



## TOWN OF ARLINGTON

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### ARLINGTON CONSERVATION COMMISSION

Arlington Conservation Commission

Minutes

January 3, 2019

Mr. Stevens called the meeting to order at 7:33 p.m. in the second floor conference room of the Town Hall Annex. Present were Commission Members Nathaniel Stevens, David White, Curt Connors, Susan Chapnick, Mike Nonni, and Pam Heidell; Associate Commissioner Cathy Garnett; and Conservation Agent Emily Sullivan. Commissioner Charles Tirone, was absent. Also present were Recreation Director Jon Marshall, Assistant Recreation Director Stacey Mulroy, Mark Mariano, Assistant Town Engineer Bill Copithorne, and Steve Revilak.

#### **Administrative**

##### Annual Report

The Commission reviewed the final draft of the annual report. C. Connors motioned to approve the report as edited, S. Chapnick seconded, all were in favor, motion approved.

##### Spy Pond Hatch Invoice #8

The Commission reviewed invoice #8 from Hatch Chester for the Spy Pond Erosion Control Project. The invoice totals \$9,498.38 for services for the period of July 30, 2018 through November 30, 2018. The Commission requested that E. Sullivan determine where the Crew Pier funding was coming from, as it could not be paid with Community Preservation Act funds. M. Nonni motioned to approve the invoice, C. Connors seconded, all were in favor, motion approved.

##### Floodplain and Inland Wetland Zoning Districts

The Commission discussed the request to review the Floodplain and Inland Wetland Zoning District language. The Commission was uncertain what role the ARB wanted the Commission to play in regard to a potential warrant article. Mr. Connors stated that he did not believe it appropriate for the Commission to propose such a warrant article, because the proposed changes pertain to the Zoning Bylaws, and not the Commission's jurisdiction under the WPA or the Wetlands Bylaws, and as drafted it would affect the permitting authority of another Town board. The Commission was uncertain what the intent of revision was, whether to eliminate some review procedures or simply to make language in zoning bylaw consistent with the Commission's regulations. E. Sullivan will coordinate a meeting with N. Stevens and Planning and Community Development Director, J. Raitt, to clarify expectations and determine next

steps. The Commission is open to meeting with the ARB or having representatives attend an ARB meeting to better define revision objectives.

#### Waterbodies Working Group

The Commission discussed the Waterbodies Working Group budget proposal for fiscal year 2020. S. Chapnick motioned to submit a warrant article to Town Meeting for a budget request for the oversight of the Town's waterbodies fund, C. Connors seconded, all were in favor, motion approved.

S. Chapnick summarized the Waterbodies Working Group Meeting that occurred on 1/3/2019, during which the Working Group drafted up its annual report and discussed two requests for proposals (RFP) for Spy Pond. One RFP will be for a one-year treatment contact, while the other RFP will be for an aquatic vegetation survey of the pond.

The Commission discussed public posting of Waterbodies Working Group meetings and if separate minutes were required. Working Group discussions are summarized in the Commission minutes for each meeting. E. Sullivan will check with Town Counsel about the application of the open meeting law to working group meetings.

#### McClennen Park

S. Chapnick updated the Commission on samples taken at McClennen Park's Reeds Brook Detention Ponds.

#### Rodenticides

Several Commissioners noted that they have observed bait boxes or heard about rodenticide use in Arlington and its harmful effect on wildlife. E. Sullivan recommended that the Commission invite staff members from Health and Human Services to a Commission meeting to learn more about Town-wide pest management control strategies and how rodenticides impact the environment. E. Sullivan will contact Health and Human Services and invite staff to the 1/17/2019 Conservation Commission Meeting.

#### **Certificate of Compliance: 111 Sunnyside Avenue**

The Commission reviewed the Applicant's Request for Certificate of Compliance. E. Sullivan summarized her site visit with the property owner. The work permitted by the Commission was not constructed, and the property owner expressed that work will not be pursued. The permit has not been used. D. White motioned to issue a Certificate of Compliance, P. Heidell seconded, all were in favor, motion passed. E. Sullivan will issue the Certificate of Compliance.

#### **Proposed Modified Planting Plan: 12 Clyde Terrace**

Documents Reviewed: Revised plan titled "Plan to Accompany a Modification Request in Arlington, MA", dated October 19, 2018, revised January 3, 2019.

G. Hochmuth of Williams and Sparages presented the revised planting plan. The Commission reviewed the Applicant's request for a minor modification to the planting plan. The modifications

include planting 200 native plugs within the maintained lawn area delineated by markers along the 25-foot wetland offset, & replacing three Redbuds with two 2" caliper Sourwoods and one 2" caliper Red Maple. D. White motioned to approve the minor plan modifications, C. Connors seconded, all were in favor, motioned passed. E. Sullivan will send the approval letter to the Applicant and MassDEP.

### **Request for Determination of Applicability: Mystic Street Bridge Sewer Siphon Replacement**

*Documents Reviewed: RDA Package, dated 12/18/2018*

*Resource Area: Mill Brook, 100-Foot Adjacent Upland Wetland Resource Area (AURA) under the Arlington Wetland regulations, 200-Foot Riverfront Area*

B. Copithorne presented the Request for Determination of Applicability (RDA) on behalf of the Arlington Engineering Department. The proposed work includes replacing existing brick sewer siphon chambers and CI/VC sewer pipe (circa 1896) with new precast concrete chambers and HDPE pipes of the same diameter under the Mystic Street Bridge. A portion of the proposed work is located within the 200-foot riverfront area and 100-foot wetland resource area of Mill Brook. Since the work is trenchless, all work will be performed within the roadway and at no time will any work be within the stream. A gas powered pump needed to maintain bypass pumping for sewer flow will be stored within the 200-foot riverfront area, on paved road, and cannot be moved because it needs to be available to pump 24/7. The pump will be several manholes north of the limit of work, towards the Mystic Street and Summer Street intersection. The contractor will submit an emergency plan for the pump, as well as an emergency spill plan in the event of a sewage spill. These plans will be submitted to the Conservation Commission once finalized.

The Engineering Department will have one engineer onsite all day during the duration of construction. Construction is expected to last 3-6 weeks, starting in March or April 2019 weather depending. Erosion controls for this work include silt sacks around catch basins and no stockpiling overnight within buffer areas. The work will be located in the middle of the Mystic Street Bridge, with a limit of work delineated by road barriers and erosion controls. One or two excavators will be stored within this limit of work overnight when the cast-on-place chambers are being replaced. There are no catch basins located within the road barriers and limit of work.

N. Stevens noted that there are no alternatives for equipment storage outside of road barriers. C. Connors asked how often the pump will need to be fueled. B. Copithorne estimated every one or two days. D. White asked how much fuel the pump holds. B. Copithorne estimated 30-50 gallons of fuel.

P. Heidell motioned to issue a negative determination with conditions under the local bylaw since work will be within the jurisdictional wetlands resource area, exempt under the Wetlands Protection Act section 310 CMR 10.02 A and 10.02 B, and not accepting as accurate resource area delineation shown on the plans. The conditions under the local bylaw include developing

and submitting an emergency plan for the stationary pump (response to spill and fueling) to the Commission, developing and submitting a hazardous waste plan for equipment stored overnight to the Commission, and developing and submitting an erosion control plan to the Commission. C. Connors seconded, all were in favor, motion approved. E. Sullivan will issue the negative determination with conditions.

**Notice of Intent (continued from 12/20/2018): Arlington Reservoir Bathing Beach**

*Documents Reviewed: NOI Package, dated 12/05/2018; NOI Plan Packet, dated 11/20/2018, revised 1/3/2019*

*Resource Area: Arlington Reservoir, 100 Ft Adjacent Upland Wetland Resource Area (AURA) under the Arlington Wetland regulations, Land Under Water*

M. Mariano, from Weston and Sampson, presented the bathing beach improvement project at the Arlington Reservoir. The bathing beach project is part of the Arlington Reservoir Master Plan, and this beach work along with a path pilot project in Lexington constitutes Phase 1 of the Master Plan work.

Revisions from the 1/3/2019 updated plans include the delineation of a dewatering basin in the Reservoir parking lot. Land disturbed was also clarified, including approximately 2,725 square feet of temporary impact in Bordering Land Subject to Flooding/100 Year Flood Zone. Approximately 22 linear feet of bank will also be temporarily impacted. Approximately 3,534 square feet of land under waterbodies and waterways will be impacted.

The location of stockpiling was delineated in the parking lot. The construction entrance was also identified from the parking lot into the bathing beach. Signage directing patrons how to access the park, along with orange snow fence blocking patrons from work area, will direct patron-use of the park and surrounding walking trails.

N. Stevens requested more clarity on the planting plan. The NOI proposed to remove and dispose of two multi-stem mulberry trees near the pump house in order to install a corrugated metal roof attached to the pump house. The mulberries will be replaced with 10 pagoda dogwoods, which are not invasive. There will be no impervious surface constructed under the corrugated metal roof.

C. Connors motioned to close the public hearing, S. Chapnick seconded, all were in favor, motion approved.

C. Connors motioned to approve the NOI under the Wetlands Protection Act and Arlington Wetlands Protection Bylaw, including the Commissions' standard conditions and the vegetative replacement proposed; P. Heidell seconded, all were in favor, motion approved.

Meeting adjourned at 9:49pm.

The Conservation Commission's next meeting scheduled for Thursday, January 17, 2019 at 7:30pm in the second floor conference room of the Town Hall Annex.

Respectfully submitted,  
Emily Sullivan