

Wakefield Conservation Commission Minutes – August 15, 2023

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Attendance: Chairman Jim Luciani; Peter Miller, Teresa Belmonte; Haley McHatton-Ballou

Agent: Rebecca Davis

Absent: Bob Romano; Ken Alepidis; Paul Wendelgass

8/1/23 minutes – Ms. Belmonte made a motion to approve the 8/1/23 minutes.

Ms. McHatton-Ballou made a second to the motion. After polling the Commissioners individually, the motion passed unanimously.

Review/vote Standard Order of Conditions (SOOC) – Ms. Davis revised the SOOC to provide a more precise document tailored to each project. Conditions that stipulate a minimum setback would be determined on a case-by-case basis.

Ms. Belmonte made a motion to accept the revised SOOC.

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

DEP#313-622 – 10 Broadway Street – New Creek, LLC – continued public hearing – for the construction of a 124-unit (37,000 square feet) multi-family residential building with appurtenances within buffer to bank – John Ogren of Hayes Engineering was present for the applicants.

Ms. Davis asked if the outstanding issues from the Engineering Department had been addressed.

Mr. Ogren stated that they had not. He would like to be able to assure the Zoning Board of Appeals at their meeting this week that the Commission has no outstanding issues aside from the noted Engineering Department comments. If there are none, the hearing could be continued to the next scheduled meeting to allow for receipt of comments from Engineering.

The Commission had no further issues.

This matter was continued to 9/5/23.

2 Anjim Lane – Henry Qu – discuss Enforcement Order (EO) timeline – Mr. Qu stated that the shed has been relocated to the opposite side of the yard. The soil and plant removal has not taken place due to standing water in the pond. He does not think he will be able to complete this work prior to the 9/30/23 deadline outlined in the EO.

Mr. Luciani requested that he return to the Commission once he obtains a contractor.

Ms. Davis felt that conditions 1-9 could be undertaken with water in the pond. The Commission could then conduct a site visit to determine if conditions 10-14 could be done now or in the Spring.

Mr. Luciani will conduct a site visit this week. He noted that the homeowner should have his contractor determine whether all conditions could be met before winter.

This matter was continued to 9/5/23 to allow time for the homeowner to consult with his site contractor.

DEP#313-624 – 572-596 North Avenue – Dana Lopez and Richard Nickerson – continued public hearing – Notice of Intent for the construction of a 36-unit apartment building within buffer to bordering vegetated wetland (BVW) – Mr. Lopez, Thor Akerley from Williams & Sparages and Attorney Jesse Schomer were present for the applicants.

Mr. Akerley stated that he had spoken with a contractor with experience in Rodeo herbicide application regarding use near a water supply. The contractor stated that it was used regularly near wetlands. It was noted that there was no concern as application would not be directly proximate to the outlet. As the herbicide is applied to the cut stem, it was not felt that there was much chance of migration into the wetland.

Mr. Luciani expressed displeasure with the applicant not adhering to the Commission's 25' setback policy.

Mr. Akerley stated that only the wall was proposed in the 25' setback.

Mr. Schomer stated that encroachment on the 25' setback was needed to allow a buffer to both the street and abutters.

Mr. Luciani noted that Ms. Davis had reinforced this setback policy throughout the process.

Mr. Akerley contended that the invasive removal should not be considered an encroachment to the wetland as the existing buffer does not provide value to the wetland.

Ms. Davis stated that the proposed work between the wall and bordering vegetated wetland needed more detailed planning.

Mr. Akerley stated that the first herbicide treatment would take place in the fall. Hand pulling of seedlings would commence in the spring. Shrubs and native seed mix would then be placed in order to out-compete the knotweed.

Ms. Davis asked if the area between the wetland and the retaining wall would be left natural or mowed.

Mr. Schomer stated that the main plantings would be irrigated to ensure viability. Once established, the remainder of the area would be left natural.

Ms. Davis asked if an erosion control barrier in this area would be needed.

Mr. Akerley did not feel that was necessary.

Ms. Davis noted that the applicants had stated that they would speak with a representative of the Department of Environmental Protection (DEP) regarding herbicide use and the effect on wetlands. She suggested that a statement from DEP regarding this matter would be reasonable. She will provide the applicant with a contact at DEP.

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Mr. Akerley would like to have this as a condition so as not to delay the process. He added that if the DEP representative states that Rodeo cannot be used in this area, they would then hand cut and remove the plants instead.

This matter was continued to 9/5/23 with the intent that the OOC would be issued and mailed by 9/7/23.

DEP#313-630 – 9 Woodville Circle – Discuss, vote, issue OOC – Mr. Miller made a motion to issue a Standard OOC.

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

4 Confalone Circle – planting replacement – The homeowner has requested replacement of boxwood with winterberry holly.

Mr. Miller made a motion to approve the above request.

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

Floating wetland – Ms. Davis presented a grant proposal last week to Massachusetts Area Planning Council (MAPC). The proposal calls for the installation of a floating wetland/art installation on Lake Quannapowitt. MAPC was receptive to the proposal. Approval from Town Council is also required. Ms. Davis will present this idea at the 9/11/23 Town Council meeting. She has also reached out to Friends of Lake Quannapowitt, Quannapowitt Yacht Club, Saugus River Watershed Council and Town art groups. She has also met with Town Administrator Steve Maio.

The Commission expressed support for this proposal.

Mr. Miller made a motion to adjourn.

Ms. McHatton-Ballou made a second to the motion. After polling the Commissioners individually, the motion passed unanimously.