



CITY OF MELROSE

CONSERVATION COMMISSION

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Melrose Conservation Commission Minutes for October 15, 2020

Present: Kate Hickey, Aaron Weieneth, Paul Moore, Susan Murphy, Mike Paiewonsky, Ryan Sloan and Richard Doucette *(arrived at point indicated)

Absent:

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. 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. Moore to approve the minutes from September 17, 2020, as amended. Mr. Weieneth seconded the motion.

Roll Call vote: Richard Doucette – *Absent, Kate Hickey – yes, Paul Moore – yes, Susan Murphy – yes, Mike Paiewonsky – yes, Aaron Weieneth – yes, Ryan Sloan - Abstain 5-0 in favor.

*Mr Doucette rejoined the meeting at this point.

Request for Determination of Applicability- Submitted by Keolis Commuter Services, 470 Atlantic Ave, Suite 500, Boston, MA – Clary Coutu, Director of Environmental Compliance for Keolis Commuter Services and Matt Donovan, Fair Dermody Engineering present.

Clary Coutu described the project, request for determination of wetland boundaries within the jurisdiction of the Commission. This happens every 5 years for integration with the renewal of the vegetation management plan. Approx 1 mile of Limited spray zone within Melrose and other spray zones within the City. The City has previously issued a negative 5 determination.

Matt Donovan shared a copy of the maps and the vegetation management plans website for Keolis. Annual yearly operational plan submitted by certified mail to City. 5 year management plan with measures to keep sensitive areas protected (in section 8 of plan). Conservation, Board of Health, Board of Selectmen and Department of Agricultural Resources are provided copies of plan annually. CMR 11.04 indicates measures taken as well. Vegetation Management Plan includes an integrated vegetation management approach including both chemical and mechanical methods to control vegetation within the right of way. Best management practices used to reduce chemical application. Track structures are ballasted and limited spray areas are the only practical option. Physical and mechanical measures outside the railroad track area. Area for spraying will be marked in the field with blue flagging to indicate the limit of spray area. Environmental monitor employed by Keolis will be present at time of application of herbicides within the right of way.

Ms. Murphy- Were the areas walked or compiled via GIS data?

Mr. Donovan- Areas were not walked this year, desktop MassGIS data used.

Mr. Doucette- Question on how chemicals are applied to the area, via vehicle on track or some other means?

Mr. Donovan- A truck on the tracks with booms that extend out and spray down. They can control the area of application and will have maps on hand. Pre-emergent and a post-emergent applied. Two chemical treatment events typical one in the Fall and one in the Spring. Post Emergent application is more of a brush application.

Mr. Doucette- Which chemicals are being used in the Fall vs Spring, differences? Specific chemical names being used? Glyphosate or other chemicals being used? How does Pre-emergent herbicide work?

Ms. Coutu- Shared copy of the herbicides list from the yearly operating plan. Electronic copy to be provided this year due to COVID-19. Post-emergent application occurs from August to October depending on track time conflicts. Pre-emergent application occurs in May, sprayed on the ballast and on existing vegetation.

Motion by Ms. Murphy to issue a Negative 5 Determination of Applicability, Seconded by Mr. Paiewonsky.

Roll Call vote: Richard Doucette – yes, Kate Hickey – yes, Paul Moore – yes, Susan Murphy – yes, Mike Paiewonsky – yes, Ryan Sloan – yes, Aaron Weieneth – yes, 7-0 in favor.

Request for Determination of Applicability- 61 Burnett St. Christopher Halligan, applicant present. Mr. Halligan described the project. Remove the existing exit deck, 8 4'

deep piers with area about 1-2" above ground. Remove excavated soil from the flood plain. 4 foot beams connected to piers to support the new deck structure. Calculate out the flood storage volume loss and remove equivalent soil to compensate for lost volume. All work to be performed by hand. All excavated soil to be taken offsite.

Motion by Ms. Murphy to issue a Negative 2 Determination of Applicability, Seconded by Mr. Doucette.

Roll Call vote: Richard Doucette – yes, Kate Hickey – yes, Paul Moore – yes, Susan Murphy – yes, Mike Paiewonsky – yes, Ryan Sloan – yes, Aaron Weieneth – yes, 7-0 in favor.

Request for Determination of Applicability - Submitted by Paul Morgan, 295 Swain Pond Ave. Mr Morgan, applicant was present. Mr. Morgan described the purpose of the project. Mother's day storm of 2006 caused Towners pond to rise about five feet over its banks. House was under construction at the time, about two and a half feet of water entered the basement of the home. Constructed a small temporary earth berm to protect the basement from future flood events. There was approval for the proposed new concrete wall but didn't have funding to execute the plan at the time. Ms. Murphy- Distance of the existing berm to the pond?

Mr. Morgan- The existing berm is 88 feet from the pond. Attached copy of FEMA map to show extent of flood plain.

Mr. Paiewonsky- the proposed location doesn't appear to be within the mapped 100 year flood plain based on Mass GIS, floodplain on property but not up to the indicated location.

Mr. Doucette- Question on what will be within the area between the wall and the house?

Mr. Morgan-About 2 to 2.5 feet of gravel/crushed stone in the area between the wall and the house to prevent water from being able to enter the house during heavy rain.

Mr. Moore-Sump pump discharge area not shown on the plan, direction where the discharge will be going?

Mr. Morgan-Sump pump will discharge into the existing downspout drywells.

Ms. Murphy- Towners pond outlet constriction history?

Mr. Morgan- Tunnel can be clogged that goes between the dam that was created by swains pond ave. Melrose DPW does good job of keeping it clear, if this clogs up, the pond does back up onto the property.

Mr. Doucette- Suggestion to have a secondary pump discharge location since the drywells will possibly be full of water during a flood event.

Motion by Ms. Murphy to issue a Negative 3 Determination of Applicability with condition for sedimentation & erosion controls required prior to construction of the wall, Seconded by Mr. Doucette.

Roll Call vote: Richard Doucette – yes, Kate Hickey – yes, Paul Moore – yes, Susan Murphy – yes, Mike Paiewonsky – yes, Ryan Sloan – yes, Aaron Weieneth – yes, 7-0 in favor.

Discussion:

Ell Pond Subcommittee – The Mayor’s office will be forming a new subcommittee/ Citywide task force to address all ponds within the City. Chair has spoken with Mayor’s office and they intend to incorporate members of the conservation subcommittee into the Citywide task force. Contact Mayor’s office to be included in the task force. Residents and members of the Commission will be appointed to the task force.

Marilem Ferentino- Contacted Solitude Lake Management about a quote for Ell Pond water chestnut removal/cutting. Estimate for 10 acres would be \$20,000-\$30,000, assumption that crane would not be required to get equipment into the pond.

15 Bow Street – Staff has spoken with the owners, contractor will remove the required material by the October 21 deadline.

New/Old Business-

Land Donation - Staff to contact the donor to see if they can submit a written statement of intent to donate the property to the City.

Fall Cleanup – Event was very successful. Keep Melrose Beautiful did a great job organizing the event. Mr. Moore said there was a great turnout, event worked very well. Huge amount of material cleaned up. Thinks we should continue to work with Keep Melrose Beautiful in the future.

55 Summit Ave Trees- Staff update on trees, middle tree isn’t doing so well. Mr. Paiewonsky indicated that the tree bag on that tree had drainage issues. Staff recommended extra attention on that tree to ensure it gets enough water. Will need to re-check in the Spring.

Trail Stewards- Ms. Hickey asked if there was still a number of active trail stewards. Staff confirmed that there are still several active volunteers that are submitting reports. Staff mentioned one issue with getting reports of large trees that block trails and difficulty being able to clear them. Mr. Moore and Ms. Hickey suggested to contact them with locations to see if they can get someone to address them when they come up.

The next scheduled meeting will be Thursday, November 19, 2020 at 7:30 PM.

Motion by Ms. Murphy to adjourn. Ms. Hickey seconded the motion and it was voted 7-0 in favor.

Adjourn

8:30PM 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.