



City of Watertown

Conservation Commission
Administration Building
149 Main St.
Watertown, MA 02472

Leo G. Martin, Chair
Maria P. Rose, Vice Chair
Charles C. Bering, Member
Jamie O'Connell, Member
Darya Mattes, Member
Rachel Danford, Member

MINUTES

Meeting Date: Wednesday, April 12, 2023, 7:00 PM, Remote Meeting on Zoom

Conservation Commission Members Present: Leo Martin, Maria Rose, Jamie O'Connell, Charles Bering, Darya Mattes, Rachel Danford

Absent: N/A

Also Present: Polina Safran, Patrick Garner, Richard Nylen, Brian Snow, Mickey Marcus, Bill Dillon, Peter Centola, Nick Watkins, Glenn Howard, Magdalena Lofstedt, Andrew Copelotti, Joan Martin, Armin, Lisa Feltner, Caroline Bailey, Angie Kouneilis, Rick Salvo

Staff Present: Katie Swan, Conservation Agent, Susan C. Jenness, Assistant

Rose chaired the meeting for Martin, who attended for participation as a member.

1. Informational Update - Arsenal Park- Phase B (Mass DEP #: 321-0181) - Glenn Howard introduced the 25-minute presentation for the Commission that included a review of most recent updates by Nick Watkins, and a review of the status of the permits by Magdalena Lofstedt.

Howard introduced his presentation that would reveal the plans at the 90% design stage of the playground and parking area, mainly covering the topics of the Spray Park updates, and playground updates, with some improvements to the entryway of the park and the entryway sign.

Watkins explained that the Spray Park will be upgraded into the soil on site and will be integrated into the design along with the new playground. Both features of the park have matching themes, that are heavy on the ecological theme of Charles River, with a whimsical design for the splash pad.

Phase A has been completed to the East side of the park, where it is programmed for passive use, out to the parking lot with its connection to the important path leading to the splash pad.

The Playground has a thematic layout emphasizing the ecological environment of the Charles River and blends with the vortex whirlpool design into the spray park, all with wetland park themes, including overhead features repetitive of wetland themes in a 1,200 square foot radius.

The sign of the entryway has undergone some improvements and will retain its nice crisp lettering into the entryway, and vegetation will be fed by stormwater for hydration.

CDM Smith has retained all previous comments from the public process with the CC, and from Schreiber in the Planning Office, who suggested gravel surfaces for erosion control.

Howard added that the final 100% plan is going to DPW, and they are awaiting permits for stormwater, and they will report back to the CC next week.

Commission Comments and Questions

O'Connell asked if they were removing trees. Watkins responded that the trees along the berm were in good health and if any tree are removed, it would only be because it was in poor health. Rose and Martin both agreed they had done a great job on the design. Rose directed them to please notify Swan when the 100% plans were available and to forward them to the office. Howard and Watkins said they intend to appear on the agenda of the first May meeting of the City Council for a similar review.

Howard said this is a one-year project, and they lost 3 months in the winter. They plan to start construction in June/July of 2023.

Lofstedt briefly discussed the Order of Conditions for Phase A portion of the park was issued in 2017, and it was extended 462 days due to Covid. The new time frame runs out on October 12, 2023, and at that time they will file for a 1-year extension to complete the project in its entirety.

The park will be shut down from July 2023 until July of 2024.

2. Public Hearing - Request for Extension of Order of Conditions (Mass DEP#: 321-0165) - 485-617 Arsenal Street - within the 200-foot Riverfront Area and Watertown 150-foot Buffer Zone to the Charles River including, installation of subsurface storm water management structures, construction of a multi-use pathway and regrading/repaving of specific areas. Boylston Properties, BP Watertown Retail, LLC, Applicant/ Andrew Copelotti, Representative.

Copelotti appeared to review the request for a second extension on the completion of the Arsenal Yard Project. The request was made to complete the project, add 3 new concrete foot stops and to install a new sculpture between the 2 pedestrian paths that will be visible out to Greenough Boulevard.

Rose asked if there was a photo of the sculpture available. Copelotti explained they were keeping the original sculpture under wraps until Boylston holds an unveiling ceremony. He noted they were 16 feet by 17 feet and would sit between 2 paths.

Swan has already been out to walk the site and has been keeping an eye on trash. Rose pointed out that there was no need to add salt during winter months on the porous path, which would end up clogging over time. Rose pointed out the retaining wall, that she noticed on a site visit, with self-weep holes. She noted that they need to keep an eye on them. She explained that the runoff leads to the end of the steps to Greenough Boulevard and the soil from the left side will go down into the street into the catch basin on Greenough. She noted that they need to keep an eye on them.

Questions and Comments

Councilor Feltner thanked Copelotti for addressing the issue of trash along the dog park path. She said she noticed trucks and vehicles backing up and hanging over the sidewalk. Copelotti said he would investigate adding curb stops along the sidewalk there.

Rose noted that Spring of 2025 would be a good time to observe the evolution of growth of the plants.

Motion: Mattes made a motion to approve the request for an extension of the order of conditions for MassDEP 321-0165. O'Connell seconded the motion.

Roll Call: A roll call vote was taken, and everyone agreed with the motion made by Mattes.

3. Public Hearing - (Continuance was requested to April 12, 2023, meeting) - Notice of Intent (Mass DEP#: 321-0174) - 0 Arlington Street (Williams Parcel) — to construct a 2-story commercial building and parking lot on property known as the Williams Pond parcel: Max Hatzilliades, Applicant/Owner, Mickey Marcus, Representative

Marcus was present along with Brian Snow and Richard Nylen to continue the issues on the degraded riverfront area. Marcus began by stating he thought all the trash and debris that has been cleared from the site over the years, has penalized the client. He pointed out that there are options here for walking paths and recreation space.

Nylen categorized the area as redevelopment and said that the 1996 definition for degraded sites under the MA Wetlands Protection Act, section 310 CMR 10.58(5) was not intended to be used in this way.

Rose said the WCC is trying to use the rules as a way of determining how they will decide the outcome. They need to know what category the site is before they can apply the correct standards. O'Connell said there is no evidence to support redevelopment. Martin, who was present as a member of the WCC, said that the site had not been officially used as a dump and therefore did not meet the criteria of a redeveloped former dumping site. He said he agreed with O'Connell. Nylen pointed out this was the site of the former Goodyear Tire Company. Rose pointed out that was across the other side of the street. Snow cited the DEP definition for disposal. O'Connell said we are talking about the Riverfront Area and upland of the wetlands. She stated you have not shown evidence that this site is currently degraded today. Patrick Garner, expert for the city said he agreed with O'Connell and said we do not have enough information to agree with your characterization. He stated he was very sympathetic to the applicant but there was no evidence that suggested this site was degraded riverfront. O'Connell stated that the presence

of topsoil is a way to determine if a site is degraded. Rose said she agreed with Garner and said they have not seen the documentation to narrow the focus. Martin said that some test pits may document what they have been trying to evaluate over the last 2 years.

Public Comments

Armin was present at the meeting and said he moved to 91 Arlington St in 1965. He described the area as a dump when he arrived until Hatziliades moved to the area and began to clean up the site. He said Hatziliades allows parking on his site in the winter for his neighbors and he has been a wonderful neighbor to us all. He said it would help if members of the WCC would come to the site and see what Hatziliades planned on doing instead of blocking him.

Motion: O'Connell made a motion to close the public hearing. Bering seconded the motion.

Motion: O'Connell made a motion to deny the Order of Conditions under the State Wetland Protection Act. Martin seconded the motion.

Roll Call: A roll call was taken, and all agreed.

Motion: Nysten withdrew the request for an order of conditions as it applies to the Watertown Wetlands Ordinance.

Roll Call: All agreed with the motion made by O'Connell.

4. Public Hearing - (Continuance was requested to the May 3, 2023, meeting) - Request for Determination of Applicability - for the proposed parking lot improvements and utility upgrades located at **10 - 30 Manley Way, Watertown, Massachusetts**. PPF Industrial 20 Seylon, LLC, Owner, Christopher M. Lucas, Representative/Applicant

5. Public Hearing - (Continued from the March 1, 2023 meeting) - Notice of Intent (Mass DEP #: 321-0186) - Lot located off 0 Arlington Street - submitted for the construction of a 41,289 square feet (sf) of pervious parking area to grade and pave the north side of Sawins Pond, extending from the existing paved parking lot, located off 0 Arlington Street, between 71 Arlington Street and 15 Arlington Street taking place within the 100 foot Buffer Zone of Vegetated wetlands and Inland Bank and locally regulated 150 foot Buffer Zone. Polina Safran, Representative from SWCA, Max Hatziliades, Owner

Polina Safran was present with Chip Nysten and Brian Snow to respond to the questions given to them by members of the WCC at the March meeting. A letter was submitted about the questions on whether the site involves solid waste or hazardous waste. Rose stated that she did not have enough information to feel comfortable about her decision on the project.

Snow asked how many times the applicant would be required to prove himself. He pointed out the applicant's position has been stated by the regulatory authority. The questions were about the following; if you rip up the site? would you create danger? will disturbance cause problems with contamination? There is also the issue of rubber migrating to the surface. Rose said she wanted to know if putting porous pavement over the site would eventually cause another bad situation. Salvo stated it would mimic the environment of the last 35 years. He added developing a parking lot, with mitigation measures such as native plantings 2 ½ to 1, more than compensated for developing.

Rose said she would need to seek a continuance and she and Martin said they could look over the small list of projects they have let go into the no build zone in the past. Martin said when they allowed encroachment into the No Build Zone (NBZ) in the past, it was because it offered valid enhancements to the community. O'Connell pointed out there was a big decrease in pervious on the sites. Snow pointed out that PCB's went over the dam and into the pond. Rose pointed out 99 Coolidge Ave. moved their buildings out of the NBZ and provided many amenities such as a path, blue bikes for the community. She emphasized that connectivity is always a plus. Nylen pointed out they were comparing a large development like that to Hatziliades who does not have the same advantages to offer.

Nylen asked to continue the hearing to do some additional work on their proposal. Hatziliades spoke up and said he has been paying taxes on the site since 1984 and has been maintaining it and he questioned who gets to use it.

The hearing has been continued to the May 3, 2023, meeting.

6. Acceptance of Minutes- Review and acceptance of Minutes from the **February 1, 2023, meeting and the March 1, 2023, meeting.**

Review and acceptance of the minutes from February and March were continued to the May 3, 2023, meeting, due to the late hour at the end of a long meeting.

The meeting was adjourned at 10:30 pm.