



**Waltham Conservation Commission
October 5, 2017
Meeting Minutes**

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

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

Absent: None

Public Meeting (Continued from 9-7-2017)

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. Dufromont. All in favor. **Motion passed.**

Public Hearing (Continued from 9-7-2017)

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 table the public hearing, seconded by Mr. Baker. All in favor. **Motion passed.**

Public Hearing (Continued from 9-7-2017)

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 next meeting, seconded by Mr. Dufromont. All in favor. **Motion passed.**

Public Meeting

Request for Determination of Applicability

Applicants: ThuyDuong Moser and Robert Tombino

Property Location: 62 Hiawatha Avenue and 64 Hiawatha Avenue

Project Description: Cutting of a fallen tree and planting of a replacement tree.

Mr. Moser recused himself due to a conflict of interest.

Mr. Moser represented the applicants. He noted that a weeping willow tree was planted about 50 years ago at the shore of Hardy Pond. It lost some limbs over the years due to storm damage and the trunk became rotten. During a storm in July, it fell down. They had the remains cut up and removed. They are planning to plant a native replacement tree (black gum or black tupelo) in the spring.

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Mr. Dufromont asked if they are cutting the stump to the ground, having it ground out then planting the new tree next to it. Mr. Moser replied that it won't be ground out, but cut off a couple of inches off the ground. The new tree will be in his yard, about 10 feet from the existing tree.

Mr. Baker wants to make sure they put down plywood if they are using heavy machinery.

Mr. Moser clarified that the tree has already been removed and cut flush to the ground to get the yard cleaned up. The remnants of the broken stump were removed a couple of weeks ago.

Motion made by Mr. Donovan to issue a negative Determination of Applicability, seconded by Mr. Baker. All in favor.

Motion passed.

Public Meeting

Request for Determination of Applicability

Applicant: Bentley University

Property Location: 175 Forest Street

Project Description: Removal of wooden walking bridge (on the pond next to the president's residence).

Mr. Doyle recused himself due to a potential conflict of interest. Mr. Moser noted that he does work on buildings at Bentley, but his work does not involve the bridge. Mr. Dufromont asked if anyone had any objections to Mr. Moser remaining on the panel for this meeting and there were none. Mr. Moser proceeded to conduct the meeting.

Ryan Gaffey represented the applicant. He stated that the bridge is the walking bridge used by the public for pictures and fishing. It has deteriorated and fallen apart. They are looking for permission to take it down. They are leaving the piers in the ground and will come back to the commission in the future with plans to replace the bridge.

Mr. Dufromont asked that there will be no disturbance to the pond and that they are just taking off the planks. Mr. Gaffey confirmed this and noted that they don't want anyone walking on it because it has completely fallen apart. Mr. Baker asked if the pilings are sound and can be used in the future. Mr. Gaffey isn't sure at this time, but they just want to make it safe.

Mr. Donovan asked what the method of removal will be. Mr. Gaffey replied that it will all be done by hand and possibly a chainsaw, but no heavy machinery will be used.

Mr. Dufromont commented that he has seen the bridge and it is definitely unsafe.

Mr. Moser noted that if they go back to replace it, they will need to double-check to see if they need a Chapter 91 permit from the Army Corps of Engineers.

Motion made by Mr. Dufromont to issue a negative Determination of Applicability to remove the bridge located off Forest Street next to the president's home. The footings will stay in place and upon replacement, the applicant will come back before the commission to request it. Motion seconded by Mr. Donovan. All in favor. **Motion passed.**

Mr. Doyle returned to the meeting.

Public Meeting

Request for Certificate of Compliance (DEP File # 316-0664)

Applicant: Kenneth Sutton/Astra Zeneca

Property Location: 35 Gatehouse Drive

Christopher Wagner, VHB, represented the Applicant. Mr. Wagner stated that the Certificate of Compliance request is for a previous Notice of Intent that has expired. The previous project was for a couple of small maintenance projects. The main activity of the previous notice was a vegetative management plan and that was to remove some invasive species (Japanese knotweed and oriental bittersweet). They are seeking an after-the-fact Certificate of Compliance. There is a new Notice of Intent to reintroduce another invasives management plan.

Mr. Doyle was out to the site and noted that there are some invasive management that they need to continue cleaning up which was part of the original order. He stated that the site is well taken care of.

Mr. Dufromont asked about the area near the reservoir. He said there were a lot of dead trees near the wetlands and wanted to know if it was part of this project. Mr. Wagner confirmed that it was.

Mr. Moser asked if anyone else from the board would like a site visit. There were no requests.

Motion made by Mr. Doyle to issue a Certificate of Compliance. The project has been completed as designed and that the in perpetuity conditions remain in effect. Motion seconded by Mr. Dufromont. All in favor. **Motion passed.**

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Public Hearing

Notice of Intent (DEP File # 316-0730)

Applicant: Kenneth Sutton/Astra Zeneca

Property Location: 35 Gatehouse Drive

Project Description: Resurfacing the existing parking areas on the site and implementing an invasive species removal and control program.

Christopher Wagner, VHB, represented the Applicant. He stated that this second notice has a few maintenance projects and the invasives control plan. They are also proposing resurfacing an existing 50,000 sq. ft. parking lot. There is about 1250 sq. ft. which is in the 100' buffer zone, but there will be no increase in impervious surface area. On the opposite side of the site, they are proposing to replace a small section of an existing sidewalk. There will be no change to impervious surface, grades or drainage. Approximately 25 sq. ft. is within the 100' buffer zone of BVW. The invasives control plan would involve control of the two main species (Japanese knotweed and oriental bittersweet). Removal and control methods include cutting and spot treatment of herbicides where appropriate on a yearly basis. At the site visit, Chair Doyle suggested cutting the knotweed by hand wherever feasible. Since the first Notice of Intent, which was for a period of three years, wasn't able to fully control or eradicate the invasive species, they are asking for a five-year Order of Conditions which allows for a five-year treatment protocol for both of these species. The last activity that is proposed concerns an area where there was once a wildflower meadow that had become degraded and overgrown with weeds. It has been mowed down and the proposal is to till and reseed the area with a wildflower mix to recreate the meadow. Mr. Dufromont asked if they have reviewed the NOI with the Cambridge Water Department. Jocelyn Mayer, VHB, stated that Jamie O'Connell from Cambridge Water Department was on site for the site walk and issued a letter to the commission. One of her requests is to change the straw wattles to a compost sock.

Mr. Dufromont asked if they have phosphorus calculations for the site. Ms. Mayer asked if the commission has them on file from the previous Notice of Intent because they aren't increasing the impervious area. Mr. Dufromont replied that the commission probably doesn't because it wasn't an issue until about a year ago when Cambridge Water Dept. came in and made it an issue. Mr. Baker asked if the commission will be asking for some kind of monitoring samples to be taken periodically.

Mr. Moser noted that another project that is tributary to the reservoir was increasing the size of their parking lot in close proximity to the wetland and the stream. Because they were relying heavily on engineering solutions rather than letting the water run naturally into the ground, the commission asked them to monitor the water in the stream periodically. He doesn't feel he would ask the applicant to do that here since they aren't doing anything to increase phosphorus.

Mr. Wagner replied that if this is a five-year Order of Conditions, Astra Zeneca would come to the commission at the halfway point to arrange a site walk to review the progress and discuss how to move forward from there. The proposal calls for yearly monitoring by Astra Zeneca.

Mr. Baker asked about the meadowscaping. He said they can get rid of the invasives without spraying. Tilling isn't recommended either. By tilling, they reinvigorate the weed seeds.

Mr. Donovan clarified that all of the purple triangles on the plan are the locations where the invasives are. Mr. Wagner confirmed that those are the locations of the Japanese knotweed.

Mr. Moser asked about the herbicide treatment in the area that will be restored as the wildflower meadow. He noted that it is close to the intermittent stream. He would like something other than Roundup used. Mr. Wagner replied that in the NOI, any herbicide that is chosen will have to be approved by the commission before it's used.

Mr. Moser asked for more information on the parking lot (where do the catch basins drain to and are they milling and overlaying?). Ms. Mayer stated that the catch basins drain to the outfall to the detention basin. Astra Zeneca hasn't decided if they are going to mill and overlay or do a full depth reconstruction at this point.

Mr. Moser requested a site visit. One has been scheduled for Tuesday, Oct. 17th at 8:00 a.m.

Mr. Moser asked for comments/questions from the public. There were none.

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

Motion made by Mr. Doyle to take 1106 Trapelo Road off the table.

Public Hearing (Continued from 9-7-2017)
Notice of Intent (DEP File # 316-0728)
Applicant: Abad Surichaqui
Property Location: 1106 Trapelo Road
Project Description: Extend dining area.

Pery Huam represented the applicant. He stated that they found pictures on Zillow from when the house was for sale a few years ago. One picture shows that the ground was already flattened/regraded. After they bought the house, they came to the city twice to ask permission to do the driveway. They were told that to add asphalt, it required an engineered project to see where the water was going to drain to, but by putting in pavers, it wasn't necessary. They have come up with a proposal for the erosion control issue. They would like to use erosion control blankets or a geotextile mesh. It's been a few years since the slope was created and nothing has happened. They want to propose to use either erosion control as protection rather than build up a stone wall or removing the soil and creating more problems.

Mr. Huam noted that in the second picture, there were five trees. The one in the middle fell and knocked down a second tree and destroyed the deck. There were three trees left, and it was their mistake to remove them without telling the city. They would like to replant 6 - 8 pine trees along the property line.

Mr. Donovan stated that the ground grid material is meant for a horizontal application, whereas this is a vertical application. He is concerned that it would work for a flat surface, not a sloped area. The coconut erosion controls would have to be applied every three years. They also wouldn't be able to get down the bank to anchor it.

Mr. Baker asked about the slope. Mr. Moser stated that it's approximately a 45 degree slope and is actively eroding.

Mr. Baker recommended planting something as an erosion control rather than the applicant's proposed erosion controls.

Mr. Doyle noted that the gravel area slopes away from the river. He asked if they could rake back the slope to 2:1, add erosion controls, and plant the trees with some understory brush. If the commission could get a plan to show the updated slope with stabilization and where the new trees will be planted, it's something the commission may be able to rule on in a positive favor.

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

Public Meeting
Request for Certificate of Compliance (DEP File # 316-0685)
Applicant: Dan LeBlanc, LeBlanc Property Holdings, LLC
Property Location: 42 Felton Street

Commission members will do a drive-by before the next meeting.

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

Public Meeting (Continued from 9-7-2017)
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

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

Public Meeting
Order of Conditions Extension Request (DEP File # 316-0683)
Applicant: Glenn Burdett
Property Location: 118 Hardy Pond Road

Motion made by Mr. Dufromont to extend the Order of Conditions for two years, seconded by Mr. Doyle. All in favor.
Motion passed.

Commission Business

- Motion made by Mr. Doyle to approve the meeting minutes from 9-7-2017 and 9-21-2017, seconded by Mr. Donovan. All in favor. **Motion passed.**

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Correspondence

- **National Grid, 160 Newton Street:** The applicant submitted a letter addressing the conditions placed on their recent negative Determination of Applicability issued by ConCom.
- **475 Lexington Street:** Paul Finger submitted a letter stating they are putting an addition on a house which is outside the riverfront and any flood zones.

Old Business

Mr. Doyle

- No updates

Mr. Baker

- No updates

Mr. Dufromont

- No updates

Mr. Moser

- No updates

Mr. Donovan

- **Totten Pond Road project:** Mr. Donovan noted that the as-built hasn't been submitted to the commission yet and it shouldn't be taking this long. Mr. Moser suggested reaching out to Ian McKenzie, the engineer in charge of the project, requesting that he submit an as-built to ConCom by the next meeting (Oct. 19th) or have him advise the commission on when he will have it ready. Mr. Dufromont recommended asking for it by Oct. 19th, but no later than Nov. 2nd.

Committee Reports

- **CPC:** The Sons of Italy's request was approved at the last meeting.
- **Trust Fund:** Mr. Dufromont has no updates at this time.

Site visit reports

New Business

- Mr. Dufromont noted that Maureen Fowler may request to be put back on the Conservation Commission.
- Mr. Moser stated that the Conservation Commission currently has two openings and may have a third opening soon. There is an application on the city's website that you can look for and hope to be appointed by the mayor and approved by City Council. Any interested citizens can apply. You don't need to have specific expertise. You just need to be willing to learn and show up to the meetings.

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

Meeting adjourned at 8:22 p.m.