



**Waltham Conservation Commission
April 16, 2020
Meeting Minutes**

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

Attendees: Chair Philip Moser, Vice Chair Bill Doyle, Gerard Dufromont, Bradley Baker, Michael Donovan, and Courtney Semlow

Development Prospectus

- **49-53 Linden Street:** Bob Fitzgerald represented the Applicant, New Creek, LLC. and was joined by Jake Modestow, the engineer on the project. The proposal is for constructing a drive thru ATM for Bank of America. This property is not within jurisdiction.

Motion made by Mr. Doyle to allow the Chairperson to sign the prospectus, seconded by Mr. Donovan. All in favor. **Motion passed.**

Public Meeting

Request for Certificate of Compliance (DEP File #316-0716)

Applicant: Keith Manning

Property Location: 20 Lauricella Lane

Scott Henderson represented the Applicant. The Order of Conditions from February 2017 was for a proposal to construct a pool and a small deck. There were two deviations from the proposed plan: 1. Patio footprint is 35 sq. ft. larger than was proposed; 2. The proposed screening plantings have not been installed. These changes were not approved by the Board. Discussion ensued about how to correct these deviations. The homeowner needs to plant some trees to satisfy the Order of Conditions.

Motion made by Mr. Doyle for a 4-month extension from the expiration date of the Order of Conditions. Seconded by Mr. Dufromont. All in favor. **Motion passed.**

The Applicant has removed his request for a Certificate of Compliance until the plantings have been completed.

Public Hearing

Request for Determination of Applicability

Applicant: Brandon Smith

Property Location: 40 Chester Brook Road

Project Description: Construct second level on house using existing footprint

Mr. Smith, the Applicant is seeking a determination of applicability to add a second level on his house. He had presented this same request to the Commission in 2013 and was given a negative determination, but never went ahead with the construction. The property is in a jurisdictional area. The roof size and pitch are to remain the same.

Mr. Moser opened the meeting to the public. There were no comments from the public.

Motion made by Mr. Doyle to issue a negative determination of applicability with the following condition:

Must install a debris barrier using straw waddles near the fence. Please do not install against the fence in order to allow wildlife to pass.

Seconded by Mr. Donovan. All in favor. **Motion passed.**

Approved 4-30-2020

Public Hearing

Request for Determination of Applicability

Applicant: Boston Properties

Property Location: Third Avenue (ramp)

Project Description: Third Avenue ramp improvements

Nick Skoly from VHB represented the Applicant, along with Kiera Evans from Boston Properties and Jim Moore with Nutter. The proposed project is a privately funded roadway improvement at Exit 27A, including ramp, roadway and intersection improvements along Third Avenue, Prospect Hill Lane, along with Third Avenue, Winter Street, and Wyman Street interchange in an effort to alleviate congestion. Cambridge Water asked that the project review the water quality of the existing basin. The project is not in jurisdiction, except for an existing wetland adjacent to this stormwater basin.

The proposed project is to install a control structure and weir and then do some maintenance in that structure.

Mr. Moser recused himself out of an abundance of caution because the applicant is his landlord. Mr. Doyle took over as chair.

Mr. Doyle opened the meeting to the public. There were no comments from the public.

Motion made by Mr. Baker to issue a negative determination of applicability with one condition. The Applicant must install erosion controls protection on and around the pipe leading to the wetlands. Seconded by Mr. Dufromont. All in favor.

Motion passed.

Mr. Moser returned to the meeting in the role of chair.

Public Hearing

Request for Determination of Applicability

Applicant: City of Waltham

Property Location: 356 Second Avenue

Project Description: Replace main sewer line

Stephen Casazza, the City Engineer, would like to request a determination to replace a main sewer line in the Bear Hill Valley. This sewer line goes into a pumping station at 356 Second Avenue. The pipe has wetlands on both sides per Rimmer Associates. Discussion ensued about project details, including timing of the project.

Mr. Moser opened the meeting to the public. There were no comments from the public.

Motion made by Mr. Doyle to issue a negative determination of applicability with the two following conditions:

1. Apply erosion control measures with straw waddles and silt fence.
2. Allow members of the Commission to inspect the project site from time to time with permission from the contractor.

Seconded by Mr. Dufromont. All in favor. **Motion passed.**

Public Hearing

Request for Determination of Applicability

Applicant: Judge Baker Children's Center

Property Location: 746 South Street

Project Description: Place a diesel fired standby generator

Paul Finger of Paul Finger Associates represented the Applicant to request a determination for placing a diesel fired generator for a two-story office building to ensure the building is operational 24/7 in the event of an emergency.

The Commission asked project specific questions for Mr. Finger to answer.

Mr. Moser opened the meeting to the public. There were no comments from the public.

Motion made by Mr. Doyle to issue a negative determination of applicability, seconded by Mr. Dufromont. All in favor. **Motion passed.**

Mr. Moser mentioned that the Commission has received an amended Fuel Storage permit sign off from the City Clerk's office and asked the Commission permission to sign the Fuel Storage permit for this project.

Motion by Mr. Doyle to sign the Amended Fuel Storage permit, seconded by Mr. Baker. All in favor. **Motion passed.**

Public Hearing

Notice of Intent (DEP File #TBD)

Applicant: Algonquin Gas Transmission, LLC

Property Location: 1430 Trapelo Road

Project Description: Installation of a new pressure regulator and associated facilities at Algonquin's existing Trapelo Road meter station

Chase Bernier from SWCA represented the Applicant. Algonquin Gas Transmission is currently conducting routine maintenance activities along the J1 pipeline. In support of that work, Algonquin proposes to install a new pressure regulator and associated facilities at the existing meter station at 1430 Trapelo Road. This includes installation of new below ground piping, gravel placement, fence placement, driveway resurfacing that occurs in the 100 foot buffer zone of Bordering Vegetated Wetland.

The Commission members asked several questions about the project.

Mr. Moser opened the meeting to the public. There were no comments from the public.

The Massachusetts Department of Environmental Protection (DEP) has not yet issued a file number for this Notice of Intent. The Commission decided to vote on this Notice given the COVID-19 pandemic and a desire to not hold up the project.

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

Motion made by Mr. Doyle to issue a positive order of conditions with the two conditions:

1. If the DEP comes back with substantive comments, the Commission can add those comments to the Order of Conditions.
2. There are three (3) trees can be cut down, however, the tree stumps are not to be removed.

Seconded by Mr. Donovan. All in favor. **Motion passed.**

Commission Business

- **Approval of meeting minutes from 03-05-2020:** Motion made by Mr. Donovan to approve the minutes from the 03-05-2020 meeting, seconded by Mr. Doyle. All in favor. **Motion passed.**

Correspondence

- **Re-sign Order of Conditions and Certificate of Compliance for 200 Smith Street (DEP File #316-0755):** The Order of Condition paperwork for 200 Smith Street was never filed with the Registry of Deeds and the original has been misplaced. The representative for the project approached the Commission to re-sign the paperwork so that they could file both the Order of Conditions and Certificate of Compliance with the Registry of Deeds.

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

Meeting adjourned at 8:46 p.m.