



Arlington Conservation Commission

Date: February 27, 2020

Time: 7:30pm

Location: Second floor conference room, Town Hall Annex
730 Massachusetts Ave, Arlington, MA

Minutes

Attendance: Commission Members Pam Heidell, Dave Kaplan, Nathaniel Stevens, Chuck Tirone (Vice Chair), and David White; and Conservation Agent Emily Sullivan. Members of the public included Christopher Manley, Lynne Cooney, Mike Greenblatt, and Tim Blanchard. Commissioner Susan Chapnick (Chair) and Associate Commissioners Cathy Garnett and Mike Gildesgame were not in attendance.

02/06/2020 Meeting Minutes

The Commission discussed edits to the draft 02/06/2020 minutes. N. Stevens motioned to approve the minutes as edited, D. Kaplan seconded, all were in favor, motion approved.

Project Updates

E. Sullivan updated the Commission that the Superseding Orders of Conditions for 47 Spy Pond Lane Lot 1 and Lot 2 expired on 12/29/2019. As such, the projects are currently only permitted under the Arlington Bylaw for Wetlands Protection. The Applicant must file Notices of Intent again under the Wetlands Protection Act only in order to proceed with the projects. The Applicant has filed the Notices of Intent and the hearings are scheduled for the Commission's 03/05/2020 meeting.

E. Sullivan informed the Commission that a Notice of Non-Compliance had been issued earlier in the week for unapproved gravel fill along the bank of Spy Pond and suspected retaining wall work at 16 Spy Pond Parkway. The property owner has been invited to a future meeting (date to be determined) to resolve the non-compliance.

E. Sullivan announced that Arlington's annual EcoFest, coordinated by Sustainable Arlington, is scheduled for Saturday, 03/21/2020. This year's EcoFest theme is community resilience. E. Sullivan also announced that Arlington's annual EcoWeek is scheduled for 04/26/2020-05/03/2020. E. Sullivan encouraged the Commission to brainstorm an engagement event, possibly during the regularly scheduled Commission meeting, to sponsor during EcoWeek.

Committee and Working Group Updates

P. Heidell updated the Commission on the Community Preservation Act Committee (CPC). The CPC presented its recommendations to the Select Board on 02/24/2020. Applications for Community Preservation Act (CPA) funding that relate to open space and recreation include: Wellington Park, the Arlington Reservoir, Minuteman Bikeway Planning, and the Open Space and Recreation Plan update.

P. Heidell updated the Commission on the Zoning Bylaw Working Group (ZBWG). The ZBWG contracted consultant RKG Associates to conduct an economic analysis of the Town's industrial zoning districts. As part of this analysis, RKG will be reaching out to potential businesses.

D. White updated the Commission on the Water Bodies Working Group (WBWG). The WBWG had a hearing with the Finance Committee on 02/19/2020 to request \$55,000 in funding appropriation for Fiscal Year 2021. The WBWG is going to publicly advertise a Request for Quotes for a Reservoir Pond Management Plan in March, similar to the management plan developed for Spy Pond this past year. The WBWG is also considering a public outreach campaign to inform more residents of Arlington's water bodies and ways to improve water body quality.

Request for Certificate of Compliance: 88-90 Varnum Street MassDEP File #091-0307

Documents Reviewed:

- 1) *Notice of Intent Packet, dated 04/11/2019*
- 2) *Order of Conditions, dated 04/30/2019*
- 3) *Request for Certificate of Compliance Letter and Form, dated 01/23/2020*
- 4) *Certificate of Compliance As-Built Plan, stamped by Alberto M. Gala PE, dated 1/23/2020*
- 5) *Certificate of Compliance General Notes, stamped by Alberto M. Gala PE, dated 1/23/2020*

Resource Areas:

- 1) *Land Subject to Flooding*
- 2) *FEMA 100 year floodplain*

Christopher Manley presented the Request for Certificate of Compliance. This approved project renovated and constructed a dormer addition to a two-family home within the 100 year floodplain. The approved project also removed a garage and installed two porous patios. The project regraded the floodplain so that the house is no longer located in the floodplain. The project added an additional 548 cubic feet of flood storage to the site.

C. Tirone asked if the site was discharging stormwater runoff directly into a neighbor's property due to the design of the downspouts. C. Manley confirmed that the site was not discharging directly into a neighboring property and that a sump pump had been installed.

E. Sullivan summarized her 02/20/2020 site inspection and recommended that the Commission issue a Certificate of Compliance. N. Stevens motioned to issue the complete Certificate of Compliance with two ongoing conditions: condition #37 and condition #38, D. White seconded, all were in favor, motion approved.

37. To avoid adding excess nitrogen runoff, the Applicant shall only treat the lawn area with slow release nitrogen fertilizer. Application of this fertilizer cannot occur in the summer, or after storm events. Lawn fertilizer shall only be applied twice a year, in spring and fall. New plantings shall only be fertilized once, during the initial planting year. No herbicides, pesticides, or rodenticides shall be used to treat invasive species or pest management issues. This shall be a continuing condition that survives the expiration of the permit and shall be included in any Certificate of Compliance as a continuing condition.

38. Pervious surfaces shown on the approved project plans shall be maintained and not be replaced by impervious surfaces. This shall be a continuing condition that survives the expiration of the permit and shall be included in any Certificate of Compliance as a continuing condition.

Notice of Intent: 93 Sunnyside Ave
MassDEP File# unassigned

Documents Reviewed:

- 1) *Notice of Intent Packet, dated 02/13/2020*

Resource Areas:

- 1) *Land Subject to Flooding*
- 2) *FEMA 100 year floodplain*
- 3) *200ft Riverfront Area*

Lynne Cooney and Tim Blanchard presented the Notice of Intent. This project proposes building an addition in the backyard and expanding a mudroom in the front yard. The back addition is within the 200ft Riverfront Area and 100-year floodplain. The back addition is proposed to be built on footings, above the floodplain. The front addition is within the 200ft Riverfront Area. The project also proposes installing a deck and porous paver driveway in the back yard. As mitigation, this project proposes a native vegetated buffer and three dry wells that capture all roof runoff.

P. Heidell asked how large the proposed driveway is because the narrative and plan say different sizes. T. Blanchard stated the driveway is proposed to be 530 square feet. P. Heidell recommended shrinking the driveway size to allow more room for vegetated area.

L. Cooney elaborated that the proposed 400 square foot native vegetated buffer will be planted with native plants from the Commission's list of recommended plants and with pollinator plants to enhance the habitat in the 200ft Riverfront Area. P. Heidell requested that the NOI narrative be updated to include more specific information about the native vegetated buffer.

D. Kaplan asked how the environmental resource areas were delineated. T. Blanchard stated that a surveyor from Medford Survey surveyed the property. The Applicant did not hire a wetlands specialist to delineate the resource areas.

C. Tirone asked the Applicant to clarify the proposed compensatory flood storage. T. Blanchard stated that the compensatory flood storage is proposed to be on the site yard of the property, at approximately the same elevations of encroachment. C. Tirone requested that the elevations at which the flood storage is being proposed be clarified.

D. Kaplan asked whether the water table was high. T. Blanchard stated that the water table was likely high, though he had not conducted testing to determine where exactly the water table is. D. Kaplan asked whether the proposed three dry wells would be above the water table. T. Blanchard stated that the two dry wells proposed in the front yard of the property would be above the water table. The third dry well in the backyard is more questionably above the water table. C. Tirone requested that an alternative to the third dry well be proposed in the event that the water table is too high for the third dry well currently proposed.

The Commission requested the following additional items for the permit application:

- 1) A new driveway design with a smaller footprint
- 2) A clarified compensatory flood storage design at the same elevations as encroachment
- 3) A more specific planting plan narrative
- 4) An alternative for the backyard dry well in the event that the water table is too high

N. Stevens motioned to continue the hearing to the Commission's 03/05/2020 meeting, D. White seconded, all were in favor, motioned approved.

**Request for Determination of Applicability: Bikeway Tree Maintenance
Arlington File #A20.2**

Documents Reviewed:

- 1) *Bikeway Tree Maintenance RDA, dated 02/14/2020*
- 2) *Bikeway Tree Maintenance RDA Map, dated 02/11/2020*
- 3) *Bikeway Tree Maintenance RDA Photos, dated 02/11/2020*

Resource Areas:

- 1) *Land Subject to Flooding*
- 2) *FEMA 100 year floodplain*
- 3) *100ft Wetlands Buffer*
- 4) *Adjacent Upland Resource Area*
- 5) *200ft Riverfront Area*

E. Sullivan presented the Request for Determination of Applicability on behalf of the Arlington Tree Warden. The project proposes to conduct tree maintenance work to ensure that the bikeway is safe for users and is clear from hazardous debris. The

proposed work includes pruning the tree canopy to lighten the canopy and remove all hazardous dead wood. The proposed work also includes removing and cutting back dead trees along the bikeway. Any dead trees within conservation jurisdiction that require maintenance will be left with at least 8-10ft of stump. No trees in conservation jurisdiction will be flush cut. Trees and debris that have fallen directly into the brook along the bikeway are also proposed to be removed. No trees or debris laying along the brook banks or across the brook with roots in the bank will be removed.

D. Kaplan asked whether the Commission considered trees and debris in brooks habitat or unintentional dams.

C. Tirone stated that all fallen trees and debris in the brook should be left alone if the roots are in the bank. C. Tirone stated that areas where trees and debris are removed should be inspected for erosion issues in the future.

D. White motioned to issue a negative determination that although the work is within jurisdiction it does not require a Notice of Intent (Negative Determination #3), N. Stevens seconded, all were in favor, motion approved.

Arlington Wetlands Protection Regulations Revision Discussion

The Commission reviewed and discussed draft language for a new section, Administrative Review Permit.

Meeting adjourned at 9:41pm.