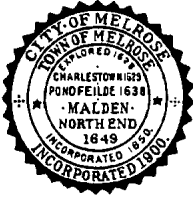


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CITY OF MELROSE

CONSERVATION COMMISSION

MICHAEL PAIEWONSKY
Chair

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Melrose Conservation Commission Minutes for May 15, 2025

Present: Chair Michael Paiewonsky, Paul Moore, Jason Jancaitis, Charles McCabe, Craig Molway, and Associate member Kaitlyn Calhoun.

Absent: Forrest Tiedeman, Emily Anderson, and Associate member Dorian Rose were absent.

Staff present: Ingrid Winkler

Mr. Paiewonsky opened the public meeting at 7:31 pm. All members participated in person.

Public Comment: Ms. Meghan McDonough, 185 Main Street, was present. Mr. Dan Franklin of the Climate Action Team at the Unitarian Universalist Church was also present. Ms. McDonough expressed her concerns about invasive vegetation in and around Melrose and mentioned resources from Earthwise Aware, including their pocket guide and iNaturalist mapping app. She suggested that data collection and mapping should be prioritized and that the Melrose volunteer group of trail stewards, which includes Ms. McDonough, could help map. Mr. Paiewonsky stated that the Conservation Commission has very limited resources but would support efforts by and work together with her volunteer group. Staff will reach out to trail stewards to share information about identifying and mapping invasive species around Melrose and will work on posting related information in the kiosk at Flagg Acres.

Review of Minutes:

Conservation Commission members reviewed draft minutes from April 17, 2025, meeting.

Motion made by Mr. Paiewonsky to approve meeting minutes for the April 17, 2025, meeting, seconded by Mr. Molway. Motion was approved 4-0.

Certificate of Compliance – 43 Rivers Lane (DEP File #217-0228) – Two-story addition in Buffer Zone, Order of Conditions issued 7/31/2023

Mr. Jeff Brooks, applicant, was present. Staff had met with the applicant's contractor in early February to conduct a site visit which showed that construction was completed per the Order of Conditions. Staff postponed scheduling this hearing to allow time for site clean-up and stabilization (seeding). Staff conducted another site visit on May 13 and found that the site has been cleaned up and hydroseeded and grass is growing. Perpetual conditions include permanent stabilization and continued maintenance of the disturbed area, restricted use of chemicals

(pesticide, herbicides, etc.) near wetlands and the stream, and no dumping of yard waste beyond retaining walls, fences or into any stormwater BMPs or wetlands.

Motion by Mr. Paiewonsky to issue a Certificate of Compliance for 43 Rivers Lane with ongoing conditions, seconded by Mr. Molway. Motion was approved 5-0.

Discussion:

Fees for Permit Applications:

The Commission discussed WPA filing fees at the last meeting and compared WPA fees in nearby communities to those charged in Melrose. Many communities charge fees for Requests for Determination of Applicability (RDAs) and Certificates of Compliance (COCs) whereas Melrose does not, and many also have additional fees for Notices of Intent beyond those specified in the WPA. The commission agreed that fees should be increased in Melrose. Mr. Paiewonsky presented his proposal for new fees and after some discussion, the Commission agreed to the changes shown in the table below.

TYPE OF PERMIT		Current fees (\$)	Proposed new fees (\$)
RDA	Single family projects	None	100
	Other		250
NOI	Single family projects	50	200
	Multi-family projects or subdivision projects		1000 + 500 per unit/lot
	Other		1000
ANOI	Same as NOI	50	same as NOI
ANRAD	Single family projects	50	0.5/linear ft (50 min, 250 max)
	Other		0.5/linear ft (50 min, 500 max)
Amendments	amendment to Orders of Condition	50	50 for single family projects
			200 for other
Extensions	Single family projects	50	200
	Other		500
COC	Single family projects	None	100
	Other		200

- RDA = Request for Determination of Applicability
- NOI = Notice of Intent
- ANOI = Abbreviated Notice of Intent
- ANRAD = Abbreviated Notice of Resource Area Delineation
- COC = Certificate of Compliance

Motion by Mr. Paiewonsky to recommend this amended fee structure to OPCD for consideration by the City Council, seconded by Mr. Moore. Motion was approved 5-0.

Draft Encroachment Policy:

The Commission continued discussion of a draft Encroachment Policy. Staff included comments from the last meeting’s discussion and proposed some modifications to the Conservation Land Rules and Regulations, adopted in 2016, to tie in the new Encroachment Policy and clarify fines for violations. Staff will submit the modified documents to the City Solicitor for review.

Volunteer Clean-Up Days – The Community Cleanup Day scheduled on April 26 was postponed by Keep Melrose Beautiful due to inclement weather. No new date has been proposed. The Commission scheduled a clean-up event on June 21 and staff will reach out to Keep Melrose Beautiful to coordinate.

Ell Pond Water Chestnut Volunteer Days – The Commission is planning to have 3 to 4 volunteer days in July and early August for hand-pulling of water chestnuts in Ell Pond. Mr. McCabe has offered to organize and lead these events. Staff will support the effort by publicizing the events in City media outreach.

110 Penney Road – On April 14, staff sent the property owner another email stating that all disturbed areas need to be permanently stabilized with a vegetative cover using sufficient topsoil to assure long-term vegetative growth and requesting that the erosion controls be left in place until the disturbed area is seeded and vegetation is well established. Staff also reminded the property owner that he will need to file for a permit with the Conservation Commission for any future projects on his property. As of May 15, it does not appear that the disturbed area was seeded. Staff will send a certified letter to the property owner to compel him to permanently stabilize the disturbed area of the property within two weeks of the date of the letter.

155-157 Main Street - A garage behind the property at 155-157 Main Street is encroaching (located almost entirely) on a City-owned Conservation parcel on Mount Vernon Avenue. On April 18, Mr. Paiewonsky, the property owner, and staff met at the property to discuss the encroachment. Mr. Paiewonsky explained that the garage must be removed in order to return the land to its public use as required by law. Per advice of the City solicitor, staff will wait for the new Encroachment Policy to be adopted and then use that to compel the owner of 155-157 Main Street to remove the garage.

Dumpling on Penney Road:

Illegal dumping along Penney Road has been an issue for many years but seemed to have increased over the past few months. After a meeting with representatives of the Police Department, Department of Public Works, Information Technology, and Office of Planning and Community Development, motion-sensor trail cameras were installed on Penney Road near where the most recent and egregious dumping occurred. Staff continues to monitor the area and has called police to report incidents of dumping. There have been no updates from the Police Department. The camera is still up.

Donation of Land:

Staff is coordinating with the City Solicitor to facilitate transfer of a parcel of land, located off of Dexter Road, to the care and custody of the Conservation Commission. Staff will continue to work with the owner/developer to move this process along.

Budget Updates – A budget of \$14,000 was approved for Fiscal Year 2026.

Pond Maintenance updates:

EutroSORB filters were installed by W&W on April 23 and according to W&W, all went well during the installation. The technicians utilized rocks and some rebar to secure the filters. Staff noticed earlier today that the filters near Tremont Street were no longer in place and one filter was missing. Staff notified W&W right away. Staff is coordinating with W&W to schedule pond surveys and phosphorus sampling of Ell, Swains, and Towners Ponds in the next few weeks. In addition, a sample will be collected from Ell Pond for algae count and classification. Treatment plans for the ponds will be based on sampling results and the surveys. The cost of surveying, sampling, and permitting for the three ponds is \$3,175.

Based on last year's findings, the Commission anticipates that pondweed will be an issue at

Swains and Towners Ponds and may need to be treated with diquat, an EPA-approved herbicide commonly used for aquatic weed control, at a cost of \$1,450 and \$1,990, respectively. Further treatments are anticipated later in the season for algae (Ell Pond) and waterlilies (Towners and Swains Ponds), but treatment plans will be based on findings and budget.

Motion by Mr. Paiewonsky to approve surveying and sampling of Ell, Swains and Towners Ponds by Water & Wetlands, as well as initial treatment for pondweed, if necessary, not to exceed \$6,615, seconded by Mr. Molway.

Motion was approved 5-0.

Administrative updates:

Election of Officers: postponed until next month.

New and other items:

Floodplain Zoning update – request for review

OPCD was required to update the floodplain zoning regulations and followed the model ordinance from DCR for this update. There is a joint public hearing this evening with City Council and the Planning Board regarding the proposed amendment. OPCD requests that the Conservation Commission review the proposed amendment and provide any comments by Monday.

NOI for Ell Pond Culvert Relocation – change in the project

In 2023, Engineering received an OOC to relocate the Ell Pond Brook culvert near the intersection of Main and E. Emerson Streets. The plan was to cut into the culvert on Main Street and reroute a portion of it down Main Street and around the corner onto E. Emerson and then tie it back into the original culvert on E. Emerson. The plan has been revised and the new plan is to replace the culvert in its original location. Since the new plan will no longer include work in the buffer zone or any other jurisdictional area, an amendment to the Order of Conditions will not be required and Engineering can submit a request for an invalid Certificate of Compliance.

Monitoring for unpermitted wetland work:

Last year, a concerned neighbor reported that cattails had been mowed down in the backyard behind 83 Baxter Street and staff's observations from the street appeared to confirm this. A letter was sent to the property owner in September 2024 notifying them of a possible violation of the WPA and advising them to stop all work. There was no response to the letter from the property owner. Staff noticed no further alterations of the wetlands through the fall. Staff started monitoring the wetlands behind 83 Baxter Street again and saw no evidence of mowing of cattails as of May 15.

The next regularly scheduled meeting will be June 26, 2025, at 7:30 PM.

Motion made by Mr. Paiewonsky to adjourn, seconded by Mr. Moore. Motion was approved 5-0.

Meeting adjourned at 8:53 PM.

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.