



CITY OF MELROSE

CONSERVATION COMMISSION

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Melrose Conservation Commission Minutes for February 18, 2021

Present: Richard Doucette, Eugenia Gibbons, Kate Hickey, Jason Jancaitis, Paul Moore, Michael Paiewonsky and Ryan Sloan

Absent:

Staff present: Eric Devlin

Mr. Doucette 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.

Mr. Doucette briefly introduced two new member to the Commission: Eugenia Gibbons and Jason Jancaitis and they each gave a short summary on their backgrounds.

Minutes-

This item was tabled to the next meeting.

Public Hearing:

Request for Certificate of Compliance – 10 West St

Joe Barrett, Contractor for HB Development was present. Mr. Barrett briefly described the work that was conducted during the demo and new house construction. As-built plans, photos and letter from project engineer was submitted.

Mr. Doucette- The as-built plans show rip rap across the property boundary and within the 15 foot no disturbance zone and 20 foot no construction zone. This crosses over onto Melrose Conservation property. The approved plan showed retaining walls.

Mr. Barrett- The original plan shows no riprap on site at all. Onsite, they discovered pre-existing riprap along the entire rear slope of the site. Large boulders in one area required silt fence to dip down around the boulder to protect the area. Staff had inspected the silt fence when it was installed. Small rock wall on plan is the only stone that was added, all other stone was pre-existing. Uncovered pre-existing riprap when vegetation and debris were cleared. The original plan didn't show the material that was uncovered during construction. Most recent plan submitted in July with Cultec charger added for roof drains infiltration.

Mr. Doucette- Two proposed plot plans, question on which plan was approved when the Order was issued?

Staff reviewed materials and stated the plan with the Cultec unit was the newest one. The approved plan on Order of Conditions was dated June 24, 2020 with the Cultec unit added after to add the infiltration area required in the special conditions.

Staff submitted photos to the Commission members of the thick vegetation in the rear of the property prior to the construction.

Ms. Hickey- Did staff ever observe the riprap on the site?

Staff- Vegetation was too dense, only could see some stones through the vegetation, can't confirm that it was or wasn't there. Never observed any work done beyond the silt fence on site visits.

Mr. Moore- The applicant was clear that riprap wasn't added where there wasn't any previously existing riprap. The as-built plan shows riprap within the 15 foot and 20 foot boundaries. Was any riprap added to the area within these areas?

Mr. Doucette- Was Hayes Engineering involved for the entire project or just to prepare the original plan and as-built?

Mr. Barrett- No, nothing added there. Rock wall on plan, TOW shown on plan. Rocks added to this area where the stone was supposed to be on the plan, only spot on plan where rock was added. Hayes Engineering was involved for the entire project, prepared the Notice of Intent and original plan as well as as-built. They were there from the beginning.

Mr. Doucette would like to see a larger plan. 24X36 size. Clearer letter from Engineer stating that the riprap was covered by vines, not added during construction. Item #3 on letter from Hayes described riprap being placed on site

Mr. Paiewonsky- Photos from staff somewhat support the statement of previous riprap being hidden under vegetation.

Mr. Barrett- Previously existing riprap labeled on plans in two spots.

Ms. Gibbons- Label is kind of blurry on my plan.

Mr. Jancaitis- Existing riprap and new riprap symbols are very similar on plan. Would be easier to read if the applicant could differentiate the symbols to make it clearer where new riprap was added vs existing.

Mr. Barrett- There is an existing stone wall that runs along the entire rear of the property. It starts on the end near the City of Melrose labeled property as a clearly defined stone wall and becomes a sort of riprap slope along the area behind the house.

Mr. Doucette- The house appears to be in same place as proposed plan, retaining wall is very close to proposed location. For the record, the Commission should have a very clear plan showing that no work was done outside of the approved plan area.

Motion by Mr. Doucette to continue this to the March 18, 2021 meeting and give applicant time to get update from his engineer. Second by Ms. Hickey.

Roll Call vote: Richard Doucette – yes, Eugenia Gibbons- yes, Kate Hickey- yes, Jason

Jancaitis- yes, Paul Moore- yes, Michael Paiewonsky- yes and Ryan Sloan- yes
7-0 in favor.

Continued - 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. Sullivan acknowledged that there are two new members and summarized the project and update since the last meeting. Revised plans submitted with the certified vernal pool shown within wetland area near the rear of the property, CVP 1294. Requested clarification from DEP on certified vernal pools. Area under state act needs to be within a jurisdictional area to be protected under the state act. Area is not bordering land subject to flooding, investigation into Isolated Land Subject to Flooding (ILSF), submitted detailed summary showing calculation for drainage area that contributes to the vernal pool. ILSF needs to hold a quarter acre foot of water up to 6 inches in depth to qualify. 7,195 cubic feet volume calculated showing it doesn't meet the criteria to qualify.

A couple members were able to attend a recent site visit to see that much of the area is previously disturbed.

Mr. Doucette- Vernal pools are very uncommon in Melrose, described that a vernal pool is an isolated body of water that drains every year. Pretty interesting, like big puddles that many different rare species live and breed in. They must dry up each year to prevent fish populations from becoming established. This one is very shallow and small, no record of it attracting frogs or salamanders. Limited documentation does specify an insect (caddisfly). To be certified, a vernal pool must exist within a jurisdictional wetland, not upland areas. Question if vernal pools have an extra buffer zone. Melrose Wetlands ordinance doesn't specify if they have a 100 foot buffer zone beyond wetland or not. Unclear what Commission intention was when Ordinance was created. Might be open to interpretation by the Commission members.

Mr. Paiewonsky- Language unclear about whether Ordinance creates a strict 100 foot setback or not for vernal pools. The Melrose Wetland Protection ordinance gives the Commission discretion to apply it as they see fit.

Mr. Moore- Agree with previous comment. Important to determine if project would disturb any existing habitat area.

Mr. Sloan- Neighborhood needs to be notified about the existence of this resource area. Observed lots of leaves and grass clippings being piled up in and around the woodlands there.

Ms. Hickey- Agreed, neighborhood should be notified about resource area and harms of dumping yard waste.

Mr. Doucette- Biological value is an important element, much stricter interpretation of ordinance if there was more documented biological value.

Ms. Gibbons- Materials provided don't identify high biological value for the area. Any other information to determine if there isn't any additional value beyond this one report?

Mr. Doucette- It's true that we haven't observed this area in March or April when higher biological activity is more likely to be observed.

Ms. Gibbons- Perplexing that this vernal pool wasn't previously known.

Mr. Sullivan- This is a previously developed site. To be redeveloped for similar use, the vernal pool was incorrectly mapped.

Staff correction that State vernal pool map had incorrectly mapped location initially, City map used the location provided by the state.

Mr. Doucette- Only member on Commission when the ordinance was passed. Would like

to craft a letter for the Commission and provide more detail on the 100 foot setback from vernal pools. City Council (formerly board of Alderman) would need to approve any changes to the ordinance. Only time to be able to gather more information on species that are using the vernal pool would be late March/April.

Mr. Perperian- Owner of 357 Porter st. Initially looked at maps and vernal pool was originally mapped over 300 feet away. Hoping to get started on work in the first week of April.

Mr. Paiewonsky- The area is a certified vernal pool, not sure if we need more information on what species inhabit it since it is already certified. Question is whether the proposed project has potential to disturb this area. Proposed work doesn't appear to be in the 15 foot no disturbance zone. Retaining wall in rear.

Questions from the public:

Finn McSweeney- Question on accompanying restrictions on importing fill into the property in the future. Similar restrictions to floodplain areas since this is so close to a vernal pool?

Mr. Doucette- Commission could add any restrictions to the property on the Order of Conditions (permit). Would be beneficial to include something for neighbors and new owners that the bordering property is conservation land. Properties have a tendency to expand lawn areas if this isn't clear. Would like to walk the conservation land nearby in the spring to see what else is there.

Ms. Hickey- Agreed, would also like to consider additional restrictions on the Order of Conditions as well.

Mr. Moore- Would like a condition stating yard waste not being dumped beyond the retaining wall.

Mr. Doucette- Clarification requested on the retaining wall, is fill being added to the site that the wall will be holding back or is it more of a fence/stone wall.

Mr. Sullivan- There will be fill on the house side, it will be a true wall.

Ms. Gibbons- Add something to the conditions to preserve/clarify more protection for the vernal pool setback.

Mr. Sloan- Be mindful that the back edge on the paper street is very close to the vernal pool with grading down to it from there, this area will need some additional attention to ensure that the vernal pool is protected from construction access with proper erosion controls.

Mr. Doucette- Next meeting is more than 21 days out, Applicant will need to submit a 21 day waiver.

Mr. Sullivan- Mr. Perperian will sign a waiver request if staff sends one to him to extend it beyond 21 days.

Motion by Mr. Doucette to close the public hearing and issue a decision at the next meeting on March 18, 2021. Ms. Hickey seconded the motion.

Roll Call vote: Richard Doucette – yes, Eugenia Gibbons- yes, Kate Hickey- yes, Jason Jancaitis- yes, Paul Moore- yes, Michael Paiewonsky- yes and Ryan Sloan- yes 7-0 in favor.

Staff will draft some conditions, other members can send along any other conditions to staff either perpetual or for during construction as well.

Mr. Doucette- All members should print out the ordinance and look it over for other things that we may want to update/change. He will start to draft some comments to clarify the vernal pool setback.

Discussion:Ell Pond Park presentation-

Gene Bolinger and Amanda Gaal from Weston & Sampson, Joan Bell and John McLaughlin from the Melrose Park Commission were present. Mr. McLaughlin gave a brief intro on the Park Commission process and what they are looking to do over by Ell Pond. The consultants hired by the City, Weston & Sampson, are going to start looking at what the grading would look like under the proposed options. Need to explore whether fill would need to be added in flood plain for necessary grading under the various options and potential compensatory storage areas. This is his third project in this area since joining the Park Commission.

Mr. Bolinger (Landscape Architect) & Ms. Gaal (Landscape Architect, serving in project management capacity) gave a brief presentation on the Ell Pond Park project. This is a master planning and feasibility process, no construction to come directly from this plan. The goal is to produce a strongly preferred plan and strategy to improve the property over multiple phases. Each phase would need a funding process from the City and would need to appear before the Commission for approval. For each phase there would be a final design process, a permitting process, bidding process and construction process.

Looking to gather feedback from the Commission members and provide opportunity to participate in this process. 10 slides were shared for review. Primary sponsor is the Melrose Parks Commission. Desire for rectangular shaped sports fields. Current deficit of these types of recreation facilities within the City. Existing facilities at Ell Pond of this type, frequently out of play due to how they were constructed or weather conditions. Synthetic turf fields are being investigated as part of this feasibility process as improvements to the park. Also focused on improving courts, natural resources, park circulation system and small field footprint across the Fellsway. Effort to improve park access by adding pathways, some in upland areas, some in buffer areas and construct in compliance with local and state regulations.

Part of the planning process to gather public input, explore ways to improve natural resources and water quality in the pond. 3 conceptual design plans prepared, hope to have a preferred plan by the end of the process. Finished document will include cost estimates and funding strategies. Project proponent can work on securing funding after the plan is prepared. Maps of pond, park area and associated floodplain were shared. Ms. Gaal described the existing facilities on the site. Due to low elevation, the park has had drainage issues. Third concept plan was shared, generally more favored by public input so far. Plan allows opportunity to implement stormwater management improvements. Formalized parking area to allow for separate entrance and exits. Synthetic turf fields at the Cabbage Patch field and West Knoll. Natural turf field at the East Knoll.

Groundwater characteristics need to be explored for West Knoll synthetic turf field design. Park accessibility to be investigated to make the park multi-generational. Various pathway types to be explored, not all pathways could be practically done with pervious materials.

Wetland rehabilitation area to be investigated for invasive species removal and native species plantings. Pond edge walk improvement, informal footpath currently exists. Plan to formalize the path and stabilize the pond edge. Pathway materials could be either permeable or non-permeable.

Slide shared depicting some conceptual stormwater improvement features. Potential options to balance goals of enhancing both active recreation and environmental protection on the property.

Mr. Moore- current Commission representative on the feasibility projects. Offered feedback that there was initially a push for more active recreation. Project has shifted to balance with larger focus on passive recreation and environmental enhancements.

Mr. Paiewonsky- Earlier concept plans were really dominated by active recreation features. New concept plan has a better balance between active/passive recreation. Would like some more details on the proposed stormwater features. Underground features can be costly for maintenance and surface features can be attractive if done correctly.

Mr. Bolinger- Maintenance can be a challenge on the surface features as well, much of the surface area is occupied by recreation features or other facilities. Subsurface features are being explored, potential to expand on rain gardens on the site as well.

Mr. Sloan- Mechanical harvester for Ell pond water chestnut is being explored currently, is there a potential access point that could be included in the plan to allow for this for future maintenance?

Mr. Bolinger- This was mentioned at a previous interaction. It is being explored as something to be added to the design.

Mr. Doucette- Details on specific species to be removed? Generic invasive species term used on the slide.

Mr. Bolinger- Area across from the high school and parking lot is the focus area for invasive species removal. Education component potential for learning about wetland restoration with the proposed footbridge. No specific species detailed at this time

Mr. Doucette- Ell pond should be the centerpiece for Melrose. Pond and current park area is currently worn down in appearance. Any improvements to the area should be very durable/long lasting. Basic environmental improvements should be included. This is a great opportunity to make Ell Pond a great City amenity.

Ms. Gibbons- Appreciate attempt to balance passive and active recreation components. Believes the large parking area in the center really breaks up the flow of the park. Noted that it really jumps out as a disruption of the overall park design.

Mr. Doucette- How many current parking spaces there and how many spaces are proposed?

Mr. Bolinger- 126 spaces existing and 126 spaces proposed. No change in total parking spaces. The existing parking spaces are heavily used by the schools and the parking area is currently in poor shape. Stormwater management improvements could be implemented here. The knoll is an interesting geologic feature at the center of the parking area.

Ms. Gibbons- All of the parking area would be pavement? City should explore the potential for this space as more than a parking lot.

Mr. Bolinger- Parking area would be pavement.

Mr. Paiewonsky- School department is desperate for additional parking, the knoll lot is currently used by students and visitors. School department was looking to secure additional parking along Tremont street recently.

Ms. Gibbons- Mode shifting should be a component to aid with stormwater mitigation.

Mr. McLaughlin- Involved with the Middle School construction project. Traffic study was conducted at that time (15 years ago). Could locate and share with the Commission for reference. Expect continued process to be an open conversation for input as it goes forward.

Mr. Doucette- Parking area is mostly occupied by the school department, no parking for dog park users or any other park facilities.

Mr. Paiewonsky- Melrose has no public school bus system, students either walk, drive themselves or are driven by their parents.

Ms. Gibbons- Public bus system does exist, not explicitly for schools. Large parking area is an item to highlight for further review.

Mr. Jancaitis- Time line for further details on the plans and next steps?

Mr. Bolinger- No specific time frame at the moment, the Park Commission is anxious to move forward. Process has been delayed by pandemic impact. Additional opportunity for public input on later phases.

Mr. Doucette- Ped/Bike Committee comment letter was received, no further public comments.

New/Old Business items

Ell Pond Water Chestnut-

Mr. Sloan described process on the Water chestnut management plan. Former Commission Chair, Susan Murphy, put together a draft document for the memo that Mr. Sloan and Staff are working on the remaining details to complete the budget recommendation memo for the mayor's task force to implement.

Mr. Sloan briefly went over some of the management methods that were explored in the memo. Pricing estimates for management options obtained by Staff for the memo, Separate component of removal of the biomass after management method is completed would need to be an additional item. Staff has explored whether the Melrose Department of Public Works (DPW) would be able to provide support for this component.

The document discusses different options available: Extensive hand pulling. Mechanical Harvester, Herbicides and Drawdown. Hand pull is a huge manual labor effort.

Drawdowns are not a summer solution, need to be implemented as a winter control effort that is contingent upon several other things going right. Herbicides have several other unfortunate impacts. Mr. Sloan will circulate memo to other members for review.

Ms. Hickey- Great opportunity to implement this into the Ell pond park project as well considering the amount of money that would be invested in that project that would look out on a body of water that is currently being destroyed by this.

Mr. Sloan- Final number quoted was around \$27,500 per year for 8 days of mechanical harvester, hydro-raking and a day or two of manual hand pull cleanup. Several year plan 5-7 years anticipated. Seeds remain viable for about 10 years. Drawdown can be difficult to implement.

Staff- Minimum of 3 years of active harvest before improvement could be seen according to pond management company. Costs expected to decrease somewhat after this point.

Mr. Paiewonsky- Biomass removal purpose? Are they less successful in deeper water?

Mr. Sloan- Material is removed from water and placed in our 126 parking spots at the knoll. Would need to be brought to the DPW yard. Staff didn't have a quote on expected tonnage of biomass that would be produced.

Mr. Doucette- May be limited on potential disposal sites and treated as just waste since it is an invasive species with very durable seeds. This is also why I asked what does invasive species mean, this management item is very timely that could be part of that project since it could be part of their wetland rehabilitation component (In reference to the previous Ell Pond Park project item).

Ms. Hickey- Specific funding sources for Ell Pond Park project identified? This should

be part of that funding since it isn't a huge funding ask relative to the total project budget. Finn McSweeney- City Council filed order with Mayor on how to appropriate funding out of free cash. They are likely looking to fund this out of that free cash. Snow removal has been drawing out of it, still a large amount left in it currently.

Mr. Sloan- Pond access conditions discussed, crane is an additional \$5,000 each year. Staff is investigating another potential access location that has been previously used by the tanker truck for the pond alum treatments. If this site is feasible, the crane wouldn't be necessary for access.

Mr. Doucette- A boat ramp may be an additional option with potential public safety support.

Mr. Paiewonsky- Pond management company may be difficult to get on their schedule since they are pretty busy. Might not be able to get on their schedule for this year.

Staff- Comment on the invasive species management area that was mentioned on the Ell Pond park project. Staff walked area with the Parks department superintendent to assess the area, most of the vegetation they would be targeting are terrestrial invasive vegetation rather than aquatic vegetation. Mr. McSweeney added additional detail on invasive species observed there: Glossy Buckthorn, Asiatic Bittersweet, Porcelain Berry, Japanese Knotweed, Multiflora Rose. The Bittersweet, Multiflora Rose, Porcelain Berry and Japanese Knotweed are all battling with one another for control of the area.

Staff described some characteristics of Porcelain Berry and Mr. McSweeney added that the berries are very popular with the birds which aids in rapidly spreading the seed.

Ms. Gibbons and Mr. Jancaitis - They look like malformed blueberries with spots.

Trail memorial – Flagg Acres-

Ms. Samson was present, connection issue earlier. Update from the family for the bench location. Fishing spot chosen on the map that was previously shared.

Ms. Hickey- would the bench be up on the rocks?

Ms. Samson- No, It is the site labeled on the map as Towners bench suggestion. Area is very close to the existing picnic table area.

Mr. Moore- Photo was taken standing on the rocks, there may not be enough room there to not have the bench on the rocks. It may be possible to install the bench on the rocks in a concrete base and bolted down to the rocks. Would need to see if installer can do this, seems like they should be able to do it.

Ms. Samson thanked Mr. Moore for the map and photos of sites he provided.

Mr. Doucette- Staff or Mr. Moore could circulate photos of the chosen site to the other Commission members. Next step would be for the family to find an installer to figure out cost. Once the family has a complete bench and installation package put together, come back to the Commission to figure out the timing for the installation.

Ms. Samson- Shouldn't be too difficult to find a vendor, will coordinate with commission staff.

Mr. Doucette- Is there going to be a plaque on the bench? Do you know what it is going to say.

Ms. Samson- Plaque with one of Mr. Abare's favorite quotes on it. Will discuss the plaque language at the next meeting (March 18).

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

Motion by Mr. Doucette to adjourn. Mr. Paiewonsky seconded the motion and it was voted 7-0 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

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