



CITY OF MELROSE

CONSERVATION COMMISSION

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Melrose Conservation Commission Minutes for October 21, 2021

Present: Ryan Sloan, Eugenia Gibbons, Michael Paiewonsky, Paul Moore, Jason Jancaitis and Gwendolyn Orford

Absent: Chris Redfern

Staff present: Eric Devlin

Mr. Paiewonsky opened the Remote public meeting at 7:30pm and read the remote meeting notice. All members participated remotely.

Minutes-

September 16, 2021 meeting minutes.

Motion by Mr. Paiewonsky to approve minutes from September 16, 2021, as written. Second by Mr. Moore.

Roll Call vote: Eugenia Gibbons- yes, Jason Jancaitis – yes, Paul Moore – yes, Gwendolyn Orford – yes, Michael Paiewonsky- yes and Ryan Sloan- yes
6-0 in favor.

Public Hearing:

Continued public hearing 36 Slayton Rd- James Confalone (applicant), Peter Ogren of Hayes Engineering and Robert Bell, Attorney for the applicant were present.

Mr. Ogren summarized previous hearing info and went over a list of the outstanding issues that remained from the August meeting. A hard black line was added to the plan to show the limit of activity and is now shown with the silt fence line. Detail added to the construction sequence. Mr. Ogren checked DEP snow removal policy and says it is mainly for large industrial operations. Proposed to plow snow to the downstream side of the driveway/causeway only and visually inspect snow for sand/silt and prohibit the use of those products. Wetland data sheets for several locations provided. Existing 30” culvert to be replaced with a smooth 30” HDPE pipe culvert. Proposed driveway/causeway has been raised and crown to be added to pavement. The existing driveway was described as a corduroy road. Mr. Ogren proposed a different type of support block and provided an example from a project in Peabody where they were used. Mr. Moore – Question on snow policy from DEP, updated copy appears to be the same as the one that was previously provided at the last meeting.

Mr. Ogren – 2 memos dated December 2020.

Mr. Paiewonsky- Include suggested conditions that salt and sand use be prohibited. Snow could potentially be removed at either end of the driveway/causeway to limit the amount of snow on the road itself.

Ms. Gibbons- Stockpiling locations for the construction sequence?

Mr. Ogren – Silt fence around the limit of work and dig out the downstream side and replication as it moves along. Excavated material from replication area material to be used in area to be filled, if suitable or removed and new suitable material brought in.

Mr. Sloan – Do the new wall products change the height of the wall?

Mr. Ogren – No, just a different type of block that is bigger, but lighter than the previously proposed block type. Some settlement likely.

Mr. Bell – Previous house on the site burned down in the 1970's.

Ms. Gibbons – Would like more assurance that the construction won't cause harm to the wetlands. Where would materials be stockpiled?

Mr. Ogren – Blocks can be delivered over multiple deliveries and installed fairly quickly.

Mr. Bell- Construction could be supervised by an environmental monitor with work to be done during dry season.

Mr. Ogren – I was going to suggest an environmental monitor for the project to oversee construction. Utility lines to be installed into the driveway first.

Mr. Sloan – Does the change in block material cause any additional upstream/downstream impacts?

Mr. Ogren – same concrete structure.

Mr. Confalone – Respect the process here, he was born in that house and gave some additional history on the site. The driveway used to be dry most of the time in the past. The City built a trench at the golf course at some point and I played in the trench as a kid. Settlement with the City regarding the trench at some point

Mr. Moore- I'm uncomfortable with the snow storage plan

Ms. Gibbons – I'm not certain we can condition this in a way to sufficiently protect the wetlands.

Public Comment:

Renee Linn, 32 Slayton Rd – Looked over the files in the Conservation office. Lots of history in the files regarding the agreement. Memo from 2013 from David Lucas to City Solicitor Robert Van Campen that stated Mr. Confalone would need an Order of Conditions from the Conservation Commission. Knowledge that the project might not be approved. Driveway and chemicals impacts create incremental damage.

Upendar Gaar, 30 Slayton Rd – Damage caused by impacts to wetlands will be irreversible.

Mr. Jancaitis – I recorded a list of suggested conditions and materials for discussion at the next meeting. A condition that says this settles all previous litigation with the City. Stake out the temp disturbance area, Detail to be added to plan for dewater silt bag and indicate that it isn't in the no-disturb area. Planting detail for the replication/comp storage area to be restored on the final plan. Maintenance plan for Culvert(s). Maintenance plan for Replication/Comp. Storage area. Replication/Comp. storage area to be moved up in the construction sequence. No chemicals or sand for Snow/ice treatment. Perpetual condition for the replication/comp. storage area to remain on lot 1. Roles and qualifications for the environmental monitor. 3-year monitor period with annual reports for the replication/comp storage area.

Mr. Bell and the applicant agreed to continue to the November 18 meeting. Staff will write up some draft conditions for discussion at that meeting.

Discussion:

Charlie Dilman Eagle Scout project update- Mr. Dilman is an Eagle Scout candidate from troop 416. The proposed project is to clear out the Hillside park trail, install 6 of the Commission's red trail marker discs near the ends of the trail and to repair the map kiosk (backing and roof) at the nearby Flagg Acres property and install a new trail map and other materials inside it. No shoveling or soil disturbance proposed/only pruning for trail clearing. Trail length is an estimated 4/10 of a mile. The work planned to take place in late November/before thanksgiving.

217-0153 Certificate of Compliance Re-issue- James Juiliano, Attorney for the applicant was present. Original copy of the Certificate of Compliance – Invalid Order of Conditions that was previously issued by the Commission in March of 2019 was never recorded and has been lost. The new owners are trying to get it recorded and only have a copy that the registry will only accept an original.

Motion by Mr. Paiewonsky to re-issue the Certificate of Compliance for 217-0153. Second by Mr. Moore.

Roll Call vote: Eugenia Gibbons- yes, Jason Jancaitis – yes, Paul Moore – yes, Gwendolyn Orford – yes, Michael Paiewonsky- yes and Ryan Sloan- yes 6-0 in favor.

26 Prospect Street saltwater pool discharge issue- Staff received a letter regarding a saltwater swimming pool that had been drained into the street and storm drains. City Solicitor is going to issue the homeowner a warning letter with notice that this violates the City Stormwater Ordinance that is overseen by the DPW. Since saltwater is a pollutant in freshwater wetlands, Staff has suggested that the commission require a boilerplate condition for all new swimming pool applications to include a discharge location sketch and written plan for swimming pool water seasonal discharge.

Patriot Way drainage system issue- Staff has not received a response from the developer since the Commission last discussed it back in December 2019. The Developer, Paul Zanolli agreed to have the catch basins cleaned and the storm drain structures cleaned once the weather warmed up and would notify the office once it had occurred. This doesn't appear to have taken place. Staff will determine if a Homeowner's Association has been established yet and send a letter stating that this work needs to be done in accordance with the Order of Conditions. If a Homeowner's Association hasn't been established yet, send the letter to the individual Homeowners.

Motion by Mr. Paiewonsky to send a letter to the Patriot Way HOA. Second by Mr. Moore.

Roll Call vote: Eugenia Gibbons- yes, Jason Jancaitis – yes, Paul Moore – yes, Gwendolyn Orford – yes, Michael Paiewonsky- yes and Ryan Sloan- yes

6-0 in favor.

Invoices:

Solitude Lake Management Option 9: Perform treatment at Melrose Ponds (Towners) invoice -\$3,255

Solitude Lake Management Option 2: Perform post-treatment inspection at Melrose Ponds (Ell, Swains and Towners) on 9/29/21 invoice -\$670

Staff explained that two invoices were received for items in the current pond treatment contract. Option 9 treatment quote was reduced because only Towners pond was treated with herbicide, Swains wasn't treated.

Motion by Mr. Paiewonsky to approve the invoices for \$3,255.00 and \$670.00 from Solitude Lake Management. Seconded by Mr. Sloan.

Roll Call vote: Eugenia Gibbons- yes, Jason Jancaitis – yes, Paul Moore – yes, Gwendolyn Orford – yes, Michael Paiewonsky- yes and Ryan Sloan- yes
6-0 in favor.

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

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

Adjourn

9:49PM 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.
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