



CITY OF MELROSE

CONSERVATION COMMISSION

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Melrose Conservation Commission Minutes for December 15, 2022

Present: Jason Jancaitis, Michael Paiewonsky, Forrest Tiedeman, Emily Anderson, Craig Molway, Eugenia Gibbons and Paul Moore

Absent:

Staff present: Eric Devlin

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

Minutes

October 20, 2022 meeting minutes reviewed for approval.

It shall be noted here that the November 17, 2022 meeting was canceled.

Motion by Mr. Paiewonsky to approve the October 20, 2022 minutes, as written.

Second by Mr. Tiedeman.

Roll Call vote: Emily Anderson - abstain, Eugenia Gibbons -yes, Jason Jancaitis – yes, Craig Molway- yes, Paul Moore – abstain, Michael Paiewonsky- yes, Forrest Tiedeman – yes.

5-0 in favor (Mr. Moore and Ms. Anderson abstained)

Invoice:

3 invoices from Solitude Lake Management (Post treatment survey, year end report and Ell pond Algae treatment) were discussed by the commission members. Staff explained that there was an issue with one of the previously paid invoices that had two parts to it that were billed together. The vendor didn't complete the second part of the task that was paid for in that invoice and the vendor will be issuing a credit to the city. Staff stated that Solitude indicated that they would be issuing a credit for half of the previously invoiced cost for task 8. Recommendation to hold off on payment of two of the older invoices and to only approve the newest invoice.

Motion by Mr. Paiewonsky to approve only the third invoice for \$1,375 (Ell pond Algae treatment). Second by Mr. Tiedeman.

Roll Call vote: Emily Anderson -yes , Eugenia Gibbons -yes, Jason Jancaitis –yes , Craig Molway-yes, Paul Moore – yes, Michael Paiewonsky-yes , Forrest Tiedeman –yes.

7-0 in favor

Public Hearing

Request for Determination of Applicability – 110 Sycamore Rd. Anthony and Erin Natale (homeowners) were present to describe the project and plans. Mr. Natale submitted drawing for a building permit that was approved in September from building department and started work in November. Staff went by the site and informed the owner that the work was in a flood zone and would be required to come before the Conservation Commission. A topographic plan was prepared by their consultant, and they have hired civil design consultants to design compensatory storage areas. Mr. Natale stated that his consultant had provided him with some values, the lowest adjacent grade on the property of 103.9. Mr. Natale stated that his consultant found that FEMA has a base flood elevation of 103.7.

Mr. Paiewosny showed a copy of the flood plain map with this property in it. Would like to see more detail on the base flood elevation calculation. Flood compensation storage values are required to be shown on a foot per foot basis.

Ms. Anderson inquired about the distance from the work to the brook shown on the topo plan. Staff indicated that it appeared to be about 90 feet from the edge of the new work from the plan. Mr. Natale stated that the new foundations would be located in front of the house.

A Notice of Intent is likely required for the work based on what can be seen on the plan now. Staff recommended that the applicant withdraw the Request for Determination of Applicability application and submit a Notice of Intent application instead.

Brief description of what a Notice of Intent is and the types of materials that would be required to go with it. (Different Mass DEP form)

Mr. Paiewosny stated that staff or their engineer would likely be able to help them fill out the form as well.

Mr. Natale agreed that they would withdraw the Request for Determination of Applicability and file a Notice of Intent.

Discussion:

39 Swains pond avenue – Request for Certificate of Compliance

Staff stated that the homeowner (Perry Calias) had informed him the day before that he would not be able to attend the meeting tonight. Staff explained that in 2012, the homeowner had brought in additional fill and mulch beyond the approved area for the Order of Conditions and was required to restore the area beyond the approved work limit prior to the 2013 Certificate of Compliance issuance. This restoration work was completed by the homeowner and the Commission issued a Certificate of Compliance in 2013. The homeowner never got it recorded at the registry of deeds which is the last step to close out the Order. Staff conducted a site visit with the homeowner on December 5th and shared photos of the current conditions to the Commission. The minutes from the original Certificate of Compliance discussion in 2013 indicated that better growth in the restored area would have been desired. Staff recommended that the Commission reissue a Certificate of Compliance.

Roll Call vote: Emily Anderson - yes, Eugenia Gibbons -yes, Jason Jancaitis –yes , Craig Molway- yes, Paul Moore – yes, Michael Paiewosny-yes, Forrest Tiedeman –yes.
7-0 in favor

Pond Management – funding, pond issues and related items- staff shared an updated version of the pond management task list outline from the last meeting. Mr. Paiewosny gave a brief overview of the commissions pond management responsibilities to the new member.

Funding discussed through the capital improvement plan that the City is currently updating. Staff stated that the City had hired a consultant that was collecting information on projects from various departments for the capital improvement plan. Staff had submitted information for Ell pond water chestnut management.

Staff stated that he suggested to the parks department superintendent about treating First pond, Second pond, Third pond, Towners pond and Swains pond as one system together with one coordinated treatment plan under the parks capital improvement plan submission. Staff stated that more treatment attention at Towners pond had been requested by area residents and since all of those ponds are connected to each other, it makes sense to see if an evaluation of this entire system can be explored.

Most grants don't seem to fund invasive species control projects specifically.

Grants still being investigated. Mr. Molway believes that there is a higher chance for an application being approved for a grant if that specific project is identified in the open space and recreation plan. MAPC grant person might be able to help identify other grants.

Mr. Moore suggested we request some form of resource fund for the pond budget. Staff recommended an increase to the education budget, especially since there are several new members and should have enough funding to allow for at least two members to attend either the Fall or Spring MACC educational conferences if they are interested.

Environmental roundtable meeting was attended by Mr. Paiewonsky. Sent some written comments to for state representative Lipper-Garabedian and state senator Lewis to advocate for another earmark/additional funding for invasive species management.

Mr. Moore suggested establishing something like a capital reserve fund to be able to draw upon for ongoing maintenance. The goal would be for being able to budget long term for the next big issue. This fund would need to be the type that allows for adding funding on a yearly basis that can be drawn upon when something comes up that wasn't specifically budgeted for that year.

Flagg Acres Fall Trail Cleanup day – Mr. Molway reported that a couple commission members had attended, it had a lower turnout this year than last year. Some invasive bittersweet vegetation identified in the rocky view trail area near the Hoover school. Keep Melrose Beautiful noticed reduced attendance at some of these events, Mr. Molway thinks it would be better to do some additional cleanup events/tables in other locations.

2023 Meeting schedule– Staff prepared a third Thursday of the month schedule for meetings for 2023. Noted that there was a conflict with the April meeting for school vacation week. Two alternate dates offered of first or last Thursday. Mr. Paiewosnky suggested to go with the second Thursday of April, April 13th.

Potential land donation –Mr. Molway suggested investigating the potential for a 99 year lease to conservation from private owners as a way to try to preserve properties and avoid the title chain issues on some of these parcels. Staff will need to check with the City Solicitor's office to see if something like that would be possible. The lease prevent the property from being sold. Discussion followed about whether the lease would have any tax benefits for property owner.

Ms. Anderson shared a bit on her background to the other Commission members.

Ms. Gibbons stated that tonight was her last meeting as a member of the Commission.

The next regularly scheduled meeting will be January 19, 2023 at 7:30 PM.

Motion by Mr. Paiewonsky to adjourn. Ms. Gibbons seconded the motion and it was voted 7-0 in favor.

Adjourn

9:00PM 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.