



TOWN OF ARLINGTON

730 Massachusetts Ave.
Arlington, MA 02476
781-316-3012

ARLINGTON CONSERVATION COMMISSION

Arlington Conservation Commission

Minutes

October 4, 2018

Mr. Stevens called the meeting to order at 7:31 p.m. in the Lyons Hearing room on the second floor of the Town Hall. Present were Commission Members Nathaniel Stevens, David White, Charles Tirone, Curt Connors, Pam Heidell, and Mike Nonni; Associate Commission Member Cathy Garnett; and Conservation Agent Emily Sullivan. Not present was Commissioner Susan Chapnick. Also present were Ellen Lacroix, Richard Lacroix, Thomas Valton, Debra Berger, John Tortelli, Vera Tortelli, Peter Fiore, Kathy Modigliani, Elizabeth Dishman, Eugenio Fernandez, Steve Moore, Paul Kelly, Maureen Kelly, Matt Devlin, Pat Lieberson, Armen Casarjian, and Donna Casarjian.

Administrative

47 Spy Pond Lane Announcement

N. Stevens updated attendees that the 47 Spy Pond Lane hearing was postponed at the request of the applicant to the 10/18/2018 Conservation Commission meeting.

Conservation Land Signage

E. Sullivan updated the Commission on possible areas for "no feeding" of wildlife signage. E. Sullivan will see if previous signs have been made, determine avenues for funding, and work with Friends or Arlington Great Meadows or the Select Board for signage installation.

14 Reed Street Enforcement

E. Sullivan updated the Commission that she sent the property's landscaper, Todd Morse, an email about submitting a planting plan to the Commission. E. Sullivan will follow up with T. Morse and give a deadline of next week so that the Commission can review it at the 10/18/2018 meeting.

12 Clyde Terrace Planting Plan Site Visit

C. Garnett updated the Commission on her site visit with Greg Hochmuth and E. Sullivan. C. Garnett confirmed that the planting plan approved by the Commission had not been correctly installed. C. Tirone indicated that only sections of the fence need to be raised to satisfy the local regulations, not the entire bottom of the fence. N. Stevens requested that Scott Seaver and his wetland consultant Mary Trudeau come early to 10/18 meeting to discuss the planting plan. E. Sullivan will draft a Notice of Non-compliance letter to send to S. Seaver.

9/20/2018 Minutes

Edits to the draft minutes were discussed, D. White motioned to approve the Minutes as edited, C. Connors seconded, all were in favor, motion approved.

McClennen Park Site Visit

E. Sullivan updated the Commission on her site visit to McClennen park with Susan Chapnick.

47 Spy Pond Lane Announcement

N. Stevens updated attendees again that the 47 Spy Pond Lane hearing was postponed at the request of the applicant to the 10/18/2018 Conservation Commission meeting.

Request for Determination of Applicability- 101 Sunnyside Avenue, John Tortelli

Documents reviewed: RDA submittal package

Resource area: Alewife Brook, Buffer Zone to Bank/100 Ft Adjacent Upland Wetland Resource Area (AURA) under the Arlington Wetland Regulations, 200 Ft Riverfront Area

John Tortelli presented the RDA. J. Tortelli discussed the location of the proposed deck and the width of the proposed deck. The deck will require 4x 4 foot deep footings dug into concrete driveway with 4x 6 inch columns. D. White asked about status of building permit. J. Tortelli indicated that he cannot get a permit until the Conservation Commission makes its determination. D. White stated that Inspectional Services may request another (fifth) column. J. Tortelli confirmed that the deck will be open and not a garage and not extend further than the existing driveway underneath. D. White motioned to issue a Determination of Applicability that Conservation Commission has jurisdiction but no NOI is necessary for the project. C. Tirone seconded, all were in favor, motion approved.

E. Sullivan will write up a "Negative" Determination of Applicability and email Inspectional Services.

46 Spy Pond Parkway Site Visit

C. Garnett summarized her site visit with the site's architect. C. Garnett indicated that impervious and pervious calculations will be made clear during the hearing on 10/18/2018. C. Garnett proposed mitigation through strategic planting during site visit. P. Heidell cautioned that site visits should only facilitate general conversation with property representatives, and should not be too detailed as the full Commission is not represented. C. Tirone asked if roof runoff was discussed during site visit, but C. Garnett said it was not. P. Heidell indicated that coordination with NHESP will be required if the NOI planting plan extends into NHESP Priority Habitat.

N. Stevens agreed to email property representatives to clarify that C. Garnett was not speaking for the Commission during her site visit, but was merely providing guidance.

Request for Determination of Applicability- 43 Thesda Street, Elizabeth Dishman

Documents reviewed: RDA submittal package

Resource area: Reeds Brook, 100 Ft Buffer Zone/Adjacent Upland Wetland Resource Area (AURA) under the Arlington Wetland Regulations

Elizabeth Dishman presented the RDA. Eugenio Fernandez, the proposed addition's architect, summarized addition plans and proximity to wetland resource areas. Erosion control measures that will be implemented during project include silt socks and hay bales, plus there is a small stone retaining wall in the backyard that will stop any flow towards Reeds Brook. According to E.

Fernandez, there will be an almost net zero impervious gain due to an existing impervious patio where the addition will be built. The Commission noted that the proposed addition is not under Conservation Commission jurisdiction, but the work site and staging in the backyard is. Given the location of the addition, the work required for the addition is also not in the Conservation Commission's jurisdiction. C. Connors motioned that Conservation Commission issue a Determination of Applicability that it has no jurisdiction in the location where the work is proposed. P. Heidell seconded, all were in favor, motion approved

E. Sullivan will write up a "negative" Determination of Applicability.

47 Spy Pond Lane Announcement

N. Stevens updated attendees for a third time that the 47 Spy Pond Lane hearing was postponed at the request of the applicant to the 10/18/2018 Conservation Commission meeting.

Spy Pond MassDOT Sand Bar Project

C. Connors requested an update on the proposed project. N. Stevens discussed the sampling plan and timeline as he understands it from S. Chapnick.

Notice of Intent (continued to 10/18/2018 hearing) - 47 Spy Pond Lane

Documents reviewed: no documents reviewed, contents of NOIs not discussed

Resource area: Spy Pond, 100 Ft Adjacent Upland Wetland Resource Area (AURA) under the Arlington Wetland Regulations

N. Stevens summarized that the applicant requested continuance to the 10/18/2018 hearing so that his lawyer and wetland scientist can attend. Town Counsel Doug Heim will be at the 10/18/2018 hearing to assist including, if needed, helping to clarify local regulations. The Commission requested that E. Sullivan forwards all public comments and emails to Scott Seaver. P. Heidell suggested that S. Seaver reach out to NHES for planting plan since NHESP's review in 2016 did not include the Planting Mitigation Plan (in NHESP Priority Habitat maps).

C. Connors motioned to continue hearing to the 10/18/2018 Conservation Commission meeting, D. White seconded, all in favor, motion approved.

N. Stevens invited the public to the 10/18/2018 meeting to discuss the 47 Spy Pond Lane proposal.

Mystic Restoration Planting Event

E. Sullivan updated the Commission on coordinating a date and time for the event. M. Nonni suggested doubling the amount of milkweed and rush in the planting plan, and reminded the Commission that DCR did not want flowering ornamental plants. E. Sullivan suggested developing a planting strategy to protect sloped banks from foot traffic during event. E. Sullivan and M. Nonni will work on possible dates for planting.

Commission Meeting Recordings

E. Sullivan will purchase a recording device for future meetings so that Commissioners who miss meetings can listen to meetings to help avoid any quorum issues.

Open Space Committee

D. White updated the Commission on walking paths maps generated for the Heights, accessible online.

Reservoir Committee

D. White updated the Commission on the approved master plan and Phase 1 of the project, which will focus on a pilot trail and the pump house. E. Sullivan will walk the site with Recreation Director Jon Marshall and Lexington Conservation Agent Karen Mullins.

Spy Pond Erosion Control and Slope Stabilization

E. Sullivan will meet with Hatch Chester consultants to determine what needs to be done in order to complete bid documents.

Community Preservation Act

C. Tirone updated the Commission on the number of projects submitted for funding and timeline of application period.

Notice of Intent- DCR Mystic River Outfall Restoration, Matt Devlin

Documents reviewed: NOI submittal package

Resource area: Mystic Lakes and Mystic River, 100 Ft Buffer Zone/Adjacent Upland Wetland Resource Area (AURA) under the Arlington Wetland Regulations, 200 Ft Riverfront Area

Matt Devlin presented the RDA. M. Devlin summarized that DCR has identified 12 outfalls in disrepair that require restoration in Lower Mystic Lake and Mystic River. The restoration will create a net increase in flood storage capacity due to a lowering of the land elevation for some of the outfall structures. The proposed restoration includes replanting trees and shrubs (14 of each at every one of the 12 outfalls, approximately 140 total). DCR has identified 12 trees for removal, and will replant 24 trees. P. Heidell questioned dewatering methods and how the proposed process was ambiguous in the NOI. M. Devlin confirmed that dug up material (sediment stockpiles) will be stored in the lay down area between the river bank and parkway, covered to prevent runoff.

Public comment

Pat Lieberson inquired about invasive species removal. M. Devlin assured P. Lieberson that invasives would be managed in project area, but not beyond.

Maureen Kelly inquired about project timeline. M. Devlin stated the project would take approximately four weeks and start in Spring 2019. After the four week project period, four weeks of planting work would be complete. DCR representatives assured residents that there would be no road closure or traffic impediment from the work.

D. White motioned to close the hearing, M. Nonni seconded, there was no discussion, all in favor, motion passed.

Order of Conditions

The Commission discussed Order of Conditions and agreed to include the following conditions: dewatering measures; covering sediment stockpiles daily and installing erosion control at base of stockpile; maintaining planting for three years including invasives management; tree protection; daily roadway cleanings; and, catch basin protection and cleanings. C. Tirone motioned to approve NOI with discussed OOCs, P. Heidell seconded, all in favor, motion passed.

Notice of Non-compliance- 17 Laurel Street, Armen Casajian

Documents reviewed: Notice of Non-compliance

Resource area: Mill Brook, 100 Ft Buffer Zone/Adjacent Upland Wetland Resource Area (AURA) under the Arlington Wetland Regulations, 200 Ft Riverfront Area

Armen Casarjian and his mother Donna Casarjian explained repaving was merely a repairing of driveway, not expansion. The family purchased property about a year ago. A. Casarjian also explained new fence was installed for safety reasons to protect property's tenants. Pictures were presented to show that new fence does not extend the entire length of backyard, and that there is a chain link fence along the brook resource area. The Commission discussed the situation and felt that any questions were clarified, resolving the non-compliance.

Notice of Intent (continued from 9/20/2018 hearing)- 17 Mill Street

Documents Reviewed: NOI submittal package

Resource Area: Mill Brook, 100 Ft Buffer Zone/Adjacent Upland Wetland Resource Area (AURA) under the Arlington Wetland Regulations, 200 Ft Riverfront Area, FEMA floodway

N. Stevens recused himself from the matter because parent company of applicant is a client of his law firm, D. White took over as temporary Commission Chair.

C. Connors moved to close NOI hearing, P. Heidell seconded, all in favor, motion passed.

Order of Conditions

The Commission discussed Order of Conditions and agreed to include the following conditions: Norway Maple invasive control while saplings; sand bag erosion for the containment walls on both sides of the brook; invasive control of Japanese knotweed and bittersweet through mechanical and targeted herbicide treatment that will be reassessed after three years; and, construction work completed during low flow periods. C. Connors motioned to approve NOI with discussed OOCs, C. Tirone seconded, all in favor, motion passed.

N. Stevens rejoined the meeting.

Homewood Suites Site Visit

E. Sullivan updated the Commission that emergency gasline work, exempt from Conservation Commission review, occurred onsite that resulted in the clear-cutting of vegetation. Homewood Suites, DCR, and Algonquin Gas will work to replant site and keep in contact with the Commission about planting plan and timeline.

Meeting adjourned at 9:34pm.

Respectfully submitted,
Emily Sullivan