



Waltham Conservation Commission
May 26, 2016
Meeting Minutes

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

Meeting Attendees: Chairman Bill Doyle, Vice Chairman Philip Moser, Gerard Dufromont, Maureen Fowler, Tali Gill-Austern, Daniel Keleher

Absent: Brad Baker

Prospectus Sign-off

- Bishops Forest

Diana Young represented Bishops Forest. She asked the Commission to sign a Development Prospectus which is an amendment to their special permit from 1986. They are asking City Council to approve trash pickup in their development. They currently pay a private company for trash pickup, but the city picks up their recyclables. Mr. Doyle signed off on the paperwork.

Public Hearing (Continued from 5-12-2016)

Notice of Intent: DEP File # 316-0715

Applicant: City of Waltham

Property Location: 203 Prospect Street

Project Type: Expansion of Mt. Feake Cemetery.

Motion made by Mrs. Fowler to continue to the June 9th meeting, seconded by Mr. Gill-Austern. **Motion passed.**

Public Hearing

Notice of Intent: DEP File # 316-0716

Applicant: Bentley University

Property Location: 400 Beaver Street

Project Type: Construction of a 48,200 sq. ft. arena.

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

Stephen Garvin, represented the applicant. They are proposing an arena on Beaver Street, adjacent to the traffic light. It would be built where the existing tennis courts are. It is near the wetlands that were recently delineated. The project is within the 100' buffer zone and 100-year flood zone. The project will consist of removal of the tennis courts, construction of the arena and associated plazas, slight relocation of the existing roadway, and they will be adding a number of BMPs to meet the stormwater management standards. They are proposing to do a 70 sq. ft. replication. The wetlands scientist they hired suggested they plant three red maples, three black willows, and seven speckled alders. They will be installing straw bale and silt fence erosion controls. They will put in filters and silt socks at every inlet and catch basin. The gross square footage of the project site is 75,000 sq. ft. The footprint of the arena will be 48,200 sq. ft. The roof drains will go through two different types of infiltration systems. The water will be allowed to go through a galley system and an HDPE piping system. They will put in a few retaining walls to help retain the stormwater to push it back away from the wetlands and let it go through the stormwater system before it outlets. Mr. Keleher asked what the current sq. footage is of the tennis courts. Mr. Garvin replied that it is approximately 90,000 sq. ft. The impervious area in the existing condition is 3.35 acres. In the proposed condition, the impervious area is 3.9 acres. The parking spaces in the front will be eliminated and will become part of the plaza. Jan Taylor, Architectural Resources Cambridge, noted that traffic studies were performed that indicate they do not need additional parking on the site. Mr. Garvin stated there will be a bus drop-off

Approved 6-9-2016

area. Mr. Dufromont is concerned about the neighbors and if they will be affected by the traffic whenever there is a game at the arena. Ms. Taylor noted that there will be more events on South Campus as a result of this because there will be 14 – 20 home hockey games per year. Mr. Keleher asked that they elaborate more on the replication. He would like to see more of a guarantee that they are replicating it, since it isn't always the case with other projects. Mr. Garvin noted that there will be a small amount of filling near the BVW (~ 50 sq. ft.). Any filling will require a new wetlands replication area at a minimum of 1:1 ratio. A 70 sq. ft. replication will be created between wetland flag A141 and 140.

Ms. Taylor noted that the orange area on the plans is called the Ice Box: it's the main volume of the arena. There is a small bustle on the back which is mechanical. The program area is in the front. Both the back and front have slanted roofs. Mrs. Fowler asked how far down they plan to dig. Ms. Taylor replied that they do not know the exact amount yet, but confirmed they will be keeping the elevations. Mrs. Fowler asked about the plaza out front. They plan on using concrete, but will consider Mrs. Fowler's recommendation of using pervious pavers. Mrs. Fowler asked about snow removal. Ms. Taylor stated that the shavings that come off of the ice are dealt with in a melt pit inside the building. Most of it will get reused, but the remainder would become sewer drainage. Snow from storms would be removed to an area near the wetlands near Linden Street. The Commission would like the applicant to consider putting the snow elsewhere, away from water and the main roads. Andrew Shepardson noted that during a typical winter, the snow is piled in parking lots on site, but during severe winters, they can find other locations than near wetlands and main roads.

Mrs. Fowler noted that the Commission visited the site this past winter when the ANRAD was filed with the Commission. Another site visit isn't necessary at this time.

Mrs. Fowler opened up comments from the public. Paul Pavone, Business Manager with the Laborers International Union of North America, Local 560, represented 600 construction workers in the area. They are in support of the project because Bentley hires the local laborers every year. He is hopeful that the project can get started soon because they have many members out of work.

Ward 6 City Councilman Robert Waddick stated that Bentley's president and her staff recently hosted a reception at the president's house for the residential neighbors in the area and presented an overview of the arena. Mr. Waddick is here tonight to note that he wants to follow this project very closely. He doesn't have any specific concerns about the wetlands issues. He trusts that the Conservation Commission is paying close attention to that. He wanted to note that they will be working with Bentley University to have a follow-up meeting so that the neighbors have the opportunity to address issues such as traffic, parking, noise from the events, etc. that will affect the residential area.

Tali suggested that the Commission wait to issue an Order of Conditions until the Commission finishes updating the current version, which should be by the next meeting on June 9th.

Mr. Garvin stated that they will provide an updated planting plan to go along with the narrative.

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

Motion made by Mrs. Fowler to take a 2-minute recess, seconded by Mr. Gill-Austern. **Motion passed.**

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

Informal Discussion

- 157 Riverview Avenue retaining wall

Tali Gill-Austern recused himself from the panel.

Mr. Gill-Austern, resident of 157 Riverview Avenue, wanted to touch base with the Commission as an abundance of caution. He was granted a negative Determination of Applicability by the Commission approximately 1 ½ years ago (November 2014). It was to cover the extension of a deck, deck footings, and stairs that were being constructed on the side of his house. The construction of the footings was done in a way that sloped the land, which resulted in a sloping face where the footings had been eroding in the past year. As a result, he started building a retaining wall to protect the footings from being knocked out. At the time, he thought it was a nominal project, but it's turned into something larger and decided he needed to talk with the Commission. He doesn't believe the original RDA covers what he is doing, therefore he would like to amend the RDA, determine if he has to file a new RDA, or request an Insignificant Change.

Mr. Doyle stated that it sounds like Mr. Gill-Austern is building the wall because the slope was eroding. If it's not a 10-ft. high wall, and it's stopping erosion from occurring, there is no more impervious area. Mr. Gill-Austern stated that there is approximately 24 sq. ft. of impervious area. The stone wall's blocks have holes in them to create less impervious.

Mr. Doyle noted that they gave the negative determination because the Commission didn't think there was an adverse impact. Installing this slope stabilization, by looking at the pictures, if the Commission agrees there is still no adverse impact, then he feels they can note the change on the existing RDA. Mr. Gill-Austern stated that he built the wall making sure it did not affect drainage, other than the impervious component of it. There is an 8 inch base of stone, 12 inches of crushed stone behind the wall, and he is using all of the same soil. Mr. Dufromont's concern is with the 4 x 4 poles that

were used on the deck. He asked if there is a chance that the way they are being covered up will cause the poles to rot. Mr. Gill-Austern responded that he consulted with a contractor, who suggested he use ~4 inches of stone around each of the poles to allow for drainage. If that part of a pole eventually rots, he would need to cut and repost, rather than replace the entire pole.

The Commission suggested that Mr. Gill-Austern submit the change in writing to the Commission, with a copy of the photo, and they will vote on it at the next meeting.

Commission Business

- Motion made by Mr. Moser to approve meeting minutes from 5-12-2016, seconded by Mr. Dufromont.
Motion passed.

Correspondence

- **411 Waverley Oaks Road:** The proposed plantings never took place. The Commission would like the Applicant to apply for a Certificate of Compliance and will discuss work not done at the next meeting with the Applicant.
- **Bishops Forest:** Want to remove saplings at the edge of the conservation land. The Commission would like them to submit pictures of the saplings and provide a plan.
- **CPC grant request:** Mr. Moser would like to submit a request to the CPC for money to restore unused areas (asphalt parking lot, tennis and basketball courts) at Paine Estate to conservation land. Mr. Dufromont suggested Mr. Moser start with Bill Durkee from the CPC office, and Ann Clifford, curator at Paine Estate
- **Storer Conservation Land:** A trash can and hut were put there by an unknown source. Mr. Doyle stated that he and Mr. Baker are working with Ann Clifford, and he gave Mayor McCarthy information on applying for a grant that is given out to develop a Forestry Management Plan at Paine Estate. Mr. Keleher is fine with people putting out appropriate items (i.e., trash cans, water bowls for dogs). If something is inappropriate, then the Commission should act on it. Mrs. Fowler agreed.
- **Charles River Watershed Stormwater Coalition:** Mr. Gill-Austern will be attending this meeting on June 8th.
- **Waltham Public Library Story Walk:** Julie to send the Site Use Application to Maureen McEneaney.

Old Business

Mr. Doyle

- No updates

Mr. Dufromont

- No updates

Mrs. Fowler

- No updates

Mr. Gill-Austern

- **Order of Conditions revision:** Mr. Gill-Austern and Mr. Moser are close to being done with the revisions. Mr. Gill-Austern will send the commission members a redline copy for their review. The OOCs will be discussed at the June 9, 2016 meeting.

Mr. Keleher

- Mr. Keleher asked for the Commission to set a date to discuss projects they would like done throughout the city to determine how much grant money they may need to apply for. The Commission agreed to discuss at the June 23, 2016 meeting.

Mr. Moser

- No updates

Committee Reports

- **Signage:** Mr. Doyle proposed that the Commission change the Signage Committee to "Conservation Initiatives Committee".

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

Meeting adjourned at 8:18 p.m.