



**Waltham Conservation Commission**  
**June 23, 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 7:01PM.

**Attendees:** Chair Philip Moser, Vice Chair Bill Doyle, Gerard Dufromont, Michael Donovan, Bradley Baker, Louis Andrews, Alexander Sbordone. Hanna Conlon, Conservation Agent.

**Absent:**

**Public Hearing**

**Notice of Intent** (DEP File # 316-0805)

**Applicant:** Robert Winn, City of Waltham

**Property Location:** Near 53 Trapelo Road

**Project Description:** Replacement of structurally deficient culvert at Trapelo Road over Beaver Brook. The culvert will be replaced in-kind and embedded with streambed material. Construction of a low flood storage wall is also proposed. [This project is on the Waltham-Belmont line and so will have filings in both municipalities.]

Mr. Winn was present. Also Diana Walden and Peter Reed of BSC and John Martino of the Engineering Department. Mr. Winn summarized the history and current site conditions. Ms. Walden and Mr. Reed presented a detailed plan and the commission moved on to questions. Mr. Dufromont asked about a pond and breached dam upstream of the project location. This was noted as a DCR issue and not involved in this project. Mr. Reed outlined planned traffic re-routing during work. Ms. Conlon had several questions and comments, most raised at the 6/21 meeting of the Belmont Conservation Commission. The existing gas line on Trapelo Road was discussed, including coordination and timing with National Grid. Details of replanting and securing the slopes adjacent to the project were covered. The only wetland that will need restoration is a small patch on the Belmont side. Mr. Reed suggested that the O&M plan would be included in the order of conditions; Mr. Moser noted that the commission cannot vote on a plan that is not included in the application. Mr. Doyle asked for clarification of the ownership of the culvert: Waltham and Belmont own it jointly (not the state). Mr. Doyle wondered if the commission could get a FEMA letter of map revision after project completion, but recognized this is not within the scope of the project itself. Ms. Walden noted that they will be submitting to the Army Corp of Engineers, regarding stream crossing standards. DEP will also review. Mr. Doyle noted that the areas of concern within ConCom jurisdiction are small. Discussion of gas line impact. Discussion of existing culvert conditions—Mr. Reed noted that Mass DOT performed emergency repairs not long ago. Discussion of traffic impacts: Mr. Reed expects a maximum 3-month impact, and hopes it will be shorter. Belmont also has traffic concerns, and they

are working on minimizing disruption as much as possible. Clarification of water diversion during construction—to be temporarily trenched across the road.

Mr. Moser returned to several specific points based on a previous site visit and discussion with Mr. Winn. How were floodwall changes determined? Mr. Winn explained the compromises made between flood storage and reasonable construction options. What is being done about known erosion on the Belmont (northeast) side? Mr. Reed explained that the wall was designed with this in mind and the area will be restored. Has the temporary diversion taken a major storm/flood into account? Mr. Reed explained that it has been designed for a “2-year” storm, which is standard. He expects the contractor to plan for the weather and materials storage on site will be monitored. Mr. Moser asked and Mr. Reed clarified that performance standards will be written into the contract and not require special conditions. Mr. Moser suggested that submitting a written contingency plan might be included as a condition. Discussion of an option to replace with a new adjacent culvert, vs. the in-kind plan. Ms. Walden noted that site topography (stream channel) and other constraints would make this difficult. Has the culvert fill material been properly sized? Mr. Reed confirmed that the material is based on appropriate flow calculations. Mr. Moser raised concerns about fish spawning, specifically river herring, which were affected by a previous culvert replacement over Beaver Brook. He requested that the applicant attempt to get info on time-of-year restrictions from the Division of Marine Fisheries to avoid potential additional impacts. No specific work has been done related to this, but Ms. Walden indicated that some review will be done as part of the Army Corp process. Mr. Moser also suggested that the replanting involve more woody plants vs. only seeding. The applicant agreed to attempt this, within budget constraints. Ms. Conlon will continue to coordinate with Belmont to approve conditions that are the same for both filings.

Motion to continue by Mr. Doyle, seconded by Mr. Dufromont; **motion passed**.

## **Public Meeting**

**Informal Discussion** - regarding Lyman Pond and the Chester Brook weir.

Mr. Moser explained some known concerns with flooding and fish passage on Chester Brook as well as a recent call to the commission office regarding lower water level in Lyman Pond caused by the brook cleaning project. Mr. Winn updated the commission on the amount of debris removed at the existing weirs in the brook and the lowering that resulted. He suggested that the brook should be looked at in its entirety from Hardy Pond to the Charles River to look for improvements. There are several abandoned weirs and there is a lot of accumulated debris. Mr. Moser noted the proposal to remove the Watertown dam and work the DCR has planned to restore the Charles River fishery. Mr. Doyle noted potential contamination concerns with the accumulated sediment above any weir that might be removed. He raised flooding concerns downstream of Lyman Pond, and in other locations, which Mr. Winn acknowledged awareness of. Mr. Doyle noted that the “Rizzo report” on some of these issues from some time back would be useful. Mr. Winn is trying to get a copy of this report. Mr. Moser noted that current actions, and the reason behind a resident complaint to the commission, are within the scope of previously approved work and that the commission has no cause to intervene. [The “Rizzo report” is the ‘Chester Brook Flood Mitigation Study’ prepared by Rizzo Associates in 2003.]

## **Public Meeting**

### **Request for Determination of Applicability**

**Applicant:** Kassem Trad

**Property Location:** 1036 Lexington Street

**Project Description:** Trimming trees and cleaning around the stream (Chester Brook tributary).

The applicant and a representative were present to explain the request. They described the site and the proposed work. The intent is primarily to trim overhanging branches near the building and clean up trash in the jurisdictional area. Ms. Conlon asked if the applicant would be doing the work or using

a contractor. It will be contracted. Ms. Conlon noted observations from a visit to the site, including the mix of native and invasive growth. She felt limiting pruning to the allowed 10% of canopy coverage could be approved and suggested that some invasive removal be done. She recommended leaving the large logs, which the applicant agreed to. Discussion. The commission had no additional concerns. Mr. Moser suggested conditions: 1) allow pickup of trash from the stream but leave natural woody material such as logs in place; 2) trimming of trees to be allowed, but not more than 10% of the current canopy; 3) allow the removal of invasives. Ms. Conlon will make a follow-up visit to assist with recognizing the invasives to be removed.

Motion to issue a negative determination, with the 3 conditions described, by Mr. Baker, seconded by Mr. Doyle. All present in favor. **Motion passed.**

### **Public Meeting**

Cambridge Water Department presented preliminary information on Winter Street Dam work. David Kaplan, Cambridge Water Department, and Magdalena Lofstedt and Andy Miller, of CDM Smith, were present. The need for repair work was discovered during a routine underwater inspection. This presentation was scheduled after a site visit and discussion with Ms. Conlon, to inform the commissioners and the public. Mr. Miller presented details on the condition of the dam and the work planned. Ms. Lofstedt presented on WPA concerns of the work. There will be some impact to inland bank and BVW, but the project would be exempt as utility work under the WPA. CWD and CDM Smith presented to get confirmation that no formal filing will be required. They will submit written notification and project plans to the commission. They are still required to file a 401 water quality certification with DEP and with the Army Corps. Mr. Moser agreed that most work would be exempt, but believed an NOI might still be required by the DEP because of work directly in the stream below the dam. Mr. Dufromont agreed with this. Discussion of materials to be used on site, to confirm safety of water supply. Mr. Doyle thought this might qualify as a limited project. Access work might be in a jurisdictional area, but is on the structure itself, so not an issue. He felt the 401 certification would cover all commission concerns, as it is stringent. Mr. Donovan asked if sediment below the dam would be disturbed and if downstream property would have concerns. Mr. Miller clarified that no sediment would be removed. The work is essentially "emergency repair" only to address the deficiencies that have been noted. Mr. Moser stated that the commission would discuss this project with DEP to see if they have any concerns. He noted that this was an informal hearing, and that if CWD requires a formal decision by the commission they should submit an RDA.

### **Public Meeting**

Eversource: Presentation on pylon replacement work.

Kelan Koncewicz of VHB and Logan Tropiano of Eversource present. Mr. Koncewicz gave an overview of the project and showed the location of work on maps, including wetlands impact. Ms. Conlon had no additional questions. She requested photos as work progresses. They are taking photos daily, so will do this. The commission had no questions. Mr. Moser felt this project was exempt, and appreciated this presentation for the public record. [This presentation was scheduled because DEP had raised concerns that the work might not all be exempt and clarification was recommended.]

### **Public Hearing**

**Notice of Intent** (DEP File #316-0806)

**Applicant:** Andrew D'Alessandro

**Property Location:** 121 Edgewater Drive

**Project Description:** Construction of a seasonal dock for the private use of the homeowner. Prior to installation of the dock the emergent vegetation along the shoreline of the Charles River will be hydro-raked.

Paul Finger, Andrew D'Alessandro, and Robin Insuik present for the applicant. Mr. Finger presented a summary of the project. He noted that a 5-year order of conditions is being requested, to "continue to maintain the...portion of the site that we're using for aquatic weed harvesting" (proposed hydroraking). Solitude and LEC have done work on this proposal. The proposed raking area is 0.2 acres. Mr. Finger referenced previous permitting for weed removal. He mentioned algal blooms and oxygen depletion. They plan to do weed harvest and dewatering with erosion control, then take material off site. The dock would be an aluminum system designed for seasonal removal. Stated no impact to bank. Stated that BVW is landscaped and previously disturbed and that pathway would be exempt from stormwater standards. Ms. Conlon asked for clarification on vegetation removal plan and process. Question on type of vegetation. Question (raised by DEP) on whether this qualifies as dredging. Clarification on stairway. Clarification on equipment needed and storage and movement of removed vegetation. Discussion of Chapter 91 permit; an Order of Conditions is needed before that filing. Discussion of effect on turtles and other animals in river. Question of DCR involvement. Mr. Finger asserted DCR has determined this to be "outside their purview or interest." Mr. Moser requested that this correspondence with DCR be forwarded to the commission for the file. Mr. Baker requested that any heavy equipment drive over pads to prevent soil compaction. Applicant said they "will incorporate that." Clarification of 5-year request. Discussions of: dock construction, water depth and volume of material to be removed, whether any of this work qualifies as dredging. Question regarding possible time of year restrictions from DMF and amount of time needed for hydroraking (Mr. Finger estimated 2-3 days). Regarding disturbance, Mr. Finger noted that a turbidity curtain would be installed. Mr. Moser asked if the applicant would be amenable to an in-perpetuity condition to remove the dock if it fell into disuse or disrepair, due to the large size of this dock. Mr. Finger did not feel this would be a problem. The commission scheduled a site visit for Monday, 6/27, at 7AM.

Mr. Baker moved to continue this hearing, seconded by Mr. Dufromont. **Motion passed.**

## **Public Meeting**

### **Request for Determination of Applicability**

**Applicant:** Boston Gas Company

**Property Location:** Lexington Street right of way.

**Project Description:** Abandonment and replacement of gas mains along portions of College Farm Road, Lexington Street, Stanley Road, and Chesterbrook Road. Replacement main from Chesterbrook Road through northernmost section of Storer Conservation land to 655 Lexington Street (Kennedy Middle School).

Michael Toohill present for the applicant. Explained the project. The majority is in existing right of way and exempt. One small replacement section is new and passes through a wetland area. This is rerouting to avoid the sanitary sewer crossings of the old line. A swath about 10' wide would be disturbed and small trees would be removed.

Ms. Conlon has visited the site and described the conditions—large boulders, some large trees (Oak and Sugar Maple). She hopes the trees could be retained. Mr. Toohill noted that they will be installing plastic line, so there is some flexibility in the path. They will stake out the exact route before digging, for review. Ms. Conlon agrees that there is otherwise very little impact. Ms. Conlon and the commission noted that the topography of the area is unusual in that it is at or near a jurisdictional boundary but lacks a wetlands connection.

Discussion noted that the work area is at the boundary of private, city, and school department land. Mr. Moser requested more detailed plans to clarify the line location and to highlight the wetlands boundary: the site might not be on Storer land, and is possibly outside of jurisdiction. The location of the existing easement was raised; the status is unclear, and this line might require a new easement. Concurrence that this is at the boundary and precise placement is important.

Mr. Doyle moved to continue; Mr. Baker seconded. **Motion passed.**

### **Commission Business**

- Approval of meeting minutes from 5-26-2022. Motion to approve all minutes by Mr. Donovan, seconded by Mr. Baker. All present in favor. **Motion passed.**

Mr. Doyle moved to table the remaining items. Seconded by Mr. Sbordone. **Motion passed.**

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

Meeting adjourned at 10:00PM.