



**Waltham Conservation Commission
December 1, 2016
Meeting Minutes**

Meeting called to order at 7:00 p.m.

Attendees: Vice Chairman Philip Moser, Brad Baker, Mike Donovan, Gerard Dufromont, Tali Gill-Austern, Daniel Keleher, Chairman Bill Doyle (arrived at 7:01 p.m.)

Public Meeting

Request for Determination of Applicability

Applicant: Adwait Muthal

Property Location: 123 Bishops Forest Drive

Project Description: Deck extension within limits and staircase to ground.

Michael Saunders, Jr. represented the applicant. They would like to build an extension to the current deck. There are current regulations which require charcoal and gas grills to be a minimum of 10 feet from the house, therefore they need to extend the deck, which is currently only 8 feet from the building. Mr. Gill-Austern's concern is using chemicals to clean the deck. Mr. Saunders replied that they would not be used. Mr. Moser asked if they will be using crushed stone under the deck. Mr. Saunders confirmed that he would. Mr. Dufromont asked if they need to obtain approval from the condominium association. The applicant does have a letter of approval which he will forward to the office.

Motion made by Mr. Moser to issue a negative Determination of Applicability on the grounds that the impact on the resource area is minimal, if any. Discussion of the motion: Mr. Gill-Austern asked that no chemical treatments be used on the deck. Motion seconded by Mr. Gill-Austern. **Motion passed.**

Public Hearing (Continued from 11-17-2016)

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.

Scott Henderson, civil engineer, represented the applicant. There are two phases to the project. The first is to regrade the side yard to make it more level, and to build a 2 – 3 foot tall retaining wall along the edge of the lawn to fill the area and level it off. At the top of the wall, they will plant some small shrubs to create a barrier between the yard and the wall. Some of the current wall is eroding and not very stable. They want to remediate the erosion by using stabilizing plantings. The second phase of the project includes developing the rear yard with a series of permeable paver patios, an in-ground pool, and a small addition to the rear left corner of the house. There is a proposal to cover some of the existing porch. There are two trees in the conservation restriction area. One is dead and the other has significant limbs that overhang the house. The applicant would like to remove the dead tree and trim back the overgrown branches on the other tree. This request must be approved by the Waltham ConCom and DEP. There is an open Order of Conditions which has a requirement for remediating plantings which has to be overseen for three growing seasons. There is one year left before the Order of Conditions can be closed. Gary Bogue from DEP sent an e-mail to Mr. Henderson and the commission stating a new Notice of Intent can be filed before the existing OOC is closed.

Mr. Henderson addressed the comment from DEP re: the pool and handling any backwash. The backwashing needs to be done once a year. They could propose to discharge the water to a drywell in an area out front. They could look at shifting the location of the pool, however keeping the pool to the left allows for less excavation.

Approved 12-15-2016

Mr. Moser asked what will mitigate the runoff from the covered porch. Mr. Henderson replied that they will direct the downspouts from the covered porch into the reservoir directly below the permeable pavers.

Mr. Moser asked about DEP's comments and what their technical concern was re: the proximity of the pool to the wetland. Are they concerned that the pool is going to leak chlorinated water into the wetland? Mr. Henderson did not receive a specific letter re: the comments. He saw them online. He feels that the concern is disturbance during construction. The highest point of the retaining wall will be 7 feet. It will be a structurally sound barrier between what is being used for the lawn and the conservation restriction area. In terms of the chlorinated water, if it splashes beyond the limits of the pool, they could put in slotted drains to capture the water.

Mr. Baker agrees with removing the dead tree, but the live tree only should be pruned back. Mr. Henderson agreed that they want to just cut down the significant branch that overhangs the house.

Mr. Keleher asked who is in charge of enforcing the conservation restriction. Mr. Henderson stated he believes that it is has to be approved by DEP, but overseen and approved by the local Conservation Commission. Mr. Doyle noted that the holder of the restriction has to be held by some entity of the town. He doesn't believe it is ConCom.

Mr. Keleher stated that the commission can give their approval to cut down the dead tree and prune the live tree.

Mr. Doyle feels like they most likely won't use a chlorination filtering. The state-driven solution is discharging fresh water into a drywell. This is an ozone solution.

Mr. Donovan asked re: the upper portion of the pool, with a retaining wall of a maximum of 7 feet in height, in addition to the exposed 7 feet and 4-foot frost wall plus footing, does it get them below the elevation of the back wetland? Mr. Henderson stated, no, that it would get them ~5 – 6 feet in that area. The footing would be parallel to the base of the existing fieldstone wall.

Mr. Donovan asked what materials will be used to construct the pool. Mr. Henderson replied that they are considering using Gunite. The pool will be fairly small (18' x 32').

Mr. Doyle opened up questions from the public. There were none.

Motion made by Mr. Moser to grant the applicant's request for a continuance to the next meeting, seconded by Mr. Dufromont. **Motion passed.**

Public Hearing (Continued from 11-17-2016)

Notice of Intent (DEP File # 316-0722 Comments: 1) The locus plan included in the NOI indicates that the project is located on the Charles River, not on Cram's Cove. This should be clarified. 2) The project plan indicates that there will be a silt fence provided at the top of the existing concrete wall and another downgradient of the wall. Are two rows of silt fence necessary here?)

Applicant: Michael Centauro

Property Location: 12-16 Rumford Avenue

Project Description: Restoration and improvement of an existing multi-family home within 100 feet of a Bordering Vegetated Wetland associated with Cram's Cove.

Michael Joyce, Joyce Consulting Group, represented the applicant. There was a fire at the existing three-family home. They are reconstructing the house and adding a rear deck. The infiltration area for the roof runoff and the parking area runoff will surcharge out the rear retaining wall to an existing overflow pipe from the existing catch basin.

They are proposing to replace the existing deteriorating timber wall with a segmental block wall which will be installed by hand. With this wall, they would need to excavate down 1 foot; with a concrete wall, they would have to go down 4 feet.

Mr. Donovan asked about the lower patio where they are removing the timber wall and putting in the block wall, and if they know the thickness of the slab. Mr. Joyce wasn't sure, but he doesn't feel it would be very thick (~6 inches). Mr. Donovan asked if there has been a plan proposed to the Building Dept. for the proposed stacked porches.

Mr. Joyce replied that the architect is proposing footings below the deck which would be 4 feet deep and put in by hand.

Mr. Gill-Austern would like to see straw wattles placed on the left side of the property against the driveway.

Mr. Doyle asked for a copy of the structural drawing of the wall once it is submitted to the Building Dept. so the commission has it on file.

Mr. Moser commented re: the segmental retaining wall. He said that he is aware of projects where they have collapsed either because of 1) lack of coordination of the structural engineer looking at the superimposed loads on the side of it, or 2) from water in the soil. The manufacturer's engineering of it is not particularly conservative and assumes you will be able to drain away any water or drain it through the wall. They will be doing the opposite with getting the stormwater into the ground. He doesn't feel this needs to be a condition, but it's a Building Dept. issue.

Mr. Doyle opened up questions from the audience. There were none.

Motion made by Mr. Gill-Austern to close the public hearing, seconded by Mr. Moser. **Motion passed.**
Motion made by Mr. Gill-Austern to issue a positive Order of Conditions with the following special conditions: Appropriate restraints shall be provided to prevent the burned material and miscellaneous debris from blowing into the river. Straw wattles shall be placed along the water's edge in the Cove at the rear of the property and at the left side of the wall on the north side of the property along the paved parking area and a silt sock shall be placed in the catch basin.

Motion seconded by Mr. Donovan. **Motion passed.** Mr. Gill-Austern would like to be the project manager.

Commission Business

- Motion made by Mr. Moser to approve the meeting minutes from 11-17-2016 as edited, seconded by Mr. Dufromont. **Motion passed.**
- Motion to table the Order of Conditions discussion made by Mr. Keleher, seconded by Mr. Moser. **Motion passed.**

Correspondence

- 1265 Main Street interview request: Mr. Doyle will call the reporter.
- 244-256 Second Avenue: Applicant is asking for a liaison from the commission for this project. Mr. Baker and Mr. Dufromont will be the project managers.

Old Business

Mr. Doyle

- No updates

Mr. Baker

- No updates

Mr. Dufromont

- No updates

Mr. Gill-Austern

- Order of Conditions revision (tabled until later in the meeting)

Mr. Keleher

- No updates

Mr. Moser

- Bishops Forest: Julie will look for Bishops Forest's Order of Conditions via the Registry of Deeds.

Mr. Donovan

- No updates

Committee Reports

- CPC: No update
- Trust Fund: No update

Site visit reports

- Mr. Gill-Austern noted issues with the Waltham Watch Factory project.
 - 1) Their erosion controls have not been removed since completing construction; 2) There is no riprap on the edge of the barrier; 3) there are now cones on top of direct water pipes into the river; 4) fiber fabric is on the ground instead of being placed under riprap; Where the commission agreed to where a dumpster could be placed, they piled uncovered salt and deicer there, next to the water. Julie will send the commission's field report to Mr. Gill-Austern, and the Order of Conditions for the project will be forwarded to the Commission. Pictures and the site visit report will be put into the commission's Dropbox. A letter will be sent to the applicant. Mr. Baker also noted that the owner planted several rose bushes along the bank without the commission's approval.

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- **Smith Street project:** Mr. Dufromont and Mr. Baker met with the engineers. The valves were clogged and they fixed them, and they doubled all of the hay bales and they have one pile left to hydroseed. If they can't do it before winter, they will cover it. Mr. Dufromont will stop by next week. Mr. Moser asked about the monitoring reports for the nutrients upstream and downstream. Mr. Dufromont confirmed that the reports are being sent out regularly.
- **Public Storage:** Mr. Baker stopped by to check on the erosion controls. They had the hay bales installed and things looked good.

Mr. Dufromont commented that all of the projects that involve Paul Finger's company have been very positive. They assign a contact person and are willing to work with the commission.

Motion made by Mr. Keleher to untable the Order of Conditions revision discussion, seconded by Mr. Baker.

Motion passed. The commission discussed the remaining revisions to the 5-page document.

New Business

The commission requested that the project manager notify the office when a project is complete and that date is entered into the system. This will help ensure that a Request for a Certificate of Compliance is filed within a timely manner. A new agenda item will be added called "Review of Project Close-outs".

Motion made by Mr. Gill-Austern to adjourn, seconded by Mr. Dufromont. **Motion passed.**

Meeting adjourned at 9:12 p.m.