Motion passed.**

**Public Hearing****Notice of Intent** (DEP File # not yet assigned)**Applicant:** 404 Wyman LLC**Property Location:** 404 Wyman Street**Project Description:** Installation of a new sewer line.

Mr. James White from H.W. Moore Associates represented the Applicant. Mr. White discussed the need for a new sewer line because of a problematic sewer line that was built in 1955 and is in the watershed of the Cambridge Reservoir. Hobbs Brooks is proposing a potential solution to install a pump chamber to pump the sewage from their location to the Wyman Street sewer line.

There were no comments from the public.

A site visit is scheduled for Friday, August 30 at 7:00 am.

Motion made by Mr. Donovan to continue until the next meeting on September 12, seconded by Mr. Doyle. All in favor.

**Motion passed.**

**Public Hearing****Notice of Intent** (DEP File # 316-0759)**Applicant:** Mark Felt**Property Location:** 85 Copeland Street**Project Description:** Raze an existing single family home and to construct a new single family home.

Mr. Bibbo of Bibbo Brothers represented the Applicant to remove an existing house to build a new single family home. They proposed to use erosion controls on the entire lot. Eco-Tech has flagged the back yard. Most of the entire house is in the 100 foot buffer.

There were no comments from the public.

Motion to close the public hearing made by Mr. Doyle, seconded by Mr. Baker. All in favor. **Motion passed.**

Motion made to issue a positive Order of Conditions with the standard special conditions made by Mr. Doyle, seconded by Mr. Dufromont. All in favor. **Motion passed.**

## **Public Hearing**

**Notice of Intent** (DEP File # 316-0758)

**Applicant:** North Shore Residential Development, Inc.

**Property Location:** 52 Clark Lane

**Project Description:** Demolish existing single family home and build a new single family home.

Paul Finger of Paul Finger Associates represented the Applicant who is proposing to demolish a house and build one single family home on Lot 3. A Notice of Intent has been filed because of an intermittent stream on the opposite side of the street. There is a need to remove one tree from the site and they are proposing to replace that tree with three additional trees. This is a buffer zone project that meets all the performance standards.

Mr. Baker requested that the three replacement trees be three different species.

Abutters expressed their concerns about whether or not the stream is perennial or intermittent and what will happen to the water once the vegetation is removed. Mr. Moser explained the DEP's definition of perennial vs. intermittent streams. They also expressed concerns about blasting and whether or not their old homes can withstand the blasting.

A site visit is scheduled for Wednesday, August 28 at 8:00 am. The public is welcome to attend.

Motion made by Mr. Donovan to continue to the next meeting on September 12, seconded by Mr. Baker. All in favor.

**Motion passed.**

## **Informal Discussion**

- Graverson Park Floodplain Excess Fill

Carolyn Cooney, a landscape architect, of Carolyn Cooney & Associates approached the Commission to alert them to an error made in the building of Graverson Park. Excessive fill was added and most of the fill is under the asphalt. In order to bring the park into compliance, the park would need to be rebuilt. Ms. Cooney asked the Commission if they would be open to proposing a different alternative. Conversation ensued exchanging various solutions to improving compensatory flood storage.

## **Commission Business**

- **Approval of meeting minutes from 7-11-2019 and 7-18-2019:** Motion made by Mr. Donovan to approve the meeting minutes from 7-11-2019 and 7-18-2019, seconded by Mr. Dufromont. All in favor. **Motion passed.**
- **Approval of meeting dates for 2020:** Motion made by Mr. Doyle to approve the proposed meeting dates for 2020, seconded by Ms. Semlow. All in favor. **Motion passed.**
- **Adoption of written rules relative to the hiring of consultants:** Mr. Moser asked to Commission to review the draft and will take a vote at the next meeting on September 12.

Motion made by Mr. Doyle to suspend the remaining agenda items, seconded by Mr. Donovan. All in favor. **Motion passed.**

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

Meeting adjourned at 10:51 p.m.