



**Waltham Conservation Commission
December 21, 2023
Meeting Minutes**

Meeting took place via public Zoom call with participation information posted at City Hall, Government Center, and on the Commission's page of the city web site. Zoom information was circulated directly to all applicants and others on the public agenda.

Meeting called to order at 7:03 PM.

Attendees: Chair Philip Moser, Vice Chair Bill Doyle, Gerard Dufromont, Michael Donovan, Louis Andrews, Alexander Sbordone. Conservation Agent Meghan Sullivan.

Absent:

Public Hearing

Notice of Intent (DEP File # 316-0823)(continued from 12-07-2023)

Applicant: Boston Properties

Property Location: Along Main Street (Route 117), Green Street, the Route 20 rotary, and the Route 128/Interstate 95 (I-95) Interchange.

Project Description: Proposed roadway improvements as part of the full build-out of the 1265 Main Street project. Improvements will address existing traffic operations and safety issues and accommodate future traffic associated with general population growth and nearby development, including the 1265 Main Street development.

Mr. Moser recused. Mr. Doyle acted as Chair.

Josh Trearchis of VHB present for applicant. The only issue remaining on this item from the previous meeting was finalizing special conditions. This has been completed. The applicant and Ms. Sullivan are satisfied. No additional questions or discussion. Motion by Mr. Sbordone to issue an order of conditions, to include the special conditions. Seconded by Mr. Dufromont. All present in favor. **Motion passed.**

Public Hearing

Notice of Intent (DEP File # tba)

Applicant: Marc Alencar

Property Location: 72 Kingston Road

Project Description: Demolition and redevelopment of a single-family home.

Ms. Sullivan reported that it was discovered earlier this week that the applicant had missed two abutters, so the commission cannot yet address this item. It will be moved to the 1/4/2024 agenda.

Public Meeting

Request for Certificate of Compliance (DEP File # 316-0417)

Applicant: ARE-MA Region No. 110, LLC

Approved 1-18-2024

Property Location: 35 Gatehouse Drive

Mr. Moser resumed as Chair.

Bridget Hilgendorff of VHB present for applicant. She summarized the project—roadway and drainage improvements—which was filed in 1999 and completed in 2000. They recently conducted a field review and compared submitted vs. as-built plans. They noted changes to the drainage layout to avoid utility conflicts, but the overall intent was followed. Ms. Sullivan has made a site visit and compared the plans and concurs that the integrity of the system was maintained. She recommends that a COC be issued. Mr. Donovan asked about the extreme delay. The precise reason is not known. Work was completed in a timely manner, but no COC was requested. The property recently changed owners and it was discovered that several old filings were not closed properly. [The property has a complicated history, with the parcel being subdivided and street addresses changing multiple times. Filings were not tracked or recorded well. This project also included City of Waltham and Cambridge Water Department land, and responsibility for recording may have been overlooked. The new owner has been addressing these issues.]

Motion by Mr. Doyle to issue a COC, seconded by Mr. Donovan. All present in favor. **Motion passed.**

Public Meeting

Enforcement Order

Applicant: Kassem Trad

Property Location: 1036 Lexington Street

Description: Destruction of vegetation and addition of crushed stone, pavement, and wooden formwork along Chester Brook stream.

Mr. Trad and a representative were present. Ms. Sullivan noted that they have been very good about providing everything she has asked for. She summarized their restoration plan, which is generally good, but noted a discrepancy. The plan diagram is cursory and the commission would like it to be more formal and include additional information. Ms. Sullivan will try to meet with them on site next week to clarify some details. Discussion. Clarification of restoration area size and location. Mr. Moser noted that every detail need not be worked out in advance; the commission can review a plan and make annotations at the time of approval. The commission appreciates the work done so far by the applicant. Clarification that current deadlines were set arbitrarily and can be modified to best fit with ideal planting times. Mr. Donovan asked for additional clarification of paving done, original state of the area, and the restoration area. Mr. Moser suggested that the planting list confirm native varieties of species will be used and asked that Red Maples be avoided near pavement. The commission hopes to vote on this plan at the applicant's next appearance.

Commission Business

- Approval of meeting minutes from 12-07-2023. Motion to approve by Mr. Donovan, seconded by Mr. Sbordone. **Motion passed.**

Correspondence

- Eversource Energy ROW Notification for Exempt Vegetation Maintenance Activities. Mr. Daly noted that the area overlaps with planned work by DCR on the Wayside Trail. DCR is aware and will contact the commission if any revisions to their plan or schedule become necessary.
- 131 Pond End Road (formerly 0 Pond End Road) – DEP 316-0746. DEP has approved the applicant's amendment request. Discussion of past history of this filing.

Old Business

- Mr. Dufromont noted recent announcement of allocation of federal infrastructure funds by the governor to the MCRT/Wayside Trail and the Charles River Walk.

Site Visit Reports

- Fernald visit today (12/21) regarding potential violation recently reported, possibly related to CPW relocation. Ms. Sullivan and Mr. Dufromont attended. Ms. Sullivan showed photos of the site. Reported excavation was not observed. The disturbance is primarily dumping of leaves and some moving of large stones/boulders. The area will be used for piling dirt and other material. It is outside jurisdiction, but nearby, so she has some concerns about erosion into the wetlands.

Committee Reports

- **CPC:** Next meeting scheduled for February 13, 2024. No report.

New Business

- The commission has received a proposal for invasive management from Parterre Ecological for the Seminole Road portion of the Hardy Pond Conservation Area. Ms. Sullivan summarized. It is a continuation of work done this year, which the commission was very pleased with. Mr. Moser presented the proposal in summary to the commission and noted that the area is in jurisdiction and also under an order of conditions issued to the city. Mr. Moser proposed that this be funded by filing fees. Discussion. The naming confusion of this site was noted (Mokema, Seminole, Hardy Pond); Ms. Sullivan is working with James LaCrosse to have a replacement sign with the correct name installed. The proposal is for \$9,929.75. Rec Department paid 50% last year, ConCom 50%. ConCom expects to fund 100% of this proposal. Discussion of PO process and authorizations. If needed, another department will become involved. Motion by Mr. Sbordone to approve this expense. Seconded by Mr. Andrews. Discussion. Mr. Moser asked for a roll call vote. Doyle: yea. Donovan: yea. Andrews: yea. Sbordone: yea. Dufromont: nay. Moser: yea. Vote 5 in favor, 1 against. **Motion passed.**
- There is a second proposal, also from Parterre, for invasive management work at the Paine Estate. Unlike Hardy Pond, this area is not in jurisdiction, so using WPA filing fees would not be appropriate. The commission will request that the Conservation Trust Fund pay for this. Mr. Moser explained that a different contractor had previously been used for the first year of a multi-year project, but funding was not available after the first year. The work was not finished and the invasives (Wisteria in this case) recovered. Discussion of procedural issues involving the roles and responsibilities of the Conservation Commission and the Trustees of the Conservation Trust Fund, which are different bodies but have the same membership. Summary of the work proposed. Mr. Doyle moved that the Commission recommend to the Trust Fund that it release funds for this work. Seconded by Mr. Sbordone. Discussion. Mr. Donovan noted that the management proposal recommends "field mowing" of a part of the property, which had previously been recommended against. Ms. Sullivan explained that the logic of this change is to reduce the overall height of the vegetation so that spraying can be more targeted and more effective. This will affect groundcover only and larger trees will be treated by hand. Mr. Moser asked for a roll call vote. Doyle: yea. Donovan: yea. Andrews: yea. Sbordone: yea. Dufromont: nay. Moser: yea. Vote 5 in favor, 1 against. **Motion passed.**

Motion to adjourn by Mr. Doyle, seconded by Mr. Sbordone. All present in favor. **Motion passed.**

Meeting adjourned at 8:22 PM.

A meeting of the Conservation Trust Fund followed. The Trust Fund meeting is part of the same recording but minutes have been transcribed separately.