



CITY OF MELROSE

CONSERVATION COMMISSION

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Melrose, Massachusetts 02176
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October 29, 2012

Mr. and Mrs. Calias
39 Swains Pond Avenue
Melrose, MA 02176

Dear Mr. Calias,

I apologize for the delay in the response with regards to your Request for a Certificate of Compliance for the project you have completed at your home at 39 Swains Pond Ave.

At our site visit to your home we advised you that conditions on the site differ from what you proposed, and the Conservation Commission approved, under the Order of Conditions you received for this project. The departures from the approved plan include:

- (1) Fill was graded beyond the line denoted on the plan as edge of fill, and the grading extends toward the wetland;
- (2) A line of rock (riprap) has been placed close to the edge of the wetland and within the 15' no disturbance area from wetland edge as defined in the City of Melrose Wetlands Protection Ordinance. There was no rock line on the approved plan, nor would the Commission have approved such a line within the no disturbance area as that area should never have been disturbed and must be completely restored;
- (3) Vegetation has not been established in the area from the wetland edge to the 20' "no construct area" which is covered with a layer of mulch. Note that the area within 15' of the wetland edge is a protected no disturbance area and the restoration of vegetation in that area is a high priority for the Commission.

Consistent with our general practice it was our intent to provide some guidance with respect to how this project could be brought into compliance with regulatory requirements in a manner that was sufficiently protective of the environment but not put unnecessary burdens on the property owner. I understand that there has been delay with respect to providing that guidance and apologize for that delay; however I will note that the issue is presented because the project does not in fact comply with the approved plan. You are of course welcome to bring the project into full compliance with the approved plan for the most expeditious consideration of your Request.

We have placed the matter on the agenda for our next meeting on November 15 at 7:30 pm in the Mayor's Conference Room in City Hall. Due to the discrepancies above I do not expect a Certificate of Compliance to be issued at that time unless these issues are remedied. While as Chair I cannot speak for the Commission as a whole, I expect the Commission to require at a minimum that the area within 15' of the wetland edge be brought into compliance with the approved plan. This would mean no fill within 15' of the wetland line, removal of the rock line, and reestablishment of the vegetation in this disturbed area in a manner that avoids any erosion or sediment loss while the vegetation is being established.

You are welcome to appear at the Commission's meeting on November 15 if you have any questions or would like to address these issues before the Commission as a whole.

Sincerely,

Susan Murphy, Chair
Melrose Conservation Commission

