

## Wakefield Conservation Commission Minutes – December 20, 2022

Wakefield Conservation Commission (Commission) – Minutes – December 20, 2022

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

12/6/22 minutes – Ms. Belmonte made a motion to approve the 12/6/22 minutes.

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

DEP#313-XXX – 10 Broadway Street – New Creek, LLC – Notice of Intent for the construction of a 124-unit (37,000 square foot) multi-family residential building with appurtenances within buffer to inland bank – John Ogren of Hayes Engineering was present for the applicant. Mr. Ogren noted that the site is currently mainly a paved parking lot. Wetland resources are Crystal Lake, inland bank and 100' wetland buffer. An outlet pipe from Crystal Lake is piped beneath the property out to Broadway Street and North Avenue. No substantial vegetation is present along the drainage ditch. He does not believe that the stream is perennial for the following reasons:

- The stream is not denoted on the United States Geological Survey (USGS) map.
- A watershed of 1 square mile is required for perennial stream status. This watershed is .87 square miles.
- Streams with a watershed sized between .5 and 1 square mile are perennial if there is 75% or more stratified drift. This site contains a stratified drift area of .49 square miles – 56%.

The proposal calls for a 124-unit residential building with a parking garage and 2 entrances from the street. The parking garage would have 83 spaces with an additional 61 surface parking spaces. Drainage would be added along the entrance, connecting to the Broadway Street system. This proposal would decrease impervious surface by 14,000 square feet. Roof runoff would be connected to the drainage system. Plantings would be added in the buffer to Crystal Lake. Trees and shrubs would be added along the drainage ditch.

Mr. Romano asked the how many stories would be built as well as whether there was any bordering land subject to flooding (BLSF).

Mr. Ogren stated that it would be a 5-story building. There is no BLSF.

Mr. Miller asked the purpose of the pipe from Crystal Lake. He expressed concern with overflow.

Mr. Ogren stated that they would investigate. He added there is a 5' difference between the lake and the pipe elevations. He does not believe that this flows back to the lake.

Ms. Davis concurred with the intermittent stream determination. She added that she had spoken with Town Engineer Bill Renault regarding the watershed area. It was noted that the watershed size could change based on adjacent contributory drainage pipes, specifically from the Town of Stoneham. Mr. Renault is working to confirm and will report back.

Mr. Ogren stated that they are scheduled to present this proposal at the next meeting of the Zoning Board of Appeals. He is also working with the Engineering Department regarding proposed drainage plans.

Public comment – none.

This matter was continued to 1/17/23.

DEP#313-120 – 2 Anjim Lane – review mitigation plan, vote to issue Enforcement Order – Homeowner Mr. Qu, Libby Wallis of Hayes Engineering and Attorney Tim Doyle were present. Mitigation plan was submitted for review this evening. The proposal calls for:

- 180 square foot wetland replication area.
- 1,078 square foot wetland restoration area.
- Existing shed and gravel pad will be moved to the other side of the house.
- Plantings will include 3 red maples, 19 shrubs and New England roadside matrix seed mix.
- Excavated matter will be placed in a dumpster then trucked off-site.
- Filled area will be pulled back to native soil.
- Grass clippings in the wetland will be removed.
- A new border wall along the pond will be installed.
- Post and rail fence upgradient of the wall will be added around the wetland line.

Ms. Belmonte asked how the wetland line in the field would be measured as it was not surveyed.

Ms. Wallis stated that the shed would be used as a reference point.

Mr. Luciani is not in favor of a fence as they can rot and fall down. He would instead like to see a stone wall. He also requested that Ms. Wallis supervise this work.

Ms. Wallis will extend the stone wall in lieu of fence.

Ms. Belmonte made a motion to issue an enforcement order with the remediation plan and construction sequence attached.

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

Mr. Qu asked if the Certificates of Compliance (COC) for both his lot as well as a partial COC from the subdivision could be obtained at the completion of this work.

Ms. Davis stated that she had not heard back from the subdivision developer regarding filing for a COC for the entire subdivision. She has reached out for guidance from Town Counsel Tom Mullen.

Mr. Romano noted that the COC request for the lot could be filed following completion of this work.

DEP#313-322 – Millbrook Lane Condominiums – discuss Certificate of Compliance – this matter was continued at the applicant's request.

Article 97 land – discussion – Wakefield Municipal Gas and Light Department (WMGLD) general manager Peter Dion, WMGLD Attorney Michael McCarthy, Dave Poulson of WMGLD and John Ogren of Hayes Engineering were present.

WMGLD has proposed 3 lots for replanting as an offset.

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- 2.5 acres behind the Beebe substation off Farm Street. This lot is within the Golden Hills Area of Critical Environmental Concern (ACEC).
- Burns Park substation on Ballister Street consisting of 7,919 square feet. It is proposed to decommission the substation, remove the equipment and pavement and convert to a park. WMGLD would install plantings and a sitting area.
- Arundel Avenue (behind Mapleway Park) – lot size 317,117 square feet with 38,000 square feet currently cleared. The cleared area could be used for planting to offset canopy loss. The lot contains an existing walking path.

Mr. Romano asked if the Arundel Avenue lot could only be accessed through Mapleway Playground.

Mr. Dion stated that there is a foot path only at the end of Arundel Avenue.

Mr. Luciani stated his only concern was that these lots not be used in the future for anything other than open space. He asked if there could be a conservation restriction placed.

Mr. McCarthy stated that this could be done. He has been speaking with Town Counsel Tom Mullen as well as Town Administrator Steve Maio regarding this possibility.

Mr. Dion noted that the only stipulation is that the Ballister Street lot retain the name Burns Park.

The Commission had no issue with this request.

Mr. Miller would like to ensure that the Commission complies with the new Article 97 statute.

Mr. McCarthy noted that the Trustees of the Reservation have commented on this legislation. They determined that the statute does not take effect for 18 months. He feels that these lots are an equitable trade.

Ms. Belmonte does not feel that the proposal meets statute requirements.

Mr. McCarthy disagreed stating that the statute was not in effect at the time of the request in November 2022.

Mr. Miller noted that the proposed location of the energy park is an extremely valuable lot. He does not feel that that lots being offered are comparable in value.

Mr. Dion disagreed stated that the remaining acreage of the Farm Street lot could be used as a solar farm.

Mr. Romano agreed with Mr. Miller stating that the 2.5-acre portion of the lot to be transferred would provide a good buffer for the neighbors but is difficult to access.

Mr. Dion stated that the other 2 proposed sites could be used.

Mr. Luciani would like to see a larger buffer than 25' at the Farm Street lot.

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Mr. Miller noted that the Ballister Street site would need to be free of any environmental issues following remediation.

Mr. Dion stated that some remediation would be required. This would cost several hundred thousand dollars.

Mr. Miller asked if the State legislature is in favor of the land swap if the statute has not been met.

Mr. McCarthy stated that he was confident that it would receive the required 2/3 majority vote.

Mr. Dion stated that without the energy park, the carbon footprint of the school would be tremendous.

Mr. Luciani noted that the construction of the school would be a drastic environmental change. He added that the Ballister Street lot would need remediation regardless of the land swap. Protection of the Farm Street lot is critical.

Christine Rioux – Woodland Ave – noted that the Executive Office of Environmental Affairs (EOEA) intends to issue interim guidance on the new statute mid-January 2023.

Tom Boettcher – WMGLD Commissioner – felt that the 3 proposed parcels meet environmental concerns.

The Commission will conduct a site visit of the Arundel Street lot 1/2/23 at 8:30AM.

Linda Ireland – Melrose – stated that the potential for a solar farm adjacent to the protected 2.5-acre parcel off Farm Street is counterintuitive.

This matter was continued to 1/3/23.

DEP 313-620 -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, Marco Zappala from PMA Consultants, Carl Fransechi and Vlad Lyubetsk of DRA, Neil Benner Construction Manager, Josh Millonig, lighting specialist from Warner Larson and Commission consultant Matt Burne of BSC were present for the applicants.

Ms. Simmons stated that snow storage would be contained mainly to parking islands. They tried to keep snow storage areas outside of the buffer. The storage areas would then drain into the catch basins.

Mr. Romano asked if signage would be present to denote snow storage areas.

Mr. Conway stated there would not. He added that key areas where storage is not allowed would however be denoted.

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Mr. Romano expressed concern with contractors placing snow primarily in areas of convenience.

Mr. Conway stated that the plan could be highlighted as to areas to stay away from. Following large storm events, snow would be taken off-site.

Mr. Romano asked if there was a de-icing plan.

Mr. Conway stated that the standard used by Massachusetts Department of Transportation is a combination of rock salt and calcium chloride.

Mr. Millonig stated that light shields would be used. They would be adjusted in wetland areas to prevent spillage. Road lights would be of a bluer hue.

Mr. Romano asked if warmer tones could be utilized as they are wildlife friendly.

Mr. Millonig stated that he would review this request and report back. He noted that the playing field lights would be used during events only. The football field and the track are the only lighted venues. The lights can be controlled via remote access.

Ms. Rioux asked if dimmers could be used after a certain time of day.

Mr. Millonig will check and report back. He was unsure if this would affect security cameras.

Ms. Davis asked if the existing lighting on Hemlock Road would be updated.

Mr. Millonig stated they would not as it is off their property.

Mr. Conway stated that they are finalizing the new street layout plan as well as updating the storm water report. Revised plans will be presented at the next meeting. He will then meet with the Commission's storm water consultant in conjunction with Ms. Davis and Mr. Luciani to discuss plan revisions and the consultant's comments.

Ms. Rioux submitted a comment letter for the record. She asked for clarification of total proposed impervious area. She did not feel that the Commission's wetland consultant's comments nor the rock face blasting issues had been fully addressed.

Jennifer Fanning – Pheasantwood Lane – asked if lights on the boardwalk would remain on 24 hours per day, 7 days per week. She further asked about snow removal for the boardwalk.

Mr. Millonig stated that the lights would be on continuously.

Mr. Conway stated that a mechanical sweeper would be used for snow removal.

Bob Brooks – June Circle – asked if there was only 1 snow storage area for the rear of the building.

Mr. Conway stated that there would be.

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Karen Johnson - Beltran Street, Malden - submitted a previous letter that listed construction of a hockey rink as a future project.

Mr. Nigro stated that he had spoken with school administration this month regarding this issue. He was informed that no rink is planned, nor is there money for one in the budget.

Mr. Luciani expressed concern with blasting close to the abutters. He noted that the geotechnical report also recommended staying a distance away from the trees in order to maintain their integrity.

Mr. Nigro stated that the fire department would review this prior to issuing a blasting permit.

Mr. Luciani requested that the applicant contact the abutters to review this plan.

Mr. Nigro stated that they would document properties of homeowners, provided they sign a release, to ensure no future blasting damage.

This matter was continued to 1/3/23.

Mr. Miller made a motion to adjourn.

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