



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

Maria P. Rose, Chair
Leo Martin, Member
Jamie O'Connell, Member
Darya Mattes, Member
Rachel Danford, Member

MINUTES

Meeting Date: Wednesday, October 4, 2023, 7:00 PM, Remote Meeting on Zoom

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

Absent: N/A

Also Present: Brian Snow (OHI), Eric Bradenese (OHI), Richard Nysten (Lynch, DeSimone & Nysten, LLP), Todd Bridgeo (Weston & Sampson), Linda Scott, Mike Albano, Nicole Gardner (City Councilor), Laurel Schwab (City Staff), Angie Kounelis (former City Councilor), Max Hatziliades (Applicant), and Alexia Hatziliades

Staff Present: Katie Swan, Conservation Agent and Susan Jenness, Conservation Assistant

Rose chaired the meeting.

1. Public Hearing: Notice of Intent (Continued from July 12, 2023) -- located off 0 Arlington Street, between 71 Arlington Street and 15 Arlington Street (MA DEP #: 321-0186) - construction of 41,289 square feet (sf) of pervious parking area on the north side of Sawins Pond, extending from the existing paved parking lot, 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.

Nylen was present to review comments from the Conservation Commission's third-party reviewer, Patrick Garner, and work in the local wetlands 50-ft No Build Zone (NBZ) under the Watertown Wetland ordinance.

In response to Garner's review about the stormwater infiltration of the proposed pervious parking lot, Nylen stated they meet the performance standards under the local ordinance and the Wetlands Protection Act. He added that the project meets the interest under the Wetlands Protection Act and under the ordinance – that includes, the existing degraded site will be enhanced in the interest of the local wetlands ordinance. To add, no trees are to be removed; and they will be removing invasive species, installing a pervious stormwater system design, and adding additional 18,000 square feet (sf) of ground cover and tree canopy.

For the proposed stormwater infiltration, Bradenese screen shared site plans detailing the areas of work with photos of the current conditions in the 50 ft NBZ where the plantings would be placed and capacity to infiltrate through the proposed stormwater system. Bradenese pointed out that an additional 6,200 sf of plantings enhancement would be added to offset the parking spaces and trees along the edge of the bank would not be affected.

Snow had previously submitted materials that were excerpts from the various reports over the years, which Rose thanked him for pointing out the necessary data. Snow noted that he did not expect an increase in stormwater infiltration on the site. Rose stated that the third-party peer review was done by Weston and Sampson LSP indicated that there was enough evidence about the past contaminations and current site conditions. Rose added that it would be beneficial to have a temporary ground water monitoring program set up for a couple years to ensure that water chemistry hasn't changed at the outlet of Sawins Pond for the proposed pervious parking lot and results could be submitted as an annual report.

Bradenese stated that the new stormwater system would not change the infiltration rate and increased storage of the site. Rose explained that normally under a landfill there would be a cap and annual reporting would add a comfort level that would be satisfactory for her. Bridgeo stated that a lot of tests have been done, sampling the water is a way to do that. Snow said this is not a requirement of MCP and the Conservation Commission does not have the authority to ask for setting up a ground water monitoring system. Rose clarified there were drums on the site and that disturbing the site could exacerbate the conditions of the contamination they all know is present. Nylen said the LSP's can work it out.

Nylen wanted to move on to the Watertown Conservation Commission local wetland ordinance 50 ft NBZ. Rose screen shared past projects that were permitted allowable encroachment in the 50 ft NBZ under the local wetland ordinance (Table 1). Nylen said he was looking at this conversation from the reference point of how the site is functioning at the current time, versus how the site functions if the project is allowed to move forward.

Table 1: Past permitted projects for allowable encroachment in the 50 ft NBZ

Location	Pavement/Walkways (sf)	Building (sf)
270 Pleasant Street (Riverbend)	552	
290 Pleasant Street	60	
200 Waltham Street	<10	
23 Elm Street	238	
99 Coolidge Street*	300	3990

*The project at 99 Coolidge St reduced existing pavement from 18,000 SF to 300 SF; and reduced the existing building footprint in the 50 ft NBZ from 8,020 SF to 3,990 SF.

Rose indicated there may be a net improvement to the site, but it is unlikely to benefit wildlife habitat. O’Connell screen shared excerpts from the Watertown Wetlands Rules and Regulations for the 50-ft NBZ. Rose asked the applicant if they had discussed a drive aisle and parallel parking inside the parking lot to limit construction within the 50 ft NBZ. Martin agreed with O’Connell that this is a parking lot that will still be functional for its purpose if you take out some parking spaces, and stated there is no overarching reason for this parking lot to extend into the City’s no build zone.

Rose pointed out that the Conservation Commission would need to decide if the proposed improvements provide significant benefits in terms of the Wetlands Protection Act and the local wetlands Rules and Regulations. She questioned if water storage is an improvement, and considered what was in the best interest of the habitat, and improvement for biodiversity.

Mattes thanked O’Connell for reviewing the regulations and agreed that the issues are unclear about significant improvement to the habitat and the 50-ft NBZ. Danford asked if it was possible to reduce the spaces to get out of the 50-ft NBZ. Rose asked if they would consider an additional buffer. Martin suggested investigating the reduction of a travel lane by making the lot a one way between Arlington Street and Coolidge Avenue.

O’Connell pointed out the parking lot will bring in cars and oil into the 50-ft NBZ and applicant should find a way to develop this site without encroachment. O’Connell noted that the applicant has not given a valid reason yet for the encroachment within the 50-ft NBZ, and she is not comfortable permitting a project that does not meet the requirements under the local wetland ordinance. Rose said it would be best to have minimal impact on the wetlands. She asked if they considered a contiguous connection from the roadway and park as a walkway. Nylen pointed out they are not required to stay out of the buffer zone under the Wetland Protection Act and he stated that if the parking lot is significantly reduced from what is currently proposed, the buffer zone enhancements will also be reduced.

Snow noted the uplands portion of Sawins Pond was permitted as a dump under the MCP and the sandbars that are in pond, 1/3 of the City of Watertown's stormwater flows into Sawins Pond. Snow noted that the 50 ft NBZ is not a new encroachment, the project would add to the enhancement within the 50 ft NBZ. Nylen and Snow stated that there is a point where what is being allowed will not allow them to meet the needs of the project purpose. Nylen agreed that they would be willing to ask for a continuance until next month, so that they could explore what other options they had.

Public Comments:

Alexia Hatziliades spoke about her father and of his dream of many years, of taking action to improve the site at long last. She noted she saw no signs of wildlife on the site and said her father has sunk a lot of money into the site hoping to improve it and make it nicer than it is currently. She asked the commissioners to come and visit the site to view the current conditions. Rose said they have visited the site and wildlife is present.

Angie Kounelis the site at Sawins and Williams has a history of not being maintained and that it continues to be a significant dumping ground. She mentioned storage trailers have been seen on the site and said the petitioner has been routinely engaged in activities on the site that have been documented by the City.

Bill Dillon spoke about a recent meeting between Hatziliades and the Department of Public Works, and he was asked to remove brush on the site to allow water to flow into Sawins Pond. Dillon said he believes the City should pay for the requested brush work as it is city's storm water flowing through the site. Dillon said it costs a lot of money to make something positive happen, and the improvements in this proposal would be a benefit to the City.

Motion - Martin made a motion to continue the public hearing, and O'Connell seconded the motion.

Roll Call - All members were polled, and they agreed with the motion made by Martin.

2. Applications for Community Preservation Committee: City of Watertown - Funds for a consultant to create a master site plan for Walker Pond (seeking a support letter).

Swan appeared as a member of the Planning Department staff team to present current plans for the City to file an application for CPC funds under open space and recreation. The plans would be used to create a final deliverable of a conceptual design site plan for the Walker Pond Property with the help of a consulting team. The proposed project would assess the existing conditions of the site of Walker Pond property, and would include wetlands delineation, determination of the property boundary and draft a preferred conceptual design site plan. The

team from the Planning Department working on this project is Steve Magoon, Katie Swan, and Gideon Schreiber.

Schwab explained that the plans at this time are completely open-ended and there is no predetermined design. She said the plans will unfold through future public meetings.

Motion - Martin made a motion for the members of the Conservation Commission to write a letter in support of the application. O'Connell seconded the motion.

Roll Call - Rose took a roll call vote and all members agreed with the motion made by Martin in favor of writing a letter of support for this application.

3. Agent Report:

- A. 99 Coolidge Street (MA DEP #: 321-0175) - Swan met with Nick O'Connor, project manager, for 99 Coolidge, with Gideon and Tony for a Temporary Certificate of Occupancy. Swan recommended to O'Connor as part of the TCO for Conservation Commission aspect to submit a landscape affidavit, need to add new silt wattles along the top of the bank of the stream corridor, and rip rap at the top of the slope to where the outlet pipe comes from the retention pond behind the garage. There are some dead trees that are located within the stream corridor and Swan contacted City Tree Warden and he recommends having them removed. Swan will go back in a few weeks to meet with VHB and O'Connor to look at the stream restoration plantings.
- B. Massachusetts Association of Conservation Commissions (MACC) Conference - October 28, 2023. Swan reminded members of the upcoming MACC Conference.
- C. Sawins Pond Dam (Coolidge Avenue side) - Swan reported that Tyler Glode contacted her that he had to issue an emergency maintenance request to the property owner addressing the issue with the dam at the Sawins Pond outlet (upstream of 99 Coolidge). Tyler met with Mike, City Tree Warden, and he suggested that the proposed work would require removal of vegetation (smaller than 4 inches DBH) within the culvert area and removal of invasive plant species with care to not disturb the soil (hand removal only – no machinery). The work that will be done by DPW includes removal of dead trees/logs, trash/debris from in front of the dam. Swan noted that Glode will keep in contact about the progress of the work.

4. Acceptance of Minutes:

Review and acceptance of Minute from September 6, 2023 Conservation Commission meeting.

Motion - Martin made a motion to approve the minutes of September 6, 2023. Mattes seconded the motion.

Roll Call - Rose took a roll call and all agreed to approve the minutes of the September meeting.

5. Review and acceptance of 2024 Meeting/Filing Dates for the Conservation Commission.

Motion - Danford made a motion to approve the filing and meeting dates for 2024. Martin seconded the motion.

Roll Call - Rose took a roll call and all agreed to approve the filing and meeting dates for 2024.

Motion - A motion to adjourn the meeting at 10:00 was made by Martin. Mattes seconded the motion.

Roll Call - A roll was taken that was unanimous and the meeting was adjourned.