



**Waltham Conservation Commission  
December 6, 2018  
Meeting Minutes**

Meeting called to order at 7:01 p.m.

**Attendees:** Chair Philip Moser, Brad Baker, Gerard Dufromont, Courtney Semlow, Vice Chair Bill Doyle (arrived at 7:02 p.m.)

**Absent:** Mike Donovan

**Development Prospectus Sign-offs**

- **305 Second Avenue:** Unable to appear this evening.
- **300 Third Avenue:** Atty. Michael Connors stated that the existing building will be knocked down and a new building erected. The property is not in a resource area.  
Mr. Doyle arrived at 7:02 p.m.  
Motion made by Mr. Doyle to allow Mr. Moser to sign the Development Prospectus, seconded by Mr. Dufromont. Discussion of the motion: Mr. Moser asked if the property backs up to Prospect Hill Park. Atty. Connors replied that it does not. Mr. Moser asked if the nearby drainage ditch is within jurisdiction. Atty. Connors replied that it is not. All in favor of the motion. **Motion passed.**

**Public Meeting** (Continued from 11-15-2018)

**Request for Certificate of Compliance** (DEP File # 316-0276)

**Applicant:** Paul Hopkins

**Property Location:** 105 Galen Street (formerly 205 Putnam Street)

Atty. Howard Rock represented the applicant. He noted that they met with Commission members at the property a few weeks ago. Mr. Hopkins was able to provide a report re: the wetlands replication that occurred on the property, which was handed out this evening. Mr. Moser stated that in the original plan, 5,000 sq. ft. of wetlands were to be filled in with 10,000 sq. ft. of wetland replication. He didn't notice any replication when he was on site. He found in the file that the contractor requested to not excavate the area. Mr. Moser is unhappy that they filled 5,000 sq. ft. of wetland without replication. He will not sign the Certificate of Compliance. The Commission is open to the Applicant hiring a wetlands scientist to flag the area to show there is a wetland that is equal to or greater to the area that was filled.

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

**Public Meeting**

**Request for Determination of Applicability**

**Applicant:** Eric and Ana Schiff

**Property Location:** 103 Hardy Pond Road

James Crowley, Heritage Design Associates, represented the Applicants. They would like to add a second floor addition on their existing house in the same footprint. There will not be any excavation/ground disturbance. All access to the property is coming from the back (not near the buffer zone).

Motion made by Mr. Doyle to issue a negative Determination of Applicability, seconded by Mr. Baker. All in favor. **Motion passed.**

## Informal Discussion

- 3 & 11 Waverley Oaks Road

Property owner, Stan Bloomenthal, stated that lots of debris (large timbers, shopping carts and tires) wash down stream. He hand pulls the items out and did do some hand-snipping of the brush to get to the brook. Mr. Moser noted that the Commission does not object to the removing of the debris, but they do object to clearing both sides of the bank – particularly the opposite side of the bank. Every single shrub within 10 feet of the bank has been cleared. Mr. Bloomenthal does not know who did the clearing. Mr. Moser replied that a concerned citizen reported it and that Mr. Bloomenthal's contractor was seen doing the clearing on the property. Mr. Doyle stated that Mr. Bloomenthal needs to hire a designer to come up with a plan and to do the work.

Motion made by Mr. Dufromont to issue an enforcement order, seconded by Mr. Doyle. Mr. Moser explained that issuing an enforcement order does not mean that the commission is voting at this time to take the property owner to court or seek fines; it just means using the correct form to describe the current situation as the commission sees it. Mr. Bloomenthal will need to present a landscape plan with a restoration planting plan. All in favor of the motion. **Motion passed.**

## Commission Business

- **Approval of meeting minutes from 11-15-2018:** Motion made by Mr. Doyle to approve the meeting minutes from 11-15-2018, seconded by Mr. Dufromont. All in favor. **Motion passed.**
- **Potential uses for filing fees in administering the Wetlands Protection Act:** Mr. Moser is continuing to compile a list of potential uses for the money.

## Correspondence

- **Charles River Oil Spill:** Oil was found to be flowing into the Charles River behind Shaw's at 130 River Street. It appears to be in the same location another oil spill occurred last year. Mr. Moser will reach out to DEP and he will try to stop by the site in the morning.

## Old Business

### Mr. Moser

- No updates

### Mr. Doyle

- **Paine Estate Forestry Plan:** Mr. Moser stated that Paine Estate Curator, Ann Clifford, received a proposal from a professional landscaping company that specializes in removing and managing invasives. This is to remove the wisteria at Paine Estate. Mr. Baker would like to change the disclosure that states they guarantee that 90% of the wisteria will be gone after the treatment plan. He would like it to be a 100% guarantee. The Commission discussed funding possibilities. Mr. Baker also disagrees with using Round-up as a treatment. He said that there is a risk of the pine trees in the area being killed. Mr. Moser suggested having a sub-committee of the Commission meet with Ms. Clifford in January to discuss this. Mr. Doyle recommended applying with CPC for funding of the forestry plan.

### Mr. Baker

- No updates

### Mr. Dufromont

- No updates

### Ms. Semlow

- No updates

## Committee Reports

### CPC

- **Waltham Housing Authority: Beaverbrook Apartments:** Request for a new roof was not approved. The Committee asked for a fuller application with more information. They did approve \$50K to do a study of the roof to find the best approach to fix it.

- **Waltham Housing Authority: Prospect Terrace:** Request for a new roof was not approved. The Committee asked for a fuller application with more information. They did approve \$50K to do a study of the roof to find the best approach to fix it.

#### **Trust Fund**

- **Potential purchases of land, easements, or conservation restrictions using trust funds:** No updates.

#### **Site visit reports**

- **Lyman Estate:** Mr. Baker reported that hay bales were being installed and everything looked good.
- **Elm Street Bridge tree:** Mr. Baker feels this tree is one of the most important in the city. If the tree falls and its root ball comes out, the bridge is impairable. He asked if pictures of trees in the city in jurisdiction can be put into an online folder to keep track of them. He suggested that those in charge of taking care of the trees in the city be made aware of any potential problems with the trees. Mr. Moser suggested Mr. Baker write up a field report to address his concerns with the property owner.
- **Mt. Feake Cemetery trees:** More trees have been spray-painted with numbers. A letter will be sent to CPW re: the potential violation of cutting down trees in jurisdiction without a formal filing with the Commission.
- **Linden Street storage:** A letter will be sent to the property owner asking to freshen up their erosion controls.

#### **New Business**

- **DEP Site Visit re: Wayside Trail:** Catherine Cagle, City's Planning Director, has not received a follow-up letter re: the site visit with DEP, with their request for information.
- **MACC Conference:** March 2, 2019

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

Meeting adjourned at 9:06 p.m.