



**Waltham Conservation Commission
May 17, 2018
Meeting Minutes**

Meeting called to order at 7:02 p.m.

Attendees: Chair Philip Moser, Vice Chair Bill Doyle, Brad Baker, Mike Donovan, Courtney Semlow

Absent: Gerard Dufromont

Public Meeting

Request for Determination of Applicability

Applicant: Erin West Farrell and Todd Farrell

Property Location: 149 Riverview Avenue

Project Description: Dock replacement

Ms. Semlow recused herself due to a potential conflict of interest.

Mr. Farrell noted that the dock on his property is in disrepair and they would like to replace it. They want to keep it in the existing footprint. The existing posts are both metal and wood. Mr. Moser recommended using metal replacement posts. Mr. Doyle asked if there is a Chapter 91 permit for the dock. Mr. Farrell is unsure, but he will look into it. There is no concrete abutment and no excavating will be done. Mr. Donovan would like to see specifications of the pre-fab dock and photos of the existing dock.

Motion made by Mr. Doyle to continue until the next meeting. The Applicant will research if there is a Chapter 91 permit, provide a more-detailed explanation of the construction of the dock and how it will be connected to the shore, provide cut-sheets and additional photographs. Motion seconded by Mr. Donovan. Mr. Baker would like to see how they will remove the old posts. All in favor of the motion. **Motion passed.**

Ms. Semlow returned to the meeting.

Public Meeting

Request for Determination of Applicability

Applicant: Michael Ricci

Property Location: 155 Copeland Street

Project Description: Removal of a hazardous tree

Russell Holman, Certified Arborist with Hartney Greymont, represented the Applicant. The tree they would like to remove is a 23 in. diameter Red Maple, 40 ft. tall with a 60 ft. spread. There is some level of decay inside the tree and Mr. Holman recommends removal of it. The owners are amenable to replacing the tree. The tree is 32 feet from the wetlands. It will be taken down manually and they will not be grinding the stump. They will use a ball cart to remove the trunk. They will plant two native replacement trees. Mr. Baker recommended one Red Maple plus another native.

Motion made by Mr. Doyle to issue a negative Determination of Applicability with the condition that the tree is cut no less than 6 inches to the ground and that two replacement trees are provided, with at least one Red Maple. Motion seconded by Mr. Donovan. All in favor. **Motion passed.**

Informal Discussion

- **Invasive Plant Management for The Robert Treat Paine Estate:** Ann Clifford

Stonehurst/The Robert Treat Paine Estate Curator Ann Clifford stated that she is working on a larger management plan to treat the invasive species on the property. They have been tackling the garlic mustard for the past 4-5 years. Last year they started with the Black Swallow-wort. Ms. Clifford consulted with Mass Audubon for advice on how to remove the invasives. It was recommended to mow the Black Swallow-wort twice to prevent the pods from growing. They've looked into using goats, but the Black Swallow-wort is toxic to them. It was recommended to dig the roots out from the sides to slowly shrink the area. They also looked at the hemlock grove because they are dying quickly. The Buckthorn is the primary invasive in the area. It was recommended that they cut them down to 6 inches then cover them with small black bags, which prevents spreading and it kills them. Mass Audubon recommended not cutting the wisteria which will force it to send out lateral shoots, spreading it further into the woods. The only way to get rid of it is to treat it with herbicides, applied by a licensed person.

Ms. Clifford is asking the Commission's permission to mow the orchid area and to put bags over the Buckthorn.

Motion made by Mr. Doyle to write a letter of support for the mowing of the Black Swallow-wort and bagging of the Buckthorn, seconded by Mr. Baker. All in favor. **Motion passed.**

Informal Discussion

- **Briar Glen Village:** Eric Magennis

Mr. Magennis gave an update on the fertilization program for Briar Glen Village. The Hardy Pond Association gave him guidelines on the type of fertilization program to do in an environmentally sensitive area.

Mr. Moser asked about using herbicides and pesticides in the backyards of the apartments. Mr. Magennis noted that their landscapers are not using herbicides, pesticides or fertilizers within 100 ft. of the wetlands. Mr. Moser would like a letter sent to the landscaper outlining the procedure with a copy sent to the Commission.

Informal Discussion

- **Bishops Forest:** John Scarpaci

Mr. Scarpaci noted that they don't have a lot of grass in the back of the units (there's lots of moss). Mr. Scarpaci stated that they use an organic fertilizer. Mr. Moser asked that Mr. Scarpaci look up the property on the City's GIS map to ensure that no herbicides, pesticides or fertilizers are used within 100 ft. of the wetlands.

Andrew Balon, Certified Arborist from Bartlett Tree, stated that they are looking at the trees that need to be removed. All of the trees recommended for removal will be through the ISA (International Society of Arboriculture tree risk assessment). They will present a master plan to the Commission for approval. Mr. Moser asked for a letter stating that no fertilizers, pesticides or herbicides will be used within 100 ft. of the wetlands.

After the high risk trees are removed, a mix of three trees and shrubs will be planted. Mr. Baker recommended planting native (to Massachusetts) trees that are better for the birds, which help control the insect populations. Mr. Moser gave them the OK from the Commission to proceed, and he will also write a letter of approval.

Public Hearing

Notice of Intent (DEP File # 316-0736)

Applicant: City of Waltham Recreation Department

Property Location: 25 Hillcroft Road

Project Description: Improvements to Hillcroft Playground

Nick Abruzzi, Waltham Rec. Dept., and Cheri Ruane presented. Ms. Ruane noted that the playground is located in a low ground. There is a long-standing history of flooding in the area. The Engineering Department cameraed all of the drain lines and it was discovered that some of the drain lines were pitched in the wrong direction. They will be corrected which will alleviate some of the flooding. The proposal is to include a walking path. The basketball court is undersized and very close to the wetland. They are pulling it away from the wetland and making it a little larger. The playground will be improved to include older and younger kids and made handicapped accessible. There will be a minor increase to impervious area. Subsurface chambers will infiltrate some of the water. They will maintain or reduce the stormwater

runoff on site. They are trying to control the flow. The Japanese knotweed will be mechanically removed. There are native species in the area that won't be removed and the hope is they will continue to grow. Mr. Baker recommended they put in ballast stone to prevent erosion. Mr. Moser recommended painting herbicide on the cut knotweed and not dig it out by hand. Ms. Ruane replied that that is their preferred and most effective method.

Mr. Moser opened up comments from the public. William Guerin, 5 Hemlock Terrace, noted that the playground used to be a pond. The Engineering Dept. stated the pipe wasn't big enough to handle the rain. The water from the park backs up onto his property. He expressed his concerns about the flooding in the area and provided a study of the drainage on the park done by the City's Engineering Dept. several years ago.

A site visit has been scheduled for Monday, May 21st at 6:00 p.m.

Motion made by Mr. Doyle to continue until the next meeting, seconded by Mr. Baker. All in favor. **Motion passed.**

Public Hearing

Notice of Intent (DEP File # 316-0737)

Applicant: Joseph R. Vanaria

Property Location: 44, 44R and 56 Williams Street & 114 Felton Street

Project Description: Redevelopment of the existing site

Dr. John Rockwood, Chief Environmental Scientist with EcoTech and Joseph Porter, VTP Associates, represented the Applicant. Dr. Rockwood notes that the property is used by a landscape company for storage. They want to expand the parking lot. A brand new infiltration system is proposed to address the change in impervious surface. They are proposing to create a landscape area with native plantings along the riverfront.

Mr. Donovan asked if there are any gas/water separators before it gets into the infiltration system. Mr. Porter replied that each of the catch basins will have a hooded outlet for any oil and gas. Prior to going into the infiltration system, they installed a Stormceptor to handle some of the sand, salt and oil. Ms. Semlow is concerned that the Stormceptor won't be able to provide a lot of water and oil separation. It's good for solids and sediments, but not salts and oils. Mr. Porter replied that if the catch basins are maintained, it should not be a problem. Mr. Doyle asked if the Stormceptor provides an elevated level of removal of the oils. If it doesn't, can they get a Stormceptor that will provide it.

Mr. Moser asked if there is an LSP involved with the project and is he/she OK with them putting water into the ground.

Mr. Porter replied that there is no LSP for the project. Dr. Rockwood stated that there is no known release on the property, so there is no need to employ an LSP.

Mr. Moser opened up comments from the public. There were none.

Motion made by Mr. Doyle to close the public hearing, seconded by Mr. Donovan. All in favor. **Motion passed.**

Motion made by Mr. Doyle to issue a positive Order of Conditions with the following special conditions: 1) The applicant must provide more information on the Stormceptor that's proposed, showing that it traps an elevated level of oil and gas (or another system that would do the same thing prior to infiltration); 2) A shut-off valve shall be provided in an emergency situation. Discussion of the motion: Mr. Donovan asked to not condition the valve, but note that it is a recommendation. Mr. Doyle struck the second condition. Motion seconded by Mr. Donovan. All in favor. **Motion passed.**

Public Meeting

Request for Extension of Order of Conditions (DEP File # 316-0689)

Applicant: Robert Farrington/Windsor Village at Waltham Co.

Property Location: 976 Lexington Street

Ms. Semlow recused herself due to a potential conflict of interest.

Joe Porter, VTP Associates, represented the Applicant. He requested a one-year extension of the Order of Conditions which expire in mid-June. He noted that work is about to start for repairing the curb and for the parking lot amendment. They hope to begin repairs at the end of May/early June. Mr. Moser noted that the erosion controls are still in disrepair. He handed Mr. Porter an Enforcement Order (WPA Form 9) to repair the erosion controls. Mr. Baker recommended adding hay bales to back up the silt fencing.

Motion made by Mr. Doyle to issue an 18-month extension, seconded by Mr. Donovan. Discussion of the motion: The Commission will keep an eye on the erosion controls during the extension period. Mr. Porter will have them repaired and request a site visit within the next week. All in favor of the motion. **Motion passed.**

Public Meeting (Continued from 5-3-2018)

Request for Certificate of Compliance (DEP File # 316-0689)

Applicant: Robert Farrington/Windsor Village at Waltham Co.

Property Location: 976 Lexington Street

Motion made by Mr. Doyle to continue this item until the spring of 2019, seconded by Mr. Donovan. All in favor.

Motion passed.

Ms. Semlow returned to the meeting.

Commission Business

- Motion made by Ms. Semlow to approve the meeting minutes from 4-19-2018 and 5-3-2018, seconded by Mr. Donovan. All in favor. **Motion passed.**

Correspondence

- **E-mailing Rules for Conservation Commissions:** Decisions can't be made via e-mail among the Commission. Issues need to be discussed in an open forum.
- **Trust Fund Money & Filing Fees:** The Mayor responded to the Commission's inquiry about these funds. Trust Fund money can only be spent on purchasing land and filing fees can be spent, but with the Mayor's prior approval.
- **Friends of Stonehurst Opposition to High School Fence:** A letter was received with this group's position on the proposed fence at the high school.

Motion made by Mr. Doyle to suspend Commission Business, Committee Reports and Site Visit Reports until the next meeting, seconded by Mr. Baker. All in favor. **Motion passed.**

New Business

- **Wisteria at Paine Estate:** Mr. Baker noted that the Wisteria vines at Stonehurst are on CPW's list to scrape off and remove. The bulk of it needs to be removed to see what's remaining in the fall. Mr. Baker asked that the Commission be notified when work will be done within the next two weeks.

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

Meeting adjourned at 9:36 p.m.