



## Arlington Conservation Commission

**Date:** Thursday, November 7, 2024

**Time:** 7:00 PM

**Location:** Conducted by Remote Participation.

Please register in advance for this meeting. Reference materials, instructions, and access information for this specific meeting will be available 48 hours prior to the meeting on the Commission's agenda and minutes page. This meeting will be conducted in a remote format consistent with Chapter 2 of the Acts of 2023, which further extends certain COVID-19 measures regarding remote participation in public meetings until March 31, 2025. Please note: Not all items listed may in fact be discussed and other items not listed may be brought up for discussion to the extent permitted by law. This agenda includes those matters which can be reasonably anticipated to be discussed at the meeting.

### Agenda

1. Administrative
  - a. Correspondence Received.  
All correspondence is available to the public. For a full list, contact the Conservation Agent at [concomm@town.arlington.ma.us](mailto:concomm@town.arlington.ma.us).
  - b. Administrative Report.
    - 2025 Meeting Dates.
    - Urban Wilds Initiative.
2. Discussion
  - a. Enforcement Order: 66-66R Dudley Street/993 Massachusetts Avenue.
  - b. Enforcement Order: 335 Mystic Street.
    - The Commission is expected to continue this matter to the meeting of November 21, 2024.
  - c. Water Bodies Working Group.
  - d. Tree Committee Update.
  - e. CPA Committee Update.
  - f. Park & Recreation Commission Liaison.
  - g. Symmes Conservation Restriction.
3. Hearings

**Request for Determination of Applicability: 135 Thorndike Street.**  
Request for Determination of Applicability: 135 Thorndike Street.

The Arlington Conservation Commission will hold a public hearing to consider a Request for Determination of Applicability under the Wetlands Protection Act and Arlington Bylaw for Wetlands Protection for a deck replacement at 135 Thorndike Street in Arlington.

**DEP #091-0356: Notice of Intent: Thorndike Place (Continued from 10/24/2024).**

DEP #091-0356: Notice of Intent: Thorndike Place (Continued from 10/24/2024).

- The Commission is expected to continue this matter to the meeting of November 21, 2024.



## Town of Arlington, Massachusetts

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### Correspondence Received.

#### Summary:

Correspondence Received.

All correspondence is available to the public. For a full list, contact the Conservation Agent at [concomm@town.arlington.ma.us](mailto:concomm@town.arlington.ma.us).

#### ATTACHMENTS:

Type	File Name	Description
Reference Material	Correspondence_Received_-_Elizabeth_Island_-_Jon_Caris.pdf	Correspondence Received - Elizabeth Island - Jon Caris.pdf
Reference Material	Correspondence_Received_-_Thorndike_Place_-_Chris_Leich.pdf	Correspondence Received - Thorndike Place - Chris Leich.pdf
Reference Material	Correspondence_Received_-_Thorndike_Place_-_Coalition_to_Save_the_Mugar_Wetlands_102424.pdf	Correspondence Received - Thorndike Place - Coalition to Save the Mugar Wetlands 102424.pdf
Reference Material	Correspondence_Received_-_Thorndike_Place_-_Coalition_to_Save_the_Mugar_Wetlands_110124.pdf	Correspondence Received - Thorndike Place - Coalition to Save the Mugar Wetlands 110124.pdf
Reference Material	Correspondence_Received_-_Thorndike_Place_-_John_Yurewicz.pdf	Correspondence Received - Thorndike Place - John Yurewicz.pdf
Reference Material	Correspondence_Received_-_Thorndike_Place_-_Michael_Mobile.pdf	Correspondence Received - Thorndike Place - Michael Mobile.pdf
Reference Material	Correspondence_Received_-_Thorndike_Place_-_Scott_Horsley.pdf	Correspondence Received - Thorndike Place - Scott Horsley.pdf
Reference Material	Correspondence_Received_-_Thorndike_Place_-_Sen._Cindy_Friedman.pdf	Correspondence Received - Thorndike Place - Sen. Cindy Friedman.pdf



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October 24, 2024

To Members of the Conservation Commission:

As we understand, a vital 88 page document dated October 4<sup>th</sup> from BSC Group in response to GZA's peer review, was not posted to the Conservation Commission website until this morning, the day of tonight's special hearing.

This is extremely concerning in that there has been no opportunity for the public to review and comment on this new information, nor for Arlington Land Trusts' consultants, Scott Horsley and Mike Mobile to offer their expert analysis.

We have always trusted that this process has been a transparent one, especially given the fact that all hearings have been conducted remotely and not in person. The proposed Thorndike Place project, first presented in 2015, is such a complex and controversial project, that warrants the utmost care in order to make an educated decision. The public at large, especially those who will be most directly affected, should be afforded every opportunity to be well informed.

Thank you on Behalf of the Coalition to Save the Mugar Wetlands,

Jeanette Cummings, 32 Dorothy Rd.  
Julie DiBiase, 29 Littlejohn St.

Cc: James Feeney, Arlington Town Manager  
David Morgan, Environmental Planner/Conservation Agent  
Ryan Clapp, Conservation Agent  
Arlington Select Board  
Arlington Land Trust



November 1, 2024

To Members of the Conservation Commission:

Thank you for your time and diligence throughout this process. As the proposed Thorndike Place development would have significant impacts not only on the immediate neighborhood, but the Arlington community as a whole, the opportunity for public comment during the hearings is greatly appreciated.

During the special hearing on October 24<sup>th</sup>, groundwater levels continued to be questioned. Once again, Scott Horsley commented that the wells could have been *continuously* monitored and not measured at a point-in-time. Given the latter approach was taken, we circle back to our June 3<sup>rd</sup> letter which requested detailed logs of well measurements be provided by BSC, please see excerpt below:

*As addressed previously, BSC's letter dated February 28<sup>th</sup> stated that on February 15, 2024, "BSC performed groundwater measurements of three wells installed on the site". At an earlier hearing, it was requested of the Applicant to provide a log detailing the name of person(s) conducting the measurements, witnesses, the time and method used, and the resulting measurements. **It is critical that BSC be held accountable for their data, therefore we respectfully request that the Conservation Commission require that BSC provide this information.***

To our knowledge, BSC has not submitted this information. We ask that the Applicant provide this necessary data and that it is made publicly available.

Arlington Land Trust's consultants, Scott Horsley and Mike Mobile continue to raise valid questions and concerns regarding groundwater data, flooding, and the project's infiltration design/functionality. On several occasions, Attorney Keifer has commented that these individuals, working on behalf of an opponent to the project, will continue to raise questions, prolonging the process. Both Mr. Horsley and Dr. Mobile are highly regarded experts in their fields and any issues or concerns they raise should be welcomed and taken very seriously - their role in this process should not be downplayed by the Applicant.

The proposed Thorndike Place development would have detrimental effects on this environmentally sensitive site with irreversible ramifications to the neighborhood and community. As such, we trust the Commission will acknowledge that the data and design are flawed, with too many critical issues that persist.

Thank you on Behalf of the Coalition to Save the Mugar Wetlands,

Jeanette Cummings, 32 Dorothy Rd.  
Julie DiBiase, 29 Littlejohn St.

Cc: James Feeney, Arlington Town Manager  
David Morgan, Environmental Planner/Conservation Agent  
Ryan Clapp, Conservation Agent  
Arlington Select Board  
Arlington Land Trust



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November 4, 2024

Town of Arlington Conservation Commission  
Attn: Mr. Charles Tirone, Chairperson  
730 Massachusetts Avenue  
Arlington, MA 02476

**RE: Thorndike Place, Dorothy Road, Arlington, Massachusetts – Preliminary Review of New Applicant and Reviewer Information**

Dear Mr. Tirone and Commission Members,

McDonald Morrissey Associates, LLC (MMA) is providing this letter in response to The Arlington Land Trust's request for a preliminary technical review of new materials presented by BSC Group (BSC) on behalf of Arlington Land Realty, LLC (Applicant) and by GZA GeoEnvironmental, Inc. (GZA), who provided a limited peer review of those new materials. In conducting our review, MMA primarily focused on information presented in the following documents:

- *Electronic PDF file titled "Thorndike Place - BSC Revised Stormwater Calculations\_09092024.pdf"*
- Letter to the Town of Arlington Conservation Commission from Dominic Rinaldi of BSC Group, Inc. *RE: Response to GZA Peer Review Comments – Thorndike Place Residential Development.* Dated October 4, 2024.

Our preliminary review of the new materials finds that BSC's HydroCAD model uses an incorrect infiltration rate that is inconsistent with Massachusetts Stormwater Handbook (MSH) requirements<sup>1</sup>. In effect, BSC appears to have erroneously assumed the native soils at the site can accept infiltrated stormwater at twice the rate dictated for these materials by the MSH. Though the maximum predicted infiltration rates are generally small compared to predicted peak runoff rates, the faulty assumption does undermine the reliability of the analysis being used by BSC to claim compliance with Stormwater Standard 2 (i.e., attenuation of peak, post-development runoff rates). But perhaps more importantly, because output from the HydroCAD model should be used as input to other required calculations, the error prevents BSC from performing a groundwater mounding analysis representative of the 100-year, 24-hour storm event and from showing the proposed infiltration system will fully dewater within a 72-hour period, as required by the MSH.

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<sup>1</sup> Refer to Volume 3, Chapter 1, page 22 – *Table 2.3.3. 1982 Rawls Rates.*

The error can be confirmed by independently estimating the infiltration rate assumed by BSC using information obtained directly from BSC’s latest post-development HydroCAD calculations (i.e., Attachment C to the October 4, 2024 letter identified above). Specifically, the assumed infiltration rate can be calculated by dividing the predicted cumulative volume of infiltrated water for a selected design storm event by the infiltration duration for that same event, both values being readily extracted from BSC’s reported HydroCAD output:

**Cumulative Volume of Infiltrated Water (100-year, 24-hour storm) – 14,852 cubic feet:**

**2340702-PR-2024-09** Type III 24-hr 100-Year Rainfall=11.50"  
 Prepared by BSC Group Printed 9/12/2024  
 HydroCAD® 10.20-5b s/n 00904 © 2023 HydroCAD Software Solutions LLC Page 122

**Summary for Pond 1P: Underground Infiltration System**

Inflow Area = 81,218 sf, 77.83% Impervious, Inflow Depth = 10.56" for 100-Year event  
 Inflow = 13.8 cfs @ 12.09 hrs, Volume= 71,490 cf  
 Outflow = 7.2 cfs @ 12.24 hrs, Volume= 71,488 cf, Atten= 48%, Lag= 9.4 min  
 Discarded = 0.1 cfs @ 4.26 hrs, Volume= **14,852 cf**  
 Primary = 7.1 cfs @ 12.24 hrs, Volume= 56,636 cf  
 Routed to Link 1L : Towards Wetlands

Routing by Stor-Ind method, Time Span= 0.00-72.00 hrs, dt= 0.01 hrs  
 Peak Elev= 8.61' @ 12.24 hrs Surf.Area= 8,137 sf Storage= 14,744 cf

Plug-Flow detention time= 113.7 min calculated for 71,478 cf (100% of inflow)  
 Center-of-Mass det. time= 113.6 min ( 1,031.2 - 917.6 )

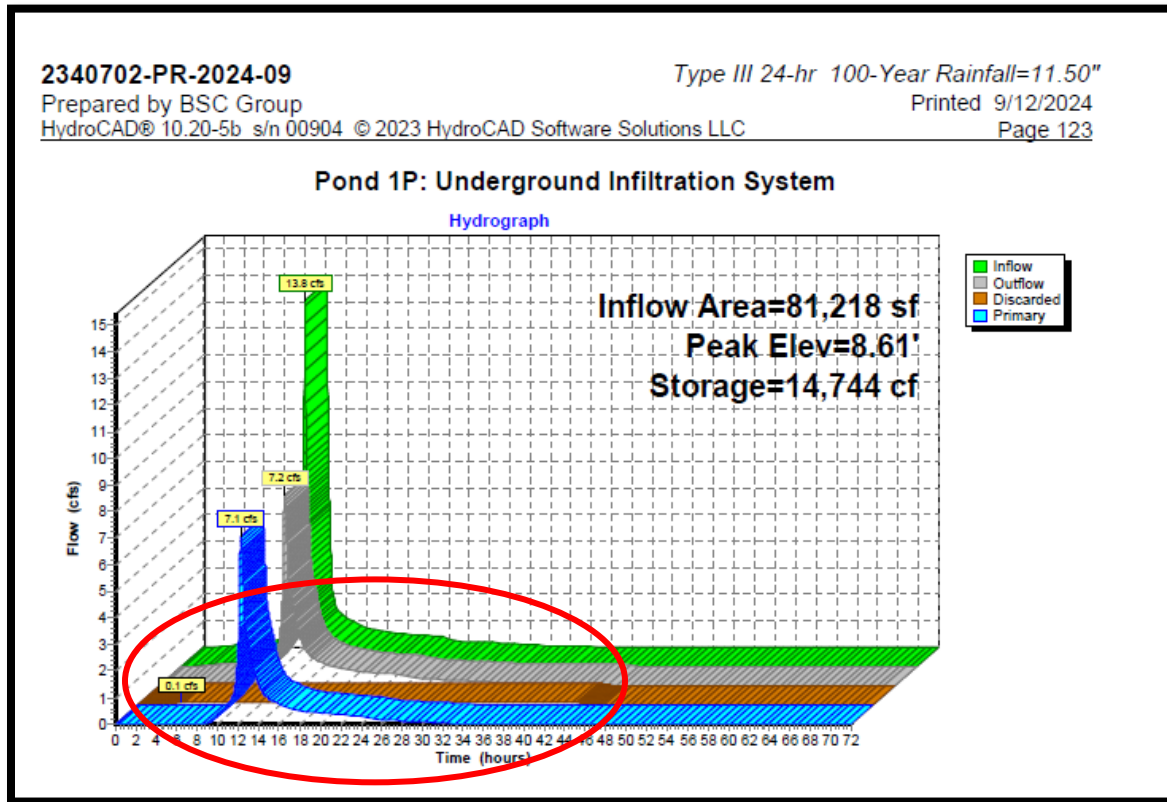
Volume	Invert	Avail.Storage	Storage Description
#1	6.50'	17,495 cf	<b>6.89'W x 14.06'L x 2.50'H StormTrap ST-1 Units (Irregular Shape)</b> 84 20,343 cf Overall x 86.0% Voids

Device	Routing	Invert	Outlet Devices
#1	Discarded	6.50'	<b>0.520 in/hr Exfiltration over Surface area</b>
#2	Primary	6.80'	<b>18.0" Round Culvert</b> L= 190.0' CPP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 6.80' / 6.00' S= 0.0042' / Cc= 0.900 n= 0.013, Flow Area= 1.77 sf
#3	Device 2	6.80'	<b>12.0" Vert. Orifice/Grate</b> C= 0.600 Limited to weir flow at low heads
#4	Device 2	8.25'	<b>4.0' long Sharp-Crested Rectangular Weir</b> 2 End Contraction(s)

**Discarded OutFlow** Max=0.1 cfs @ 4.26 hrs HW=6.53' (Free Discharge)  
 ↳ **1=Exfiltration** (Exfiltration Controls 0.1 cfs)

**Primary OutFlow** Max=7.1 cfs @ 12.24 hrs HW=8.61' (Free Discharge)  
 ↳ **2=Culvert** (Passes 7.1 cfs of 7.3 cfs potential flow)  
 ↳ **3=Orifice/Grate** (Orifice Controls 4.3 cfs @ 5.50 fps)  
 ↳ **4=Sharp-Crested Rectangular Weir** (Weir Controls 2.7 cfs @ 1.95 fps)

**Infiltration Duration (100-year, 24-hour storm) – 40.5 hours (approx.):**



**Note: the predicted duration of infiltration is illustrated by the slightly raised portion of the burnt orange “Discarded” time series, which extends from approximately hour 4 through hour 44.5 of the 72-hour simulation period.**

Using the two HydroCAD predictions shown above, the *volumetric* infiltration rate (volume per unit time) is estimated as follows:

$$14,852 \text{ cubic feet} / 40.5 \text{ hours} = 366.7 \text{ cubic feet/hour}$$

The volumetric infiltration rate can be converted to a flux (i.e., assumed infiltration rate in length or depth per unit time) by dividing the above result by the bottom area of the system (8,137 square feet), as reported by BSC:

$$366.7 \text{ cubic feet/hour} / 8,137 \text{ square feet} = 0.045 \text{ feet/hour} = 0.54 \text{ inches/hour}$$

The result presented above indicates BSC’s assumed infiltration rate is a factor of two higher than the maximum applicable rate of 0.27 inches/hour listed in the MSH. Thus, BSC’s HydroCAD model is overstating the ability of the proposed system to infiltrate stormwater. Notably, GZA identified a similar discrepancy when reviewing BSC’s revised groundwater mounding and drainage time calculations; however, their recognition of the issue did not appear to extend to BSC’s HydroCAD simulations.

As noted previously, BSC's erroneously high infiltration rate assumption is consequential in multiple ways:

1. It invalidates the results of BSC's HydroCAD simulations and resultant post-development runoff rate calculations, as reduced stormwater infiltration rates would presumably lead to changes in predicted routing through the system (e.g., likely increases in post-development runoff rates in certain cases). Thus, BSC has not produced a reliable analysis that demonstrates compliance with Stormwater Standard 2.
2. It prevents drainage time and mounding analysis calculations representative of design storm conditions from being produced, as the inputs needed for these calculations (e.g., predicted cumulative infiltration volume and infiltration duration) are derived from HydroCAD simulations that utilize the faulty infiltration rate assumption. Thus, BSC has not produced a reliable groundwater mounding analysis representative of the 100-year, 24-hour design storm event, nor has BSC illustrated the proposed infiltration system will drain within a 72-hour period after storm events, as recommended by the MSH<sup>2</sup>.

The review described herein is preliminary and based on information made available to MMA as of the indicated transmittal date. MMA therefore reserves the right to amend and/or extend this commentary based on expanded review and/or review of new information provided by the Applicant or other interested parties.

Sincerely,



Michael Mobile, Ph.D., CGWP  
President, McDonald Morrissey Associates, LLC

MAM/

Z:\I\_Projects\Arlington\Thorndike\_Place\7\_Reports\_and\_Memos\FINAL\_MMA\_Review\_Letter\_11-4-24rev1.docx

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<sup>2</sup> Refer to Volume 2, Chapter 2, page 105.



**Scott Horsley**  
**Water Resources Consultant**  
65 Little Road • Cotuit, MA 02635 • 508-364-7818

November 4, 2024

Mr. Charles Tirone, Chairperson  
Town of Arlington  
Conservation Commission  
730 Massachusetts Avenue  
Arlington, MA 02476

RE: Thorndike Place

Dear Chairperson Tirone and Conservation Commissioners:

I have reviewed the recent reports prepared by BSC (October 4, 2024) and peer reviewer GZA (August 1, 2024) and offer the following comments. In addition to the comments that I have previously submitted I believe that the proposed project will significantly alter the site hydrology by increasing the net recharge rate which will result in higher water levels throughout the site, on abutting properties, and within the adjacent wetland. This issue was identified as "groundwater flooding" during the ZBA Comprehensive Permit review but has not been evaluated.

Increased (post-development) recharge rates will result from clearing of existing vegetation, the corresponding reduction of evapotranspiration (ET) rates and the infiltration of stormwater from impervious surfaces. The post-development, higher recharge rates will result in a higher water table. This has not been evaluated or incorporated into the site design. These elevated (post-development) groundwater levels will compromise the planned infiltration system, cause groundwater flooding on abutting properties, and will impact the adjacent wetland.

The revised plans prepared by BSC eliminate the previously proposed infiltration systems along Dorothy Road and now concentrate the stormwater infiltration into one location (INF-1). This exacerbates the groundwater mounding impacts. I have prepared an updated groundwater mounding analysis which shows that the proposed infiltration system will be inundated with groundwater and unable to function as proposed and will raise groundwater levels in the adjacent wetland.


To evaluate the impacts of this concentrated infiltration system I have prepared an updated groundwater mounding analysis to determine the cumulative impacts of smaller storms throughout a 90-day period<sup>1</sup>. I have utilized the input data for hydraulic conductivity, specific yield and saturated thickness directly from BSC's Response to GZA Peer Review dated October 4, 2024 (Attachment E). I have applied a cumulative runoff rate of 40 inches/year (or 10 inches for the 90-day period)<sup>2</sup>. This analysis shows that the proposed infiltration system will be inundated with a groundwater mound of approximately 4.6 feet and will be unable to function as proposed (see Figure 1).

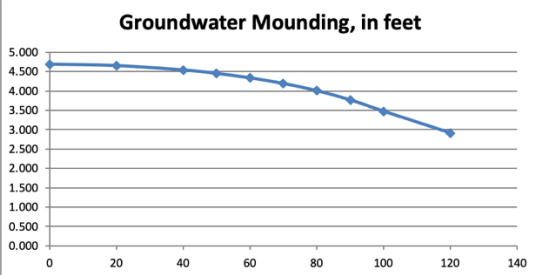
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<sup>1</sup> MADEP recommends using a 90-day duration for groundwater mounding calculations to simulate long-term steady-state conditions (MADEP Guidance Document, "Guidelines for the Design, Construction, Operation, and Maintenance of Small Wastewater Treatment Facilities with Land Disposal" June 2018 (page 21).

<sup>2</sup> Continuous Rainfall-Runoff Simulation Analysis. US EPA (Mark Voorhees) performed modeling using the Stormwater Management Model (SWMM) model for Massachusetts.

0.0710	R	Recharge (infiltration) rate (feet/day)	0.67	1.33	
0.080	Sy	Specific yield, Sy (dimensionless, between 0 and 1)			
5.40	K	Horizontal hydraulic conductivity, Kh (feet/day)*	2.00	4.00	In the repr
98.420	x	1/2 length of basin (x direction, in feet)			SIR 2010-!
20.670	y	1/2 width of basin (y direction, in feet)	hours	days	assumed t
90.000	t	duration of infiltration period (days)	36	1.50	conductivi
5.000	h(0)	initial thickness of saturated zone (feet)			
9.685	h(max)	maximum thickness of saturated zone (beneath center of basin at end of infiltration period)			
4.685	$\Delta h(\max)$	maximum groundwater mounding (beneath center of basin at end of infiltration period)			
Ground-water Mounding, in feet	Distance from center of basin in x direction, in feet				
4.685	0				
4.648	20				
4.535	40				
4.446	50				
4.331	60				
4.185	70				
4.001	80				
3.763	90				
3.470	100				
2.910	120				

 Re-Calculate Now



**Disclaimer**

Figure 1 - Groundwater Mounding at Stormwater Infiltration System (Steady-State Conditions)

In summary, the post-development groundwater mounding associated with cumulative recharge associated with smaller storms will raise groundwater levels throughout the site. Utilizing the Hantush modeling inputs provided by BSC these conditions will cause water level increases of several feet at the wetland boundary. MADEP commonly applies a guideline of 0.1 feet as a maximum acceptable alteration in wetlands.

Thank you for the opportunity to provide these comments. Please contact me directly with any questions that you might have.

Sincerely,



Scott W. Horsley  
Water Resources Consultant



The Commonwealth of Massachusetts  
MASSACHUSETTS SENATE

**SENATOR CINDY F. FRIEDMAN**  
*Fourth Middlesex District*

STATE HOUSE, ROOM 313  
BOSTON, MA 02133-1053  
TEL: (617) 722-1432  
FAX: (617) 722-1004

CINDY.FRIEDMAN@MASENATE.GOV  
WWW.MASENATE.GOV

*Chair*  
JOINT COMMITTEE ON HEALTH CARE FINANCING

*Vice Chair*  
SENATE COMMITTEE ON WAYS AND MEANS

November 1, 2024

Arlington Conservation Commission  
730 Mass Ave. Annex  
Arlington, MA 02476

RE: Thorndike Place at the Mugar Wetlands Permit

Dear Members of the Commission:

I have followed the public review process of the proposed Thorndike Place development at the site in East Arlington owned by the Mugar Family for the past several years, and I still remain in strong opposition to this project. My office has worked on this issue since I became Senator, and before that I was involved as chief of staff to the late Senator Donnelly. As a private citizen and Town meeting member, I voted against this project at least three times.

As you know, the site serves as a critical area of flood retention that has helped mitigate the constant flooding that occurs in this neighborhood. Without it, it is clear that the neighborhood will experience increased levels of flooding further jeopardizing their homes, safety, and health. The problem is only exacerbated by the effects of climate change as well as more frequent severe weather events that our state and nation are experiencing. I have not seen any movement by the developer to acknowledge this reality or the environmental impact and quality of life issues this development will have on the neighborhood, town, and larger area in which this site is located.

I urge you to consider this project and its ramifications seriously, which I know you are doing. I am a strong proponent of smart development and transit-oriented housing. However, allowing any housing to be built regardless of whether an area can environmentally support it without causing hardship to the area residents is neither smart nor sustainable. And having been involved in this issue for quite some time, I do not believe any conditions that the Town may put on the developers will be enough to mitigate the harm the project will cause.

I have not observed anything over the last several years of public review that has changed my position on this development project. In light of this, I remain strongly opposed to it and ask you to issue an Order of Conditions denying the project based on impacts to this resource area that the project cannot possibly mitigate.

In closing, I would like to thank you all as members of the Conservation Commission for your work and diligence on this project, and for the time you volunteer to serve our community. I greatly appreciate your focus and patience and thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Cynthia F. Friedman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Cindy F. Friedman



## Town of Arlington, Massachusetts

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### Administrative Report.

#### Summary:

- Administrative Report.  
- 2025 Meeting Dates.  
- Urban Wilds Initiative.

#### ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	2025_Filing_Deadlines.pdf	2025 Filing Deadlines.pdf
▢	Reference Material	CPA_FY26_Preliminary_Application_-_Urban_Wilds_Initiative_-_DPCD.pdf	CPA FY26 Preliminary Application - Urban Wilds Initiative - DPCD.pdf



**TOWN OF ARLINGTON**  
 MASSACHUSETTS  
**CONSERVATION COMMISSION**

**FILING DEADLINES FOR 2025**

Meeting Date	Application Deadline	Supplemental Information Deadline <sup>1</sup>	Legal Notices Published	Agenda Published
<i>Thursdays, 7:00pm</i>	<i>Wednesdays, 12pm</i>		<i>Thursdays</i>	<i>Tuesdays</i>
January 2, 2025	12/18/2024	12/25/2024	12/26/2024	12/31/2024
January 16, 2025	1/1/2025	1/8/2025	1/9/2025	1/14/2025
February 6, 2025	1/22/2025	1/29/2025	1/30/2025	2/4/2025
February 20, 2025	2/5/2025	2/12/2025	2/13/2025	2/18/2025
March 6, 2025	2/19/2025	2/26/2025	2/27/2025	3/4/2025
March 20, 2025	3/5/2025	3/12/2025	3/13/2025	3/18/2025
April 3, 2025	3/19/2025	3/26/2025	3/27/2025	4/1/2025
April 17, 2025	4/2/2025	4/9/2025	4/10/2025	4/15/2025
May 1, 2025	4/16/2025	4/23/2025	4/24/2025	4/29/2025
May 15, 2025	4/30/2025	5/7/2025	5/8/2025	5/13/2025
June 5, 2025	5/21/2025	5/28/2025	5/29/2025	6/3/2025
June 19, 2025	6/4/2025	6/11/2025	6/12/2025	6/17/2025
July 3, 2025	6/18/2025	6/25/2025	6/26/2025	7/1/2025
July 17, 2025	7/2/2025	7/9/2025	7/10/2025	7/15/2025
August 7, 2025	7/23/2025	7/30/2025	7/31/2025	8/5/2025
August 21, 2025	8/6/2025	8/13/2025	8/14/2025	8/19/2025
September 4, 2025	8/20/2025	8/27/2025	8/28/2025	9/2/2025
September 18, 2025	9/3/2025	9/10/2025	9/11/2025	9/16/2025
October 2, 2025	9/17/2025	9/24/2025	9/25/2025	9/30/2025
October 16, 2025	10/1/2025	10/8/2025	10/9/2025	10/14/2025
November 6, 2025	10/22/2025	10/29/2025	10/30/2025	11/4/2025
November 20, 2025	11/5/2025	11/12/2025	11/13/2025	11/18/2025
December 4, 2025	11/19/2025	11/26/2025	11/27/2025	12/2/2025
December 18, 2025	12/3/2025	12/10/2025	12/11/2025	12/16/2025

<sup>1</sup> Supplemental information deadlines are for hearings continued from the previous meeting.

# Community Preservation Act Committee Town of Arlington

## CPA Funding – FY2026 Preliminary Application

One (1) electronic copy of the completed application must be submitted to the CPAC **no later than October 11, 2024** in order to be considered for advancement to the final application stage, with the electronic copy sent to [lcosta@town.arlington.ma.us](mailto:lcosta@town.arlington.ma.us)

This PDF form may be completed on a computer using [Adobe Reader](#).

### 1. General Information

Project Title: Urban Wilds Initiative  
Applicant/Contact: David Morgan, Environmental Planner  
Organization: Town of Arlington Department of Planning and Commu  
Mailing Address: 730 Massachusetts Avenue

Telephone: 718-316-3012 E-mail: dmorgan@town.arlington.ma.us

### 2. CPA Eligibility (refer to the chart on page A-3)

CPA Category (select one):

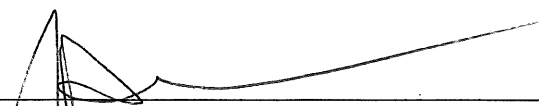
Community Housing       Historic Preservation       Open Space       Recreation

CPA Purpose (select one):

Acquisition       Creation       Preservation       Support       Rehabilitation & Restoration

### 3. Budget

Amount Requested: \$ 75,000.00      Total Project Cost: \$ 75,000.00

Signature:       Date: 10/08/2024

*Please complete the project description on the following page.*

### **Brief Project Description and Rationale**

Include the address/location and current owner of the property, as well as any critical dates. Describe the benefit of the project to the community. Attach supplemental information (photographs, drawings, documents, etc.) as desired. Include a brief rationale for your responses to the CPA category and purpose checkboxes on the cover page.

Enter your response below this line

The Town of Arlington is presented with a remarkable opportunity to enhance both its community and natural landscape through the establishment of an Urban Wilds Initiative. This initiative aims to designate and preserve natural areas that provide residents with equitable access to open space while fulfilling essential ecological functions vital for the health of our environment.

An Urban Wilds Initiative would focus on properties held by the Conservation Commission and, with permission from the Select Board, other Town-owned vacant lots. Stewardship support may be offered for lands not owned by the Town and the Initiative would seek to identify such opportunities, including small lots for acquisition.

Not all Arlington residents enjoy walkable access to usable public open space. The Urban Wilds Initiative seeks to redress this issue by enhancing the untended and vacant lots between the Town's major open spaces. Priority will be given to those parcels that enable equitable access and use of Town open spaces. Those areas identified as being distant from open spaces and those census tracts meeting the state's environmental justice criteria will be first to receive attention.

The key aims of the Urban Wilds Initiative are to:

1. **Safeguard Natural Spaces:** Protect town-owned urban wilds and other natural areas from potential threats that would harm their ecological integrity.
2. **Sustain and Care for:** Develop and advance effective management strategies to maintain the ecological health of town-owned urban wilds and natural spaces.
3. **Encourage Conservation and Recreation:** Foster conservation efforts, promote passive recreational activities, and support environmental education within urban wilds, enhancing community involvement and appreciation for nature.
4. **Build Support Systems:** Create administrative, financial, and programmatic frameworks to ensure the sustainable management of urban wilds and natural areas.



## Town of Arlington, Massachusetts

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**Enforcement Order: 66-66R Dudley Street/993 Massachusetts Avenue.**

**Summary:**

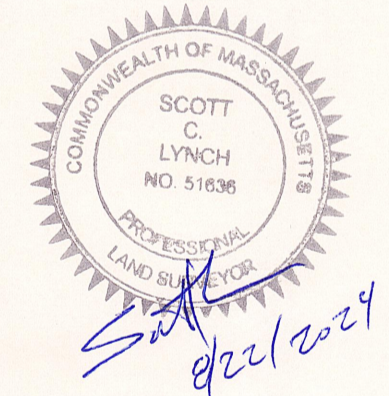
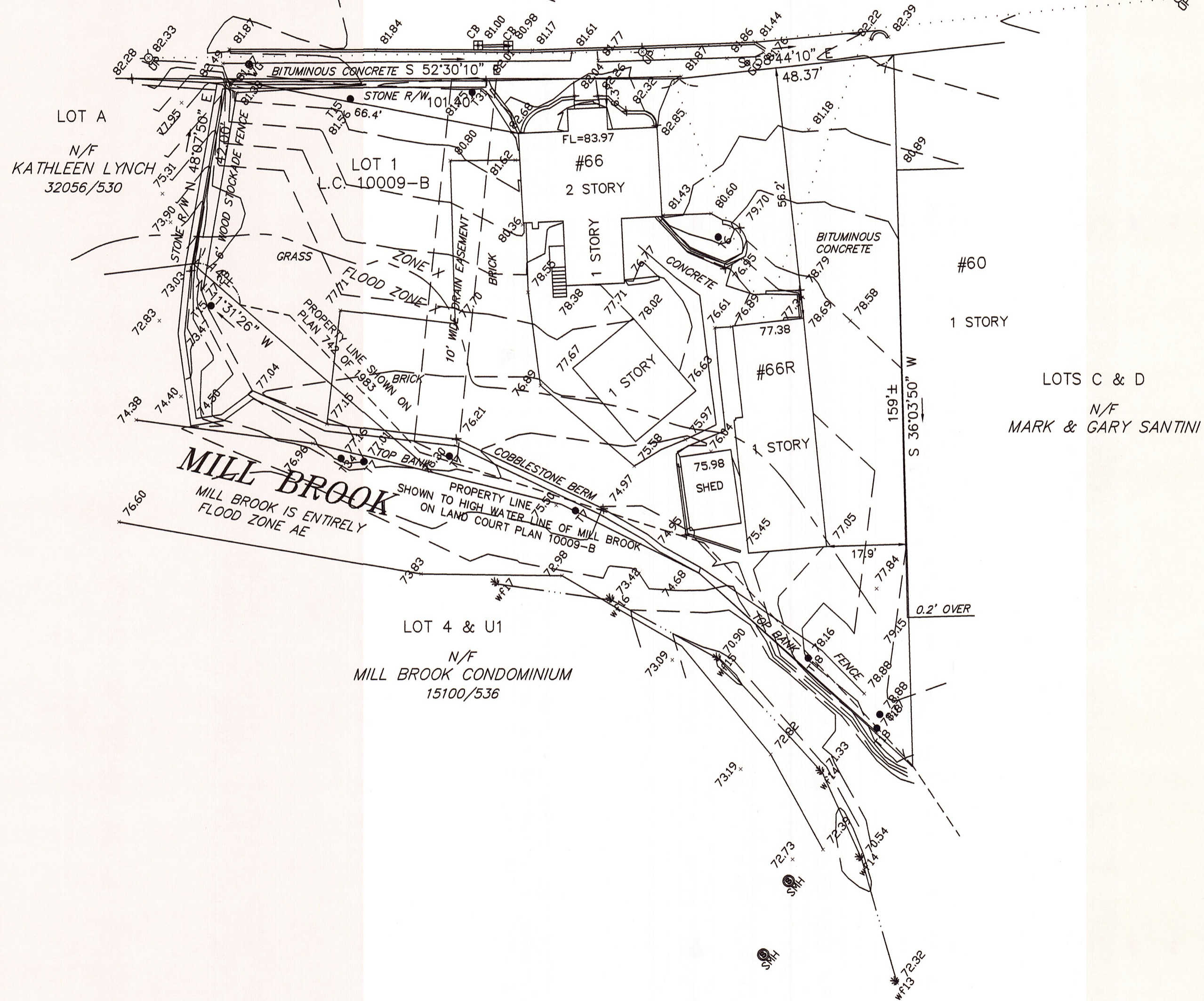
Enforcement Order: 66-66R Dudley Street/993 Massachusetts Avenue.

**ATTACHMENTS:**

	Type	File Name	Description
▢	Reference Material	66_Dudley_Survey.pdf	66 Dudley Survey.pdf
▢	Reference Material	66_Dudley-Millbrook_Enforecement_Order_Response_Update_(4-Nov-2024)-2.pdf	66 Dudley-Millbrook Enforecement Order Response Update (4-Nov-2024)-2.pdf



# DUDLEY STREET



OWNER: TRUSTEES OF THE S & R REALTY TRUST

TOPOGRAPHIC PLAN  
IN  
**ARLINGTON, MA**  
(MIDDLESEX COUNTY)  
SCALE: 1" = 20' DATE: AUGUST 22, 2024

**ROBER SURVEY**  
1072A MASSACHUSETTS AVENUE  
ARLINGTON, MA 02476  
(781) 648-5533  
7541PL1.DWG



# 66 Dudley Restoration

S&R Realty Trust

Millbrook Condo Association

4-Nov-2024

**The following is an update regarding progress in response to the enforcement orders submitted and updated on 18-Oct-2024 to:**

**Robert Castellucio and Salvatore Lorusso, S&R Realty Trust**

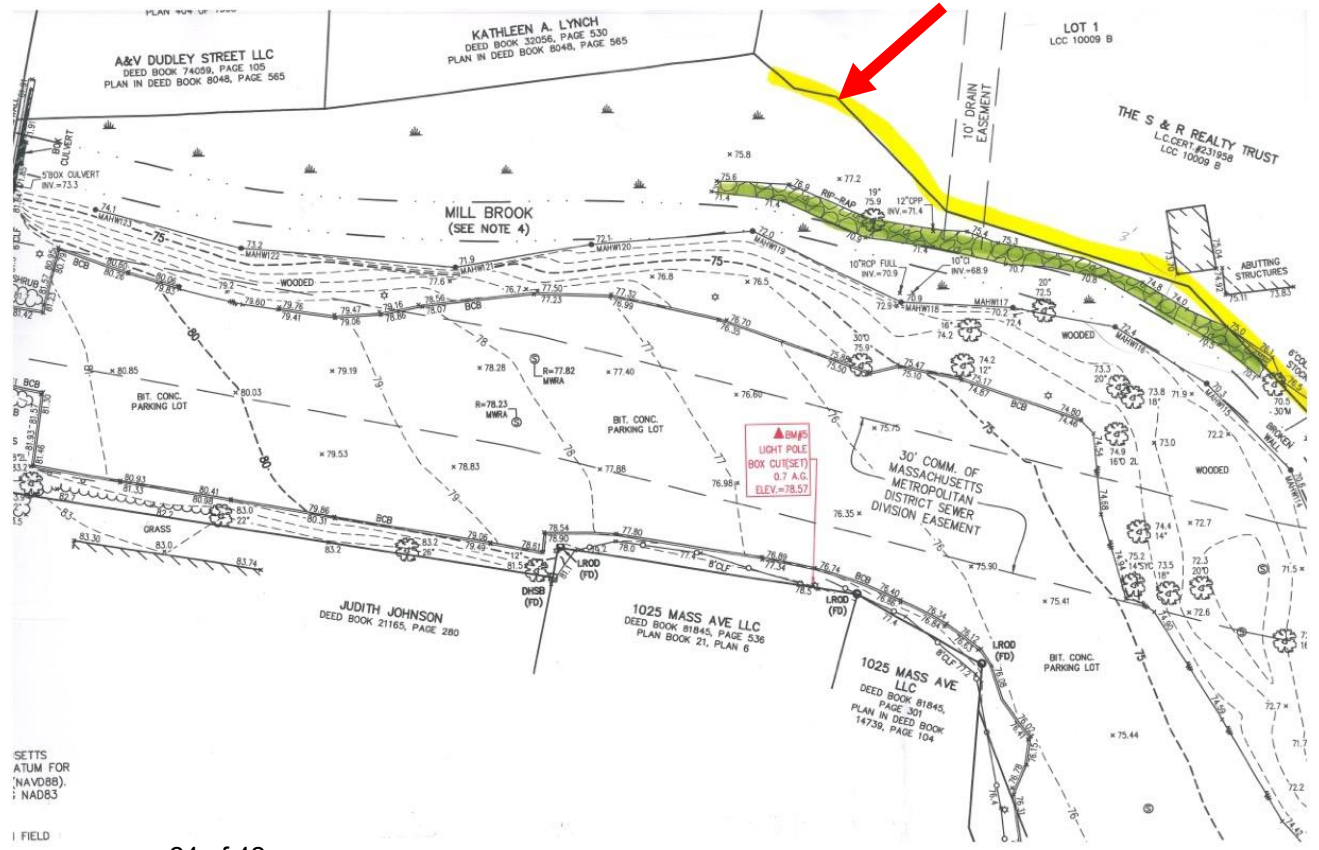
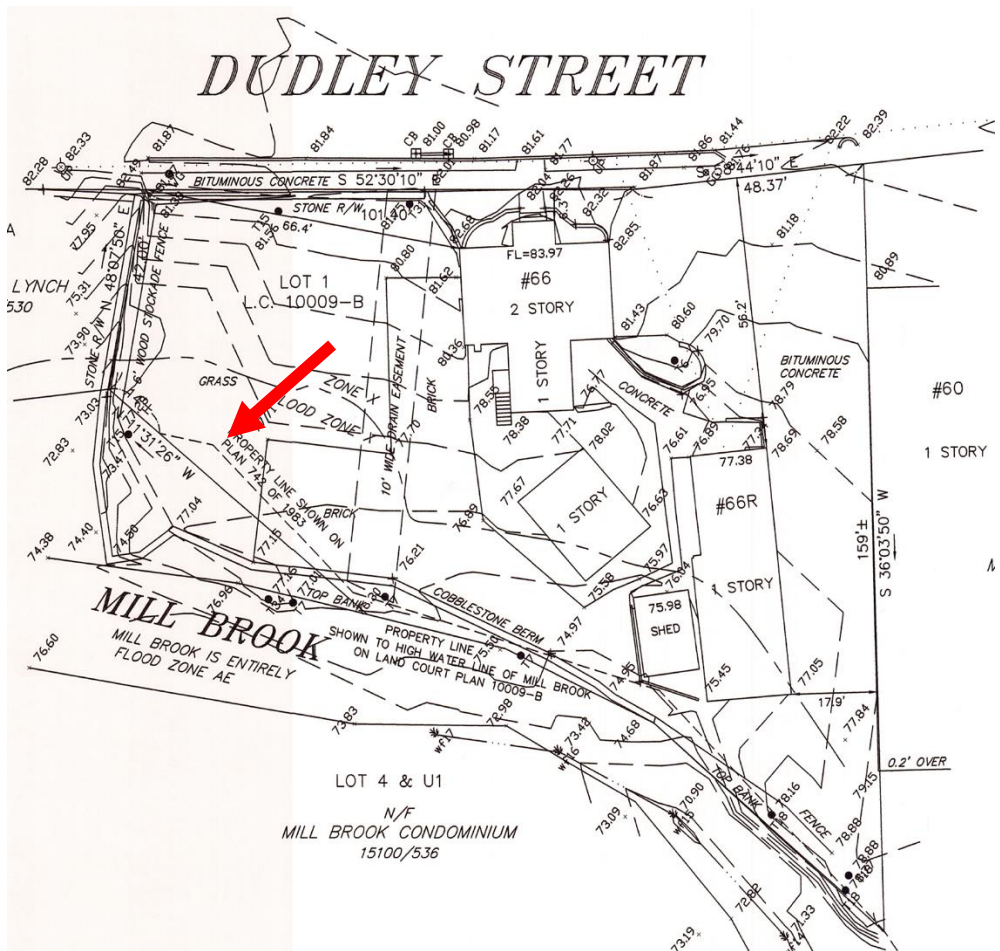
**- 66-66R Dudley Street, Arlington MA**

**Millbrook Condo Association**

**- 993 Massachusetts Ave, Arlington MA**


# Progress on Surveys











- Both S&R Trust and Millbrook Condo Asc. have completed their respective surveys.
- Both surveys are consistent with property line borders.
- There is no dispute regarding the land subject to enforcement order.



# Progress on Enforcement Order Requirements

## S&R Trust Survey Update:

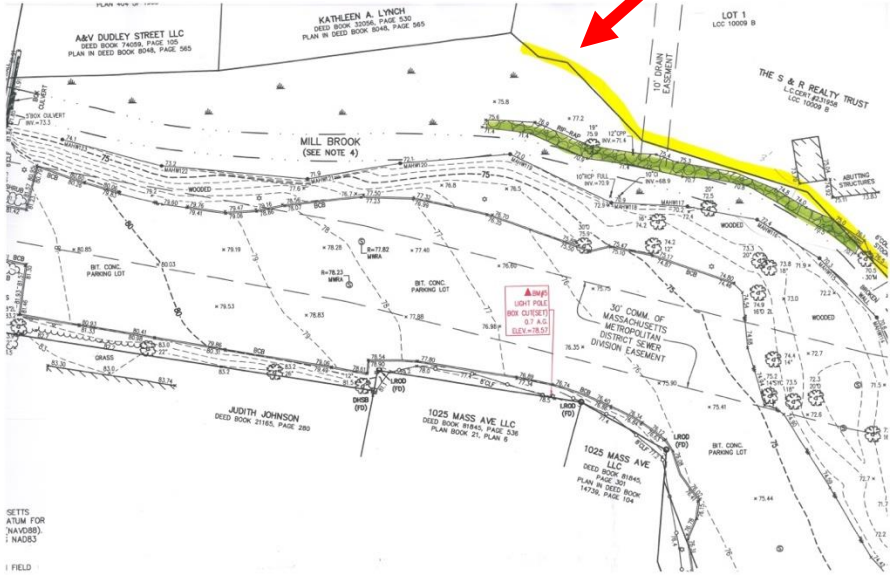
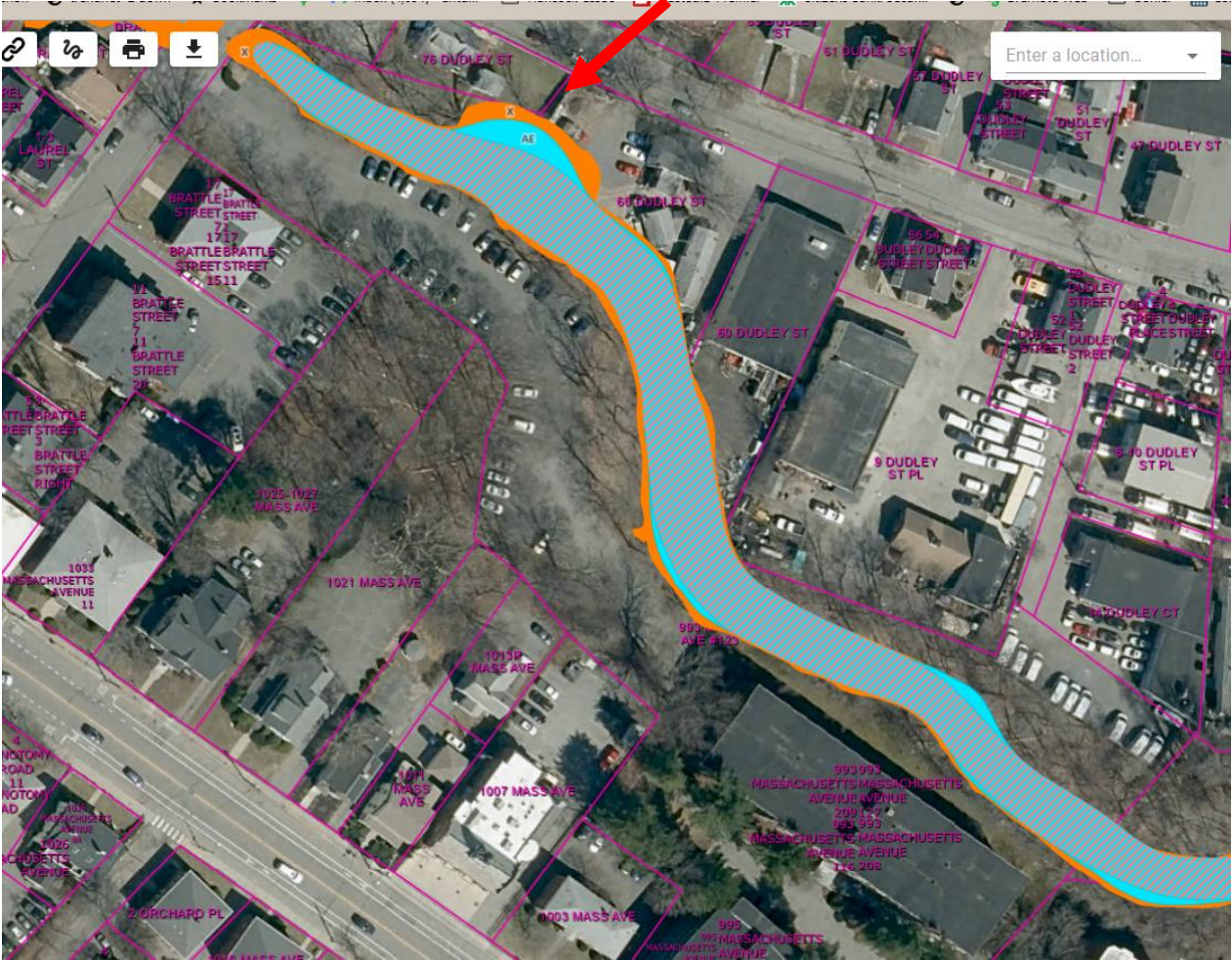
“The restoration plan shall be prepared and stamped by a Professional Land Surveyor licensed in Massachusetts and shall show:” 

1. all property boundaries and property owners; 
2. the entirety of the property known as 66-66R Dudley Street; 
3. location of house, and any sheds or structures between house and Mill Brook, on 66-66R Dudley Street; 
4. portions of adjacent properties abutting 66-66R Dudley Street 
5. land owned by Mill Brook Condominium Association (993-995 Mass. Ave) located on the norther side of Mill Brook and abutting 66-66R Dudley Street; 
6. existing conditions;  *shows cobble stone wall and fencing*
7. elevation contours at 1-foot increments; 
8. elevation of the foot of the stone retaining wall along the western property boundary with 72 Dudley Street;
9. top of Bank; 
10. the mapped FEMA 100-year floodplain (i.e., the BLSF to be restored) associated with Mill Brook; 
  - See slide 6 for additional survey from Millbrook showing 100 year flood plain and moderate risk areas
11. the mapped FEMA floodway associated with Mill Brook; 
12. location of proposed compensatory flood storage area adjacent to restored BLSF; *See slides for proposal*



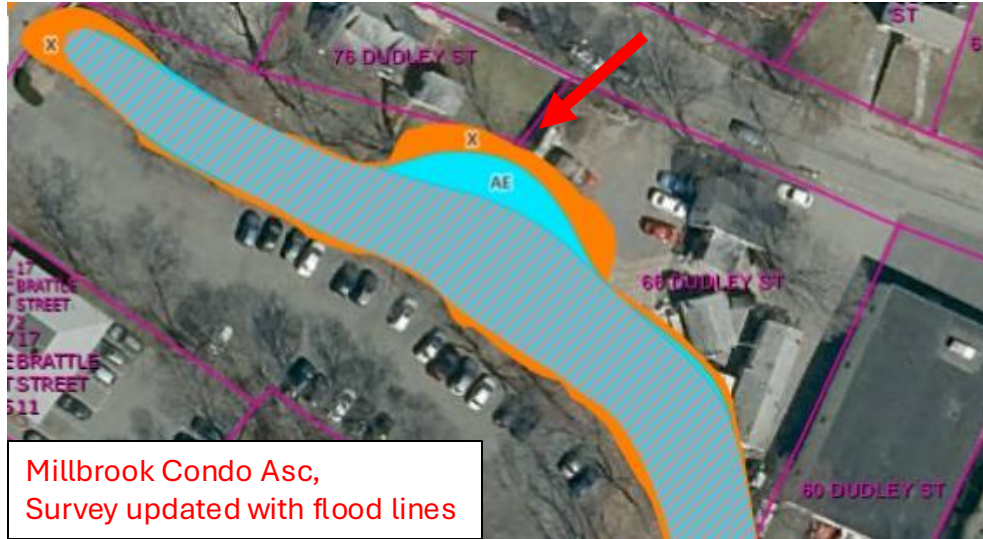
# Updated Survey from Millbrook Condo Association (with flood plain areas)

- Consistent with S&R Trust Survey





# Updated Survey from Millbrook Condo Association (view from Dudley Street)





# Enforcement Order Restoration Requirement Item 1

“Removal of all fill material (including stone retaining wall) within filled Bordering Land Subject to Flooding (BLSF), known as the FEMA 100-year food plain, on the western portion of site and provide compensatory storage next to restored BLSF as compensation for fill in eastern portion of site along Mill Brook (which the Commission determined is too difficult to remove);”

## Proposed Concept:

Lower the elevation along property line to be similar to adjacent Property (76 Dudley - Kathleen Lynch). Support bank (yellow) with stone cage wall.





# Enforcement Order Restoration Requirement Item 2

“Revegetation of the resulting restored floodplain and the adjacent compensatory flood storage area;”

## Proposal Concept:

Revegetate with existing vegetation near brook in addition to local native species without impact to tree number 1 and 2 shown below in photo. Vegetation density will approximate the density downstream along adjacent unaffected bank.

More clarity needed regarding “compensatory flood storage area”.



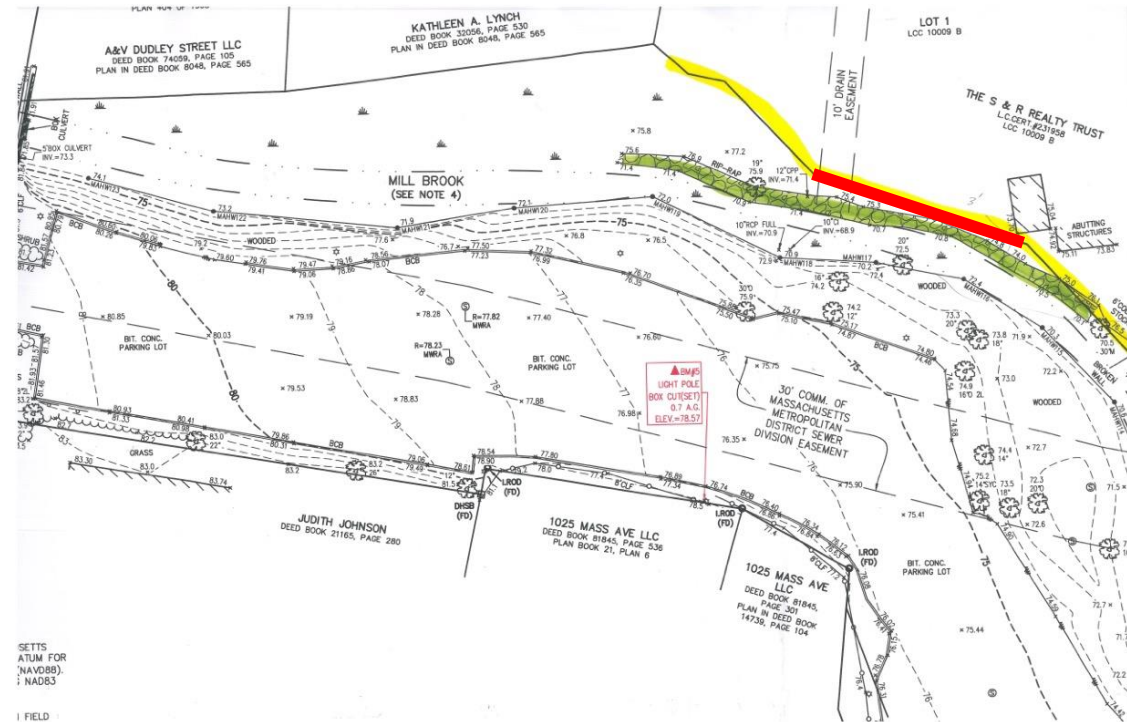


# Enforcement Order Restoration Requirement Item 3

“Installation of 4- to 6-foot tall fencing along top of bank on the eastern portion of property (where there is not any fencing) to prevent plowing of snow and stormwater runoff into Mill Brook;”

## Next Steps:

Tentatively Acceptable. The Millbrook Condo Association board needs to approve alteration of the cobblestone berm. A Millbrook board meeting is scheduled for 12-Nov-2024 for formal approval, but rejection is unlikely.





## Town of Arlington, Massachusetts

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### Request for Determination of Applicability: 135 Thorndike Street.

#### Summary:

Request for Determination of Applicability: 135 Thorndike Street.

The Arlington Conservation Commission will hold a public hearing to consider a Request for Determination of Applicability under the Wetlands Protection Act and Arlington Bylaw for Wetlands Protection for a deck replacement at 135 Thorndike Street in Arlington.

#### ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	Request_for_Determination_of_Applicability_-_135_Thorndike_Street.pdf	Request for Determination of Applicability - 135 Thorndike Street.pdf



Massachusetts Department of Environmental Protection  
Bureau of Water Resources - Wetlands

**WPA Form 1- Request for Determination of Applicability**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Municipality \_\_\_\_\_

**A. General Information**

**Important:**

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Applicant:

MICHELE \_\_\_\_\_ PHELAN \_\_\_\_\_  
 First Name Last Name

135 THORNDIKE ST \_\_\_\_\_  
 Address

ARLINGTON \_\_\_\_\_ MA \_\_\_\_\_ 02474 \_\_\_\_\_  
 City/Town State Zip Code

781 775 4031 \_\_\_\_\_ MICHELE@96PT.COM \_\_\_\_\_  
 Phone Number Email Address

2. Property Owner (if different from Applicant):

\_\_\_\_\_  
 First Name Last Name

\_\_\_\_\_  
 Address

\_\_\_\_\_  
 City/Town State Zip Code

\_\_\_\_\_  
 Phone Number Email Address (if known)

3. Representative (if any)

\_\_\_\_\_  
 First Name Last Name

\_\_\_\_\_  
 Company Name

\_\_\_\_\_  
 Address

\_\_\_\_\_  
 City/Town State Zip Code

\_\_\_\_\_  
 Phone Number Email Address (if known)

**B. Project Description**

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

135 THORNDIKE \_\_\_\_\_ ARLINGTON \_\_\_\_\_  
 Street Address City/Town

-- \_\_\_\_\_ --  
 Latitude (Decimal Degrees Format with 5 digits after decimal e.g. XX.XXXXX) Longitude (Decimal Degrees Format with 5 digits after decimal e.g. -XX.XXXXX)

2-1 \_\_\_\_\_ 30 \_\_\_\_\_  
 Assessors' Map Number Assessors' Lot/Parcel Number

[How to find Latitude and Longitude](#)

[and how to convert to decimal degrees](#)

b. Area Description (use additional paper, if necessary):

SIDE PORCH ON 2 FAMILY HOME \_\_\_\_\_

c. Plan and/or Map Reference(s): (use additional paper if necessary)

PORCH SKETCH \_\_\_\_\_ 10/07/24 \_\_\_\_\_  
 Title Date

\_\_\_\_\_  
 Title Date

**Massachusetts Department of Environmental Protection**

Bureau of Water Resources - Wetlands

**WPA Form 1- Request for Determination of Applicability**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

\_\_\_\_\_  
Municipality

**B. Project Description (cont.)**

2. a. Activity/Work Description (use additional paper and/or provide plan(s) of Activity, if necessary):

UPDATE 2ND FLOOR PORCH DOOR WITH LANDING TO MEET CODE, BRING STAIR CLOSER TO ENCLOSED SECOND FLOOR PORCH, TERMINATE STAIRCASE ON LEVEL 1, UPDATE DECKING MATERIAL, COMMISSION TO DETERMINE BOARD GAP WIDTH.

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b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

N/A

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3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- Single family house on a lot recorded on or before 8/1/96
- Single family house on a lot recorded after 8/1/96
- Expansion of an existing structure on a lot recorded after 8/1/96
- Project, other than a single-family house or public project, where the applicant owned the lot before 8/7/96
- New agriculture or aquaculture project
- Public project where funds were appropriated prior to 8/7/96
- Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- Residential subdivision; institutional, industrial, or commercial project
- Municipal project
- District, county, state, or federal government project
- Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary).

---

**WPA Form 1- Request for Determination of Applicability**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

\_\_\_\_\_  
Municipality

**C. Determinations**

1. I request the ARLINGTON \_\_\_\_\_ make the following determination(s). Check any that apply:  
Conservation Commission

- a. whether the **area** depicted on plan(s) and/or map(s) referenced above is an area subject to jurisdiction of the Wetlands Protection Act.
- b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced above are accurately delineated.
- c. whether the **Activities** depicted on plan(s) referenced above is subject to the Wetlands Protection Act and its regulations.
- d. whether the area and/or Activities depicted on plan(s) referenced above is subject to the jurisdiction of any **municipal wetlands' ordinance or bylaw** of:

ARLINGTON

Name of Municipality

- e. whether the following **scope of alternatives** is adequate for Activities in the Riverfront Area as depicted on referenced plan(s).

**D. Signatures and Submittal Requirements**

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

\_\_\_\_\_  
Signature of Applicant



10/07/24

Date

\_\_\_\_\_  
Signature of Representative (if any)

\_\_\_\_\_  
Date





- Label: Road Name
- Label: Address Number
- Label: Parcel ID
- Places by Category
  - Police Station
  - Fire Station
  - School
  - Library
  - Public Works

- Wetlands
  - Wetland

- Subject to Wetlands Permitting
  - Regulated Wetland Area (100 ft)
    - Areas Require Wetlands Permitting
  - Regulated Riverfront Area (200 ft)
    - Areas Require Wetlands Permitting

- FEMA Hazard Zones
  - 1% Annual Chance Flood Hazard
    - 1% Annual Chance Flood Hazard
  - Regulatory Floodway
    - Regulatory Floodway

- Elevation
  - Contour (2ft)

- Open Space
  - Recreational Facility
  - Conservation Restriction
  - Town, State, or Private Owned and Protected
  - Other Town Owned

- Zoning
  - B1: Neighborhood Office
  - B2: Neighborhood Business
  - B2A: Major Business
  - B3: Village Business
  - B4: Vehicular Oriented Business
  - B5: Central Business
  - I: Industrial
  - MU: Multi-Use
  - OS: Open Space



NOW OR FORMERLY  
TOWN OF ARLINGTON  
S/N (set)

36.16'

41.84'

STEPS OVER  
LINE 0.5'±

**LOT A**  
5,263 SQ. FT.  
(RECORD AREA)

FENCE

45.06' (Record)  
43.06' (CALC.)  
43.05' (Meas.)

Steps

Porch

5.0'

No. 135  
2-STORY  
WOOD FRAME

No. 139 Thorndike

N/F  
FITZGERALD  
BH

IR (set)

Porch

NOW OR FORMERLY  
MICHELE V. PHELAN  
2nd Story  
Overhangs

IR (set)

6.1'

EXISTING  
2 1/2 STORY  
WOOD FRAME  
DWELLING  
#139

48.00'

**LOT AREA  
= 3146±sf**

4' WIDE RIGHT OF WAY  
4' Right Of Way

6.2'

PORCH

BLK. CONC. DRIVEWAY

IR (set)

31.3'

RR Spike (set)

27.16'



NOW OR FORMERLY  
TOWN OF ARLINGTON  
S/N (set)

36.16'

41.84'

STEPS OVER  
LINE 0.5'±

**LOT A**  
5,263 SQ. FT.  
(RECORD AREA)

FENCE

45.06' (Record)

43.05' (Meas.)

43.06'

No. 139 Thorndike

No. 135  
2-STORY  
WOOD FRAME

N/F  
FITZGERALD

BH

IR (set)

IR (set)

Porch

NOW OR FORMERLY  
MICHELE V. PHELAN  
2nd Story  
Overhangs

EXISTING  
2 1/2 STORY  
WOOD FRAME  
DWELLING  
#139

6.1'

48.00'

**LOT AREA  
= 3146±sf**

4' WIDE RIGHT OF WAY

4' Right Of Way

6.2'

PORCH

BLT. CONC. DRIVEWAY

IR (set)

31.3'

RR Spike (set)

27.16'





**CERTIFIED ABUTTERS LIST**

Date: October 7, 2024

Subject Property Address: 135-135A THORNDIKE ST Arlington, MA

Subject Property ID: 2-1-30

Search Distance: 100 Feet - Conservation

Parcel ID:	Property Location	Owner 1	Owner 2	MAILING ADDRESS				
				Mailing Address 1	Mailing Address 2	Town	State	Zip
2-1-1	0-LOT MAGNOLIA ST	TOWN OF ARLINGTON-PARK DEPT		730 MASS AVE		ARLINGTON	MA	02476
2-1-5	0-LOT MAGNOLIA ST	TOWN OF ARLINGTON PARK		730 MASS AVE		ARLINGTON	MA	02476
2-1-27	127 THORNDIKE ST	KAUFMAN PETER S		127 THORNDIKE ST		ARLINGTON	MA	02474
2-1-28	131 THORNDIKE ST	FLEMING ROBERT S & DANA L		131 THORNDIKE ST		ARLINGTON	MA	02474
2-1-29	133 THORNDIKE ST	BECKER KARYN ELLEN	BECKER KYLE HENRY JACOB	133 THORNDIKE ST		ARLINGTON	MA	02474
<b>2-1-30</b>	<b>135--135A THORNDIKE ST</b>	<b>PHELAN MICHELE J</b>		<b>135 THORNDIKE ST</b>		<b>ARLINGTON</b>	<b>MA</b>	<b>02474</b>
2-3-2	132 THORNDIKE ST	CHOW LING W		132 THORNDIKE STREET		ARLINGTON	MA	02474
2-3-3	130--130A THORNDIKE ST	CHAN TWIGGY G	TIPTON BRYAN	130 THORNDIKE ST		ARLINGTON	MA	02474
2.A-3-134	134 THORNDIKE ST	ZHOU DAVID WEI	MAC ASHLEY	134 THORNDIKE ST		ARLINGTON	MA	02474
2.A-3-136	136 THORNDIKE ST	MAKADZANGE AZURE TARIRO		28 TREVOR LN		HOPKINTON	MA	01748
2.A-1-1	139 THORNDIKE ST	UNG MATTHEW		139 THORNDIKE ST		ARLINGTON	MA	02474
2.A-1-2	137 THORNDIKE ST	MEI CHONGWEI	ZHU YI	774 CHANGLE ROAD	3RD FL, UNIT 14	200040 SHANGHAI		CHINA

**The Board of Assessors certifies the names and addresses of requested parties in interest, all abutters to a single parcel within 100 feet.**

Town of Arlington  
 Office of the Board of Assessors  
 730 Massachusetts Ave  
 Arlington, MA 02476  
 P: 781.316.3050  
 E: assessors@town.arlington.ma.us

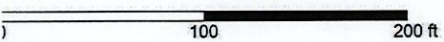






- Places by Category
  - Police Station
  - Fire Station
  - School
  - Library
  - Public Works
  - Recreation - Facilities
- Recreation - Fields Cc
- Recreation - Fields Cc
- Open Space: Conserv
- Open Space - Minuter
- Open Space - Labels
- Open Space
  - Town, State, or Other Town Ow
- MA Highways
  - Interstate
  - US Highway
  - Numbered Rout
- Abutting Towns
- Town Boundary
- Parcels
- Buildings
- Cemetery - Roads
  - Road1
  - Road2
  - Road3
  - Road4
- Pavement Markings
- Impervious Surface - f
  - Street
  - Sidewalk
  - Street Island
  - Driveway
  - Parking Lot
  - Bike Path
- Roads - For Large Sc
- Roads - For Small Sc
  - Major Road
  - Local Road
- Master Plan Base Maj
- Water Line
- Water Body

The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.





## ABUTTER NOTIFICATION

### Notification to Abutters Under the Massachusetts Wetlands Protection Act and Arlington Wetlands Protection Bylaw

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the Arlington Wetlands Protection Bylaw, you are hereby notified of the following:

The Conservation Commission will hold a virtual public meeting using Zoom, on **November 7**, at 7:00 PM in accordance with the provisions of the Mass. Wetlands Protection Act (M.G.L. Ch. 131, s. 40, as amended), the Town of Arlington Bylaws Article 8, Bylaw for Wetland Protection, and in accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20 relating to the COVID-19 emergency, for a Request for Determination of Applicability from **MICHELE PHELAN**, for **PORCH REPLACEMENT at 135 THORNDIKE ST** within 100 feet of a wetland, on Assessor's Property Map/s # **2-1**, Lot/s # **30**. Please refer to the Commission's online meeting agenda for specific Zoom meeting access information.

A copy of the application and accompanying plans are available by request by contacting the Arlington Conservation at 781-316-3012 or [concomm@town.arlington.ma.us](mailto:concomm@town.arlington.ma.us). For more information, call the applicant (**781-775-4031**), the Arlington Conservation Commission (781-316-3012), or the DEP Northeast Regional Office (978-694-3200).

NOTE: Notice of the Public Hearing will be published at least five (5) business days in advance in *The Arlington Advocate* and will also be posted at least 48 hours in advance in the Arlington Town Hall.

## AFFIDAVIT OF SERVICE

I, *Michele Phelan* , being duly sworn, do hereby state as follows: on *10/10* I mailed a "Notification to Abutters" in compliance with the second paragraph of Massachusetts General Laws, Chapter 131, s.40, the DEP Guide to Abutter Notification dated April 8, 1994, and the Arlington Wetlands Protection Bylaw, Title V, Article 8 of the Town of Arlington Bylaws in connection with the following matter:

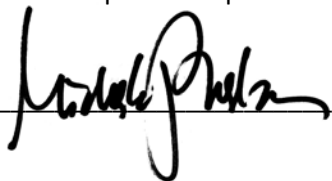
*2nd floor staircase renovate landing to comply with code, replace first floor porch*

*135 THORNDIKE ST ARLINGTON, MA*

The form of the notification, and a list of the abutters to whom it was provided and their addresses, are attached to this Affidavit of Service.

Signed under the pains and penalties of perjury, this *10th* of *October*, 2024

Name

A handwritten signature in black ink, appearing to read "Michele Phelan", is written over a horizontal line.



---

## Town of Arlington, Massachusetts

**DEP #091-0356: Notice of Intent: Thorndike Place (Continued from 10/24/2024).**

**Summary:**

DEP #091-0356: Notice of Intent: Thorndike Place (Continued from 10/24/2024).

- The Commission is expected to continue this matter to the meeting of November 21, 2024.