



**Waltham Conservation Commission**  
**April 14, 2022**  
**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 7:05PM.

**Attendees:** Chair Philip Moser, Vice Chair Bill Doyle, Gerard Dufromont, Michael Donovan, Bradley Baker.

**Absent:**

**Public Hearing**

**Notice of Intent** (DEP File # 316-0801) (Continued from 3/24/2022)

**Applicant:** Maggie Capelle / ARE-MA Region No. 82 Holding LLC

**Property Location:** 40-60 Sylvan Road

**Project Description:** Renovations to building to include: building expansion, changes to parking and landscaping, partial demolition, construction of new amenity building, construction of patio space with rain garden.

Mr. Moser noted that the Commission has approved this but not been able to close the hearing due to not having a DEP number. Mr. Nagle noted that a DEP number was received this morning. He had no additional information to add. Mr. Dufromont motioned to close the public hearing, seconded by Mr. Doyle. The motion passed. Mr. Doyle moved to issue an Order of Conditions with the Standard Special Order of Conditions. Seconded by Mr. Donovan. All present in favor. **Motion passed.**

**Public Hearing**

**Notice of Intent** (DEP File # 316-0800) (Continued from 3/24/2022)

**Applicant:** Bradley Cardoso

**Property Location:** 303 Wyman Street

**Project Description:** Repair of broken sewer line adjacent to wetlands.

Mr. Moser noted that he had previously recused on this item, so did so again. Mr. Doyle assumed the Chair. This hearing has also been held open pending a DEP file number, which has been issued. Mr. James White reported that he had no additional comments nor has DEP. Mr. Doyle asked if there were any public comments. None were offered. Mr. Donovan moved to close the public hearing, Mr. Dufromont seconded. The motion passed. Mr. Donovan moved to issue an order of conditions with the standard special conditions. Mr. Dufromont seconded. **The motion passed.**

**Public Meeting**

Approved 05-12-2022

## **Request for Determination of Applicability** (Continued from 3/24/2022)

**Applicant:** Hussam Sayegh

**Property Location:** 42 Pine Vale Road

**Project Description:** Two story addition of 254 s.f. and uncovered deck addition of 79 s.f. at front of residence.

Mr. Moser returned and resumed chair. This application has been previously discussed. Mr. Moser returned to the question of the project being in a flood zone and whether the proposed addition was to be elevated and to what height. Specific details were required. Mr. Sayegh was present to respond but Mr. Bourque, who had the details and was present, was having audio problems. Consideration of the item was suspended while this was addressed.

Motion to take an item out of order by Mr. Doyle, seconded by Mr. Baker. Motion passed.

## **Public Hearing**

**Notice of Intent** (DEP File # 316-0799)

**Applicant:** Veena Sharma

**Property Location:** 10 Carlin Road

**Project Description:** Construction of a sunroom within the existing deck location.

Mr. Raouf Mankaryous, architect, appeared for the applicant. Also Peter Lavenson, contractor. Ms. Sharma also was present. Mr. Mankaryous described the project. Specific questions by the commission were answered by Mr. Mankaryous and Mr. Lavenson. Mr. Baker asked if the existing structure would be allowed under current regulations. There was no answer. Mr. Doyle noted that while it does not seem like the plan would require City Engineering Department review for stormwater, if such a review is required then this plan would come back before the Commission. Mr. Moser noted that Engineering might view the work as redevelopment and trigger review automatically. There was a discussion of approving with a contingency condition, if Engineering requires storage or drainage changes. The condition might include that no impervious area would be added under the new deck area.

Mr. Moser raised the issue of the encroachment (a fence and shed) onto city conservation land, as well as a utility easement adjacent to the conservation land. He suggested that an approval would include a condition to rectify this. Discussion of this issue followed. The homeowner was willing to move the shed but resistant to moving the fence, and wondered if an agreement could be reached to improve the area without moving the fence. Mr. Doyle noted that such an agreement would not be possible because it would approve the taking of city property by an encroacher. Mr. Donovan raised the question of the improvements being on an easement. Discussion noted that improvements in the easement are at-risk and can be torn up as needed at any time. The Commission is sympathetic that the current owner inherited and did not cause the encroachment, but the encroachment remains a violation. Mr. Doyle suggested that the Commission has the authority to approve or deny the permit, but not to demand that the encroachment be resolved. Mr. Moser agreed that this issue would likely be turned over to the Law Department as previous encroachments onto city land have been. Mr. Dufromont favored denial until the encroachment is resolved. Mr. Doyle suggested that resolution of the encroachment could be included as a condition. Mr. Baker noted a stormwater/impervious area concern, which Mr. Moser believes would be an issue for Engineering Department review. Mr. Donovan noted that he would not be in favor of approval under current site conditions. Mr. Moser offered the applicant a continuance to investigate alternatives. The applicant agreed. Motion to continue by Mr. Donovan, seconded by Mr. Doyle. All present in favor, **motion passed**.

The commission returned to the consideration of 42 Pine Vale Road. Mr. Bourque provided the answer to the flood zone issues. The information satisfied the Commission. Mr. Doyle moved to issue a negative determination of applicability with the condition that the addition to the structure be elevated above the flood plain. Mr. Dufromont seconded. All present in favor. **Motion passed.**

## **Public Meeting**

### **Request for Extension Permit for Order of Conditions (DEP File # 316-0734)**

**Applicant:** Historic New England

**Property Location:** 185 Lyman Street

**Project Description:** The phased removal of invasive plant species at the Lyman Estate adjacent to Lyman Pond. Replant with native vegetation, perform on-going vegetation management to control regrowth of invasive plant materials. [An approval would extend the permit to 7/12/2025.]

Present for applicant: Marissa Mayo and Ben Haavik. Mr. Moser noted the misunderstanding about the length of the OOC when first approved. Ms. Mayo outlined the plan for the next 3 years. Invasive removal, a planting plan, a mowing plan. Working with a landscape architect.

Mr. Moser spoke based on previous visit and questions. Noted disappointment at pace of first phase of project, specifically that replanting has not kept up with clearing. Invasive work has had mixed success so far. Ms. Mayo responded, noting that they have avoided using herbicides for various reasons, which has constrained the project. She is willing to move up the pace of plantings, but will need to consult with the architect as there are historical considerations ("historic viewpoints"). She acknowledged that a full plan does not yet exist. Mr. Haavik noted that having some plantings in by this fall is reasonable and they will make the attempt. Mr. Moser stressed that this would apply to the area cleared 3 years ago, and would not need to cover the entire scope of the project. Mr. Moser also asked if imminent work involved the south riverbank. Mr. Haavik says this area is in their thinking but nothing is specifically planned and it will require coordination with the current lessee of this area. Mr. Baker agreed with Mr. Moser's concern that no invasives have been removed, only cut back, and that this is likely to affect new plantings. Recommended that all effort be put into invasive removal before planting. Discussion. Commission agreed that removal needs to be stepped up prior to planting. Ms. Mayo offered to host a site visit. Mr. Doyle asked for clarification regarding the expiration of the order of conditions. The Conservation office confirmed that expiration had been automatically extended by the Governor's COVID state of emergency declaration.

Motion to extend by Mr. Dufromont, seconded by Mr. Doyle. All present in favor, **motion passed.**

## **Commission Business**

- Approval of meeting minutes from 3-24-2022. Motion to approve by Mr. Donovan, seconded by Mr. Dufromont. All present in favor. **Motion passed.**
- Storer Conservation Land Encroachment. No update.

## **Correspondence**

- Informational: Discussion of public notice advertisement issues. The City Clerk will shift to the Boston Globe as soon as possible. The Commission will switch to the Globe for meetings by or before the 5/12/2022 meeting.
- Informational: Update on pending DCR NOI for the Charles River Lakes District invasive management project, Phase 2, which will cover upstream of the Watertown dam to Weston. Expected soon.
- Informational: Preliminary contact regarding redevelopment at 224 Calvary Street. Work is interior only at this time. An RDA will be filed in the near future as work moves to the exterior.

- Informational: A CRWA representative will plan to attend a future meeting to present information on the Watertown dam removal.

### **Old Business**

- none

### **Site Visit Reports**

- Old North Branch Library. Mr. Donovan noted that demolition work is about to begin.
- Mr. Baker noted that he had made some plantings in the new Prospect Hill Baby Tree Sanctuary the previous week. Mr. Dufromont suggested that Mr. Baker contact the Town of Lincoln, which appears to have a large tree project underway near the Lincoln Library / Post Office area.

### **Committee Reports**

- **CPC:** Mr. Doyle reported on the April 12 meeting. He recommends watching the recording, as Stuart Saginor presented on CPC activities and it was very informative. Next CPC meeting will be June 10.

### **New Business**

- Mr. Donovan raised the forestry plan at Paine Estate. Mr. Moser explained this has been on hold during the pandemic, and that the new Conservation Agent will be tasked with moving it forward. Discussion. Mr. Donovan noted some property concerns and that some exterior repair and restoration work has begun on the house.

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

Meeting adjourned at 8:41PM.