



City of Cambridge Conservation Commission

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Public Meeting – Monday, June 13, 2022 at 7:00 PM

Zoom

MEETING MINUTES

The following meeting minutes were taken by Tracy Dwyer and are respectfully submitted.

Present Commission Members: Jennifer Letourneau (Director), Purvi Patel (Chair), David Lyons (Vice Chair), Elysse Magnotto-Cleary, Michelle Lane, Erum Sattar, Kaki Martin

Absent Commission Members: Kathryn Hess,

Attendees: Tracy Dwyer, DPW; Jim Wilcox, DPW; Michael Bellomo; Bruna Rosetti, North America Development; Barbara Mahoney; John Rockwood, Eco Tech; Jason Santana, North America Development; Bryan Walsh, VHB; Kelan Koncewicz, VHB; Britta Pejic; Dan Anderson, Anderson Porter Design; Guillermo Beltran, Spruhan Engineering; Jason Ferster, OJB Landscape Architecture; Matt Lerner, Longfellow Real Estate; Jacob Kain, Elkus Manfredi; Mike Appleyard, VHB

Purvi Patel opened the meeting. Purvi stated the commission will no longer be voting on projects that need revisions or updates and they needed to be copied to Mass DEP.

7:00 – Notice of Intent

56 to 58 Magoun Street
Redevelopment – Floodplain

7:06 – Kaki Martin joined the meeting.

Dr. John Rockwood from Eco Tech introduced the project team that was on Bruna Rosetti and Jason Santana from North America Development as well as Guillermo Beltran, Project Engineer from Spruhan Engineering and Dan Anderson, Project Architect. John stated that this project is a renovation of an existing single-family house and construction of a second single family on the lot. John stated that this project is located off Magoun Street near Massachusetts Avenue located in Northern Cambridge, Massachusetts. The project site is about 5,758 square feet of land located east of Magoun Street and there are not wetland resources in a buffer zone on the site except of bordering land subject to flooding there is an area that floods due to a rise in waters from the bordering waterway or water body and is based on data from the flood insurance program and the boundary is the estimated maximum lateral extent to flood water from the

statistical 100 year frequency storm in Cambridge. John stated in Cambridge they use the city base, which has a 100-year flood elevation of 18.4 and based on that the southern portion of the site is located at or below elevation 18.4 and would be regulated as bordering land subject to flooding under the regulations. John showed a plan with the existing conditions and the proposed conditions. John stated the renovation of the existing house is out of the floodplain and would consist of a new front porch, back deck, and window well. The second building on site of which half of it is in the flood plain that house has front stairs, two window wells and a rear deck that is proposed. John stated there is a pervious paver driveway and pervious paver walkway and the driveway is going to slant slightly away from the street and there will be a trench drain at the end in case the water is not absorbed in the pervious pavers. John stated that some portions of the project are outside bordering lands subject to flooding and some parts are inside. The project includes erosion controls, protection of the catch basins on Magoun Street and once the paved driveway is removed the construction entrance will be constructed where the driveway was. The existing structure at 56 Magoun Street will be partially demolished and renovated and the building footprint will be slightly smaller. The existing paved walkways, driveways, and patios as well as the paved sports court will be removed that will be where the new proposed structure will be located. The new structure is proposed to have front stairs with a landing, two window wells and a rear deck. John stated that utilities, drainage, and compensatory storage will be installed as well as a new driveway and walkways with permeable pavers and the site will be brought to the final grade and seeded, and sod installed as lawn. John stated that the resource impacts are 2,800 square feet lands subject to flooding will be altered but mostly related to activities during the construction of the building. John said that fill will be placed within 440 square feet of bordering land subject to flooding and the flood plain on the site is only about six inches deep its at the edge of the floodplain but there is additional flood plain beyond the site and its important that the project not block off the balance of the flood plain. John stated that 665 square feet of the bordering land subject to flooding will be reduced in grade to promote flood flow so the areas to the east and north aren't cut off by this project. Also 479 square feet of land located outside of bordering land subject to flooding will be graded as compensatory storage area. The proposed house project, the footsteps to the proposed house and posts and stairs for the deck will fill 176 cubic feet of compensatory storage area and other features on site will create 192 cubic feet of flood plain storage between elevations 18 and 18.4 which will result in 16 cubic feet of additional flood storage on site. John stated they are proposing stormwater infiltration designed to address one inch of run off over impervious areas. John stated he thought that will need to be redesigned to address engineering concerns.

Jennifer Letourneau visited the site on June 6, 2022 and took pictures of the site to send to the commission members and presented those pictures at the meeting.

Jim Wilcox from Public Works stated that when he reviewed this Notice of Intent, he kept in mind that this project would be coming to engineering for a building permit review as well some of these comments go beyond the commissions jurisdiction but could require plan revisions to meet the engineering divisions requirements. Jim stated he believes this project will not trigger a stormwater control permit and does not meet any of the other triggers, but he stated he was not sure if a Planning Board Special Permit would be required and if the applicant had that information. Jim said that the project would need to meet DPW's storm water management standards to the extent practical, as part of that they would be looking for an analysis of the stormwater quantity and quality on site. Jim stated that for quantity they would ask the applicant to evaluate whether the site can be designed to either infiltrate or detain the difference between

the 2070/25 year and the 2070/2 year storm if they can't do that they would also ask the applicant to do a evaluation of the 10 year storm as well for the storm water quality standards. Jim said for the stormwater quality standards they would ask the applicant to do an evaluation of the total phosphorus removal and they would be looking for a removal of 65% of total phosphorus from the site and 80% of the total of suspended solids. Jim stated that the standard recommendation would be that they get an as-built topographic plan and an as-built cut and fill table to confirm that the compensatory storage requirement has been met. Jim is asking for a minor revision on the flood elevation table that was included on the civil plan, the city updated the flood elevations in March, and he believes the plan was done before that. He stated that the civil plan needs to match the existing conditions plan. Jim also stated that it's DPW's policy to require that the first-floor elevation of a building be above the 2070/10-year sea level rise storm surge flood elevation and Jim stated that in this case it was. He said that it is also DPW's policy that a flood recovery plan be in place for any portion of the building or critical equipment in the building that is below the 2070/100-year sea level rise storm surge flood elevation have a plan for flood recovery and protection. Jim said on the details plan he had a minor comment on the detail to change the discharge location to the proposed infiltration system rather than wastewater treatment. Also, on the details plan to add a detail for a stabilized construction entrance, it was shown on the civil plan but looking for a detail on how that would be constructed. John stated that there is a detail on sheet 3 of the civil plan. Jim stated that on the operation and maintenance plan to add in information for a maintenance of the stabilized construction entrance that it will be maintained in good condition and that the crushed stone be replaced as needed. Jim stated that as part of the operation and maintenance plan for during construction that catch basin inlet protection be used and that filter fabric is not an acceptable substitute. Jim wanted to note that is typical for the city to ask contractors to remove inlet protection if we have a heavy rainstorm.

Jennifer and Jim confirmed that there was a detail for the inlet protection.

Purvi Patel the chair of the commission wanted to remind the commission that they won't be voting on this agenda item this evening because they have some revisions and changes although they are small she thought it would make sense to have them revised before voting.

David Lyons said he knows this is BLSF that they are regulating but he wanted to know what it is BLSF to? John stated it connects in from Alewife. David stated it connects in from the south not the north. Jim has confirmed it is Alewife Brook.

Jennifer Letourneau stated that on Friday, June 10th she received an email from Barbara Mahoney of 37 Brookford Street that read.

"Hello Jennifer,

I would like to go on record with my complaint about the contractor developing the above noted property,

North America Development LLC.

There have been several instances where their crews have been using bobcats etc. for scraping and removing soil, my main issue deals with the unauthorized and illegal digging of a large test hole last August without any "digsafe" numbers. When I approached them about it I was told by the machine operator that it was OK and that his boss sent him to dig the hole and that his supervisor would be here with the necessary permits.

The Supervisor arrived about 20 minutes later saying everything was OK. He could not produce any "DIGSAFE" permits.

This property is located adjacent to a high pressure (600psi) gas transmission line. No digging should be allowed without the proper paperwork and permits in hand. This leads me to believe that this contractor has no regard for rules and regulations, and it scares me.

I would also like to go on record to state that the back of the property floods during having rains, bringing up issues with any new structures on the property.”

Purvi stated that they don't have any jurisdiction over DigSafe, she asked Jennifer who was the entity to reach out to at the city or is it one of the utilities that they need to follow up with?

Jennifer stated that she would let Jim speak to this but when you get an excavation permit with the city you would need to input your DigSafe number into the system with the city. Jennifer stated she did not know what happened, but this excavation was never permitted with the city.

Jim Wilcox stated that not all excavations on private property require a permit from Public Works. The excavations that require an excavation permit from the city are those that are making utility connections or where it meets the state's definition of a trench, typically a test pit would not meet the requirement for a trench permit. A DigSafe permit is definitely required for any excavation on public or private property.

Purvi asked Jennifer if she could email Ms. Mahoney back to let her know that this meeting is being recorded and she could listen to it and that her concerns might be answered by listening to it.

Purvi asked John Rockwood if he had any comments for Ms. Mahoney about the flooding on her property. John stated at the back of this property it would be expected to flood because it's within the flood plain whether it's water raising from the Alewife or whether there is a low spot in the back right of the property it's within the flood plain and subject to flooding.

Purvi stated that yes within the 100-year plan, so not a common occurrence. Purvi stated that any design on the subject site would not diminish conditions on adjacent properties. John stated that they are providing additional compensatory storage to the existing conditions so 16 extra cubic feet of water will be stored under this design as well as additional excavation within the existing land subject to flooding between elevation 18 and 18.4 for a better connect across to the compensatory storage to make additional storage to the existing storage.

Purvi stated she would be interested to see the information for the consistency with the supplemental directive and see if that provide an opportunity of below grade detention or retention at the site but she understands that is based on the materials present.

7:27 – Public comment remains open

Jennifer wanted to go back to Jim's first bullet in his review memo. Jennifer asked John if he ever answered the question whether they were seeking a Planning Board Special Permit? John stated that would be something that Jason or Bruna would need to answer they would be familiar with what other city permits are required. Jason Santana stated that as far as he knows at this time they do not require a special permit for this project.

7:28 – The commission unanimously agrees to continue the hearing till July 18.

6 – In favor, 1 – Absent

Jennifer stated that their revisions would need to be submitted by noon time on July 6th.

Jason asked besides the DPW comments was there anything else they need to address. Purvi stated that they go through the bullets and revise what needs to be updated.

Jim stated that DPW would be more than happy to meet with the applicant before the next meeting to confirm that the stormwater analysis is done per their requirements.

Jennifer asked if they could confirm if they are in or outside of the flood plain overlay district. Jennifer asked if they could add that to the list of to confirm before the next meeting.

Purvi asked what implications that would have in terms of additional BMP's. Jennifer stated it would have to go through the Planning Board Special Permit process.

7:33 – Request for Partial Certificate of Compliance

DEP File # 123-295

125 Cambridgepark Drive

Matt Lerner with Longfellow Real Estate Partners was there to represent the project at 125 Cambridgepark Drive in the west area of Cambridge in the triangle park area. This project was for the landscape and cycle track improvements in front of 125 Cambridgepark Drive. Bryan Walsh from VHB was at the meeting to lead the discussion as the civil engineer on the project. Bryan stated this is a phasing plan or a context plan for the frontage of 125 Cambridgepark Drive which is the northern part of the property. Bryan stated that they have gone through and evaluated the pre-existing conditions, and the as-built conditions and work is currently completed for the 125 site, and they have done their analysis and wanted to go through the pre-existing condition which was pre-COVID and they have photos from then and then recent photos. Bryan stated that the flood plain is at 1,846 or 18.46 and 0 for the second and third tier. Bryan stated that this work is essential the first tier or first foot of the flood plain. Bryan stated that the work was constructed and has since been completed and the rear of the property has not changed, the limit of their evaluation has not changed. Bryan showed photos of the walkways rearranged to enhance some accessibility. Bryan stated these improvements really helped the frontage of the building all while providing the compensatory flood storage that they knew they had to require. Some improvements were a raised cycle track and landscape improvements and he showed pictures of the compensatory flood area. Bryan showed a picture of a swale that was proposed within the landscape where most of that compensatory flood is taking place.

Jennifer stated that the project is doing good and looking to redo their parking lot. When they met with the project team, they decided it was best to have a clean existing condition for the next round of work it was best to close out for this parcel before the next round instead of doing an amendment. Jennifer said the next part is just informational.

Jim stated that this is straightforward, and they did provide a topographic survey for the work that was done and some as-built compensatory storage calculations for the work that was done, and the survey and the calculations show that they met the compensatory storage requirement of the order of conditions. Jim said with the inspections that they have done and what they have seen they are ready to coordinate with Jen on the landscape maintenance.

7:41 – Public Comment Closed

6 – In Favor, 1 - Absent, 0 – Opposed, 0 – Abstained

7:42 – The commission unanimously agrees to approve a partial Certificate of Compliance

6 – In Favor, 1 - Absent, 0 – Opposed, 0 – Abstained

7:43 – Administrative Topics

Jennifer stated that they have an informational presentation, a draft memo that Elysse put together as part of our follow-up from the last meeting, an email update about the potential for virtual meetings and the meeting minutes.

Matt Lerner opened the informational presentation and they have submitted their draft special permits to CDD, and they have received comments from both urban design and traffic and planning to respond to those comments and formally submit our special permit application sometime in mid-July. Matt introduced members of project team; Bryan Walsh from VHB, Jason Ferster from OJB and Jacob Kain the lead architect from Elkus Manfredi. Bryan the Civil Engineer on the project opened up the discussion and said it was their intention to give the commission a preview of what's coming because they were intending to file a Notice of Intent for the July hearing. They would like to hear any questions and comments now to incorporate that into our filing next month. Bryan stated what they would be talking about today would be phase three which would bring the campus together between the three properties. Bryan stated there was a phase 0 which was an RDA back in 2017-2018 where there were three bike path connections that were proposed and constructed to the Fitchburg cutoff bike path. Bryan stated that phase 3 is connecting that bike path to the campus to the 125 Cambridgepark Drive site. Bryan stated that now when driving down Cambridgepark Drive if you take a right into the second curb cut to the loading dock is facing out towards the parking lot. Bryan stated what stands out now on the plan is that there is a lot of impervious area and surface parking lot within that area there is an existing electrical enclosure towards the northeast corner of the building. The plan is to make improvements to the landscape impervious areas. Bryan stated that they have been talking with Jennifer and Jim and there is a DPW easement for a box culver on the west access aisle and MWRA has some infrastructure in the rear of the site running west to east. Bryan pointed out that there is no stormwater management currently, its impervious area sheet flowing to catch basins and out to Cambridgepark Drive. Bryan stated that the improvements that were going to be made is first with a curb cut and trying to screen the trucks, so they are not point out towards the open space. Also, as part of the plan is significantly reduced surface parking and improve landscape areas and making a connection with the bike path. Also with these improvements is a new electric yard that will be raised to the 2070/10-year flood elevation. Jason Ferster from OJB Landscape Architecture, he stated that they are using the same plant palette. Jason stated that this project has been reviewed and approved by Duke Bisco from Hatch. Jason stated that the plant list includes plants and trees that like both sun and shade. Bryan stated why they are here is because of the flood plain and most of the surface lot in the existing condition is within the flood plain and stated they are proposing additional volume at each tier. The proposed landscape swales will provide compensatory flood storage.

Jennifer asked at city base what is groundwater table at typically in this area. Bryan stated that they are at 14 or 15. Jennifer stated that at the bottom of the swales they still have room and Bryan agreed.

Bryan stated there will be some duct bank work for the new electric yard as well as proposing a stormwater reuse tank off the new building roof area used for irrigation for the landscaping and will propose a water quality unit for phosphorus reduction and intending to meet the minimum requirement of 65%.

David Lyons stated he frequents this area a lot and asked if they have maximized their opportunities for flood storage. Bryan stated they will look at that, but there are a few constraints because of the utilities and easements.

Erum Sattar stated she knows that they are early in the stage where they would hear from neighbors and residents but was just checking. Matt stated that they have a few soft open houses with the community and neighbors to discuss the landscaping plan and the building addition and have another community meeting on July 7th to continue discussions. Matt wanted to add that this area is open to the public.

Purvi asked if there was opportunity for greening the roof. Jacob Kane of Elkus Manfredi stated there are currently several terraces which are currently partially occupied or used by some of the tenants. He stated that their proposal would include converting 85% of those terraces to green roofs. They would like to still provide tenants with access to the outdoors but converting those roofs.

Elysse spoke about the draft administrative memo for the commission, she put together based on the meeting that the commission held back in May. She said the intention of the document is to serve as a refresher and thought it would be helpful to have resources on hand whether linked or copied into the document. Elysse said she thought this would also be helpful for new members as well. She said she would add in any revisions and add in any information that any of the commissioners thought would be helpful. Purvi thought it would be helpful for this to be regularly updated.

Jennifer said she talked to the IT in the City about a commission only website for this to live on, but they talked about how all this information is public and can live on the city's Conservation Commission website. Jennifer said she would share the link to the Conservation Commission website for the commission to review and make edits to. Jennifer said the city will be updating its boards and commissions interface, companies are submitting proposals of what that should look like with meeting minutes, videos, agendas. Jennifer stated that the city will start with the City Council first and then other boards and commissions will follow along.

Jennifer stated that she shared an email with everyone on remote meetings. Jennifer said she reached out to the circuit writer for DEP because there is a deadline coming up on remote meetings in mid-July. Jennifer read the email which stated that the option to have remote meetings is set to expire in July. The DEP circuit writer stated that the State included this in their budget and that the House version included a remote meeting extension through December 2023, but the Senate version did not include that. They stated they also don't have an approved FY23 state budget yet. They were hopeful that it will be reconciled, and an extension will happen prior to July 1. There was also a House Bill and a Senate Bill that was referenced in the email that MACC put together to reach out to your legislator to support these bills. Jennifer asked Jim Wilcox to confirm that it would also need approval from the city as well. Jennifer stated she was

hopeful that the commission would have options in the future for remote meetings. She stated that this commission has seen how participation has grown because of the meetings being remotely.

Elysse stated that she worked in the legislative offices in both the House and Senate and budget season is a special time. Elysse said they are all welcomed to reach out to their Senators and Legislative people, but would it be ok for the commission as an entity of the city to reach out. Jennifer stated if the commission agrees and votes they can send out a letter on behalf of the commission. Elysse said she would send a summary of the two bills and email that out to the commission.

Purvi asked if we should as a commission should send in a letter. Elysse said that they don't have much time to weigh in on the State budget. Elysse stated the commission should vote on sending a letter to the Budget Conference Committee and then think about sending another letter to the Legislature, since they have more time for that.

Jennifer took a vote on who would like to send a letter of support for remote meetings to the House version of the budget that includes language for virtual meeting extension.

6 – In Favor, 1 - Absent, 0 – Opposed, 0 – Abstained

Elysse will send around a draft to the commission.

8:21 – Meeting Minutes Approved from May 16, 2022

4 – In Favor, 1 - Absent, 0 – Opposed, 2 – Abstained

8:22 – Meeting Adjourned

6 – In Favor, 1 - Absent, 0 – Opposed, 0 – Abstained