



**Waltham Conservation Commission  
April 14, 2016  
Meeting Minutes**

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

**Meeting attendees:** Chairman Bill Doyle, Vice Chairman Philip Moser, Brad Baker, Maureen Fowler, Tali Gill-Austern, Daniel Keleher

**Absent:** Gerard Dufromont

**Public Hearing** (Continued from 3-31-2016)

**Notice of Intent:** DEP File # 316-711

**Applicant:** Westlawn Acquisition, LLC (Public Storage)

**Property Location:** 260 Lexington Street

**Project Type:** Cutting and capping the existing 42" and 24" drain pipes and replacing with a 48" drain pipe.

Jim Cranston, Bohler Engineering, represented the applicant. The underground drainage pipe is failing. At the site visit with Conservation, Engineering and CPW, the condition of the existing headwall was looked at and it was found to be in good shape. They plan to remove and reuse the current stones. The new pipe would go in where the existing pipe is. There is some erosion around the headwall. They will put in a riprap streambed gradient which will help stabilize it. CPW has reviewed and approved the plan. There is a trash rack near the site that is not in use. They reviewed a design of a new trash rack (6 in. x 6 in. grid) with CPW, which will accommodate the new pipe. It will be able to be removed to be cleaned. Mrs. Fowler asked for an O & M and a maintenance easement with the city. She would like to see that it is incorporated into the conditions that the trash rack gets cleaned out regularly.

Mr. Doyle feels the city, not the storage facility employees, should maintain the pipe. Public Storage should check on the trash rack monthly and advise CPW to clean as needed.

There were no comments from the public.

Motion made by Mr. Moser to close the public hearing, seconded by Mr. Gill-Austern. **Motion passed.**

Mr. Keleher asked about the trash that is coming down the stream. Could a finer mesh be used to capture the debris?

Mr. Cranston stated that a smaller grid will be impacted more if it gets clogged. CPW agreed to the current design.

Mr. Doyle noted that it's not common to have a trash rack on a stream and ConCom can't expect Public Storage to maintain it. The city will try to complete the work on the connecting pipe concurrently with the Public Storage project.

Motion made by Mrs. Fowler to issue a positive Order of Conditions with the following site-specific conditions: 1) An O & M will be incorporated for the trash racks to be checked on monthly by the property owner. The property owner will contact CPW when the trash racks need to be cleaned; 2) The applicant will work with CPW to create a maintenance easement. Motion seconded by Mr. Gill-Austern. **Motion passed.**

**Public Meeting**

**Order of Conditions Extension Request:** DEP File # 316-552

**Applicant:** City of Waltham

**Project Location:** Hardy Pond

**Project Type:** Mechanical weed harvesting of invasive species, with some hand-pulling.

Matt Salem, represented the applicant. They are requesting a three-year extension. In 2010, the original OOC was amended to include herbicide treatments to manage species that aren't effective with hand-pulling or mechanical means. They have been doing water quality sampling this season.

They need to obtain an annual permit from Mass DEP to ensure they are using legal dosages of herbicide. All of the herbicide applicators are state certified.

Mr. Moser asked if they are proposing any additional herbicide. Mr. Salem replied that they are not at this time, but it may be a possibility in the future.

Approved 5-12-2016

Mr. Moser asked if they see what concentrations of the herbicides that persist in the pond during water quality monitoring. Mr. Salem noted that through the studies done, the herbicide diquat (trade name "Reward") breaks down and absorbs, and ends up binding with any suspended solids and sediments in the pond.

They also use copper carbonate which settles at the bottom.

Mr. Baker asked if the Commission is comfortable continuing to use these two chemicals. Mr. Salem stated that diquat is the primary chemical they use on approximately 300 waterbodies in New England.

Mr. Moser asked if they can do work on the shore. There is Japanese knotwood on the shore of the pond on city property. Mr. Salem replied that they have done shore work when it's listed in an Order of Conditions.

Mr. Moser noted that the Conservation Commission and Hardy Pond Association ask that herbicides aren't used within a buffer zone or riparian zone, but the city is asking them to use it.

Mr. Gill-Austern asked how long have these chemicals been around. Mr. Salem replied that Reward has been used since the 1970s. He is unsure of the copper sulfate herbicide. Mr. Baker noted that the copper compound has been used for hundreds of years. There doesn't seem to be a lot of research on it, but it does seem to be healthy to use.

Motion made by Mr. Moser to grant the three-year extension request with two additional conditions:

- 1) The annual reports will include an estimate of the concentration of the herbicides that are applied relative to the pond volume.
- 2) The water and sediment will be tested once every three years (at the beginning and end of this three year cycle) for the concentration of the two herbicides being used.

Discussion of motion made by Mr. Keleher: The extension is retroactive to January 26, 2016.

Motion seconded by Mr. Gill-Austern. **Motion passed.**

## **Public Meeting**

### **Request for Determination of Applicability**

**Applicant:** Orlando Medeiros & Erika Kuno

**Property Location:** 509 Lexington Street

**Project Type:** Installation of an 8' x 10' shed.

Mr. Medeiros represented himself. The shed will be installed on his property more than 100' away from the flood zone. It will be set on blocks as requested by the Commissions. The shed will not be on the pavement.

Motion made by Mr. Gill-Austern to issue a negative Determination of Applicability, seconded by Mr. Moser.

**Motion passed.**

## **Public Hearing**

**Notice of Intent:** DEP File # 316-712

**Applicant:** City of Waltham

**Property Location:** Fernald Campus: 21, 22, 23 & 24 Malone Park

**Project Type:** Demolition of four existing wooden buildings, concrete slab, concrete frost walls and surrounding pavement.

John Cibien, Costello Dismantling, represented the applicant. He noted that during demolition, an excavator will pull the top portion of the buildings down first, which are above grade. They will pull out the slab, then the frost walls. The area gets back-filled, loamed and seeded. The buildings are small: 4,000 sq. ft. structures.

Mr. Doyle stated that the manholes and catch basins will be crushed and filled in. He noted that down the slope there is a lot of large-item trash beyond the fence line. The city may want to look into cleaning up the area.

A sign with the DEP file number will be posted at Malone Park.

There were no comments from the public.

Motion made by Mrs. Fowler to close the public hearing, seconded by Mr. Baker. **Motion passed.**

Motion made by Mr. Moser to issue a positive Order of Conditions with standard special conditions and three additional conditions:

- 1) Cooperation with a volunteer or city cleanup crew of the nearby stream.
- 2) Management of invasives in the area of disturbed ground for a period of two years.
- 3) Demolition and filling of the sewer, drain and pumping station.

Motion seconded by Mrs. Fowler. **Motion passed.**

## Public Hearing

**Notice of Intent:** DEP File # 316-713

**Applicant:** Bentley University

**Property Location:** 400 Beaver Street

**Project Type:** Replacement of two existing synthetic turf athletic field carpets and infill.

Mr. Doyle and Mr. Moser recused themselves due to potential conflicts of interest.

Arsen Hambardzumian represented the applicant. He stated that the typical lifespan of synthetic turf is 8 – 10 years. Bentley is proposing to take out the infill, remove the carpet, grade the base to level it off, and add additional turf because they are having trouble maintaining it. They are proposing to use landscaping turf in the triangular area and infill it with sand only to keep separation of the rubber from the tree line. They are reducing impervious area. They will remove four arborvitaes.

Mr. Baker asked about access to the site. Mr. Hambardzumian noted that they will be going in near the pavers. They won't be near the resource area. Mr. Gill-Austern asked if they will be using fertilizer. Mr. Hambardzumian replied that it won't be used on the existing grass.

Mrs. Fowler noted there was an OOC from 12 years ago. One of the special conditions was they weren't going to use pesticides in the grassy space. That condition will go away, because the grassy area will be replaced with artificial turf. She asked how putting in artificial turf in the grassy area will improve grading to the Lyman Pond. Mr. Hambardzumian said that when runoff hits the surface, some amount is absorbed but most of it runs into the pond. With the synthetic turf it has drainage of 16 inches per hour. It will travel vertically into the base and act as an infiltrator for 6 inches.

Mrs. Fowler asked how they handle graduation ceremonies. She would like no vehicles on the field. Mr. Hambardzumian stated they use a gator to rake the field, but no vehicles.

Motion made by Mr. Gill-Austern to close the public hearing, seconded by Mr. Baker. **Motion passed.**

Motion made by Mr. Gill-Austern to issue a positive Order of Conditions with the following special conditions:

- 1) No motor vehicles shall be driven onto the field, with the exception of maintenance and emergency vehicles.
- 2) The removal of soil and sod will be stored outside the buffer zone.
- 3) The Applicant shall incorporate the O and M plan from the original Order of Conditions, DEP File #316-0519.

Motion seconded by Mr. Baker. **Motion passed.**

Mr. Doyle and Mr. Moser returned to the meeting.

## Public Meeting

### Request for Determination of Applicability

**Applicant:** Keolis Commuter Services

**Property Location:** USGS Right-of-Way

**Project Type:** Vegetation control activities.

Kyle Fair represented the applicant. He is requesting to renew the RDA from five years ago. His company identifies the entire area and where Keolis's right-of-way intersects the railway boundaries. They put permanent markings on the track, identifying three individualized zones. The markers identify frequency of application, pattern of application, and what chemicals can be used. They have no-spray zones in sensitive areas (near water). They do not apply more than once a year. Mr. Fair will update the map for the area that is within the 100-foot buffer.

Mr. Moser asked about the 10-foot spray pattern. Mr. Fair noted it's 10 feet from center line. It's a full 20 ft. spray pattern. They are leaving a 10 ft. buffer. Keolis is spraying an 8 ft. pattern on either side. Mr. Gill-Austern asked how long they have been spraying the tracks. Mr. Fair replied that railroads have always been sprayed back to the inception of chemicals. Mr. Doyle suggested Mr. Fair contact Cambridge Water Shed to let them know about the work.

Motion made by Mr. Keleher to issue a negative Determination of Applicability with the condition that the applicant submits an updated map of page 3 within six weeks, seconded by Mr. Gill-Austern. **Motion passed.**

## **Public Hearing**

**Amended Order of Conditions Request:** DEP File # 316-701

**Applicant:** Dave Meyer

**Property Location:** 107 Riverview Avenue

**Project Type:** Installation of a retaining wall.

Dave Meyer represented himself. In the fall, he came before the Commission asking to remove one of the driveways on his property and extend the other. He did not plan on adding a retaining wall at that time, but would like to do so now. The wall will be no higher than 4'. It will be made of natural stone, no concrete. It will follow the existing sidewalk on Forest Grove Rd. The three trees in the center of the backyard are remaining. They have already removed the driveway. Motion made by Mr. Gill-Austern to close the public hearing, seconded by Mr. Baker. **Motion passed.** Motion made by Mrs. Fowler to issue an Amended Order of Conditions, seconded by Mr. Keleher. **Motion passed.**

## **Informal Discussion**

- 88 Hardy Pond Road: Motion made by Mrs. Fowler to continue to the April 28<sup>th</sup> meeting, seconded by Mr. Gill-Austern. **Motion passed.**

## **Commission Business**

- Approval of meeting minutes from 3-31-2016. Motion made by Mr. Gill-Austern, seconded by Mr. Moser. **Motion passed.**

## **Correspondence**

- 200 Smith Street: Mr. Baker agreed to be the project manager. He would like to include Mr. Dufromont as well.
- Habitat Assessment at Stonehurst: OK'd by the Commission.
- UMass Amherst project: The Commission agreed to invite the student to a meeting so he can ask his questions.

## **Old Business**

- Motion made by Mr. Gill-Austern to suspend Old Business until the next meeting, seconded by Mr. Keleher. **Motion passed.**

Motion made by Mrs. Fowler to adjourn, seconded by Mr. Baker. **Motion passed.**

Meeting adjourned at 9:03 p.m.