



CITY OF MELROSE

CONSERVATION COMMISSION

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Melrose Conservation Commission Minutes for January 21, 2021

Present: Richard Doucette, Kate Hickey, Susan Murphy, Paul Moore, Mike Paiewonsky and Ryan Sloan

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.

Minutes-

Motion by Mr. Doucette to approve the minutes from December 17, 2020, as amended. Mr. Paiewonsky seconded the motion.

Roll Call vote: Richard Doucette – yes, Kate Hickey – yes, Paul Moore – yes, Susan Murphy – yes, Ryan Sloan – yes, Michael Paiewonsky – yes
6-0 in favor.

Public Hearing:

217-0212 Notice of Intent 357 Porter Street - Jack Sullivan (Sullivan Engineering Group, representative for the applicant) and Souren Perperian (applicant/owner) were present.
Mr. Doucette took over as chair since Ms. Murphy has indicated this is her last meeting

and will not be part of the quorum for this item.

Internal discussion between Commission members about the vernal pool on site, question was raised on whether the vernal pool is certified. Staff summarized correspondence with the Massachusetts Natural Heritage and Endangered Species Program (NHESP) – vernal pool specialist. The wetland area for this project matches the location and description for the certified vernal pool. A site visit to the area by staff reviewed the online map location and it appears to be mapped in the wrong location online. The area on the plan for this project appears to be the actual location of the certified vernal pool. Mr. Doucette questioned whether there is a box for vernal pools on the Notice of Intent forms since vernal pools are Outstanding Resource Waters (ORW). Is a project adjacent to an ORW within the resource area? Mr. Paiewonsky – Is there a buffer zone around a vernal pool. Mr. Doucette – vernal pool habitat has a 100 foot vernal pool habitat, only extends within a wetland resource area, doesn't extend into upland area. This area appears to be within Isolated Land Subject to Flooding (ILSF) for a wetland resource area. Important area around vernal pool is the 100 foot wildlife habitat surrounding a vernal pool. This is the most important area used by wildlife around vernal pools. Ms. Murphy- Only other vernal pool project that has come up recently is the vernal pool in Sewall woods. No project in close proximity to it to get into more details that would be useful for reference on this project. Mr. Doucette- wetland area appears to be on Conservation land, questions on intention of City wetland ordinance on vernal pool being a strict 100 feet buffer or to mimic the state law. Mr. Sloan- If vernal pool is certified in letter from 1997, would the identified resource area change? Mr. Doucette- Staff, look into getting a document clearly stating it is certified. Mr. Paiewonsky- No BVW on the plans.

Mr. Sullivan-Three commissioners went for a site visit with him earlier today. Mr. Sullivan shared his screen to go over the proposed plans. Mr. Doucette described the requirements for ILSF, needs to be at least 6" deep and hold a ¼ acre foot of water. Mr. Sullivan- Resource area doesn't hold the ¼ acre foot of water. State online map shared showing location of vernal pool, originally just reviewed wetland as an isolated wetland. At site visit it was investigated whether the vernal pool appears to be mapped in wrong location. Not disputing if it is a vernal pool, originally thought it was an isolated wetland. Plot plan reviewed, majority of site falls within 100 feet to the wetland area. All trees within 20 feet buffer zone to the wetland area will be retained. Most of the lot is previously disturbed, several trees to the left on the plan would need to be removed.. Proposal is for construction of a single family dwelling structure, ecostone paver driveway (pervious for recharge), brick walkway to front of house and new water and sewer service to site. Landscaped retaining wall on the rear of the property and on the left of the property. Underground propane tank on left side of the property along with two 1000 gallon drywells to satisfy requirement. Oversized the drywell to exceed the requirements.

Mr. Doucette- Staff to check with NHESP and DEP for any additional requirements on the box check on the form or if there is any other review necessary by the vernal pool. Certified vernal pool needs to be shown on the plan. Edge of water body should be shown on the plan as well. This vernal pool is pretty small, caddisfly cases identified in the record from NHESP. Additional info needed to be added to the plan. Confirm with DEP about box 5 on form.

Mr. Sullivan- Coordinate with staff on requirements. Reading Commission has a discretionary 100 feet for vernal pools, Melrose Ordinance doesn't specify.

Mr. Moore- NHESP vernal pool layer has this vernal pool marked as a certified vernal pool, marked in the wrong location.

Mr. Perperian, Applicant for the project agreed to continue to February 18 meeting date.

Motion by Mr. Doucette to continue the hearing to February 18, 2021 meeting. Ms. Hickey seconded the motion.

Roll Call vote: Richard Doucette – yes, Kate Hickey – yes, Paul Moore – yes, Susan Murphy – yes, Ryan Sloan – yes, Michael Paiewonsky – yes
6-0 in favor.

Discussion:

Ms. Murphy resumed the chair role for the remainder of the meeting from this point.

Ell Pond Water Chestnut subcommittee - Subcommittee meeting occurred last Thursday (January 14), Patrick Prendergast from the Mayor's office attended. Meeting of Task Force to occur in February. Subcommittee to provide a memo to the Mayor's office that lays out the background and options for treatment in the pond with pricing. Options of hydroraking/harvesting, chemical treatment and other options. Ms. Murphy will work on a draft of the memo with Staff and Mr. Sloan. Task Force will include Elena Proakis Ellis from DPW and Joan Bell from Parks (Melrose Parks Department owns the pond). Idea is Subcommittee will make a recommendation on the best course of action and Task Force will hopefully agree and the Mayor's office will need to figure out how to fund it. Staff will contact Solitude to get pricing. Staff opinion that the likely recommendation from Solitude, if budget were unlimited, would be the mechanical harvester. Mayor's office will need to hear estimated number on the cost for the treatment and the fact that it will need to be a multi-year effort to be effective. Ms. Murphy thinks it will need to be a budget item for the City to ensure it is adequately funded for the treatment.

Marilem Ferentinos- I looked into treatment options for water chestnut and contacted Solitude. They (Solitude) wanted details on the area of the pond and whether a crane would be needed to load/unload the equipment to the water and who would dispose of the material once it is removed from the water. Solitude has bought out most of the other smaller companies and they can be difficult to reach since they are very busy now.

Ms.Ferentinos mentioned possibility of coordinating with another nearby town to possibly purchase the equipment ourselves as an option and share the cost with another town that also has the same problem. Staff- No abutting towns currently have a water chestnut problem like ours that would require harvester equipment.

Ms.Ferentinos mentioned some other ponds in the City that also had issues (First pond and Towner's Pond). Ms. Murphy mentioned that Towner's pond was hydroraked in the past and Pine Banks pond was recently permitted for hydroraking.

Staff will coordinate with Mayor's office to set a date for the first Task Force meeting and let the Commission know once it is set.

Finn Mcsweeney- Mystic River Watershed Association/DCR uses a harvester for their water bodies. Do they own their own or use Solitude/other company. Staff will check with them to confirm if they own one or not as a possible option.

Trail memorial – Flagg Acres- Staff shared a map with potential locations marked off for the memorial bench. Mr. Moore took photos of the scenic view from each potential location would be like. Mr. Moore identified an additional spot that might be a better alternate location to the ones previously identified by staff. Mary Samson was present to

discuss. The family had a chance to look over the spots, waiting for final confirmation from the rest of the family to decide which one they would like to select. Thanked the Commission for all the help. Family intends to reach final decision at the next meeting. Mr. Doucette- Who is the manufacturer for the bench? This is another important question beyond the final location. What kind of bench? Staff has spoken with Parks department about the memorial benches over by Ell pond. See if something like that could be ordered. Mr. Doucette- If someone would like to have a memorial bench, process could be that they fund the bench purchase and have DPW install it? Ms. Hickey- Is DPW open to installing a bench? Distance down a trail/remote locations are difficult, requires more time. Mr. Doucette- Get price for bench and installation, cost would go to the person requesting the bench. Mr. Moore- question on long term maintenance? Ultimately this would probably need to be DPW or members of the Commission. Ms. Sampson- Some of the family members have limited mobility, the location the family is considering is very accessible.

New/Old Business

Open Space- Staff has been contacted by a person looking to sell some small properties along the Malden line to the City for the assessed value. Ms. Murphy suggested staff contact the City Councilor for that ward and several City department to bring it to their attention so they can start trying to see if they can get funding put together to pursue. It would make sense for the city to acquire those properties.

Staff update on Walnut ave land donation- City Council to vote on accepting the land donation soon, possibly at their February meeting. City Solicitor was drafting the paperwork for it. Ms. Murphy would like staff to confirm that the process order is correct to ensure that the property is properly transferred to Conservation for preservation. Make sure there isn't another step the Commission needs to take to do this.

2021 meeting schedule- Staff shared a list of dates for meetings for 2021, third Thursday of every month.

New Commission members- Jason Jancitis and Eugenia Gibbons are two new appointments to the Commission. Next step for them is to be approved by the public service committee and then voted on by the full Council at their next meeting. They would then just need to be sworn in by City Clerk and they could potentially be ready for the next meeting in February. Mr. Jancitis was present and introduced himself to the commission and described his background.

Discussion of Eric Devlin's work schedule and hours-Mr. Doucette- wanted to make see if staff would be interested in two full days each week. Mr. Devlin- Yes, I can do the two full days.

Mr. Doucette- WPA filing fees could be used to fund the additional hours before budget is expanded for next year. Ms. Murphy -Those funds can only be used for Wetlands Protection Act related things, that is a restriction to be aware of. Mr. Doucette- It could be tricky from an accounting standpoint since the funds would need to come from two different accounts, worth investigating for more hours. Conservation fund in another town wasn't used for a long enough period of time and automatically got transferred to the general fund as a result. Want to be sure that doesn't happen. Staff to remind the Commission quarterly on the status of the accounts.

Ms. Murphy- Before I leave I will check with them to see how we could do it. Filing fees were used once to pay for a peer review.

Election of Officers- Discussion on a Chair, Vice Chair and Treasurer.

Mr. Doucette- Previously stated he was willing to be the Chair. Requested any volunteers for Vice Chair.

Motion by Ms. Murphy to nominate Mr. Doucette as Chair. Mr. Paiewonsky seconded the motion.

Roll Call vote: Richard Doucette – yes, Kate Hickey – yes, Paul Moore – yes, Susan Murphy – yes, Ryan Sloan – yes, Michael Paiewonsky – yes
6-0 in favor.

Ms. Murphy said the next Commission member by longevity would be Ms. Hickey.

Motion by Ms. Murphy to nominate Ms. Hickey as Vice Chair. Mr. Doucette seconded the motion.

Roll Call vote: Richard Doucette – yes, Kate Hickey – yes, Paul Moore – yes, Susan Murphy – yes, Ryan Sloan – yes, Michael Paiewonsky – yes
6-0 in favor.

Mr. Sloan volunteered to be the Treasurer.

Motion by Mr. Doucette to nominate Mr. Sloan as Treasurer. Ms. Murphy seconded the motion.

Roll Call vote: Richard Doucette – yes, Kate Hickey – yes, Paul Moore – yes, Susan Murphy – yes, Ryan Sloan – yes, Michael Paiewonsky – yes
6-0 in favor.

The next scheduled meeting will be Thursday, February 18, 2021 at 7:30 PM.

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

Adjourn

8:52PM 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

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