



Waltham Conservation Commission
May 4, 2017
Meeting Minutes

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

Attendees: Chairman Bill Doyle, Vice Chairman Philip Moser, Mike Donovan, Gerard Dufromont

Absent: Brad Baker, Tali Gill-Austern

Development Prospectus

- 1104 Lexington Street

Atty. Kevin Dwyer represented the owners of Waltham Plaza LLC which is managed by GraveStar Inc. The property was formerly occupied by McDonald's. The new tenants would like to put in a Chipotle in half of the building, and on the other half they hope to have a new tenant. There are no wetlands within jurisdiction. The building will not be increased in any way. Two parking spaces will be relocated and outdoor patio seating will be put in.

Motion made by Mr. Moser for Chairman Doyle to sign the prospectus, seconded by Mr. Dufromont. **Motion passed.**

Public Meeting (Continued from 4-20-2017)

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. Donovan to continue until the next meeting, seconded by Mr. Dufromont. **Motion passed.**

Public Hearing (Continued from 4-20-2017)

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

Applicant: Dennis Riley

Property Location: 78 Hardy Pond Road

Bob Bibbo, Bibbo Brothers, represented the applicant. At the last meeting, the plan was to revise an approval plan from a few years ago. It was approved as a larger house with a two-car garage. The new plan is to reduce the house 2 feet in width, go from a two-car to a one-car garage, and pull the house further away from the pond by an additional 5 feet. Since they are reducing the size of the house, the drainage is adequate. Mr. Moser asked if the drywells/leaching pits from the previous design are all still there. Mr. Bibbo confirmed they are.

Mr. Moser asked about the fence at the property line which the neighbor wanted to remain/be replaced. Mr. Riley stated that the last time he spoke with his neighbor, she was okay with the way the fence currently is.

Mr. Doyle noted that there is a request to make minor modifications to the original plan and another request for a two-year extension of the project.

Motion made by Mr. Moser to grant the request for a minor modification, seconded by Mr. Donovan. **Motion passed.**

Motion made by Mr. Donovan to issue a two-year extension, seconded by Mr. Moser. **Motion passed.**

Approved 5-18-2017

Public Hearing (Continued from 4-20-2017)

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 represented the applicant. He wrote a letter re: the redevelopment under MGL 10.58 per the request of the commission at the last meeting. Mr. Dufromont asked if the drainage is being captured on the lot. Mr. Bibbo replied that it will be and that it isn't currently. Mr. Dufromont asked how many cars will be parked in the back. Robert Kaitz replied that there will be four cars: one for each unit. Mr. Dufromont asked if they will be cleaning up the area behind the fence. Mr. Doyle replied that the commission may want to impose this as a condition.

Mr. Moser commented on the placement of the galleys and wants to see how far back from the slope they can be placed so they don't destabilize it with the water they are putting into the ground. Mr. Kaitz stated that he couldn't change the plans because they have been filed, but they will note it in the as-built plan.

Mr. Moser would like some type of provision so that the snow storage doesn't just get plowed. Mr. Kaitz noted that they will be installing a white vinyl fence along the side of the property.

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

Motion made by Mr. Donovan to close the public hearing, seconded by Mr. Dufromont. **Motion passed.**

Motion made by Mr. Moser to issue a positive Order of Conditions with the following site-specific conditions: 1) allow applicant to pick up litter by hand from the other side of the fence; 2) make sure the leaching galleys are located at least 10 feet away from the property line; farther from the slope and closer to the building; 3) put up an opaque fence on two sides of the snow-storage area and to show those changes in an as-built plan. Motion seconded by Mr. Donovan.

Motion passed.

Public Meeting

Request for Determination of Applicability

Applicant: Boston Gas Company

Property Location: 275 Second Avenue

Project Description: Proposed gas service installation.

Hannah Raddatz represented the applicant. Boston Gas Company is proposing a new natural gas installation of approximately 150 linear feet of 4-inch plastic pipe to provide a new service for an existing building which will connect at 275 Second Avenue. Portions of the project are within the 100 ft. buffer zone.

All impacts to the resource area will be temporary in nature. Erosion controls of staked straw wattles will be placed between the work area and the resource area. Silt socks will be used within the roadways of the project site.

Construction will be limited to previously disturbed areas. All disturbed areas will be returned to their original state.

Mr. Donovan asked for the time period. Ms. Raddatz noted that once they receive approval, they would most likely want to get the work done this summer.

Mr. Moser asked if they can sweep the street in the area after the project is complete. Ms. Raddatz replied that it is standard practice to do so.

Mr. Doyle noted that the City of Waltham is replacing the water lines along Second Avenue. He asked that the applicant coordinate their project with the Engineering Department. He would like a letter from the applicant to the Engineering Dept. acknowledging they are aware of the water line installation.

Mr. Dufromont asked if Cambridge Water Department should be notified of the project. Mr. Doyle suggested they contact Jamie O'Connell or Dave Kaplan at Cambridge Water Department to make them aware of the project.

Motion made by Mr. Moser to issue a negative Determination of Applicability on the grounds that the impact to the wetlands will be minor and temporary, and with the following added conditions: 1) Applicant shall notify the Engineering Department to inquire whether or not there is an opportunity to coordinate the timing and minimize disruption to the new pavement; 2) Applicant shall notify Cambridge Water Department of the project. Motion seconded by Mr. Dufromont.

Motion passed.

Public Meeting

Request for Determination of Applicability

Applicant: Pascal & Sevan Gebayan

Property Location: 134 Totten Pond Road

Project Description: Addition to the rear of the existing home.

Joseph Penta, KLM Construction Inc., represented the applicant. He noted that they are within the 200-ft. buffer from the stream that is across the street. There is currently a 4 ft. x 16 ft. raised concrete patio which they would be removing, and adding 8 feet from the original house. They are not doing a full foundation. There will be three 4-ft. sonic tubes in the ground. The sq. footage of the addition is 8 ft. x 16 ft.

Mr. Dufromont asked how high off the ground will it be. Mr. Penta stated that it will be about 3 feet.

Mr. Moser clarified that all of the roof runoff will go into the ground underneath the addition and into crushed stone.

Motion made by Mr. Moser to issue a negative Determination of Applicability, seconded by Mr. Donovan. **Motion passed.**

Commission Business

- Motion made by Mr. Moser to approve the meeting minutes from 4-20-2017, seconded by Mr. Dufromont. **Motion passed.**
- Order of Conditions Revision: Tabled until next meeting.
- Review of Project Closeouts: Julie is working with Mr. Doyle to get the letters out to the applicants.

Correspondence

- **Deer Survey:** Boston University is taking a survey of the municipalities in the commonwealth regarding local concerns about deer populations, deer management strategies, and any town bylaws regarding hunting. The commission members do not have enough knowledge on the topic, therefore they will not be participating in the survey.
- **Mass Wildlife:** Mr. Moser noted that there are three areas in Waltham that are highlighted on Mass Wildlife's map as priority wildlife habitat: Met State, Prospect Hill Park and Mt. Feake Cemetery. Julie will contact Mass Wildlife to inquire about training for the commission members to identify endangered species in Waltham.

Old Business

Mr. Doyle

- No updates

Mr. Dufromont

- No updates

Mr. Moser

- **King's Way fertilizer use:** There are two properties on the old Pizzi Farm: one is condominiums and the other is apartments. The Hardy Pond Association did culvert testing and the one coming from that property had the highest concentrations of phosphorus and nitrogen far exceeding US EPA recommendations. The Order of Conditions on the properties do have conditions restricting lawn care in terms of fertilizer, pesticide and herbicide use within the 100 ft. buffer zone. Mr. Moser will draft a letter making them aware of the culvert testing that was done, asking them to come in to give the commission more information about their lawn care practices so we can work with them to try to reduce the nutrients going into the resource area.
- **Lazzero Playground:** Julie sent an e-mail to Nick Abruzzi, Acting Director of the Recreation Department, indicating that the invasive plant management has not taken place per the Order of Conditions, and asking how the invasives will be treated.

Mr. Donovan

- No updates

Committee Reports

- **CPC:** There is a meeting on Tuesday, but Mr. Dufromont will not be able to attend it.
- **Trust Fund:** Mr. Dufromont will give the annual report at the commission's next meeting.

Site visit reports

- **200 Smith Street:** Mr. Dufromont checked on the protection of the wetland. Everything is fine.
- **Bentley University Arena:** Mr. Dufromont stopped by when they were putting in a utility line and noticed they weren't protecting the waterway. The problem was corrected by the next morning.
- **20 Cooper Street:** Mr. Dufromont knows there is interest on the board when they put in the trees. They are going to cut in the trail path and lay crushed stone. At that point we will have a much better understanding of where the bike trail is and the trees can then be marked. The applicant would like to do some cleanup of the brush and downed trees in the area. This will be discussed when the commission goes out to mark the trees. The trail will run from the Elm St. bridge to the hotel.

New Business

- Mr. Moser thanked Mr. Doyle and Mr. Gill-Austern for going out with him to look at an oil spill at a gas station near the Charles River recently. They showed leadership in getting the oil cleaned up.
- Mr. Dufromont noted that last weekend was the Charles River Cleanup. Lots of new faces were there and a lot of young people and families were involved.

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

Meeting adjourned at 8:02 p.m.