

Minutes  
Watertown Conservation Commission  
Lower Hearing Room  
Wednesday, December 7, 2011  
7:30p.m.  
*Adopted January 4, 2012*

**Conservation Commission Members Present:** Marylouise Pallotta McDermott, Patrick Fairbairn, Charles Bering, Lou Taverna, Leo Martin, Maria Rose

**Staff Present:** Christopher J. Hayward, Daphne M. Collins

**Members of the Public Present:** See Sign-In Form

---

Pallotta McDermott chaired.

**1. Public Hearing – Request for Determination of Applicability (RDA) – Waltham Street Apartments WWO-11-09 to conduct geotechnical investigation in association with the Waltham Street Apartments proposed development. Applicant: WP East Development Enterprises, LLC. Owner: LIG-JCDS Realty Holding Company, LLC**

John Benson of Beals and Thomas and representative for the applicant informed that a geotechnical study was necessary for the design of the foundation for the Waltham Street Apartments. This involves installing borings in the buffer zone. He noted that access to the area will be by truck on paved roads. Most of the borings will be located in the pervious areas. The work is considered minor. He requested that a negative determination be made as the work will not be detrimental to the resource area.

In response to an inquiry by Taverna, Calvin Wong identified less than 20 borings will be performed. Only 2 to 3 borings will be in the 150' buffer zone. He noted that the testing will not be deep reaching depths of only 10' or less. He indicated that a support tank with water will be brought by another truck. Fairbairn thought that the most destabilizing aspect of the project was the two-axel vehicles but that it was minimal as the access to drill in the sensitive areas will be on the paved areas. Wong noted that the work would be done by New Hampshire Boring, a subcontractor.

Mary Flynn, 66 Edwards Road, asked how the subcontractor will approach the site. Benson responded that it would from Pleasant Street by the Target site which was all paved.

**Vote:** Rose moved that a Negative Determination (#2) be assigned to the Request for Determination for Waltham Street WWO-11-09. Taverna seconded the motion. The motion was unanimously approved.

**2. Public Hearing Continuance – NOI – Waltham Street Apartments, Waltham Street, DEP# Pending/WWO-11-05, to develop a two five-story apartment buildings and one four-story apartment building containing a total of 222 apartments, including 372 parking spaces and site amenities. Applicant: Richard Dickason, WP East Acquisitions, LLC. Owner: LIG-JCDS Realty Holding Company, LLC.**

Kevin Maley informed that the project had been presented to the Planning Board on November 10<sup>th</sup> and is continued to the December 15<sup>th</sup> meeting pending the modification of control documents. CC voted to continue the item to the next CC Public Hearing on January 4, 2011.

**3. Public Hearing – NOI – 5 Bridge Street, DEP #Pending/WWO-11-10 for site improvements which include construction of a new loading dock and ramp, new trash compactor and concrete pad, new bulk gas storage tanks and concrete pad, and the relocation of existing pervious walkway and new egress door. Applicant: 1366 Technologies. Owner: Farley White Aetna Mills, LLC.**

Mike Fabbiano, of Highpoint Engineering Inc., engineer and representative of the applicant, presented changes in support of the business operations for 1366 Technologies, a tenant of the site. The changes proposed are the construction of a new entrance with an egress door, a trash compactor and concrete pad, a concrete pad to support the storage tanks for argon (30') and nitrogen (17'), and modification to a previously approved walkway.

Rick Tattersfield, principal of 1366 Technology, reported that he was interested in the site to relocate his solar company of 35 engineers and scientists. His company is developing a solar panel that will be cost competitive with coal. Presently, he is outgrowing his site in Lexington and he needs a site where he can build a lab space where a pilot manufacturing plant can be created. He needs to be in by July to meet production commitments. A large covered loading area is required for the process. He assured that the loading will occur on off working hours.

Fabbiano noted that originally the plans were to locate the generator on the roof. However, engineering investigations indicated that the roof cannot support the load of a generator.

Fabbiano said that the work will take place within the hay bale and silt fence lines identified in the plans. He informed that the generator is a natural gas fired one and will sit on a pad of concrete connected to the asphalt area. An oil and gas separator and sump pumps will be installed. There will be plantings and a retaining wall on the west side of the generator. The size of the pad precludes a fence and planting buffer facing the parking lot to the south.

Fabbiano assured that the tanks were non-explosive. If there are any leaks, the material will escape in gas form and be absorbed into the atmosphere. The argon and nitrogen will be delivered in liquid form. They were proposing painting the tanks black which would be less visible from the riverfront walk.

Fabbiano noted that the project is in the resource area and in the flood plain. The grading will be revised to get a net zero gain in flood storage capacity. In addition, he noted that the pervious to impervious area will be improved by the addition of two grass plots. The applicant still needs to mitigate by a ½ parking space.

Pallotta McDermott was upset that the proposed new location for the generator was being presented for the first time at the meeting, and was not part of the packet materials for CC review.

Rose was concerned about the possibility of argon or nitrogen spilling as liquid into the river. Tattersfield assured her that it would gas out before that could happen. Rose inquired about the thickness of the generator pad. Fabbiano responded that it would be 6” to 12” thick and 1’ to 2’ above the flood plain. In addition, he noted that the generator and tanks need to be above the flood plain for insurance coverage.

Fabbiano said that locating the tanks to the front of the building were looked into but were found to be inadequate by the landlord and too costly as existing utilities would need to be relocated. Fabbiano informed that white pines that will grow to a total estimated height of 50’ are proposed to cover site lines.

Martin requested that a west side location be explored for the tanks and generator as the south side location is not ideal from a conservation protection perspective. Pallotta McDermott requested that the tanks and generators be moved from the south side.

Fairbairn requested that another location be considered as the south side abuts directly to the public resource.

Rose requested that documentation of an Alternative Analysis be submitted as the generator and tanks are too close to the river and buffer zone. In addition, she requested that pad mitigation be provided to absorb any oil spill from the generator getting into the river. Rose also requested that contour interval methods and cross sections be added to the floodplain analysis.

Martin inquired why a grass plot in the southwest corner was provided as mitigation instead of a contiguous area. Fabbiano responded that it was proposed to meet both the CC and Planning Board parking requirements.

**Note:** Taverna moved to continue the item to the next CC meeting on January 4, 2011 pending an Alternative Analysis and other materials requested. Rose seconded the motion. The motion was unanimously approved.

Christopher Rife, 103 Beechwood Ave., requested that an alternative to the concrete pads for the generator and tanks be explored.

Bill Kahn, 166 Maplewood, was concerned about the height of the tanks.

#### **4. Review of the GSA Proposed Plan for Environmental Restoration, Anne Marie Desmarais, Environmental Insight.**

Anne Marie Desmarais, Environmental Insight and consultant to the CC, summarized the December 1, 2011 public meeting on the Final Remediation Investigation of the GSA site. She was satisfied with the alternative presented that considered wetland replacement and the removal of the buildings at the site. She reported that the next meeting will be in spring of 2012. She prepared a letter in response to the meeting of December 1<sup>st</sup> with the CC’s comments. The letter is time sensitive and will be mailed out December 8, 2011 with minor revisions.

Bill Kahn, 166 Maplewood, questioned the permeability of the membrane liner proposed. Desmarais responded that PCB do not migrate and are stable. The preferred method is not to disturb it and to isolate it. She suggested that the CC wait until the cap design details are proposed. The best being a two system cap – one synthetic and one natural. If the CC is not comfortable with the design being proposed it can respond at that time.

**5. 2012 Conservation Commission Meeting Schedule – Adopted.**

**6. November Minutes – Approved.**

**7. Old Business**

Item	Update status
Whitney Hill Report	Hayward is to review the Town Manager’s packet scheduled for filing before the TC. Hayward will bid out the markers and installation to surveyors.
Recycling Center/Filippello Park	The TC rejected the DPW Subcommittee’s recommendation for relocation. Pallotta McDermott to draft a letter to TC notifying them that the CC will be contacting the National Parks Service regarding the illegal location of the recycle center at the park.
Storm Water Advisory Commission	The second ordinance has been docketed with the Subcommittee. The Storm Water Commission continues to make progress on the third ordinance.
Rivers Protection Act	Gideon Shriver, Senior Planner, is updating the RPA areas on the Town’s GIS map.
GSA	See above Item 4.
Coastal Zone Management Grant	Rose explored potential projects for grant application – no eligible sites were found.

Meeting adjourned at 10pm.