

Melrose Conservation Commission
Minutes for August 23, 2012

Present: Richard Doucette, Kate Hickey, Erin Heacock, and Kevin Anderson

Absent: Susan Murphy

Guest: Aaron Weieneth

Mr. Doucette, acting Chair, called the meeting to order at 7:30 PM

Minutes

Mr. Anderson moved to approve the minutes of July 26, 2012. Ms. Heacock seconded the motion, and it was voted unanimously in favor.

Public Hearing

77 & 79 Messenger Court (245-0187)

Mr. Robert Bell, Esq., from Bell & Izzi, LLC, Pamela O'Connor, the owner, Paul Marchionda, from Marchionda & Associates, L.P. and Greg Antonelli, the developer. Mr. Bell stated that the purpose of the meeting is to determine under the state and local regulations what part of this property is developable and under what circumstances can be developed. He advised all present that there is no project proposal and when there is it is going to be reviewed by the Planning Board and the Zoning Board. They are at this stage discovering what is the buildable envelope on the lot and what needs to be done to make it buildable. Mr. Bell stated that after review of the work that has been done on the site, that you will agree that a proposal of this type is buildable, but it doesn't mean that that is what will be built. The idea is to build some housing that is close to the train depot. Mr. Doucette noted that the filing was for a specific development proposal and if they simply wanted to know where the wetlands were they could file a different type of filing. He then asked them if they wanted to stick with this filing. Mr. Marchionda said, yes.

Mr. Marchionda took over the presentation of the project. Mr. Marchionda described the site, a 2 acre parcel of land on Messenger Court, off of Greenwood Street. Mr. Marchionda explained that Norris Environmental was hired to outline the resource areas on the site. There is a bordering vegetated wetland north of the site in from Wakefield that drains into Melrose through a culvert. There is also an isolated wetland on the south side of Messenger Court. A 100 year flood plain encompasses a majority of the site at an undetermined elevation. A Letter of Map Amendment was completed at 61 Messenger Court which established the flood elevation there at 70.9. Mr. Marchionda explained to the audience that any filling of floodplain below that 70.9 elevation would have to be compensated at 100%, which he says they have accomplished. Some low Impact Development practices are being utilized such as the use of porous pavement and underground recharge of roof runoff. A rain garden is being proposed, although not needed per

Mr. Marchionda because roof runoff has already been captured. Mr. Marchionda commented on DEP's comments on the project. DEP's comments said **"must provide unrestricted compensation for each incremental elevation. Does not appear to meet BLSF performance standards. Need to provide unrestricted connection and table show fill and compensation provided at each elevation. Does not appear to be permittable as proposed."** Mr. Marchionda said the reviewer didn't see in the calculations the area they had counted. Mr. Marchionda said they are filling in the area between elevation 69.5 up to 70.9, which is the flooding elevation. Mr. Marchionda said that between 69.5 and 70, they have 4,000% more than needed. A buffer enhancement area is also being proposed.

Mr. Doucette asked what they plan for the buffer enhancement. Mr. Marchionda explained the debris currently on the site and said they plan to clean up the site, loam and seed or some kind of planting or wildflowers. Mr. Doucette asked Mr. Marchionda to describe the chambers under the parking. He also said that cultic chambers, they are made of plastic with some stone. They will be located 2' above seasonal high water. They are designed to infiltrate water Mr. Marchionda said that improvements may not be seen in the area, but there won't be additional runoff at this site.

Mr. Anderson noted that the soils on the site have been established as D soils. He asked if the developer plans any other excavation on the site or replacing of soils. Mr. Marchionda said there will be no basement and there will only be excavating for the frost wall. Mr. Anderson asked if the building was going to be a concrete structure. Mr. Marchionda said he didn't know. Mr. Anderson asked if the building would be two or three stories? Mr. Bell said there is no design yet. Mr. Anderson said the Commission would need to know the structure of the building. Mr. Bell said it can be assumed for this hearing that it will be a wood frame on a concrete foundation. Mr. Anderson said he would like to have a better understanding of the construction sequence. For example, Mr. Anderson asked if they expect to do any de-watering for construction of the foundation. Mr. Marchionda said, no. Mr. Anderson said the Commission will want to review the technical information for the porous pavement expected performance, especially in light of recent negative reports received by this Commission in recent years. Mr. Marchionda said this project is based on New Hampshire performance standards. The material needs maintenance. (An Operation and Maintenance Plan for Post-construction Storm Water Controls, dated July 2012 and a Long-Term Stormwater Operation and Maintenance Plan & Pollution Prevention Plan, dated July 2012, was submitted by the applicant.)

Abutter Comments:

George Torrey, 87 Greenwood St. – He has lived in his house for 56 years. He spoke of the number of cars that will be coming and going, and believes he is going to get water.

Mary Cadigan, 67 Greenwood St. – she has lived there 25 years and the area was a swamp area and would dry up and by June 1st it was a meadow. She hasn't seen meadow in over five years. She said in the last five years there has been a lot of water in her backyard. She thinks the water table has changed.

Susan, 77 Woodland Ave., lived in the house since 1973. She talked about water rushing and she doesn't remember it being that way in '73. She doesn't know where the water is coming

from.

Ms. Cassidy, with the Housing Authority, she told how the Steele House is very close to this area and the Housing Authority has spent hundreds of thousands of dollars repairing the building after floods and relocating people. She said it's happening more and more.

Ed Cassidy, 67 Clifton Park (a member of the Planning Board) - He felt the project is beyond codes and said the area is a swamp. Any additional fill or creation of impervious cover or fully maintained impervious cover is just going to push the problem onto someone else's backyard.

Susan Sutter, 73 Greenwood St. – This area is right on the line of Wakefield and Melrose and no one wants to take responsibility. She thinks a lot of the problems will come from Wakefield. She's asked to have it investigated. She said there's been a lot of discussion about the pipes coming from Wakefield, being too small. She says we take the water from Wakefield, we can't do anything about it. She believes the towns, Wakefield and Melrose, should get together to solve the flooding in the area.

Megina Baker, 61 Messenger Ct. – She was present for the storm of 2/2010 and she wasn't able to get out of her driveway because of the water rushing across the road. Stated her concerns about existing trees in the buffer enhancement area and flooding.

Mr. Mark, 61 Messenger Ct. – Advised members that Messenger Ct. has flooded up to six times in the last 15 years. It floods up to the base elevation, even though not experiencing a 100 year flood. Mr. Mark showed members on the plan the areas he is talking about. Mr. Mark said that the flooding has been through the site they propose to develop and asked if they plan to do anything about it, provided additional compensatory storage. Mr. Marchionda went over how they calculated their flood storage areas and compensated for the areas to be filled between 69.5 and 70 and reiterated that they have provided 4000 % more. He asked if the applicant planned to do any filling, especially in the roadway. Mr. Marchionda said, no; they don't intent to raise the roadway. Mr. Marchionda said since 1996, there have been a lot of severe storms.

Ms. Roballa, 82 Greenwood – He said adding more parking areas will not make the situation any better. Mr. Marchionda said they are providing more storage than required, so it may improve the area.

Lindsay Colburn, friend of an abutter – She said, if sidewalks added or roadway widened within the buffer the applicant will need to bring the changes back to Conservation. She said flood storage areas for compensation must connect and in one area it does not. Mr. Marchionda said, that one is not needed. Ms. Colburn read from the Mass. Regs. regarding storage of flood waters. Mr. Marchionda said he didn't want to go into it, that data has been submitted.

Iverson Ct. – Asked how wide the roadway is proposed, 16'? Mr. Marchionda said, yes. Are there any plans to improve the roadway? What if a fire truck had to go down there?

Al O'Connor, 79 Greenwood St. – Concerned with runoff from the 45 potential cars causing pollution. When it floods, how will they get out? Where will they park their cars? You can't walk through Messenger Ct. when the water is rushing through.

Arthur DeFalsi – 53 Greenwood St. – He explained that the back area is a drainage basin. The area is a Zone X on the FEMA maps. There is a hillside, all wooded to Woodland, to Greenwood and into Wakefield. He explained the drainage flow in the area and talked about the antiquated water system. He said a river runs through the City, but now is underground. Mr. Marchionda told what DEP requires and said they are very conservatory.

Unknown abutter - Who or how will maintenance be done? Mr. Marchionda said whoever owns the property will maintain it.

Mr. Doucette read the letter from Bob Beshara, the City Engineer, and a copy will be given to Mr. Marchionda. Mr. Beshara said that there are subdivision issues that need to be addressed between the Planning Board and the City Engineer; for example, the access road is too narrow at 15', and water supply issues need to be coordinated with the Fire Chief, applicant's engineer and the City Engineer; size of the water line, lack of hydrant, existing pressure and flow, etc. He essentially says that projects usually initially go through the Planning Board and other departments in town. Mr. Bell said that the applicant wants to go through the Conservation Commission first to see what's developable. Mr. Doucette suggested the applicant discuss the project with the City Engineer and Planning. Abutter letters submitted were not read out loud at the meeting, but members were given copies as was the applicant's engineer.

Mr. Anderson moved to continue the Public Hearing to September 20, 2012, seconded by Ms. Hickey, and voted unanimously in favor.

Members will do a site visit with the applicant and his engineer on Wednesday, August 29th at 6:00 pm, and if the applicant approves, abutters are also welcome.

Middle School Detention pond – Members received a report from Kelly Whalen, P.E. from NewFields Perspective. Vision. Solutions on the water quality sample results. Mr. Anderson noted that the sample was taken a year ago and the report didn't spec out what they were looking for. The Commission will take no further action on this matter.

Signs – Since there has been no response back from emails and calls sent to Sardella Signs, we will be contacting The Sign Shop out of Wakefield.

Invoice – Aquatic Control for the spot treatment of purple loosestrife growth in Swains Pond.

Mr. Anderson moved to approve the Invoice from Aquatic Control for \$800. Ms. Hickey seconded the motion; and it was voted 4-0.

Adjourn

Mr. Doucette moved to adjourn at 9:40 pm, seconded by Ms. Heacock, and voted unanimously in favor.