



**Waltham Conservation Commission
December 5, 2019
Meeting Minutes**

Meeting called to order at 7:04 p.m.

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

Informal Discussion

- 74 Hardy Pond Road – Enforcement Order

Susan Moores, the homeowner at 74 Hardy Pond Road, and her son approached the Commission to see how to respond to the enforcement order issued by the Commission. They explained that they wanted to have a nice lawn and hired a landscaper to level the yard and plant grass. They received a delivery of black mulch to put around the flower beds, but there was not any loam that was added to the property.

The Commission requested that Ms. Moores reach out to the landscaper and ask them to write a one-page description with what work was performed on the property, as well as the measurements of the patio that was built in the back of the house. Mr. Moser requested that a member of the Commission come for a site visit to see the work that was performed. Mr. Dufromont would like the landscaper to come in to answer questions at a future meeting, but the Commission will begin with the one-page written description and re-visit at a later date.

Commission Business

- **Approval of meeting minutes from 11-21-2019:** Motion made by Mr. Donovan to approve the meeting minutes from 11-21-2019, seconded by Mr. Doyle. All in favor. **Motion passed.**
- **Potential uses for filing fees in administering the Wetlands Protection Act:**
 - Hardy Pond Shore project – No update.
 - GIS Inventory of known wetlands on city property – Mr. Moser met with Eric Rizzo from the City's IT Department. They discussed different options as to what to show on the wetlands maps. Since the state's maps are better than the GIS maps that the city currently uses, the city may switch the Massachusetts GIS maps. For all future ANRADs and NOIs, the Commission will ask the applicant for accurate CAD files.
 - Mt. Feake project – Mr. Moser and Mr. Baker met to come up with a plan to prevent erosion at Mt. Feake Cemetery. Mr. Baker has the expertise to do the preliminary work and make recommendations directly to the Cemetery Commission, instead of hiring a consultant to do this work, saving the City some money. After the recommendations have been agreed on, the Commission can get proposals for a contractor to do the work.
- **Press release ideas:** No updates.
- **Open enforcement orders:**
 - 98 Lakeview Terrace: Vegetation was cleared and a driveway was built. The Commission sent an enforcement letter to the current homeowners. The homeowner responded with a letter, but did not admit to doing anything wrong. Neighbors continue to report that more vegetation has been cut down, but because we cannot prove who is cutting down the vegetation, the Commission would like to table this location for now.
 - 199 Lincoln Street: The Commission mailed a warning letter to the homeowner because of reports of encroachment on Sanderson Height Conservation Land.
 - 205 Willow Street: The Commission mailed a warning letter to the Pro-Tech gas station for several recent gas spills. The Commission is waiting to hear back from the business owner.
 - 152-OPP, 162-OPP Lakeview Avenue – The Commission sent an Enforcement Order to the homeowner. The homeowner's representative responded via a letter stating they intent to file a Notice of Intent.

- 250-252 Prospect Street – Mr. Doyle contacted DCR for more information, but have not heard back from them yet. Mr. Doyle will follow-up with DCR.

Correspondence

- Mass DEP Withdrawal of Appeal letter for 404 Wyman Street (DEP File #316-0761) – Mass DEP confirmed that they are satisfied with the Amended Order of Conditions and have officially withdrawn their appeal.
- Letter from Steve Casazza detailing visit with Mass DEP about the Kennedy Middle School Flood Mitigation Project – Mr. Casazza summarized the pre-application meeting that he had with representatives from Mass DEP. The recommendations of DEP reflect the suggestions that the Commission has been making to the City for quite some time.
- Historic New England letter about Lyman Estate (DEP File #316-0734) – This letter notified the Commission that they are beginning work on the next phase of their project.

Old Business

Mr. Moser

- No updates.

Mr. Doyle

- Paine Estate Forestry Plan – The Commission asked CPC for \$50,000 for the Paine Estate Forestry Plan. The CPC approved it and then the Long-Term Debt Committee passed it by a 2-1 vote. The next step is that the vote goes on to the Committee of the Whole, who needs to vote to approve the funds. That meeting will take place on Monday, December 9 at 7:00 pm.

Mr. Baker

- No updates.

Mr. Dufromont

- No updates.

Mr. Donovan

- Totten Pond Road project – Mr. Donovan received as-built for the Totten Pond Road project from City, which is now on file with the Commission.

Ms. Semlow

- No updates.

Committee Reports

- **CPC:** No updates.
- **Trust Fund:** Potential purchases of land, easements, or conservation restrictions using trust funds

Site visit reports

- No updates.

New Business

- Re-issue Certificate of Compliance for 175 Wyman, LLC (DEP File #316-0591) – The attorney representing the applicant contacted the Commission because the Certificate of Compliance that was issued in 2011 was issued using the wrong form and was not notarized or filed with the Registry of Deeds. Since the form no longer requires a notary stamp, the attorney asked if the current Commission could re-issued the Certificate of Compliance using the current form. Motion made by Mr. Doyle to issue a Certificate of Compliance, seconded by Mr. Dufromont. All in favor. **Motion passed.**

- 380 Lexington Street appeal – The appellant has agreed to withdraw their appeal once the Commission re-opens the public hearing and issues an amended Order of Condition. The Legal Ad will be posted, the abutters will be notified and the Public Hearing is on the agenda for December 19.
- Graverson Park – Carolyn Cooney and Associates plans to file a new Notice of Intent in February. She contacted the Commission if it is necessary to re-flag & re-survey the site. The flagging for the original Notice of Intent took place in July 2014. The Commission responded that assuming the re-work will not impact the wetland and the Notice of Intent is filed in a reasonable amount of time, there is no need to re-survey and re-flag.

Motion made by Mr. Doyle to adjourn the meeting, seconded by Mr. Dufromont. All in favor. **Motion passed.**

Meeting adjourned at 8:03 p.m.