

MELROSE CONSERVATION COMMISSION

Meeting Minutes

November 20, 2008

The meeting came to order at 7:35 p.m.

Present from the Commission were: Kevin Anderson (7:50), Richard Doucette, Keith Fleming, Joseph Nerden and Susan Murphy.

Absent from the Commission was: Steve Locke.

Present from the public was: Edward Craig, Dave Dickerson, Shalan Fitzgerald, Arthur Giangrande, Karen Hall, Lisa Tiemann and Paul Zanotti.

Minutes

The September 4, 2008, September 28, 2008 and the October 16, 2008 meeting minutes have been reviewed.

MOTION

Commissioner Doucette motioned to approve the September 4, 2008 meeting minutes as edited, seconded by Commissioner Nerden, voted unanimously.
Commissioner Anderson motioned to approve the September 18, 2008 meeting minutes as edited, seconded by Commissioner Doucette, voted unanimously.
Commissioner Doucette motioned to approve the October 16, 2008 meeting minutes, seconded by Commissioner Nerden, voted unanimously.

Invoices

MOTION

Commissioner Nerden motioned to approve the invoice for secretarial services in the amount of \$88.49 for Meredith Beauchesne, seconded by Commissioner Doucette, voted unanimously.

Correspondence

Mass Wildlife Newsletter

A complaint was received for 77 Swains Pond Avenue. The building inspector has issued a cease and desist for work within a slope area with no permit. Conservation was

also notified of work being done to a stream in the woods to the back of the property. The homeowner will be sent a letter to stop all work and attend the next conservation meeting to speak to members about the work going on at his property.

Public Hearings

105 Penny Road - Request for Determination (Penny Road Realty Trust)

Arthur Giangrande, the developer, his engineer, Shalan Fitzgerald, from Design Consultants and Paul Zanotti, were present on behalf of 105 Penny Road. The Order of Conditions for the project expired 4/14/07, and the applicant is before the commission to request approval to finish the top coat of the roadway under a Request for Determination.

After a site visit to the property, Mr. Giangrande was given a list of items that needed to be corrected to bring the site into compliance; ie, two catch basin sumps near the bottom of Patriot Way – full of sediment; clean out the detention basin between the house and Penny Lane of debris (large blue tarp along with other items); the road shoulder is eroding into the basin; and the outlet pipe does not seem to be well stabilized.

Mr. Giangrande told the Commission that he will have to wait until the weather warms up to resolve a lot of these issues. Chairman Murphy inquired about the three-lot subdivision and if there was a fourth lot going in. Mr. Giangrande explained that he would be back for an RDA for the fourth lot but that lot is going to have access off of Patriot Way. He was only in this evening to get clearance to finish the roadway. He was asked if any other work was not finished under the Order of Conditions. He said, no, but the shoulders need to be re-done. He plans to sell the property, but says there is no activity at this time. They hope to have the top coat done by next summer. Commissioner Doucette expressed his concerns about the catch basins needing to be cleaned out. He said the weeds have taken over and don't look attractive, but are stabilizing the area. Commissioner Nerden questioned if in the Order of Conditions it called for Slope Stabilization. Mr. Giangrande stated that it has all been loomed and seeded and that it is stabilized except for the shoulders. He has been there during heavy rains and no silt is running down.

Chairman Murphy agreed with Commissioner Doucette that the system needs to be cleaned out and it should be checked by the commission before the commission votes. It was suggested to Mr. Giangrande to continue to the next scheduled meeting to give him time to correct the items addressed at the meeting. Members felt they would not feel comfortable approving the work outlined in the RDA before the site is brought into compliance. Mr. Giangrande agreed to continue to the next meeting. Mr. Giangrande's partner, Mr. Zanotti, was also present and will see that the catch basins get cleaned out and that the tarp also gets removed and that December 4, 2008 is fine. Mr. Zanotti told Chairman Murphy that he would contact the commission as soon as the work was done. Chairman Murphy asked for a request to continue the hearing for 105 Penny Road.

MOTION

Commissioner Doucette motioned to continue the hearing for 105 Penny Road until December 4, 2008 at 7:45 p.m., seconded by Commissioner Nerden, voted unanimously.

Ell Pond Park Stepping Stone Project -Request for Determination (Lisa Tiemann)

Present for the meeting were Lisa Tiemann, the applicant and designer, and Karen Hall and Dave Dickerson from the Ell Pond Committee. Ms. Tiemann addressed the commission. She received a grant from the Melrose Cultural Counsel to design some stepping stones that would be placed in front of the pink benches that face the pond. Ms. Tiemann passed around some draft pictures of her designs. The theme for the stepping stones is turtles. The stones are 16 square inches each, and there would be six stones in a row. The hole would have to be dug down 11 ½ inches. There would be 4-6" of pea gravel, then cement with the tiles on top. The tiles would be flush with the ground. She is hoping to use High School kids to help cut down on costs.

Dave Dickerson spoke to members of a project they would like to do in conjunction with this one in the "bocci court" area. The bocci court was flooded and the area never worked right. They would like to convert the bocci court into a garden area, using some of the excavated soil from the tile project. The Ell Pond Committee would like to fill in that area and plant a natural wildflower garden. Chairman Murphy said there is an issue of flood storage. They are still in the planning stage but were wondering if they needed to file an RDA or could they go in with the tile project and just revise the scope of the work? Mr. Dickerson figures that 3-4" inches of top soil will be needed and that the bocci court is down approximately 6" inches deep. The flooding in the area was questioned but it was agreed that with the use of the new gate, the area has flooded less. The distance from the stepping stones to the bocci court is approximately 50 feet. Ms. Tiemann plans to have the stones done and put in by June. Commissioner Doucette agreed that if the applicant has no problem adding the bocci court reconstruction on her request that it makes sense. Mr. Dickerson offered to draw up a plan. Commissioner Doucette asked the applicant what she needed, and Ms. Tiemann said she is good until the spring and once again, stated that there won't be a lot of soil that will need to be moved from the area. The commission asked if the holes would be dug by hand. Mr. Dickerson thought that maybe a small Bobcat would be rented. The commission agreed that this would have to be continued and a plan would have to be drawn up. Commissioner Nerden suggested revising the RDA to reflect the full project and to show a plan. It was agreed that this would be continued until January 15, 2009 at 7:45 p.m.

MOTION

Commissioner Nerden motioned to continue the Ell Pond Park Request for Determination until January 15, 2009 at 7:45 p.m., seconded by Commissioner Doucette, voted unanimously.

Discussion item

61 Clifton Park land swap

Mr. Cassidy, the owner of 61 Clifton Park, was before the commission to suggest a possible land swap. Back in 1970, when Mr. Cassidy bought his home the land behind him was owned by the city. An abutter on Greenwood St. bought approximately half the parcel without his knowledge and the other half was put in the care and control of the Conservation Commission. Back around 1990 or so, Mr. Cassidy made an offer to the owner and he declined. About 1 ½ years ago, Mr. Cassidy bought that adjoining parcel to his yard but still now, the conservation lot is on the other side of his lot. In order to square off his lot, Mr. Cassidy would like to donate approximately 2/3 of the lot that he purchased, and he would like to trade that for a part of the conservation lot so that he will finally have a continuous lot. There could never be a secondary structure added to the residence because there is no frontage and the property would be protected under the slope protection bylaw. The Conservation Commission would gain approximately 9,000 square feet. Mr. Cassidy passed around a print-out to the commission members.

Chairman Murphy explained to Mr. Cassidy that there are a few procedures involved in a process like this. First, there has to be unanimous approval from the Conservation Commission; second, there has to be a 2/3 vote from the Board of Aldermen; third, this would have to go before Environmental Affairs for review to show that there is no net loss; and fourth, it would have to be given to a State Representative and it would have to receive a 2/3 vote by the legislature. The commission agreed that a site visit would be necessary and that the commission members would like to see the parcels before voting. The commission discussed the shape of the lots and if there were any pros and cons for the commission if a land swap were to be voted on. The commission agreed that they were not necessarily opposed to Mr. Cassidy's idea and agreed that a site visit would be held on Sunday, November 30, 2008 at 12 p.m.

Extension

17 Burnett Street (217-0153) (3 years)

The owner has yet to start the work approved under the Order of Conditions, due to expire in January, 2009. The homeowners plan to do some work but it is an expensive project and will have to wait until the spring. The commission agreed to issue a one-year extension to expire January 4, 2010.

MOTION

Commissioner Doucette motioned to issue a one-year extension, which will expire on January 4, 2010, for 17 Burnett Street, seconded by Commissioner Nerden, voted unanimously.

350 Lynn Fells Parkway – Middle School (217-0133) (1 year)

The Order expires on December 9, 2008, and they would like a one-year extension. The wetland replication area failed. The commission agreed that they must show that the area meets the standards of a wetland area and will do an assessment later. Commissioner Nerden suggested giving them a deadline, and Commissioner Doucette agreed that the commission should have them do the work in the spring. The commission agreed that a six-month extension until June 9, 2009 would be issued.

MOTION

Commissioner Doucette motioned to issue a six-month extension, which will expire on June 9, 2009, for 350 Lynn Fells Parkway, Middle School replication area, seconded by Commissioner Nerden, voted unanimously.

Discussion items

67 Greenwood Street - Emergency Certificate

An underground tank split at the site and emergency measures were taken to stop the leakage from getting into a wetland at the back of the property. DEP was notified and an Emergency Certificate was filed for and signed by Chairman Murphy. LEC Environmental is monitoring the site.

MOTION

Commissioner Doucette motioned to ratify the Emergency Certificate for 67 Greenwood Street, seconded by Commissioner Anderson, voted unanimously.

Drainage Maintenance

Melrose Towers

The drainage maintenance for the Melrose Towers is going to be put on hold.

Crest Gate at Ell Pond

Dave Dickerson from the Ell Pond Committee asked the commission who is responsible for making the decision to lower the water level at Ell Pond. Commissioner Nerden told Mr. Dickerson that the decision is supposed to be made by the City Engineer. Chairman Murphy explained that the city has not yet been back in for their Certificate of Compliance and are to give the commission an outline of their plan. Mr. Dickerson was concerned because the level of the pond can't get too low because then you can lose vegetation. It is fully understood that the pond has to be lowered when there is a storm coming but shouldn't be too low all of the time. The commission told Mr. Dickerson that the pond is supposed to be lowered and maintained when needed. The gate should be adjusted in the late fall to prepare for snow and then the spring run-off. Commissioner Anderson is going to send Bob Beshara an e-mail and ask if he can come to the December 4, 2008 meeting to discuss the management plan.

Trail Map

Kathy took the notes that Richard had taken from the site visit members had done while visiting the various trails in town and tried to divide the workload up between what was necessary for DPW workers to do and what volunteers could do. The DPW can work on roadside repairs and maintenance. The DPW should work on the roadside part for now, and volunteers can do clean-up and trash removal. DPW could also put some more gravel up a Flag Acres. Along the path from Hoover School to Swains Pond, a suggestion was that some cribbing timbers be installed with rocks. Commissioner Doucette could design it, and the DPW could build it. Chairman Murphy is going to talk to the DPW about the crosswalks and day glow signs for safety and will follow-up with Bob Beshara.

The map for now should stay 8 ½ by 11 and have the points of interest for the trails. Commissioner Anderson can provide color plots for those without access to a color plotter. Scale bars and contour elevations need to be added to the map. The commission discussed various topics and ideas regarding the map. For example, should buildings be added as well? What should exactly be in the legend? Should the photo be in a lower resolution? Should the map contain the playgrounds and schools? Should the map contain the walking path through the golf course? The map is PDF form, and in the future, will have access on the web. Right now, the commission is paying for the first batch of printing. What colors should the trails be and how are they to be blazed?

The map and the trail preparation is moving forwarding nicely. The commission would like to have this all in place for the spring.

Adjourn

The meeting adjourned at 10:30 p.m. and the next scheduled meeting is for Thursday, December 4, 2008, at 7:30 PM.

MOTION

Commissioner Nerden motioned to adjourn the meeting at 10:30 p.m., seconded by Chairman Murphy, voted unanimously.

Respectfully Submitted,

Meredith L. Beauchesne