



**Waltham Conservation Commission**  
**April 6, 2017**  
**Meeting Minutes**

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

**Attendees:** Chairman Bill Doyle, Vice Chairman Philip Moser, Brad Baker, Mike Donovan, Gerard Dufromont, Tali Gill-Austern (arrived at 7:07 p.m.)

**Development Prospectus Sign-off**

- 219 Bear Hill Road

Atty. Joseph Connors represented the co-petitioners. They are filing a special petition for a dog day care and kennel. It's a pre-existing commercial building that they are going to rehab and create the kennels and play area. There should be no impact on the wetlands. They plan on creating an outdoor area on pre-existing pavement, however the majority of the work will be done indoors.

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

**Informal Discussion**

- Elsie Turner Field Update (DEP File # 316-0718)

Mr. Doyle stated that the commission has already closed the Public Hearing on this project and it was approved with conditions. Steve Casazza, City of Waltham Engineer, noted that the one condition asked of the city was to put in a swale so that the runoff coming off the slope near the trails would be intercepted and brought down to the wetlands. That was done. There is a stone trench that intercepts the water and the grading is such that the walkway all feeds down to the two wetlands. Mr. Moser if the pipe that brings the water into the wetland has been configured so that they won't have to dig in the wetland itself and if there will be no direct disturbance to the wetland. Mr. Casazza stated that it is the plan that was approved by the commission at a previous meeting. Mr. Dufromont believes that the purpose of doing this was to revitalize and keep the wetland alive. The original design was choking it off. Mr. Doyle stated that the wetland area was completely circumferenced by pavement and parking lot. There was no way for the water to get to it. The objective of the condition was to make sure the hydraulic connection from the acres of property above it would get to the wetland. He sees a swale system and two pipes that make the connection.

Mr. Moser asked if they will be digging in the wetland to add the pipe. Mr. Casazza replied that the stipulations that were asked for were done.

**Public Meeting**

**Request for Certificate of Compliance:** DEP File # 316-0674

**Applicant:** Michael Chiasson, Director of CPW

**Property Location:** 2 Worcester Lane & 356 Bacon Street

Michael Chiasson stated that he is requesting a Certificate of Compliance for the Worcester Lane culvert behind the Piety Corner Club. The engineers that were hired by the city to do the as-builts noticed that the original plans did not meet the proper flood storage. There were some minor changes to the project: 1) They changed the wing wall; 2) three trees were planted and two have died. They will replant them. 3) The riprap did not go up to the elevation that was originally stated. 4) The slope stabilization did not extend up as far as originally shown on the plans.

Mr. Dufromont asked if the area in the parking lot where all the curbing is has been cleaned up by the city or if it is owned by the club. Mr. Chiasson replied that the club wants it to stay that way.

Mr. Baker requested that the trees be replaced in the spring. Mr. Chiasson stated that the city arborist looked at them and agreed to replace them then.

Approved 4-20-2017

Motion made by Mr. Dufromont to issue a Certificate of Compliance, seconded by Mr. Gill-Austern.  
Discussion on the motion: Mr. Moser would like a condition added that the two trees will be replaced. CPW is responsible for ensuring that the trees are replanted.  
Mr. Chiasson noted that they have an agreement with the club that the club will maintain the grass and the city will maintain the trees. **Motion passed.**

**Public Meeting**

**Request for Certificate of Compliance:** DEP File # 316-0592

**Applicant:** Babak Veyssi

**Property Location:** 96 Linden Street

Mr. Veyssi came to rescind the agreement he has with the Conservation Commission to be replaced by the new Order of Conditions that has already been granted. Mr. Dufromont asked if he sold the property. Mr. Veyssi stated that he has. He had planned to build an apartment complex, however the new owner wants to build a storage facility. Mr. Moser confirmed that an apartment building has not been built on the site.

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

**Public Meeting**

**Request for Certificate of Compliance:** DEP File # 316-0608

**Applicant:** Babak Veyssi

**Property Location:** 96 Linden Street

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

**Public Meeting** (Continued from 3-16-2017)

**Request for Certificate of Compliance:** DEP File # 316-0689

**Applicant:** Robert Farrington/Windsor Village at Waltham Co.

**Property Location:** 976 Lexington Street

Joe Porter, VTP Associates, represented the applicant. He noted that there was a site walk with Mr. Moser and Mr. Baker from the commission. There was an area of concern in the front of the site. Mr. Porter found out that a water main break caused erosion, which needs to be stabilized. They put together an erosion and planting plan. The snow is stockpiled in a corner. They were going to put in an area with stone so the snow melt would stay in place and any sand would be captured by the stone. There is also an area along the pond where they had a washout from the hill. It was recommended by the commission to put plantings there, which they plan on doing. Mr. Moser noted that one thing that was discussed for the area of the plantings is that it seemed like that area of the parking lot pitched towards there and they have a very low curb (Cape Cod berm). It appeared to Mr. Moser that a lot of the erosion came from all the runoff from the parking lot which jumps the curb, misses the catch basin, and washes through there. They specifically discussed an engineered solution for that. The bark mulch that is there now is washing over the silt fence and into the river. Another issue is re: the curb that has been installed is not the detailed curb that was approved. Mr. Porter replied that in that area there was no curb at all. Mr. Moser noted that the plans showed a 6" curb, but a lower curb was installed. Mr. Moser also noted that the commission has been receiving reports that the catch basins are being cleaned out on a regular basis, but when they did the walk-through, it was apparent that the catch basins have not been cleaned out. Mr. Porter replied that he's spoken with the property manager and they will be cleaned out.

Mr. Baker asked how the riprap will be cleaned out so it won't fill up within a year or so. This needs to be resolved before a Certificate of Compliance is issued. He also noted that there are areas where the concrete has deteriorated. Mr. Porter replied that there was a bad concrete mix in some of the areas. They will be addressing the issues in the spring.

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

**Public Hearing** (Continued from 3-16-2017)

**Notice of Intent** (DEP File # 316-0723)

**Applicant:** Colbea Enterprises, LLC c/o Ayoub Engineering, Inc.

**Property Location:** 225 Waverley Oaks Road

**Project Description:** Demolition of existing gas station and construction of a new convenience shop, pump islands, canopy and stormwater structures.

Paul Sylvia represented the applicant. He stated that they have incorporated all of the commission's comments from the site visit. 100% of the runoff from the property will be captured, treated, then infiltrated into the ground water. They feel they have complied. Re: the phosphorus removal: they did extensive research among their stormwater treatment suppliers and they will be installing a jellyfish system. There are filters in it that hang from an upper support structure. The maintenance is relatively simple. They regraded the site so there is a gentle swale that conducts the runoff to the catch basins and onto the drainage system.

Mr. Doyle asked if they have gone through the city's Engineering Dept. Mr. Sylvia replied that they have but have not received back any comments.

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

Mr. Gill-Austern asked about the demolition that comes with the regrading. Mr. Sylvia stated that they will take measures to protect the wetlands. Mr. Gill-Austern asked if the age of the tanks is known and if they have been inspected.

Mr. Sylvia replied that they are less than 5 years old. They are double-walled and have the latest monitoring equipment to make sure there's no leakage.

Mr. Dufromont offered to be the project manager.

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

Motion made by Mr. Moser to issue a positive Order of Conditions with Waltham's standard special conditions, seconded by Mr. Baker. **Motion passed.**

**Informal Discussion**

- Clark's Pond Certificates of Compliance

Leo Garneau, consultant for The Village at Clark's Pond, feels that the site is solid and there are no real issues re: the wetlands. Most of the work was done in 1982 and he is looking for guidance on how to proceed in obtaining two Certificates of Compliance. There are no as-built plans. He would like to request a site walk. He is looking for a method that will satisfy everyone to close this out. The site is well-maintained. The flood zone is nowhere near the landscaped area. Mr. Donovan agreed that the area is extremely well-maintained.

A site visit has been scheduled for Wed., April 12<sup>th</sup> at 10:00 a.m.

Mr. Doyle suggested Mr. Garneau speak with his client re: giving the City of Waltham an easement to go in and clean out sediment. Mr. Donovan requested that Mr. Garneau ask the management office how they handle sand and salt near the gazebo area. Mr. Garneau will ask the landscaper to attend the site visit since he takes care of the entire property.

**Informal Discussion**

- Waltham Land Trust: Trail Bridges

Mr. Moser noted that he is on the board of the Waltham Land Trust (WLT) but would like to stay during the informal discussion. If it comes to a formal vote, he would leave the room and recuse himself.

Marc Rudnick represented the WLT. They are looking to extend the Western Greenway Trail system around Belmont, Lexington and Waltham to become a large loop trail. It currently ends at Paine Estate on Beaver Street. They have recently received approval from Bentley University to cross a corner of their property with WLT's trail. They are getting a 60' trail easement with Bentley which will allow them to do the work. At Falcon Way (the entrance to Bentley), there is a break in the guardrail and you can step into open space. There is an active stream and they are prepared to put in a boardwalk by laying wood and plastic wood structures on the ground and pinning them to the ground with rebar. There will be no digging, excavation, fill or gravel. Mr. Rudnick is asking if a Request for Determination of Applicability is an adequate approach for this type of project. Mr. Doyle recommended that Mr. Rudnick check with Bentley to see if they are OK with an RDA or if they want a Notice of Intent since it is their property.

Secondly, Mr. Rudnick has been in negotiations for a few years with Historic New England, which is the owner of the Lyman Estate, regarding utilizing their property for the trail. They are interested in it because their property is open to the

public. Their major concern is the trail interfering with the weddings they hold there. There was a granite bridge at the same location in the 19<sup>th</sup> century where they would like to build a new one. Supposedly, Waltham started taxing bridges in the middle of the 19<sup>th</sup> century, and the Lymans tore down the bridge rather than pay the tax. When mapping out the Western Greenway Trail, it was decided that the worst area for pedestrians is the Lyman Street bridge. The bridge was rebuilt a few years ago but it has very narrow sidewalks and lanes of traffic. When the WLT spoke with the Lyman Estate about building a bridge across the brook, they were very excited about it, but felt it wouldn't receive Conservation approval. Mr. Doyle noted that the bridge will need to comply with the Wetlands Protection Act and it will also be subject to the Army Corp's new regulations. Lyman Estate would need to pull the Notice of Intent and they would be the applicant to the Army Corp.

Mr. Gill-Austern left the meeting at 8:32 p.m.

#### **Commission Business**

- Motion made by Mr. Moser to approve the meeting minutes from 3-16-2017, seconded by Mr. Donovan.  
**Motion passed.**
- Order of Conditions Revision - Tabled
- Review of Project Closeouts - Tabled

#### **Correspondence**

- CPC is holding their Annual Public Input Meeting on Tuesday, April 11<sup>th</sup> at 7:00 p.m.

#### **Old Business**

##### **Mr. Doyle**

- No updates

##### **Mr. Baker**

- **Paine Estate trees:** Mr. Baker noted that he has been speaking with tree experts re: how to treat the hemlocks and wisteria vines. The hemlocks that have been sprayed in the past look pretty good, but there aren't any small hemlocks growing there. Those that have not been sprayed don't look very good. There are lots of little hemlocks growing. He needs to talk with the fire house on how to hook up to the two fire hydrants on site. We really need to know where the hemlocks are. The forestry dept. is willing to help with the census of the trees. Mr. Baker will find out what the private sector can do re: counting the trees. Mr. Doyle asked if the commission can get CPC money to do this. Mr. Dufromont will ask at their meeting on Tuesday. He suggested that Mr. Baker send him the information to present to CPC. Mr. Doyle recommended that Mr. Baker come up with bullet points of what the commission is trying to do along with a cost estimate. Mr. Baker stated that it's thought they can use heavy machinery to dig up the wisteria, but he prefers cutting off the shoot or smothering it over the course of 1 ½ years. He wants to plan a date for lopping the wisteria on April 19<sup>th</sup> or April 26<sup>th</sup> at 1:00 p.m.

##### **Mr. Dufromont**

- No updates

##### **Mr. Gill-Austern**

- No updates

##### **Mr. Moser**

- Carolina Court snow dumping: Mr. Moser asked to have this removed from his Old Business since winter is over.
- 1106 Trapelo Road: A follow-up letter will be sent to the homeowner asking how he plans on addressing the issues on his property. A site visit will be requested.
- Lazazzero Playground: The letter sent to former Recreation Dept. Director Sandra Tomasello will be forwarded to Acting Director Nick Abruzzi.

##### **Mr. Donovan**

- No updates

Motion made by Mr. Moser to adjourn, seconded by Mr. Dufromont. **Motion passed.**  
Meeting adjourned at 8:53 p.m.

Approved 4-20-2017