

**Minutes**  
**Watertown Conservation Commission**  
**Lower Hearing Room**  
**Wednesday, February 4, 2015**  
**7:30 p.m.**

**Conservation Commission Members Present:** Marylouise Pallotta McDermott, Maria P. Rose, Charles C. Bering, Louis Taverna, Patrick Fairbairn, Leo G. Martin

**Commission Members Absent:** N/A

**Staff Present:** Christopher J. Hayward, Susan C. Jenness

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Pallotta McDermott chaired.

(Minutes adopted 3-4-15)

- 1) Public Hearing – Notice of Intent – Charles River Maintenance Dredging Project-** Robert Lowell, DCR: Applicant/Owner. Steve Lecco, Representative: GZA GeoEnvironmental, Inc.

Chairperson McDermott (McDermott) opened the hearing and began reading a letter dated February 4, 2015 written by N. Tay Evans, Marine Fisheries Biologist and Technical review Coordinator of Commonwealth of Massachusetts Division of Marine Fisheries (DMF).

DMF wrote the letter to the Conservation Commission (CC) upon having reviewed the Notice of Intent filed by DCR seeking to remove accumulated sediments at the Faneuil Brook outfall. Faneuil Brook is characterized in the letter as responsible for conveying stream and storm water as well as combined sewer over flow to the Charles River.

The letter stated that the Charles River has long supported diadromous fish and is one of the few systems in the state to support a large run of blueback herring. Other species named were alewife, American Shad, rainbow smelt, American Eel, Atlantic Tomcod and white perch.

DMF submits to an annual request for locking protocols at the Charles River Dam to facilitate fish passage during spring spawning run in order to protect these species. DMF has been involved in anadromous restoration efforts in the Charles River for decades including a shad fry stocking program run collaboratively with US Fish and Wildlife since 2006.

Fish passage and water quality improvements have been a great benefit to the public. There is a scarcity of viable anadromous fish runs present in greater Boston other than in the Charles River. This is one of the main reasons why DMF was asking the CC to take every available precaution during this project to ensure work activities do not negatively impact these resources.

The following recommendations were made by DMF.

- The CC was asked to place a time of year restriction of no in water, silt producing work, or work that will obstruct the waterway from February 15 until July 15.
- Improvements to storm water management in the water shed were suggested to minimize the need for future dredging of sediment at the outfall.
- DMF recommended that DCR work with the Cities of Boston and Watertown to address any storm water improvements that may be necessary over time to both improve water quality at outfall and minimize need for future dredging.

Following the reading of the letter, McDermott informed the commission and public that GZA Geoenvironmental, Inc. requested that the filing fee be waived per the towns Wetlands Ordinance.

**Motion-**Rose makes a motion to waive the filing fee. Taverna seconded the motion.

**Vote-** There is a unanimous vote to waive the filing fee.

Robert Lowell, DCR Representative, appeared for the public hearing.

The DCR has filed this Notice of Intent in an effort to remove a sandbar which has formed at the outfall as a remedy to the street flooding which has occurred on Birmingham Parkway and Soldiers Field Rd last year. He stated that flooding has been a problem and he anticipates more in the future. DCR has contracted with GZA Environmental for this project. He introduced Steve Lecco, Environmental Consultant who appeared as GZA Representative and turned the presentation over.

The dredging area consists of a 37,000 square foot area. 22,000 feet is in Watertown and 15,000 are in Boston. This is a limited dredging project for maintenance and repair to improve the flow of water at the Faneuil Brook Outfall.

The exact location is across from the Charles River Motel. The last dredging of this area occurred in 1922 and this project is meant to return the area in concern to the same state as at that time.

This is a hydraulic dredge as opposed to mechanical. A cutter head or suction like vacuum will suck up sediment into slurry which will be carried roughly one mile along a pipe line into dewatering bags.

There will be a minor loss of aquatic life during the dredging but the adults and juveniles should be able to swim away. Army Corp of Engineers has conducted studies that show that the marine life should be able to recolonize quite easily.

This dredging will lead to improvement of the quality of water as it is mostly road sand being removed. Collaterally, it will improve navigation as it removes a large shoal that impairs navigation at the current time.

In 2012 four sediment samples were taken and broken up into two and sent to the lab. There were slightly elevated levels of cadmium and two PAHS' were slightly high as well. There are some recent samples that are being tested now which appear to be similar material as from the testing in 2012. Results are now being awaited at this time.

After the water is suctioned into dewatering bags, the water will drain out of the bags and flow naturally over land into a catch basin. Once the sediment is dry the bags will be unzipped and the sediment will be removed and loaded on to trucks that will transport it away from the site out of Watertown to an area that is undetermined at this time. There will be no turbidity curtains used in this project because they are not effective in flowing waters like the Charles River. The work area will be fenced in.

McDermott asked the Agent to comment.

The Agent stated to keep in mind that DMF has requested that silt producing work be done by a time of year restriction. He stated that he thought the dewatering should be in progress sooner than April if possible.

The Agent requested copies of all permits issued at the time of the meeting with Boston where the other 40% of the work is under the jurisdiction of.

**Public Comments** - Mr. Elliott Friedman asked after the sediment is removed, what will the new elevation be?

Mr. Lowell responded that the elevation of the water is at 108 before the dredge. After the dredge the elevation will be at 96 and that there are no other shoals as significant as this one.

**Motion-** Taverna makes a motion to close the hearing. Bering seconds the motion.

**Vote-** A unanimous vote is taken to close the hearing.

McDermott stated that the Commission will review the Order of Conditions and sign it at the end of this session.

- 2) **Certificates of Compliance Request** – 192 Pleasant Street, DEP# 321-0155/WWO 13-02 (New development), 321-0153/WWO 12-04 (Withdrawn development) and 321-0148/WWO 11-08 (Contaminated soil investigation).

John Wardwell appeared as the builder and developer of the site.

The Agent met with the developers on the site and did a walk though right after the first snow storm. He made note of the following items.

Agent Comments:

There was no snow in the drive way as it was all trucked off per Order of Conditions.

There are still workers doing interior work. Portable outhouses are still needed and present but have been moved away at the request of the agent from the environmental areas being protected.

As to the catch basin system - Mr. Wardwell and Mr. Dillon will add more rip rap to the catch basin on the western side of the building after the snow melts so runoff does not erode the slope and the sod that was installed in late fall. The Agent will follow up.

The Agent has been walking along the river and looking at recently developed locations to see how various storm water mitigation measures have been working. He has met with the 192 Pleasant St site foreman on a number of occasions and observed that the storm water swale at the rear of this property has been operating as designed after a rain storm.

The Agent referenced the three CoC's to consider in this project. The first one #321-0155 follows the current project. #321-0153 followed the previous NOI submittal by a different developer that had been withdrawn after an Order of Conditions was issued. #321-0148 followed the original owner's contaminated soil investigation.

The current project addressed all the requirements associated with the current Order of Conditions as well as those of the two previously issued Orders of Conditions. The request for the CC's sign off on all three certificates of compliance enables the new owner to have a clean record through the Registry of Deeds.

The Agent was in agreement with the report by Mr. Wardwell and Mr. Dillon. The Agent asked for a copy of the LSP report when it is issued.

**Motion:** Rose made a motion to issue the three certificates of compliance. Fairbairn seconded the motion.

**Vote:** A unanimous vote was reached to issue the three certificates of compliance.

McDermott states the Commission will sign the three Certificates at the end of this session.

- 3) **Commission Minutes of January 2015**-Minutes adopted.
- 4) **Old Business-** The Agent mentioned the large amounts of snow. Rose asked the Agent if the trees are used to being packed in by the intense snow. He responded that wild life will be more of an issue as the animals find nutrients by gnawing into the tree trunks. He lost 21 new trees during the winter last year.

The Whitney Hill Park annual report has been submitted to the Town Manager.

The MACC conference registrations are due by this Friday.

**5) Agent Update/New Business**

**Order of Conditions for NOI 321-0159/WWO 15-2** - Conditions are discussed and reviewed and signed by all commission members.

- Special Condition added acknowledging the request made by the DMF for a time of year restriction for working in the river (No dredging between 2/15-7/15).

**Certificate of Compliance 321-0155/WWO 13-02** is signed by commission members.

**Certificate of Compliance 321-0153/WWO 12-04** is signed by commission members.

**Certificate of Compliance 321-0148/WWO 11-08** is signed by commission members.

Meeting is adjourned at 8:55 PM.