



**Waltham Conservation Commission
September 22, 2016
Meeting Minutes**

Meeting called to order at 7:01 p.m.

Attendees: Chairman Bill Doyle, Gerard Dufromont, Tali Gill-Austern, Daniel Keleher, Brad Baker (arrived at 7:02 p.m.)

Absent: Vice Chairman Philip Moser

Development Prospectus Sign-offs

- 170 High Street
- 1077 Lexington Street

John Weaver represented Verizon Wireless for both prospectuses. Verizon is proposing to install 12 antennas on the roof of two commercial facilities. There is no conservation jurisdiction at 170 High Street, but 1077 Lexington Street is in a flood zone. Everything will be put on the roof. There will be no ground disturbance at either location.

Motion made by Mr. Dufromont for Mr. Doyle to sign the two prospectuses, seconded by Mr. Gill-Austern.

Motion passed.

Public Hearing (Continued from 9-8-2016 meeting)

Notice of Intent (DEP File # 316-0718)

Applicant: City of Waltham Recreation Department

Property Location: Elsie Turner Field: 385 Trapelo Road

Project Description: Improvements to the existing softball field.

Ben Gary, site consultant, for the Recreation Department summarized that there is an existing softball field, parking lot, and trails that go through the property. The wetlands were identified in two areas: 1) a small area just off of Trapelo Road, and 2) a larger one left of the softball field. They designed parking (40 spaces) for the needs of the park for both the softball field (for the players, coaches and parents), the paved picnic area and playground, and the onsite trails. In comparison, Falzone Park has one field, no access to trails, but it has 70 parking spaces. They looked at the designs that the Conservation Commission recommended, but they could not make it work. Another concern that was raised by ConCom was a pipe connection. They would need to lower the elevation three feet on each side with wetlands disturbance. They don't see any advantage to doing this and it costs more. They are asking that it not be a requirement. DEP issued a file number for the project and did not have any comments.

Mr. Doyle stated that the parking suggestion was to shift all of the parking away from the wetlands which would allow it to collect the water naturally as it does today. He asked Mr. Gary why they feel that plan would not work. Mr. Gary stated that the picnic area would be eliminated if they moved the parking, and they feel the picnic area is critical to the softball field and trails. They will be collecting the water and not discharging it. The proposed plan from the commission would also reduce the parking from 40 spaces to 38. It is dangerous for people to park on the street (Trapelo Road), and parking is not allowed at the federal building (National Archives).

Mr. Doyle asked how the water gets to the wetland. Mr. Gary replied that it has to be groundwater.

Mr. Baker asked about the pipe connecting from the isolated wetland to the bordering vegetated wetland and having to dig down three feet. Mr. Gary replied that they would need to lower the elevation to put a 12" pipe under the road. Mr. Baker stated that the pipe wouldn't have to go under the wetland. It could be an overflow pipe and be placed higher up, so they wouldn't have to dig as deep.

Mr. Dufromont asked if the play area will be paved. Mr. Gary stated that it will be a crushed stone base with rubber on top. Mr. Dufromont asked if the walking paths will be paved. Mr. Gary stated they would use porous pavement for the entire walkway.

Approved 10-6-2016

Mr. Keleher asked if there would be any advantage to raising the elevation of the driveway. Mr. Gary stated it needs to be kept level and under 5% for handicap accessibility, but they could modify the plan a bit.

Mr. Doyle opened up questions from the public.

Sandra Tomasello, Director of the Recreation Department for the City of Waltham, stated that they used the pervious material at Lazazzero Playground along the Hardy Pond walking trail and feels it will be a great addition in helping to protect the wetland area at Elsie Turner Field. Mr. Doyle asked if they plan to start work in the fall. Ms. Tomasello stated that the project needs to go out for bid and they need to acquire the funding, then hopefully work will start in the spring. An audience member asked if they could change the 12" pipe to two 6" pipes. Mr. Gary stated that he would have to go down as far with the 6" pipes and it would need a steeper slope. The 12" pipes are reinforced and they are only down two feet.

Mr. Doyle would like to work with the consultant to hydraulically connect the two wetlands and potentially the detention basin to bring the water around the wetland.

Steve McGovern, 64 Trapelo Road, president of the softball league stated that they have been promising the girls a new field for many years. The main concern is to get this project going by the spring. They use the field three seasons a year. They are requesting that the commission leave the parking and the picnic area as proposed by the architect.

Mayor Jeannette McCarthy has been working on this project with the Waltham Land Trust, the Waltham softball league, the City Councilors, Rec. Dept., and Planning Dept. for several years. She respectfully asked that the commission issue an Order of Conditions on the project and vote on it tonight. She doesn't feel it's fair to delay this any longer. Chair Doyle passed the gavel to Secretary Keleher to take the floor. Mr. Doyle noted that if the commission approves a plan, there is the possibility of an appeal from the DEP. If there is a plan that does not meet the intent of the Wetlands Protection Act, there would be at least a 6-month appeal process. The commission wants to make sure they approve a project that complies with the Wetlands Protection Act.

Mr. Baker made a comment that the commission's mandate is to approve designs. He noted that a two or four-week delay is not going to make a big difference is the project won't be happening until the spring.

Mr. Gill-Austern stated that he understands that Mr. Dufromont wants to see final plans, but he feels that it can be a condition. However, Mr. Dufromont wants to see a final design before the commission issues an Order of Conditions to prevent DEP from appealing.

Joe Spruce, 10 Cliff Road, asked if this is going to be extended for another two weeks, can the commission work with Mr. Gary and decide on a final plan before the next meeting. Mr. Doyle stated they can do that and come up with an approvable and not appealable plan in two weeks.

Mayor McCarthy stated that per parliamentary procedure an informal meeting cannot happen. There has to be a meeting with everyone present due to the Open Meeting Law. They would have to schedule another public meeting before the next scheduled meeting with a 48-hour notice or make the decision tonight. She suggested that the commission table the hearing until later in the evening to have Mr. Gary draw up another plan.

Motion made by Mr. Gill-Austern to table the discussion, seconded by Mr. Keleher (Mr. Dufromont voted Nay).

Motion passed.

Mr. Baker left the meeting (7:58 p.m.)

Public Meeting

Request for Determination of Applicability

Applicant: John Busconi

Property Location: 40 Sanderson Road

Project Type: Replacement of screened-in porch with kitchen extension.

John Busconi represented himself. They have an existing 40-year-old screened-in porch they want to replace to extend the kitchen within the same footprint. The stream is across the street from the property.

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

Mr. Baker returned to the meeting (8:00 p.m.).

Informal Discussion

- 303 Wyman Street

Jim White, H. W. Moore Associates, represented Hobbs Brook Management. They recently had a water leak and when they excavated to fix the pipe, they noted there are two holes in it. The location is within 50' of a wetland, therefore they

stopped work. They would like to move forward with the replacement of the water line which is in desperate need. He asked if the Commission would prefer if they filed an RDA or NOI for the proposed work. Mr. Gill-Austern asked if the area has already been excavated. Mr. White replied that a portion of it has been (30' long by 25' wide). They set up temporary erosion controls. Mr. Gill-Austern would like for them to cover the excavated area. Mr. Doyle noted that the commission cannot act as consultants, but stated they can start with an RDA, but warned that after a site visit, it may turn into an NOI. Mr. Doyle suggested setting up a site visit. Mr. Dufromont will meet with Mr. White on Tuesday, September 27th at 10:00. Other commission members will do a drive-by.

Motion made by Mr. Keleher to take Elsie Turner Field off the table, seconded by Mr. Gill-Austern. **Motion passed.**

Mr. Gary and the Conservation Commission members worked out a design for the pipe connecting the isolated wetland to the bordering vegetated wetlands.

Mr. Doyle opened up comments from the public.

Mayor McCarthy asked Mr. Gary if the city's Engineering Department reviewed the plans. Mr. Gary and Ms. Tomasello stated that both the Engineering and Planning Departments approved them. Mayor McCarthy's only concern is to make sure that the engineering director approves the plans before the P.E. stamp is placed on them for a permit since he is the only one who represents the city for engineering matters.

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

Motion made by Mr. Gill-Austern to issue a positive Order of Conditions with the following conditions stated by Mr. Doyle: 1) create a swale along the high side of the parking lot outside the walkway. 2) The swale will be connected to hydraulic connections that conveys water to drain from the high side of the parking lot into the wetlands and eliminate any water that may travel over the pavement. 3) The plan shall be shown to all of the departments that need to see it (Engineering, Planning, Building, etc.) and then it comes back to ConCom for approval.

Mr. Dufromont asked if the city can send this out to bid before ConCom sees the final plans. Mr. Doyle replied that the city can start moving ahead with their timeline, but the commission will get to review the final plans before construction starts. Motion seconded by Mr. Baker. (Mr. Dufromont voted Nay.) **Motion passed.**

Motion made by Mr. Keleher to resume commission business, seconded by Mr. Dufromont. **Motion passed.**

Commission Business

- Motion made by Mr. Gill-Austern to approve the meeting minutes from 9-8-2016, seconded by Mr. Baker. **Motion passed.**

Correspondence

- 511 Lexington Street: The commission will send the homeowners a letter re: potential violations on their property. A meeting will be set up with the homeowners to discuss same.

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

Meeting adjourned at 9:18 p.m.