



Arlington Conservation Commission

Date: December 19, 2019

Time: 7:30pm

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

Minutes

Attendance: Commission Members Susan Chapnick, Pam Heidell, Dave Kaplan, Nathaniel Stevens (Chair), Chuck Tirone, and David White; Associate Commissioners Mike Gildesgame; and Conservation Agent Emily Sullivan. Commissioner Mike Nonni and Associate Commissioner Cathy Garnett were not present. Also present were Mary White, Mike Rivard, and Erica Lotz .

12/05/2019 Meeting Minutes

The Commission discussed edits to the draft 12/05/2019 minutes. D. Kaplan motioned to approve the minutes as edited, C. Tirone seconded, all were in favor, motion approved.

Discussion of the Process to Review Draft Permits

The Commission discussed strategies for the full Commission to review Order of Conditions and especially special conditions prior to permit issuance by the Conservation Administrator. The Commission agreed that most permits with special conditions, beyond the general conditions already established by the Commission, should be reviewed at the meeting following the close of the public hearing and the vote to approve the project. The Conservation Administrator would ask the Commission each time whether it wanted to review the draft conditions at the next meeting. If so, the Conservation Administrator would draft the special conditions and distribute to the Commission members and applicant prior to the meeting. Commissioners will share and discuss their comments on the conditions at the next meeting (and not via e-mail) and then vote to adopt the final draft that will be included in the permit. The Commission also would consider any comments the applicant might have, to the extent that the Commission can after the close of the public hearing. Review of Draft Order of Conditions should be added as a standing agenda item.

Water Bodies FY2021 Fund Appropriation

The Water Bodies Working Group (WBWG) stated that the Working Group's priorities for FY2021 will be Spy Pond and the Arlington Reservoir. The WBWG will continue overseeing the treatment and management of Spy Pond, the Reservoir, Hill's Pond, and

the McClennen Park detention basins. FY2021 projects for the WBWG include developing a management plan for the Reservoir and wrapping up the investigation on the McClennen Park detention basins based on any possible recommendations given to the Town from the Massachusetts Department of Environmental Protection (DEP) Office of Solid Waste. The WBWG recommends that the Commission requests \$65,000.00 for FY2021 fund appropriation. D. White motioned to approve the FY2021 request of \$65,000.00 to the Finance Committee, C. Tirone seconded, all were in favor, motion approved.

Annual Reports to Town Meeting

E. Sullivan reminded the Commission that its annual report to Town Meeting needs to be submitted in early January 2020. E. Sullivan stated that she would disseminate a draft of the 2019 annual report for the Commission's review.

Water Bodies Working Group

D. White updated the Commission on the Water Bodies Working Group meeting that occurred on 12/19/2019. During the meeting, the Working Group discussed: Spy Pond lake management, the Working Group's annual report, and the warrant article for FY2021 funding.

Proposed Planting Plan for 1167R Mass Ave MassDEP File # 091-0314

Documents Reviewed:

- 1) *1167R Mass Ave (091-0314) Proposed Plantings, submitted by EcoTec Inc, dated 12/3/2019*

Resource Areas:

- 1) *Alewife Brook*
- 2) *100-ft Wetlands Buffer*
- 3) *200-ft Riverfront Area*

E. Sullivan summarized the proposed planting plan for the approved project at 1167R Mass Ave, MassDEP File # 091-0314. The proposal includes: confirming that the deck design will require the removal of an unhealthy and hazardous Norway maple and the planting of native replacement plants (27 ferns, 5 shrubs). The Commission agreed that the proposed planting plan will increase habitat value. D. White motioned to approve the planting plan, P. Heidell seconded, all were in favor, motion approved.

Review of MWRA Contract No. 6544

Documents Reviewed:

- 1) *MWRA Contract No. 6544 - Cleaning and Lining of Weston Aqueduct Supply Main 3, Mystic River Restoration project summary, submitted by MWRA, dated 11/13/2019*
- 2) *MWRA Contract No. 6544 project plans, prepared by Green International Affiliates Inc on behalf of MWRA, dated August 2019.*
- 3) *Email correspondence between Mike Rivard (MWRA) and Emily Sullivan (ACC), dated 12/13/2019*

Resource Areas:

- 1) *Mystic River*
- 2) *100-ft Wetlands Buffer*
- 3) *200-ft Riverfront Area*
- 4) *Floodplain*
- 5) *Adjacent Land Subject to Flooding*

P. Heidell recused herself from this discussion.

M Rivard (MWRA) presented the overview of the Cleaning and Lining of Weston Aqueduct Supply Main 3, Mystic River Restoration project. The entire project will take three years, but the portions in Arlington will take approximately one year. The aqueduct work cannot occur during the summer due to high demand, and therefore can only occur from fall to spring. The Commission requested the following items during project construction:

- 1) All trees in work and laydown areas are protected per Section 24.F. of the Arlington Regulations for Wetlands Protection.
- 2) No refueling or maintenance of machinery shall be allowed within the 100-foot Buffer Zone, 200-foot Resource Area, Adjacent Upland Resource Area, or within any Resource Area.
- 3) All project specifications are sent to the Commission when the project is put out to bid.
- 4) The Commission is notified of the work start date two weeks prior to the scheduled date.
- 5) Monthly reports are sent to the Commission from the Resident Engineer with project status updates.

Request for Permit Extension and Minor Modifications: Upper Mystic Lake Treatment MassDEP File # 091-0277

Documents Reviewed:

- 1) *Minor Change Request for Upper Mystic Lake, submitted by Solitude Lake Management, dated 12/04/2019, revised 12/13/2019*
- 2) *Extension Permit for Order of Conditions for MassDEP #091-0277, issued 9/05/2019*
- 3) *Extension Permit for Order of Conditions for MassDEP #091-0277, issued 8/15/2019*
- 4) *Request for Extension Permit for Parker Road Neighbors - Arlington, MA submitted 7/24/2019*
- 5) *Order of Conditions for MassDEP #091-0277, issued 8/24/2016*
- 6) *Annual Report, Upper Mystic Lake, prepared by Solitude Lake Management, dated 12/13/2018*
- 7) *Annual Report, Medford Boat Club, prepared by Solitude Lake Management, dated 11/30/2018*

Resource Areas:

1) Upper Mystic Lake

The Commission discussed the request for permit extension and minor modifications. The proposed modifications included the following items, which were conditions in the Medford Boat Club permit approval (MassDEP File # 091-0296):

- A dissolved oxygen monitoring program with the following intervals: 1-DAT, 2-DAT, 7-DAT, 14-DAT.
- Monitoring will be conducted between 12-6 pm when the temperature is highest and DO is at its lowest.
- Monitoring will include Secchi disk depth data and observations of any presence of schooling river herring.
- The applicant will show they have taken steps towards creating a collaborative group to formulate a lake management plan.
- The current year's data is to be provided to the Commission no later than December 1st of that same year.
- No treatment shall be allowed between April 1 and June 30 in order to protect the riverine habitat.

The request was for a three year extension.

S. Chapnick stated that the Solitude 2019 report submitted for the Medford Boat Club did not fully comply with the permit conditions issued for the Medford Boat Club in 2018. S. Chapnick requested that a meeting be scheduled with Solitude to resolve all non-compliance.

S. Chapnick motioned to modify MassDEP File # 091-0277 for the treatment of Upper Mystic Lake with the proposed conditions listed above, C. Tirone seconded, all were in favor, motion approved.

D. White motioned to extend MassDEP File # 091-0277 two years until 12/31/2021, D. Kaplan seconded, all were in favor, motion approved.

Discussion on 12/10/2019 ZBA Hearing on Thorndike Place 40B Proposal

N. Stevens summarized the ZBA hearing. During the hearing, the developer requested an extension of the review process, and requested that formal ZBA review of the project be postponed until 4/14/2020. The developer requested this extension so that additional surveys and analysis of environmental resources and traffic impacts could be conducted. Draft minutes from this hearing can be found on the ZBA webpage: <https://www.arlingtonma.gov/town-governance/all-boards-and-committees/zoning-board-of-appeals>.

N. Stevens stated that although the ZBA is the town body that will review the comprehensive permit and consider all local regulations (unless local regulations are

waived), the developer will still be required to submit a permit application to the Conservation Commission for review under the Wetlands Protection Act.

Discussion on 840 Emerson Gardens Balanced Housing Proposal next to Arlington's Great Meadows in Lexington, MA

D. White summarized the balanced housing proposal, which is located where Excel Center for Nursing and Rehab (now unoccupied) exists. The project proposes redeveloping the site by constructing 24 condominium living units, attached in groups of three or four.

D. White stated that this site is an important access point to Arlington's Great Meadows (AGM), and that users of the AGM rely on available parking onsite. D. White advocated that access to and parking for AGM should be maintained in the project's design.

Meeting adjourned at 9:30pm.