

Arlington Conservation Commission  
Minutes  
November 16, 2017

Mr. Stevens called the meeting to order at 7:35 p.m. in the second floor conference room of the Town Hall Annex. Present were Commission Members Nathaniel Stevens, David White, Mike Nonni, Curt Connors, Susan Chapnick, Cathy Garnett, Charles Tirone, and Conservation Agent Lela Shepherd. Also present were Todd Mansfield, Pam Hallett, Ryan Hoffman, Imad Zrein, and Shelly Dein.

**Administrative:**

Enforcement Order-Mystic River Restoration Project

L. Shepherd presented a letter of non-compliance for Commission review to serve on D'Ambrosia Construction, contractor for the project. The project is behind schedule and the contractor is now in breach of their contract with the Town. The project was due to be fully completed by 11/15/2017. The erosion controls were inspected on November 2<sup>nd</sup>, 2017 and found to be inadequate. Without addressing this issue, the contractor proceeded with clearing the site; therefore, it has become necessary to serve a stop work order and to set a meeting to get back on track. It was discussed that the order should be issued from the Commission under its jurisdiction, rather than from the Planning Department generally.

11/2/17 Minutes Approval

C. Connors motioned to approve the 11/2/17 minutes, as edited. D. White seconded, all in favor, motion passed.

Spy Pond Shoreline Stabilization Project – Public Hearing and Joint Meeting

A joint meeting occurred on 11/14/17 between the Conservation Commission and the Park & Recreation Commission, although only regular member and one associate member plus the Conservation Agent were present. Approximately 15 members of the public attended. At the 11/14/17 meeting Hatch Chester consultants presented their 30% design concept. Pathways along Spy Pond Park were discussed. At the meeting, Leslie Mayor was concerned about maintenance, tree removal, and pathway materials. Better access for the crew team was discussed, including a possible dock system; concern was expressed that crew team's current access will compromise planned shoreline restoration; further discussion is needed. Since the meeting, residents from Spring Valley St have contacted the Conservation Agent and are opposed to the project as proposed moving forward in that area. C. Garnett suggested a bigger or additional public meeting/process.

S. Chapnick suggested abutter notices. N. Stevens noted that someone from the meeting suggested posting signs on poles in the neighborhoods adjacent to Spy Pond. N. Stevens suggested slowing down the process; other Commission members agreed that it was important to get public input on the project now and make changes rather than later during permitting. Hatch Chester needs feedback on the design and direction from Park and Recreation about what they want in the design and how they expect to fund it. C. Garnett stated she would like to see a revised budget that does not include the crew pier, but the rest of the revisions. L. Shepherd mentioned that the grant requirements from Community Preservation Act (CPA) and Land and Water Conservation Fund (LWCF) require all new paths to be ADA accessible. N. Stevens recommended adding a public forum to the Commission's 12/7/17 meeting agenda; others agreed.

**Continued Hearing on Notice of Intent-19 R Park Ave, Downing Square Development  
Pam Hallett with HCA, Imad Zrein with DeVellis/Zrein (Consultant), Ryan Hoffman, LSP with GEI  
Consultants**

**Documents discussed:**

- *Drainage Report and Stormwater Management Plan of September 13, 2017, revised October 12, 2017 by DeVellis Zrein, Inc.*
- *DRAFT Phase I and II Environmental Site Assessment, 19R Park Ave, Arlington, by GEI Consultants, November 18, 2013.*
- *Phase I and II Environmental Site Assessment, 19R Park Ave, Arlington, by GEI Consultants, February 24, 2014.*

- *ASTM Phase I Environmental Site Assessment, 117 Broadway, Arlington, by GEI Consultants, October 17, 2016.*
- *Updated Phase I Environmental Site Assessment, 19R Park Avenue, Arlington, GEI Consultants, dated August 11, 2016.*
- *Soil Management and Boring Location Plan, Draft, Fig 3-7, November 2017, by GEI Consultants*

The Applicant revised the catch basins to be stormceptors and included a detail of the crossing to the Minuteman Bikeway. The crossing will not touch the bank and will include 2 signs and will be held up by sono tubes. They submitted two environmental reports and an alternative analysis that includes a plan approved by the Commission several years ago and the previous buildings' footprint.

N. Stevens asked how much of the previous foundations are still existing.

Ms. Hallett stated that all of the foundation is still there.

S. Chapnick asked if No Name Brook was jurisdictional as Riverfront Area.

C. Connors stated that the last time there was a project in this area, the Commission found it was not Riverfront Area.

N. Stevens said he wanted to look at the determination the Commission made recently for a house at 18 Nourse Street. He looked it up and it was not considered Riverfront Area, therefore, No Name Brook will not be considered Riverfront Area.

Mr. Hoffman stated that PCBs, Lead Metal, and Chlorinated Solvents are present on the site in the groundwater; the source is likely from the historic use on the property as a scrap yard and a welding shop. Some of the site consists of 50 parts/million PCBs, which means it is also under the jurisdiction of EPA. The Applicants are developing a plan to comply with EPA and local jurisdiction for addressing the contaminants. They are going to install a vapor mitigation system to address the chlorinated solvents in the water system. Mr. Hoffman then described the maps that were provided to the Commission, which outline where and in what quantity the contaminants are on site. The drawings represent 2 feet depth each, going from surface to 2 feet depth, then 2-4 feet, and so on until the final map which shows 8-10 feet of depth. In most places only the top 4 feet requires disposal. The Applicant will send the clean-up plan to EPA by the end of this year. The remediation plan involves excavation, loading onto trucks, and removal offsite. Temporary stock piles may be needed but will be covered, erosion controls installed, and equipment in contact will be cleaned prior to removal from the site, and dust will be monitored at the perimeter.

S. Chapnick asked if the lead contamination would be removed coincidentally with the PCBs.

Mr. Hoffman responded that it would.

S. Chapnick requested a dust mitigation plan be provided to the Commission.

Mr. Hoffman stated that this project will be considered a Phase 4 remedy and in that plan to EPA they will provide a description of what the dust mitigation will entail and could provide a copy to the Commission.

S. Chapnick asked which way the groundwater flows and what is being done to make sure contaminants don't just flow down off the site.

Mr. Hoffman responded that the MassDEP Standards for soils on-site, S-1/GW-2, is protective of vapor intrusion, and S-1/GW-3 is protective of ecology and all water resources. Both standards are applicable to this site under the Massachusetts Contingency Plan (MCP).

C. Connors asked why the need for the SSDS if the levels of VOC contaminants are so low.

Mr. Hoffman stated that the project exceeds S-1/GW-2 standards but are orders of magnitude below S-

1/GW-3, so no mitigation is required of surface water. However, they will install SSDS in the residential buildings under an AUL (Activity and Use Limitation).

S. Chapnick asked if they did any testing of other metals like copper or zinc, which can be a concern for the resource area.

Mr. Hoffman stated they did not do this testing as part of this project.

S. Chapnick asked that Mr. Hoffman follow-up with the Commission about whether historically there were other metals on site.

C. Connors asked if the volumes of soil less than 1ppm of PCBs would also be excavated or used on site for final grading.

Mr. Hoffman stated that they might be used on site but not specifically, they would make this determination as they tested the soil during excavation.

Mr. Zrein stated that they are trying to excavate as little as possible because the site is pretty tight.

C. Connors asked where the PCB standard of 1 ppm comes from and how the Self Implementation Plan allows them to not have to mitigate down to it.

Mr. Hoffman stated that under high occupancy use TSCA allows them to leave up to 10 ppm.

C. Connors asked the Commission if they are ok with reuse of soil that they are not sure whether has metals in it.

S. Chapnick stated she would like to know if the soils in the green areas on the maps contain any metals, since metals have implications for natural resources.

Mr. Hoffman stated that under the state law they cannot reuse soil with high lead content, and he believes that they have enough information to meet the standard under S-1/GW-3 and S-1/GW-2.

Mr. Zrein stated that at least 12 inches of topsoil will be imported.

C. Tirone asked if the Commission has been presented with a dewatering plan.

Mr. Hoffman stated not for construction of the building, but he doesn't believe there is going to be the need for dewatering, because they won't encounter the water table at the depths they will excavate. If they need to dewater, they agree to use frac tanks and not dewater to resource areas.

C. Tirone asked about a contingency plan in case they encounter water.

Mr. Hoffman state that the Phase 4 remedy implementation plan for DEP will include contingencies but not largely on dewatering because they don't believe it reasonably likely.

C. Tirone stated the Commission would want to review that plan and it would cause a delay if the Commission has to review it after the fact.

Mr. Hoffman stated that if it would be an issue they can include dewatering in the Phase 4.

C. Tirone wondered if they found clay on the edge of No Name Brook or anything that might cause a natural dam or if the Commission can assume that everything flows freely.

Mr. Hoffman stated that No Name Brook likely does contain clay but he couldn't say for sure.

Mr. Zrein stated that the foundation is 4 feet below grade.

C. Tirone asked about the monitoring wells underneath the proposed building.

Mr. Hoffman stated that they would decommission those wells.

*Public Comments:*

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**Todd Mansfield**- Wanted to know the direction of groundwater flow and wanted to know if snow constituted as surface water, because permafrost or heavy rains in the spring when snow is still on the ground could present a problem. He is concerned about snow backing up to the southwestern edge of the property and not being easily removed and then causing flooding during melt or during heavy rains when the snow is mounded up, it would just fall downward. He presented a map of the floodplain. The water table will rise to 4 feet.

Ms. Hallett stated they would not allow snow to build up against the buildings, even if it costs them to remove it.

Mr. Zrein stated that groundwater has nothing to do with the floodplain. They took the base flood elevation and did a survey to make sure that they were outside the floodplain.

N. Stevens asked how long he has lived in the neighborhood to make his observations.

Mr. Mansfield stated 20 years. He also commented that there are 5 old growth trees in the northwestern side of the property and he would not like to see them removed, he believed the trees remaining were healthy.

**Neil Mongold**-an HCA board member, spoke in favor of the project and emphasized that HCA is committed to following through all of the technical details and is doing its best to mitigate the site and the flooding issues. He also stressed the importance of the project to get an approval soon.

**Todd Mansfield**-Wanted to also speak about the remediation since the development is surrounded by R-2 neighborhoods. He asked if the neighborhoods were notified of the air quality issues and remediation on site.

Ms. Hallett stated that there were several public forums previously, and the environmental aspects were discussed at these forums.

Mr. Mansfield asked if the exposure to dust is a public health issue.

Mr. Hoffman stated that they would handle the excavation in cells so that dust will not become an issue. He expects the excavation to take about 2 weeks.

S. Chapnick asked if they would consider notifying abutters when they start excavation.

Ms. Hallett stated they have an abutters list, "The Gilboa List", and will notify neighbors on that list.

N. Stevens asked if Mr. Hoffman had suggestions for other ways of contacting neighbors.

Mr. Mansfield stated that neighbors should be contacted directly and physically until a response or connection has been made.

D. White suggested that they put a kiosk or bulletin board on site with updates on the project.

C. Connors asked if there is an identified VOC area.

Mr. Hoffman stated that there were wells with VOC in the middle of the property. There were not significant levels of VOC in soils.

C. Connors asked that they provide metals data to the Commission.

Mr. Hoffman stated that they will be testing soil as it is removed and act appropriately, so that the site is left in a condition that does not harm public health or environment as per the state requirements.

C. Tirone asked C. Connors what depth of new soil would make him feel comfortable since 12 inches of topsoil is proposed. C. Connors stated that soil excavation will not be uniform and will vary across the site.

Mr. Zrein stated that the reused soil would be used under the building and would act as a cap.

C. Tirone asked about the remediation of the southeastern corner of the property, as this is where drainage currently happens on site.

Mr. Zrein stated that the whole area will be removed and the bridge crossing would be put there.

**Kimberly Donovan**- Stated that it is every intention of HCA to be good neighbors and add affordable housing to the area.

N. Stevens stated that the parking area is over a portion of the root area of trees in the northwestern corner.

C. Garnett was concerned about having a monoculture of Yew trees and that non-natives are not being proposed, further stating that English Yews provide no habitat value whatsoever.

C. Connors stated that he would like to encourage the Applicant to choose alternative plantings but did not want to dictate what they had to plant.

Ms. Hallett stated HCA will attempt to make the plantings more diverse.

Mr. Hoffman stated he could create a map with the metals on site inside a week, the holiday excluded.

S. Chapnick stated she had changed her mind about the metals map because anything that presents as an issue on the map would be required to be mitigated per state law. She would like the findings to state that it is the impression of the Commission that the high concentrations of metals would be removed with the PCBs if found during excavation as per 21E.

C. Garnett would like HCA to look at the issue of Taxus as a plant if kids are on site, because it bears a red berry which is poisonous to humans if consumed.

C. Connors/D. White moved to close the hearing, no discussion motion passed unanimously

#### Conditions Discussed:

1. Provide Phase 4 Dewatering Plan to Commission for review and approval;
2. Dewatering must occur into frack tanks rather than discharge into No Name Brook;
3. Request that the Applicant consider swapping Taxus trees for something less harmful to public health;
4. Install erosion controls including a dust mitigation plan;
5. Provide tree protection and define boundary trees of western trees;
6. Encourage use of native plants and diversity of plantings;
7. No utilities may be located in the basement;
8. Require quarterly inspection of the stormceptors with annual cleanout for the first 2 years and an annual report, which determines how frequently inspections are required in the future;
9. There is to be no stock piling of excavated soils within 50 feet of No Name Brook.

#### Findings:

1. It is the belief of the Commission that the high concentrations of metals would be removed with the PCBs, if found during excavation as per 21E.
2. The existing foundation constitutes an existing structure under the 50 ft. buffer consideration.

C. Garnett stated that the red maple and honey locust are fine for the site.

Discussion began on the request for variance for 1.8:1 instead of 2:1 compensatory flood storage.

D. White asked how much for storage is being added than what is currently on site.

Mr. Zrein stated more than currently is there but there is no capacity for 2:1

S. Chapnick approves of the variance and the justification for it.

S. Chapnick motioned to approve the variance of BLSF for flood storage of 1.8:1 instead of 2:1, D. White seconded, all in favor, motion carried.

C. Tirone motioned to approve 19 R Park Ave Downing Square, DCR Permit # 91-0287, with the conditions and findings as discussed, C. Connors seconded, no discussion, all in favor, motion carried.

A draft decision will be discussed and voted upon at the Commission's next meeting.

#### Wetland Regulation Revisions

M. Nonni motioned to continue discussion on the wetland regulation revision, D. White seconded, all in favor, motion carried.

#### Hurd Field – proposed Artificial Turf Field

N. Stevens gave a summary of the working session that occurred with Park and Recreation Commission on 11/14/2017 about installing an artificial turf playing field at Hurd Field. Park and Rec. favors it at this location due to existing lighting, parking, and isolation from neighbors. C. Tirone suggested that they look at work off the field, either providing a path or educational signage. D. White stated that putting an artificial turf next to a resource area seems contrary to the purpose of the wetland regulations. M. Nonni suggested a rain garden or other option that are earthen-based. C. Connors stated that since this is in a Riverfront Area, Park and Recreation would need to provide a robust alternative analysis. N. Stevens said that if Park and Rec does not install an artificial turf field at this location, Park and Rec would want to make improvements to the existing fields. He said Park and Rec would like to continue the conversation before filing any permit application. Most of Hurd Field is within the 200 foot Riverfront Area, 100-year floodplain (including floodway) and buffer zone to bank.

#### **Waterbodies Working Group**

##### McClennen Park

A Sampling and Analysis Plan was received from Woods Hole Group which proposes an evaluation of the ecological risk of the iron flocculation and revisits the Brown and Caldwell data points, adding more geographic coverage with sampling in the detention ponds. S. Chapnick questioned whether this sampling should occur in the winter or summer and if results would vary by season. She also questioned whether volatiles sampling was needed again, when it didn't show much the first time around. C. Tirone suggested that increasing the size of the forebay may be required since the detention basin was not designed to accommodate the amount of floodwater it receives. S. Chapnick asked for approval to have Woods Hole Group revise the sampling and analysis plan and move forward with the sampling. The Commission gave its approval to move forward.

##### Spy Pond Sandbar

Mr. Stevens reported that Brad Barber spoke with the new senior environmental person at MassDOT who is enthusiastic to help with this issue, but implied that MassDOT might not be entirely responsible for the formation of the sandbar, so MassDOT likely would not take full responsibility for funding any remediation. Mr. Barber is expecting a reply on this issue by mid-January.

The meeting was adjourned at 10:20 pm.

Respectfully submitted,

Lela Shepherd  
Environmental Planner/Conservation Agent

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