



MICHAEL PAIEWONSKY  
Chair

## CITY OF MELROSE

## CONSERVATION COMMISSION

**RECEIVED**

By City Clerks Office at 2:12 pm, Nov 25, 2024

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### Melrose Conservation Commission Minutes for September 19, 2024

**Present:** Michael Paiewonsky, Forrest Tiedeman, Jason Jancaitis, Charles McCabe, Craig Molway, and Emily Anderson.

**Absent:** Paul Moore and Associate Member Dorian Rose.

**Staff present:** Ingrid Winkler

**Mr. Paiewonsky opened the public meeting at 7:30 pm. All members participated in person.**

**Public Comment:** None.

**Review of Minutes:**

Conservation Commission members reviewed draft minutes from August 15, 2024, meeting.

**Motion made by Mr. Paiewonsky to approve meeting minutes from the August 15, 2024, meeting, seconded by Mr. Molway. Motion approved 6-0.**

**Public Hearing:**

**Request for Determination of Applicability – City of Melrose/DPW**

Rob Carrillo, the new Superintendent of Mount Hood and Public Open Space, and Joan Bell, his predecessor, were present. The City of Melrose/DPW submitted an RDA for selective pruning and trimming of trees and shrubs along the shoreline of Ell Pond at 700 Main Street. Ms. Bell described plans to install benches along the paved path that follows the shoreline of Ell Pond. The view of the pond is obscured from the path by overgrown vegetation. Ms. Bell is seeking approval to have the City's arborist selectively prune and trim trees and shrubs along the shoreline to open up the views from where the benches will be installed. The arborist will use hand tools and trim above chest height and there will be no ground disturbance to resource areas. Poison ivy growing up the chain-link fence in this area will be removed to protect pedestrians walking along the path. This area will be regularly maintained to prevent overgrowth of the vegetation in the future. The plan also includes the removal of a tree in the grassy area closer to Main Street. The tree has numerous dead branches and visible rot and poses a safety hazard. A new tree will be planted in its place and a bench with an inscribed plaque in memory of Eric Devlin will be placed beneath it. Ms. Bell also mentioned the possibility of doing another planting or project near Flagg Acres to commemorate Mr. Devlin as Flagg Acres was very special to him.

**Motion made by Mr. Paiewonsky to approve a Negative 2 Determination of Applicability which states that the work described in the Request for Determination is within an area subject to jurisdiction under the Wetlands Protection Act, but will not remove, fill, dredge, or alter that area and therefore does not require the filing on a Notice of Intent, seconded by Mr. Jancaitis. Motion approved 6-0.**

**Discussion:**

**Pond Maintenance updates:**

Water & Wetland completed surveys and sampling of Towners, Swains, and Ell Ponds. Staff presented a summary of the results to the Conservation Commission.

Towners Pond was mostly covered with dense mats of various native species, including waterlilies. Waterlily treatment is scheduled to be done on September 24, 2024. W&W recommends continued management of waterlilies (with glyphosate or possibly Imazamox) and submerged vegetation (with diquat) in the coming years.

In Swains Pond, a patch of waterlilies/watershield was noted near the outflow at nuisance density, but otherwise native species were observed at sparse to moderate densities. Cattails interspersed with invasive purple loosestrife were observed in moderate densities along the northern shoreline. According to W&W, the patch of waterlilies/watershield warrants treatment and the purple loosestrife should be managed. Generally, loosestrife is hand-pulled in July if present in low densities; at high densities, the treatment approach would be similar to treatment for lilies and phragmites.

In Ell Pond, dense vegetation was noted throughout 50%-60% of the pond with much of the shoreline completely occupied by varying densities of vegetation. Dense mats of vegetation as well as some water chestnut seeds and plants were observed on the surface. There appeared to be a microalgae bloom. Blue Green Algae/cyanobacteria were observed above 20,000cells/ml, which is when treatment with copper sulfate would typically be recommended. The cell counts were well below the 70,000 cells/ml level which would warrant a closure. W&W said it may not be worthwhile to treat this year still, but for next year recommends treatment of nuisance vegetation with EPA/MA approved contact herbicides or systemic herbicides and Alum application to reduce phosphorus to reduce the likelihood of algae blooms. Another approach would be to sample algae counts throughout the summer and treat with copper sulfate as cell counts arrant. Finally, W&W recommends controlling water chestnuts with hand-pulling.

The invoice received from W&W for surveys and sampling at Towners, Swains, and Ell Ponds, and permit to treat Towners Pond totaled \$2,675.00.

**Motion made by Mr. Paiewonsky to pay the invoice from W&W for \$2,675.00, seconded by Mr. Jancaitis. Motion approved 6-0.**

**Victorian Fair Invoice:**

Staff reported having coordinated with Friends of the Fells to share a table and tent at this year's Victorian Fair. Staff had passed out apples, candy, trail maps and information about wetlands at the Fair. Invoice from Fells of the Fells to participate in Victorian Fair, \$122.50.

**Motion made by Mr. Paiewonsky to pay the invoice from Friends of the Fells for \$122.50, seconded by Mr. Tiedeman. Motion approved 5-0. (Mr. McCabe abstained from voting on this motion due to conflict).**

**SOLitude Invoice:**

Staff reported receiving a reminder for an overdue invoice from SOLitude for the Year End Report they sent in January 2024. The invoice is for \$286.00.

**Motion made by Mr. Paiewonsky to pay the invoice from SOLitude for \$286.00, seconded by Mr. Tiedeman. Motion approved 6-0.**

**City of Melrose Routine Maintenance Notice of Intent (DEP # 217-0232) was withdrawn** by the City Engineer, Vonnice Reis. Staff reported that Ms. Reis would like to meet with DEP and representatives of the Conservation Commission to ensure that the new filing will be complete and result in the issuance of an Order of Conditions by the Conservation Commission. According to the DEP Northeast Regional Office Circuit Rider, “general permits” or “blanket permits” that may have been issued in the past do not meet regulations and DEP is looking more closely at these types of projects. NERO says that all project NOIs must specify the exact locations where work is to be done, all proposed work must be clearly described in detail, all resource areas must be listed, impacts on resource areas must be quantified for each location (temporary and permanent), and plans should also include means and methods how work will be done and when the work is to take place (e.g., time of year, during low water conditions, etc.). Staff reported that concerned neighbors along Swains Pond Road and their City Councilor have been in contact with DPW and Engineering Departments, the Mayor’s office, as well as with staff regarding the cleanout/maintenance of an outfall behind 333/345 Swains Pond Road. Mr. Paiewonsky suggested a meeting with himself, Ms. Reis and staff prior to setting up the meeting with the DEP Circuit Rider. Staff will reach out to Ms. Reis to set up the meeting.

**Consideration of the Certificate of Compliance for 79 Greenwood Street (DEP # 214-0232)** was moved to the October meeting. Staff will reach out to the property owner to ensure cleanup of property is completed and to schedule a final site visit.

Staff reported on other updates:

SOLitude notified the Conservation Commission of treatment at the Mount Hood irrigation pond and at Pine Banks Pond, as permitted.

Two vernal pools in Melrose were officially certified in August, one behind homes on Patricks Place and one east of Lynn Fells Parkway just north of the Malden line.

Staff met with Friends of the Fells and Keep Melrose Beautiful to discuss possible collaboration for upcoming events. Keep Melrose Beautiful is planning a city-wide clean-up day on Saturday, November 2, 2024, 9am to 12pm, at locations throughout Melrose and would welcome any help from the Conservation Commission. Friends of the Fells also has upcoming events that could be good opportunities for cooperation with ConCom.

The commission discussed organizing a clean up day to address trash on Dexter Road near the intersection of Swains Pond Ave and Penney Road. Scheduled for Saturday, October 12, 2024, from 9am to 12pm. Staff will coordinate with the Mayor’s communications director and other departments to help publicize this event.

Annual Report for FY2024 is due later this month. Staff has prepared a draft report for submittal.

### **Possible Unpermitted work in or near wetlands:**

#### **Possible WPA violation on Baxter Street:**

An anonymous complaint alleges that the owner of 83 Baxter Street is mowing cattails in the wetlands in the rear of the property. Staff drove by the property and from the street, it appeared that cattails were in fact bent over near the edge of the wetlands and it was possible that they had been mowed down. Mr. Paiewonsky was notified, and he asked staff to draft a letter to the property owner informing them that they were possibly in violation of the Wetlands Protection Act.

#### **Possible WPA violation on Penney Road:**

Staff was alerted to what appears to be a pile of fill next to the driveway of property at 110 Penney Road, adjacent to a wetland area. Staff did a drive by to confirm. The Commissioners agreed that a letter should be sent to the property owner informing them that they were possibly in violation of the Wetlands Protection Act. Staff will draft the letter.

**The next regularly scheduled meeting will be October 17, 2024, at 7:30 PM.**

**Motion made by Mr. Paiewonsky to adjourn, seconded by Mr. Tiedeman. Motion approved 6-0.**

**Meeting adjourned at 8:18 PM.**

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| <p>Pursuant to the 'Open Meeting Law, M.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.</p> |
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