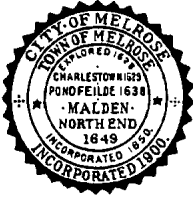


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CITY OF MELROSE

CONSERVATION COMMISSION

MICHAEL PAIEWONSKY
Chair

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Melrose Conservation Commission Minutes for July 17, 2025

Present: Chair Michael Paiewonsky, Paul Moore, Forrest Tiedeman, Jason Jancaitis, Charles McCabe, Emily Anderson, and Associate member Kaitlyn Calhoun.

Absent: Craig Molway and Associate member Dorian Rose were absent.

Staff present: Ingrid Winkler

Mr. Paiewonsky opened the public meeting at 7:32 pm. All members participated in person.

Public Comment: None.

Review of Minutes:

Conservation Commission members reviewed draft minutes from May 15, 2025, meeting.

Motion made by Mr. Paiewonsky to approve meeting minutes for the May 15, 2025, meeting, seconded by Mr. McCabe. Motion was approved 5-0 with one member abstaining (Ms. Anderson was not present at the May 15, 2025 meeting).

Public Hearing:

Request for Determination of Applicability

Applicant: City of Melrose

Project Location: Swains Pond Avenue right-of-way, in vicinity of Swains and Towners Ponds

Project Description: Installation of approximately 700 linear feet of granite curb and 780 linear feet of asphalt sidewalk as well as adjustment of one catch basin is proposed to take place within the 100-foot buffer to bordering vegetated wetlands, at roadway elevation.

Elena Proakis Ellis, Director of Public Works, and Scott Dixon, Construction Inspector, were present. Mr. Dixon described the project. Ms. Anderson inquired about the depth of the sump of the proposed new catch basin. Ms. Proakis Ellis explained that it would be a standard pre-cast deep sump catch basin. Mr. Moore asked about excess materials removed during digging and Ms. Proakis Ellis said that there would be no stockpiling of materials within the buffer zone.

Motion made by Mr. Paiewonsky to close the public hearing, seconded by Mr. Moore. Motion was approved 6-0.

Motion made by Mr. Paiewonsky to approve the Determination of Applicability as a negative 3 (work described is within the buffer zone but does not require filing of a Notice of Intent), seconded by Mr. Moore. Motion was approved 6-0.

Public Hearing:

Request for Determination of Applicability

Applicant: Massachusetts Electric Company, request filed by TRC Environmental Corp. (TRC) on behalf of MEC

Project Location: South of Porter Street at East Rock Park

Project Description: Referred to by TRC as the Porter Street Maintenance Project, this project involves the removal of two poles (Poles 707-1 and 2440), replacement of one pole (Pole 2438), installation of two new poles (Poles 2439-1 and 2440-1), installation of a new conductor between the poles, and trimming and removal of approximately nine trees within the 100-ft buffer to a certified vernal pool and isolated wetland area and/or from Conservation land.

David McLaughlin (5 Indian Hill Lane) and his son David McLaughlin, Jr. (1 Cedar Wood Lane) were present. Mr. McLaughlin owns the property at 365 Porter Street and is seeking to have electric service restored to the tennis court on that property. Molly Lennon of TRC and Rafael Kerguelen of National Grid were also present. Ms. Lennon (TRC) described the proposed project and pointed out two changes made to the original proposal. Pole 707-1, which is located on Conservation land, will be left in place instead of being removed, as originally proposed; and the location of new Pole 2439-1 will no longer be on Conservation land as shown in the original plan, but will be within the right-of-way several feet to the north, which would then fall within the 100-foot buffer zone.

Mr. Kerguelen (National Grid) mentioned that it would be a 100A 120V 2-way service. Mr. Moore asked about removal of the abandoned lines and Mr. Kerguelen confirmed that they are not live and will be removed. Mr. Kerguelen went on to explain that approximately 11 trees will be removed because they are too close to the poles or present a safety hazard. Any trees removed would be cut to the ground, stumps left in place.

Staff mentioned that the City of Melrose has a tree replacement policy. Per MGL c. 87 (Public Shade Tree Law), no person may plant, trim, cut or remove a tree or shrub in the public right-of-way, park area, and other town-owned lands without permission from the Tree Warden. If a resident requests that a healthy tree be removed, a hearing request must be made to the Tree Warden by contacting Melrose DPW. The City of Melrose Public shade Tree Hearing Procedure outlines replacement requirements for the removal of healthy trees.

Ms. Anderson pointed out that the Conservation Commission needs to first determine if the proposed work is exempt or if a Notice of Intent is required. The Commission agreed that the proposed work is considered exempt routine maintenance per 310 CMR 10.02(2)(a)(2).

Mr. Jancaitis asked if there had been an alternative analysis and Mr. Kerguelen responded that this was the best option.

Several members of the public were also present and had questions related to this case: Michael Knasp (20 Wheeler Ave #A), Peter Eggleston (104 Woodcrest Drive) and Clara Williams (104 Woodcrest Drive).

Mr. Eggleston asked about the purpose of having electricity at the tennis court and how often it is

used. Mr. McLaughlin explained that he wants to have lights and security cameras for the tennis court.

Ms. Williams asked how trucks and heavy equipment necessary for the proposed work would affect the vernal pool. Trucks would stay on the right-of-way and would not affect the vernal pool. Ms. Williams also is concerned about future development of the property. Mr. McLaughlin said that he has no plans for the parcel beyond restoring the tennis court for use by his grandchildren and expressed how much he enjoys the open space and wildlife behind his house. Mr. McLaughlin, Jr. added that he also values the open space and has no plans to develop the parcel if he were to inherit it.

Motion made by Mr. Paiewonsky to close the public hearing, seconded by Mr. Moore. Motion was approved 6-0.

Motion made by Mr. Paiewonsky to approve the Determination of Applicability as a negative 5 (work described is exempt) and negative 6, with the condition that any trees removed from public land will be replaced in accordance with MGL c. 87 and following the Melrose Public Shade Tree Hearing Procedure, seconded by Mr. Moore. Motion was approved 6-0.

Public Hearing:

Request for Determination of Applicability

Applicant: City of Melrose

Project Location: Melrose Ponds (Ell, Swains, and Towners)

Project Description: Physical removal (via hand-pulling and/or cutting) of invasive or select nuisance vegetation from the water and along the shorelines (within land under water bodies and waterways, bank, bordering vegetated wetlands, land subject to flooding, and buffer zone). This work would be done by members of the Conservation Commission, the conservation agent, or volunteers or other staff at the direction of members of the Conservation Commission or the conservation agent.

Staff presented the request.

Motion made by Mr. Paiewonsky to close the public hearing, seconded by Mr. Moore. Motion was approved 6-0.

Motion made by Mr. Paiewonsky to approve the Determination of Applicability as a negative 2 (work described is within a resource area but does not require filing of a Notice of Intent), seconded by Mr. Moore. Motion was approved 6-0.

Request for Certificate of Compliance – Invalid Order of Conditions

Applicant: City of Melrose – Jay Coy

Project Location: 681-697 Main Street

Project Description: In 2023, Engineering received an Order of Conditions to relocate the Ell Pond Brook culvert near the intersection of Main and E. Emerson Streets. The plan in the Notice of Intent was to cut into the culvert on Main Street and reroute a portion of it under Main Street and around the corner under E. Emerson Street and then tie it back into the original culvert on E. Emerson Street. This 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, an amendment to

the Order of Conditions will not be required and Engineering submitted a request for a Certificate of Compliance for an invalid Order of Conditions.

Motion made by Mr. Paiewonsky to close the public hearing, seconded by Mr. Moore. Motion was approved 6-0.

Motion made by Mr. Paiewonsky to approve the Certificate of Compliance – Invalid Order of Conditions, because the proposed work never commenced, seconded by Mr. Moore. Motion was approved 6-0.

Discussion:

Mr. Ifran Qureshi, a resident of Melrose, is interested in purchasing the property at 1 Mill Road and came before the Conservation Commission to inquire about what building a new house on that property might entail. The Commissioners expressed concerns about access to the property over Mill Road, which is Conservation land. They recommended that Mr. Qureshi research access to the property, possibly engaging a land use attorney, and hiring a wetland scientist to delineate the wetlands on the property.

Staff will email a list of wetland scientists to Mr. Qureshi.

Hillside Park project: In June, the owner/contractor of 16 Hillside Park was issued a building permit for a major renovation/addition project, including bringing water and sewer service to the property from Hillside Park. Demolition and construction are underway. When the building permit was issued, Inspectional Services was not aware that the work site is likely located within the 100-foot buffer to BVW. The City GIS map has been updated and now shows the wetland area north Hillside Park. Staff will find out about the status of the construction project and inform the owner that a Notice of Intent must be filed as soon as possible.

Draft Encroachment Policy and changes to Conservation Land Rules and Regulations:

The City Solicitor reviewed the draft Melrose Conservation Commission Policy: Response to Encroachment on Conservation Land and the changes made to the Conservation Land Rules and Regulations, adopted in 2016, and made some final changes. The Commission reviewed these changes and had no comments on the current versions of either of these documents.

Motion made by Mr. Paiewonsky to adopt the current versions of Melrose Conservation Commission Policy: Response to Encroachment on Conservation Land and Melrose Conservation Land Rules and Regulations, seconded by Mr. Moore. Motion was approved 6-0.

Pond Maintenance updates:

On June 5, Water & Wetland (W&W) completed surveys, collected basic water quality data and collected water samples at Ell, Swains, and Towners Ponds. The surveys documented the presence of invasive vegetation in Ell Pond (water chestnut and curly-leaf pondweed) and Towners Pond (water chestnut) as well as some dense patches of native species approaching nuisance densities. Swains Pond was found to be in relatively healthy condition, but last year

purple loosestrife was observed, especially along the northern shoreline, so it is likely to reappear this year. The algae counts were very low in Ell Pond, with no blue-green algae noted. Phosphorus levels in all three ponds were in the lower end of the eutrophic range (41.2 µg/L, 35.8 µg/L and 36.2 µg/L in Ell, Swains, and Towners Ponds, respectively).

W&W recommends diquat treatment for control of nuisance pondweeds in Towners Pond at a cost of \$1,990 (this was included in amount approved in the May meeting). Like last year, waterlilies are very dense, and treatment with either glyphosate (\$1,725) or imazamox (\$2,225) will be necessary in August/September. W&W sent notification that they will be checking and replacing the EutroSorb filters in Ell Pond on Tuesday, July 22. Staff will contact W&W to schedule diquat treatment at Towners Pond.

Volunteer Clean-Up Days – The Commission’s clean-up event on June 21 went well. Members of the Commission, staff, and several volunteers collected 14 large bags of trash and recyclables and several large pieces of pressure-treated posts, lumber and other construction materials from along Penney Road. Collected materials were collected by DPW for proper disposal.

Mr. McCabe is organizing two volunteer water chestnut hand-pulling events at Ell Pond, on July 26 and August 2. Staff will support the effort by publicizing the events in City media and outreach. There is no community boating in Ell Pond this year.

Administrative Updates:

Annual election of Officers (postponed from previous meetings)
Current officers were renominated for their roles.

Motion made by Mr. Moore to accept the renomination of Mr. Paiewonsky as Chair of the Conservation Commission, seconded by Mr. Tiedeman. Motion was approved 6-0.

Motion made by Mr. Paiewonsky to accept the renomination of Mr. Moore as Vice Chair of the Conservation Commission, seconded by Mr. Tiedeman. Motion was approved 6-0.

Motion made by Mr. Moore to accept the renomination of Mr. Tiedeman as Treasurer of the Conservation Commission, seconded by Mr. Paiewonsky. Motion was approved 6-0.

Associate Member Calhoun is resigning, effective August 8. A resume is on file from a resident interested in joining the Commission as an Associate Member (submitted in 2024). Staff will advise the Mayor’s office to move ahead with appointment of this candidate.

New and other items:

The next regularly scheduled meeting will be August 21, 2025, at 7:30 PM.

Motion made by Mr. Paiewonsky to adjourn, seconded by Mr. Moore. Motion was approved 6-0.

Meeting adjourned at 9:31 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
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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.