



City of Cambridge
Conservation Commission
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Jennifer Letourneau, Director

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Public Meeting – Monday, January 27, 2025, at 7:00 PM
Zoom
MEETING MINUTES

The following meeting minutes were taken by Lena Frappier and are respectfully submitted.

Present Commission Members: Jennifer Letourneau, Director; David Lyons, Chair; Elysse Magnotto-Cleary, Vice Chair; Erum Sattar; Kathryn Hess; Lorie Graham; John Leo; Khyati Saraf; Jim Gerstle, Associate; Sean Bedingfield, Associate

Attendees: Kara Falise, DPW

David Lyons opened the meeting stating all commission members are present.

7:00 – Administrative Topics

Meeting Minutes Approved– November 18, 2024, with edits
7 – In Favor

Meeting Minutes- December 16, 2024, to follow

Jeniffer Letourneau asked the commission for their thoughts on the Submittal Policy. She stated every submittal is vetted in advance and a pre-submittal meeting is requested so the policy would require a meeting with the director to review the project scope and determine the appropriate submittal in advance. She said having a pre-submittal meeting helps people to understand exactly what the expectation is for whether it is an RDA, a request for determination of applicability, an NOI, or whether they just want to come in for a presentation. It helps determine if something is an actionable discussion, an actionable project or not and just an information session like if they are looking to set up a lemonade stand in the middle of the Memorial Drive, they have the level of awareness concerning mobilization, action, and demobilization. Jennifer stated the policy also expressly lays out what constitutes a complete submittal so that there are not numerous copies, but electronic files and items are received in a timely manner for the legal advertisement as required by the Wetlands Protection Act. She also included there are directions concerning notice to abutters because of issues that we've had along the Charles River in particular. The standard is 500 feet from all edges of the property and for example Memorial Drive Phase III is doing the best they can with notifying management companies, but the offset that's in the Wetlands Protection Act would be no notification for some of these projects. Jennifer stated the new DEP

regulations should address stormwater standards, but until that is finalized it is best to put people on notice along with the tree ordinance. As we saw with the MBTA they may be exempt from the ordinance, but including it brings awareness before submittal. She listed the requirements for extensions, partial and full certificates of compliance, and legal advertisements are outlined. Jennifer said she will update the newspaper of choice, which will be The Cambridge Day as The Cambridge Chronicle is no longer in existence.

David supported the direction stating it is helpful to have policies like this succinctly stated in a standalone document for applicants and other stakeholders to review.

Kara Falise questioned what a recommendation versus requirement for the submittal may be. For example, we can't tell them what storm event to use because the Wetlands Protection Act will direct them to the stormwater handbook. She questioned if we should be stating they need to reference Cambridge storm events in the stormwater handbook and that will be updated with the new storm events.

Jennifer stated the language was approved by City Engineer Jim Wilcox.

Kara asked if it should still be more generic and less specific so if the stormwater handbook is updated revisions to the policy are not needed. She related that in zoning it asks to refer to current documents rather than updating zoning.

Jennifer specified that policy, rather than ordinance, can easily be voted on by the commission instead of addressing the city council.

Kara voiced concern that the policy may disagree with the handbook.

Jennifer detailed that the policy is written in agreement with the current handbook but not the Wetlands Protection Act.

Elysse Magnotto-Cleary expressed her appreciation and stated while it is a document meant for applicants and people that come before the board, it is nice refresher for the commission and can be used as a check-in for future meetings. She questioned if guidance versus policy would allow the document to be more malleable and have a yearly review dated in the disclaimer.

David interjected the discussion of whether it's guidance or policy is an interesting piece legally as we can't exceed our authority by publishing this document but it can be a guide to the existing rules so you can understand what's expected.

Jennifer stated this will provide the format and submittal expectations.

David agreed that the information may not be expressly addressed in the regulations, but this is a very legalistic format and easier to understand.

Jennifer asked if there should be discussion on guidance or policy.

Jim Gerstle mentioned sometimes in ISO documents you allow an exception at the end so that way if it's a policy, you give them a process for bringing an exception to your policy forward. He also asked if a proponent is the same as an applicant and suggested using one word throughout along with inserting links.

Jennifer said she conversed with Kara about a website called Hemingway Editor to run your document through that ensures it is in plain language and of a certain level so that it's understandable by absolutely anyone. This will be used more going forward as it is difficult to edit your own writing.

Lorie Graham stated from a lawyer's perspective, policy states you need to follow it whereas guidance says maybe not. She continued that if this is what Jennifer needs then we should proceed with policy assuming the commission is able to set their own policies.

Jennifer agreed that the language should be policy as it lists the requirements needed to make the agenda.

Lorie asked where this document would be located and who would have access to it.

Jennifer answered the policy will be posted on the Cambridge Conservation Commission website specifically.

Erum Sattar stated from another lawyer's perspective, she would split the difference and call it policy guidance. She also said the document is deeply understandable and asked if other commissions have any similar documents.

Jennifer responded through her communications with the other commissions along the Charles River, Newton does have a document, but it is not updated often with an online submittal system that is not always working. She said as we transition to accepting applications online, expectation of what should be included is needed and may morph into a checklist. Jennifer stated she has already laid out the template for online submissions by figuring out language, order of steps, and uploading PDFs. She typically does a manual check of the physical document to see the signature from both the landowner and the applicant.

Kara stated that most applications through viewpoint have a review for completeness check and hold the permit until that is completed.

Jennifer specified that a holdup of the online civil system is that there is not a mechanism for accepting checks online. One check goes to the DEP and one goes to the city and nothing can be moved forward until there is DEP file number so there are things out of our control for moving submittals forward. She stated that having this document first will help that process and she will include the suggested hyperlinks.

Erum stated this sounds like a great process for streamlining and could possibly be a great story to share at MACC.

Jennifer informed the commission that everything is moving to less interaction including the legal ad process as she must log in and upload copies so there is even less paper and more streamlining.

Khyati raised a question concerning document requirements in the policy and stated the statement, "*the original document is to be submitted with full-size plans and the copies are to be submitted with plans no larger than 11 by 17,*" is confusing.

Jennifer responded that if they do opt to submit hard copies, then they should be no larger than 11 by 17. There was a time when some commission members preferred physical copies and those would be mailed so a full-size set was too large to be delivered. This commission has all opted for electronic files.

David reviewed comments submitted by himself and Elysse and stated the city has updated the website slightly with minutes being more accessible, but membership still being outdated. He also said if members were able to receive city email addresses it would help facilitate communications with the commission, city staff and the public. David said his lawyer response was to create his own email specifically for the commission and city activities for the case if there were ever public records requests, he would not have to dig through his personal email. He stated the website could still use updates that might include project specific pages or statements when members of the press or elected officials are in attendance. David also mentioned possibly moving the meeting as it overlaps with city council meetings. He stated that in other commissions there is not always a professional director or staff for writing decisions so it may be helpful for commissioners to review things like the language in special conditions before they go out. David moved to tracking and reports on open permits and asked if those may be made public.

Elysse added that she is not opposed to her email being shared, but asked if it may be possible to have an item on the website where a comment submitted could be forwarded to the commission members.

Jennifer interjected that emails have been requested by the commission and the public and informed the commission that she has taken the steps of submitting that official request. She stated that she would like to mimic the format of the Planning Board's website listing documents and decisions. After submitting that request, IT informed Jennifer that the city is rolling out a new platform where agendas, meeting minutes, videos and public comment go directly to the platform. It is her understanding that the platform has been constructed and with the roll out a project manager will be assigned for the transition. She stated that during the Jerry's Pond project there were questions raised about emails, and she will follow up with the commissioner of DPW and the law department. Jennifer also said that the city manager's office is responsible for the commission's website and every year the membership is updated along with the financial disclosure forms sent in, so it is unknown why that information is not accurate. She stated that all these items are in process, but they are not quick. Jennifer said she will share the planning board link to for perspectives as commission members and residents. She asked the commission to give their thoughts on moving the meeting date and stated that her preference is Monday as her city work hours are extended Mondays.

Lorie stated she is unable to attend Tuesdays and Thursdays for her teaching responsibilities as well.

Erum agreed that Tuesdays would not work regularly for her either.

Jennifer interjected that Fridays probably would not be preferred either. Leaving Monday and Wednesday she would prefer keeping it the same.

David stated there have been special meetings on other days of the week when necessary and it's probably something that only comes up when there's a high-profile issue.

Jennifer said she would entertain Wednesday if needed, but it is very beneficial to take advantage of the Monday working hours.

Elysse added because city council meets on Monday and that was really the impetus of the conversation around the date change, it's just another tally in the box of how to increase public comment. She stated the portal to submit comments on the website is another argument for creating some type of mechanism for folks to get public comment in.

David stated there is frustration also with receiving comments at 4:00 pm so there could be a rule saying comments are due the Friday before a meeting.

Jennifer said that even concerning the Memorial Drive Phase III project there was a robust public process and there are still groups of residents that asked why they had not heard about the project before. She told them there were mailers, signage announcing meetings and legal ads. Jennifer stated she does not know how to overcome this.

Elysse interjected that is bound to happen and alluded to the August meeting where DCR was asked to connect with condo associations aside from 1010 and it was clear that hadn't happened so that was the impetus of the connection point and follow-up. She stated that Jennifer has them do the right things, but what is the follow-up.

Jennifer gave the example when there is construction in her neighborhood, they tape a notice on the door and being one of four units, she feels like she is the only one to read it. She moved on to discuss tracking permits and said when she receives annual reports, she files them and sends them out but maybe only announces them at the meeting rather than discussing or presenting them. Jennifer stated whether it's Fresh Pond Reservation, the annual report from the Charles River Conservancy on Hell's Half Acre, Green Cambridge telling us how they did with their summer youth in the Alewife, the floating wetland in the Charles River, or the Aquatic Vegetation Management from the Charles River, she will make their reports part of the record but does not always share them with the commission.

David stated it is important to him to have some understanding of what is coming in sort of due diligence sense as a member of the commission. He continued that he would be fine with just a copy of the report and not create more work requesting a summary but that always would be welcome. David also suggested that the Director, Chair and Vice Chair could receive the reports to help with disbursement.

Jennifer asked if a spreadsheet would be beneficial to share with everyone listing the current annual reports, the DEP file numbers, the who and the what of the projects, the dates and their most recent annual report. She will create the spreadsheet and share it for the next meeting to help update everyone on current projects.

Lorie questioned logistically what the most convenient way is to distribute or contain the information rather than always needing to put things together and send them and if that is a possibility for the new website.

Jennifer responded that it's not operational in that way yet, but she can complete this task to help create a dialogue. She also said depending on the load there could be site visits to get the commission members into our jurisdictional areas. Jennifer continued that Belmont Hill Windsor Boat Club will be coming before the commission to redo their float system and she will be vetting the project with Erica Frazier from Four Point Associates to go over their submittal. She stated this year there will be a very large project with the MBTA rail line expansion going into North Station. They're going to be adding more tracks going over the Charles River into north station and redoing their cantilever system and their bridges as well as the supports and the North Bank Bridge, which connects North Point Park to Paul Revere Park. It most likely will be phased, but it is in jurisdiction to the Charles River and in the Wetlands Protection Act jurisdiction so that will be coming in the upcoming months. Jennifer said another larger project expected this year is the Eversource Greater Energy Project which is this very large directional boring of electric lines under the Charles River from Magazine Beach by the soccer fields close to the workout station. They'll have slurry pits and all kinds of nature things and they're going to be going 1,800 feet but they just don't know where they're going to connect yet so they can't quite move the project ahead until they know where they're going to land on the Boston side. She stated Magazine Beach Phase 2.2, which we extended recently behind the pool, is going out to bid this week so that will be under construction this summer. The sidewalk widening by the BU bridge and up to the BU Boat Club that we permitted for the DCR is almost 100% complete.

David stated the meeting has been helpful and thinks the bridge looks good with that big safety improvement. He also mentioned he may need to recuse himself on the Eversource project.

Jennifer stated the next meeting is February 10th and would like to continue the administrative topics since there is no filing to be presented.

Elysse interjected that she would be willing to share all her notes on the memo.

8:09 – Meeting Adjourned

6 – In Favor 1 – Absent