



**Waltham Conservation Commission
October 19, 2017
Meeting Minutes**

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

Attendees: Chairman Bill Doyle, Vice Chairman Philip Moser, Mike Donovan, Gerard Dufromont, Brad Baker (arrived at 7:02 p.m.)

Absent: None

Public Meeting (Continued from 10-5-2017)

Request for Certificate of Compliance (DEP File # 316-0685)

Applicant: Dan LeBlanc, LeBlanc Property Holdings, LLC

Property Location: 42 Felton Street

Bob Bibbo represented the applicant. Drainage meets Waltham's requirements and has been signed off by the city's Engineering Dept.

Motion made by Mr. Moser to issue a Certificate of Compliance, seconded by Mr. Dufromont. All in favor. **Motion passed.**

Public Hearing (Continued from 10-5-2017)

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. They are proposing to plant 17 pine trees on the property line. He presented the commission with an updated plan. Mr. Baker noted that on the paperwork, the trees are not pine, but are arborvitae. He recommended planting three different kinds of evergreens. Mr. Moser asked about the grading concerns and the steep slope. Mr. Huam stated they are waiting for the landscaper to come out. Mr. Moser stated that the previous trees looked like they were a mix of eastern white pine, cedar and oak. Mr. Baker asked what they are agreeing to in regards to the grade. Mr. Moser stated that the applicant was going to try to have the engineered plans show the regrading have the plans with a 2:1 slope. Mr. Baker recommended planting sassafras, willow, maples, arborvitae, cedar, low pine, along with the evergreens. Mr. Moser recommended the applicant choose three types from Mr. Baker's suggestions. Mr. Doyle suggested having the commission come out once the regrading has been completed and a mix of three types of 17 trees planted.

Mr. Doyle opened up questions from the public. There were none.

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

Motion made by Mr. Moser to issue a positive Order of Conditions with the following site-specific conditions: 1) plantings along the property line will include at least three different native tree species; 2) the previously disturbed portion of the steep bank in the backyard will be regraded to a 2:1 slope maximum. Motion seconded by Mr. Dufromont. All in favor.

Motion passed.

Public Hearing (Continued from 10-5-2017)

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

Joe Fournier, JFF Design Architects, and Mary Trudeau, botanist, represented the applicant. Mr. Fournier stated there was an existing covered porch and stairs off the rear in the area where they are proposing the addition. The work that

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was done prior to them being contacted was the installation of a footing drain and some grading. They are proposing an 18' x 14' open-air structure. A single-story addition of a four-season room. The increase in roof area is approx. 75 sq. ft. They are creating a leaching field to take care of the roof runoff. There was a considerably-sized pool that was back-filled with ½" – ¾" stone. Ms. Trudeau stated that she delineated the extent of the bordering vegetated wetlands which are within 100 feet of the work that was done without a permit as well as the work presented in the Notice of Intent. Almost the entire lot is within the FEMA designated 100-year AE flood plain. The work that was done without a permit included repair work to the footings and foundation of the existing dwelling. It was insulated with sheet insulation and a subdrain was installed. None of the work had any long term adverse impact on the wetlands resources because it was brought back to the existing grade. The Building Department issued a permit for the filling of the pool. This did not have an adverse effect on the wetlands. The work done on the pool increased the permeability of the property. They have proposed mitigation for the increased roof surface.

The footing at the rear wall of the proposed addition requires 123 cu. ft. of fill within the FEMA flood plain to construct the footing and foundation. The open area beneath the addition is available for flood storage.

They are proposing to over-excavate underneath the proposed addition and back-fill it with 3 inches of washed, crushed stone. They are also proposing some mitigation plantings: three viburnums and a shadbush. They are proposing to use a 12-in. filter sock filled with a wood compost product at the perimeter work line.

Mr. Moser noted that one of the commission's concerns was whether there was regrading. He asked if there are any survey data of the grading beforehand or does the commission have to rely on the photos. Ms. Trudeau replied that they have to rely on the photos. She noted that the edges of the yard had not been disturbed during construction and they match up very evenly with the existing grades. Mr. Moser asked if the leaching pit meets MA stormwater standards. Ms. Trudeau replied that it does, but they aren't required to comply with MA standards.

Mr. Baker stated that he hopes the displacement of the footings with the gravel is something they designed and not an afterthought. Ms. Trudeau noted that she got the idea from the Town of Westport, where there are homes in the floodzone with garages designed with breakaway gates that when the water puts pressure on them, they give way.

Mr. Doyle asked for the timeline and if they are going to get the project done and grass growing before the winter.

Mr. Fournier replied that they have been having some issues with the existing setbacks and they are working with the Building Dept. It depends on the outcome of that. Ms. Trudeau feels it will be difficult to get a stable lawn established at this point. Mr. Doyle suggested putting down some ryegrass for the winter.

Mr. Doyle opened up questions from the public. There were none.

It was decided to leave the hearing open until a file number has been assigned by DEP.

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

Development Prospectus

- 225 Wyman Street

Atty. Michael Connors noted that the property is located between Dassault Systemes and Vistaprint. The Vistaprint building was the first building built under the residential protection overlay district. They are coming as the second building in that overlay. The overlay allows the City Council to grant a special permit for a higher FAR than would typically be allowed in a limited commercial zone and district. There is work being done in the 100 ft. buffer. The Development Prospectus is to gather info for the City Council. They will be coming back with a Notice of Intent which is stated in the prospectus.

Motion made by Mr. Donovan for Mr. Doyle to sign the prospectus, seconded by Mr. Dufromont. All in favor.

Motion passed.

Motion made by Mr. Moser to resume business, seconded by Mr. Dufromont. All in favor. **Motion passed.**

Public Hearing (Continued from 10-5-2017)

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, and Jocelyn Mayer, VHB, represented the applicant. Mr. Wagner noted there were two items at the last hearing the commission asked them to address. The first was a TMDL statement that Ms. Mayer submitted to the commission earlier this week. The other item was discussed at the site walk re: the work that would be happening in the parking lot and the invasives management plan.

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Mr. Dufromont confirmed that they are requesting a five-year Order of Conditions. He stated that for the wildflower meadow, there will be no fertilizer used.

Mr. Wagner would like to ask for an extension on the date of the wildflower garden seeding since the proposed start date listed in the Notice of Intent of Oct. 15th has passed.

Mr. Moser would like to add the condition that herbicides will not be used on the wildflower meadow. It will be only used for the invasives. Mr. Baker asked what their success rate is for using chemicals on the knotweed. Paul Joyce noted that they have had a 100% success rate after tackling it for a few years.

Mr. Doyle asked about the parking area. Mr. Dufromont replied that it is going to be ground down 1 ½ inches, removed, then resurfaced. Mr. Doyle asked if the paving will be this fall. Mr. Joyce replied that it may be done in the spring.

Mr. Doyle requested that they contact the commission when work is about to start.

Mr. Doyle asked if there were any comments from the public. There were none.

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

Motion made by Mr. Moser to issue a positive Order of Conditions with the following site-specific conditions: 1) Seeding the wildflower meadow after Oct. 15th is acceptable; 2) The use of herbicides to prepare the lawn area to become a wildflower meadow is not acceptable. The herbicides should only be used on invasives; 3) A report/appearance at 2 - 2 ½ years of how things are going and the idea that the Order of Conditions would extend without requiring an approval for five years; 4) Notify the commission before work begins. Motion seconded by Dufromont. All in favor. **Motion passed.**

Public Meeting

Request for Determination of Applicability

Applicant: Waltham School Department

Property Location: Leary Field, 155 Bacon Street

Project Description: Build three walls and a roof over the existing team benches to enclose the dugouts.

Paul Finger represented the applicant. He noted that they want to build formal dugouts at the baseball field at Leary Field. They want to construct an 8" concrete block wall on three sides and a roof over it that slopes down. The Engineering Dept. has signed off on the project. There is no I and I required. The entire field is in the 100-year floodplain. The addition of the three walls has no impact on the floodplain. When they rebuilt Leary Field, they created a compensatory flood storage and had excess storage in that area. Mr. Donovan suggested that when they modify the foundations, they should maintain the drip strip in the back to prevent erosion. Mr. Finger replied that it is a requirement of the Engineering Dept. Mr. Moser asked if the existing concrete pad and bench will remain. Mr. Finger stated that they will remain. They are going to auger the footings and put in a concrete beam.

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

Motion passed.

Informal Discussion

- 155 Copeland Street

Wendy Ricci and her father Don Lemonde stated that they have already gone through the Engineering and Building Dept. permit process. They are getting ready to install the erosion controls and asked if they could lay pea stone down with the silt fencing and hay bales without staking the fence to avoid disturbing the tree root system. Mr. Doyle stated that they came before the commission with an RDA and were issued a negative determination. The homeowner was advised to call the commission once the system is installed. Someone will stop by to take a look. The homeowner does not need to be present.

Public Meeting (Continued from 10-5-2017)

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

Public Meeting (Continued from 10-5-2017)

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. Discussion of the motion: Mr. Moser stated that the erosion controls and curbs have been in disarray for the past nine months and now they are looking to go through another winter that way. The commission will issue a letter to the applicant requesting that they tighten up the area before the winter. Motion seconded by Mr. Donovan. All in favor. **Motion passed.**

Commission Business

- Motion made by Mr. Donovan to approve the meeting minutes from 10-5-2017, seconded by Mr. Baker. All in favor. **Motion passed.**

Correspondence

- **Storer Conservation Land:** Mr. Dufromont stated that the commission received a letter from Russ Malone, City Clerk. The City Council is suggesting building the new high school on the Storer Estate property. The Storer Estate is protected property. There is property off of Jack's Way that was once owned by the Storer property and it was sold to the Coleman and Stanton family. They found that they couldn't build on the property so they sold it back to the city under a friendly eminent domain. There is 25.4 acres of property. Mr. Dufromont clarified that this is the property the City Council is talking about, not the Storer property. Mr. Donovan noted that at the previous night's School Committee meeting the mayor presented the information that there are restrictions on the Coleman-Stanton property and it has similar/almost identical restrictions as the Storer/Paine Estate. Mr. Doyle noted that there is nothing for the commission to react to at this point.
- **61 Crescent Street:** Mr. Doyle stated that this is the apartment building that has a wall falling down at the river. An Order of Conditions was issued several years ago. One of the conditions was to get approval from DCR to rebuild the wall. The applicant has received the permit from DCR to do the work. A letter will be sent to the applicant thanking him for the information, the final condition has been met and he is approved to move forward with the project. The applicant needs to also notify the commission before construction begins.

Old Business

Mr. Doyle

- No updates

Mr. Baker

- **Paine Estate:** Mr. Baker pulled up the tarps that were suffocating the poison ivy. It did smother all of the poison ivy, but it did not completely smother the black swallow-wort vine. It was coming up from underneath the tarps. Once he took the tarps off, all of the little tendrils died from the sunlight within one day. Mr. Baker will be cutting more wisteria tomorrow.

Mr. Dufromont

- No updates

Mr. Moser

- No updates

Mr. Donovan

- **Totten Pond Road Water Main Repair Project:** The commission received a response from Steve Casazza, City Engineer, stating that they usually generate as-builts in the off-construction season in the winter. The commission should expect a copy of the as-built by spring 2018.

New Business

- Mr. Moser noted that the Hardy Pond annual clean-up is next Saturday, Oct. 28th from 10:00 a.m. – 12:30 p.m. Volunteers will meet at Lazazzero Park.

Motion to adjourn made by Mr. Moser, seconded by Mr. Baker. All in favor. **Motion passed.**

Meeting adjourned at 8:50 p.m.

Approved 11-2-2017