

Wakefield Conservation Commission (Commission) – Minutes – May 27, 2021

Attendance: Chairman Jim Luciani, Vice Chairman Bob Romano; Teresa Belmonte; Ken Alepidis, Peter Miller; Silvana Bouhlal

Absent: Frank Calandra

Elaine Vreeland, Rebecca Davis, Judy Green

5/13/21 minutes – Ms. Belmonte made a motion to approve the May 13, 2021 minutes.

Mr. Alepidis made a second to the motion. After polling the Commissioners individually, the motion passed. Ms. Bouhlal abstained.

DEP313-604 – 28 Bellevue Avenue – Robert Williams – public hearing: Notice of Intent for the razing of existing dwelling and construction of new single-family house within the buffer to bordering vegetated wetland (BVW) – John Ogren of Hayes Engineering was present for the applicant – Mr. Ogren stated that the proposed driveway would be directly in front of the new home. Grading would be similar to existing conditions. There will be an increase of 335 square feet of impervious surface. Four Stormtech units will also be installed. The new house will be 750 square feet larger than existing. It will have a walk-out basement. The maple tree at the front of the house will be saved if possible.

Mr. Romano asked the distance from the edge of the lawn to the wetland.

Mr. Ogren stated it was 6’.

Mr. Luciani asked if blasting would be required.

Mr. Ogren stated that it is possible.

Ms. Vreeland has confirmed the wetland line.

Mr. Luciani asked if the infiltration chambers would capture runoff from the whole roof.

Mr. Ogren stated they would only capture rear roof runoff.

Mr. Romano asked if it would be possible to capture runoff from the entire roof.

Mr. Ogren stated that that would require four times as many chambers. He noted that the entire roof could be directed into the proposed number of chambers. Overflow would happen but would not be detrimental. He will provide revised calculations for storage of entire roof runoff.

Mr. Luciani asked if the stream in back was feeding the wetland.

Mr. Ogren stated it was not.

This matter was continued to 6/10/21.

DEP#313-605 – 26 Millbrook Lane – Susan & Ryan Burns – public hearing: Notice of Intent for the construction of a swimming pool and patio within the riverfront to the Mill River and within buffer to BVW – Thor Akerley of Williams and Sparages was present for the applicants. The proposal consists of a 20'x40 inground pool and patio. Mr. Akerley stated that the yard is currently a maintained lawn up to the edge of the river. There previously had been a pool (removed in 2010) in the same footprint as proposed. The 100-year flood elevation is 56'. No work will be undertaken within bordering land subject to flooding. It was noted that activity was designed as far from the resource areas as possible. There will be a 2' buffer between the existing concrete wall and the pool. A 2' deep by 1' wide infiltration trench will be added alongside the patio in order to capture runoff. An operations and maintenance plan for the trench will be provided. The work is currently within the 50' zoning stream setback with the pool at 48' and the fence at 45'. They are looking to reduce the size of the pool in order to achieve the setback. A revised plan will be submitted at the next meeting.

Mr. Romano asked if the patio would consist of poured concrete or pervious pavers.

Mr. Akerley stated it would be poured concrete. It was noted that the majority of the proposed 1,400 square foot patio would be within the exempt area as noted under the Wetlands Protection Act.

Mr. Luciani asked if de-watering would be required.

Mr. Akerley stated it would be. A detailed de-watering plan will be provided for the next meeting.

Mr. Luciani felt that the infiltration trench would be better placed along the back area.

Mr. Akerley feels confident that the trench as proposed would be sufficient.

Mr. Romano asked if the pool would be heated.

Mr. Akerley stated that he was not sure but would report back.

Requested items for next hearing:

- Revised plan with pool pulled back from the 50' zoning setback.
- Flow direction arrows noted on the patio area.
- De-watering plan.
- Infiltration trench operations and maintenance plan.
- Pool heater information.

Mr. Akerley stated that a revised plan would be submitted by the end of next week. He will also stake out the corners of the pool and patio.

The Commission will conduct a site visit 6/5/21 at 10:30AM.

This matter was continued to 6/10/21.

DEP#313-602 – 237 Water Street - Water St. Wash Joint Venture RT – Public meeting: Notice of Intent – this matter was continued by the applicant to 6/10/21 to allow time to address zoning issues.

34 Butler Avenue – Request for Certificate of Compliance – Ms. Vreeland submitted comment that she had reviewed the site. No issues were noted.

Ms. Belmonte made a motion to issue the Certificate of Compliance.

Ms. Bouhlal made a second to the motion. After polling the Commissioners individually, the motion passed unanimously.

94 Kendrick Road – Request for Certificate of Compliance – Ms. Vreeland submitted comment that she had reviewed the site. No issues were noted.

Mr. Miller made a motion to issue a Certificate of Compliance.

Mr. Alepidis made a second to the motion. After polling the Commissioners individually, the motion passed. Mr. Romano abstained.

26 Shady Avenue – discussion of wetland replication – The homeowner has requested a continuance to the next scheduled meeting.

Mr. Alepidis stated that he would overlay the approximate wetland line as determined in the field by Ms. Vreeland and Mr. Luciani for the next meeting.

DEP#313-601 - 38R Walton Street – Diane Sullivan Trust – Public meeting – Notice of Intent for the demolition of existing house and construction of new dwelling with driveway, utilities, storm water management and appurtenances within the Bordering Vegetated Wetland – John Ogren of Hayes Engineering was present. A revised site plan was submitted for review this evening.

- The driveway turnaround has been moved out of the 25' buffer.
- A cross-section from the house to the stream was provided.
- De-watering detail was added to the plan. The de-watering area will consist of crushed stone lined filter fabric surrounded by hay bales. The exact location will be determined on-site with approval of the Commission.
- Regarding Town Engineer Bill Renault's comments Mr. Ogren submitted drainage calculations for the infiltration chambers.
- Tributary areas to the infiltration area have been identified.
- It is not felt that the storm water bylaw applies as there will be less than 15,000 square feet of disturbance. The bylaw also states that projects active under the Wetlands Protection Act and approved by the Commission are exempt.
- 50' stream setback zoning bylaw – the applicant has applied to the Zoning Board of Appeals (ZBA) for a finding as there was a previous structure on this lot. They are asking

that the ZBA consider this work no more detrimental and therefore not subject to the bylaw.

Mr. Romano asked if the Commission should continue this review pending outcome from the ZBA.

Mr. Ogren noted that per the WPA they are only required to have applied for the variance. If the variance is not received, they would need to re-design the project.

Ms. Davis noted that the construction could not move forward without the variance.

Mr. Ogren felt that a delay of this kind would hold up construction in the event that the ZBA renders a quick decision.

Ms. Belmonte agreed that the meeting should remain open until the ZBA issues a decision.

Bob Sullivan – property owner – would like to close the hearing tonight.

Ms. Davis asked why the original driveway location was moved from the far side of the stream to 25' from the stream.

Mr. Miller noted that there was a large increase in impervious area due to the size of the driveway. He noted that flipping the house would decrease that surface by nearly 50%.

Mr. Ogren stated that it would change the focal point of the house to the garage, not the porch.

Mr. Sullivan asked if converting a portion of the driveway from asphalt to gravel would help.

Ms. Davis pointed out that the previous house itself was 20' from the wetland. The proposed driveway and entire side of the new house will now be in that location.

Mr. Luciani requested that the applicant look at moving the house.

Ms. Belmonte asked the increase in impervious surface from existing to proposed.

Mr. Ogren stated it was an increase of 2,750 square feet.

Ms. Davis asked whether the 30' oak tree in the rear of the property would be removed as the canopy is at the corner of the house.

Mr. Ogren does not think this will be an issue.

Mr. Sullivan stated that he does not think that flipping the house to save 20% impervious area is worthwhile.

Ms. Davis noted that driveway plowing may be an issue as snow would be pushed from the end of the driveway towards the stream.

Mr. Sullivan stated he would look at the possibility of flipping the house however feels that a decrease in impervious area is unnecessary as storm water would be handled in the infiltration chamber.

Mr. Luciani noted that the size of the house could also be decreased. He stated that the goal is to move activity away from resource areas.

Ms. Davis noted that the 25' buffer to the wetland is in place to ensure it will remain undisturbed and without activity. This means it would be left in its natural state with no mowing up to the house. She does not feel that this is a realistic expectation.

Mr. Luciani stated that he would like to see the driveway pulled away from the 25' setback.

Mr. Ogren suggested adding a stone trench along the driveway to aid mitigation.

Mr. Luciani does not think this would be successful.

Mr. Romano felt that this would be an improvement.

Mr. Miller expressed concern with plowed snow being pushed into the stream. He noted that this would not be an issue if the driveway is pulled back from that area.

Mr. Sullivan stated that he would use a snow blower on the driveway.

Mr. Luciani noted that a future owner could plow. He felt that in order to decrease the driveway area the house would need to be flipped.

Ms. Belmonte concurred. She does not want to have pavement so close to the wetland line.

Mr. Ogren suggested using pervious pavers for the driveway.

Mr. Romano stated that this does not address the plowing issue. He noted that pulling the house closer to the right-of-way would allow one to pull straight into the driveway, thereby eliminating the plowing issue.

Mr. Ogren noted that plan would put the left rear corner of the house closer to the 25' setback in the rear.

Ms. Belmonte made a motion to continue this matter to 6/10/21.

Mr. Luciani made a second to the motion. After polling the Commissioners, the motion passed unanimously.

DEP#313-603 – 3 Andrews Road – Meredith Hurley – public meeting – Notice of Intent for the construction of an addition and stairs within the bordering vegetated wetland – John Ogren of Hayes Engineering and the applicant were present. A revised plan was submitted for review this evening. Erosion controls have now been moved upgradient as requested. De-watering and planting plans were also submitted. Bushes will be placed along the BVW.

Ms. Bouhlal made a motion to close the public hearing.

Mr. Alepidis made a second to the motion. After polling the Commissioners individually, the motion passed unanimously.

Mr. Miller would like to hear Ms. Vreeland's comments on the proposed restoration plan. He would like to ensure that the plantings prevent future mowing.

Ms. Hurley stated that they have no problem with the no-mow area.

Ms. Belmonte would like the restoration work completed prior to construction.

Ms. Hurley agreed to this request.

The vote on the Order of Conditions will be taken at the 6/10/21 meeting.

DEP#313-600 – 100 Hemlock Road – Northeast Metro Regional Vocational High School – continued public hearing – Abbreviated Notice of Resource Area Delineation for 3,181 linear feet of bordering vegetated wetland, 193 linear feet of inland bank, 921 linear feet of riverfront and 770 linear feet of isolated vegetated wetland. Andrea Kendall from LEC Consulting and Michelle Callahan from Nitsch Engineering were present for the applicants. Revised plans are now being developed. The plan will note the revised flags and the area near the entrance of the school where the wetland was not labeled. Both certifiable and non-certifiable vernal pools will also be noted. Concentrated flow paths from the transmission line right-of-way will be added to the plan. Ms. Kendall stated that the isolated area near the path does not qualify as a wetland. Soil data provided shows non-hydric soil. Vegetation in that area also ruled that out. Streams upgradient of a wetland are not considered jurisdictional. Soil data from the woodland area was also provided. This will be noted on the plan for informational purposes. She suggested that the Commission close the hearing and issue an Order of Conditions with a special condition that the plan contain everything that has been discussed.

Bob Brooks – June Circle – stated that he had submitted site photos documenting flooding of June Circle from the culvert. He expressed concern regarding additional flooding.

Mr. Romano noted that the Commission could not comment on this until a design plan is submitted.

Mr. Brooks was told by the Northeast Voke design engineers that flooding due to the culvert was not within their jurisdiction and would need to be addressed by Wakefield DPW.

Mr. Romano noted that the culvert in this area is blocked and does need maintenance. It should be addressed by the DPW.

Mr. Luciani asked if the culvert flows throughout the year.

Mr. Brooks stated that it does.

Mr. Luciani asked if there was a stream that carried water to the culvert.

Mr. Brooks stated he was not sure.

Mr. Luciani asked why the area where the water flow is continuous would not be considered a stream.

Ms. Kendall stated that there is not concentrated flow until 15' upgradient from June Circle where it is confined by the embankment. In her opinion that would be the start of the stream. It is also not mapped as a perennial stream.

Mr. Luciani asked why the BVW could not be considered a stream.

Ms. Kendall stated that there could be a stream interior of the BVW but their concern is the outermost boundary of the resource area.

Mr. Luciani stated that the resource areas whether they will be used or not should be located on the plan.

Ms. Kendall noted that if an interior resource area were to be disturbed, that would then need to be reviewed.

Mr. Romano reiterated that the culvert on June Circle needs to be addressed by DPW.

Mr. Brooks would like to see this addressed prior to any proposed project development. He is concerned that the project could change drainage in this area.

Mr. Luciani has concerns regarding the stream as there is continuous water flow down to June Circle.

Mr. Miller feels that this will come into play once a project is brought forward.

Ms. Davis noted that the Commission could note that while they are voting on the delineation noted on the plan, other jurisdictional areas that have not been identified may be present.

Mr. Miller expressed concern that approval of the stated lines also approves the absence of other lines unless specific undefined areas are noted.

Ms. Kendall noted that the intent of the ANRAD plan is to define the outermost resource areas. The Commission could also acknowledge other interior resource areas.

Ms. Callahan stated that the distinction could be made that additional wetlands within the already flagged wetland area may be present. The ANRAD solely delineated the outermost resource areas only.

Mr. Luciani would like to ensure that if a non-delineated resource area is found it could be addressed.

Ms. Kendall stated that she had conducted a Streamstats analysis at June Circle and the watershed noted was small.

Ms. Davis asked if stormwater drainage was taken into consideration.

Ms. Kendall stated that there could be other storm water feeding the area but the point she used was right at the culvert. For their purposes that did not need to be considered.

Ms. Belmonte made a motion to close the public hearing.

Mr. Miller made a second to the motion. After polling the Commissioners individually, the motion passed unanimously.

Mr. Romano requested that the revised plan be enlarged in order to be able to read the contours.

Mr. Miller would like the distinction made in the order that interior resource areas were not delineated.

Ms. Kendall suggested that the order could state that the outermost boundaries of wetland resources were identified. Interior boundaries, if present, were not delineated nor are they depicted on the plan.

Ms. Belmonte asked if interior in that context is clear.

Ms. Kendall stated that in this case interior would be bank. She added that isolated vegetated wetlands that were delineated were not jurisdictional. That should also be noted.

Mr. Miller stated that could be noted on the plan.

Mr. Miller made a motion to issue an Order of Resource Area Delineation pending receipt of a revised plan with the above noted specifics.



Mr. Luciani made a second to the motion. After polling the Commissioners individually, the motion passed unanimously.

Mr. Luciani made a motion to adjourn.

Mr. Alepidis made a second to the motion. After polling the Commissioners individually, the motion passed unanimously.