



City of Cambridge Conservation Commission

147 Hampshire Street
Cambridge, MA 02139
Ph. 617.349.4680

Jennifer Letourneau, Director

jletourneau@cambridgema.gov

Public Meeting – Monday, February 8, 2021 at 7:00 PM 147 Hampshire Street, Main Conference Room 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), Erum Sattar, Kathryn Hess, Elysse Magnotto-Cleary, Kaki Martin

Absent Commission Members: Ted Pickering,

Attendees: Tracy Dwyer, DPW; Jim Wilcox, DPW; Chris Wagner, VHB; Howard Moshier, VHB; Ken Alepidis, Haley & Aldrich; Tori Brown, VHB; Jennifer Sweet, Haley & Aldrich; Mark Haley, Haley & Aldrich; Anthony Galluccio, Galluccio Associates; David Surette; Angelika O'Connor; Eppa Rixey; James Williamson, 1000 Jackson Place; Amy Kipp; Eric Grunebaum; Joel Nogie, Clifton Street; Kathy Johnson; Mary White, 175 Harvey Street, Apartment 9; Mike Nakagawa; Lisa Birk, 20 Castle Park; Greg Harris; Michael Brandon; Rachel DeLucas; Craig Nicholson

Purvi Patel opened the meeting.

7:02 – Abbreviated Notice of Resource Area Delineation One Alewife Park

Commission members and also members of the public had a site visit on February 5, 2021 of the area. Christopher Wagner from VHB, Environmental Scientist, Howard Moshier, Tori brown, Christopher and Tori were the ones who walked the delineation of the area. Christopher showed the picture of the area and the delineation of the site as well as wetlands in the area. The wetland areas that are on site, southern portion of site is Jerry's Pond, on the northern area of the pond there are bordering vegetated wetlands that are permanently flooded like the pond and have a different plant community and soil make-up. These areas were also delineated by Christopher and Tori in accordance of the delineation bordering vegetation manual that is used by the Massachusetts Department of Environmental Protection. Christopher also pointed out that in the northern part of the land on the west side there were other wetlands as marked on the plans. Particularly the "estimated BVW" which could not be accessed because it was fenced off, but as shown on the plans that Christopher explained is a one hundred (100) foot buffer zone of BVW and bank as depicted in the plans. As well as depicted around Jerry's Pond which is the

commission jurisdiction. Christopher pointed out that in addition to the wetland areas there were two other areas one labeled “Wetland 1” north of Jerrys Pond and “Estimated ILSF” located in the northwest corner part of the site, ILSF means Isolated Land subject to Flooding. Those areas regulated under the states Wetlands Protection Act but do not have the one-hundred-foot buffer zone. These areas can hold flood waters, vegetation, hold required volume, which is why Christopher wanted to point those out. Flood plain also exists onsite also extending into the parking lot.

Purvi Patel pointed out that they submitted an existing condition plan with their submittal, which was too large to show in presentation format but that did identify, BVW, inland bank, BLSF, ILSF and land underwater.

Erum Sattar asked what calculations and characterization were done for “Wetland 1” and “Wetland 2”, because both of them are within the one-hundred-foot buffer zone. Christopher explained that “Wetland 2” like Jerrys Pond the buffer zone is within one feet of the wetland- the water’s edge, but “Wetland 1” is ISLF because it does not get assigned a one foot buffer zone under the Wetland Protections Act.

Erum asked what it means for the one-hundred-foot buffer zone and Christopher replied its just to point out what are the limits to the commission’s jurisdiction. Christopher also pointed out that a lot of this land is subject to flooding as it is in the flood plain and that would also be in the commission’s jurisdiction.

Kathryn Hess stated with the submittal in figure 4 the flood plain delineation was different from what Haley and Aldrich submitted. She would like to know which one would be used for this site and why they are different. Christopher explained that figure 4 was based on FEMA flood plain maps but it is a preliminary figure that VHB uses. He explained that a survey is a better way to be determine the flood plain and those plans were submitted with the NRAD and RDA for Haley and Aldrich. That would be more a plan of record and used moving forward.

Purvi stated that the FEMA line was a little light and would recommend in future plans making that line a bit darker.

David Lyons the BVW on the west side what are the bordering on? Christopher said that there is an assumption that there is a connection between them “Wetland 2” and “Estimate BVW”.

David stated that there is an access road and that they would be connected under the road. Christopher agreed, he said there is also a large culvert near the “Estimated BVW”. David asked if they were bordering on a river, stream, creek? Christopher stated they are connected to the Little River which is part of the Alewife. The river is off site but there is a connection which makes it BVW. David asked if the Concord Turnpike to access road is also BVW? Christopher said no.

David asked Jennifer Letourneau if the City ever had a peer review, consultant on an NRAD? Jennifer stated they haven’t but that BSC Group did some polygon work for the City back in the late 1990’s, and stated that these polygons are consistent with the work.

Jennifer stated that there were some questions in the chat referring to river front and asked that Christopher confirm the riverfront area. Christopher stated that any riverfront area would be on the opposite site of Alewife Brook Parkway.

Erum Sattar stated that she observed Jennifer taking notes at the February 5, 2021 site meeting and asked if those notes would be shared with the public or shared here tonight at the meeting. Jennifer stated those notes were to compare with submittal documents itself to make sure there was no missing information on the submittal. Jennifer said the site visit was not technically a public meeting but was posted as a public meeting because there was a quorum of the commission members. She said that all questions and information in her notes from the site meeting have been addressed here at the meeting. Erum wanted to make sure everyone was aware, Jennifer said that Purvi stated that there was a site meeting at the beginning of this meeting and also Christopher from VHB also stated it as well. Jennifer said that all topics that were discussed at the site meeting have been address so far this evening.

Purvi Patel asked if Jennifer if she was in concurrence with the delineations. She wanted to make sure Jennifer was comfortable with the delineations and how it was conducted. After the delineations were drawn up she met via Zoom in November/December with Christopher, Tori and Bryan Walsh of VHB and verified that yes these were the delineations. Jennifer stated that yes these were the correct delineations of the site independent of VHB.

Purvi stated that at the site meeting on February 5, 2021 the commission members who were present were; herself Purvi Patel, David Lyons, Erum Sattar and Kathryn Hess.

Jennifer read the Q & A questions.

Rachel DeLucas – “I didn’t get to send via email but I am interested to understand how City of Cambridge will be providing oversight and independent interpretation of any findings for the site sampling data as laid out in these two documents. Moreover, what is the followup process once areas of particular interest are flagged for more extensive testing.”

Jennifer stated the WPA does not give oversight of findings that would be governed by the MCP and DEP.

Joel Nogic – “I’m not seeing the video of anyone at the meeting? Is there a reason that it is not available to the public. Thank you.”

Jennifer stated all video is turned off for this meeting.

Anonymous Attendee- “Which commission members attended the site inspection?”

Jennifer stated that Purvi answered this question earlier and the members were Purvi Patel, David Lyons, Erum Sattar and Kathryn Hess.

Mary White – “Is there riverfront area?”

Jennifer stated that was answered in the meeting and that the riverfront area is on the opposite side of Alewife Brook Parkway.

Kathy Johnson – “How many people are present at this meeting (from the public) Thank you”

Jennifer responded that there fourteen people present from the public.

Lisa Birk – “Hi Jennifer. I presume there is time for public comment at this meeting? Could you confirm, please? Thanks”

Jennifer said stated yes.

Jennifer then opened up for people to speak who were from the public.

Rachel DeLucas – is a near by abutter she was curious about the strip of land that she believes that is owned by the DCR and how that is being handled.

Jennifer stated that this meeting is just about the delineation of the site and resource area and the second part of this meeting is about the soil sampling that will be done onsite. She said that this meeting was not in regards about the future of the sites plans.

Kathryn Hess asked if Jennifer could point out on the plan shown where the DCR land was. Jennifer pointed out that the land that DCR owns in along Alewife Brook Parkway, similar to the Charles River were the land adjacent is considered park land.

Amy Kipp asked how this land fits in with the DCR master plan for the Alewife Reservation. Jennifer stated that this site is not in the plan for the DCR master plan for their property. Amy asked if the DCR had any jurisdiction of this site? Jennifer said they do not. She also asked if the boundaries been verified by any other source? Jennifer stated that in the late 1990's by BSC Group.

Eric Grunebaum of the Friends of Jerry's Pond and a neighbor he asked about the wetlands and about the green and blue dots which were depicted on the plan shown at the meeting, he asked about the steep banks marked around Jerrys Pond and asked if they were consider them a biodiverse area? Or how would they characterize them? Christopher from VHB stated that the Wetland Protection Act does not distinguish between qualities of wetlands, high, midland or low. This is just to speak to the boundary and the jurisdiction. Eric asked Christopher as a wetland expert would he consider the steep bank a high-quality wetland or not? Christopher explained to Eric that as part of this NRAD they don't enter into those characterizations that they are just pointing out the wetlands present onsite and areas of jurisdiction.

Joel Nogie resident of Clifton Street, he was at the site walk on February 5, 2021 and was curious as to why the commission member and members of public were unable to get close to the marked out resource areas to confirm delineation and also confirm the wetland vegetation species. He wanted to know why they were not able to get close because it was his understanding that once this land is delineated then that is it.

Jennifer stated that most of the area was fenced off and that she is a certified wetland scientist and have confirmed that this area's methodology. Jennifer said with the confirmation of the wetland plants during the site visit, the weather conditions and safety of the public and commission members that they did the best they could with the site walk. Joel stated that the fence has gates and asked if it was possible for the Jennifer to ask permission of the owners to open the gates to get a closer look? Jennifer stated that that was her call to make and she said with the active AUL onsite that was not something that she was willing to do.

James Williamson from 1000 Jackson Place, James asked why the wildlife of Jerry's Pond is not in the category in the submission, and why the Heron from the pond were not part of the delineation. He also asked about the three separated wetlands and asked about the different jurisdictions of the commission as related to these wetlands and their characterization. Also, James pointed out there was a signed letter of permission from David Surette the land owner authorizing permission to access the fenced in areas.

Jennifer Letourneau stated that the governing act of the commission is the Wetland Protection Act, in that act the commission is looking at the delineation of the wetlands for their jurisdiction.

Jennifer went through the various acronyms and types of wetlands. BVW, is bordering vegetative wetland, ILSF is isolated land subject to flooding, this type of land might flood 1% of the time but is not connect to any other water source and there is flood which is land that is subject to flooding 1% of the time but is connected to larger water bodies and culverts. There is also riverbank which is part of Jerry's Pond. She said all of these are the jurisdiction of the commission. Jennifer also stated that the signed letter from the owner was for VHB and Haley and Aldrich to access the site. Jennifer did not ask for access to the site for the purpose of the site walk. Jennifer stated that wildlife is part of the Wetland Protection Act but for the purpose of the delineation is not part of it, it would be part of the plan when there is a determination of the future of the site. She stated if a Notice of Intent comes to the commission for this site, they will have a discussion about the wildlife then.

Mike Nakagawa stated he was present at the site walk and lives near this site. He stated he was disappointed that they were unable to access the site on February 5th. Mike stated that the owner was present for the site visit and could have allowed them access. He also stated that the AUL does not limit walking or site visits and that the EPA has determined that there is not health risk associated with the property. His concern is that there has been no other site visits for delineations. His concern is that the conservation commission has not had a proper site visit for determining the delineation and that the delineation was being determined by someone hired by the owner and thinks that it was not proper for Jennifer to verify the delineation over a Zoom meeting. He thinks it would be a good idea to have an independent study of the area instead of using something that was done over twenty years ago.

Lisa Birk, lives at 20 Castle Park would like to echo others with an independent study of the delineation, it's a large site and we can't unbuild something. She is asking the commission to have an independent study done of the site to verify the delineation. Lisa also asked if the wetlands are vulnerable to the increased usage of the site? Jennifer stated that this meeting is the determination of the delineation of the site the second part of the meeting will be some exploratory work done onsite. The commission has no knowledge of future plans of the site yet. Jennifer explained that if/when plans come to the commission there would be a Notice of Intent hearing when is open to the public and that is when that would be reviewed. Lisa stated that we do know that some buildings come down and some will stay so over all there will be increased traffic in the area. She wanted to know how that will impact the wetlands. Jennifer said without the plans in place they can't address those concerns.

Mary White she had a question about riverfront. Riverfront area has a twenty-five feet. Mary stated that Jennifer pointed out the riverfront adjacent to Alewife Brook Parkway. River front and bank have wildlife, she asked if they needed to do a wildlife assessment. Jennifer stated there was no wildlife assessment needed at this time.

Michael Brandon stated that Jennifer mentioned back in 1990's that BSC Group did a wetlands delineation and was wondering what changes have occurred and was wondering if those plans could be posted on the website. Jennifer stated that the polygons are available on GIS and she said that they overlaid the polygons on the plans and they matched up, VHB had not seen the polygons previously.

Q & A questions.

Anonymous Attendee “Jen, did you say you took notes at the site visit? If so, can they please be Web-posted?” Jennifer stated those notes were her personal notes.

Eric Grunebaum “I spoke with DCR last week and the strip of land they own is all the way along the western edge of the IQHQ site down to Rindge Ave. They are updating the MA GIS which they say is incorrect.” Jennifer stated that the site is correct on the plans that they are looking at which is in red on the plans.

Mike Nakagawa “but not answered can we get independent verification?”

Erum asked if there is a way we can get the public an answer for whether there could be an independent study of the site. Purvi asked if Jennifer was able to get onsite to flag verify the site. Jennifer stated that she was never onsite to verify but she said there were other projects in the area such as the reconstruction of Russell Field that required the delineation of the site. Jennifer stated she has only verified this online but feels very confident in her personal opinion that the delineation is correct.

Purvi asked of Jennifer if the commission could ask her to do a field verification of the flags for the delineation. Jennifer said that is something that can be done. Purvi also asked if there was a way they could also get an independent study done. Jennifer stated that she is a certified wetlands scientist and is able to do the review for the commission that is something that is part of her job, but they could also go outside of the City of an independent review, but it was up to the commission.

8:07 – Public Comment Closed

Kathryn Hess someone mentioned the DCR masterplan, she said that two of the resource areas have names and was asking the consultants to update plans with the names. Asking for future submittals have some updates and reconciliation with the DCR.

Purvi had confidence of Jennifer going out to do a flag verification of the site.

Elysse was fine with Jennifer going out to verify. Elysse asked if other would be invited and if it needed to be posted. Jennifer stated commission members can come but it would only be posted if it was a quorum attending.

David Lyons agrees to have a second look at the delineation, especially with information from DCR would be helpful. David is in favor of continuing the hearing.

Erum agrees with David and an independent look would be helpful.

8:14 – Continue Hearing – pending a site visit for verify delineation, as the commission unanimously agreed to continue the hearing.

Jennifer stated that additional Q & A questions were available.

Michael Brandon asked that Jennifer posted her notes from the site visit. Jennifer said she would write up her notes and have those posted.

Kathy Johnson asked if mating season would prohibit. Jennifer said she would keep the visit small as not to disturb mating season.

Eric Grunebaum “The primary document DCR consulted to correct the MA-GIS is the MDC “Order of Taking”. Info on the document is here: MDC’s order of taking and taking plan (both MPC 577) at Middlesex South, dated July 28, 1908. Note that the MA GIS has not yet been corrected while legal at DCR reviews.”

Commission was determining whether they should move forward with the other hearing because they were continuing the hearing with the NRAD. Purvi agreed they could move forward with special conditions as well as the rest of the commission members.

8:23 – Request for Determination of Applicability One Alewife Park

Jennifer Sweet from Haley and Aldrich was in attendance and she was accompanied by Mark Haley and Ken Alepidis. Jennifer Sweet stated that these borings would help with the design and engineering plans for the development of the site. The investigations would be temporary. The borings on the west, south and east sides may or may not be done. Most of the borings will be done in the parking lot area, there also maybe borings that need to be performed under buildings, once they come down. All borings will be 3-6 inches in diameter and 10-15 feet deep, these borings will be conducted by with a truck mounted rig in the paved areas and in the grassy areas with a track mounted rig. Second program is to collect surface samples of water and sediment samples from Jerry’s Pond, these samples will be conducted by a small boat and carried over land by hand, In the forebay area samples will be conducted by foot. Sediment will be collected in the top 6 inches of bottom of pond. The first step would be to take water depth measurements, so they have the right equipment.

Purvi wants to know if we already have a special condition for swamp mats and invasive species management. Jennifer Letourneau responded no that there is not a special condition in place. Purvi was concerned with them leaving the site with out decontaminating as to not carry any invasive species away from the site. Jennifer stated she would add that into the special condition of this permit.

Erum Sattar would like to confirm that the boat being used for Jerry’s Pond would be left there or being carried out each day. Jennifer Sweet said she thought they would carry it out each day but wouldn’t be proposed to leaving it in each day. Jennifer Sweet affirmed that the boat would be hand carried from the truck to the pond, but that they would do whatever is less disruptive to the area.

Erum also asked that they would be holding off on the non Jerry’s Pond borings. Jennifer Sweet responded that they would work on the higher need of the borings which is near the building foot prints and paved areas.

Purvi stated they would have in a condition on any of the borings that are near the buffer zones. They would ask for revised plans of the accurate delineation if it does change.

Elysse Magnotto-Cleary asked Jennifer Letourneau if any of this type of work done in this area. Elysse was asking if there was any water sampling done or sediment sampling done in the area. Jennifer Letourneau stated no, they wouldn't get it back, goes on record with Mass DEP.

David Lyons asked if there were sampling borings done in the northern areas, what are they expecting to find there. Jennifer Sweet stated that borings were not done there since 2006 when a permanent solution statement was filed for MPC site.

David asked what the containments of concern are. Jennifer Sweet said that it's best to search by the Mass DEP website, search by the Release Tracking Number.

Jennifer Letourneau opened public comment.

Angelika O'Connor – concerns about the exploration of Jerry's Pond with the time when they do the work because of the Heron's nesting time. Jennifer Sweet said they would do the sampling when the ice is gone for the pond. Jennifer Sweet explained that the boat has no boat and would be hand paddled. Angelika was concerned about the amount of days they would be doing work, she said one day they leave and come back but more then one day if there are eggs in the nest she's concerned. She would like to get back with Jennifer Sweet on the timing. Angelika stated that the Heron at Jerrys Pond come there to nest, not to fish. Jennifer Letourneau stated that she said we can condition this as to consult the Mass Audubon for advice.

James Williamson – James stated that there is a history of swimming in Jerry's Pond with many chemicals and he said that people in the neighborhood remember the pond was quite deep. He wanted to know why there was no sediment sample for the middle of Jerry's Pond. James also asked about the borings, and not maybe we will and maybe we won't, it should be known a head of time. He also expressed a concern of the Notice of Intent, there ought to be a negative finding tonight, there ought to be a Notice of Intent and not to waive it.

Mary White – the boring projects she's seen they take on a bit of water and some require hay bails and straw tubes and additional clean up. Jennifer Sweet explained there no borings near the BVW. She asked Ken Alepdis to explain about the boring process. Ken explained that the process is with geotubes, with minimal water and in a sample tube and then replaced back in the hole. The larger borings do have water involved but are containerized, with very limited water runoff. All borings are contained in a tub, but what is spilled out it is cleaned up immediately.

James Williamson – asked if he could get a response to his previous questions. Jennifer Letourneau stated that the paperwork filed was the correct paperwork.

Mike Nakagawa - curious about the water samplings, will the containments get stirred up will they be releasing this into the pond. Why only 6 inches, should we be going deeper? Jennifer Sweet stated that they were surface sampling they do have historic data for the state. She stated they were doing surface water samples mid column no multi depth sampling.

Mary White- wanted to let the commission know she is representing herself as a resident at 175 Harvey Street apartment 9.

Kathy Johnson – was a monitor at Alewife for ten years, she said over the years there have been a unique bunch of birds added to the community. She expressed her concern for the necessary but intrusive work that is being done in the area.

Joel Nogie – asked about the sampling around Jerry’s Pond, he said there is no sampling on the soil around the pond. He said there is asbestos around and in Jerry’s Pond and why there is no testing going on or will there be more sampling later on? Looking on IQHQ plans for the future of Jerry’s Pond and the building of the boardwalk, he thinks borings will be needed to take place for that work. Jennifer Sweet stated she understood Joel’s questions but for the project for now they don’t need those samples. She said that when the project develops further that they would need to propose more sampling to be done.

Lisa Birk – flag for the commissioners that one of the most of the responsive agencies have been Haley and Aldrich and Jennifer Sweet, she said that Jennifer Sweet has been very responsive that they would treat this site as contaminated. She appreciates Jennifer Sweet and IQHQ on their honesty.

Rachel DeLucas – wants to understand the samplings in the pond, she said it seems that they are grabbing stuff. She said would they think about a core sampling? Since we know a history of the pond. What test protocols are being applied to samples? Are there state protocol standards? Jennifer Sweet stated core samples are more rigorous, they just want the current state of the surface water and sediment. This is not to reopen permanent solution filed, this is just to give the state an idea of what the current state of the pond is. Rachel wanted to know if they will actually see the sampling data. Jennifer Sweet said the data will be shared in submittals sent to DEP.

James Williamson – put information in the chat.

Jennifer Letourneau stated that the paperwork they filed in the correct paperwork. In the Request of Determination Applicability, there is an exemption in the paperwork exploratory work for design and engineering. She stated this is just exploratory work.

James stated if he understood this correctly this is asking permission to do the sampling. The negative finding is determined only to allow them to do this testing. The sampling in the middle of the pond, there is a template for sampling? Jennifer Letourneau said they can determine what sampling needs to be done there is no template. James asked why no sampling in the middle of the pond. Jennifer Sweet said the sampling in along the perimeter so if someone was to access the water they know what is in there and the sampling in the middle of pond was requested. Jennifer Sweet stated that these samples that are ones they feel that are appropriate at this time.

Mary White – asked if the use of lidar is appropriate here to determine depth? Jennifer Sweet stated that they will measure depth with a weighted tape measure, the depth measure is strictly for the correct tools for taking the sampling.

9:12 – Closed Public Comment

Purvi said that if the negative determination was approved these would be the special conditions.

1. Swamp Mats – invasive species management

2. ORAD issued for previous hearing and asked for a resubmission of plans if delineation changes to wetland boundaries occur.
3. Proposed borings in the footprint of buildings are OK, but hold off on wetland boundaries, well away from 100 feet of western and southern boundaries
4. Consult with Mass Audubon or like professional for Heron nesting season

Kaki Martin stated that the issue with the birds, this is not unlike the run with the alewife in the Charles River. It's reasonable to do research to have the least disruption on the Heron in the area.

Jennifer Letourneau agreed that this would be good to determine a time frame to get the work done.

Erum – this would be good to determine an optimal time period.

Kathryn Hess – add on another one hundred feet on the southern and western boundaries to not approve until the delineation approval is complete. It would give the commission time for the determination of the wetlands. Jennifer Sweet asked one-hundred-foot buffer off every buffer, so a two hundred foot buffer. Kathryn there is still isolated wetlands that need to be checked out so maybe one hundred feet off any proposed buildings.

9:20 - Commission unanimously approved a Negative Determination of Applicability with Special Conditions.

9:21 – Administrative Topic

Meeting Minutes from January 25, 2021 were approved.

9:22 – Meeting Adjourned