



**Waltham Conservation Commission
November 19, 2020
Meeting Minutes**

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

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

Public Hearing

Request for Amended Order of Conditions (DEP File #316-0737)

Applicant: Joseph R. Vanaria

Project Location: 44, 44R, and 56 Williams Street and 114 Felton Street

Project Description: Change the use associated with approved parking lot expansion with stormwater improvements within 200-foot riverfront area only.

Attorney Bret Francis from Scafidi Juliano, LLP represented the applicant to request an amendment to their Order of Conditions, along with Mr. Richard Michaud and Dr. John Rockwood. In 2018, an Order of Conditions was issued to re-pave a portion of this property. They are now asking to change the use of a portion of that area to install concrete lock bins on top of the pavement to store some landscaping products such as sand, gravel, crushed stone, stone dust, and bark mulch. They are also asking to have short term (approximately 24 hours) transfer station of yard waste brought in by landscapers.

Commission members asked project specific questions and the project team answered them.

The hearing was opened to the public. There were no questions or comments from the public.

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

Motion made by Mr. Doyle to amend the existing order of conditions with the following conditions:

1. Require quarterly inspections to the Stormceptor.
2. Snow storage on site will be temporary.
3. Sand and rock salt on site must be covered.

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

Development Prospectus:

- **114 Felton Street:** Attorney Bret Francis represented the applicant to request a signature on a Development Prospectus. Motion made by Mr. Doyle to allow Mr. Moser to sign the Development Prospectus, seconded by Mr. Baker. All in favor. **Motion passed.**
- **221 Bear Hill Road:** Pat Smith represented the applicant to request a signature for a Development Prospectus for a proposed marijuana retailer. There are not wetlands in this area. Motion made by Mr. Doyle to allow Mr. Moser to sign the Development Prospectus, seconded by Mr. Donovan. All in favor. **Motion passed.**

Public Hearing (continued from 11-5-2020)

Notice of Intent (DEP File # 316-0772)

Applicant: Kin Properties

Property Location: 80 Second Avenue

Project Description: Upgrade and replace utility connections on the south side of the existing building.

Conor Nagle of VHB, Inc. represented the applicant (Kin Properties) and Boston Dynamics as the tenant. This public hearing was continued from the last meeting while the applicant waited to receive correspondence from the Cambridge Water Department. The Cambridge Water Department has responded with their recommendations. The plans have been updated to reflect these recommendations.

The hearing was opened to the public. There were no questions or comments from the public.

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

Motion made by Mr. Doyle to issue an Order of Conditions with the condition that a non-tar sealant be used on the pavement, seconded by Mr. Dufromont. All in favor. **Motion passed.**

Public Hearing (continued from 11-5-2020)

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.

Mr. Moser provided an update on the peer reviewer that was hired by the Commission. A sub-committee for this project was formed with Mr. Dufromont and Mr. Moser representing the Commission. This sub-committee had a conference call with the peer reviewer, met on-site, and then followed-up with a conference call with the peer reviewer and the design team. The applicant provided additional information including a new geo-technical report. The peer reviewer provided three reports from the civil engineer, the geo-technical engineer, and the wetlands scientist.

The Peer Reviewer team (Chase Bernier, Rick Grady, Tom Hevner) presented their findings. Commission members had an opportunity to ask questions.

The Peer Review team had forty-six (46) comments from their assessment. Mr. Moser began going through each comment one at a time for discussion between the Commission, SMMA, and the Peer Review team. There were too many comments to get through in this meeting.

Motion to continue to the next meeting on December 3rd made by Mr. Baker, seconded by Mr. Dufromont.

All in favor. **Motion passed.**

The Peer Review team contract for has been completed, however, Mr. Moser asked the Commission for permission to have the team provide additional review of these responses.

Motion to allow the sub-committee to solicit and approve a proposal (up to \$5,000) from the Peer Review team for additional review made by Mr. Doyle, seconded by Mr. Baker. All in favor. **Motion passed.**

Commission Business

- **Approval of meeting minutes from 11-5-2020:** Motion made by Mr. Donovan to approve the minutes from the 11-5-2020 meeting, seconded by Mr. Dufromont. All in favor. **Motion passed.**

Motion made by Mr. Donovan to suspend the Commission business until the next meeting. Seconded by Mr. Dufromont. All in favor. **Motion passed.**

Old Business

- **Open Enforcement Orders:**
 - **98 Lakeview Terrace:** The Commission issued an Enforcement Order to the homeowners of 98 Lakeview Terrace for alteration of the 100 ft. wetland Buffer Zone and Bordering Land Subject to Flooding by addition of asphalt pavement, without first filing a Notice of Intent. The homeowners along with their attorney joined the call to explain they did not realize they had not followed the proper channels to pave their driveway. They are in the process of filing a Notice of Intent and will attend a future meeting with their filing.
- **Potential Violation Letters:**
 - **78 Hardy Pond Road:** The homeowner contacted the office, but was not able to attend tonight's meeting. He plans to attend a future meeting.

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

Meeting adjourned at 9:22 p.m.