



**Waltham Conservation Commission**  
**May 8, 2014**  
**Meeting Minutes**

**Attendees:** Robin Brodsky, Bill Doyle, Gerard Dufromont, Maureen Fowler, Lesya Struz  
**Absent:** Daniel Keleher

**Meeting called to order at 7:02pm**

**Request for Determination of Applicability**

**Applicant:** Patrick Philbin  
**Project Location:** 39 Edgewater Drive- Map 75 Block 06 Lot 06  
**Project type:** New sewer line

Mr. Philbin represented himself. The work is already done. The concern is city wide not with the applicant. There are straw wattles on the around the front. He just mowed the grass. The bales will be in place until the grass is stabilized. Mr. Philbin hasn't noticed any dirt crossing into the river. Ms. Struz stated that she is not comfortable because there was extra instruction about putting seed mix to keep the hill up. Mr. Philbin stated that it was not required, that it was a suggestion. Mr. Doyle questioned if there was any erosion going to the river. Mr. Philbin stated he has not seen any. Mr. Doyle thinks it's in good shape and the river seems protected. If is stable now and there has been some pretty good rain and the straw bales have been there. Ms. Struz stated that when fertilizer is added the middle number has to be zero. Mr. Doyle suggested not putting fertilizer down.

Mrs. Fowler made a motion to issue a negative determination with no conditions. Mr. Dufromont seconded. Ms. Struz stated she will not vote. Ms. Struz and Ms. Brodsky voted no. Mr. Doyle voted yes to break the tie. **Motion passed.**

**Public Meeting**

**Request for Determination of Applicability**

**Applicant:** Khoren Dertsakian  
**Project Location:** 380 Lexington Street- Map 42 Block 05 Lot 01  
**Project Type:** Demolish existing garage and rebuild with same footprint

Mr. Dertsakian represented himself. He would like to demolish his garage that was built in 1815. It is falling apart. There was a lot of damage from this winter. It is dangerous and there are animals living in it. Everything is going to be the same footage. He received all of the signatures for the demo permit. He presented a plot plan. It shows the flood zone and stream. It is within 200 feet of the stream. Mr. Dertsakian will need to file a Notice of Intent. There will be a lot of excavating. Mr. Doyle suggested hiring a professional to do the work. Mrs. Fowler made a motion to issue a positive determination seconded by Ms. Brodsky. **Motion passed.**

**Public Hearing Cont.**

**Notice of Intent DEP#: 316-0674**

**Applicant:** City of Waltham, Department of Consolidated Public Works  
**Project Location:** 2 Worcester Ln and 356 Bacon Street- Map 42 Block 06 Lot 01  
**Project Type:** Culvert Extension and Bank Restoration

Mr. Chiasson from CPW spoke first. CPW is in charge of the project. They were in a while back and site visit was done. At the site visit there was a request for a little more work to be one on the Piety Corner side. Mr. Truman from Samiotes Consultants spoke. The plan is still a box culvert with head wall. The request was to replicate what was already there on the other side. He presented some pictures. They should be able to replicate the detail. Mr. Dufromont questioned if the purpose was to protect the foundation. Mr. Truman answered yes; they are changing the north side to look like the south side and increasing flood storage slightly. They received n authorization letter from the Army Corps of Engineer. Mr. Dufromont questioned if they still plan on planting grass. Mr. Truman answered that the slop will be tiered then there will be grass and the very lowest part of the rip rap will remain in place. Ms. Struz questioned invasive removal. Mr. Truman stated the invasive will be taken out as part of the slop repair. It will be replaced with grass and mowed. Ms. Struz questioned if they are going to put in trees. Mr. Truman stated that trees would make it harder to maintain. Ms. Struz questioned what kind of trees are there now. Mr. Chiasson stated Red

Maple and they will tag the trees so the contractor knows to leave them. Ms. Struz stated that the trees will absorb a lot of the water. Ms. Rimmer stated there will be geotextile material underneath the grass. Mr. Chiasson stated the leaves and branches will end up in the brook to be cleaned out later. Mr. Dufromont thinks the roots from the tree will impede the rip rap. Ms. Struz stated the tree will help prevent erosion. Mr. Doyle stated the rip rap is working right now and there are no trees there. Ms. Rimmer thinks trees need to be further up on the slope out of the high flow channel. Ms. Brodsky stated she is concerned about who is going to maintain the area. Mr. Doyle requested that the City Councilors figure out that this is a drainage connection for a large part of the city. It is on private property. Whose responsibility is it to clean it out if it clogs. Mr. Chiasson stated that in the past they have always watched blockages and cleaned out the catcher. The Piety Corner Club has maintained the land around the culvert and he doesn't think that would change. There is an easement around property because its drainage and it allows the city to do what they need there. Ms. Brodsky would like to see something in writing from the city. An O & M plan describing what they are going to do. Mr. Brian Maroney from the Piety Corner club spoke. The easement also serves as a sewer easement. There is a trash rack on the Bacon Street entrance main flow and over flow pipe. Mr. Chiasson cleans the rack before storms and there are neighbors who watch the rack and call when it gets full. The club members are fine with planting trees. Mowing and raking of the leaves will be easier than maintaining the rip rap. Mrs. Fowler stated that all of the grass clippings need to be taken off of the site. Mr. Doyle questioned where the easement was on the plans. Mr. Chiasson showed Mr. Doyle where the easement was. There were no questions from the public. Motion to close public hearing made by Mrs. Fowler, seconded by Ms. Struz. **Motion passed.**

Motion to issue a positive order of conditions with the following 1) Three 8 foot tall Red Maples along the parking lot side 2) O & M plant that reflects maintenance on the channel and that the Piety Corner Club will do the lawn maintenance. 3) Provide easement language made by Mrs. Fowler, seconded by Mr. Dufromont. **Motion passed.**

### **Public Hearing Continued**

**Notice of Intent DEP #:** 316-0678

**Applicant:** Curtis Beaton

**Project Location:** Lot 1A-306 Aft Lexington Street- Map 42 Block 09 Lot 07A

**Project Type:** Removal of existing pavement and construction of a single family home

Dr. Rockland spoke on behalf of the applicant. There were several comments raised and they think they have provided the answers. They did water testing of the seeping stream. There was no chlorine or fecal coliform. Enterococcus is what you would expect in natural water. They did a dye test also and there was no dye coming into it. The seep is ground water release and not related to drinking water or sewage. They are doing invasive species maintenance in the fall and spring for two years or for the life of the permit. Ms. Struz questioned what they would do in the fall. Dr. Rockwood stated the garlic mustard a couple of times a year because it's biannual. Ms. Struz stated they are easier to do at the second year and it's more expensive to pull something out that doesn't want to come out. During the site visit there was a lot of trees in the flood plain. They are going to remove them by hand and leave the logs in place. They added a restriction line to the plan. Mr. Bibbo showed the proposed line on the plans. It will be where the straw wattles are and also back in the two corners. The 81X plan will be attached to the deed. Mr. Doyle questioned the stone bound that was in the middle of the sewer easement. He questioned if it would be a problem to put the bound in the corner at the apex where the two points are. Mr. Bibbo stated yes that they can do that. Ms. Brodsky thinks they have done a good job of addressing the issue. She questioned if they put any thought into making the property greener. Mr. Beaton spoke that he did look into things to make the property greener. He will use triple pane windows which increases the performance of the thermo value and open cell Styrofoam installation which is an improvement over fiber glass. In addition to that he would probably like to us Rinnai Energy Star rated hot water heating system. It is a little more expensive but good for the environment. Ms. Brodsky thinks it's a win for a builder that you have something out there that distinguishes you. And also a win for Conservation. Ms. Fowler questioned the location of the fence. They are going to move it six inches from the lot line. It will be a cedar fence six inches off of the ground. Ms. Struz stated that they required all of the documents to be in on Monday. One of the tests was dated May 7<sup>th</sup>. Mr. Beaton thinks the reason that they didn't make the deadline is because they found the sewer issue. The timing of the process got jammed up and they couldn't make the deadline. Ms. Brodsky stated that the minutes say they could submit the material on Tuesday. Ms. Struz questioned Mr. Bibbo why there weren't contour lines on the map. Mr. Bibbo stated there is and they are in green. Mr. Doyle stated he understands what Lesya is saying and doesn't want to take away the importance. They did the dye test and that was not required. He is comfortable with the information they have given. Ms. Struz stated it is just the principal that reports need to be in on time.

There were no comments from the public. Motion to close public hearing made by Mrs. Fowler seconded by Mr. Dufromont. **Motion passed.**

Motion to issue a positive Order of Conditions with the following conditions 1: 81X plan to be added to the deed 2: Invasive maintenance for two years or the life of the permit. 3) Catch Basin O & M perpetuity. 4) Take out big trees and leave logs by Mrs. Fowler, seconded by Mr. Dufromont. **Motion passed.**

The Commission requested that Mr. Bibbo could help with the new PR committee. Maybe customize a survey disc that the Commission can have. Mr. Bibbo will get in touch with Ms. Brodsky.

**Request for Certificate of Compliance Cont. DEP#: 316-0669**

**Applicant:** V. Lopez Realty Trust

**Project Location:** 131 Linden Street- Map 53 Block 07 Lot 05

Request for continuance until May 22<sup>nd</sup> meeting. Motion made by Mrs. Fowler, seconded by Mr. Dufromont. **Motion passed.**

**Public Hearing**

**Notice of Intent DEP#: 316-0679 (Under Review)**

**Applicant:** Alexandria Real Estate Equities, Inc.

**Project Location:** 225 & 231 Second Ave- Map 39 Block 01 Lot 10 & 11

**Project Type:** Renovation of existing building on 225 Second Ave.

Mr. Brandon Li and Mr. Tim White represented the applicant. The existing site is a 53,000 square foot bldg. on 225 Second Ave and 10,000 square feet on 223 Second Ave. There is a parking garage on 205 Second Ave. The resource area is a bank of intermediate stream abutting 275 Second Ave side walk. Mr. Li described where the wetlands are. They are renovating the existing bldg. to accommodate a new tenant. There will be a new entry with vestibule and added landscaping at the entrance. Along the east of the property and they are removing parking spaces and adding new landscaping. On the north of the building they are adding a new handicap ramp and removing the old one. There will be a new compactor and air handler unit to the west of the property and they will be repaving the entire parking lot. The drainage is captured by a catch basin which is diverted to pipes and then the drainage channel to the north. They are removing a lot of the impervious area and increasing landscape. They also have an O & M plan. There will be erosion control along the perimeter of the property and silt sacks long the existing catch basins. Mrs. Fowler questioned if it is the site of the old ADP. The answer is yes. There was a question of what year the current storm water system was built. There were some proposed changes along the front when ADP moved into the site. He thinks there used to be catch basins along the side walk but the area was landscaped and the thinks they placed new drainage types under there. There is a large drainage pipe that leads to a head fall. The only drainage on their property is the catch basin. The roof has a pipe that runs to a man hole that runs to the drainage channel in the rear. They are in a 100 foot buffer zone. Nothing there is considered a stream or river. It is man-made. Mr. Dufromont questioned if the city requires a certain amount of spaces. Mr. White stated that the parking lot had too many spaces. They are giving back more green. They do not have any plans for the back bldg. right now. They have some commitments to put the windows back in. Ms. Fowler questioned where the snow storage area is going to be. Mr. Li showed on the plans were the snow storage will be. The O & M includes sweeping of the parking lot. Ms. Struz questioned the planting. Mr. White stated they have a landscaper on board that will develop a plan and the commission will see it. Ms. Struz stated the middle number on the fertilizer needs to be zero. Mr. Doyle stated that they need to see what Dave Kaplan from the Cambridge Water Department would like. A site visit was scheduled for Thursday, May 15<sup>th</sup> at 9am at the site. Mr. Kaplan will be invited to the site visit.

Motion to continue by next meeting made by Mrs. Fowler, seconded by Ms. Brodsky. **Motion passed.**

**Request for Determination of Applicability**

**Applicant:** Guy Compagnone

**Project Location:** 135 Marlborough Road- Map 37 Block 11 Lot 1C

**Project Type:** Installation of new shed

Mr. Compagnone represented himself. He built the house when he was a bachelor and he has no closets. The main reason for requesting a shed is that they need storage space. He would like it at the end of his driveway. The area is about ten feet or so off the ground. He would like to level it with gravel. Mrs. Fowler questioned if the pavement ends right before his house. Mr. Compagnone stated there was some talk about paving and he does not want it because of the heat. He says its ten degrees cooler on the property and its better drainage. He would like the shed where there is a spot of mixed rocks. He has one rock that is six feet high and then they vary in size of rocks and he would like to put bigger rocks and gravel on that. Mr. Doyle stated it's outside of the riverfront and there is a wetland to the north of the property. Mr. Compagnone thinks it's over 60 feet from the wetland. Ms. Struz questioned how the rocks got there. He got permission from a past commission member to put the additional rocks on his land. The driveway drains into the underground system but it doesn't go anywhere. The shed will be on the edge of the driveway. They were thinking of rain water collections so they can garden there. He would prefer it drain directly down into the gravel. He was originally thinking of building one that didn't look like a shed but it is too expensive. He is going to get factory made one and have it built on site. The shed will sit on large boulders on top of 3 foot stone so that creates a boundary for gravel. Three quarter stones of gravel and then 4 by sleepers and then the shed will sit on top.

Motion made to issue a negative determination made by Mrs. Fowler, seconded by Ms. Brodsky. **Motion passed.**

Mr. Compagnone stated he would like to reduce impervious surface in time. He would like to take up lawn in driveway and replace with pavers or natural surface. The commission stated to come back when he decides to do it.

### Commission Business

- Meeting Minutes -Motion to approve minutes from April 24<sup>th</sup> made by Ms. Brodsky, seconded by Mr. Dufromont. **Motion passed.**

### Correspondence:

- 1) Emergency Certification request from Mike Chiasson. There was a discussion about the pumping on Waverly Oaks road and if that should be the emergency certification and they will have to come back with a notice of intent in a month. There is a MWRA water line underneath the road and a gas line. The damage of the wetlands has already occurred. The area is a flood zone and will always flood. Ms. Fowler read the Emergency Certification form requirements. Mr. Dufromont questioned where the water is coming from? The Fernald? They think that snow is being stored there so it is contributing to the problem. The pump can't keep up with it. They can sign the certification and put a condition on it allowing the pumping that is currently occurring to continue within 30 days and they will have to file a Notice of Intent. They CPW will need to notify MWRA and the gas company. Ms. Brodsky makes a motion to approve certification for the pump only and come back with a full Notice of Intent. There was a discussion that they need to put the 30 inch pipe in to see what is going on. There was a discussion about the email about the Emergency Certification and misunderstanding with Mike Chiasson. They need to take care of the emergency certification within 24 hours or Mr. Chiasson can go to DEP. An email will go out to Mike Chiasson to request a site visit on Friday, May 9<sup>th</sup> at the pumping site.
- 2) Motion to table Stonehurst permission for site use from Planning Department and Dave Slagle dock license list until next meeting made by Mrs. Fowler, Seconded by Ms. Brodsky. **Motion passed.**
- 3) There was an email from Ann Clifford and Catherine Cagle about small fires at the Paine Estate. It was handled by the police and fire. Ann will be looking into to getting a fire box.

Motion to table old business until next meeting made by Mrs. Fowler seconded by Mr. Dufromont. **Motion passed.**

### Site Visits:

- The commission received a complaint from a neighbor at 300 Winter Street that there was dumping going on in the stream. Mr. Keleher, Mr. Dufromont, Mrs. Fowler and Mrs. Brodsky made a site visit. There were containers of joint compound, paint cans, trash, and other debris. There was a residue in the water and DEP was contacted. The fire department went out and determined that it was not contaminated. The owner of the Home Sweet Inns had a cleaning crew up there and cleaned out 80 percent. They will be going back to finish the cleanup. They offered to test the water. Mr. Dufromont will contact them about testing the water and also putting signs up that say no dumping and that there is a camera. At the site visit it was also noted that 300 Winter Street recently took down a tree without permission.

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

**Meeting adjourned at 10:22pm.**