



**Waltham Conservation Commission**  
**January 5, 2017**  
**7:00 p.m.**  
**Meeting Agenda**

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

**Attendees:** Chairman Bill Doyle, Brad Baker, Mike Donovan, Gerard Dufromont, Vice Chairman Philip Moser

**Absent:** Tali Gill-Austern

Motion made by Mr. Moser to take an item out of order, seconded by Mr. Baker. **Motion passed.**

Mr. Moser recused himself due to avoid a potential conflict of interest.

**Public Meeting** (Continued from 12-15-2016)

**Request for Certificate of Compliance:** DEP File # 316-0692

**Applicant:** Tracer Lane Trust II

**Property Location:** 170 Tracer Lane

Atty. Phil McCourt noted that they are here requesting three Certificates of Compliance and Giuliana DiMambro, Boston Properties, will answer any questions.

Ms. DiMambro stated everything has been built to the original plans, but there are a few small minor modifications. The water quality unit was moved to the other side of a tank they discovered had been left in place on the property. Engineer Nick Skoly had conversations with the Commission about it beforehand. On the island where there was a transformer, there were two trees in the Eversource easement area. One of trees died and a new one was planted in its place. They put in extra trees and plants on the site. They added viburnum bushes to help with light pollution near the wetlands.

Mr. Dufromont asked if they could dim the lights at night. Ms. DiMambro stated they are turned off from midnight until 5:00 a.m. Mr. Dufromont asked if they could be turned off at 10:00 p.m. Ms. DiMambro stated that Cambridge Water Department and a wetlands specialist determined that the lights weren't bright enough to affect the habitat. Mr. Doyle stated that the light on Rt. 128 is out of the jurisdiction of the Wetlands Protection Act. Mr. Dufromont noted that neighbors have complained about the lights and would like to leave that part of the conditions open. Mr. Doyle stated that someone needs to come forward with data that states the lights are affecting the habitat. Neighbors will need to contact the Zoning Dept., not the Conservation Commission, to complain.

Mr. Donovan asked about the easement with Eversource. He asked what relationship they have with them when they come in to spray and maintain the area in the easement. Ms. DiMambro responded that she doesn't have that information, but the property management team talks with them and she can pass along his concerns.

Mr. Doyle attended the site visit and everything looked good. There is a tank out there and they put another one in for extra protection. A concern is with vines climbing up the trees. He is fine with them cutting (not pulling) the vines as general maintenance. He would like to see the property line and the Eversource easement put on the as-built plan.

Motion made by Mr. Dufromont to issue a Certificate of Compliance, seconded by Mr. Baker. **Motion passed.**

Approved 2-2-2017

**Public Meeting** (Continued from 12-15-2016)  
**Request for Certificate of Compliance:** DEP File # 316-0698  
**Applicant:** Tracer Lane Trust II  
**Property Location:** 170 Tracer Lane

Motion made by Mr. Donovan to issue a Certificate of Compliance, seconded by Mr. Baker. **Motion passed.**

**Public Meeting** (Continued from 12-15-2016)  
**Request for Certificate of Compliance:** DEP File # 316-0704  
**Applicant:** BP Reservoir Place LLC  
**Property Location:** 1601 Trapelo Road

Motion made by Mr. Baker to issue a Certificate of Compliance, seconded by Mr. Donovan. **Motion passed.**

Motion made by Mr. Dufromont to resume the scheduled agenda, seconded by Mr. Donovan. **Motion passed.**

Mr. Moser returned to the meeting.

#### **Development Prospectus Sign-offs**

- **49-53 Linden Street**

Atty. William Proia stated that the plan is to remove the automotive service use at Sunoco, add fuel islands, change the current curb cuts, add a kiosk for the gas attendants and two parking spaces for the employees. There is riverfront in the area where no disturbance is planned; only the parking lot will be restriped. Mr. Baker asked if there is a catch basin to catch the gas. Atty. Proia stated that there is a stormwater plan. Everything will be captured and treated, then put into the city's system. The old tanks are being removed and new ones are being put in. BJ's is the new tenant.

Mr. Doyle is concerned that it is indicated on the prospectus paperwork that the project does not involve work within the Wetlands Protection Act, and he is worried about runoff. The project may need to come back with a Notice of Intent filing and he will indicate such on the prospectus.

Motion made by Mr. Moser for Mr. Doyle to sign the prospectus, seconded by Mr. Dufromont. **Motion passed.**

- **124 West Street**

Atty. William Proia stated this was the former site of the tennis club. Eversource is the current tenant. They need a special permit to be allowed to park up to six heavy duty trucks (5,000 lbs. each). The property is not within the commission's jurisdiction.

Mr. Moser asked if they are increasing the size of the parking lot to accommodate the trucks. Atty. Proia replied that they are using the existing lot.

Motion made by Mr. Moser for Mr. Doyle to sign the prospectus, seconded by Mr. Baker. **Motion passed.**

- **170 High Street**

Atty. Tyler Haynes, McLane Middleton, represented Verizon Wireless. He stated that plans were signed by Chairman Doyle on September 22<sup>nd</sup> but due to an administrative error another set of plans was signed by ten other departments. Atty. Haynes is requesting that Mr. Doyle re-sign on the second set of plans. The proposed work is outside the commission's jurisdiction.

Motion made by Mr. Moser to sign the prospectus, seconded by Mr. Dufromont. **Motion passed.**

Mr. Doyle passed the gavel to Mr. Moser.

**Public Hearing** (Continued from 12-15-2016)

**Notice of Intent** (DEP File # 316-0721 Comments: MassDEP is concerned about the proximity of the pool to the wetland. An alternative would be moving the pool to where the patio is or down-sizing the pool to move it away from the wetland. Drainage from the pool would not be allowed into the conservation area.)

**Applicant:** Keith Manning

**Property Location:** 20 Lauricella Lane

**Project Description:** Construction of an in-ground pool, permeable paver patio, landscaping and grading within an existing cleared lawn area.

Motion made by Mr. Dufromont to continue to the next meeting, seconded by Mr. Baker. **Motion passed.**

**Commission Business**

- Motion made by Mr. Doyle to approve the meeting minutes from 12-15-2016, seconded by Mr. Baker. **Motion passed.**
- **Order of Conditions Revision:** Mr. Moser stated that he incorporated the comments that were discussed at a previous meeting. The one outstanding item is there are conditions that the commission have written that are redundant with DEP's conditions. He is willing to address those first before issuing the revised conditions. Motion made by Mr. Donovan to continue the discussion to the next meeting, seconded by Mr. Doyle. **Motion passed.**
- **Review of Project Closeouts:**  
Mr. Moser would like Windsor Village contacted to request that they apply for a Certificate of Compliance for work completed last year. Julie noted that they dropped off as-built plans this week.  
Piety Corner culvert project: Julie will contact Mike Chiasson, CPW, re: replacing the dead trees that were planted during the project.  
Mr. Donovan and Mr. Dufromont agreed to be the project managers for the Bentley arena.

**Correspondence**

- **Waltham Watch Factory:** They are trying to close out the cleanup that is being handled by DEP (non-wetlands division). The document sent to the Commission by Haley & Aldrich, Inc. defines any limitations on the future use of the property that are required to safe-guard the public from coming in contact with any contaminants that may remain. No action is required from the commission.
- **Mt. Feake Cemetery project:** A letter was received from MassDEP stating what they are looking for from the applicant before they will issue a Superseding Order of Conditions on DEP File # 316-0715. No action is required from the commission.
- **Eversource Right-of-Way:** A letter was received from MA Dept. of Agricultural Resources which allows Eversource to retain their right-of-way under the power lines that run from 1265 Main Street to Smith Street.
- **Hardy Pond Year-End Report:** An annual report was received from Solitude Lake Management.

**Old Business**

**Mr. Doyle**

- No updates

**Mr. Baker**

- **Paine Estate trees:** Mr. Baker would like the city's arborist, Kevin Thompson, to come before the Commission in February to discuss his spray recommendations for treating the hemlocks. He would like to know the chemical he plans to use and be provided with the MDS sheet. The chemical that the arborist recommended last year is a neurotoxin to all insects. It kills both the good and bad insects. A suggestion is that it may be responsible for the honey bee decline. An oil-based product has been used in the past. He would like to see if another option could be used such as an oil spray or Safer Soap and what the costs are. Mr. Moser made suggestions for a letter to Mr. Thompson. Julie will draft it and Mr. Doyle will wordsmith it.

**Mr. Dufromont**

- No updates

**Mr. Moser**

- **Bishops Forest:** Mr. Moser reminded the commission of the complaint received in Oct. 2015 from a Bishops Forest resident re: the chemical treatment of pressure-washing the decks on the property. There are twelve Orders of Conditions for the property and three have been found. The twelve are all from the 1980s. There is no record of any filings from the units built in 1994 and 1995. The OOCs that were found prohibit the use of fertilizer, pesticide and herbicide in jurisdictional areas. The applicant is also required to inspect and maintain the storm drainage infrastructure (catch basins) on an annual basis and maintain records. A letter will be sent to the property manager re: the items listed in the Orders of Conditions and she will be asked how she thinks she can address them. Mr. Doyle suggested Julie contact DEP for advice on how to locate the OOCs that were issued in the 1980s. Mr. Dufromont suggested Julie try contacting Gloria Champion for her input as well.

**Mr. Donovan**

- No updates

Motion made by Mr. Doyle to adjourn the meeting, seconded by Mr. Dufromont. **Motion passed.**

Meeting adjourned at 8:34 p.m.