

## Wakefield Conservation Commission – Minutes – December 9, 2021

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

10/28/21 minutes – Mr. Luciani made a motion to approve the 10/28/21 minutes.

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

11/18/21 minutes – Ms. Belmonte made a motion to approve the 11/18/21 minutes.

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

DEP#313-607 - Lake Street – Notice of Intent – continued public hearing – this matter was continued to 1/13/22 at the applicant's request.

DEP#313-XXX – 109 Farm Street – Jonathan Belyea – Public hearing: Notice of Intent – this matter was continued to 1/13/22 at the applicant's request.

DEP#313-608 – 200-400 Quannapowitt Parkway – CCF Quannapowitt Parkway Co LLC – continued public hearing: Notice of Intent – This matter was continued to 1/13/22 at the applicant's request.

DEP#313-XXX – Edgewater Office Park – Hobbs Real Estate – Notice of Intent: public hearing – maintenance of 6 storm water management ponds – Libby Wallis of Hayes Engineering, Tom Connery of Hobbs Brook Management Company and Leyla Kimball, Hobbs Management general counsel were present.

Ms. Wallis stated that the previous Order of Conditions called for the removal of invasive vegetation in and out of the ponds. The current management company has chosen to use a natural treatment approach rather than treating the ponds chemically. The proposed plan calls for three maintenance activities:

- Application of biological digester treatment. This entails placing enzyme and bacteria packets in the ponds. Once dissolved, they eat the bacteria. This would only be used during summertime in the event of large algae outbreaks.
- Maintenance of planted vegetation along the ponds which intercept runoff as well as provide habitat. The property landscape architect will plant and maintain vegetation to enhance both aesthetics and habitat value.
- Maintenance of slopes, rip raps and fountain pipes. A slight amount of drawdown will be undertaken to allow for repair and cleaning.

Mr. Connery – General Manager of The Edge (Edgewater Business Park) stated that he is committed to a natural treatment solution. He added that water conservation related to irrigation would also be a focus.

Mr. Romano asked if this was the first time that a biological digester would be used by this company.

Mr. Connery stated that it was. He noted that an organic option was suggested by Ms. Vreeland.

Mr. Luciani voiced his approval of this solution. He asked the potential downsides as well as how it would be determined if more product were needed.

Ms. Wallis stated that it would be evident that it's working if the ponds go from murky to clear following treatment.

Mr. Calandra asked who would perform the dosing. Also, if there was a possibility that this treatment could attack the plants surrounding the pond.

Ms. Wallis stated that it attacks only decaying and dead organics.

Mr. Luciani asked if results would be seen in the first year. If not, would they use another method.

Ms. Wallis stated that they would know if it works within the first year. She noted that this would only be used in the worst conditions. If it is determined to be ineffective, they would return to the Commission for alternate solutions. A yearly report would be issued to the Commission.

Mr. Luciani asked how much sediment was present in the ponds.

Mr. Connery stated that they are losing volume but not a large amount.

Mr. Luciani asked the status of the banks.

Mr. Connery stated that they are in good condition.

Ms. Davis asked how they would drawdown the ponds.

Mr. Connery stated that the pond edges are currently self-maintaining. The engineered system allows drawdown. He noted that they use larger, stabilizing river rocks. The only pond that requires drawdown due to high water level is at building 601.

Mr. Luciani asked if they had witnessed areas where this product was used.

Ms. Wallis stated they had not.

Ms. Bouhlal requested evidence of success of the product in other locations.

Mr. Calandra suggested a special condition stated that the applicant would communicate with the Commission regarding dosing prior to its application.

Ms. Wallis stated that this product was found through an internet search.

Mr. Luciani requested that the applicant contact users of this product for their observations.

This matter was continued to 1/13/22.

DEP#313-610 – MA Army National Guard – Notice of Intent: continued public hearing for a 5-hear invasive species management plan – Emily Atherton of BSC Group and Erin Hilley from MA National Guard were present for the applicants.

Ms. Davis stated that she had requested copies of Orders of Conditions from other town surrounding this project for reference. Lynnfield is the only town to have issued one at this time. She felt that this would be helpful in crafting Wakefield's Order.

Ms. Hilley stated that the Reading Commission expressed concern regarding large trees within the wetland as well as not removing large canopy trees. She noted that there are larger undisturbed areas in Reading including vernal pools.

Mr. Alepidis requested that they copy the Commission on any yearly reports.

Mr. Luciani made a motion to close the public hearing.

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

The Order of Conditions will be discussed at the 1/13/22 meeting.

Budget – Ms. Belmonte made a motion to accept a level-funded budget for fiscal year 2023.

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

24 Winnissimmette Ave. – Ms. Davis stated that the homeowner previously presented a site picture related to a tree removal request. This picture showed a new fence within 10' of the stream. A structure has also been added over the Town's easement. She has spoken with Town Engineer Bill Renault who stated that the culvert on this street had been mapped as part of a town-wide mapping project. He noted that the culvert beneath the pergola has collapsed. As the street is private, the town will not fix the culvert. She pointed out that a pergola, concrete pad and fence within 25' of a stream requires a wetland permit. She expressed concern that without a wetland permit for an existing structure it would be easier for a homeowner to build a new structure in the same place. An after-the-fact Notice of Intent filing could impose a condition stating that if the current structure is removed, the area would need to be restored to its natural state. She stressed that the Commission needs to be consistent with these decisions.

Mr. Miller felt that these decisions should be made on a case-by-case basis.

Mr. Luciani would like to see mitigation as practicable. He agreed with the need for an after-the-fact Notice of Intent filing.

Ms. Belmonte agreed stating that the Order of Conditions would memorialize the work undertaken.

Mr. Romano expressed concern that this would set a bad precedent by the Commission looking for offenders.

Mr. Wendelgass (associate member) stated that he agreed that the concrete pad should not be so close to the buffer. A Notice of Intent filing would prevent a future accessory structure.

Mr. Romano asked where this type of enforcement would end.

Mr. Alepidis noted that the applicant opened up the issue as he came to the Commission to request a tree removal.

Ms. Davis noted that it seems inconsistent not to enforce the filing of a Notice of Intent in this case.

Mr. Romano would prefer to send the homeowner a letter stating that he could not undertake future work in this area.

Ms. Belmonte disagreed with this approach.

Ms. Davis will reach out to surrounding towns to ask how they enforce such cases.

This matter was tabled to a future meeting.

Stark Avenue – Planning Board comments – Ms. Davis stated that the subdivision plan before the Planning Board has been revised. This revision takes all activity out of the 25' buffer. She noted that the reality is a new homeowner would likely request permission to remove trees in order to achieve a usable yard area. She suggested a pre-emptive approach whereby the Commission submit comments requesting that the applicants note on the plan all trees within the 25' buffer that are potentially hazardous to the house. If any are removed in the future, they must be replaced. The Order of Conditions would state that no clearing or encroachment on the 25' buffer would be allowed.

The Commission concurred with these comments. They will be submitted to the Planning Board.

DEP#313-53 – Montrose Woods – This land has been taken by the Town for tax title. Ms. Davis suggested that the Commission ask Town Council to have the lots transferred to the care and custody of the Commission.

Ms. Bouhlal made a motion to submit a letter to Town Council requesting that these lots be transferred to the Commission as stated above.

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

Brookbend Condominiums – tree removal request. Ms. Vreeland has visited the site and noted that the tree in question was dead and could be removed. She noted however that the tree provides bank stability. Ms. Davis suggested replacement with shrubs. She will discuss this further with the property manager and report back.

Ms. Belmonte made a motion to adjourn.

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