

Waltham City Council
Minutes of Executive Session-Anticipated Litigation
January 27, 2020

President Brasco called the Executive Session to order at 10:41 p.m.

Present: Councillors Darcy, Dunn, Durkee, Harris, LaCava, LaFauci, LeBlanc, Mackin, McLaughlin, McMenimen, O'Brien, Paz, Stanley, Vidal and Brasco.

Absent: None.

Also present: Mayor Jeannette A. McCarthy, City Solicitor John Cervone, Assistant City Solicitor, Patricia Azadi and City Clerk, Robert Waddick.

City Solicitor Cervone explained that all electrical devices need to be turned off in executive session. Assistant City Solicitor Azadi explained that the information discussed in an executive session cannot be discussed outside of the executive session with private citizens.

Mayor McCarthy handed out two documents. The first document was a letter from John D. Viola, Deputy Regional Director of the Department of Environmental Protection, to Kathleen A. Theoharides, Secretary, Executive Office of Energy and Environmental Affairs, dated November 26, 2019. Said document is attached hereto as Exhibit A. The second document, entitled "CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS ON THE ENVIRONMENTAL NOTIFICATION FORM," dated December 6, 2019, is attached hereto as Exhibit B.

Mayor McCarthy discussed the contents of the documents and referenced a meeting with the Department of Environmental Protection (the "DEP") at which the wetlands and stream on the 554 Lexington Street property and the wetlands replication that would be required were discussed.

The Mayor handed out and discussed a third document which she described as a map of a preferred alternative. It is attached hereto as Exhibit C. The Mayor then handed out a fourth document which she described as a map of an alternative that the DEP wants the City to review. It is attached hereto as Exhibit D.

The Mayor commented on the alternative depicted on the map attached as Exhibit D and stated that the alternative would require additional blasting and the additional removal of trees.

The Mayor explained that the high school project could be modified to avoid the impact on the wetlands by shifting a portion of the project onto the city-owned land known as Jericho Hill. The Mayor indicated that the Jericho Hill site is not restricted or subject to Article 97. The Mayor stated that she was not looking for a vote from the Council at the meeting but wanted the Council to consider the matter and that she would be back at a future meeting. The Mayor stated that she was proposing that the Council transfer care, custody and control of the Jericho Hill site to the School Committee.

Councillor McLaughlin moved to permit the Council to meet beyond midnight. A vote on the motion was taken by a call of the roll.

In Favor: Darcy, Dunn, Durkee, Harris, LaCava, LaFauci, LeBlanc, Mackin, McLaughlin, McMenimen, O'Brien, Paz, Stanley and Vidal.

Opposed: None.

Absent: None.

Presiding: Brasco.

The motion was approved 14-0.

City Solicitor Cervone spoke about a meeting that had occurred on the 554 Lexington Street site with neighbors and technical people.

The Mayor indicated that the City would be looking to hire outside environmental counsel and that the City would be responding to the December 6, 2019 document (Exhibit B) within the coming months.

Councillors Stanley, LeBlanc, Darcy, Harris, LaCava, McMenimen, McLaughlin and Durkee asked questions of the Mayor to which she responded.

President Brasco asked if there were additional questions. There being none, Councillor McLaughlin moved to adjourn. A vote on the motion to adjourn was taken by a call of the roll.

In Favor: Darcy, Dunn, Durkee, Harris, LaCava, LaFauci, LeBlanc, Mackin, McLaughlin, McMenimen, O'Brien, Paz, Stanley and Vidal.

Opposed: None.

Absent: None.

Presiding: Brasco.

The motion was approved 14-0.

President Brasco declared the Executive Session adjourned at 12:02 a.m. on January 28, 2020 and the Council returned to open session.

Respectfully submitted,
Robert J. Waddick,
City Clerk
January 31, 2020

Vote to Approve Minutes: 2/10/2020

Vote to Release Minutes 9/13/2021: 9/14/2021

Ex. Session

Waltham City Council
Roll Call

Item: Motion to go beyond midnight

Date: 1/27/2020

Yea Nay Abstained Absent

City Council

George A. Darcy III	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Caren Dunn	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Sean T. Durkee	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Cathyann Harris	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Joseph P. LaCava	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Anthony LaFauci	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Randy J. LeBlanc	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Kristine A. Mackin	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
John J. McLaughlin	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Kathleen B. McMenimen	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Patrick J. O'Brien	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Jonathan Paz	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Thomas M. Stanley	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Carlos A. Vidal	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Paul J. Brasco	<u> </u>	<u> </u>	<u> </u>	<u> </u>
President	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Totals (15)	<u>14</u>	<u> </u>	<u> </u>	<u> </u>

Waltham City Council
Roll Call

Item: MOTION TO ADJOURN EX. SESSION - Anticipated
Litigation

Date: 1/27/2020

Yea Nay Abstained Absent

City Council

George A. Darcy III

✓ _____ _____ _____

Caren Dunn

✓ _____ _____ _____

Sean T. Durkee

✓ _____ _____ _____

Cathyann Harris

✓ _____ _____ _____

Joseph P. LaCava

✓ _____ _____ _____

Anthony LaFauci

✓ _____ _____ _____

Randy J. LeBlanc

✓ _____ _____ _____

Kristine A. Mackin

✓ _____ _____ _____

John J. McLaughlin

✓ _____ _____ _____

Kathleen B. McMenimen

✓ _____ _____ _____

Patrick J. O'Brien

✓ _____ _____ _____

Jonathan Paz

✓ _____ _____ _____

Thomas M. Stanley

✓ _____ _____ _____

Carlos A. Vidal

✓ _____ _____ _____

Paul J. Brasco

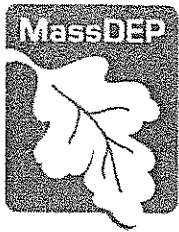
President

_____ _____ _____ _____

Totals (15)

14 Ø _____ _____

EXHIBIT A



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Northeast Regional Office • 205B Lowell Street, Wilmington MA 01887 • 978-694-3200

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Kathleen A. Theoharides
Secretary

Martin Suuberg
Commissioner

November 26, 2019

Kathleen A. Theoharides, Secretary
Executive Office of
Energy & Environmental Affairs
100 Cambridge Street
Boston MA, 02114

RE: Waltham
Waltham High School
554 Lexington Street
EEA # 16097

Attn: MEPA Unit

Dear Secretary Theoharides:

The Massachusetts Department of Environmental Protection Northeast Regional Office (MassDEP-NERO) has reviewed the Environmental Notification Form (ENF) submitted by SMMA on behalf of the City of Waltham for the proposed new construction of the Waltham High School located on a 46-acre site in Waltham. MassDEP provides the following comments.

Wetlands

According to the supplemental information that was submitted for this ENF, the preferred alternative for the project proposes to permanently alter approximately 1,680 linear feet of Bank of an intermittent stream and 4,670 square feet of Bordering Vegetated Wetlands (BVW). These resource area alterations are associated with the relocation of the existing intermittent stream and the resulting removal of hydrology from the existing BVW located along the stream. The ENF states that replication of 1,880 l.f. of Bank and 4,670 s.f. of BVW will be provided. The stream is proposed to be moved in order to accommodate the construction of a new school and associated site features, including parking areas and an athletic field.

The 1,680 l.f. of Bank impacts include a 270-linear foot distance which has been altered by a brush and debris pile which has disconnected surface flow. The ENF presumes that the flow continues through this fill material, located between flags A30-1 and B22-B23. For the purpose of this ENF, the channel associated with the intermittent stream within this section was presumed to be continuous.

MassDEP is currently reviewing an appeal of the Waltham Conservation Commission's Order of Resource Area Delineation (ORAD). During its review, MassDEP became aware that there is an approximately 520 s.f. area of BVW located under the debris pile. The ENF Supplemental Information has incorporated this increase in BVW into the impact number.

Other alternatives have been described in the ENF which decrease wetland impacts. While these alternatives may have larger alterations to upland areas and require increased blasting and site work, they should still be considered if they avoid significant impacts to Bank and BVW. For example, Alternative 5, which has no direct impact to Bank or BVW, should be further explored. In addition, the ENF discusses the possibility of using the existing Waltham High School site but appears to discard it as a viable option. Although the City has focused on moving the high school to a new location, the alternatives analysis should include both Alternative 5 and the existing High School site.

Figure 5.2 – Proposed Alteration & Replication shows the proposed replicated Intermittent Stream and Bank located in the northerly portion of the site. The BVW replication areas are located along the length of the proposed stream channel. The proposed channel appears to turn approximately 45 degrees at the terminal end of the stream prior to entering an underground drainage system. The proposed 45-degree turn is likely to fail during times of seasonal high flow without significant armoring. The replicated stream should be redesigned with a more natural flow path. MassDEP does not encourage the relocation of streams due to the difficulty and complexity of success.

Under the preferred alternative, approximately 4,670-square feet of BVW will be altered and approximately 4,670-square feet of BVW replication is proposed. MassDEP will require a larger area of BVW replication to be provided in order to provide a margin for failure in the replication area. A BVW replication plan showing final grading, a hydrological analysis, and a planting plan will be required as part of a NOI filing. In addition, a Wildlife Habitat Evaluation for any of the alternatives which include the alteration of Bank and a stormwater management plan will also be required.

The MassDEP appreciates the opportunity to comment on this proposed project. Please contact Rachel.Freed@mass.gov at (978) 694-3258 for further information on the wetland issues. If you have any general questions regarding these comments, please contact me at John.D.Viola@mass.gov or at (978) 694-3304.

Sincerely,

This final document copy is being provided to you electronically by the Department of Environmental Protection. A signed copy of this document is on file at the DEP office listed on the letterhead.

John D. Viola
Deputy Regional Director

cc: Brona Simon, Massachusetts Historical Commission
Eric Worrall, Rachel Freed, MassDEP-NERO

EXHIBIT B



The Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

Charles D. Baker
GOVERNOR

Karyn E. Polito
LIEUTENANT GOVERNOR

Kathleen A. Theoharides
SECRETARY

Tel: (617) 626-1000
Fax: (617) 626-1181
<http://www.mass.gov/eca>

December 6, 2019

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
ON THE
ENVIRONMENTAL NOTIFICATION FORM

PROJECT NAME : Waltham High School
PROJECT MUNICIPALITY : Waltham
PROJECT WATERSHED : Charles River
EEA NUMBER : 16097
PROJECT PROPONENT : City of Waltham
DATE NOTICED IN MONITOR : September 25, 2019

Pursuant to the Massachusetts Environmental Policy Act (MEPA; M.G. L. c. 30, ss. 61-62I) and Section 11.06 of the MEPA regulations (301 CMR 11.00), I have reviewed the Environmental Notification Form (ENF), comments submitted on it, and have carefully considered whether an Environmental Impact Report (EIR) is warranted. I have determined that the project **requires** an EIR. The MEPA process requires public disclosure of a project's environmental impacts as well as the measures that the Proponent will undertake to mitigate these impacts. Based on consultation with the Massachusetts Department of Environmental Protection (MassDEP) and review of comment letters, I have determined that additional information and analysis is required to evaluate less impactful alternatives; assess potential environmental impacts; and identify potential mitigation measures to ensure that the project is designed to avoid, minimize, and mitigate Damage to the Environment to the maximum extent feasible.

Project Description

As described in the ENF, the project includes the demolition of existing structures and construction of a new high school building (414,850 gross square feet (sf)) with associated site work, utilities, above- and below-ground parking, on-site access roadways, stormwater

infrastructure, and an athletic field. The project is proposed to meet the full programmatic requirements for a 1,830-student, 9th-through-12th-grade high school. The project includes significant earthwork to achieve final design grades of the project, including significant bedrock excavation using controlled blasting techniques. An early site preparation phase will include clearing, earthwork, blasting, grading, and preparation for the building construction followed by construction of the building.

According to the ENF, the existing 388,000-sf Waltham High School was constructed in 1968 and it does not meet current building, accessibility, and safety standards, nor does it accommodate educational programming needs and increases in student population. The ENF indicated that the existing high school will risk losing its accreditation in 2027 without significant investment in the building or the construction of a new high school. The ENF described the City's future needs related to the growing student population. The City is in need of additional space for either a Kindergarten through 8th grade school or a middle school to relieve existing congestion. Following construction of the new high school, the district will evaluate options for repurposing the existing high school to meet these needs. Renovation of the existing high school is not anticipated to commence within the next five years. According to the ENF, renovation of the existing high school building is likely to result in a reduction of impervious area compared to existing conditions due to a smaller school population and reduced parking demands.

Project Site

The approximately 46.5-acre project site is comprised of three parcels located at 554 Lexington Street in Waltham. The site is generally bounded by undeveloped land to the west, residential areas to the north and south, and Lexington Street and residences to the east. The site was previously owned by the Stigmatine Fathers Inc. Trust and contains buildings associated with the Espousal Retreat House and Conference Center which will be demolished as part of the project. Existing development is located on the southern portion of the site. The remainder of the site is undeveloped and contains areas of relatively steep slopes. Topography ranges from an elevation of 106 ft at Lexington Street to 286 ft at the highest portion of the site near the northern property line. Site access is provided via a single driveway from Lexington Street.

An intermittent stream runs north to south through the center of the site and has associated areas of Bordering Vegetated Wetlands (BVW). The stream extends from a high point in the north central portion of the site to a point in the middle of the site where the stream enters underground piping that extends off the site and under Lexington Street to Chester Brook. The project site is not located in Priority and/or Estimated Habitat as mapped by the Division of Fisheries and Wildlife's (DFW) Natural Heritage and Endangered Species Program (NHESP) or an Area of Critical Environmental Concern (ACEC). The project site contains one building that is listed in the Massachusetts Historical Commission's (MHC) Inventory of Historic and Archaeological Assets of the Commonwealth and is identified as MHC ID# WLT.138. The ENF contained correspondence from MHC dated February 19, 2019 which acknowledged the building would be demolished and indicated that no further MHC review is required for the project.

Environmental Impacts and Mitigation

As described in the ENF, potential environmental impacts include: alteration of 12.95 acres of land (including creation of 9.72 acres of impervious area), generation of 1,491 total average daily vehicle trips (adt), and an increase in water demand and wastewater generation of 30,550 gallons per day (gpd) and 26,568 gpd (respectively). The project will also permanently impact Bank (1,680 linear feet (lf)) and BVW (4,670 sf).

Measures to avoid, minimize, and mitigate environmental impacts include: an upgraded stormwater management system, BVW and stream replication, traffic signalization and roadway improvements, and implementation of energy efficient building systems and features.

Jurisdiction and Permitting

The project is undergoing MEPA review and requires preparation of an ENF pursuant to Sections 11.03(1)(b)(2), 11.03(3)(b)(1)(b), 11.03(6)(b)(14), and 11.03(6)(b)(15) of the MEPA regulations because it requires a State Agency Action and will result in the following: creation of five or more acres of impervious area; alteration of 500 or more linear feet of bank along an inland bank; generation of 1,000 or more New adt on roadways providing access to a single location and construction of 150 or more New parking spaces at a single location¹; and construction of 300 or more New parking spaces at a single location (respectively). The project will receive Financial Assistance from the Massachusetts School Building Authority (MSBA).

The project requires an Order of Conditions from the Waltham Conservation Commission (or in the case of an appeal, a Superseding Order of Conditions from MassDEP). It also requires a National Pollutant Discharge Elimination System (NPDES) Construction General Permit from the U.S. Environmental Protection Agency (EPA).

Because the project will receive Financial Assistance, MEPA jurisdiction for this project is broad and extends to all aspects of the project that are likely, directly or indirectly, to cause Damage to the Environment as defined in the MEPA regulations.

Review of the ENF

The ENF provided a description of existing and proposed conditions, a discussion of project alternatives, preliminary project plans, and identified measures to avoid, minimize and mitigate project impacts. During the MEPA review period, the City indicated that the Fire Chief and Police Chief have requested a secondary site access road for emergency vehicles. Additionally, MassDEP performed site inspections to inform the issuance of a Superseding Order of Resource Area Delineation (ORAD) which identified additional BVW on-site. To address these issues, the City's consultant provided supplemental information to the distribution list on November 5, 2019 regarding wetland resource areas and impacts, alternatives to reduce

¹ The project may not meet/exceed this threshold. The project will generate 1,491 total trips, after taking credit for trips associated with the existing site use which will be eliminated (429 trips) and including redistributed trips associated with the existing high school (1,197 trips) and new trips associated with the increase in the student population (723 trips).

wetland impacts, and the potential for 10-ft wide secondary access road for emergency vehicles. For the purposes of this Certificate, this supplemental information and the original filing materials are referred to as the ENF. An extension of the period (to November 26, 2019) was granted at the request of the City.

Comments from abutters identify concerns with impacts to groundwater, wetlands, loss of wildlife habitat, and traffic/congestion. Comments from Superintendent George Frost, residents, and a citizen's group support the project, note the public outreach efforts that have occurred, and highlight the need for a new facility to avoid having the existing high school lose its accreditation.

Alternatives Analysis

The City evaluated thirteen potential locations for the project, including nine properties owned by the City and four privately owned properties. Each location was evaluated against criteria established by the Waltham School Committee, including: site's ability to fully deliver on the education plan for a new high school; provision of adequate space to provide for the school, 650 parking spaces, room for future expansion, and athletic fields; minimize disruption to the student experiences; and provide possible solutions to the Kindergarten through 8th grade capacity needs, space for a central office, parent information center, and dual language school. According to the ENF, impacts to residential abutters, environmental impacts, compliance with accessibility requirements, and the ability to provide safe and efficient vehicular access were also considered. As a result of this analysis, the following three sites were selected for further evaluation: Existing High School Site (addition/renovation of existing and construction of new school), Fernald Site, and 554 Lexington Street (Preferred Alternative). The ENF described each of the three sites, provided conceptual site plans, and included a summary of each alternative's potential environmental impacts, consistency with siting criteria, traffic/transportation impacts, and wetland impacts. According to the ENF, construction of a new building or addition/renovation at the site of the existing high school was eliminated due to site constraints; impacts to students during construction and challenges with operating a school during construction; increased clearing near abutting conservation land; and it would not provide a solution for the additional kindergarten through 8th grade school needed in the district. The Fernald Site was ultimately dismissed due to increased traffic impacts, site contamination, and impacts to historic structures. As a result of this evaluation, 554 Lexington Street was selected as the preferred site for the new school.

Once the site was selected, the City evaluated two alternative configurations of the high school (Option A and B). Option A located the school closer to the front of the site (near Lexington Street) within the portion of the site that is already developed; Option B located the school further into the project site. To provide additional context, the ENF also conceptually evaluated two alternative uses for the site, including a residential development (10 single family homes) allowed by-right under current zoning and a multi-family residential development (502 units) that was previously contemplated for the site. According to the ENF, Option A requires a lower building elevation to provide an accessible route to the school, which results in deeper cuts into the bedrock and increased rock removal. This option also minimizes the open space in front of the school. Option B allows for increased setbacks from Lexington Street and a higher finished floor elevation of the school. According to the ENF, Option B was selected as the

Preferred Alternative and the following measures were incorporated to further reduce impacts: removal of tennis courts, reconfiguring and reducing the athletic field, and raising building elevation to reduce excavation.

During MEPA review, the City's consultant provided additional information which evaluated additional site layout alternatives with a specific focus on reducing impacts to the intermittent stream and BVW. These alternatives include: Alternative 1 (No-Build), Alternative 2 (Preferred Alternative, as described herein), Alternative 3 (Daylight Stream Replication), Alternative 4 (Replication Between Separated Developed Areas), and Alternative 5 (No Impact Alternative). Alternative 3 has the same site plan as the Preferred Alternative, however the existing intermittent stream would be left undisturbed on the north side of the project site and runoff from this area would be piped to a landscaped area within the central portion of the site where it would be daylighted and replicated. BVW replication would be provided adjacent to the intermittent stream on the north side of the site. Alternative 4 locates the athletic field and parking area further to the northeast to allow the intermittent stream to be replicated in the center of the site and then rerouted and piped through a portion of the site under Lexington Street. Alternative 5 locates the athletic field and school building in opposite directions away from the center of the site to preserve the intermittent stream and BVW. The environmental impacts of these alternatives are summarized in the table below.

Alternative	Altered Bank (lf)	Altered BVW (sf)	Stream Tributary Area (ac)	New Land Alteration (ac)	New Impervious Area (ac)	Estimated Rock Removal (cy)	Length of Rock Walls (lf)
1 (No-Build)	0	0	20.39	0	0	0	0
2 (Preferred Alternative)	1,680	4,670	17.36	12.95	9.72	780,000	2,215
3	1,200	4,670	17.80	12.60	9.72	780,000	2,215
4	1,040	4,670	17.60	14.80	9.99	985,000	3,460
5	0	0	18.50	14.75	13.8	930,000	3,430

The supplemental information identified the pros and cons of each alternative. The supplemental information asserted that the Preferred Alternative remains the best alternative for the project after careful consideration of the environmental and other project considerations. The information indicated the Preferred Alternative was selected based on the following criteria: fulfills the goals of the project and educational needs for the children of Waltham; the upgradient replication area can be constructed at the beginning of the project; provides integrated design between the building, exterior amenities, athletic field and parking area; and provides 450 underground parking spaces beneath the field to reduce impervious area and reduce stormwater runoff. Additionally, it has less land alteration, earthwork/blasting, removal of blast material, and increased buffer to residential abutters than alternatives 4 and 5 and slightly more or the same as Alternative 3. I refer the City to comments from MassDEP, which request additional consideration of alternatives that avoid significant impacts to Bank or BVW even if they result in increased impacts to upland areas or require increased blasting. Additional analysis of alternatives is required in the Scope of the DEIR.

Land

The project will alter 12.95 acres of land. The ENF identified revisions to previous designs of the proposed high school building that were incorporated into the project to reduce land alteration, including: removal of the tennis courts, reconfiguration of the athletic fields, construction of below-grade parking, and designing the building to work with existing topography. The site contains steep topography and will require a significant amount of grading and blasting, creation of a rock wall cut face, and removal of 780,000 cubic yards (cy) of material from the site. The project will create 9.72 acres of impervious area (14.3 total acres). According to the ENF, impervious area has been reduced through the use of porous pavers and below-ground parking.

As noted above, the Fire Chief and Police Chief have requested a secondary site access road for emergency vehicles and the City has indicated that it would be willing to modify the project to include the secondary access. The ENF indicated that the only viable alternative for providing secondary access without acquisition of additional land is a route through two abutting parcels owned by the City (Jericho Hill – 6 acres and Sanderson Heights – 26 acres). These parcels are currently undeveloped and contain walking paths. The ENF provided a conceptual figure of the emergency access drive and indicated it would be approximately 10-ft wide and comprised of gravel or porous reinforced base element. The ENF did not provide a description of existing conditions at these parcels and indicated that additional site investigations would need to occur should the City wish to proceed with this access, including topographic survey, wetland delineation, and geotechnical investigation. The ENF did not identify whether these parcels are protected in accordance with Article 97 of the Amendments to the Constitution of the Commonwealth (Article 97).

Wetlands/Stormwater

The project will impact 1,680 lf of Bank associated with an intermittent stream and 4,670 sf of BVW.² These impacts are associated with the relocation of the intermittent stream and filling/grading the associated BVW. The ENF indicated that alteration of these resource areas is necessary to address site topography and significant slopes. It did not address the project's compliance with relevant performance standards. Bedrock excavation using controlled blasting techniques will be used to achieve design elevations. The project will divert the intermittent stream around the main construction area and proposed school building. This will decrease the stream's contributing watershed by fifteen-percent compared to the current watershed. The ENF did not address the impact this may have on wetland hydrology. To mitigate impacts to Bank and BVW, the project will create a replicated intermittent stream with 1,880 lf of Bank and 4,670 sf of BVW area in the northerly portion of the site. I refer the City to comments from MassDEP which note they do not encourage the relocation of streams because the potential for failure of the constructed stream is high and may cause additional impacts unless designed appropriately.

² The ENF originally indicated the project would impact 1,680 lf of intermittent stream and 4,150 sf of BVW. During the MEPA review period, MassDEP performed site investigations to inform their issuance of a Superseding ORAD. The investigations identified a 520 sf area of BVW which increased BVW impacts to 4,670 sf. The Superseding ORAD has not been issued yet.

MassDEP also indicated that additional BVW replication may be required. Their comments also request additional evaluation of alternatives which will decrease wetland impacts.

The project will create 9.72 acres of impervious area (14.3 total acres). According to the ENF, the stormwater management system will be designed with limited infiltration capacities due to high groundwater and shallow depth to bedrock. The project is considered redevelopment for the purposes of applying the Stormwater Management Standards (SMS). The ENF indicated the stormwater management system will comply with the SMS to the maximum extent practicable and will include: hooded deep sump catch basins, bioretention swales with pretreatment, hydrodynamic separators, and two subsurface infiltration systems. The ENF did not identify how the project will comply with a Total Maximum Daily Load (TMDL) for nutrients in the Upper/Middle Charles River. Additional information on TMDL compliance and low impact development (LID) measures is required in the DEIR.

Traffic/Transportation

The ENF included a Traffic Impact Analysis (TIA) (Appendix C) which described traffic volumes and conditions, anticipated trip generation rates, crash data, and levels-of-service (LOS) operations at signalized and unsignalized intersections during No-Build, 2024 No-Build, and 2024 Build Conditions. The future Build and No-Build Conditions incorporated the City's proposed improvements at the intersection of Lexington Street, Totten Pond Road, and Bacon Street. The study area included five Lexington Street intersections and the unsignalized intersection of Forest Street and Woodcliff Drive. All study area intersections and roadways are under local jurisdiction. The project will construct two driveways off Lexington Street; an entrance-only driveway at the location of the existing site driveway, and an exit-only driveway located to the south. The project will increase trip generation by 723 new adt for a total of 1,491 adt, when accounting for the redistributed trips associated with the existing high school and taking credit for existing trips associated with the current on-site use. Due to the proximity of the middle school to the project site, the TIA also identified the trip generation associated with the middle school that may occupy the existing high school. The middle school will generate 377 new trips in the morning peak hour and 228 trips in the evening peak hour. The TIA did not identify the number of daily trips that would be generated by the middle school.

The TIA indicated that the certain turn movements at signalized and unsignalized intersections will degrade to unacceptable LOS (i.e., LOS E or F) between the 2024 No-Build and the 2024-Build Condition or, if already operating at LOS E or F, will experience increased delays and queue lengths. Notably, the project will result in significant delays at the proposed school driveways on Lexington Street. To mitigate project-related transportation impacts, the City will signalize the site's driveway intersections with Lexington Street and will add turning lanes on Lexington Street. The project will eliminate exclusive bike lanes on Lexington Street to accommodate the addition of turning lanes. The ENF did not evaluate whether the bike lanes could be retained through additional roadway widening. I refer the City to joint comments from MassBike and WalkBoston which identify safety concerns regarding this change and the increase in design speed along Lexington Street. The new traffic signals will improve the LOS on the northbound and westbound approaches during the morning peak hour and westbound approach during the evening peak hour. It will increase delays on the southbound approach of Lexington

Street. I note many comment letters identified concerns with increased congestion on Lexington Street and referenced a report to the Waltham Traffic Commission which indicated the project will significantly increase traffic on Lexington Street to a point where it may exceed the street's capacity. The TIA evaluated other measures which could be implemented to improve operations on the Woodcliff Drive and Forest Street approaches, and at the Lexington Street/Lake Street/Bishops Forest Drive and Lexington Street/Existing School Exit Only Driveway intersections. It is unclear whether these measures are proposed as part of this project. This should be clarified in the DEIR. Additionally, I encourage the City to implement these and/or additional measures, including adaptive signal control technologies along the Lexington Street corridor, to reduce congestion and improve traffic operations in this area.

Greenhouse Gas Emissions

In accordance with MSBA policies, the project will implement sustainable design and energy conservation measures and will be designed to be certifiable at the silver level under the United States Green Building Council's Leadership in Energy and Environmental Design (LEED) program. The project is also required by MSBA to exceed the energy efficiency requirements of the Massachusetts Building Code by at least 10%, which is consistent with the Stretch Energy Code (SC) requirements adopted by the City of Waltham. The SC increases the energy efficiency code requirements for new construction (both residential and commercial) and for major residential renovations or additions in municipalities that adopt it. According to the ENF, the Town intends to design the project to exceed the energy efficiency requirements of the Building Code by at least 20%, which will make it eligible for an additional reimbursement from the MSBA. Measures incorporated into the project to reduce energy consumption and GHG emissions, include: high-efficiency air cooled chiller, high-efficiency condensing boiler, high-efficiency domestic water heaters, high performance building envelope with increased roof and wall insulation and improved glazing, construction of a solar photovoltaic (PV) ready rooftop and PV canopy ready parking area, and energy efficient interior and exterior lighting.

Water Supply/Wastewater

According to the ENF, the project will increase water use and wastewater generation by 30,550 gpd (47,000 total gpd) and 26,568 gpd (41,460 total gpd), respectively. The project will connect to the City's water and sewer infrastructure. The ENF indicated the existing water main in Lexington Street is in need of replacement. The project will install 4,900 lf of new water main in Lexington Street from Lake Street to Totten Pond Road. It will also install 800 lf of sewer main from the site across Lexington Street, and down Stanley Road to connect to the sewer main in Chester Brook Road. The City's sewer system eventually conveys flows to the Massachusetts Water Resources Authority's (MWRA) Deer Island Treatment Plant. To ensure that the project's new wastewater flow does not increase surcharging and overflows of the City's or MWRA's sewers in large storms, the project should support removal of infiltration and inflow (I/I) in accordance with MassDEP regulations and City policies.

Construction Period

The project will be constructed in two phases. An initial site preparation phase will commence in May 2020 which will include clearing, earthwork, blasting, grading, preparation for building construction, and wetland replication. The building construction phase is anticipated to begin in May 2021. The initial construction phase will last for approximately 12 months and project completion is anticipated in September 2024. Construction hours will occur from 7:00 AM to 5:00 PM on weekdays and may occur on Saturdays. The project will require extensive blasting, which is regulated at the local level. I note comments from residents identified concerns regarding the potential impacts of blasting. The project must comply with the blasting regulations pursuant to 527 CMR 1.00 which identify requirements for a blast analysis, blast design plan, preblast inspection surveys, allowable limits of effects of blasting, and blasting regulatory review. The project will require the removal of 780,000 cy of material from the site. According to the ENF, 70 fifty-ton truck loads of material will be exported from the site each day. Based on a ten hour workday, this equates to an average of seven trucks of exported material per hour, or about one truck leaving the site every nine minutes. The anticipated truck route is Lexington Street to Totten Pond Road to Interstate-95 (I-95). According to the ENF, this frequency of truck traffic will not have a significant impact on traffic flow or operations.

Demolition activities must comply with the MassDEP Solid Waste and Air Pollution Control regulations, including those related to management of demolition procedures and debris, such as asbestos-containing materials. All construction activities should be undertaken in compliance with the conditions of all State and local permits.

Conclusion

Based on a review of the ENF, consultation with MassDEP, and a review of comment letters, I have determined that the project warrants the preparation of a DEIR. The ENF did not fully document all components of the project and identify all potential environmental impacts, which may result in the project exceeding Mandatory EIR thresholds. The DEIR is necessary to fully document the project's impacts; evaluate less impactful alternatives; and ensure that the project is designed to avoid, minimize, and mitigate Damage to the Environment to the maximum extent feasible. The DEIR should be developed consistent with the following Scope. I note that if the DEIR adequately responds to the information requests and analysis identified in the Scope, the MEPA regulations provide flexibility to streamline project review.

SCOPE

General

The DEIR should follow Section 11.07 of the MEPA regulations for outline and content, and provide the information and analyses identified in this Scope. It should include a detailed description of the proposed project and describe any changes to the project since the filing of the ENF. It should also clarify whether the City intends to construct a secondary emergency access route and provide a conceptual design. The DEIR should identify, describe, and assess the

environmental impacts of any changes in the project that have occurred between the preparation of the ENF and DEIR. It should include updated site plans for existing and proposed conditions. Conceptual plans should be provided for on-site work as well as any proposed off-site work for transportation, site access, or utility improvements. The DEIR should provide a brief description and analysis of applicable statutory and regulatory standards and requirements, and describe how the project will meet those standards. It should include a list of required State Permits, Financial Assistance, or other State approvals and provide an update on the status of each of these pending actions. The DEIR should include an update on local, regional, or federal permitting as applicable.

I note that the MEPA regulations include an anti-segmentation provision (301 CMR 11.01(2)(c)) to ensure that proponents do not evade, curtail, or defer MEPA review by segmenting a project into smaller ones that, individually, do not exceed MEPA thresholds. In determining whether work or activities constitute a single project, I must consider whether the work or activities constitute a common plan or independent undertakings, regardless of whether there is more than one Proponent, the timing of work and activities, and whether associated environmental impacts are separable or cumulative. The ENF referenced an Athletic Fields Master Plan and indicated the project site cannot support the complete athletic program for the high school. The DEIR should identify how and where additional fields to support the complete athletic program for the high school will be located and their timeframe for development.

Alternatives Analysis

MassDEP's comment letter suggests that the alternatives analysis is not sufficient to support selection of a Preferred Alternative that avoids, minimizes, and mitigates Damage to the Environment to the maximum extent practicable. The DEIR should reconsider the alternatives provided with the supplemental information (Alternatives 1-5) in light of MassDEP's comments, which note that alternatives that avoid significant impacts to Bank or BVW should continue to be explored even if they result in increased impacts to upland areas or require increased blasting. It should also clarify why Alternative Option B was selected over Alternative Option A. The DEIR must expand upon the Preferred Alternative to identify how it can meet the performance standards of the Wetlands Protection Act (WPA) and associated regulations. Comments from MassDEP indicate they do not support the relocation of streams due to the difficulty and complexity of success. The DEIR should also evaluate alternatives to mitigate the loss of Bank and BVW. The DEIR should summarize the potential environmental impacts of each alternative in a narrative and tabular format. It should clearly identify the qualitative and quantitative criteria that were used to evaluate each of the alternatives. The DEIR should document why various alternatives were dismissed, and should identify how the Preferred Alternative will avoid, minimize, and mitigate Damage to the Environment in accordance with the MEPA regulations.

I encourage the Proponent to continue to explore on-site alternatives to reduce impacts to environmental resources through design modification or the addition of features to further mitigate potential impacts. Additional recommendations provided in this Certificate may result in a modified design that enhances the project's ability to avoid, minimize, or mitigate Damage to the Environment. The DEIR should discuss steps the Proponent will take to further reduce the

impacts of the project since the filing of the ENF, or, if certain measures are infeasible, the DEIR should discuss why these measures will not be adopted.

Land

The ENF indicated that the City took the land comprising the project site by eminent domain. The DEIR should identify the purpose the site was taken for and whether it is subject to Article 97. This should also be provided for the two abutting municipal parcels which may be used to provide secondary emergency access. If a parcel is subject to Article 97, the DEIR should address compliance with the requirements of the EEA Article 97 Land Disposition Policy and identify specific mitigation for the conversion of Article 97 land.

The DEIR should quantify the total amount of alteration and new impervious area associated with the proposed project, including off-site components (i.e. secondary access road, roadway improvements, and water/sewer main installation). It should include existing and proposed conditions site plans that clearly locate and delineate areas proposed for clearing and/or alteration (including grading), areas to be left undisturbed, and areas that will be restored upon completion of the project. The DEIR should quantify the area (sf) where permeable pavers will be used and evaluate additional measures to mitigate the addition of impervious surfaces, including porous pavement or green roofs. The DEIR should demonstrate that the amount of land alteration has been limited to the maximum extent practicable. It should include plans that conceptually identify proposed areas of cut and fill, areas that will require blasting, and clearly identify elevation changes between parking areas, buildings and site driveways. The Proponent should commit to avoid use of blasting materials that contain perchlorate to avoid impacts to water quality and wetlands.

Wetlands

The project will impact Bank (1,680 lf) and BVW (4,670 sf). The DEIR should include a narrative that addresses the project's consistency with the WPA, its implementing regulations (310 CMR 10.00) and associated performance standards. As currently proposed, if the project increases impacts to BVW by 330 sf (including impacts associated with off-site components such as the secondary emergency access road and water/wastewater infrastructure) then the project will require a 401 Water Quality Certificate (WQC) and Variance from the WPA or demonstration that the project qualifies as a Limited Project pursuant to 310 CMR 10.53. The project may also then exceed the EIR threshold at 301 CMR 11.03(3)(a)(1)(2). The ENF acknowledged that the abutting parcels that may be used for secondary access contain wetlands and noted the access road could be designed to avoid them. The DEIR should include project plans that depict all project elements (including off-site work) in relation to delineated wetland resource areas as determined by the Superseding ORAD or consistent with MassDEP's findings at its recent site investigations if the Superseding ORAD has not been issued. If the project's BVW impacts exceed 5,000 sf, the DEIR should demonstrate compliance with the 401 WQC standards and regulatory criteria and address how all components of the project qualify as a Limited Project or how the project meets the criteria for a Variance from the Wetlands Regulations provided in 310 CMR 10.05(10).

The DEIR should demonstrate that the project will avoid, minimize, or mitigate wetland resource area impacts to the maximum extent practicable. As noted previously, the project will reroute an intermittent stream and impact BVW. The DEIR should evaluate whether changing the stream's contributing watershed by 15% will impact the water quality and flow of the stream. The ENF noted rock cuts will be below groundwater levels, which will cause groundwater to flow off-site. The DEIR should address whether this change in groundwater flow will impact the wetland hydrology. The DEIR should describe how the wetland replication areas were identified and how they will be constructed. I refer the City to comments from MassDEP which request additional BVW replication be provided and identify concerns with the design of the stream bank replication. This should be addressed in the DEIR. The DEIR should also provide plans of any BVW replication areas and provide an outline for monitoring their success.

The DEIR should describe the stormwater management system and address compliance with TMDL requirements.

Climate Change

Executive Order 569: Establishing an Integrated Climate Change Strategy for the Commonwealth (EO 569) was issued on September 16, 2016. EO 569 recognizes the serious threat presented by climate change and directs state agencies to develop and implement an integrated strategy that leverages state resources to combat climate change and prepare for its impacts. The Order seeks to ensure that Massachusetts will meet GHG emissions reduction limits established under the Global Warming Solution Act of 2008 (GWSA) and will work to prepare state government and cities and towns for the impacts of climate change. As noted in the Scope, the DEIR should address the potential effects of climate change on the project site.

The GHG Policy and requirements to analyze the effects of climate change through EIR review is an important part of this statewide strategy. These analyses advance proponents' understanding of a project's contribution and vulnerability to climate change. The Proponent should consider cross-cutting measures, such as incorporation of renewables and inclusion of LID measures in site design, which can improve the project's resiliency, reduce GHG emissions and conserve and sustainably employ the natural resources of the Commonwealth.

Greenhouse Gas Emissions

The project is subject to review under the May 5, 2010 MEPA Greenhouse Gas (GHG) Emissions Policy and Protocol (Policy). The DEIR should include an analysis of GHG emissions and mitigation measures in accordance with the standard requirements of the Policy, which requires projects to quantify carbon dioxide (CO₂) emissions and identify measures to avoid, minimize or mitigate these emissions. The analysis should quantify the CO₂ emissions associated with building energy use (stationary sources), transportation-related emissions (mobile sources) and loss of carbon sequestration associated with extensive land alteration. The DEIR should identify and commit to measures to reduce GHG emissions. The Proponent should refer to the Policy for additional guidance on the GHG analysis. The MEPA office and the

Department of Energy Resources (DOER) staff are available to assist with these efforts and the Proponent should consult with them regarding the analysis prior to submission of the DEIR.

Stationary Sources

The DEIR should include a GHG analysis that calculates and compares GHG emissions associated with 1) a Base Case corresponding to the 9th Edition of the Massachusetts Building Code; and 2) a Preferred Alternative that achieves greater reductions in energy use and GHG emissions than required by the Building Code. The 9th edition of the Building Code references the American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) 90.1-2013 and the International Energy Conservation Code (IECC) 2015. The GHG analysis should model energy use, GHG emissions, and mitigation measures associated with the project in accordance with the GHG Policy. I note the new Building Code will go into effect early next year and encourage the City to use this as the basis of analysis.

The GHG analysis should clearly demonstrate consistency with the objectives of MEPA review, one of which is to document the means by which Damage to the Environment can be avoided, minimized, and mitigated to the maximum extent feasible. The Proponent should identify the model used to analyze GHG emissions, clearly state modeling assumptions for each project element, and explicitly note which GHG reduction measures have been modeled and incorporated into mitigation commitments. The DEIR should include the modeling printout for each alternative and emission tables that compare base case emissions in tons per year (tpy) with the Preferred Alternative showing the anticipated reduction in tpy and percentage by emissions source (direct, indirect and transportation). Other tables and graphs may also be included to convey the GHG emissions and potential reductions associated with various mitigation measures as necessary.

The DEIR should present an evaluation of mitigation measures, including cold-climate source air source heat pumps for space and electric heat pump water, higher efficiency building envelopes, roof-mounted and canopy solar PV, and high efficiency HVAC systems and lighting. The City should consult with the MEPA office and DOER to identify measures for evaluation and to confirm the methodology for the GHG analysis prior to submitting the DEIR. The feasibility of each of the mitigation measures should be assessed, and if feasible, GHG emissions reduction potential associated with mitigation should be evaluated to assess the relative benefits of each measure. The DEIR should explain, in reasonable detail, why certain measures that could provide significant GHG reductions were not selected – either because it is not applicable to the project or is deemed technically or financially infeasible.

Mobile Sources

The GHG analysis should include an evaluation of potential GHG emissions associated with mobile emissions sources. The DEIR should follow the guidance provided in the Policy for *Indirect Emissions from Transportation* and use data gathered as part of the traffic study to determine mobile emissions for Existing Conditions, Build Conditions, and Build with Mitigation Conditions. The DEIR should review measures to promote the use of low-emissions vehicles, including installing electric vehicle charging stations and providing designated parking spaces for these vehicles. The Build with Mitigation model should incorporate roadway

improvements and TDM measures implemented by the project and document the reductions in GHG emissions associated with the mitigation.

Adaptation and Resiliency

The City of Waltham is a participant in the Commonwealth's Municipal Vulnerability Preparedness (MVP) program. The MVP program is a community-driven process to define natural and climate-related hazards, identify existing and future vulnerabilities and strengths of infrastructure, environmental resources and vulnerable populations, and develop, prioritize and implement specific actions the municipality can take to reduce risk and build resilience. The DEIR should provide an analysis and discussion of vulnerabilities of the site to the potential effects associated with climate change including increased frequency and intensity of precipitation events, and extreme heat events. To assist in this evaluation, the City should review its findings on climate vulnerability, the 2018 Massachusetts State Hazard Mitigation and Climate Adaptation Plan³ and data available through the Climate Change Clearinghouse for the Commonwealth at www.resilientma.org.

The DEIR should identify site elements that will be designed to minimize impacts associated with more frequent and intense precipitation events and with extreme heat waves including, but not limited to:

- Ecosystem-based adaptation measures to reduce heat island effect and mitigate stormwater runoff, such as integration of tree canopy cover, rain gardens, and low impact development (LID) stormwater management techniques;
- designing the stormwater management system to consider the potential impacts of increased precipitation frequency and volume due to climate change;
- Use of on-site renewable energy systems may provide added resiliency during periods of power loss during storms;
- Protection of emergency generator fuel supplies from effects of extreme weather and flood proofing; and
- Expansion of the size of emergency generators (beyond the 8-10 hour run time) to allow for select common areas and other emergency and life safety systems to remain operational for a period of time beyond code requirements, specifically in residential buildings.

Construction Period

The DEIR should elaborate on the construction sequencing and phasing. The DEIR should include a draft Construction Management Plan (CMP) that elaborates on BMPs which the contractor could utilize regarding erosion and sedimentation controls, construction staging areas, traffic management, and air/noise pollution. The CMP should address how groundwater will be managed if encountered during construction. Because this project will occur in close proximity to residential areas, I urge the City to minimize potential noise and air quality impacts by requiring that construction vehicles limit engine idling, use ultra-low sulfur diesel fuel, and be

³ Available at <https://www.mass.gov/files/documents/2018/10/26/SHMCAP-September2018-Full-Plan-web.pdf>

retrofit with emissions control equipment, including emission control equipment identified in the Commonwealth's Clean Air Construction Initiative. The DEIR should elaborate on potential noise and vibration impacts associated with blasting and identify appropriate mitigation measures. The DEIR should specifically identify construction BMPs or mitigation requirements necessary to mitigate potential noise and vibration impacts and to ensure that blasting will be completed in accordance with local and State regulations. Due to the extensive earth movement on-site to achieve final grades for the various development pads, the City should outline measures to stabilize cleared areas and slopes throughout the site if construction in these individual building locations is not imminent subsequent to earth movement activities. The DEIR should also identify and describe proposed construction truck traffic routes to the site and provide an estimate of the number of vehicle trips that will be generated during the construction period.

Mitigation and Draft Section 61 Findings

The DEIR should include a section that summarizes proposed mitigation measures and provides draft Section 61 Findings for each State Agency Action. It should contain clear commitments to implement these mitigation measures, estimate the individual costs of each proposed measure, identify the parties responsible for implementation, and contain a schedule for implementation.

In order to ensure that all GHG emissions reduction measures adopted by the Proponent as the Preferred Alternative are actually constructed or performed by the Proponent, the Secretary requires proponents to provide a self-certification to the MEPA Office indicating that all of the required mitigation measures, or their equivalent, have been completed. The commitment to provide this self-certification in the manner outlined above should be incorporated into the draft Section 61 Findings included in the DEIR.

Responses to Comments

The DEIR should contain a copy of this Certificate and a copy of each comment letter received. In order to ensure that the issues raised by commenters are addressed, the DEIR should include direct responses to comments to the extent that they are within MEPA jurisdiction. This directive is not intended, and shall not be construed, to enlarge the scope of the DEIR beyond what has been expressly identified in this certificate.

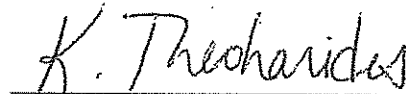
Circulation

The Proponent should circulate the DEIR to those parties who commented on the ENF, to any State and municipal agencies from which the Proponent will seek permits or approvals, and to any parties specified in section 11.16 of the MEPA regulations. The Proponent may circulate copies of the DEIR to commenters other than State Agencies in a digital format (e.g., CD-ROM, USB drive) or post to an online website. However, the Proponent should make available a reasonable number of hard copies to accommodate those without convenient access to a computer to be distributed upon request on a first come, first served basis. The Proponent should send a letter accompanying the digital copy or identifying the web address of the online version

of the DEIR indicating that hard copies are available upon request, noting relevant comment deadlines, and appropriate addresses for submission of comments. The DEIR submitted to the MEPA office should include a digital copy of the complete document. A copy of the DEIR should be made available for review in the Waltham public library.

December 6, 2019

Date


Kathleen A. Theoharides

Comments received:

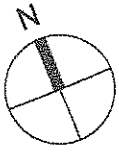
Date Commenter

9/25/2019	Waltham Land Trust
9/30/2019	George Sumner
10/1/2019	Luisa Pandolfi
10/1/2019	Laura Cannon (1 of 2)
10/4/2019	Laura Urquhart
10/6/2019	Paula Hughes
10/15/2019	Emily Wiseheart
10/16/2019	Alex Urquhart II (with attachments)
10/16/2019	Waltham Citizens for Education
10/16/2019	Geri Nederhoff
10/16/2019	Orlando Medeiros (1 of 2)
10/16/2019	Carolina Lara
10/16/2019	Orlando Medeiros (2 of 2)
10/17/2019	Deb Abberton
10/20/2019	Rachel Weinstein
10/20/2019	Rachel Weinstein (received 10/31/19)
10/21/2019	Pradip Mallik
10/21/2019	C. David Luther (1 of 2)
10/29/2019	George Frost, Superintendent
11/7/2019	William Hanley
11/14/2019	Laura Cannon (2 of 2)
11/17/2019	Evelyn Reilly
11/19/2019	Colette Casey-Brenner
11/22/2019	Michele Desautels
11/25/2019	Reva Dolobowsky
11/26/2019	Massachusetts Department of Environmental Protection (MassDEP)
11/26/2019	Robert Hargrove
11/26/2019	Caren Dunn, Councillor Elect (Ward 2) on behalf of Jude Seminara and George L. Sunner

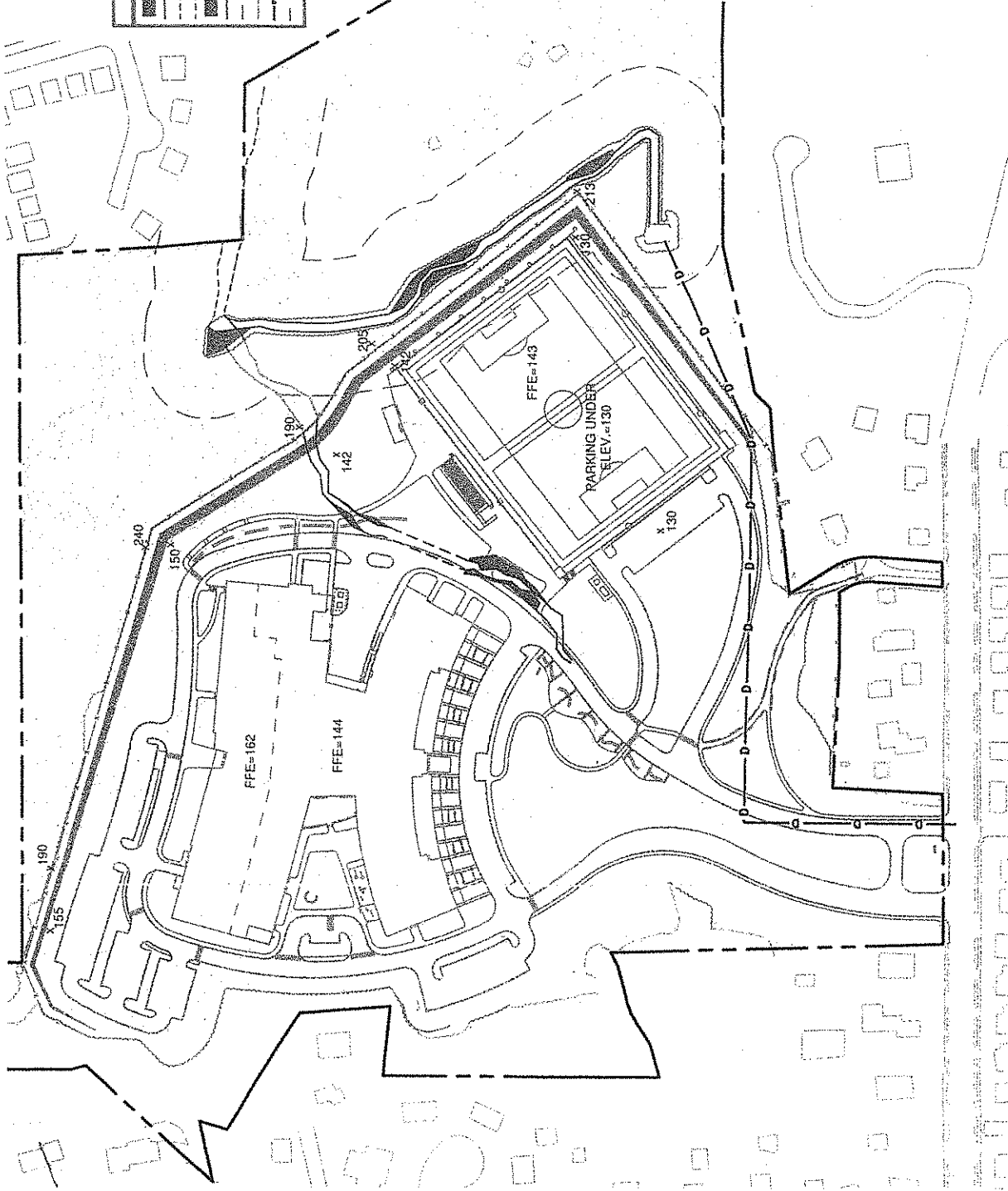
11/26/2019 David Westner
11/26/2019 Robert Coleman (Letter with Exhibits A-C, E)
11/26/2019 Karina Hines
11/26/2019 Robert Coleman (Exhibit D)
11/26/2019 Charles River Watershed Association
11/26/2019 Hector R. Montesino
11/26/2019 James Simeone
11/26/2019 C. David Luther (2 of 2)
11/26/2019 Ruby Flores Lopez
11/26/2019 Elsie Ordlie
11/26/2019 Massachusetts Water Resources Authority (MWRA)
11/26/2019 WalkBoston and MassBike
11/26/2019 John Allen
11/27/2019 Patrick Rooney

KAT/PRC/prc

EXHIBIT C



LEGEND	
[Pattern]	PROP. BORDERING VEGETATED WETLAND (BYW)
[Pattern]	PROP. INTERMITTENT STREAM BANK
[Pattern]	EXIST. BYW TO REMAIN
[Pattern]	EXIST. BANK TO REMAIN
[Pattern]	EXIST. BYW TO BE REMOVED/ALTERED
[Pattern]	EXIST. BANK TO BE REMOVED/ALTERED
[Pattern]	EXIST. PRESUMED BANK TO BE REMOVED/ALTERED
[Pattern]	EXIST. BANK TO BE ABANDONED
[Pattern]	PROP. UNDERGROUND DRAIN PIPE
[Pattern]	100' BUFFER ZONE



RECEIVED

JAN 14 2020

Mayor's Office

2



EXHIBIT D

