



**Waltham Conservation Commission
June 22, 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

Absent: Tali Gill-Austern

Informal Discussion

- Replacement of sewer main on Lexington Street (DEP File # 316-0632)

Steve Casazza, City Engineer noted that the project was permitted in 2010. The purpose of the project located at the intersection of Lake and Lexington Streets was due to a tremendous source of sewer overflow. They have corrected the problem to a degree. They put in a 15-inch pipe connection on Lake Street which connects to a 10- inch pipe on Lexington Street. All of the work is in the right-of-way. The pipes will be put in the street and he is increasing the new pipe from a 10- to 18-inch to take the flow from the Lakeview area. The original Order of Conditions was valid until December 2013, and the Commonwealth granted two 2-year extensions, bringing them to December 2017 at which time he plans to be done. The bid day is July 20th. Mr. Dufromont asked if they will be putting in any hay bales in front of Bishops Forest and the YMCA. Mr. Casazza stated that the orange line on the plan represents the straw wattles and siltation control barriers. They are also putting silt sacks in all of the catch basins. He will make sure that the dewatering is taken care of and does not get dirt in the wetlands. Mr. Dufromont requested that Mr. Casazza contact the commission when the hay bales are in place so they can be inspected. Mr. Donovan asked when the construction will start. Mr. Casazza replied that he has to get the bids in and request the money from the mayor. If all goes well, he hopes to award the contract by the beginning of August. Mr. Donovan asked for the anticipated completion date. Mr. Casazza stated it should be the beginning of November. Mr. Donovan asked about the paving currently taking place on Lexington Street. Mr. Casazza replied that he has asked Public Works Director, Michael Chiasson, to leave the milled section of the road as is and to lower the castings and leave them down until his project is done. Mr. Moser confirmed that Mr. Casazza is not asking for an extension at this point, but that he is updating the commission on the schedule. Mr. Casazza stated that he felt it was important to make the commission aware of the work that will be going on since it's been so long and it's such a focal point in the community.

Informal Discussion

- 380 Lexington Street

Mike Garvin, City Traffic Engineer, came for guidance from the commission re: the intersection of Lexington Street, Totten Pond Road and Bacon Street. It is one of the worst intersections in the city in terms of safety. It has one of the highest accident rates and congestion. They want to make the current, very large intersection into a more compact, more efficient design. The city recently purchased the property at 380 Lexington Street, which gives the city the opportunity to do the right thing with traffic. They will either demolish or move the house on the property and realign Totten Pond Road through the property where the house is today. The existing pavement that will no longer be needed could be loamed and seeded. There is an orchard of fruit trees which will need to be moved. Beyond those trees, there is a slope to the property which slopes down to the West Chesterbrook stream. The wetlands were flagged in 2014 and are indicated in the handout. Mr. Garvin asked if that is adequate for the commission since the flags no longer exist. In order to limit the impacts to the stream, he feels some type of retaining wall would be required. Otherwise the grading would encroach toward the stream. The stormwater management plan calculations demonstrate that the road would not flood through that area. Mr. Doyle stated that this is not a public (open) hearing, therefore the commission needs to be cautious of what they say and how they direct tonight. They cannot be a consultant. The purpose of a Notice of Intent process, which this

Approved 7-20-2017

will require, is so the public is notified and the public can be part of this process. Mr. Dufromont is concerned about moving Totten Pond Road to the right. He asked what portion of the lot is the city looking to use that is there now. Mr. Garvin does not have an estimate at this time. Mr. Dufromont asked if Mr. Garvin has any intentions of re-routing the brook or encasing it. Mr. Garvin does not expect that that would be required. He feels that would be the purpose of the retaining wall. Mr. Donovan asked about locating and understanding the purpose of the culvert under Totten Pond Road. It was originally a single culvert and he believes that in the mid-80s, they added a second culvert due to the flooding upstream from Pond End Road. It appears that the second culvert is where they plan to start flattening out the curve on Totten Pond Road. There is the possibility they will have to extend the second culvert on the south side of Totten Pond Road. He asked if they will be relocating the underground utilities where they are shifting everything. Mr. Garvin replied that they will need to relocate the underground utilities and utility poles. Mr. Baker asked if the retaining wall will be permanent. Mr. Garvin replied that he believes so. Mr. Donovan commented on the two lanes on Totten Pond Road which will be split into four lanes for the last 500 feet. He noted that currently, traffic is backed up there during rush hour. Mr. Garvin replied that the traffic benefits of the plan would be substantial. When the intersection is so wide (as it is now), there is a lot of wasted time. Mr. Baker would like to see the wetlands flagged again. Mr. Moser feels everything they've proposed makes a lot of sense from a traffic standpoint. He pointed out that the Wetlands Protection Act and the Rivers Protection Act apply to the project. Mr. Doyle asked if the Notice of Intent will be filed in-house instead of having a consultant help with it. Mr. Garvin replied that is the plan. Mayor McCarthy stated for the record that they have had previous discussions about this with the City Council and Mr. Doyle was asked to participate twice. On one occasion, he was asked to delineate the wetlands resources. She is here tonight to ask if there are any policy issues with the house. This is just asking for comments to expedite the process to move the project along. Mr. Doyle responded that the Conservation Commission will be issued a Notice of Intent and they will look at the design through the process and see how it meets the checklist. The big mitigating issue he sees with this project is the percentage of work in the riverfront area. This is a municipal infrastructure project. He advised the city to look closely and work with the consultant that is hired to determine what latitude the city has with that in the filing. Mr. Doyle can see design issues with the large yellow striping on the plan, which makes the area 12 feet wider. In the riverfront, the commission would ask a private developer if they could make the road 12 feet smaller so there is less impact to the riverfront. The culvert going underneath the roadway is a mess. It would be a great opportunity to repair it with this project. Otherwise, if they stay away from doing work near it, that's fine, too. Mr. Doyle recommended they submit a project that is bullet-proof and can't be appealed (by DEP) which stretches out the project for 6 – 8 months. Mr. Moser stated the city would lose local control if the project is appealed. Mr. Baker noted that the best time to have the trees relocated is in the fall. Mayor McCarthy stated that the city needs to formally come before the commission to ask permission to relocate the trees. Mr. Doyle replied that the trees can be included in the Notice of Intent. Mayor McCarthy stated that they may do a separate filing in the fall to remove the trees. Mr. Doyle responded that the city may want to submit two separate filings: one to clear the land (house, trees, etc.) and another for the major project. If the culvert is replaced, the city will need to involve the Army Corp. Mayor McCarthy asked if the city should survey that area. Mr. Doyle recommended doing so before making the decision to replace the culvert or not.

Public Meeting (Continued from 6-8-2017)
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. Moser to continue until the next meeting, seconded by Mr. Baker. **Motion passed.**

Public Meeting
Request for Determination of Applicability
Applicant: Helen Spillert
Property Location: 56 Mallard Way
Project Description: Removal of tree.

Alan Spillert represented the applicant. There is a large rotten area at the base of the tree. His fear is that a strong northeast wind will push the tree to the southwest which will cause the tree to hit the house. The tree is approximately 50 feet high. Mr. Spillert believes the tree is a maple. Mr. Baker stated that Mr. Spillert is able to prune the tree. Mr. Spillert is concerned that there is a large rotten area at the base of the tree, therefore he is requesting permission to remove the tree. The commission requested a site visit.

A site visit has been scheduled for Tuesday, July 18th at 8:30 a.m.

Approved 7-20-2017

Public Meeting

Request for Determination of Applicability

Applicant: Wendy and Michael Ricci

Property Location: 155 Copeland Street

Project Description: Build new elevated deck and create a roofed screened porch below deck.

Property owner Wendy Ricci and architect Larry Cohen appeared before the commission. Mr. Cohen explained that what exists now is a screened porch with a shallow roof with a deck built on top of it. They want to build a deck with an under deck rubber capture system and rebuild the screen walls underneath. The stairs will be moved to the other side. They will be replacing the footings with helical piers with no disturbance. The area is more than 150 sq. ft., therefore they will be putting in a drywell system. Mr. Moser asked about the planned erosion controls. Mr. Cohen stated that due to the helical footings, there will be no disturbance. Mr. Moser asked what type of equipment will be used for the demolition of the structure and reconstruction of the helical piles. Mr. Cohen replied that the demolition of the structure will be done by hand and carried to a dumpster out front. The drywell needs to be done with a bobcat. Mr. Moser requested that erosion controls (straw bales or wattles with silt fence) be put on the downhill side of the excavation and pile of dirt while the drywell is being inspected. Mr. Dufromont asked how close the project is to the wetlands. Mr. Cohen replied it is about 35 feet. Mr. Dufromont would like straw bales to be placed in the whole area while construction is going on. He also requested that the commission be notified once the erosion controls are in place.

Motion made by Mr. Baker to issue a negative Determination of Applicability with the following conditions: 1) erosion controls are installed and left during the duration of the project, 2) the commission will be notified after erosion controls are in place prior to construction. Motion seconded by Mr. Dufromont. **Motion passed.**

Motion made by Mr. Moser to hear from Mr. Bibbo, seconded by Mr. Baker. **Motion passed.**

Public Meeting

Request for Certificate of Compliance

Applicant:

Property Location: 372 River Street, Unit 1

Bob Bibbo represented the applicant. This is an existing four-unit building. They came before the commission last month to have paving done in the rear of the property. There's a binder coat because the contractor couldn't finish up. Mr. Bibbo is asking the commission to issue a partial release for one unit because they are passing papers in two weeks. The top coat will be done by the next meeting for the other three units. The closing on the first unit is July 18th.

Motion made by Mr. Dufromont to issue a partial Certificate of Compliance for 372 River Street, Unit 1, seconded by Mr. Moser. **Motion passed.**

A site visit has been scheduled for Tuesday, July 18th at 9:30 a.m.

Commission Business

- Motion made by Mr. Donovan to approve the meeting minutes from 6-8-2017, seconded by Mr. Baker. **Motion passed.**
- **Order of Conditions Revision:** Tabled until July.
- **Commission Elections:** Motion made by Mr. Donovan to re-elect the positions of Mr. Doyle (Chairman), Mr. Moser (Vice Chairman) and Mr. Dufromont (CPA and Trust Fund) and to elect Mr. Dufromont as Secretary. Motion seconded by Mr. Baker. Roll call vote: Mr. Doyle (aye), Mr. Baker (aye), Mr. Donovan (aye), Mr. Dufromont (aye), Mr. Moser (aye), Mr. Gill-Austern (absent).
- **Emergency Certifications:** Mr. Doyle stated that there was an emergency certification request (for Totten Pond Road near Veterans hockey rink) that he recently signed. He noted that anyone on the commission can do so. Emergency certifications allow applicants to go in and fix the work, and then they come back and do a full Notice of Intent. This is the second emergency certification for this area. Mr. Donovan has stopped by the project and noticed that there are no erosion controls installed. Mr. Moser asked if there would be a benefit for them to add a straw wattle. Mr. Donovan feels there would be especially since they had it fully wrapped before. Mr. Doyle will call Mike Chiasson, CPW, in the morning re: the lack of erosion controls. Mr. Doyle informed the commission that if anyone is approached to sign future emergency certifications, the request needs to first go through Julie in the commission's office.

Approved 7-20-2017

Old Business

Mr. Doyle

- No updates

Mr. Baker

- **Meadowscaping:** Mr. Baker met with the Meadowscaping for Biodiversity group at Paine Estate last Friday. They discussed where it might be better for the native garden to go and they staked it off. It's the same square footage the commission had already approved. There is a lot of poison ivy walking in from the parking lot to the native garden. Mr. Baker recommended taking 20' x 20' tarps and overlap them on top of the poison ivy and grass that's there so when the kids and adults walk through won't get poison ivy. The tarps at this time of year will smother or suffocate the poison ivy. Within three weeks to a month, they can move the tarps to another part of the property to suffocate poison ivy, black swallow wort, etc. Mr. Baker asked if they need approval to put those tarps down with cardboard on top of it so it's easier to walk on and not a tripping hazard. They left the 4-foot wide path along the edge of the guardrail so it's easy to care for things there. Eric Olson and Mr. Baker are going to help with the pruning of dead branches and poison ivy to make it a safe habitat for the kids. Mr. Moser asked if the tarps kill everything underneath them, would they plant grass or a larger garden. Mr. Baker thinks that once the poison ivy is dealt with, they will be reseeding with lawn grass or a meadow mixture. Mr. Baker would like to have a rainwater tank to help water the hemlocks. Mr. Doyle is fine with the plan, but requested a document be drafted and laminated to explain what the project is to visitors. Mr. Dufromont requested that the cardboard is picked up each night so that it doesn't blow all over the estate in a wind storm. Mr. Doyle asked that Mr. Baker coordinate with Ann Clifford to make her aware of when this is happening. Mr. Baker replied that she is being updated.
- **Storer House Wisteria:** Mr. Baker has done almost 10,000 loppers of wisteria. He noted that they are going to have to do the same number of loppers again over the next couple of months to continue to starve the wisteria. Mr. Baker asked if they could use a bulldozer to remove the 30-ft. long strands of wisteria that are attached to the blacktop. It would be much easier to take a bulldozer to scrape off the whole line of vines and put it in a pile at the end until it's all dead instead of lopping it little-by-little. Mr. Doyle recommended Mr. Baker identify the area with four stakes and a ribbon and enlist the help of Ms. Clifford to ask CPW if bulldozing the area is something they can do. The removed wisteria needs to remain on the property.

Mr. Dufromont

- No updates

Mr. Moser

- No updates

Mr. Donovan

- No updates

Committee Reports

- **CPC:** No updates
- **Trust Fund:** Mr. Dufromont stated that Councilor Fowler has asked Mr. Magno to look into the way the accounts have been set up and what can and cannot be done. Mr. Dufromont will follow up with Mr. Fowler.

Site visit reports

201 Mokema Avenue: Mr. Moser stated somebody dug up their whole yard next to the wetland, possibly with some regrading and re-waterproofing of his foundation wall. Mr. Moser noted that Julie got the impression that the person has no intention of filing a Notice of Intent. He clearly needs to file one. He was in violation of doing the work without filing a Notice of Intent. Mr. Moser recommended forwarding his field report along with a cover letter to the property owner stating this is a violation and to address it, please come to the office to file a Notice of Intent. He would like to see a grading plan and site survey to see if he did do any filling. There were truckloads of soil and gravel entering and leaving the site.

New Business

- Mr. Donovan noted that there is an approximately 20-ft. addition being put on a house on Trapelo Road near Hardy Pond Road. He will look up the address and see if the property is within jurisdiction.

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

Meeting adjourned at 8:41 p.m.