



## City of Cambridge Conservation Commission

147 Hampshire Street  
Cambridge, MA 02139  
Ph. 617.349.4680

*Jennifer Letourneau, Director*

*jletourneau@cambridgema.gov*

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### Public Meeting – Monday, November 29, 2021 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), Kathryn Hess, Michelle Lane, Elysse Magnotto-Cleary, Erum Sattar, Kaki Martin

Absent Commission Members: Purvi Patel (Chair),

Attendees: Tracy Dwyer, DPW; Jim Wilcox, DPW; Chrissy Gabriel, IQHQ; Eileen Piskura, Kleinfelder; Jany Madeja, Buchanan & Assoc.; Betsy Fredrick, Kleinfelder; Jennifer Sweet, Haley & Aldrich; Tom Moseley, Shadley & Assoc.; Brian Montejunas, Kleinfelder; Chris Wagner, VHB; Dominic French, Bond Bros; Howard Moshier, VHB; JP Shadley, Shadley & Assoc.; Anthony Galluccio, Galluccio & Watson; Carol Agate; David Bass; Kathy Johnson; Kristin Anderson; Mike Nakagawa; Deborah Gevelt; Suzanna Schell; Janet Burns; Aaron Eicoff; David Surette, IQHQ; Amy Kipp; Diane Martin; Elena Saporta; Eppa Rixey; Eric Grunebaum; Jean Devine; Joan Krizack; Joel Nogic; John Doucet; Jonah Safar; Lee Farris; Lisa Birk; Macky Buck; Renata Pompni, Mass Auduborn; Vicki Paret; Michael Nakagawa; Leonardi Aray; Reva Stein; Rachel DeLucas; James Williamson; David Croce; David Crus, IQHQ

David Lyons opened the meeting.

#### **7:00 – Request of Determination of Applicability** Harvard University – Utility Tunnel Repairs Weeks Footbridge

Dominic French from Bond Brothers was in attendance of the meeting to go over the scope of the project with the commission members. Dominic stated that this project was to make repairs to a utility tunnel adjacent to the Charles River, near the Weeks Footbridge. Dominic stated that construction vehicles would have access to the area on a gravel path the hours of operation would be 6:00 am to 3:00 pm. There would be one truck making deliveries from a near by staging area to the area where repairs would be made with supplies. Access would be in and out from a hatch with tree protection around the trees in construction area as well as snow fencing surrounding the trees for added protection. This project started in August; they will need an additional one to two months more to complete the work. Restoration of any grassy areas would

be restored with loam and seed to existing conditions. Truck access off concrete sidewalk on to gravel pathway would also be restored to existing conditions.

David Lyons asked what the purpose of this work and why trucks would be within twenty-five feet of the river. Dominic stated that this is a one-hundred-year-old tunnel and that they would be making concrete repairs to it as well as some steam repairs and electrical repairs for Harvard University. Deliveries of concrete by truck would be made daily with what materials are needed for the day; materials are stored off site.

Erum Sattar asked how long into the future these repairs would last. Dominic was unsure but would say that it would last twenty to fifty years that it would depend on water damage.

Kaki Martin asked what the current DCR requirements are for tree protection.

Dominic stated that he would be using 3x1 wood pieces to secure the tree and also use snow fence about ten to fifteen feet out for added protection. Kaki asked for a follow-up with the tree protection and asked that it be more than a note on a plan in the future. Jennifer Letourneau stated that this project was already going on and she has pictures of the already installed tree protection. There was no prior Conservation Commission approval before the start of construction and that Dominic worked with her to come to the next meeting to bring this project to the commission's attention.

Jim Wilcox from DPW reviewed this project for technical reasons and the one recommendation he had was to have a spill kit on-site because of the trucks were so close to the river.

**7:18** – The commission unanimously agreed to approve the negative determination, updated with DCR's tree protection policy and special conditions.

1 – absent

1 – recused – Michelle Lane

**7:19 – Notice of Intent**

IQHQ Alewife Park – Redevelopment and Restoration

1 Alewife Center

Continued from October 25, 2021

Howard Moshier from VHB opened the meeting. Howard went through the agenda for the evening, responses from Kleinfelder's review, presentation from JP from Shadley and Associates, tree impacts and compensatory flood storage. Construction includes three new buildings, preservation of two buildings, parking garage, perimeter access road, pedestrian promenade which will run east to west between buildings. They made changes to the garage design to increase compensatory storage below the structure which will reduce tree impacts. This design change saved thirty-six trees and three hundred and fifty-six caliper inches. They also changed out the water quality treatment units to Contech jellyfish units, which would help with additional nutrient removal. In response to Kleinfelder's memo they made some changes such as clarified minor inconsistencies with some of the square footage numbers, provided information for the AUL, gave documentation for coordination with the MBTA, clarified some of the construction sequencing, they also clarified some of the pipe size and calculations. They also identified "waivers" from the City requirements and lastly provided additional modeling for the unique roof systems. Howard stated they are still reducing stormwater runoff significantly and

using stormwater harvesting for irrigation. Howard stated that as defined by FEMA flood maps, they are at elevation eighteen on this property. The compensatory storage is now at a 1:1 ratio or greater. The plan that Howard had shown he stated may not look a lot different but there is a dramatic decrease in the limit of work. Howard stated this was all thanks to the work done by the neighbors and neighborhood groups, which is one way to reduce the impacts to trees.

Howard stated that there will be impacts to trees and that is mostly for the compensatory storage, this would require the removal of one hundred and thirty-six trees, out of those one hundred and thirty-six trees sixty-five of them are under the Wetland's Protection Act jurisdiction. Howard stated that they submitted revised planting plans which calls for seven hundred and seventy-two new trees which is about six hundred and twenty-one caliper inches, two hundred and thirty-six trees with three hundred and thirty-three caliper inches in the current Wetlands Protection Area. Howard wanted to point out to the commission that a lot of these tree's onsite were not planted in the right soils, took root in poorly conditioned urban fills, but the trees that will be planted in this project to be taken care of and planted in the right soils and will be cared for after planting.

JP Shadley from Shadley and Associates went through a planting plan. JP stated they would emphasize plants that would provide food for birds and butterflies as well as to improve the overall ecosystem. JP stated that the current plant type that is located at this site which make up 70-80% are only two tree types which are black locust and cottonwood. These trees make the forest very vulnerable to diseases and pests. Also, over thirty trees were identified by the City Arborist as "needing help" they would need to take down the invasive vines that are going on trees and choking them. JP listed some of the trees that would be planted which include American Beach, a variety of cherry trees, Eastern Red Cedar and White Pine, which will offer some new food and variety to the area. With the currently planting plan JP stated that they have met and exceeded all tree requirements for tree caliper and design to enhance the tree canopy as quickly as possible. They are planning a subgrade, instead of using compacted urban fill and they are also using topsoil rather than urban fill and they also need to follow up on tree care per City requirements. JP stated with all the good planting soil and tree care the trees in twenty to thirty years will have a larger growth rate. JP also stated that "Shad Bush" is another name for Alewife, this tree flowers while the Alewife fish are running, and they are planning on using a lot of them he thought this would be a great way to pay respect to this site.

Howard went through a study that was commissioned by IQHQ at the request from the neighbors and neighborhood groups. This study is using a part of the IQHQ property, which they are currently not looking at developing at this time, would reduce trees impacts and less soil contamination. Howard showed an area on a plan where flooding occurs on IQHQ property and he wanted to show where the lines of equal elevation are at different flood stages. When flood waters rise at elevation 16 plus Cambridge City data and it's contained in ponds and ditches, then he showed at elevation 17.5 where the connection between Jerry's Pond and a wetland, and also water crossed pedestrian access from MBTA headhouse and a driveway. The neighbors asked whether a piece of IQHQ property could be used for compensatory storage this piece of property is located in between, Rindge Avenue, Alewife Brook Parkway and Jerry's Pond. This area was formally used as a restaurant and parking and has very few trees on it. The construction of the compensatory storage would connect to Jerry's Pond and only impact five trees and would save twenty-one trees. This would also let them limit work of almost an acre in the proposed site. As part of this they would not be reducing runoff in design point D as proposed, but the trade off would be saving more trees. They would still be reducing runoff in the twenty-five year and one-hundred-year storm which was in design point D.

Jennifer Letourneau stated that commissioner Michelle Lane has rejoined the meeting. David Lyons stated that Michelle was recused from the Harvard presentation but was in attendance for the IQHQ presentation.

Erum Sattar stated that the plan that JP presented and the new revised plan, did JP's plan take in account the new plan that Howard went through for the compensatory storage. Howard stated they would need to take in account if the commission approved and revise the plans slightly. JP stated they could use some of the existing trees which would not be removed, he said that would mean they would need to reshape some of the pollinator meadows, JP would need to reposition some of the proposed trees.

Eileen Piskura from Kleinfelder went through their comments. Eileen stated that VHB/IQHQ did address all their comments and suggestions, and for this meeting they did not have any additional comments. Eileen stated that what they did with this submittal is just include the items that the proponent indicated will be submitted later to maintain a record of the outstanding items. Eileen stated that she received the planting plan but had not had the opportunity to review it. Brian Montejunas from Kleinfelder reviewed the stormwater. Brian stated that there are some items that he can not answer or provide waivers on that would be the City who would need to do that, related to the 25:2 post reduction rates and phosphorous removal, those would have to be approved by DPW.

Betsy Fredrick from Kleinfelder, had one comment regarding the MBTA license application, they did indicate that the application was provided but maybe the license would be provided when it is approved. The proponent should provide copies in their application to make it complete, but she does not feel that it should make the commission not approve the NOI. Betsy also stated that regarding the jellyfish, she said that the City just recently updated their directives, as part of this update they will allow other technology with recognition they could achieve reduction that the EPA requires in the MS4 permitting. The proponent said that they are being using successfully, Betsy said that any documentation would help with any numbers or any solicitation from EPA for approval.

Jim Wilcox from DPW, Jim stated that the City's mechanism for approving these things would be through the City's Stormwater Permit, were they would grant any waivers to the City's requirements. This would come later in the process, as part of the building permit process, but the City works closely with Kleinfelder and they know what the City will and will not waiver and would make those recommendations.

Jennifer Letourneau wanted to clarify what the proponents are asking for at this hearing is that they would like direction from the commission to the alternative design and if that is something that they should pursue. Also, she stated that the conservation commissions threshold is for a 50% design plan for the Notice of Intent. The plans for the project and stormwater management will have to go through at least a 50% design. Howard stated that at this point with all the studies for the southwest corner and they have done the compensatory storage calculations and stormwater runoff calculations, so they are in a very quick position to advance past the 50% design phase.

Anthony Galluccio stated that this idea that was hatched out of the neighborhood groups and subcommittees in efforts to preserve trees, so this was an idea from the community. They want to get a sense from the commission if this is something that they should move forward on. He stated that Jerry's Pond public access would be in the next order of conditions but wanted to hear from the commission on whether to move forward with the new compensatory storage location.

Public Comment was opened.

Mike Nakagawa wanted to point out how well the neighbors, neighborhood groups and developers are working together to make this project happen and how improvements can be made on a project without shutting it down. Neighbors know and understand the neighborhoods problems to be able to work with the developers. Mike stated with the 25:2 standard he said they should be limiting the amount of runoff to the stormwater sewer system in the City. IQHQ was going to meet that standards, with neighborhood requests to add storage basins within the parking lots. Mike stated in the areas that will not meet the 25:2 and have stormwater runoff will be in the back of the property and that runoff will be directed towards BVW's to the Alewife Brook. Mike stated that with the southwest corner being used there would be a decrease in activity near Russell Field which neighbors have been pushing as to not disrupt contaminated soil in that area of the field because it is primarily used for youth sports. If the commission looks at the retention area near Jerry's Pond, they would be saving an upwards of one hundred trees. Mike also stated the retention near Jerry's Pond also reduced the amount of contaminated soil disturbance. The neighbors are looking for the developers to include Jerry's Pond into this and they are asking for more time to look over the plans and comments.

Joel Nogie a neighbor living on Clifton Street where he has lived for twenty-nine years. He is also the founding member of the Alewife Study Group. He appreciates the collaborative spirit from IQHQ's developers to make this a good project. This is partly to reduce the loss of tree canopy and to reduce the disturbance of contaminated soil on this project. Joel would like the commission to continue this, he would like the smaller groups working with IQHQ to be able to review the 50% design plans and make comments and be able to attend the next conservation commission meeting.

David Bass wanted to point out that working with IQHQ, their consultants and contractors has been rewarding. He said they showed they wanted to make this project good for the community. David stated that asbestos has been found in the soil onsite, he said that they would be using the tent and vent method but feels as though there may be a loss of trees from this method.

Eric Grunebaum, Co-founder of the Friends of Jerry's Pond, he would really appreciate the consideration of the southwest corner for flood storage. This site is very impervious, and we should think about that with the increase of storms and flooding. He said we should also think about putting more trees where people live to reduce the heat island effect.

Kathy Johnson wrote in the comments "reduced one acre out of total acres."

Howard stated that he thought it was nineteen acres, but he thinks her comments came from the statement he made about increasing the impermeable area by one acre with the promenade.

Renata Pomponi from Mass Audubon, she said it's been great working with everyone on this project. She said she would suggest them creating the most natural pond as possible, reducing the heat island effect to promote wildlife and a better environment for the people in the neighborhood.

David Lyons had a question about moving the compensatory storage to the southwest corner and Renata comments about restoring the pond to a more natural pond, he wanted to know what that meant for the pond.

Howard stated that the grading would start halfway up a steep bank. He said that they would not be in the BVW, would also be removing old pavement.

Kathryn Hess asking that if they put this storage in the southwest corner would this limit them to doing anything in the future with Jerry's Pond that they talked about.

Howard stated that this plan keeps a lot of options open for future improvements to Jerry's Pond. It would mean touching something twice but that is about it.

Kathryn asked the site if the proposed storage site has old pavement, but she was wondering if they knew what the soil was like under the pavement.

Jennifer Sweet stated that there are no known containments onsite, it's not natural soil it's fill she said going back in time it was a great marsh at one point. She said it's typical to be urban fill, but no historical information that it would be containments.

David Lyons asked if there were any soil samples in the southwest corner.

Jennifer said there were no known samples, they don't test all soils but would suspect it is urban fill.

Erum asked if they move forward with the plans for the southwest corner would the plans address some of the comments about the heat island effect.

Howard stated that with this design that would be able to preserve a more natural look, with the removal of pavement in this area and more plants would address the heat island issues.

Anthony Galluccio added he wanted to make sure the commission is aligned where they are now. They submitted their article 19, and they have committed to access of the site and public improvements outside of their development area. He understands that the commission has not looked at the second order of conditions, but he wants to be clear they can be flexible with their plans. He said that they wouldn't be back with the Jerry's Pond plan for another nine months to year.

David Lyons wanted to clarify they are not committing on anything for the Jerry's Pond piece, and they are at 50% design phase for the storage piece. Anthony just wanted to make it clear that what they have committed to with the Jerry's Pond improvements is defined in their Article 19 application. If the commission asks for changes to the plans they could, if they are within budget. Anthony said they are trying to protect the area as well as have access to the area. Anthony said they are working with Eric on his plan and if Eric can get funding for his ideas along with consensus of the neighbors, they would be able to entertain his ideas.

Kaki Martin stated that she appreciated JP's presentation and said it's headed in the right direction. She is curious about the next level of development. She said that recently at Fresh Pond they have not only planted what is native to Massachusetts but also native to the county, so they planted what is native to Middlesex county. She wanted to point that out to JP as the plant list of evolves. She said that at Fresh Pond they introduced cultivar, she said because what was wanted was not available. JP agrees that there is a struggle to get what is really wanted and we need to see what nurseries have at that time. Kaki stated that we need to expect the reality of construction because sometimes things we say can be saved but they can't, and she would like

some tracking going forward while construction is on-going. Howard stated that the tree ordinance will take care of that and they will track. Kaki stated that this is the first large project going on with the new tree ordinance.

Elysse stated that the work with the community has been seen, heard and appreciated. She is wondering about the oversight with the soil that is being placed on-site and if this is a special condition. JP stated that the City has a mechanism for the tree growth and care. Elysse wanted to make sure the soil being placed is not in their jurisdiction. Jennifer Letourneau stated that the commission has a process that once the trees are planted, they have a three-year maintenance on the trees and that the commissions approval of the project is part of that. Kaki said that they have a new level of support from the tree ordinance. In regards of a meadow, they have language about density for the plan of success. Jennifer said it needed to be 100% coverage and 90% weed free.

David Lyons asked about the public access of the pollenating meadow. He wanted to know why the access is restricted.

JP said it's not a lawn that they are making, so there is restricted access.

David Lyons asked with the planting they are proposing and the questions about contaminated soil onsite would they be amending the soil.

Jennifer Sweet stated as of today there is no exposure, the areas that will not be excavated there will be no change. She said in the areas that need excavation the ideas will be over excavated especially in areas that need regrading and clean soil replaced back, the amending will be with better soil for trees to grow in.

David asked what the net export of soil will be. Jennifer said she does not know the volume of soil, but they are working to reduce the volume. She said they did submit paperwork with 55,000 cubic yards but they are still reducing volumes and unsure at this point.

Kathy Johnson typed in the comments "Could you give an opinion as to how this project can become an asset in our need for climate change rather than inaction on this highly polluted property?" Jennifer Sweet stated that what JP is trying to do in his plants, and the building footprints are on existing footprint or on parking lots, is all part of climate change. She said with JP's plans with new trees and providing a better ecosystem this will be a great asset. She is really excited about the project and the community involvement.

JP added with the way they are doing the planting and increasing the sustainability there will be a great increase to wildlife habitat.

**8:55** – Public Comment Remains open.

The next meeting will Monday, December 20<sup>th</sup>.

**8:58** – The commission unanimously agrees to continue the hearing to December 20<sup>th</sup>.

**9:00** – **Administrative Topics**

Meeting minutes from November 15, 2021 - approved

**9:03** – **Meeting Adjourned**



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CERTIFICATION PURSUANT TO G.L.c.39, SECTION 23D, THE "MULLIN RULE," OF PARTICIPATION IN A SESSION OF AN ADJUDICATORY HEARING WHERE THE UNDERSIGNED MEMBER MISSED A SINGLE HEARING SESSION

I, \_\_\_Purvi Patel\_ (name), hereby certify under the pains and penalties of perjury as follows:

1. I am a member of the following adjudicatory body, board or commission

\_\_\_Cambridge Conservation Commission\_\_\_\_\_.

2. I missed a hearing session on the matter of \_\_\_the Notice of Intent for IQHQ Alewife Park – Redevelopment and Restoration at 1 Alewife Center\_\_\_\_\_

which was held on \_\_\_November 29, 2021\_\_\_\_\_.

3. I reviewed all the evidence introduced at the hearing session that I missed which included a review of (initial which one(s) applicable):

4. \_\_\_\_\_ audio recording of the missed hearing session; or

5. \_\_\_YES\_\_\_ video recording of the missed hearing session; or

6. \_\_\_YES\_\_\_ official transcript of the missed hearing session.

4. I reviewed the evidence on \_\_\_December 18, 2021\_\_\_\_\_.

This certification has been executed prior to my participation in the vote on the above matter. This certification shall become a part of the record of the proceedings in the above matter.

Signed under the pains and penalties of perjury this \_18\_ day of \_December\_, 2021 \_\_\_\_\_.

*\*Signature date must be prior to the date the Board votes on the matter.*

\_\_\_\_\_  
 Signature of Member

Received as part of the record of the above matter:

Date: 12/20/2021

By: Jennifer Letourneau

Position: Director of Conservation Commission