

Wakefield Conservation Commission – Minutes – April 14, 2022

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Attendance: Chairman Jim Luciani, Vice Chairman Bob Romano; Teresa Belmonte; Silvana Bouhlal; Peter Miller; Ken Alepidis; Associate members: Paul Wendelgass; Julie Giganti

Absent: Frank Calandra

Elaine Vreeland, Judy Green

Approval of 3/10/22, 3/22/22 and 3/24/22 Minutes – Ms. Bouhlal made a motion to approve the 3/10/22, 3/22/22 and 3/24/22 minutes.

Mr. Luciani made a second to the motion. After polling the Commissioners individually, the motion passed. Mr. Alepidis abstained from approving the 3/24/22 minutes. Ms. Belmonte was not present for the vote.

Open Space and Recreation Plan (OSRP) consultant – vote – The Commissioners have reviewed OSRPs compiled from both Massachusetts Area Planning Commission and Horsley & Witten. Mr. Romano noted that the quote from Horsley & Witten would meet the amount approved by Town Administrator Steve Maio.

Mr. Luciani made a motion to retain the firm of Horsley & Witten.

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

DEP#313-XXX – 66 Butler Avenue – Joseph Surianello, Heritage Builders – public hearing: Notice of Intent for the razing of existing structures and the construction of a new single-family dwelling and site grading within the buffer to bordering vegetated wetland (BVW) – Paul Finocchio of PJF Associates and Mr. Surianello were present.

Mr. Finocchio stated that the wetland delineation was previously approved under an Abbreviated Notice of Resource Area Delineation. The existing house and garage will be removed and replaced with a new home and driveway. Three trees along the abutting property will be removed. A letter in support of tree removal from the abutters was also submitted. The trees will be replaced with brown birches. At the time of planting they will be at a height of 15' to 18'. These will be planted along the 25' buffer line. Roof runoff will be captured in an infiltration system sized for a 25-year storm event. The rear yard would be accessed by a paver walkout beneath the deck. A patio off the kitchen will also be installed.

Mr. Miller asked the condition of the 25' buffer. He expressed concern with potential disturbance as the rear yard is small.

Mr. Finocchio stated that the buffer consists mainly of rush grass. He suggested the addition of a post and rail fence along the 25' buffer.

Mr. Luciani asked about the proposed wall along the driveway.

Mr. Surianello stated it would be approximately 3' high and would be composed of natural stone.

Mr. Luciani feels that helps prevent encroachment into the buffer.

Mr. Miller asked how the rear yard would be accessed.

Mr. Surianello stated that there would be a paver patio walkout beneath the deck.

Mr. Romano stated that this needs to be shown on the plan.

Mr. Luciani requested clarification of grades.

Mr. Finocchio will provide elevations from the house plans. Photos of proposed plantings will also be provided.

This matter was continued to 4/28/22.

DEP#313-XXX – 39 Coolidge Park – Robert Reska – public hearing: Notice of Intent (after-the-fact) for previously unapproved work in the buffer zone including a one-story roofed structure, 2 paver patios, stairway, wall and various site work, and the construction of a 10'x10' addition – Peter Ogren of Hayes Engineering was present for the applicant. A partial Certificate of Compliance was issued in October 2021.

Mr. Ogren stated that a garage had been proposed under the original Order of Conditions. This was not constructed. Instead a 1-story addition was added to the house. Two areas of pavers, shed, walls, plantings, mulch in several areas, 1' high concrete border wall which is slightly in the wetland and a roof overhang were also added. He noted that a number of these activities are at least 50' from the wetland. The applicant proposes to create a permanent property line marker with stone bounds. The concrete blocks and mulch in the 30' wetland buffer will be removed. This will be re-seeded with a wildlife mix. Additionally, 24 native wetland ferns will be installed. The applicant has requested permission to extend the roof overhang an additional 10' to protect the air conditioning units from snow.

Ms. Belmonte asked if a fence would be installed along the 30' buffer line.

Mr. Ogren stated there would not.

Mr. Romano asked if removal of the mulch would affect the existing shrubs.

Mr. Ogren stated that this would be determined at the time of removal.

A site visit will be conducted 4/16/22 at 9:00AM.

This matter was continued to 4/28/22.

DEP#313-615 – 7-11 Audubon Road - IRG Wakefield Limited Partnership – public hearing (continued): Notice of Intent for proposed utility realignment and installation of a loading dock

and paver driveway within the riverfront and buffer to BVW – Tony Capachietti of Hayes Engineering and Doug Avola, property manager for the applicant were present. An amended plan was submitted for review this evening.

Mr. Capachietti stated that the loading area had been pulled away from the wetland, towards the building. Infiltration chambers will be used to capture 899 cubic feet of flood storage. Capturing the roof runoff will eliminate two direct discharges to the Saugus River.

Mr. Luciani does not believe that this proposal meets the riverfront regulations. He added that the work at 4' from the wetland is too close.

Mr. Capachietti stated that they have limited options due to the proximity to the resource area. He contended that the proposed work is minimal and there would not be a lot of truck traffic on the proposed road.

Mr. Luciani would like detail surrounding why there are no other options.

Mr. Avola stated that there is just no way to reconfigure. The existing tenant was given the option to reconfigure but was not interested.

Ms. Belmonte requested clarification of how the project meets the standards under 10.585.

Mr. Capachietti stated that the work would be a temporary disturbance only. He contended that the proposed infiltration would improve the site. Additionally, the turf stone driveway would be returning the area to natural state as there would be grass between the pavers.

Ms. Vreeland stated that as of April 7, 2022 DEP had change standards regarding degraded standards. If any portion of the site is degraded, the entire site is then considered degraded. Ms. Davis provided to the Commission a riverfront checklist to follow for this determination.

Mr. Luciani asked, based on the standards in the checklist, how the paver driveway is an improvement.

Mr. Capachietti stated that the roof infiltration was an improvement as it eliminated direct discharge to the Saugus River. He added that the turf stone surface is not erodible. Pavement in the riverfront area could be removed as mitigation.

Mr. Luciani noted that removal of pavement for mitigation would need to be from areas closest to the river. He added that he continues to disagree with allowing work within 4' of the resource area.

Mr. Capachietti stated that it is necessary due to limited space. They would be willing to stabilize the slope as mitigation. Under the regulations, further alteration beyond what is ultimately permitted would not be allowed.

Mr. Luciani asked if soil samples were taken at the slope. He expressed concern with slope

failure.

Mr. Capachietti stated there were not. He stated that the assessment was based on past experience. Soil samples will be taken.

This matter was continued to 4/28/22.

14 Sunset Drive – Town Counsel Tom Mullen, homeowners Mr. and Mrs. Rosenfield and their attorney Brad Keene, abutting property owner attorney Jesse Schomer, Wetland Scientist Mike DeRosa and engineer John Morin from Morin Cameron Group were present.

Mr. Schomer stated that a copy of the wetland restoration plan had been provided to the complaining abutter. They consider the berm a natural land form, removal of which would be detrimental.

Mr. DeRosa reviewed the proposed plantings. He noted that the plan was designed so that the density of plantings would prohibit access to the river.

Mr. Keene stated that his client was satisfied with the plan.

Mr. Luciani made a motion to accept the submitted restoration plan.

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

596-598 Main Street and 200-202 Lowell Street – Town of Wakefield – Request for Determination of Applicability for the installation of a water main within the paved roadway and associated storm water management with 0 feet to a BVW. Town Engineer Bill Renault stated that this work would take place entirely within the roadway.

Mr. Luciani asked about dewatering.

Mr. Renault stated that there would be a small amount only. He noted that work would take between 1-2 days.

Mr. Alepidis asked if dewatering would be required in any other areas along the trench.

Mr. Renault stated that standard dewatering would be used for the entire length.

Ms. Vreeland suggested that the Order of Conditions specify that the approval is for the stated work only, not confirmation of the resource areas.

Mr. Luciani stated that he would rather they use hay bales, not silt socks.

- Conditions: Conservation Agent will determine erosion controls to be used.
- Extra haybales will be available on-site.

- The negative determination does not reflect approval of any resource areas.

Mr. Luciani made a motion to issue a negative determination with the above noted conditions.

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

DEP#313-616 – Stark Avenue – P&G Utilities, c/o Scott Green – public hearing (continued):
Notice of Intent for the construction of a roadway and associated stormwater management within 0 feet to a BVW. Peter Blaisdell and Thor Akerley of Williams & Sparages were present for the applicants.

Mr. Akerley addressed the issue of historic fill. He contended that it occurred on town-owned land and does not feel it is relevant to this project moving forward. He added that they could add a replication area in the area of fill.

It was noted that Ms. Davis did not feel that the wetland delineation had been done at a time when wetland vegetation could be observed.

Mr. Romano asked if they had answered questions submitted by the Town Engineer.

Mr. Blaisdell stated that they would meet with him next week to discuss.

Ms. Vreeland stated that fill in the proposed wetland replication area could be returned to native levels then replanted with wetland plants.

Mr. Akerley stated they were amenable to this plan.

Ms. Vreeland would like to conduct a site visit to view the proposed replication area. She would like the to work around the trees that are there. She noted that Ms. Davis had also identified a buried outlet pipe in the fill area. She asked how this could be addressed as the outlet handles water from a few catch basins.

Mr. Blaisdell stated that he had not observed any evidence of discharge from the outlet. He is not sure where the outlet exits. As it could be on Town land, he will discuss further with the Town Engineer.

Ms. Belmonte expressed concern that the Planning Board may have a plan that differs from the Commission. She suggested a joint meeting with the Planning Board.

Mr. Blaisdell stated that the same plan is before both boards.

Mr. Luciani would like to conduct another site visit. He noted that Ms. Davis had observed that a number of plants were cut down.

Mr. Blaisdell stated that he was not aware of this. He added that the surveyors clear the area

during flagging, however he did not know who had done this.

Mr. Luciani noted that this could present a problem when verifying the BVW line if it is based on stems only.

This matter was continued to 4/28/22.

DEP#313-607 – Lake Street/Wakefield Brook – Foundry Development LLC -public hearing (continued): Notice of Intent for the replacement of a drain pipe in Lake Street to handle stormwater from Foundry Street Lofts with an outfall into the Wakefield Brook thereby impacting 4 linear feet of Inland Bank and 48 square feet of Land Under Water – Mary Trudeau, wetland consultant and Tim Sullivan from Seaver Construction, Mark Sleger from Allan and Major and Attorney Brian McGrail were present for the applicants. The proposal calls for replacement of existing 18” concrete drain line with a 24” line.

It was noted that there had been ongoing discussion between the applicants and both the Town Engineer and representatives from the Department of Environmental Protection (DEP).

Mr. Sleger stated that a temporary cover would be placed over the culvert during cutting and pipe replacement. He noted that Town Engineer Bill Renault has expressed support for the plan. This work would take place in July 2022.

Ms. Vreeland suggested the addition of a stormceptor unit. She felt that this would meet DEP’s storm water requirement.

Mr. Sleger stated that this unit could be placed in the existing manhole that discharges to Lake Street.

Mr. Alepidis requested the use of hay bales instead of a silt sock.

Mr. Luciani suggested extra silt socks be kept on-site as a precaution.

A revised site plan will be submitted noting the addition of the stormceptor unit and additional sediment controls.

This matter was continued to 4/28/22.

DEP#313-608 – 200-400 Quannapowitt Parkway – CCF Quannapowitt Parkway Co. LLC – public hearing: Notice of Intent (continued) for the construction of a multi-story building and appurtenances. Nick Dellacava of Allan and Major, Mitch Maslanka from Goddard Consulting and Matt D’Amico of CCF were present. Mr. Alepidis recused himself from this matter. A revised plan and updated Notice of Intent narrative were submitted for review this evening.

Mr. Dellavaca stated that the revised plan includes removal of the sidewalk to allow work to be 10’ further from the wetland. This will be a removal of 740 square feet of impervious surface. He noted that within the 100’ inner riparian zone an additional 1,784 square feet of green space

would be added. In the 200' outer riparian zone an additional 4,573 square feet of green space would be added.

Mr. Maslanka stated that plantings would be added in the areas where the parkway will be pulled back. Those areas will be re-naturalized.

Mr. Luciani asked if testing at the outlet for phosphorus and nitrogen would be undertaken prior to installation.

Mr. Dellacava stated that it takes time for the reduction of nutrient load. He noted that the would follow-up with Mr. Renault. He added that per EPA design calculations there would be a reduction of between 85 and 90%.

Mr. Maslanka stated that there would also be an invasive management plan covering both applicant and Town owned land along Lake Quannapowitt. This will be undertaken twice yearly for the first three years. It will consist of site inspection and invasive removal. Larger trees would be cut and dabbed with Round Up.

Mr. Luciani asked if there would be vista pruning.

Mr. D'Amico stated that they would work with Mr. Renault regarding pruning. He noted that the Zoning Board of Appeals has added a condition regarding maintenance of this area.

Dennis Cloherty – Harvest Lane – concerned regarding potential flooding. He reiterated that the Mass. Department of Transportation (DOT) is not maintaining the drainage ditch. He also asked about elevation changes.

Mr. Romano noted that blockages in that location cannot be resolved through this filing, however, management of water flow on the applicant property would be better managed.

Mr. Dellacava stated that the grade would be lowered at the most between 6" and 12". This would allow the creation of additional flood storage. The site would be raised in the developed portions. He contended that this would greatly improve the ponding water on and around the applicant property.

Mr. Cloherty expressed concern with a potential change in drainage patterns.

Mr. Dellacava stated that they would not be making such changes. He noted that the proposed plan calls for holding a significant amount of storm water. Currently this water runs off the site to the BVW. The only water that would runoff under the proposed plan is from the parkway. That would then drain to the DOT drainage ditch.

This matter was continued to 4/28/22.

0 Greenwood Street- Request for minor modification – property owner Nghi Luu submitted a revised plan this evening. The house would now be moved 10' away from the Greenwood Street

side. There would also be a 20'x30' garage and raised deck.

Mr. Luciani asked for detail regarding the drainage swale.

Mr. Luu stated that the downspouts would be directed toward the swale.

Mr. Romano requested the depth of stone in the trench. He would like to see the corner of the deck moved out of the wetland.

Mr. Luciani suggested reducing the trench size and removing the deck.

Ms. Vreeland suggested adding a flat roof with a deck on top. She also suggested shrinking the deck and moving it behind the garage.

Ms. Belmonte suggested that the applicant meet with Ms. Vreeland to discuss modifications.

Ms. Vreeland feels that there is room to both change the design and fit the site.

This matter was continued to 4/28/22.

DEP#313-613- 2 Clyde Court – discuss conditions, vote – Attorney Brian McGrail was present for the applicant. He stated that he had met with Ms. Vreeland today and was drafting the restrictive covenant for submission at the next meeting. He has proposed the following:

- Property owner cannot alter the restricted area prior to review and approval by the Commission.
- Restrictive covenant will run in perpetuity.
- Property owner shall maintain vegetation as noted on the landscaping plan and replace in kind any vegetation that does not survive.
- Any trash must be removed from that area.
- No dumping of yard refuse in that area.

It is understood that the restrictive covenant is in place to protect the 25' buffer. The Commission could add a clause regarding enforcement compliance for noncompliance. The Commission would have the right to enforce compliance and recover the cost of clean up and court costs. Mr. McGrail has spoken with Town Counsel about this provision as well. Once completed he will forward to Town Counsel for review and comment.

This matter was continued to 4/28/22.

100 Hemlock Road – Mr. Luciani attended a building presentation meeting regarding the proposed new vocational school. He informed the committee that no activity should take place in either the buffer or resource area until it has been permitted by the Commission. A number of trees have been taken down in order to perform soil borings. Any tree removal in the buffer needs to be permitted as well. An interested neighbor, Linda Ireland has expressed concern that construction would take place soon. She has retained counsel who also attended the meeting.

Ms. Vreeland stated that Ms. Ireland had issued a letter to the Massachusetts Environmental Policy Act Office (MEPA) requesting review of the entire project. She suggested that the Commission also submit comment to MEPA. Ms. Vreeland would draft the letter. A member of the Commission could be designated to review the comment letter prior to issuance as the deadline for public comment period is 4/28/22. Ms. Ireland in her letter has asked whether an Environmental Notification Form (ENF) would be required. The Commission's letter would also request an ENF.

Ms. Belmonte would like clarification as to whether the threshold for MEPA review has been reached.

Ms. Vreeland will confirm this information.

Ms. Belmonte made a motion to authorize a member of the Commission to review the comment letter.

Mr. Miller made a second to the motion.

Ms. Belmonte will conduct the letter review.

Mr. Miller made a motion to adjourn.

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