

Wakefield Conservation Commission – Executive Session Minutes – January 27, 2022

Wakefield Conservation Commission (Commission) – Minutes – January 27, 2022 – Executive Session

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

Absent: Frank Calandra

Rebecca Davis, Judy Green

14 Sunset Drive – discussion of enforcement order – Town Counsel Tom Mullen was present. He stated that this matter concerned Rosenfield vs. Wakefield Conservation Commission.

Mr. Mullen stated that it was determined that a resident on Sunset Drive had filled the rear of his property. The bank of the Saugus River was adjusted as a result. The Commission issued an enforcement order to address this violation. The homeowner, Mark Rosenfield, filed a writ of certiorari contending that no fill had been placed by either him or the previous owner (his father). As the current owner acquired the property in 2004, a right to action has now expired. The homeowner has initiated a settlement agreement with the abutter. The settlement calls for the removal of 12” of top soil in order to reach hydric soil.

Ms. Davis stated that she had attended the initial site visit several years ago. Her understanding was both sides would be in agreement if the area was restored. She noted that Ms. Vreeland had expressed concern regarding some trees that have now grown into the bank, thereby providing stability. She felt that it may be better to leave them in place.

Mr. Mullen felt that the settlement is appropriate. He noted that the abutter and his attorney would attend the Commission’s next meeting.

Mr. Miller asked what the Commission gives up as a result of this settlement.

Ms. Davis felt that bringing the area back to the pre-fill condition is appropriate.

Mr. Mullen asked about removal of the berm at the rear of the property.

Ms. Davis questioned whether removal of the trees in this area would be beneficial.

The Commission will conduct a site visit 2/6/22 at 8:30AM in order to better assess site conditions.

Mr. Mullen noted that the filing deadline is 2/28/22.

This matter was continued to 2/10/22.

Ms. Belmonte made a motion to return to open session.

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

