



CITY OF MELROSE

CONSERVATION COMMISSION

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Melrose Conservation Commission Minutes for February 17, 2022

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

Absent: Chris Redfern

Staff present: Eric Devlin

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

Minutes-

January 20, 2022 meeting minutes reviewed for approval.

**Motion by Mr. Paiewonsky to approve the January 20, 2022 minutes, as written.
Second by Ms. Orford.**

Roll Call vote: Eugenia Gibbons- abstain, Jason Jancaitis – yes, Paul Moore – yes, Gwendolyn Orford – yes, Michael Paiewonsky- yes, Chris Redfern –absent, Ryan Sloan- yes.
5-0 in favor.

Public Hearing:

Request for Determination of Applicability -204 Howard Street Wave Trap project –
Adam Rosenblatt of VHB was present to represent the applicant (New England Power Company). Mr. Rosenblatt explained that a wave trap is a piece of equipment that helps other components in the electrical system talk to each other. There are two existing foundations on the site that were previously installed and had an administrative approval for the wave trap devices to be installed. A third wave trap is to be installed and will require a new foundation. Mr. Rosenblatt shared a copy of the plan and described that excavation work would be conducted with a backhoe and the new foundation would be cast in place, not a precast device. The existing substation yard area is surfaced with a crushed stone material. Work area is within buffer zone to BVW, new foundation to be in-line with existing foundations. New foundation will be 10-15 feet in from the back fence. Kleinschmidt conducted a flood study for the site that rebutted the assumption that the footprint of the substation is BLSF. No work to occur beyond the rear fence, all work within the existing substation footprint.

Mr. Jancaitis- How long do you expect the project to take to complete? Duration for excavation?

Mr. Rosenblatt- About a month for the excavation and foundation installation and a few

months likely for the electrical work. A storm emergency could extend the timeframe.

Motion by Mr. Paiewonsky to issue a negative 3 determination with erosion controls condition and attached mitigation measures sheets from the Request for Determination of Applicability application. Second by Mr. Sloan.

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

357 Porter Street Certificate of Compliance- Souren Perperian (applicant) was present. Staff had visited the site on 2/9/22 and took some additional photos of the rear retaining wall and the graded eastern edge. Approved plan had a retaining wall from the rear that went up along the eastern edge. Mr. Perperian stated that he was able to get a 3:1 slope on the grade along this edge. Mr. Perperian has offered to install a sign for the vernal pool in the spring, this sign shall be located on the adjacent Melrose Conservation land outside the 20 foot no construction zone near the trail entrance to call attention to the presence of the vernal pool. Mr. Perperian will coordinate with staff on the exact location at some point this spring.

Motion by Mr. Paiewonsky to issue a Certificate of Compliance for 357 Porter Street. Second by Mr. Moore.

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

Continued Public Hearing:

Notice of Intent (217-0214) 36 Slayton Rd – Peter Ogren, Robert Bell and James Confalone were present.

Mr. Ogren- The applicant has looked at the draft special conditions from the earlier meeting and determined that the utilities cost was too high for the indicated plan. A larger house footprint will be required for the property to be sold.

A utility amendment for a well to be added to eliminate the water line down the causeway/driveway out to Slayton road.

Mr. Bell read a letter to the commission, dated February 8th, 2022. Requesting the below revisions:

- a new plan showing a larger footprint for the proposed home to be constructed in place of the "place-holder" dimensions of the original application to allow for an economically viable project.

- Special condition #4 on refueling of construction equipment within buffer zone, would like to allow for refueling on premises under the supervision of the environmental monitor.

- Environmental monitor full time on-site condition, would like to change it to daily visits when work is occurring within regulated wetland resource areas.

- Wetland flags at 25 foot interval. Would like to keep the original wetland flags from the survey plan. Some places are greater than 25 feet apart and some areas are closer than 25

feet apart.

- Loam replacement wording (special condition #13) should be replaced with the following: "The excavated wetland soils should be inspected to confirm that they are free from non-native invasive vegetation then spread on disturbed wetland areas to a depth of 12 inches."

Mr. Paiewonsky- The building envelope on the submitted plans was a placeholder?

Proposed garage appears to be very close to the no construction zone.

Mr. Ogren- 4 feet of distance off the edge of the garage to the no construction zone line.

Placeholder building envelope is very common on plans, Massachusetts Department of Environmental Protection understands that building envelope can change during construction.

Ms. Orford- What is the water source for the well?

Mr. Ogren- Deep drilled well

Ms. Gibbons- Is there going to be a basement for the proposed house? De-watering plan/procedure details?

Mr. Ogren- Yes, the house will have a basement. De-watering into a similar silt-sack/silt bag as the driveway/causeway. Basement will have a sump pump for long-term.

Ms. Gibbons- Where are the locations for staging materials during construction?

Mr. Ogren- There is a 30 foot setback behind the house that materials could be staged in during construction.

Mr. Sloan- Has the limit of lawn area changed with the larger house footprint? There was a drainage swale on the last plan where the well is shown now.

Mr. Ogren- The older plan may have shown a swale there to a grassy area. No change to lawn area limit, shape of driveway changed to allow for vehicles to turn around from the garage.

Ms. Gibbons- Why was the well added to the plans?

Mr. Ogren- The well would allow for less disturbance than the water line install down the causeway/driveway. 1 trench required instead of 2.

Ms. Orford- What is the specific water source for the well? Is there a specific aquifer that it connects to?

Mr. Ogren- Drill to a deep bedrock aquifer, it will not draw water from the wetland specifically, artesian aquifer. Can get good water quality from an artesian aquifer.

Mr. Paiewonsky- Moving equipment off-site could be high risk and pose a greater risk for spillage.

Mr. Jancaitis- Depends on the size of the equipment, small equipment could be ok, heavy equipment could require a larger re-fuel truck to get down there to the machines.

Mr. Ogren- Most of the equipment would be backhoes. These could be backed out to Slayton road to re-fuel. Slayton rd is still within the 100 foot buffer zone. The vehicles can rotate and travel back to the entrance to re-fuel.

Mr. Paiewonsky read off some suggested changes to the conditions for discussion.

Environmental Monitor on site during:

- a. Installation of all erosion control
- b. All phases of driveway construction and all related culverts and water/sewer service lines
- c. Construction of wetland replacement area
- d. Excavation for and construction of house foundation, Cultec chambers, 1,000 gal storage tank, and drinking water well.
- e. A minimum of weekly visits during all other times during construction period (until all disturbed soils have been stabilized to the satisfaction of env. monitor). Additional visit by env. monitor required after 1.0-inch or greater rain events.

f. Daily observation by env. monitor not required during periods of house erection and interior finishing (assuming that is not occurring simultaneously with other activities listed above and assuming that env. Monitor is satisfied with the condition of the erosion control and general soil stability at the site.)

Mr. Moore- Question on the silt sack/silt bags. How often could these be filled and need to be cleaned out in one day?

Mr. Jancaitis- Items B and D on Mr. Paiewonsky's list would be the heaviest/intense silt activities.

Ms. Gibbons- Custom built home from the applicant for a future buyer. As one Commission member, I don't feel comfortable with this plan.

Mr. Moore- I'm not comfortable with the plan either. We're trying to determine if we can come up with conditions to the will protect this resource area as best as we can.

Mr. Ogren- The existing driveway is not in serviceable condition.

Staff requested clarification on the qualifications for the Environmental Monitor. At an earlier meeting, it was suggested that there may be two types of Environmental Monitors involved. For some aspects and Environmental Scientist/Wetland Scientist would be required and other times a Profession Engineer environmental monitor would be required.

Mr. Paiewonsky- Environmental monitor should be from a company that has multiple people on staff for this. Ok to just replace the wetland flags, not reset them at 25 foot intervals.

Mr. Ogren- Soil depths vary on the site. Very deep at some points and would like to not introduce additional foreign material on-site.

Mr. Sloan- Would like to see the new house footprint staked out and to go back to the site and see how it would look with the proposed changes.

Mr. Moore- Uncomfortable with essentially just a placeholder footprint on the plans. Could this plan change again in the future?

Mr. Paiewonsky- They'd need to come back to the Commission for approval of a modification to the plan.

Mr. Bell- Future buyer could want to change something. The building footprint was chosen based on market pricing for the site development.

Mr. Moore- Would the site have the well or bring the water utility off of Slayton Rd? Can equipment get down to the site to drill for the well before the causeway is constructed?

Mr. Ogren- The equipment for the well drilling can get to the site without the causeway being built.

Mr. Moore- I'd like to see a more concrete/final plan with fewer variables after approval.

Ms. Gibbons- Additional concerns with potential future changes to the plans. Appreciate that the well is an alternative to reduce utility requirements for the site. Concerned with increased footprint for the house now.

Mr. Ogren- A potable water source and effluent sewage disposal are required under the building code to get a building permit.

Ms. Orford- Concern with the well viability before approving the causeway/driveway. Is the driveway/causeway built before the well it determined to be viable or after?

Mr. Ogren- The well would be drilled first, required for a building permit.

Mr. Jancaitis- It's possible that a future owner would want both City water and the Well for outdoor water use like lawn water/garden.

Mr. Paiewonsky- Plans show the utility in the driveway already. Approx. 1000 square feet of temporary disturbance that wouldn't occur if they drill the well and it is viable. The plan shows the extent of the disturbance if both are installed. The building setback line is the reason why the house is shown where it is now.

Mr. Sloan- Clarification on what the request is now from the applicant. Are they asking

for approval of the revised plan with the well and to revert to the water line in the causeway/driveway if the well isn't viable?

Mr. Bell- yes, that is what the applicant is requesting now.

Mr. Sloan- Is it ok for me to enter the site to take another look? Is no well a minor change?

Mr. Bell- yes

Public Comment:

Renee Linn - 32 Slayton Rd, lot 4 on the plan. The new plan shows a much larger footprint for the house than the last plan. This is a very sensitive area and the wetland system does touch my property and neighbors house. It isn't very fair that the only people that will be regularly present to police this construction activity would be the neighbors. The proposed replication area is very close to Slayton Rd and concerned that it won't thrive.

Mr. Paiewonsky- We will need to continue this hearing to the March 17 meeting. Does the applicant agree to continue to the march 17 meeting?

Mr. Bell- yes, the applicant agrees to continue to the March 17 meeting.

**Motion by Mr. Paiewonsky to continue this hearing item to the March 17 meeting.
Second by Mr. Sloan.**

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

6-0 in favor.

Discussion:

Ell pond Crest Gate-Staff got copies of the log sheets from last year and the first two months of 2022. The Automatic controller for the gate has been broken for the last 2 months and has been under manual operation by DPW. Staff has been told that the city has a contractor that is scheduled to repair it soon.

Ell pond Contract – Staff had some new language from the City Solicitor's office to add to the contract in case of funding shortage. Keep the contract at the 3 years.

The next regularly scheduled meeting will be March 17, 2022 at 7:30 PM.

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

Adjourn

9:55PM 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
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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.