



**Waltham Conservation Commission  
April 28, 2016  
Meeting Minutes**

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

**Attendees:** Chairman Bill Doyle, Vice Chairman Philip Moser, Gerard Dufromont, Maureen Fowler, Tali Gill-Austern, Daniel Keleher (7:03 p.m.)

**Absent:** Brad Baker

**Informal Discussion**

- 88 Hardy Pond Road

Atty. Joseph M. Connors represented the homeowner, Mr. Te Te Li, who purchased the property in 2011. Mr. Doyle stated that a wall was constructed at the edge of Hardy Pond and the Commission believes it is in violation of the Wetlands Protection Act. Atty. Connors looked at the wall, which appears to have been preexisting, but it looks fresh. He asked what Mr. Li can do to satisfy the board. Mr. Doyle stated that if there was a wall there before, the Commission needs to understand what the changes were. He also noted that the owner will need some type of filing for the work that was done. There should be pictures showing what the wall looked like before the wall was repaired. Mr. Gill-Austern noted that it looks like the wall has been concreted over and asked if it had been done within the past few years. Atty. Connors will have to research it. Mr. Dufromont asked Atty. Connors if the Commission finds a violation, will Mr. Li work with the Commission to rectify the problem. Atty. Connors replied that Mr. Li will. A site visit has been scheduled for Wed., May 11<sup>th</sup> at 7:30 a.m.

**Public Hearing**

**Notice of Intent:** DEP File # 316-0714

**Applicant:** MMS Winter Street, LLC (Massachusetts Medical Society)

**Property Location:** 860 Winter Street

**Project Type:** Construction of a new surface parking area.

Susan Mohn, John Crowe Associates, represented the applicant. They developed plans for a much-needed 100-car surface parking area on the old ball field that is on site. Runoff from the site flows down through two wetlands pipe systems and discharges into the Hobbs Brook Reservoir. Mass Medical proposed the increase in parking because the density in their building has increased. The layout complies with Waltham Zoning. Runoff from the parking area is collected in catch basins that goes to a water quality structure that discharges to a sedimentation forebay, then to the detention basin, then discharges to a level spreader at the edge of a riprap slope that goes down to the BVW area, through a few other wetland areas, to the reservoir. The Cambridge Water Department would like them to provide calculations for phosphorus treatment. They are currently putting that together. There will be a walkway connection from the existing building to the lower, existing parking area, which will only be utilized whenever there is a large function or conference. There will be lighting and emergency Code Blue devices set up in case of emergency. Mr. Dufromont asked why there is a need for more parking if the building size hasn't changed. He feels there is more than enough parking spaces that aren't being used. Scott Doty, John Crowe Associates, stated that they are making the office space smaller and fitting more employees in the building than in the past. They are currently at the minimum parking requirement. Mrs. Fowler doesn't like that they are taking grass and turning it into a parking lot. She asked how close they are coming to the wetlands. Ms. Mohn replied that they would be within 40 – 50 ft. Mrs. Fowler stated that she doesn't like anything coming any closer than 50 ft. from the wetlands. Mr. Gill-Austern asked why this site was chosen over other areas on site. Ms. Mohn stated that the parking deck was the only other available space and it was too expensive. Mr. Doyle asked if the lower parking lot is used. Ms. Mohn stated that it is hardly ever used. It holds ~80 cars. Mr. Doyle suggested they not build the new lot, but add another 20 spots to the lower lot that isn't being used. Mr. Doty noted that Mass Medical doesn't want their employees to have to walk that far to get to the building. Mr. Doyle asked if they could move

the parking lot out of the jurisdictional area. Mr. Doty feels that if they were to redesign the parking, the water quality elements would be compromised.

Mr. Moser asked about their dry berm for collecting phosphorus. Mr. Doty replied that they have created swales where the water will collect in the landscape areas. They have check dams in between the swales and the catch basins. They have a trench of sand that runs under the swale with a perforated pipe at the bottom. The stormwater that builds up in the swale, percolates down, filters through the sand, gets captured in the pipe and eventually gets to the drainage system. Most of the phosphorus removal gets removed from the sweepings and cleanings. Mr. Moser asked about Cambridge Water Shed's letter inquiring that their O & M plan includes fertilizer use. Mr. Doty stated they are prohibited from using fertilizer within the 100' buffer zone, and they are limited in their use on the rest of the site. Mr. Moser asked if the landscaper will know when he/she is in the buffer zone and to not add fertilizer. Mr. Doty stated that it should be a condition that the area gets delineated.

Motion made by Mr. Keleher to continue to the next meeting, seconded by Mr. Moser. **Motion passed.**

A site visit has been scheduled for Wed., May 4<sup>th</sup> at 12:00 p.m.

## **Public Meeting**

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

**Applicant:** Vincent Mula

**Property Location:** 7 Forester Road (aka 0 Old County Road)

**Project Type:** Construction of a single family home.

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

## **Informal Discussion**

- Costco

Steve Glowacki, RJ O'Connell Associates, represented Costco. The proposed project is to have a fueling station with 9 islands and 18 pumps. There will be no changes to the access. There will be an increase in pervious area. They will enhance stormwater. The project will be outside of the 100 ft. buffer zone, except for a small area where an island will be built. Costco has never had an oil spill. They have double-walled fiberglass tanks. Atty. Peter Tamm stated that Costco is adding fueling stations to all of their existing facilities. In addition, they will be putting in a seasonal nursery/garden display area. They would like feedback from the Commission before making a formal filing.

Mr. Gill-Austern would like to see a letter stating what they would do in case of spillage, and an O and M plan.

Atty. Tamm stated that the Commission could put conditions on their special permit, which would be forwarded to Council.

Mr. Doyle suggested they file at a minimum an RDA with Conservation. The findings would then be given to City Council.

## **Commission Business**

- Motion made by Mrs. Fowler to table the 4-14-2016 meeting minutes until the next meeting, seconded by Mr. Keleher. **Motion passed.**

## **Correspondence**

- Charles River Cleanup: Starts at 9:00 a.m. on Sat., April 30<sup>th</sup>.

## **Old Business**

### **Mr. Doyle**

- No updates

### **Mr. Baker**

- Paine Estate survey: Mrs. Fowler noted that the question re: unleashed dogs is one of the top items on the survey. Respondents are happy with the vernal pools.

### **Mr. Dufromont**

- Signage: Mr. Doyle mentioned that Mayor McCarthy asked him about the signage at Paine Estate. She is waiting for direction on where to put them. Mr. Dufromont has the signs but he needs to meet with Ann Clifford asking where they should be placed. Mr. Dufromont will ask Ms. Clifford to set up a meeting with Waltham Land Trust, the high school's cross country coaches, and himself to decide where the signs should go.

### Mrs. Fowler

- No updates

### Mr. Gill-Austern

- Order of Conditions revision: Mr. Gill-Austern and Mr. Moser recently met and made a good bit of progress. Mr. Gill-Austern will present it to the Commission once completed. No special meeting will be held on May 5<sup>th</sup>.

### Mr. Keleher

- No updates

### Mr. Moser

- No updates

### **Committee Reports**

- Signage: Mr. Doyle noted that the Keach Terrace sign no longer states "Keach Terrace", it's now "Conservation Land".

### **Site visit reports**

- Mr. Moser recommended that the Commission send a letter to the homeowners of 1106 Trapelo Rd. asking them to come in for an informal discussion for work that was done that didn't get Commission approval. He noted that he researched and found that an NOI is not required for a fence that does not prevent the movement of wildlife from underneath it. Motion made by Mr. Moser to send an invite to discuss a potential violation, seconded by Mrs. Fowler. **Motion passed.** Homeowners will be given one month to appear.
- Mr. Moser recommended that the Commission send a letter to the Recreation Department asking for them to come in for an informal discussion re: their open Order of Conditions at Lazazzero Park. The invasives are not being removed as part of the conditions. It also appears that the baseball leagues are using part of the buffer zone as an area to dump clay that they use on the baseball fields. Motion made by Mr. Moser to send an invite to the Recreation Department to discuss a potential violation. The mayor will be cc'd. Motion seconded by Mr. Dufromont. **Motion passed.**
- Mr. Moser noted that on Hibiscus Avenue at Lakeview Terrace there is disturbed ground. It appears that snow plows piled a bunch of gravel there and knocked over a couple of signs. There is a fence on city property that doesn't appear the city put there. Mr. Doyle recommended that the Commission send an e-mail to Mike Chiasson, CPW making him aware of the situation with the site visit report attached.

### **New Business**

- Cooper/Elm Streets: Mr. Dufromont walked the site with Paul Finger and John Noone. The silt fence and hay bales are in a great location. They cleaned up the three spots that were polluted. They haven't done anything along the river and he asked them not to until he can get out there with Mr. Baker. There is a wooded park nearby that is owned by the city. It is drug-infested with lots of needles. Mr. Dufromont made the mayor aware of this. The Cooper Street developer has offered to clean it up. He is still discussing this with the mayor.
- Mr. Doyle had his annual meeting with the mayor re: the budget. He encouraged the Commission to attend training and courses throughout the year, for which the costs are budgeted.

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

Meeting adjourned at 8:50 p.m.