



**Waltham Conservation Commission
September 7, 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, Bradley Baker, Louis Andrews, Alexander Sbordone. Meghan Sullivan—Conservation Agent.

Absent:

Public Hearing

Notice of Intent (DEP File # 316-0821) (Continued from 8/24/2023)

Applicant: City of Waltham Engineering Department

Property Location: 185 Lyman Street (Lyman Pond weir in Chester Brook)

Project Description: The intent of this project is to modify and improve the weir structure located within Chester Brook.

The applicant has requested a continuance. Mr. Doyle moved to continue. Seconded by Mr. Donovan. All present in favor; **motion passed**.

Public Hearing

Notice of Intent (DEP File # 316-0822) (Continued from 8/24/2023)

Applicant: Clayton Almeida

Property Location: 226 River Street

Project Description: Rehab of an existing multifamily dwelling including new porch, stairway, and parking area.

As the applicant or representative was not present the commission voted to continue this item.

Mr. Moser noted that he and Mr. Baker made a site visit on 9/6. He anticipates that this filing will be voted on when the applicant next appears.

Public Meeting

Request for Certificate of Compliance (DEP File # 316-0676)

Applicant: Boston Properties Limited Partnership

Property Location: 180 Third Ave

Nick Skoly of VHB and Kier Evans of Boston Properties were present. Mr. Skoly summarized the project, which is from 2014. The project is not in jurisdiction, but for the city council special permit

process it was paired with work on the adjacent lot because it tied into the same drainage system. Each lot had a separate NOI filing.

Mr. Moser recused, as the applicant is the landlord at his workplace. Mr. Doyle acted as chair. Mr. Baker has seen the site. Mr. Doyle inquired into special conditions, which Mr. Skoly listed. Mr. Doyle asked into the planting conditions, which Mr. Skoly and Mr. Evans noted have either been completed or were not relevant in the project as completed. Cambridge Water Department interest in the original filing was noted. Drainage improvements were noted. Mr. Evans added that specifics of the standard special conditions were added to the site's O&M plan. Mr. Dufromont moved that the COC be continued until CWD has weighed in. Mr. Baker seconded. Mr. Evans noted that CWD had not presented any explicit conditions or concerns in the filing, and asked if a contingent approval could be done. Mr. Dufromont amended the motion so that the commission will approve the COC but not release it until CWD has confirmed they have no concerns. All present in favor except Mr. Donovan, who voted nay because he was in favor of full immediate approval due to the parcel being outside jurisdiction. **Motion passed.** [It was confirmed 9/8 that CWD has been kept up to date by VHB and has no concerns. The COC was released to the applicant.]

Mr. Moser resumed as chair.

The representative for the application for 226 River Street arrived at the meeting late. Mr. Doyle moved to resume discussion of this application. Seconded by Mr. Dufromont. **Motion passed.**

Public Hearing

Notice of Intent (DEP File # 316-0822) (Continued from 8/24/2023)

Applicant: Clayton Almeida

Property Location: 226 River Street

Project Description: Rehab of an existing multifamily dwelling including new porch, stairway, and parking area.

Tony Esposito present for the applicant. Mr. Esposito described changes to the plan after previous meeting discussion and site visit by the commission. Discussion regarding snow storage, changes to the rear berm, pavement area, proposed plantings, drainage system. Existing wall on DCR property will remain, but fence will be removed. Mr. Esposito has spoken to Mr. Driscoll at DCR about this. [The encroachment onto DCR property was discovered during the site visit.]

Mr. Moser added information on site conditions based on the visit, for the benefit of the commission. Discussion. Mr. Donovan noted that the revised material should be explicitly noted in the OOC. Mr. Doyle asked if this property is to be rental apartments or condos. Mr. Esposito did not know. Mr. Doyle noted that this is relevant for how the snow removal (and other) conditions are memorialized, so that the property owner is aware, or the condo association documents make its members aware, of all conditions that continue in perpetuity on the property. Mr. Moser recommended making this a condition, phrased as: "Any agreement entered by this property owner with a property manager, and future condo agreement documents of all condo owners if any, will incorporate the order of conditions and all attachments in their operations and maintenance plan, including snow removal." The documents referenced by this condition are the revised narrative and revised plan dated 9/6/2023 and 9/7/2023.

Motion to close the public hearing by Mr. Doyle, seconded by Mr. Baker. Motion passed.

Motion to issue an order of conditions with the noted condition. Seconded by Mr. Baker. All present in favor. **Motion passed.**

Commission Business

- Approval of meeting minutes from 08-24-2023. Motion to approve by Mr. Donovan, seconded by Mr. Andrews. **Motion passed.**

Correspondence

- INFORMATIONAL: Call for volunteers for the Advisory Committee for a new Environmental Science CTE program at Waltham High School noted. Mr. Baker has contacted them.
- INFORMATIONAL: SOLitude Lake Management inspection and possible invasive treatment of Hardy Pond on September 13 noted.
- INFORMATIONAL: National Grid exempt gas main replacement work on Trapelo Road between Abbot Road and Bow Street, planned for 2023 or 2024, noted.
- INFORMATIONAL: 131 Pond End Road (formerly 0 Pond End Road) request for amended order, DEP 316-0746, under superseding order from DEP, noted.

Old Business

- 2024 Commission meeting dates and locations. Mr. Moser asked for further discussion as some members were absent at the previous meeting. The 2024 holiday dates would result in a single meeting in April unless a holiday is ignored. Discussion. Mr. Donovan moved to only have one meeting in April. Mr. Dufromont seconded. The vote was 5 in favor, 1 against (chair not voting). **Motion passed.** Discussion of mixing remote and in-person meetings. The commission continues to favor remote-only meetings, as public participation is better and there are other benefits, such as the much-improved presentation of plans and superior recordings. Commissioners agreed that consistency is best, and that having some meetings in-person and others remote could confuse applicants and the public. Mr. Donovan asked where in-person meetings would be held, as all offices have been moved out of the basement of Government Center due to asbestos. Mr. Daly noted that the meeting room continues to be used. Other meetings take place in the first floor auditorium. Mr. Doyle noted that fully remote commission meetings in other towns are not uncommon and cited examples. As the commission has previously voted to continue remote meetings, they did not take another vote on this.

Committee Reports

- **CPC:** Next meeting will be September 19, 2023.

New Business

- Mr. Moser introduced Meghan Sullivan, the new Conservation Agent, to the rest of the commission. Review of experience of Ms. Sullivan and the commissioners. Mr. Moser added that Ms. Sullivan is scheduling a site visit to the Fernald to inspect, relevant to issuing a COC for the stream daylighting project. Mr. Doyle noted that he has been involved and will plan to attend.

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

Meeting adjourned at 8:04 PM.