



**Waltham Conservation Commission
September 7, 2017
Meeting Minutes**

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

Attendees: Chairman Bill Doyle, Vice Chairman Philip Moser, Mike Donovan, Gerard Dufromont

Absent: Brad Baker

Public Meeting (Continued from 8-17-2017)

Request for Certificate of Compliance (DEP File # 316-0689)

Applicant: Robert Farrington/Windsor Village at Waltham Co.

Property Location: 976 Lexington Street

Motion made by Mr. Moser to continue until the next meeting, seconded by Mr. Donovan. **Motion passed.**

Public Meeting (Continued from 8-17-2017)

Request for Determination of Applicability

Applicant: Bishops Forest Condominium Trust

Property Location: 181-182 Bishops Forest Drive

Project Description: Clearing of three trees and high grass

John Scarpaci, property manager at Bishops Forest Condominiums, represented the applicant. He noted that ConCom asked them at the site visit to come up with a master plan. They are currently bidding for a new landscaper and once the new landscaper comes on board, they will draw one up. Mr. Doyle stated that the commission is OK with the minor work requested in this RDA. The major work will come through in a master landscaping plan. Mr. Donovan asked when they plan on hiring a new landscaper. Mr. Scarpaci replied they hope to have one by the end of this month and they should have an RFP by January. Mr. Moser suggested closing out the RDA tonight then come back in January with an RDA or NOI for the master plan. Mr. Dufromont noted there is a violation behind 39 Bishops Forest Drive. The City of Waltham owns the property. Approximately 15 trees were cut down, but they don't know for sure who did it. He asked Mr. Scarpaci if Bishops Forest would be willing to put back some of trees in that area. Mr. Scarpaci replied that they would be willing to do so. Mr. Doyle recommended putting native tree plantings in their master plan proposal.

Motion made by Mr. Moser to issue a negative Determination of Applicability, with the following conditions: 1) pruning of not more than 10% of the canopy is allowable; 2) removal of invasive trees and plants that are on the Massachusetts prohibitive plant list, and replacement with native trees is allowable. Motion seconded by Mr. Dufromont. **Motion passed.**

Public Hearing (Continued from 8-17-2017)

Notice of Intent (DEP File # 316-0728)

Applicant: Abad Surichaqui

Property Location: 1106 Trapelo Road

Project Description: Extend dining area.

Motion made by Mr. Moser to continue until the next meeting, seconded by Mr. Dufromont. **Motion passed.**

Approved 10-5-2017

Public Hearing (Continued from 8-17-2017)

Notice of Intent (DEP File # Not yet assigned. Comments: Needs plans and accurate project locus.)

Applicant: Rosemary Maynes

Property Location: 201 Mokema Avenue

Project Description: Basement waterproofing

Motion made by Mr. Moser to continue until the October 5th meeting, seconded by Mr. Donovan. **Motion passed.**

Public Meeting

Request for Determination of Applicability

Applicant: Michael Williams and Anna Sura

Property Location: 66 Hardy Pond Road

Project Description: One-story addition on the side of the house.

Marc Rudnick, Community Builders Cooperative, represented the applicants. He believes there will not be any impact on the resources. The house abuts Hardy Pond. The current house is 900 sq. ft. They want to add a 7 ft. deep addition on the side of the house. The area where they would be building the addition is entirely hardscape. They will be building the addition on three piers and putting crushed stone underneath. The locus of the work is surrounded by a sunken driveway which has a retaining wall separating it from anything that would flow toward the pond. They will be increasing the impervious area of the property. A 22 ft. long gutter will be added. Mr. Williams stated that the water drains through the retaining wall to the driveway and there is no drywall.

Motion made by Mr. Moser to issue a negative Determination of Applicability, seconded by Mr. Dufromont.

Motion passed.

Public Meeting

Request for Determination of Applicability

Applicant: Boston Gas Company dba National Grid

Property Location: 160 Newton Street

Project Description: Installation of a 675± linear foot chain link fence, trimming of overhanging branches and removal of nine dead/dying trees.

Andrea Kendall, LEC Environmental Consultants, represented the applicant. In 2010, they obtained an Order of Conditions to expand and install a new surface parking area. Since putting it in, they noticed that the public has parked there, but they really need the lot for themselves. There is also a security risk with people stopping by thinking they can pay their bills there. They did not construct the fence that was included in the Notice of Intent in 2010 and a Certificate of Compliance was issued, so they are bringing it back to the table. Included in the application are pictures of the nine dead or dying trees.

Mr. Donovan asked if the trees are dead because of their location being adjacent to the parking lot and the area was used for snow storage. Ms. Kendall replied that it's possible that over time vehicles may have gotten too close to the trees. Another possibility is due to the stormwater basin's location which may have caused things to get too wet in the area for a couple of the trees.

Mr. Moser shares Mr. Donovan's concern about the tree removal. He would encourage the applicant to replace the removed trees with native trees but shift the location to locations on site where the trees would fare better. He asked if they would be willing to leave a 4" gap under the fence to allow for wildlife movement. Ms. Kendall replied that would be fine.

Mr. Dufromont stated that in his Charles River cleanup over the past eight years, a lot of rubbish comes from that parking lot through the fence and to the Charles River. He asked that the company put some effort into having their employees clean up after themselves. Ms. Kendall will speak with the applicant re: this matter.

Mr. Doyle asked Ms. Kendall if the applicant would be open to installing the fence 4 inches above the ground, no spikes, with a bar across the bottom, and planting nine shrubs. Ms. Kendall replied that they might be more successful with a mixture of trees and shrubs. They will leave the stumps to the trees that are being taken down.

Ms. Kendall will speak with the operations manager for the site re: snow removal and e-mail the plan to the commission. Motion made by Mr. Moser to issue a negative Determination of Applicability, with the following conditions: 1) submission and approval of a planting plan showing replacement of the removed trees with a mix of trees and shrubs; 2) the section of fence parallel to the river shall have a minimum 4" gap under it. The bottom should be secured with a horizontal rail and shall not have sharp spikes protruding downward; 3) submission and approval of a snow removal plan; 4) submission and approval of a maintenance plan for pickup of litter in the parking area before it blows onto the DCR property. Motion seconded by Mr. Dufromont. **Motion passed.**

Public Meeting (Continued from 8-17-2017)

Request for Certificate of Compliance (DEP File # 316-0581)

Applicant: Kevin Duffy for Duffy Bros. Construction Co., Inc. (Duffy Associates, LLC)

Property Location: 411 Waverley Oaks Road

Mr. Dufromont noted that one of the orders for this property has expired and the other expires in ten days. Mr. Moser feels that it's in the interest of the commission in terms of protecting the resource area to file an extension on the open order because if they allow it to expire, the commission has less ability to enforce it. Mr. Moser asked which Order of Conditions is still open. Mr. Doyle replied that the order they wanted to keep is the one that expired (DEP File # 316-0606). The order they want to move the condition from is still open (DEP File # 316-0581).

Motion made by Mr. Dufromont to extend DEP File # 316-0581 for one year, seconded by Mr. Moser. **Motion passed.**

Motion made by Mr. Dufromont to continue until the next meeting, seconded by Mr. Moser. **Motion passed.**

Commission Business

- Motion made by Mr. Moser to approve the meeting minutes from 8-17-2017 as corrected by e-mail, seconded by Mr. Donovan. **Motion passed.**

Correspondence

- There was none

Old Business

Mr. Doyle

- No updates

Mr. Dufromont

- No updates

Mr. Moser

- No updates

Mr. Donovan

- **Totten Pond Road:** Mr. Donovan noted that he does not need a site visit because he drives by every day. The engineer is working on the as-built.

Committee Reports

- **CPC:** No updates
- **Trust Fund:** No updates

Site visit reports

- **Bishops Forest:** Mr. Moser will draft a field report from the site visit.

New Business

- **Bentley University:** Mr. Dufromont noted that they would like to remove a bridge that is unsafe. They are coming in with an RDA. They will then come back when they are ready to rebuild it.
- **20 Cooper Street fire:** Mr. Dufromont will be contacting Paul Finger to make sure the site is secure. Mr. Doyle stated that the commission reacted very quickly to make sure that the water that was pouring into the river was cutoff and sealed. Initially, ConCom was not allowed on site. However, Mr. Dufromont spoke with the fire chief and stated that the commission needed to get in there to protect the river. The fire chief spoke with the fire marshal who granted permission on Monday to Paul Finger and his crews to get into that portion of the site and seal off the water that was pouring off the site and into the river. Mr. Doyle asked if any of the trees have been compromised on the site. Mr. Dufromont stated that is what he wants to find out when he speaks with Mr. Finger.

Motion made by Mr. Dufromont to adjourn, seconded by Mr. Donovan. **Motion passed.**

Meeting adjourned at 8:13 p.m.