

Wakefield Conservation Commission – Minutes – September 9, 2021

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Attendance: Chairman Jim Luciani, Vice Chairman Bob Romano; Teresa Belmonte; Ken Alepidis, Peter Miller; Frank Calandra; Silvana Bouhlal
Rebecca Davis, Elaine Vreeland, Judy Green

8/12/21 minutes – Mr. Calandra made a motion to approve the August 12, 2021 minutes.

Mr. Alepidis made a second to the motion. After polling the Commissioners individually, the motion passed. Ms. Bouhlal abstained. Ms. Belmonte was not present for the vote.

Lowell Street opposite Pleasant Street bus stop #9289 – MBTA – Request for Determination of Applicability: public hearing - for the construction of 395 square feet of sidewalk including a 10'x8' landing area and new curbing within buffer to bordering vegetated wetland – Tess Paganelli and Natasha Vance from MBTA and consultant Angela Saunders were present for the applicant.

Ms. Vance stated that the MBTA has undertaken an initiative to improve safety and accessibility of bus stops systemwide.

Ms. Saunders stated that a new crosswalk and curbing would be installed. She noted that the wetland was not flagged, rather it had been determined based on GIS mapping only. Silt socks will be used during construction. This work will take place in 2022. Work will take approximately 1-2 weeks.

Mr. Calandra asked how excess material would be addressed.

Ms. Saunders stated that the contractor would be responsible for removal.

Ms. Vance stated that they would impose a condition that the contractor directly load excess material and remove from the site.

Mr. Calandra made a motion to issue a negative determination.

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

(Ms. Belmonte joined the meeting.)

DEP#313-596 – 67 Harrison Avenue – Request for Certificate of Compliance – this matter has been continued to 9/23/21.

DEP#313-567 – 0 Patriot Circle – Request for Certificate of Compliance – this matter has been continued to 9/23/21.

Mullin Rule – If a Commissioner is absent they would need to read the transcript of the meeting then sign a statement attesting to same with the Town Clerk. This would then allow one to vote on the matters discussed.

Mr. Miller made a motion to implement this rule.

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

DEP#313-602 – 237 Water Street – Water St. Wash Joint Venture RT – Notice of Intent – this matter was continued to 12/9/21 at the applicant's request.

DEP#313-607 – Lake Street – Foundry Development LLC – This matter was continued to 9/23/21.

DEP#313-608 – 200-400 Quannapowitt Parkway – CCF Quannapowitt Parkway Co. LLC – Notice of Intent: public hearing – for the construction of 3 multi-family residential buildings, access road, parking, drainage, landscaping, and utilities within Bordering Land Subject to Flooding and Riverfront – Attorney Brian McGrail, Matt D'Amico of CCF, Mitch Maslenska and Scott Goddard of Stoddard Engineering and Nick Dellacava of Allen and Major were present for the applicants.

Mr. Alepidis recused himself from this hearing.

Mr. Malenska noted that there is a large impervious area at present. Resource areas identified are:

- 100' buffer to bank of Lake Quannapowitt.
- Perennial stream beneath Route 128 and Quannapowitt Parkway.
- BVW off the river. It was noted that this is an extensive area spanning both on-site and off-site.
- Intermittent stream adjacent to Route 128.
- Floodplain.

Work is proposed in the riverfront, buffer to BVW and within the buffer to the bank of Lake Quannapowitt. Wet basins are proposed within the existing lawn area in the riverfront. The parking lot runoff currently sheet flows into this area.

Mr. Romano asked who is currently responsible for maintenance of the islands. He noted that they are quite degraded.

Mr. D'Amico stated that they are the responsibility of the current property owner.

Mr. Calandra noted that the degraded condition has been present for a decade. He asked if there would be any mitigation for sediment that has run off into the resource area as a result of the degraded state.

Mr. Maslenka stated there would not be. He again noted that a wet basin would be installed in the riverfront area. He contended that removing the sediment now would be more detrimental.

Mr. Calandra requested submission of a written assessment documenting this opinion. He felt that there has been a great amount to the resource area as a result of this sediment.

Mr. Romano asked if temporary measures could be taken to prevent further damage.

Mr. McGrail stated that the current swales had been present for years. He felt that this was the way that the site was designed.

Mr. Romano noted that it was clear that the curb had been mechanically removed in the swale areas.

Mr. McGrail stated that it was probably broken up due to Town snow plows.

Mr. Calandra stated that he is frustrated by the fact that the current owner had previously presented a plan to improve this area yet the work was not undertaken.

Ms. Belmonte stated that any proposed improvements would be years in the future. She would like to see remediation take place immediately.

Mr. McGrail agreed with this statement.

Mr. Maslenka stated that he would develop a strategy.

Mr. Miller would like a consultant to review the riverfront improvement proposal.

Mr. Maslenka stated that 10,337 square feet of degraded area in the riverfront would be removed. The paved swale would also be removed. As stated, lawn in the riverfront would be converted to wet basins utilizing native plants only. The size of the vegetated islands would also be increased.

Ms. Davis stated that the grass areas are not considered degraded. As such, they do not qualify for redevelopment. Stricter performance standards would apply.

Mr. Maslenka disagreed contending that this is redeveloped property.

Ms. Davis noted that the Department of Environmental Protection (DEP) has affirmed that riverfront could be segmented by category – new development vs. redevelopment.

Mr. Maslenka stated that this project could meet the riverfront performance standards in Section #4. He will provide a statement detailing how this project meets new development standards.

Mr. Goddard contended that if there was a net improvement of riverfront, in its entirety, it would be considered an improvement. He sees no need for an alternatives analysis as he feels that far less degradation of the site is proposed. In his professional opinion, this is a moot point as the standards are met.

Mr. Calandra asked if a wet basin was an improvement over a grass buffer.

Mr. Maskenka stated that it would be. He stated that the lawn would be regraded to a depression to avoid direct flow to the river.

Mr. Calandra asked how riverfront habitat would be improved.

Mr. Maslenka contended that the lawn provides no habitat value. He felt that the addition of better wetland plants would be beneficial.

Mr. Calandra asked how close work would come to the river.

Mr. Maslenka stated that the minimum setback to the river would be 5’.

Mr. Dellacava stated that there would be a vegetated filter strip in the curb area. Water would flow through this strip into the wet basin.

Mr. Maslenka stated that the plan met DEP storm water management standards.

Mr. Goddard stated that the proposed work would be no closer than existing conditions.

Mr. Calandra asked if lawn could be considered existing even though it is not degraded.

Mr. Maslenka stated that it could.

Mr. Goddard contended that if the riverfront area contains any degraded area it is then collectively considered redeveloped area.

Mr. Maslenka stated that all structures are moving away from the riverfront area.

Mr. Calandra noted that per the Notice of Intent application the existing bridge walkway over the stream is referenced as degraded area. He asked the relevance of this notation.

Mr. Maslenka stated that the walkway is up to the bank of the river.

Mr. Calandra asked if this contention would be the same if the pathway to the river was grass.

Mr. Maslenka contended that it would as the area is considered maintained up to the river.

Mr. Vreeland noted that the proposed area cannot exceed the existing degraded area in the riverfront.

Mr. Calandra asked when an alternatives analysis was required.

Mr. Maslenka stated that it was not required in this case however was added as a courtesy.

Mr. Calandra noted that this analysis listed only scenarios that would worsen the conditions. He asked why “move the project closer to the river” had been the only alternative that would make the project viable. No alternate viewpoint was provided. He also asked why it had been included for a redevelopment project.

Mr. Maslenka stated that it could be removed.

Mr. Luciani asked if the determination of top of bank had been field surveyed.

Mr. Maslenka stated that it had under the previously approved Order of Resource Area Delineation.

Ms. Vreeland felt that moving the wet basin further away from the river would provide a larger wildlife corridor. She also asked how long it would take before the wet basin drained down.

Mr. Dellacava stated that it is not meant to drain.

Ms. Vreeland noted that the existing Order of Conditions for this property needs to be closed out as no work was undertaken.

Mr. Calandra suggested retaining a consultant to evaluate the proposed wet basins. He felt that storm water management review by Town Engineer Bill Renault would be sufficient.

This matter was continued to 9/23/21.

Associate members – Ms. Davis suggested that the Commission advertise for non-voting associate members.

The Commission concurred. A request to advertise for these positions will be made to Sherri Dalton.

Amended tree removal policy – Ms. Bouhlal made a motion to accept the amended policy.

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

Setback bylaw – This matter was continued to the next meeting.

39 Bartley Street – tree removal request – The homeowner Mr. Magoon stated that it was a large silver maple at the rear of the property. He requested guidance around whether to prune or remove.

Ms. Vreeland will conduct a site visit and report back.

Mr. Alepidis stated that he would be willing to review future requests.

71 Kendrick Road – tree removal request – Ms. Vreeland will conduct a site visit and report back.

Mr. Miller made a motion to adjourn.

Ms. Belmonte made a second to the motion.

After polling the Commissioners individually, the motion passed unanimously.