

Arlington Conservation Commission  
Minutes  
June 15, 2017

Mr. Stevens called the meeting to order at 7:30 p.m. in the second floor conference room, of the Town Hall Annex. Present were Chair Nathaniel Stevens, Commission Members David White, Mike Nonni, Susan Chapnick and Curt Connors. Also present was Interim Administrator Eileen Coleman. Members Janine White and Charles Tirone and Associate Member Catherine Garnett were not present. Also present were Mary Trudeau, Scott Seaver, Jonathan Nyberg, Attorney Peter Durning and Bruce Whelple.

John Ellis presented information on the ongoing Arlington Tree Inventory project. About five years ago the Town received a bequest for \$150k. In an effort to decide how best to spend that money it was decided that a tree survey should be undertaken. Only trees on public streets are being surveyed. They are using an open-source program that is being used in other towns. His group did a trial in the summer of 2016 of the Open Tree Map application, which allows public citizens to map trees. The group applied for a grant in the Fall and received \$15k towards the \$30k program. They hired two interns and have volunteers. With the app they record 1. Location, 2. Species, 3. Diameter, 4. Health of the trees. So far, the staff has mapped 3538 trees and 2000 empty planting sites. They also have associated information on stormwater attenuated, air quality etc. By the time of this meeting 30-40% of the Town has been surveyed. They hope to use the tool for maintenance and asked for input into how this information could be useful for the Conservation Commission. After some discussion, the Conservation Commission members agreed on the following priority list of areas for which information would be particularly useful:

1. Arlington Reservoir, 2. Minuteman Bikeway, 3. Mount Gilboa, 4. Window on the Mystic.

7:45 pm           **Notice of Intent - 12 Clyde Terrace (DEP #91-0274)**

*Documents used at meeting included:*

1. *Notice of Intent under Bylaw only for work at 12 Clyde Terrace, Arlington, MA, signed June 7, 2017, filed June 7, 2017, by Applicant: Scott Seaver of Seaver Construction, 215 Lexington St., Woburn, MA, 01801 and Representative: Mary Trudeau of Lexington, MA, including 5-page "Description of Work, Notice of Intent Filing."*
2. *Landscaping Plan in Arlington Mass, produced by Keenan Survey, July 19, 2016, revised May 4, 2017.*
3. *Installation instructions for FENO Anchored Survey Markers by Berntsen*

The signature sheet for the Settlement Agreement was signed by the Conservation Commission members present. The sheet was notarized. Mr. Stevens will send the completed Agreement to Town Counsel to send to Attorney Watsky representing Mr. Seaver. Mary Trudeau provided the legal ad published in the Boston Globe and the abutter notifications. Ms. Trudeau summarized the history of the project: The project as proposed last year had been denied by the Arlington Conservation Commission. The applicant subsequently received a Superseding Order of Conditions from the Department of Environmental Protection under the Wetlands Act. With the assistance of attorneys a Settlement Agreement had been negotiated. Ms. Trudeau had submitted a new NOI for 12 Clyde Terrace under the Bylaw only. Ms. Trudeau explained that to make the project more palatable, the Applicants have shortened the house by one foot, changed the deck to a permeable paver patio and relocated the steps, and altered the mitigation planting. They have committed to planting plugs on adjacent town land within 25 feet of the fence where trash is to be cleared, likely asters from New England Plants, and will permanently mark a boundary. Ms. Trudeau submitted printed installation instructions for Berntsen for survey markers of the 25-foot habitat area and demonstrated a marker plus stand. There will be stormwater infiltration on either side of the dwelling and the retaining walls will have weepholes. The Draft Order of Conditions which had been distributed earlier that day was discussed and numerous edits were made.

DWhite/Connors moved to close the hearing. The vote passed unanimously.

Chapnick/Connors moved to approve the Notice of Intent as proposed with edits discussed at this meeting under the Bylaw. The vote passed unanimously.

Ms. Coleman will endeavor to issue the permit early the following week.

8:00 pm           **Notice of Intent** - 88 Coolidge Road cont'd from 5/18/17 (DEP #91-0278)

*Documents used at meeting included:*

*Emergency Certification form for 88 Coolidge Road dated March 31, 2017.*

Mr. Stevens announced that Mr. Whelple commenced audio-recording. Mr. Stevens explained that this meeting is to discuss scheduling. He and Mr. Kirby had trouble pinning down the best time when to continue the hearing and have Mr. Vernon of Nobis Engineering, Inc. attend. Attorney Peter Durning, representing the applicant, mentioned that the test pits were dug on June 1. Based on the results the Applicant was proposing to change the project design. The hydrogeologist was not available for this meeting or some other dates.

Mr. Stevens mentioned that he also wanted Jim Vernon to be able to address the new design. Mr. Vernon's cost would depend on the scope of the plan revisions, possibly \$1600 to revise his report and figures for a moderately revised plan. Mr. Stevens also said that this raises the issue of changes to and funding for the Nobis contract. Mr. Durning confirmed that the applicant is willing to fund the review of the additional material. Mr. Durning advised that there also would be a hydrogeologists report that would be submitted. Mr. Stevens said he would have to ask Mr. Nobis to revise his estimate to review the hydrogeologist's report

Mr. Stevens also explained that quorum may need to be reset as two Commission members each missed one meeting at which elements of the project were discussed. Re-notice of the hearing would remove the potential for appeal and would provide more cushion for the Applicant.

Mr. Whelple had recorded one of those meetings at which the Peer Review proposals were discussed and which Mr. Connors missed.

Mr. Durning responded that his client has been responsive and they would rather not re-notice the hearing as they felt they were near the end of the hearings. He doesn't feel that Mr. Connors missed anything substantive. He also added that he hoped Mr. Vernon would also review the hydrogeologist's letter report. That and the test pit results will be submitted separately.

Mr. Stevens acknowledged the applicant's desire not to renotice the hearing. As she missed one meeting, Ms. White cannot be in the voting quorum.

Mr. Stevens asked when the test pit results, hydrogeologist's letter and modified plan would be ready. Mr. Durning responded that they would be ready on or about July 5.

Several dates were discussed for continuing the hearing leading Mr. Durning to request continuance to August 2, acknowledging that that date had not been set; the Commission is still scheduled to meet August 3.

DWhite/Chapnick moved to approve the request to continue to August 2. The motion passed unanimously. DWhite/Connors moved to ask the consultant to do the additional review work as discussed. The motion passed unanimously.

Ms. Coleman will see if a room is available for the hearing. Mr. Stevens will check with others about their availability to attend an August 2 meeting (instead of the August 3 meeting).

Mr. Durning noted that removing the trees previously permitted for removal has proved tricky. Mr. Nyberg has received a promising quote from Malthee and Co. from Stoughton. He asked if the logs, which were required to be moved offsite in the original Emergency Order, could be left onsite and secured and perhaps moved at a later date.

It was agreed that the trees, after they are felled, must be removed from the site within one year of their removal.

Mr. Stevens will issue another Emergency Certificate after Mr. Nyberg informs Ms. Coleman or Mr. Stevens of the date for the tree being taken down.

#### **7:55pm – Commission Business:**

Chapnick/DWhite moved to approve the June 1, 2017, minutes with edits; motion passed unanimously.

#### **Miscellaneous**

Waterbodies Group

Ms. Chapnick announced that she has set up a site visit to the pond at McClennen Park for June 13 at

10:30am.

#### Town Day – September 17

It was agreed that the Conservation Commission will share the booth run by the Planning Department. Ms. Chapnick would like for the next issue of the newsletter to be produced in time for distribution at Town Day.

Conservation Admin/Environmental Planner job description has been finalized. Applications are due before July 19. Interviews will likely be in early August. Ms. Chapnick has agreed to assist with interviewing candidates with Mr. Stevens. The top applicants will likely be invited to attend a Conservation Commission meeting to meet the Commission members. There was some discussion about the hours of the position. It seems to be understood that the Conservation Commission has priority.

#### 17 Reed St.

Ms. Coleman described how the 3<sup>rd</sup> wall of the house at 17 Reed St. had collapsed during work to two other walls. The whole house has now been demolished. She had distributed photos before the meeting. It was agreed that Ms. Coleman will contact the home owner asking him to provide a plan by the following Wednesday and noting that an Enforcement Order will be issued if not received. Will copy Rich Kirby who has worked on the proposal.

#### Zoning Recodification Group

Mr. Stevens attended the meeting on June 14 which was to plan for the July 13 public hearing on the proposed recodification of the zoning bylaws, Ms. Garnett will attend the meeting on July 13. Mr. Stevens reported that Ms. Raitt, Planning Director, is open to removing the floodplain references as they are inconsistent with the Conservation Commission's requirements. Ms. Raitt does not want any cross referencing. There was no talk of exempting the Town from its own zoning bylaws.

#### Arlington Reservoir

Mr. White reminded the commission members present that 4 trees had been removed from the edge of the parking lot for the Reservoir the previous weekend. Most of the stumps had been removed but Mr. White measured the distance from trees to the water as 100 feet and from the trees to the bank at 90 feet. Mr. White and Mr. Nonni both expressed an interest in meeting Mr. Lecuivre the Tree Warden, likely some early morning. It was agreed the Commission would not issue an enforcement order at this time for the possible infringement of the buffer zone to the water.

Mr. White and Ms. Coleman mentioned that they had been notified that a resident on Ridge St in Lexington is encroaching on Arlington jurisdiction. Mr. White contacted the DPW and Town Counsel Doug Heim requesting that he contact the owner.

#### Mystic River Waterfront Restoration

Ms. Chapnick explained that there will be a Public Meeting about the project on July 6 at 6:30pm likely at the Senior Center. Mr. White suggested that MyRWA advertise the meeting.

#### Homewood Suites

Ms. Coleman mentioned she had looked at the Homewood Suites site that week and the temporary stairs were down but the plantings were not yet in.

#### MyRWA Linear Park

Ms. Coleman received an update that they have not moved forward with the Mill Brook linear park project as the CPA grant has not been awarded.

#### 17 Mill St.

Ms. Coleman mentioned that she met with representatives for 17 Mill St who will likely schedule a working session in July to discuss a proposal to shore up channel walls on Mill Brook at that location and remove invasives.

#### CPA

Mr. Tirone reported that Lesley Mayer is looking at the Master Plan.

Meeting adjourned at 9:30pm.  
Respectfully submitted,  
Eileen Coleman,  
Temporary Conservation Administrator