



**Waltham Conservation Commission
October 8, 2020
Meeting Minutes**

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

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

Public Hearing (continued from 9-17-2020)

Notice of Intent (DEP File # 316-0770)

Applicant: City of Waltham

Property Location: 554 Lexington Street

Project Description: New High School project

Mr. Donovan recused himself due to a conflict of interest. Mr. Donovan is a member of the high school building committee.

The following individuals were present to represent the applicant: Lorraine Finnegan, the project manager from SMMA; Erin Prestileo, Civil Engineer from SMMA; Dan Clasby, Civil Engineer from SMMA; Nathaniel Stevens, special counsel from McGregor & Legere, P.C.; Lynn Stapleton, OPM for the City with Leftfield; and Megan Collins, Landscape Architect from SMMA.

Ms. Finnegan gave an update on the project. There has been progress made with the Charles River Watershed Association, but there has been a delay with the peer review.

There is no update from CRWA just yet, but they hope to have calculations for the next meeting.

Mr. Moser explained that the PO for the peer review has not been completely signed off yet, but he is hoping the reviewer can start working as soon as it is finalized.

Mr. Clasby updated the Commission on the status of the prosperous calculations.

Mr. Baker asked about the tree planting plan. He would like to see maximum biodiversity represented.

Mr. Moser had questions about the lighting on property.

Motion made by Mr. Doyle to continue to the next meeting on October 22, seconded by Mr. Baker. All in favor. **Motion passed.**

Public Meeting (continued from 9-17-2020)

Request for Determination of Applicability

Applicant: Floor & Decor c/o Centerpoint Integrated Solutions, Inc.

Property Location: 80 Second Avenue

Project Description: Redevelop existing property for a new retail store.

Tim Hayes from Bohler Engineering represented the applicant. Bohler Engineering is working with Floor & Décor to redevelop to a portion of the existing building and parking area at 80 Second Avenue. Austin Turner from Bohler Engineering attended the last meeting, but was unavailable for this meeting, so Mr. Hayes is filling in for him.

Since the last meeting, Bohler reached out to both the Cambridge Water Department and the Charles River Watershed Association. The Cambridge Water Department sent a letter with comments. Bohler Engineering is working on responses to both and has requested a continuance from the Commission for the next meeting.

Mr. Dufromont asked the representative what work is going on at the job site. Mr. Hayes and Chris Kapper from Centerpoint are not involved in the work being performed. Michelle will follow up with the City Engineer to find out who is performing this work.

Jamie O'Connell from Cambridge Water Department commented on her letter to the applicant.

Motion made to continue the Public Meeting to the next meeting on October 8 made by Mr. Doyle, seconded by Mr. Dufromont. All in favor. **Motion passed.**

Public Meeting

Request for Determination of Applicability

Applicant: BP3-BOS1 1560 Trapelo Road LLC

Property Location: 1560 Trapelo Road

Project Description: Identify outlets and clean outlet pipes.

Mr. Moser recused himself due to a conflict of interest. Mr. Doyle took over as chair.

Ned Taylor from Simpson Gumpertz & Heger represented the applicant, Phase 3 Real Estate Partners.

The previous owner had filed with City Council to obtain a special permit to change the use of the building from all office space to an office space and lab. City Council required minor site work modifications, a new water line, and a special order number was assigned.

The outfall for the area that was approved in 2018. The special order requires Conservation Commission approval to clean the existing outlet. Jamie O'Connell from Cambridge Water Department recommended that this outlet be cleaned.

Ms. O'Connell commented on the project site.

Motion made by Mr. Donovan to issue a negative determination. The applicant should install a sign to identify the outlet. Seconded by Baker. All in favor. **Motion passed.**

Mr. Moser returned as chair of the meeting.

Public Hearing

Notice of Intent (DEP File # 316-0771)

Applicant: Matthew Lyons

Property Location: 74 Oakley Lane

Project Description: Second-floor addition to single-family house.

Bob Bibbo of Bibbo Brothers represented the applicant. There is an existing single-family house built around in 1952. The applicant is proposing a second floor addition, air conditioning unit, and propane tanks. The entire lot is in a flood plain.

The Commissioners asked questions about the project and were satisfied with the project.

A member of the public asked about the propane tanks and pad being installed in a flood plain and the loss of compensatory flood storage. She suggested that the tanks should be elevated and Mr. Bibbo mentioned that the homeowner may remove the shed in order to compensate for the loss of flood storage.

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

Motion passed.

Motion made by Mr. Doyle to issue positive order of conditions with one special condition for the propane tanks. The tanks should be elevated above the flood elevation or remove the shed to provide compensatory flood storage. Seconded by Mr. Donovan. All in favor. **Motion passed.**

Commission Business

- **Approval of meeting minutes from 09-17-2020:** Motion made by Mr. Baker to approve the minutes from the 09-17-2020 meeting, seconded by Mr. Donovan. All in favor. **Motion passed.**
- **Update on filing fee projects:**
 - **Hardy Pond Watershed Stormwater Improvements:** The contract was approved by City Hall this summer. The consultant has reached out to Mr. Moser and is hoping to do a site visit later this month. Mr. Moser would like two Commission members to be on a project and asked Mr. Baker to assist him on this project.
 - **Mt. Feake Riverfront study:** A requisition for the Mt. Feake riverfront study has not been sent in yet.
 - **Mt. Feake trees:** During a microburst a couple of months ago. Ten (10) large diameter trees fell. Mr. Baker would have liked to have the logs remain on the riverbank, however, the Cemetery Department removed them. Mr. Baker would like to create a policy for not removing trees when fallen. Mr. Baker would also like to use an area at Mt. Feake to plant seedling trees to grow and then later transplant to the riverbank. Mr. Moser suggested that we use the Mt. Feake Riverfront study to make recommendations about this.

Previously, Mt. Feake had cut down trees and it was decided they would re-plant 14

trees. They planted 12 trees, and one has died. Therefore, they should plant 3 more trees.

Mr. Baker will follow up with Mt. Feake.

- **Storer Conservation Land Encroachment:** No updates.
- **Storer Conservation Land Management Plan:** No updates.

Correspondence

- **Update from Lyman Estate (DEP File# 316-0734):** Applicant did not completely succeed in getting rid of the invasives. Completed phase 1, started phase 2, but did not complete the planting. The two invasives need to be removed in or the grass will not grow in. Mr. Baker asked if the Commission could give them permission to use a pesticide to eradicate the invasives.

Motion made to send a letter to Historic New England – Lyman Estate to allow herbicide treatment for invasives, seconded by Mr. Baker. All in favor. **Motion passed.**

- **Parks and Recreation partnership:** Mr. Baker desires to build a partnership between the Parks and Rec department and Conservation Commission volunteers to help them maintain their parks.

Old Business

- **Open Enforcement Orders:** No updates.
- **Storer Conservation Land:** Mr. Donovan gave an update on recommendations from the contractor who applied the pesticide to remove the invasives at the Paine Estate.

Committee Reports

- **CPC:** There were two recent meetings, one of which was a special meeting.
- **Trust Fund:** No updates.

Site visit reports

- No updates

New Business

- **Safety system:** Mr. Baker asked if there is money in the budget for a paid “Buddy system” person to accompany a Commission member when walking in the woods on Commission business. Mr. Moser doesn’t think we have money in the budget for this use.

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

Meeting adjourned at 9:23 p.m.