

Wakefield Conservation Commission – Minutes – October 22, 2020

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

Elaine Vreeland, Judy Green

10/8/20 minutes – Ms. Belmonte made a motion to approve the 10/8//20 minutes.

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

DEP#313-592 – 50 Quannapowitt Parkway – TMC 30, LLC – Abbreviated Notice of Resource Area Delineation (ANRAD): continued public hearing – to confirm 11/17/11 wetland delineation approved under Superseding Order of Conditions dated 1/16/13 – Owner representative Mike Manzo, Sr., Attorney Brian McGrail and John Ogren of Hayes Engineering were present.

Mr. McGrail stated that the applicant was in the process of designing a conceptual plan that would reflect Mr. Fletcher's wetland line in exchange for relief from the 25' no-disturb zone. He added that they would like to officially withdraw the ANRAD application without prejudice. A letter formalizing this request will be forthcoming. Prior to submission of a Notice of Intent, the applicant would like to discuss the plan with the Commission.

Mr. Manzo stated that he is confident that an agreeable plan can be developed.

Ms. Belmonte asked if an informal discussion of the proposed NOI plan would be acceptable.

Ms. Vreeland stated that it would be. She noted that it is generally done on large projects. A copy of the withdrawal letter will also be forwarded to the Department of Environmental Protection (DEP).

Mr. Miller made a motion to accept the applicant's withdrawal of the ANRAD without prejudice.

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

26 Shady Ave. – update – Ms. Vreeland and Mr. Luciani conducted a site visit. The homeowner was directed to remove the mulch and mark a limit of work line at the rear of the property. Mulch that has been added below the limit of work line would need to be moved and stored upgradient of the line. Plantings could then be installed in Spring of 2021.

Mr. Bean stated that he did not think he would be able to afford this work. He would like to renegotiate this plan.

Mr. Luciani noted that the State regulations require no loss of bordering vegetated wetland. The mulch needs to be removed. He noted that the Commission is willing to work with him regarding a longer timeline for completion.

Mr. Bean contended that his neighbor has also done similar work. He may contact DEP to ask for a more lenient plan. He also asked to have the enforcement order lifted.

Mr. Calandra stated that the Commission's plan was reasonable and he would not have greater success by going to the state.

Mr. Miller pointed out that he could have chosen to research the wetlands issues further once his neighbor first complained about the work.

Mr. Luciani agreed that DEP would not scale back the Commission's plan. He added that the Commission is flexible with the work timeline, however, work needs to be completed under an enforcement order.

Mr. Bean agreed to remove the mulch by hand.

Ms. Vreeland will meet with Mr. Bean in March 2021 to review the plan. The mulch removal and plantings could be undertaken at that time. She will inform DEP of this deferral.

47 Montrose Avenue – discuss enforcement order – property owner Mr. Aversa was present. The order was issued relative to work in the buffer without a permit.

Ms. Vreeland stated that she issued the order after viewing the property from the street only. Following a site visit it was determined that filling had not occurred, however trees were removed.

Mr. Aversa stated that a tree had contacted the wire starting a fire in his home. He has received a letter from his home insurance company stating that his policy would be cancelled if the trees adjacent to the wires were not removed. He added that 2 additional trees also need to be removed. There is a stream on the property that was dredged 4 years ago. He is also looking to subdivide the lot.

Ms. Vreeland noted that 2 trees are in the wetland, the remainder are in the buffer.

Mr. Luciani would like to review the original filing for this home to determine the location of the wetland line at that time. He noted that dredging was most likely done by Mosquito Control. He also requested submission of the insurance company letter for review at the next meeting.

Mr. Romano requested that Ms. Vreeland verify the locations and number of trees removed.

Mr. Miller asked that the trees proposed for removal also be located.

The Commissioners introduced themselves for the benefit of Ms. Bouhlal.

Ms. Bouhlal stated that she was interested in joining the Commission as she felt she could provide a different perspective.

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Ms. Belmonte made a motion to adjourn.

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