



City of Cambridge Conservation Commission

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Public Meeting – Monday, December 19, 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), David Lyons (Vice Chair), Kaki Martin, Erum Sattar, Kathryn Hess, Michelle Lane, Elysse Magnotto-Cleary

Absent Commission Members: Purvi Patel (Chair)

Attendees: Tracy Dwyer, DPW; Jim Wilcox, DPW; John Twohig, New England Development; Kathryn Barnicle, Ilex Environmental; Sarah White Tetra Tech; Bob Daylor, Tetra Tech, Sarah Lemke, New England Development; Jessica Caamano, Tetra Tech; Ellen Mass, Friends of Alewife; Elizabeth Gorda, DCR; Jean Devine, Biodiversity Builders; Jose Orellana, Senne Real Estate; Patrick Magoon, DeCelle-Burke-Sala & Associates; Amy Mertl, Lesley University; Laura Gribbell, Bullfinch Companies; Tim Sullivan, Goulston & Storrs; Steven Nutter, Green Cambridge

David Lyons opened the meeting.

7:00 – Request for Determination of Applicability Floodplain Mitigation 22 Madison Street

Patrick Magoon from DeCelle-Burke-Sala and Associates was in attendance, Jennifer Letourneau went through the documents that were submitted. Patrick stated that the back stairs are in the floodplain with no net loss. Patrick went through the background of the project which he stated is a three-family renovation project with most of the project being internal renovations. Patrick stated that in addition to the bulkhead and backstair well they are also looking to replace the sewer service which is not in the floodplain. They videoed the line and it showed it was not in the greatest condition and there was also an illegal drain connection to it. Patrick stated that they will be replacing that with six-inch PVC sewer pipe and disconnect the drain tie in and direct that to a drainage basin as well as connect the existing sump pump to it. Patrick said the main reason they were in front of the commission was because of the back stairwell is in the floodplain, which there will be no changes to the grading. The basement provides no living

space, is just used for storage and utilities and after speaking with DPW they have decided to install watertight windows as well as a watertight door in the basement.

Jim Wilcox from DPW provided the commission with a review memo and Jim stated that they have done a good job installing watertight windows and a door and there were no changes to grading so there is no compensatory flood storage needed for this work.

David Lyons stated there is no changes to the grading but there is an existing stairway down. Patrick stated that right now there is a hatch door at grade to enter the basement, they will be digging down to make room for a full-sized door to enter the basement.

Erum Sattar asked they are taking these extra steps to protect the basement and utilities from flooding and there will be no living space in the basement. Patrick agreed with Erum, he stated as part of the DPW review they had recommended these added protective measures. Patrick stated that DPW recommended these added features to meet their flood elevations.

Erum stated the owner is required by the city to add these extra features and may have an added cost to the owner.

Patrick agreed, although he stated he was not sure what the added cost was.

Jim stated as part of their building permit review process is their review of resiliency and they use the city's elevations from the city's climate change work, which tend to be higher than FEMA's flood elevations. They need to protect the building for the 2070 ten (10) year storm and flood recovery plan up to the 2070 one hundred (100) year storm. Jim stated that right now this is just a DPW policy as part of the building permit process, but the city is implementing zoning and these requirements would be part of zoning in the future.

David asked what the trigger was in this case.

Jim said that the basement windows were below the 2070 ten (10) year flood elevation and the door was as well. Jim also stated that the other factor that triggers a DPW review is if more than fifty percent (50%) is being renovated it will trigger at DPW review.

Erum stated now there are some projects are being looked at and others that aren't being looked at the way the policy is.

Jim stated that is correct and what triggers a DPW means DPW review between 300-400 building permit applications a year and the city receives thousands of buildings permits a year. Jim stated that as part of the DPW review they do look at whether there is Conservation Commission jurisdiction or not.

Kathryn Hess stated that this property appears to be most impervious material with very little grass and if we are talking about resiliency.

Jim stated that this is just a gut renovation project and DPW would not require a stormwater management plan for this type of project. If they would have put an addition on this project and made the building larger that would trigger a stormwater management permit and they would require the applicant to reduce some of the impervious area or infiltration into the ground, but this is just a renovation project. Jim stated one good thing about this project is that the applicant found out that the roof drains were connected to the sewer system and the applicant is going to correct that and connect it to the storm drain.

David stated that what Kathryn is referring to would probably be part of zoning.

Erum stated that if there were an expansion of the footprint that would trigger stormwater management, but she said isn't there strict guidelines of what lot size can accommodate an expansion.

Jim stated there is zoning that would require some offsets on the property. Jim stated that what would trigger a DPW review would be anything one hundred fifty square feet (150) or larger.

Erum said there are a lot of properties that just don't have the room to add on to a lot.

Kathryn stated that so many properties in Cambridge are already in violation of the zoning.

David stated that if the staircase is being added how is that not a change in the grade.

Patrick stated that there will be excavation onsite and erosion controls but outside of that stairwell going down there will be no change of grading.

Jennifer agreed that there will be no filling in the area.

7:19 – Public Comment Closed – no comments

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

7:20 – The commission approves a Negative Determination of Applicability

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

7:21 – **Notice of Intent**

DEP File #123-319

Garden Upgrades at Cambridge Discovery Park-Acorn Park Drive

Friends of Alewife

Jennifer said there is a correction on the title of the project. She said from now on the project should be known as managed by Jean Devine from Biodiversity Builders. Jennifer stated it is still on DCR property in Bullfinch's Discovery Park, but Friends of Alewife Reservation will no longer be the lead on this project it will be Biodiversity Builders.

Jean Devine was present and went through her present to the commission. Jean stated that they were before the commission to bring the garden project into Wetland Protection Act compliance and to enhance the biodiversity of the garden over the next three (3) years. She stated by us she means herself, Jean Devine, Executive Director and native plants specialist and biodiversity educator who is also the applicant and sponsor of the project. Jean stated with her was Amy Mertl, Assistant Professor of Biology from Lesley University and Ellen Mass Stewart of the garden and founder and honorary member of Friends of Alewife Reservation and key advisor of this project. Jean stated that the purpose of this project is to create an ecologically diverse meadow and shrub garden. Jean showed a map of the project, she stated it's south of route 2, between route 2 and the garden is a parking lot owned by DCR and this is also north of Little River. Jean stated that they are in the floodplain and showed a map indicating that.

Amy Mertl stated that currently the garden consists of one raised garden bed and six flat beds with paths in between them. Amy stated that they added up the area of the beds and paths and that came out to be 3,252 square feet. She stated the areas to note that the eastern part of the

garden is five (5) feet from bordering vegetated wetland as well as multiple access points to the garden and within proximity to a parking lot owned by DCR with access points to the garden. Amy stated that the garden is also accessible from the bike path which runs along the garden to the south. Amy stated that right now there are mostly native plants in the garden but also non-natives and was installed about eight (8) years ago by MWRA and DCR staff with input from Jennifer Letourneau and Ellen Mass.

Ellen Mass gave a history of the land and stated that this garden was installed in 2013 with its history behind the Alewife T stop and now is near the entry bridge to the Alewife Reservation and is near the entrance and exit points from route 2 as well as. She stated that the garden transformed in 2014-2015 when the MWRA was undergoing the sewer separation project and garden and all its plants were transported to Acorn Park Drive. Ellen stated that the land had left into the hands of Green Cambridge and Lesley University and Biodiversity Builders brought students to the area to study the fauna and biodiversity of the area.

Jean stated that they have worked with Bullfinch Companies and DCR for their knowledge of the area, she said that all work will be done onsite and have been staked out, so they know where they are working. She stated that the native plants they add will stabilize the soil and contribute to biodiversity. Jean said they will work to bring the one raised bed to grade like the other six beds in the garden. Jean stated that over the last year they studied the area, so they had knowledge of the growing seasons. She said over the next three years they will work on removing invasives and nuisance plants by season as well as by phenology as well as working on thinning out the Canadian Goldenrod before the fall seed dispersal time. Jean said that they will plant native plants into matrix of existing native species. Jean said they have a grant to plant and over the next three years they will be planting although this spring they would like to do a big planting with plants and plugs.

Amy stated that they think it is very important to document this project when they plant these plants and watch an increase in greater biodiversity in the area in regards to insects. Amy stated and her and Jean will work with high school and college students to take surveys over the next three years of the area and document the changes as well as take insect inventory of the project. Ellen stated that not for the purpose of this permit but for the commission to take note on for the future that the meadows in the area are made up of blue stem grasses which is rare in Cambridge and those should be protected.

Jean wanted to add that the students will be coming from Cambridge, Belmont and Arlington and the site is easily accessible by public transportation.

Jim Wilcox stated that this an existing garden that does not affect any flood storage at this time and what is proposed for the future should not affect flood storage either. Jim stated since this is a preexisting garden it's in a vegetation management stage and he ask that Jennifer and the commission work with the applicant on a vegetation management plan and a schedule for reporting back to the commission.

David asked about the delineation of the garden or what's the border now, is there any fencing. Jennifer said there is no fencing, there are stakes but recently the area was flagged and those are still out there and visible and the limits of the garden are being maintained. Jennifer stated for purposes of the commission a DEP file number has been issued 123-319. She stated that there were no technical comments issued by the DEP so there is nothing that precludes the commission from issuing an order of conditions tonight.

Kathryn asked where the grant is coming from.

Jean stated she received a grant last summer from the “Judy Record Conservation Fund” to purchase plants and they did not have a permit to do the work but was given permission to use the funds this year.

Erum asked about what is going to happen after three years, who will maintain the garden and who will be onsite after three years.

Jean stated they are willing to work on a plan but does not know the protocol, would they apply for a new permit or ask for an extension.

David said typically you would ask for an extension unless you are making significant changes then you would reapply for a new Notice of Intent.

Jennifer stated they could also submit a vegetation management plan to the DCR on the significant work that will take place and will be required to report on it without a limit.

Ellen stated that because of the work by DCR would also keep up the garden because it’s in such a public area, if for some reason no one follows through.

Jennifer stated that there is a good push to the DCR to have a vegetation management plan for the Alewife Reservation and this would fall under that.

Steven Nutter, Executive Director of Green Cambridge with a statement of support for the garden. Steven stated this a great project and is in support of a vegetation management plan and is an important pollinator garden in the city. Steven said that this serves as an outdoor classroom and is a great space. He stated Green Cambridge is also involved in other projects within the reservation and this project would be a great compliment to the others.

7:45 – Public Comment Closed

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

Kathy asked if they could talk about the conditions of this Notice of Intent.

Jennifer stated that an annual report summarizes activities, shows a baseline, delivered at the end of the year after the growing season (December/January), ask proponents to make a small presentation. Jennifer suggested the commission add a condition about the disposal of invasives ask that the invasive species be bagged and disposed of and not composted.

Jean stated that she mentioned that seeds, berries, and anything carrying the roots be put in black trash bags and disposed of and all stems, stalks and green leaf material in leaf bags would that be acceptable.

Jennifer said if they have the workforce to do that they can, but sometimes people don’t have the workforce for oversight.

Kathryn said since they will be planting over several seasons so when would they ask for a report back.

Jennifer stated that it would be for three years and then they could ask for an extension or ask to be moved into a full vegetation management plan for this area.

David stated that they should be pushing to have a vegetation management plan for this whole area with DCR.

David stated that reporting on plantings and disposal of invasives as well as the numbers of students going through the property for educational purposes. He said that he is concerned with the delineation of the property.

Jennifer said she can work with them to monitor the delineation and maintain flags and monitor the wetland area.

Erum asked if there was anything onsite about the history of the site.

Ellen stated that the DCR has a sign about pollinator garden, and they have a kiosk put up by the Bullfinch Companies and they could utilize that for education.

Jean said she is also the founder of the Mystic Charles Pollinator Pathways Group and have been mapping gardens all over. She stated she would like for them to be able to get a permit to put up a pollinator pathway sign. She thinks DCR would like for them to ask to put the sign up on their property.

7:56 – The commission agrees to approve the Order of Conditions with the three special conditions.

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

7:56 - Notice of Intent

DEP File #TBD

Lechmere Canal Park Upgrades

New England Development

Jennifer stated that DEP did issue a file number 123-320 and they have not completed their technical comment review yet.

David stated that the commission heard an informational presentation about this project about two weeks ago at a public meeting.

John Twohig from New England Development stated that two weeks ago they had a very good informal discuss with the commission and since then have had a site walk. John stated that this a refresh project of this city owned park. He said there are team members present at the meeting one to note is the landscape architect and have added slides to the presentation that primarily talks about the drainage.

Katie Barnicle from Ilex Environmental went through the presentation for the commission. She stated that this project is the entirety of the park as well as the land under the bridge owned by DCR. Katie said there are many aspects of this park that will be redone or refreshed. She said that includes hardscape, softscape, art, lighting, sustainability, and trees. She said that the wetland resources areas are unique in this park, she stated that there is floodplain land subject to Coastal Storm flowage, coastal flood plain with no buffer zone which hits the wall in front of Thomas Graves Landing. Katie stated that most of the wall surrounding the canal is at or below sea level which might prevent sea water from getting on the walkway. She stated there was also Land Under Water which is the canal itself and 100-foot buffer zone associated with that, and she stated that they have no inland banks on this project because they are not naturally occurring or riverbank because it is a manmade canal. Katie stated that according to FEMA its at elevation 4 and according to the city base it's at elevation 15.65. Katie stated that FEMA has mapped this area as a zone AE, there is coastal flooding but because of the dams that were created it prevents tidal influence, but the dam does not prevent flooding from a 100-year storm event. Katie said around the mall edge, the lower walkway will be resurfaced, benches replaced, trees pruned and enhanced with better soils, as well as enhancing lower-level plants. She said at Thorndike Way they will enhance the planters, refurbish brick ways, make everything ADA complaint. At Thomas Graves Terrace, improvements to trees, ADA complaint work, refurbishing brick walkways. She said under the bridges they will clean up concrete, enhance lighting, and some

artwork installations have been talked about. Katie said the drainage in the lower canal surface will be an improvement to storm drainage. Katie said there will be some changes to pipe sizes per Jim Wilcox's memo and they will work on those changes. Katie said they do have a stormwater operation and maintenance plan as part of the stormwater management permit. She stated that there will be quarterly cleaning, as side from other regularly cleanings at the end of certain seasons. She said that there will be regular vacuum or hand cleaning of accumulated sediments and debris on the walkways. She stated that they will need a NEPDES permit from EPA, so they will have a stormwater pollution plan in place with that permitting. Katie stated that all work meets the performance standards for the Wetlands Protection Act, there are a few minor activities that don't like tree pruning. She said there will be erosion and sediment controls in place during construction and will continue to work with all boards and the city and finalize the materials used on the walkway. She stated that all 196 abutters have been notified and she supplied the commission with that information.

David asked Katie and Jennifer about how they resolved the notification to abutters from the last meeting. Katie stated that in accordance with the Wetlands Protection Act they notified everyone within a one hundred feet (100) with return receipt as well as posted the meeting notice on sandwich boards in three (3) different locations within the park.

David asked about the site visit and how that went.

Jennifer said the site visit went well. Jennifer said the only additional information she would like to add to Katie's presentation that all ramps will be made ADA complaint, so that means there may need to be some widening as well as some additional landings, not just limited to resetting bricks and changing out railings. Jennifer also wanted to make sure DPW, and staff are aware of all the outfall connections that are going to be there.

David asked about the two new connections marked in orange on the plans that are going away from the canal.

Jennifer said that was a good question, she stated all the connections are going towards the canal but there are two that are going away from the canal.

Kathryn stated that you can't get to the drainage outfalls otherwise. She stated it's providing a connection for the new pipe.

Jim Wilcox stated that some of his comments are information that needs to be provided by the city to New England Development before they can respond to these. Jim stated that this project does trigger a stormwater control permit and what is required is provided in the Notice of Intent which is the stormwater report, erosion and sediment plan and the operation and maintenance plan. He stated since most of the work will be done on city land an excavation permit will be required once a contractor is selected. Jim stated revising the Notice of Intent in appendix A about the abutter notification was explained tonight and he suggested Katie just sending a sentence or two about how the abutters where notified. Jim stated with regarding to brick pavers being replaced and a plan showing where they are located, he thinks this would be best if the site is walked with city staff to discuss the work and where it will be located. Jim stated that a decision needs to be made about the material used for the canal path as DPW has suggested an exposed aggregate concrete that would give the durability and aesthetic that the city is looking for and should be confirmed with the city. Also, he stated that any electrical work that will need to happen onsite will need to be coordinated with the City's Electrician. Jim stated that the inspection of the drainage system and any assistance with that can be coordinated with DPW. He

stated that any tree pruning or removals all of those should be coordinated with the city's Arborist. He said that all pipe size minimums are for maintenance purposes for the city. Jim is also suggesting that the engineer and applicant meet with DPW regarding the layout of the drainage because DPW has some requirement related to the connection's points and access to cleanouts. He also would like a few test pits done along the path for them to get full credit for the infiltration and the city can help with getting those done. Jim also is suggesting that they look at the grade of the path because he believes its too light for the equipment that could potentially be using it. Jim stated the city would like to see a square opening grate for the catch basins. He also would like to meet with the engineer to discuss the phosphorous removal to see if they can reach the city standard which is 65%. Jim is asking they add DPW to their emergency contacts on their operation and maintenance plan and would like to discuss any changes with the agreement between the city and New England Development. Also, in regard to the operation and maintenance plan the applicant should consult DPW regarding winter maintenance regarding deicing materials.

David asked Jennifer and Jim with the comments from Jim's memo as well as the fact that DEP has not issued any technical comments should this get continued.

Jim stated that his comments are substantial enough they he recommends the hearing be continued.

Jennifer agrees with Jim and had spoken to Katie prior to the meeting and although they have a response to most of the comments but were not able to respond to the comments because it was so close to the hearing to become part of the formal hearing.

Katie is asking for a continuance on behalf of New England Development for the next closest date.

Jennifer asked for a confirmation of the January meeting date. Tracy confirmed that the next meeting date is January 23rd, and the submittal deadline is January 4th.

8:31 – Public comment – no comments and will remain open

8:32 – The commission agrees to continue the hearing till January 23, 2023

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

8:33 – Administrative Topics

Meeting Minutes from November 14, 2022

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

Meeting Minutes from December 5, 2022

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

Jim Wilcox gave a brief update regarding the IQHQ project where he stated that the site fence was moved onto city property, there was an exhaust fan on Linear Park and there was also removal of city trees without permission by the city arborist. Jim stated that they value of the

trees were \$4,820 and \$5,146 as well as the \$300 fine per tree from the city with additional funding for planting of 5 additional trees which is \$12,750, the total cost to the contractor is \$23,316. Jim stated that IQHQ was very responsive and corrected the issues and the fine was paid immediately. Jim said that they required the stumps be taken out as well and that work has been completed as well.

Kathryn stated that the concern that was raised for her was the removal of trees, and they were very careful to let the commission know what trees will be removed and what they will be planting. She's concerned about what will be removed in addition.

Jim said that is a concern for the city as well. Jim stated that there many trees that are onsite that are meant to remain and did not have tree protection. Jim stated that they raised that issue with IQHQ, and they corrected that already.

Jennifer said there is a DPW Engineer who is doing regular inspections and in addition she and that DPW Engineer will be doing monthly site walk inspections to make sure no more alterations of the wetland resource area other than what the commission agreed with is done.

David said he was going to ask if there was going to be an increase in inspections. He said it sounds like there will be.

David asked if this occurred within the scope of the order of conditions or outside.
Jennifer said it was outside.

David asked if the trees that were not protected if they were in the wetland resource area.
Jennifer said yes, they were, and Jim said they were both in the resource area and outside the resource area.

Erum asked if there was some overall learning, and do they know why these things were happening and if things would change moving forward.

Jim stated that IQHQ does have a construction management firm managing this project for them and they are making some internal changes so that they don't have an incident like this again. Jim said one of things they talked about with them was they knew where the boundary was, but it was not clearly marked onsite, and they will be putting stakes out there now.

Jennifer stated with the feed back from the commission she is working on getting some annual reporting presentations lined up.

8:53 – Meeting Adjourned

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