



CITY OF MELROSE

CONSERVATION COMMISSION

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Melrose Conservation Commission Minutes for June 2, 2016

Present: Susan Murphy, Zachary Drench, Richard Doucette and Michael Paiewonsky

Absent: Kevin Anderson, Kate Hickey and Aaron Weieneth

Ms. Murphy called the meeting to order at 7:30 PM.

Minutes:

Motion by Mr. Doucette to approve the minutes from May 5, 2016. Mr. Drench seconded the motion and it was voted 4-0 in favor.

Public Hearing:

39 W. Emerson Street- Request for Determination – Owner Roger Coviello was present. He explained what work had occurred on the site: Filled in a garden/lawn area with loam to level off depressed area, removed a bush from lawn area, removed an old wooden dock that had started to rot and removed an old fence made of various wire materials and replaced it with a new cedar picket fence that is located slightly closer towards the parking lot and of a reduced total length than the previous fence.

Mr. Coviello explained that he was unaware of the filing requirements for the work and only learned of the issue when the Melrose building inspector discovered the work had occurred and staff received a complaint from a neighbor. The Melrose Wetlands Ordinance prohibits work within 15 feet of a wetland. There is a question about whether the new fence material is in kind with the preexisting material. The new fence is all cedar including the posts, not pressure treated. The previous fence was a mixture of various wire materials and metal rods.

The space under the fence with the board blocking it can be removed (the board), it was originally placed there for erosion control during installation. Mr. Paiewonsky- The new fence looks obvious but upon close inspection, it isn't substantially different from the previous fence. The new fence should soften in appearance over time to not look so obvious. Mr. Drench- How old was the original fence? Mr. Coviello- not sure, it has been there a long time, possibly over 20 years. Mr. Drench- 3 important elements here, Is the fence a barrier to wildlife passage? No, Is Fence older than wetlands ordinance? Presumably. Fill that was added to the garden, is it the same as a lawn? Possibly, the removal of the dock is also an improvement. Mr. Doucette- Can the last piece of metal

be removed from where the dock was? Mr. Coviello- Not sure how deep it goes, I'll see if I can remove it.

Motion by Mr. Doucette to issue a Negative 2 Determination. Mr. Drench seconded the motion and it was voted 4-0 in favor.

Discussion Items:

10 Windsor Street- The property owner, Marinalva Harris and George Maroun were present. Staff received several complaints about work being done in flood plain. The City building inspector visited the site and issued a stop work order and required more information. Staff was unable to reach the owner and issued a violation notice, requesting that the owner attend the meeting to provide more information. Mr. Maroun- The driveway is to be replaced with new asphalt pavement. It is currently a combination of old, cracked pavement and pea stone aggregate material. Grades will not be changed and will remain the same as before. The engineer was not sure whether the driveway area was outside the 100 foot buffer zone to the wetland. Mr. Doucette- Staff should look at the prior permit issued for the property to check if the pea stone driveway area is shown. The project may only require a RDA. Also look to see if the house footprint is larger than it was originally permitted for, determine if a certificate is necessary as well for previous work. A partial certificate of compliance was issued for partial subdivision, other house to be constructed was not built and the order expired.

The work could possibly begin as soon as the day after the next meeting on July 7 if the area is determined to not be bordering land subject to flooding (BLSF) and no certificates are necessary. A RDA will be necessary if the area is determined to be BLSF.

Proposed Conservation Land rules - No one present for public comment, The proposed rules were publicly advertised on the City website and a legal notice was published in the paper advertising the public hearing and directions to the website to view the proposed rules. The Melrose Police Department will need to receive a copy of the new rules for enforcement and to issue fines. Staff will forward a copy of the new rules to the police chief.

Motion by Mr. Doucette to accept the proposed Conservation Land rules, as written. Mr. Drench seconded the motion and it was voted 4-0 in favor.

City GIS layer- One of the current Commission members made the maps back in 2009 according to the date on the trail maps. Staff will check with current commission member to confirm whether to adopt the new open street map trail lines or adjust our official layer. The open street map trails could be adopted for all non-conservation lands.

Trail Clean up- The trail clean-up will be rescheduled for Sunday, June 12. Due to a forecast of rain for the previously scheduled date. Meet at Flagg Acres parking area (2-4pm).

Continuance for Dexter Road- The applicant submitted a request to continue the hearing

to the next meeting. A quorum of members was not present and the applicant may need to re-file for a new public hearing.

Motion by Mr. Doucette to continue the public hearing for Dexter Rd to July 07, 2016 meeting. Mr. Paiewonsky seconded the motion and it was voted 4-0 in favor.

Community Preservation Act- Historical Commission was in favor of moving forward towards a ballot question. Issue with past Debt exclusion and failed override attempt has likely built up negative public sentiment. Current political climate doesn't seem favorable at this time and the CPA effort will be tabled for a few years.

Next Meeting:

The next scheduled meeting will be Thursday, July 07, 2016 at 7:30 PM.

Adjourn

At 9:00 PM Ms. Murphy moved to adjourn, seconded by Mr. Doucette and it was voted 4-0 in favor.

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.
