



**Waltham Conservation Commission
April 20, 2017
Meeting Minutes**

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

Attendees: Chairman Bill Doyle, Vice Chairman Philip Moser, Brad Baker, Gerard Dufromont, Tali Gill-Austern

Absent: Mike Donovan

Public Meeting (Continued from 4-6-2017)

Request for Certificate of Compliance (DEP File # 316-0689)

Applicant: Robert Farrington/Windsor Village at Waltham Co.

Property Location: 976 Lexington Street

Motion made by Mr. Moser to continue until the next meeting on May 4th, seconded by Mr. Baker. **Motion passed.**

Public Meeting

Request for Determination of Applicability

Applicant: City of Waltham, CPW Department

Property Location: 380 Lexington Street

Project Description: General yard clean-up, removal of hazardous waste cans, brush and debris for safety purposes.

Councilor Dan Romard represented the city and the CPW Dept. This is a property that the city recently purchased. Some improvements will be made on it. The prior owner left a bunch of construction materials on the property that the city would like to remove. The mayor and CPW asked Councilor Romard to come before the commission to make sure they have the proper authority to do the cleanup strictly around the house.

Motion made by Mr. Moser to issue a negative Determination of Applicability, seconded by Mr. Gill-Austern. **Motion passed.** Councilor Romard stated that he will take pictures after the cleanup is complete.

Public Hearing

Amendment to Order of Conditions (DEP File # 316-0684)

Applicant: Dennis Riley

Property Location: 78 Hardy Pond Road

Mr. Riley is requesting to shrink the size of the proposed house by two feet, move it back six feet from Hardy Pond and go from a two-car garage to a one-car garage. Bob Bibbo stated that he helped with the original plan/NOI 2 ½ years ago and he wasn't aware of Mr. Riley's current proposed plan. He recommended that the applicant request an extension since the Order of Conditions will expire in November. He noted that by moving the house, parking will become an issue. To park in front of a house, you need 23 feet from the street line. The approved plan had a two-car garage which was part of the house. There will be no parking with a one-car garage.

Motion made by Mr. Gill-Austern to continue until the next meeting, seconded by Mr. Dufromont. **Motion passed.**

Approved 5-4-2017

Public Meeting**Request for Certificate of Compliance** (DEP File # 316-0176)**Applicant:** The Village at Clark's Pond**Property Location:** 501 Lexington Street**Public Meeting****Request for Certificate of Compliance** (DEP File # 316-0273)**Applicant:** The Village at Clark's Pond**Property Location:** 501 Lexington Street

Leo Garneau represented the applicant. The association would like to see the pond and stream taken care of. The state has a format for erosion control and taking out dams. Mr. Doyle stated that Clark's Pond has completely filled in with sediment, which is likely from the Chesterbrook. There is an access right-of-way but there is no public control over it. Mr. Garneau is having discussions with the association to allow the city to have an easement to clean it out. However, Mr. Doyle noted that this is part of the Certificate of Compliance request. Mr. Garneau's only concern with the site is how to get machinery back there.

Mr. Doyle stated that the objective tonight is to close out the Orders of Conditions so that Certificates of Compliance can be issued. He feels the site is stabilized. Mr. Garneau agreed.

Motion made by Mr. Moser to issue Certificates of Compliance for both DEP file numbers, seconded by Mr. Baker.

Motion passed.

Public Hearing**Notice of Intent** (DEP File # 316-0726)**Applicant:** Robert Kaitz, K & D Homes LLC**Property Location:** 372-378 River Street

Project Description: The proposed project is to resurface a previously developed driveway and parking area with drainage to an existing 4-family residence.

Bob Bibbo, Bibbo Brothers, represented the applicant. The building was built prior to 1900. The subdivision was done in 1921. There is an existing curb cut on River St. and behind there, there is a degraded gravel parking area. The applicant wants to remodel the interior of the building and pave the gravel area. The existing house and driveway are 5,000 sq. ft. of impervious area running towards the Charles River. The entire property would be mitigated into the ground with no runoff into the river. Mr. Moser and Mr. Dufromont asked if this project was shut down by the Building Inspector.

Robert Kaitz, K & D Homes, noted that they were shut down by the Building Department because the permits were not issued yet and they had started the work. They stopped all work and waited for the permits. They have all of the permits and are now in compliance. They are close to the river, but the elevation is quite high (20 ft. above the river). They put in hay bales and silt fence before they started pulling gravel off of the fence. Mr. Bibbo noted that there is a fence above the sewer line and the work hasn't gone beyond the fence. Mr. Gill-Austern asked if they will be removing the gravel. Mr. Bibbo replied that they will pave over the gravel. Mr. Dufromont noted that the owner should have come to the Conservation Commission first. He would like to go out and inspect the site. Mr. Doyle asked if the driveway has always been gravel. Mr. Kaitz replied that on a plan he has from the 1980s, it shows an existing dirt driveway. It's always been dirt and gravel washing into the river. It seems odd to Mr. Doyle that it would be gravel for 100 years. It leads him to believe that it was intended to be left unpaved. There may have been a decision stating that this area shall be left unpaved. Mr. Bibbo replied that if it's degrading, they have the right to improve it. Mr. Doyle would like something in writing from the applicant stating that this is an improvement, and their reasoning for it.

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

A site visit is scheduled for Fri., April 21st at 3:30 p.m.

Motion made by Mr. Gill-Austern to continue until the next meeting, seconded by Mr. Baker. **Motion passed.**

Informal Discussion

- Stonehurst Meadowsclaping

Barbara Passarello and Jean Devine, Meadowsclaping for Biodiversity, stated that they are building up their education programs which they hope to have at Stonehurst. They have a high school education program with the YMCA (Environmental Entrepreneurship). Students will be learning about native plants and their environment and they will be developing a business where they sell the native plants. They are helping the students get career-readiness skills. The City of Waltham will be employing four students during the spring and summer to work at Stonehurst to develop a learning garden/meadow. Ms. Devine noted that the designated area for the meadow is near the parking lot. They like Stonehurst's location because the high school kids can walk there after school. It is also an educational site for a couple of other high school classes. Their program involves business and science classes taught by Ms. Devine and Ms. Passarello, respectively. A landscape designer offers guidance on where to place the plants and how to care for them. They make the meadow as a demonstration of what they can do. For the rest of the summer, they are selling and installing plants at people's properties, as well as maintaining the meadow at Stonehurst. They are looking for the commission's permission to build the garden this May and early June.

Mr. Dufromont asked how they are going to water it. Ms. Devine replied that they will be using 600 ft. of hose (off the house, through the bushes, and over to the garden). Mr. Dufromont asked how much of the area is going to be disturbed and if this garden doesn't materialize, will there be a plan to put the landscape back to where it was.

Mr. Baker is delighted that the commission may give the go-ahead to planting something at the Paine Estate. He feels it's a wonderful idea and he is glad to help with the watering. He suggested working with them to water the hemlock trees that are there as well.

Mr. Moser asked if there would be a commitment to put the area back to the way it was if the project doesn't work.

Ms. Devine replied that they would by replanting grass (which is currently there).

Mr. Dufromont would like that they put up a sign in the two locations stating what they are doing and that this project has been approved by the Conservation and Historical Commissions. Mr. Doyle would like the paperwork filled out and kept on file at Paine Estate. Ms. Devine and Ms. Passarello were in agreement to do this. Mr. Doyle recommended they fill out the commission's form to keep on file. He also asked that they stake out the area where they will be working then notify the commission to do a site visit before work starts. He recommended they also take pictures beforehand for the file. He would like the commission to go back out in a year before they start Phase 2 to remove the invasives. He would like to see a plan for Phase 2 while they are working on Phase 1. Ms. Devine replied that they are working on a plan. Mr. Doyle noted that no fencing can be used. Mr. Baker offered to be the liaison from the commission.

Mr. Gill-Austern asked if the website is their primary source to find their services. Ms. Devine replied that the students will be creating a page that links to it. They are just starting to form their marketing ideas.

Mr. Doyle clarified that they are not planting on the Paine Estate and reselling. (They are not.)

Mr. Doyle stated that the commission can approve the project tonight, but that the commission's form for projects being conducted at Paine Estate needs to be completed and the items discussed tonight need to be listed on it.

Ms. Devine stated that they would like to have dirt delivered there. Mr. Doyle replied that nothing can be removed or brought in to Paine Estate per the deed. Mr. Baker will help them locate material on the grounds that can be used to help the plants grow.

Motion made by Mr. Dufromont to approve the plantings and the work at the Paine Estate based on the discussion tonight and based on the form being returned with the same information and agreeing that signs will go up and no outside dirt will be brought in. Motion seconded by Mr. Gill-Austern. **Motion passed.**

Motion made by Mr. Gill-Austern to take a 5-minute recess, seconded by Mr. Moser. **Motion passed.**

Motion made by Mr. Gill-Austern to resume Commission Business, seconded by Mr. Dufromont. **Motion passed.**

Commission Business

- Motion made by Mr. Moser to approve the meeting minutes from 4-6-2017, seconded by Mr. Baker. **Motion passed.**
- Order of Conditions Revision: Tabled until the next meeting.
- Review of Project Closeouts: Julie will send the letter drafted to applicants to Mr. Doyle for approval.

Correspondence

Old Business

Mr. Doyle

- No updates

Mr. Baker

- No updates

Mr. Dufromont

- **Trail and Stonehurst Interpretive brochure:** Mr. Dufromont noted that the mayor has taken this forward with the Land Trust and with Mr. Rizzo to see what kind of signage can go up and if they want to use the sign that was designed.

Mr. Gill-Austern

- **Order of Conditions revision:** Mr. Gill-Austern confirmed with Mr. Moser that all they need to do is cross-check their current version with the existing one. Mr. Moser stated that they want to make sure they don't have redundancy. He noted that Paul Finger sent proposed revisions and comments to the commission members recently.

Mr. Moser

- **Bishops Forest:** Julie will send a letter to them next week.
- **King's Way fertilizer use:** Julie will send Mr. Moser their Orders of Conditions.
- **Lazazzero Playground:** Julie will forward correspondence to the Recreation Department's Acting Director, Nick Abruzzi, which was sent to former Recreation Director Sandra Tomasello re: the applicant being in violation of the open Order of Conditions that states they had to manage invasives for two years. There has been no management of invasives. Mr. Baker would like them to come before the commission to see what their proposal is to manage the invasives.

Committee Reports

- **CPC:** Mr. Dufromont stated that at their meeting last week, they had an open meeting for people to come and present ideas of what they would like to see CPC's money spent on. Some of the suggestions included City Hall and Gilmore Playground improvements.
- **Trust Fund:** Mr. Dufromont will give the annual report at the commission's May 18th meeting.

Site visit reports

- Mr. Moser did a site visit at Windsor Village on April 7th. There had been a heavy rain the day before and the erosion controls were a disaster.

New Business

Motion made by Mr. Moser to adjourn, seconded by Mr. Dufromont. **Motion passed.**

Meeting adjourned at 8:19 p.m.