

Wakefield Conservation Commission Minutes – November 1, 2022

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Attendance: Chairman Jim Luciani, Peter Miller, Ken Alepidis, Bob Romano; Teresa Belmonte; Paul Wendelgass; associate member: Haley McHatton-Ballou

Absent: Silvana Bouhlal

Rebecca Davis, Agent

10/18/22 minutes – Mr. Luciani made a motion to approve the 10/18/22 minutes.

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

DEP 313-XXX -100 Hemlock Road – Northeast Metropolitan Regional Vocational School – Continued Public Hearing: Notice of Intent for the demolition of existing school, construction of new school, parking lots, athletic fields, utilities, and stormwater management system within Bank, Bordering Vegetated Wetlands (BVW), the Buffer Zone, and the Riverfront Area – Dan Wells and Andrea Kendall from LEC Environmental Consultants; David Conway, engineer and Paige Simmons from Nitsch Engineering; Kevin Nigro and Joe DeSantis from PMA Consultants; Kate Simmons, Carl Fransechi and Vlad Lyubetsk of DRA and Neil Denner Construction Manager were present for the applicants. Revised plans were submitted for review this evening.

Mr. Conway stated that they had reviewed the possibility of relocating the driveway in the area of the maintenance building. It was determined that the 50' radius of the curve would not meet minimum standards for bus turning. He added that the grading and addition of a wall and sidewalk would also impact the wetland. He does not see this as practicable.

Mr. Romano asked if the rise could be flattened over a longer run.

Mr. Conway stated it was possible but in order to achieve proper turn radius they would then be into wetland #3 and encroach on wetland #1.

Mr. Romano felt that this could be accomplished with reconfiguration.

Mr. Luciani suggested moving the roadway to the right, towards the existing roadway.

Mr. Conway stated that would encroach on the utility easement. He added that there would be more impact to non-jurisdictional wetland #4. This could be mitigated with the addition of a wall. He proposed moving closer to wetland 4 in order to reduce impact to wetland 3.

Mr. Byrne asked why, under the new proposal, the wing walls are extended.

Conway stated that they are now crossing the stream at an angle. He added that grading would be 2:1. He noted that this could be tightened up.

Mr. Byrne noted that impact to the bank could be decreased by tightening up this area.

Mr. Romano asked if the culvert would be pre-cast concrete.

Mr. Conway stated that it would be, with an open bottom.

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Mr. Luciani asked where runoff from the roadway would flow.

Mr. Conway stated it would be directed to catch basins and the under-roadway storm water system.

Ms. Belmonte asked the distance from the roadway to the wetland.

Mr. Conway stated that at the closest point it would be 15' from the edge of the sidewalk to the wetland.

Ms. Belmonte asked how impact to the wetland would be minimized with the close proximity of the sidewalk.

Mr. Conway stated that storm water standards would be met. Additionally, they could plant a barrier between the sidewalk and wetland.

Mr. Miller expressed concern with loss of canopy, particularly in the southern portion.

Mr. Conway stated that the hill would provide some shade. He added that they could mitigate with upland plantings.

Mr. Luciani asked the number of mature trees to be saved. He also asked if soil samples were undertaken in the wetland as well as the depth to ledge.

Mr. Conway stated that they would develop a plan for tree preservation. Samples were not taken in the wetland. He added that he could estimate depth to ledge based on roadway test pits.

Mr. Miller asked why sidewalks have now been added.

Mr. Conway stated that this was a result of public input at both the Commission hearings as well as the Traffic Advisory Committee.

Mr. Byrne felt that an evaluation of 25' and 100' buffer impacts should be developed.

Mr. Miller reiterated his concern regarding lack of canopy and the potential alteration of buffer.

Mr. Conway stated that they could plant around the wetlands. Canopy trees could be added south of the curb. This would provide shade over time.

Mr. Romano remains unconvinced that they cannot move closer to the property line at wetland 3.

Mr. Conway does not feel it is practicable due to the radius.

Mr. Romano felt that the curve could be flattened to accommodate.

Mr. Conway stated that would encroach on the wetlands. An additional 5' would also be required for the sidewalk.

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Ms. Davis requested a comparison between the proposed curb and the curb on the north side.

Mr. Romano asked about the plan for the west end of the road at Farm Street.

Mr. Conway stated that the town has requested a roundabout. He added that would be greater than 25' from the buffer.

Mr. Luciani requested a 3-D version of the proposed plan.

Mr. Conway stated that they could provide cross-sections. He added that their 3-D plans are building focused.

Mr. Luciani requested cross-sections of wetlands 1 and 2.

Mr. Romano noted that flattening the road would avoid use of a culvert.

Mr. Conway stated that this would further impact the wetland.

Mr. Romano suggested slanting the road on a diagonal rather than an s-curve.

Mr. Conway stated that he does not think it would fit. It would also create an 11' wall.

Mr. Nigro stated that he does not think blasting could occur in this location.

Mr. Romano stated that it is up to the applicant to investigate that.

Mr. Luciani stated that overall site blasting needs to be discussed. He would like to see proposed water flow.

Ms. Simmons stated that in general, flow would follow existing patterns. Some areas may be treated or routed in different ways, but would end up at the same points as existing.

Mr. Romano asked if the water budget would remain the same.

Mr. Conway stated it would, as much as possible.

Mr. Luciani asked if changes in water flow due to blasting was factored in.

Mr. Conway stated that the only blasting would be open-face ledge cuts. He will provide a formal statement from their geotechnical specialist.

Mr. Byrne expressed concern with the proposed single discharge point in wetland 1, design point 7.

Mr. Conway stated that level spreaders could be used in this location.

Ms. Belmonte felt that buffer impacts should be discussed further.

Mr. Conway stated he would present more details on the current plan if it is the desired option.

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Mr. Miller noted that under this plan, wetland 3 would have no buffer. He feels that this area needs more work.

Mr. Luciani felt it would be beneficial to inventory mature trees along the roadway.

Mr. Conway stated that the survey does not locate individual trees. The previous tree count was a buffer calculation only. He will instead provide options to minimize impact.

Mr. Romano felt that there has been progress insofar as moving work away from the wetland. He does not agree however with the location of the upper portion of the roadway.

Mr. Alepidis noted that mitigation throughout would be helpful.

Mr. Luciani requested cross-sections of the roadway at the closest points to the wetland.

Mr. Byrne suggested that the revised plan should detail buffer impact.

Christine Rioux – Woodland Road, Wakefield – requested that the Commission allow the public to comment throughout the course of the meeting. This would allow for questions as each topic is discussed. She also asked where tree replacement would occur. She also asked about Mr. Byrne's request for a report of adverse impacts.

Mr. Byrne stated that he had not received it as of yet. However, based on discussion tonight, this would be forthcoming.

Linda Ireland – Melrose – expressed concern regarding wetland impacts. She also contended that the wetlands are not isolated. She asked how wildlife impacts would be mitigated such as through migratory bridging, specifically at the series 3 wetland.

Mr. Luciani would like to hear the storm water plan first in order to determine impacts to water flow. He is concerned regarding impacts to water flows following blasting.

Mr. Byrne pointed out that the wetland location has been determined under the approved Order of Resource Area Delineation.

Ms. Belmonte asked if the Commission's storm water consultant would be ready to present at the next meeting.

Mr. DeSantis expressed concern that this review is progressing too slowly. He felt that the consultant should have sufficient information for the next meeting.

Bob Brooks – June Circle – expressed concern regarding increased water flow and flooding due to tree removal around wetland 1.

Eleanor Axelrod – Sheffield Road – expressed concern regarding parking lot runoff into wetlands 3 and 3A. She asked if mitigation for this area could be discussed at the next meeting.

Mr. Romano would also like to see a better option in that area.

This matter was continued to 11/15/22.

2 Anjim Lane – wetland fill review – Libby Wallis of Hayes Engineering, Attorney Tim Doyle and homeowner Henry Qu were present. Ms. Wallis presented 2 options. One would move the shed closer to the driveway. The other would move the shed to the back of the lot. Proposed replication area is 1,049 square feet. Calculated area of wetland fill is 1,911 square feet. This is based on the 1989 wetland line. The replication area would be in current shed area. It is proposed to add red maples, wetland shrubs and a New England wetland seed mix. Between 2” and 10” of top soil would be removed, as well as the existing stone wall.

Ms. Belmonte asked the percentage of filled area to be removed.

Ms. Wallis stated that the filled area is extensive. The original wetland line was 10’ off the house. Approximately 25% would be restored. The rest of the fill would remain. She felt that removing fill along the pond would disturb the hydrology.

Ms. Davis noted that the Commission needs to issue an Enforcement Order for any work.

Mr. Romano noted that endorsement of this restoration plan by the Commission would be an approval of wetland fill. He felt that as this fill was placed 25 years ago, a solution could be found.

Ms. Davis pointed out that not all fill was placed 25 years ago. There are more recent aerials that show additional filled areas.

Mr. Luciani would like the shed moved to the rear of the lot.

Ms. Wallis noted that this is currently an open area. No trees would need to be removed. She did not, however, feel that this location would provide a greater benefit.

Mr. Doyle contended that the Commission could issue a partial Certificate of Compliance for both Orders of Condition based on the plan originally submitted 7/7/95. He added that once this is completed an Enforcement Order could be issued for the fill removal.

Ms. Davis noted that she had issued a letter to the subdivision developer to request that he submit a Certificate of Compliance request for the entire subdivision (DEP#313-83). She added that in order to issue a Certificate of Compliance for the applicant’s lot the Commission would also have to dismiss conditions that are in perpetuity under the Order of Conditions as they would no longer be achievable. The Commission would need to take a separate vote to dismiss these conditions. She reiterated that issuance of the Enforcement Order would not be comply with the Wetlands Protection Act (WPA) as it would authorize BVW fill.

Mr. Luciani stated that they would need to state that the proposed mitigation is a better course than leaving the area as-is. He noted that DEP would need to be generous in order to accept this proposal.

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Mr. Doyle contended that there is flexibility in the WPA statute regarding restoration. He does not feel that moving the shed would accomplish much.

Kirk Zmijewski – Malden – member of Malden Conservation Commission – stated that he had visited the site and felt that the area is now robust.

Mr. Miller does not feel that issuance of the Enforcement Order would mean that they are approving wetland fill. He does not feel that removal of all fill in the wetland is warranted.

Ms. Belmonte agreed. She felt that it is all in how it is written. She will submit a draft document for review at the next meeting.

Mr. Qu felt that it would be dangerous to remove any fill as it could cause flooding.

Ms. Wallis noted that the submitted plans are a compromise. She pointed out that the Commission is allowing the applicant to retain a backyard. She felt that the remaining issue is the location of the shed.

This matter was continued to 11/15/22.

49 Essex Street – Request for Certificate of Compliance – Ms. Vreeland conducted a site visit this week. No outstanding issues were noted.

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

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

Tree policy edits – Mr. Alepidis suggested adding that the goal of this policy is no net loss.

Ms. Belmonte made a motion to accept this change.

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

Open Space and Recreation Plan Committee – the inaugural meeting of this committee will be 11/16/22 at 6:30PM.

Mullin Rule – Commissioners were reminded that in the event of an absence from a meeting, they must review all materials then sign an affidavit noting same at the Town Clerk's office.

Open seat – Mr. Luciani noted that Ms. Bouhlal has resigned. A request to fill this position will be posted.

BSC Group storm water consultant – Mr. Miller made a motion to designate BSC Group as the Commission's storm water consultant for the Voke School project.

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

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