



CITY OF MELROSE

CONSERVATION COMMISSION

City Hall, 562 Main
Melrose, Massachusetts
Telephone - (781) 979-
Fax - (781) 979-

Melrose Conservation Commission Minutes for April 16, 2020

Present: Susan Murphy, Kate Hickey, Aaron Weieneth, Richard Doucette, Paul Moore and Ryan Sloan

Absent: Mike Paiewonsky

Staff present: Eric Devlin

Ms. Murphy opened the Remote public meeting at 7:30pm and read the Remote meeting statement below.

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Melrose Conservation Commission will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the City of Melrose's website, at www.cityofmelrose.org. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, or in the event that we are unable to do so, we will post on the mmtv3.org website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

All Votes will be recorded via roll call votes. There has been an extension to permitting deadlines applicable to Commission proceedings pursuant to Chapter 53 of the Acts of 2020. Deadlines extended out 45 days after conclusion of the State of Emergency.

Minutes-

Motion by Mr. Weieneth to approve the minutes from February 6, 2020 and March 19, 2020, as written. Mr. Doucette seconded the motion and it was voted Roll Call

vote: Richard Doucette – yes, Kate Hickey – yes, Paul Moore – present, Susan Murphy – yes, J. Ryan Sloan – present, Aaron Weieneth – yes
4-2-0 in favor.

Public Hearing:

217-0208 Notice of Intent 0 Swains Pond Ave/Hillside Park - The applicant requested a continuance to the next meeting to address outstanding items.

Motion by Mr. Doucette to continue to the May 07 meeting at 7:35 pm. Mr.

Weieneth seconded the motion. Roll Call vote: Richard Doucette – yes, Kate Hickey – yes, Paul Moore – yes, Susan Murphy – yes, J. Ryan Sloan – yes, Aaron Weieneth – yes
6-0 in favor - Unanimous

217-0209 Notice of Intent Lot 1 Maple Terrace - Ben Minnix (engineer Eaglebrook Engineering), Jay Bradley (applicant/owner), Nancy Bradley, Richard Mede (Medford Survey). Ms. Murphy requested a site visit prior to any potential issuance of an Order of Conditions for the property. Mr. Minnix described the site plan. Existing lot is a Subdivision from 20 maple terrace, Owner proposes to construct a 4 bedroom dwelling, centrally located on the lot, frontage on Maple Terrace. Wetland area delineated along maple terrace roadway. Proposed structure is to be located within the 100 foot buffer zone. Driveway from Maple terrace to the proposed house adjacent to steep ledge along edge of property that limits the ability of the driveway to be located completely outside of the 20 foot no construction zone. Water service that must be located away from existing sewage pump chamber and provide adequate ground cover for utility service to the site.

New force main proposed to provide new sewage service without disturbing existing service to the other lot.

Stormwater management for site is designed for 1” runoff removal. Removal of existing garage on site is approximately a 1:1 replacement for new house roof area. Downspouts from roof to a drywell infiltration area. Catch basin at top of driveway connected to cultec infiltration chamber and Trench drain at bottom of proposed driveway and catch basin at top of driveway and cape cod berms on both sides of proposed driveway with retaining wall on the wetland side. Trench drain at bottom of driveway that directs runoff from driveway to a sump basin and small infiltration basin.

Stone proposed along capecod berm on ledge side to control velocity of stormwater onto driveway and direct to area drain with headwall and riprap into wetland.

Questions from the Commission about the wetland delineation, not shown on plan.

Width and steepness of the proposed roadway concerns. Mr. Mede- Norse Environmental did the delineation last spring, not sure of exact date. Wetland flags shown on plan. Mr. Minnix – Straw wattles on both sides of the roadway to protect wetland on opposite side of the road. Driveway designed to limit runoff from area. Catch basin on top to capture runoff before entering the driveway, runoff from the ledge not being directed onto driveway. Ledge not very deep below surface and proposed driveway located to provide enough depth for new sewage service without disturbing the existing sewage system. Question from the Commission on the stream. Shown on plan starting at a culvert and fading out with no source area shown. More details requested on the wetland system, is it an isolated land subject to flooding? Existing driveway that crosses stream, possible to use that as common access to both lots? Mr. Minnix- Long ago the system was likely a natural system with larger wetland area. Over time, development as made much of the area into drainage receiving area. Small pooling area near roadway with Two 24” pipes

that drain out of the area under the street. Not sure if area holds a ¼ acre of water in ponding area or depth.

Question from Commission whether driveway could be located on other site of wetland area. Mr. Bradley- Existing driveway on the other lot, not on this property. No room on side closest to 20 Maple terrace to locate a driveway on that side of the wetland (upstream side).

Existing common access on plan to garage from driveway question on property ownership. Tree proposed for removal just outside 15' no disturb, question on why it needs to be removed. Mr. Minnix- Owner of 20 Maple Terrace currently owns both lots. Tree would likely be destroyed during retaining wall construction.

Mr. Doucette- Not clear on depth or frequency of water ponding in this area. Question if it could be isolated land subject to flooding. Lot line creation date? New lot line, applicant seems to have made a mistake not considering driveway location during recent lot line creation. Mr. Mede- Lot line originally created in 2017 and revised in 2019. Mr. Minnix- Access to 20 Maple terrace would be cut off if lot line was moved.

Ms. Murphy- Wetland not delineated on opposite side of maple terrace roadway. Mr. Minnix- Not present at wetland delineation and is not a wetland scientist, believes wetland on opposite side of road is about 10-20 feet off the edge of pavement on that side. Runoff from driveway is captured by a trench drain at bottom of driveway. Runoff on existing street sheet flows over the existing road into the wetland.

Public Comment

Brent Robie 58 Crescent Ln, Malden, MA- question on whether the proposed driveway area has been previously developed or undisturbed. Lots of invasive japanese knotweed in wetland currently and history of illegal dumping in the area.

Site visit coordination under social distancing guidelines- phone contact info of the applicant to be given to Commission members for site visit. Commissioners to go to the site individually rather than a group. Staff will send contact info to the members. Mr. Bradley lives at 33 Rudolf st in Malden, next door to 20 Maple terrace. Proposed driveway is on left side of the existing utility pole- Applicant will install stakes with flags for proposed driveway visual indication.

Motion by Mr. Doucette to continue to the May 07 meeting with Commission site visit. Mr. Weieneth seconded the motion. Roll Call vote: Richard Doucette – yes, Kate Hickey – yes, Paul Moore – yes, Susan Murphy – yes, J. Ryan Sloan – yes, Aaron Weieneth – yes

6-0 in favor - Unanimous

Request for Determination of Applicability, First Pond/ Mt. Hood by Melrose Park Dept.- Kara Sliwoski from Solitude Lake Management was present to provide information on the current treatment plan. The pond is currently on a maintenance program, monitoring based. Solitude visits the pond monthly and assesses appropriate treatment at the time. Can be more proactive and treat as needed. Lots of Algae in the

pond currently. Copper based algaecide being used. Systemic or contact herbicides used for nuisance aquatic vegetation as needed. Herbicides selected that do not have irrigation limitations because the golf course uses the pond for irrigation purposes.

Ms. Murphy- Possible impacts downstream from current pond treatment?

Ms. Sliwosky- All treatments chosen will degrade quickly within 24-48 hours depending on sunlight exposure and other factors. No impacts downstream expected. Same contract from 2017, auto renew clause.

Mr. Doucette- Pond treatments usually done as a RDA or NOI?

Ms. Sliwoski - Varies from town to town.

Ms. Murphy - History of the City using RDA for pond treatments.

Mr. Doucette – Ok with RDA for this type, would like Commission to be notified whenever herbicides are being used.

Staff- Negative 2 determination suggested with 48 hours notice required prior to herbicide application.

Motion by Mr. Doucette to issue a Negative 2 Determination with 48 hour notice before treatment. Mr. Sloan seconded the motion. Roll Call vote: Richard Doucette – yes, Kate Hickey – yes, Paul Moore – yes, Susan Murphy – yes, J. Ryan Sloan – yes, Aaron Weieneth – yes

6-0 in favor – Unanimous

Request for Determination of Applicability – Ell, Swains and Towners Ponds by Melrose Conservation -

Ms. Sliwosky from Solitude Lake Management was present for this project to describe the proposed treatment plan. Ell Pond treatments vary from year to year depending on funding. A pre-treatment survey and post treatment survey after Alum treatment to mitigate available phosphorus in the water. algaecide treatment prior to alum treatment and herbicide application if necessary for nuisance vegetation growth in stagnant water areas near the fields. As water clarity improves, more sunlight can reach deeper in water and can see increase in nuisance growth in the relatively shallow western cove. Water chestnut hand removal for control and past water sampling.

Towners and Swains have similar programs, pre/post survey and single treatment in late summer for invasive management. Leave some Lily growth for habitat.

Funding situation in uncertain, this is the general permit for the management program not the specific contract for this year.

Question from Mr. Doucette- funding for the water chestnut removal since it is an additional item in the contract?

Staff- We augmented the program with volunteers, very limited budget available, more volunteers would be beneficial. 48 hour notice for treatments usually included in determination

Ms. Murphy- We will need to focus on expanded volunteer effort for water chestnut removal.

No one from the public present for comment.

Motion by Mr. Doucette to issue a Negative 2 Determination with 48 hour notice before treatment. Ms. Hickey seconded the motion. Roll Call vote: Richard Doucette – yes, Kate Hickey – yes, Paul Moore – yes, Susan Murphy – yes, J. Ryan Sloan – yes, Aaron Weieneth – yes
6-0 in favor – Unanimous

217-0210 Notice of Intent 12 Island Hill Ave by Windsor at Oak Grove for 16' x 22' Mail locker storage shed. - James DeVelis civil engineer from DeVelis Zrein Inc present fro the applicant. Mr. DeVelis described the project area. 16 foot by 22 foot building within 200 feet of Spot Pond Brook proposed. Amazon came up with idea for centralized mail locker storage shed for package delivery to be located within the existing fenced in area near the pool. Proposed site is about 35 feet from the flagged BVW and mean high water line to the existing pool shed. Pitched roof on building with gutters and downspouts to direct runoff into an infiltration system. 2" stormwater capture design with some replacement tree planting. Exisitng steep slopes off site to the stream separated by a paved walkway and fenced in pool arera. No public comments received, no DEP comments. Lawn and trees in the proposed area.

Ms. Murphy- DEP file number was issued, straightforward file so simplified special conditions suggested.

Mr. Doucette- Erosion controls special condition- have staff inspect erosion controls. Timeframe for construction?

Mr. DeVelis- a month at the most, just a concrete pad.

Motion to close public hearing and issue an Order of Conditions with only erosion controls inspection special condition by Mr. Doucette, Second by Mr. Weieneth.

Roll Call vote: Richard Doucette – yes, Kate Hickey – yes, Paul Moore – yes, Susan Murphy – yes, J. Ryan Sloan – yes, Aaron Weieneth – yes

Discussion:

Remote Participation signatures – vote to authorize agent to sign on Commission behalf –
Ms. Murphy- Either daisy chain forms for signatures or authorize staff to sign documents.

Motion to authorize the Conservation Agent, Eric Devlin to electronically sign MCC Documents on behalf of individual Conservation Commission members. By Mr.

Doucette. Second by Mr. Sloan, Richard Doucette – yes, Kate Hickey – yes, Paul Moore – yes, Susan Murphy – yes, J. Ryan Sloan – yes, Aaron Weieneth – yes

Pine Banks Park Pond (217-0198) - Extension of Order of Conditions – Ms. Sliwoski was present again to discuss the program. Similar to other ponds in generally a monthly maintenance program. Assess situation each month and treat as needed. Mainly managing algae as needed. Future plans for some other treatments that are being researched for feasibility. Original filing was to approve hydro-raking for the pond, this is still a possible treatment but no indication at the moment that hyro-raking would be used. Hydro Raking was completed on the pond at some point in the past, possibly around 2005 but Ms. Sliwoski was not part of that project so exact date is not known at this time.

Staff- They were asking for 3 years, not specifically said in request.

Motion by Mr. Doucette to Extend the Order of Conditions for 3 years, Seconded by Mr. Weieneth. Roll Call vote: Richard Doucette – yes, Kate Hickey – yes, Paul Moore – yes, Susan Murphy – yes, J. Ryan Sloan – yes, Aaron Weieneth – yes

Emergency Certificate - Mt Hood Beaver dam – 2nd beaver deceiver install – Staff issued an emergency certificate at the beginning of March. Mt. Hood wasn't able to get the second Beaver Deceiver device installed within the allotted time frame. USDA trapped 2 or 3 more beavers and removed them from the site and installed the second device within the dam. No further issues expected at the site and water flow was restored.

Motion by Mr. Doucette to issue a Emergency Certificate for the Beaver Deceiver install Seconded by Mr. Moore. Roll Call vote: Richard Doucette – yes, Kate Hickey – yes, Paul Moore – yes, Susan Murphy – yes, J. Ryan Sloan – yes, Aaron Weieneth – yes

Certificate of Compliance (217-0147) – re-issue for 20 Maple terrace – Original Certificate of Compliance was issued in 2008 but was never recorded by the homeowner and was lost. I have a copy of the Certificate in the file that proves one was issued at the time. The registry of deeds requires an original so a new one would need to be issued for recording. New Certificate of Compliance would have the current date on it, Commissioners would like to see the site since they will be doing a site visit on the adjacent site anyway before issuance.

Motion by Mr. Doucette to continue to May 7 meeting pending site visit, Seconded by Mr. Moore. Roll Call vote: Richard Doucette – yes, Kate Hickey – yes, Paul Moore – yes, Susan Murphy – yes, J. Ryan Sloan – yes, Aaron Weieneth – yes

2020 ponds treatment proposal approval – Alum treatment item is time sensitive, better to be done in May. Not as effective if done later from past treatments. DEP permitting fee and Alum treatment approved since Commission currently has funding to cover these two expenses. Staff will contact pond company to revise contract for those two tasks specifically and to show the other tasks as optional add ons for later consideration if funding is available.

Two major expenses for the Commission the Ponds treatment and the part time Conservation Agent, all other items are very small in comparison.

Will need further analysis/prioritizing as we have more information on budgeting.

Motion by Ms. Murphy authorize to authorize Solitude Lake Managment for only permitting and alum treatment. Later tasks subject to budget discussion, seconded by Mr. Sloan. Roll Call vote: Richard Doucette – yes, Kate Hickey – yes, Paul Moore – yes, Susan Murphy – yes, J. Ryan Sloan – yes, Aaron Weieneth – yes

New/Old Business-

Lake Rd Encroachment- Commission members noticed that the newly constructed home on Lake Rd is encroaching onto the adjacent conservation land. Two members will draft a

latter for staff to send out to homeowner to address the issue. Staff will check with Engineering department to see if there are any better maps or plans on file that show the property bounds better for the area

The next scheduled meeting will be Thursday, May 07, 2020 at 7:30 PM.

Motion by Ms. Hickey to adjourn. Mr. Sloan seconded the motion and it was voted 6-0 in favor.

Adjourn

9:45PM adjourn

Approved

Date.

Pursuant to the 'Open Meeting Law, ' G.L. 39, 23B, the approval of these minutes by the Commission constitutes a certification of the date, time and place of the meeting, the members present and absent, and the actions taken at the meeting. Any other description of statements made by any person, or the summary of the discussion of any matter, is included for the purpose of context only, and no certification, express or implied, is made by the Commission as to the completeness or accuracy of such statements.