



**Waltham Conservation Commission
November 5, 2020
Meeting Minutes**

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

Attendees: Chair Philip Moser, Vice Chair Bill Doyle, Gerard Dufromont, Bradley Baker, Michael Donovan, and Matthew Deveaux

Public Hearing (continued from 10-22-2020)

Notice of Intent (DEP File # 316-0770)

Applicant: City of Waltham

Property Location: 554 Lexington Street

Project Description: New High School project

Mr. Donovan recused himself due to a conflict of interest. Mr. Donovan is a member of the high school building committee.

Mr. Moser updated the team that the Commission is awaiting comments from the peer reviewer. Mr. Dufromont and Mr. Moser met with the peer reviewer online this week and have a site visit scheduled for tomorrow morning (November 6). The design team has requested to receive comments from the peer reviewer in advance of the next meeting. Mr. Moser agreed that he will send their comments when he has them.

Motion to continue to the next meeting on November 19 made by Mr. Dufromont, seconded by Mr. Doyle.

Discussion of the motion: Mr. Baker asked if we need a Wildlife Habitat Evaluation. Mr. Doyle said that we would need an alternatives analysis if we were in riverfront area, however, this property is not in riverfront since this property has a perennial stream.

All in favor. **Motion passed.**

Public Meeting

Request for Determination of Applicability

Applicant: Tim Dunn

Property Location: 77 Graymore Road

Project Description: Remove two pine trees from yard.

The homeowner, Tim Dunn, explained that he has two very tall pine trees in his yard that continue to lose branches during storms. He has safety concerns and would like to remove these two trees. Mr. Moser explained that when removing trees, the Commission would like to see replacement trees planted, preferably with two different trees that are native to Massachusetts in the 3"-5" diameter range.

Motion made by Mr. Doyle to issue a negative determination to allow that the two pines trees be cut down with two different native species trees of 4+" caliper to be planted in replacement. The tree stumps are not to be grinded. Seconded by Mr. Dufromont. All in favor. **Motion passed.**

Public Hearing

Notice of Intent (DEP File # not yet assigned)

Applicant: Floor & Decor c/o Centerpoint Integrated Solutions, Inc.

Property Location: 80 Second Avenue

Project Description: Redevelop existing property for a new retail store.

Austin Turner from Bohler Engineering represented the applicant. Bohler Engineering is working with Floor & Décor to redevelop to a portion of the existing building and parking area at 80 Second Avenue. Mr. Turner had previously been in front of the Commission with a Request for Determination of Applicability, which the Commission issued a positive determination and required the project to submit a Notice of Intent for this project.

Given the location of this property, the Commission recommended the applicant reached out to the City of Cambridge Water Department for guidance and the Cambridge Water Department did send their recommendations to the Commission.

The hearing was opened to the public. There were no questions or comments from the public.

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

Motion made by Mr. Doyle to issue an Order of Conditions once a DEP file number has been issued for the Floor & Décor section of 80 Second Avenue with a special condition to incorporate the recommendations as described in the letter from the City of Cambridge Water Department dated October 8, 2020. Seconded by Mr. Donovan. All in favor. **Motion passed.**

Public Hearing

Notice of Intent (DEP File # 316-0772)

Applicant: Kin Properties

Property Location: 80 Second Avenue

Project Description: Upgrade and replace utility connections on the south side of the existing building.

Conor Nagle of VHB, Inc. represented the applicant (Kin Properties) and Boston Dynamics as the tenant. Work had been started at this location and was reported to the Conservation Commission. Mr. Moser and Mr. Doyle performed a site visit and asked them to install erosion controls and the file a Notice of Intent for the project.

The meeting was opened to the public. Bill Proia, the attorney representing the project had a concern about agreeing to the recommendation from the Cambridge Water Department for this half of the project since they have not seen their comments yet. Mr. Nagle said they have spoken with Cambridge Water Department, but have not received their recommendations yet.

The representative suggested that they wait for the comments from the Cambridge Water Department and continue to the next meeting.

Motion to continue to the next meeting on November 19 made by Mr. Doyle, seconded by Mr. Baker. All in favor. **Motion passed.**

Commission Business

- **Approval of meeting minutes from 10-22-2020:** Motion made by Mr. Donovan to approve the minutes from the 10-22-2020 meeting, seconded by Mr. Deveau. All in favor. **Motion passed.**
- **Update on filing fee projects:**
 - **Hardy Pond Watershed Stormwater Improvements: No updates.**

Motion made by Mr. Donovan to take an item on the agenda out of order. Seconded by Mr. Dufromont. All in favor. **Motion passed.**

Correspondence

- **36 Oakley Lane:** Mr. Willoughby, the homeowner of 36 Oakley Lane attended the meeting. There was an Order of Conditions required the homeowner to remove the planter boxes from their yard. A Certificate of Compliance was issued and then garden boxes were installed in the yard. The Commission was made aware of it and was to discuss the process at this meeting. Discussion ensued and the Commission agreed that the homeowners can keep their garden boxes where they are.

Commission Business

- **Update on filing fee projects:**

- **Mt. Feake Riverfront study:** Mr. Baker has not sent the letter to Mr. Chiasson or the Cemetery Committee.

The Mayor informed Mr. Baker that the Mt. Feake Riverfront study needs to be sponsored by the Cemetery Committee, not the Conservation Commission. Mr. Baker will work with them to move this project forward.

- **Storer Conservation Land Encroachment:** No updates.
- **Storer Conservation Land Management Plan:** No updates.
- **2021 Meeting Dates:** Motion made by Mr. Dufromont to approve the proposed meeting dates, seconded by Mr. Donovan. All in favor. **Motion passed.**

Old Business

- **Open Enforcement Orders:**

- **98 Lakeview Terrace:** At the last meeting, the Commission voted to issue an Enforcement Order to the homeowners. That went out on Monday, October 26 and CPW also followed up with a letter to the homeowner. The Commission has not heard back from the homeowners.
- **78 Hardy Pond Road:** A Commission member saw evidence of a tree being cut down in the back of the house. A potential violation letter was sent asking them to stop cutting. The Commission has not heard from the current resident.

- **Markings at the Paine Estate:** Mr. Dufromont visited the Chesterbrook Woods to see these new markings. Mr. Dufromont connected with Mr. LaForest, the athletics director at Waltham High. The track team is not responsible for these markings. A walker witnessed a gentleman making these marks in the woods and when asked, he said that he was marking the trails so that he can find his way in the winter time. Mr. Moser said that if we find out who is making these marks, the Commission can send him a letter.
- **Wisteria at Paine Estate:** Mr. Donovan updated the Commission on the wisteria control. Ann Clifford has been trying to arrange a meeting with Kevin Thompson, the tree warden, however, the meeting has not been scheduled yet because of so many storms in the area causing downed trees.

Committee Reports

- **CPC:** There is a special meeting scheduled for November 18 to vote on the budget.
- **Trust Fund:** No updates.

Site visit reports: No updates.

New Business

- Mr. Baker will be conducting an Invasive Controls Training either Monday, Tuesday, or Wednesday next week at Mt. Feake or the Lyman Estate. Any Commission members are welcome to attend.

Motion made by Mr. Doyle to adjourn the meeting, seconded by Mr. Donovan. All in favor. **Motion passed.**

Meeting adjourned at 9:02 p.m.