



City of Melrose DPW Engineering Division

Notice of Intent May 2, 2022

Swains Pond Ave. Culvert Repairs



*Prepared by: City of Melrose Engineering Division
562 Main Street, Melrose, MA 02176*



CITY OF MELROSE

DEPARTMENT OF PUBLIC WORKS

Administration-Engineering-Water-Sewer-Facilities
Parks-Forestry-Highway-Sanitation-Cemetery-Fleet

Vonnie Reis, P.E.
City Engineer

City Hall, 562 Main Street
Melrose, Massachusetts 02176
Telephone - (781) 979-4172
E-mail: VReis@cityofmelrose.org

May 2, 2022

Melrose Conservation Commission 562 Main Street
Melrose, MA 02176
c/o Eric Devlin, Conservation Commission Agent

Subject: Swains Pond Ave. Culvert Repair
Notice of Intent

Dear Mr. Devlin:

Enclosed please find the City of Melrose's Notice of Intent for the Swains Pond Culvert Repair project. This project involved an emergency repair to a critical drainage culvert under a public roadway. The work was within the 100-foot Buffer Zone to Swains Pond and Towners Pond, as well as associated Bordering Land Subject to Flooding. Bank associated with Towners Pond was also impacted. In accordance with the Emergency NOI filed, the work began on March 31, 2022 and was completed by April 14, 2022.

Should you have any questions or wish to discuss this application further, please feel free to contact me at 781-979-4171 or at vreis@cityofmelrose.org.

Thank you for your consideration of this project.

Sincerely,


Vonnie Reis
City Engineer

cc: Elena Proakis Ellis, P.E., DPW Director
Jay Coy, Deputy City Engineer



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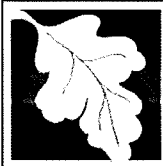
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Massachusetts Department of Environmental Protection

eDEP Transaction Copy

Here is the file you requested for your records.

To retain a copy of this file you must save and/or print.

Username: **VREIS**

Transaction ID: **1367491**

Document: **WPA Form 3 - NOI**

Size of File: **246.20K**

Status of Transaction: **In Process**

Date and Time Created: **5/2/2022:8:59:40 AM**

Note: This file only includes forms that were part of your transaction as of the date and time indicated above. If you need a more current copy of your transaction, return to eDEP and select to "Download a Copy" from the Current Submittals page.

Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

WPA Form 3 - Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File #:

eDEP Transaction #:1367491

City/Town:MELROSE

A.General Information

1. Project Location:

a. Street Address	SWAINS POND AVE.		
b. City/Town	MELROSE	c. Zip Code	02176
d. Latitude	42.44799N	e. Longitude	71.04543W
f. Map/Plat #	N/A	g.Parcel/Lot #	N/A

2. Applicant:

Individual Organization

a. First Name	VONNIE	b. Last Name	REIS
c. Organization	CITY OF MELROSE DPW		
d. Mailing Address	72 TREMONT ST		
e. City/Town	MELROSE	f. State	MA
g. Zip Code	02176		
h. Phone Number	781-979-4172	i. Fax	
j. Email	VReis@CityofMelrose.org		

3. Property Owner:

more than one owner

a. First Name	VONNIE	b. Last Name	REIS
c. Organization	CITY OF MELROSE DPW		
d. Mailing Address	562 MAIN ST		
e. City/Town	MELROSE	f. State	MA
g. Zip Code	02176		
h. Phone Number	781-258-8964	i. Fax	
j. Email	VReis@CityofMelrose.org		

4. Representative:

a. First Name	VONNIE	b. Last Name	REIS
c. Organization	CITY OF MELROSE		
d. Mailing Address	562 MAIN ST		
e. City/Town	MELROSE	f. State	MA
g. Zip Code	02176		
h. Phone Number	781-979-4172	i. Fax	
j. Email	VReis@CityofMelrose.org		

5. Total WPA Fee Paid (Automatically inserted from NOI Wetland Fee Transmittal Form):

a. Total Fee Paid	0.00	b. State Fee Paid	0.00	c. City/Town Fee Paid	0.00
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6. General Project Description:

EMERGENCY REPLACEMENT OF COLLAPSED DRAINAGE CULVERTS, INSTALLATION OF RIP RAP TO STABILIZE SLOPES, REPAIRS TO PAVEMENT, LOAM AND SEED OF ROW.

7a. Project Type:

- | | |
|---|--|
| 1. <input type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Limited Project Driveway Crossing | 4. <input type="checkbox"/> Commercial/Industrial |
| 5. <input checked="" type="checkbox"/> Dock/Pier | 6. <input checked="" type="checkbox"/> Utilities |
| 7. <input type="checkbox"/> Coastal Engineering Structure | 8. <input type="checkbox"/> Agriculture (eg., cranberries, forestry) |
| 9. <input type="checkbox"/> Transportation | 10. <input type="checkbox"/> Other |

7b. Is any portion of the proposed activity eligible to be treated as a limited project subject to 310 CMR 10.24 (coastal) or 310

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CMR 10.53 (inland)?

1. Yes No If yes, describe which limited project applies to this project:

2. Limited Project 10.53.3.K - MAINTENANCE AND REPAIR OF ROADWAY DRAINAGE STRUCTURES INCLUDING CULVERTS...

8. Property recorded at the Registry of Deeds for:

a. County:

b. Certificate:

c. Book:

d. Page:

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

1. Buffer Zone & Resource Area Impacts (temporary & permanent):

This is a Buffer Zone only project - Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.

2. Inland Resource Areas: (See 310 CMR 10.54 - 10.58, if not applicable, go to Section B.3. Coastal Resource Areas)

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input checked="" type="checkbox"/> Bank	18 1. linear feet	18 2. linear feet
b. <input checked="" type="checkbox"/> Bordering Vegetated Wetland	700 1. square feet	700 2. square feet
c. <input type="checkbox"/> Land under Waterbodies and Waterways	1. Square feet 3. cubic yards dredged	2. square feet
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet 3. cubic feet of flood storage lost	2. square feet 4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet 2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if any) 2. Width of Riverfront Area (check one) 3. Total area of Riverfront Area on the site of the proposed project	<input type="checkbox"/> 25 ft. - Designated Densely Developed Areas only <input type="checkbox"/> 100 ft. - New agricultural projects only <input type="checkbox"/> 200 ft. - All other projects square feet
4. Proposed Alteration of the Riverfront Area:		
a. total square feet	b. square feet within 100 ft.	c. square feet between 100 ft.

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and 200 ft.

5. Has an alternatives analysis been done and is it attached to this NOI? Yes No

6. Was the lot where the activity is proposed created prior to August 1, 1996? Yes No

3.Coastal Resource Areas: (See 310 CMR 10.25 - 10.35)

Resource Area Size of Proposed Alteration Proposed Replacement (if any)

a. <input type="checkbox"/> Designated Port Areas	Indicate size under	Land under the ocean below,
b. <input type="checkbox"/> Land Under the Ocean	1. square feet	
	2. cubic yards dredged	
c. <input type="checkbox"/> Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes, below	
d. <input type="checkbox"/> Coastal Beaches	1. square feet	2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	1. square feet	2. cubic yards dune nourishment
f. <input type="checkbox"/> Coastal Banks	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet	
h. <input type="checkbox"/> Salt Marshes	1. square feet	2. sq ft restoration, rehab, crea.
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet	
	2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, Inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. square feet	

4.Restoration/Enhancement

Restoration/Replacement

If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please entered the additional amount here.

a. square feet of BVW

b. square feet of Salt Marsh

5.Projects Involves Stream Crossings

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Project Involves Stream Crossings

If the project involves Stream Crossings, please enter the number of new stream crossings/number of replacement stream crossings.

a. number of new stream crossings

b. number of replacement stream crossings

C. Other Applicable Standards and Requirements

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage of Endangered Species program (NHESP)?

a. Yes No

If yes, include proof of mailing or hand delivery of NOI to:

Natural Heritage and Endangered Species
Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

b. Date of map:FROM MAP VIEWER

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18)....

c. Submit Supplemental Information for Endangered Species Review * (Check boxes as they apply)

1. Percentage/acreage of property to be altered:

(a) within Wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

2. Assessor's Map or right-of-way plan of site

3. Project plans for entire project site, including wetland resource areas and areas outside of wetland jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **

a. Project description (including description of impacts outside of wetland resource area & buffer zone)

b. Photographs representative of the site

c. MESA filing fee (fee information available at: <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/mass-endangered-species-act-mesa/mesa-fee-schedule.html>)

Make check payable to "Natural Heritage & Endangered Species Fund" and mail to NHESP at above address

Projects altering 10 or more acres of land, also submit:

d. Vegetation cover type map of site

e. Project plans showing Priority & Estimated Habitat boundaries

d. OR Check One of the following

1. Project is exempt from MESA review. Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <http://www.mass.gov/eea/agencies/dfg/dfw/laws-regulations/cmr/321-cmr-1000-massachusetts-endangered-species-act.html#10.14>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2. Separate MESA review ongoing.

a. NHESP Tracking Number

Massachusetts Department of Environmental Protection

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b. Date submitted to NHESP

3. Separate MESA review completed.

Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review...

2. For coastal projects only, is any portion of the proposed project located below the mean high waterline or in a fish run?

a. Not applicable - project is in inland resource area only

b. Yes No

If yes, include proof of mailing or hand delivery of NOI to either:

South Shore - Cohasset to Rhode Island, and the Cape & Islands:

North Shore - Hull to New Hampshire:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 S. Rodney French Blvd
New Bedford, MA 02744

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930

If yes, it may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office.

For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional office.

3. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?

a. Yes No

If yes, provide name of ACEC (see instructions to WPA Form 3 or DEP Website for ACEC locations). **Note:** electronic filers click on Website.

b. ACEC Name

4. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?

a. Yes No

5. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L.c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L.c. 130, § 105)?

a. Yes No

6. Is this project subject to provisions of the MassDEP Stormwater Management Standards?

a. Yes, Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:

1. Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol.2, Chapter 3)

2. A portion of the site constitutes redevelopment

3. Proprietary BMPs are included in the Stormwater Management System

b. No, Explain why the project is exempt:

1. Single Family Home

Massachusetts Department of Environmental Protection

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2. Emergency Road Repair

3. Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department by regular mail delivery.

1. USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.
3. Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.
4. List the titles and dates for all plans and other materials submitted with this NOI.

a. Plan Title: **b. Plan Prepared By:** **c. Plan Signed/Stamped By:** **c. Revised Final Date:** **e. Scale:**

5. If there is more than one property owner, please attach a list of these property owners not listed on this form.
6. Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
7. Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
8. Attach NOI Wetland Fee Transmittal Form.
9. Attach Stormwater Report, if needed.

Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

WPA Form 3 - Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File #:

eDEP Transaction #:1367491

City/Town:MELROSE

E. Fees

1.

Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

2. Municipal Check Number

3. Check date

4. State Check Number

5. Check date

6. Payer name on check: First Name

7. Payer name on check: Last Name

F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

Vonnie Reis
1. Signature of Applicant

5/2/2022
2. Date

Vonnie Reis
3. Signature of Property Owner(if different)

5/2/2022
4. Date

Vonnie Reis
5. Signature of Representative (if any)

5/2/2022
6. Date

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a copy of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:

If the applicant has checked the "yes" box in Section C, Items 1-3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.

Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 3 - Notice of Wetland Fee Transmittal
Form
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 MassDEP File #:
 eDEP Transaction #:1367491
 City/Town:MELROSE

A. Applicant Information

1. Applicant:

a. First Name	VONNIE	b. Last Name	REIS		
c. Organization	CITY OF MELROSE DPW				
d. Mailing Address	72 TREMONT ST				
e. City/Town	MELROSE	f. State	MA	g. Zip Code	02176
h. Phone Number	7819794172	i. Fax		j. Email	VReis@CityofMelrose.org

2. Property Owner:(if different)

a. First Name	VONNIE	b. Last Name	REIS		
c. Organization	CITY OF MELROSE DPW				
d. Mailing Address	562 MAIN ST				
e. City/Town	MELROSE	f. State	MA	g. Zip Code	02176
h. Phone Number	7812588964	i. Fax		j. Email	VReis@CityofMelrose.org

3. Project Location:

a. Street Address	SWAINS POND AVE.	b. City/Town	MELROSE
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Are you exempted from Fee? (YOU HAVE SELECTED 'YES')

Note: Fee will be exempted if you are one of the following:

- City/Town/County/District
- Municipal Housing Authority
- Indian Tribe Housing Authority
- MBTA

State agencies are only exempt if the fee is less than \$100

B. Fees

Activity Type	Activity Number	Activity Fee	RF Multiplier	Sub Total
	City/Town share of filing fee		State share of filing fee	Total Project Fee
	\$0.00		\$0.00	\$0.00

ATTACHMENT A
PROJECT DESCRIPTION

1.0 Project Description

This Notice of Intent (NOI) is being filed with the Melrose Conservation Commission for construction associated with an emergency culvert repair under Swains Pond Ave. **Figure 1** shows the location of the culvert with USGS topography.

All of the proposed work is located within the 100-foot Buffer Zone to Swains Pond and Towners Pond. Work also occurred on the bank of Towners Pond and within the 25-foot No Disturbance zone.

This project qualifies as a Limited Project in accordance with Section 10.53(3)(k) of the Wetlands Protection Regulations, which includes *“The routine maintenance and repair of road drainage structures including culverts... which existed on the effective date of 310 CMR 10.51 through 10.60 (April 1, 1983.)”*

The following sections address the need for the emergency project, existing onsite wetland conditions, work proposed within wetland resource areas, and proposed measures to mitigate construction impacts.

2.0 Background Information

Towners Pond and Swains Pond are located in the southeast portion of Melrose, MA. Separated by Swains Pond Avenue, Towners Pond drains into Swains Pond via a 15-inch corrugated metal pipe (CMP) culvert that’s connected to an inlet overflow control structure with twin 10-inch inlets. Over time, the existing CMP deteriorated limiting flow from Towners Pond into Swains Pond.

On February 18, 2022, the City of Melrose DPW Water Division crew planned to spot repair the culvert. While excavating, a large sinkhole formed in Swains Pond Avenue. The crew was not prepared to conduct a full culvert replacement, so the traffic hazard was addressed by stabilizing the site and placing metal plates on the road with traffic barrels blocking the area. Melrose Conservation agent, Eric Devlin was consulted on the project approach and steps to remediate impacts prior to construction of the project.

On March 31, 2022, the Melrose DPW Water Division crew installed straw wattles and catch basin silt sacks for erosion control in the immediate area and excavated approximately 33 linear feet of the deteriorated CMP culvert and replaced it with 15-inch PVC pipe. The end pipe was sleeved into an existing 15-inch reinforced concrete pipe (RCP) which extends to the outfall draining towards Swains Pond. Connection to the RCP pipe at the discharge eliminated the need to make alternations to the headwall on the Swains Pond side of the project.

On April 12, 2022, the crew returned to stabilize the inlet channel and bank slopes with riprap stone. Riprap stone was also placed at the outlet to prevent erosion. This concluded the work necessary to repair the culvert, stabilize the banks, and restore the road. The remaining right-of-way area that was disturbed will be seeded with a wetland seed mix.

Approximately 18 linear feet of bank was impacted and 700 square feet of buffer zone was impacted. All impacted areas were restored at the conclusion of construction. **Figure 2** shows the culvert repair schematic, buffer zones, and limits of disturbance. Mitigation measures are discussed below. Photographs during and after construction are included in Attachment B.

Notice of Intent
Swains Pond Avenue
Culvert Repair
FIGURE 1 – USGS Map

★ Project Location



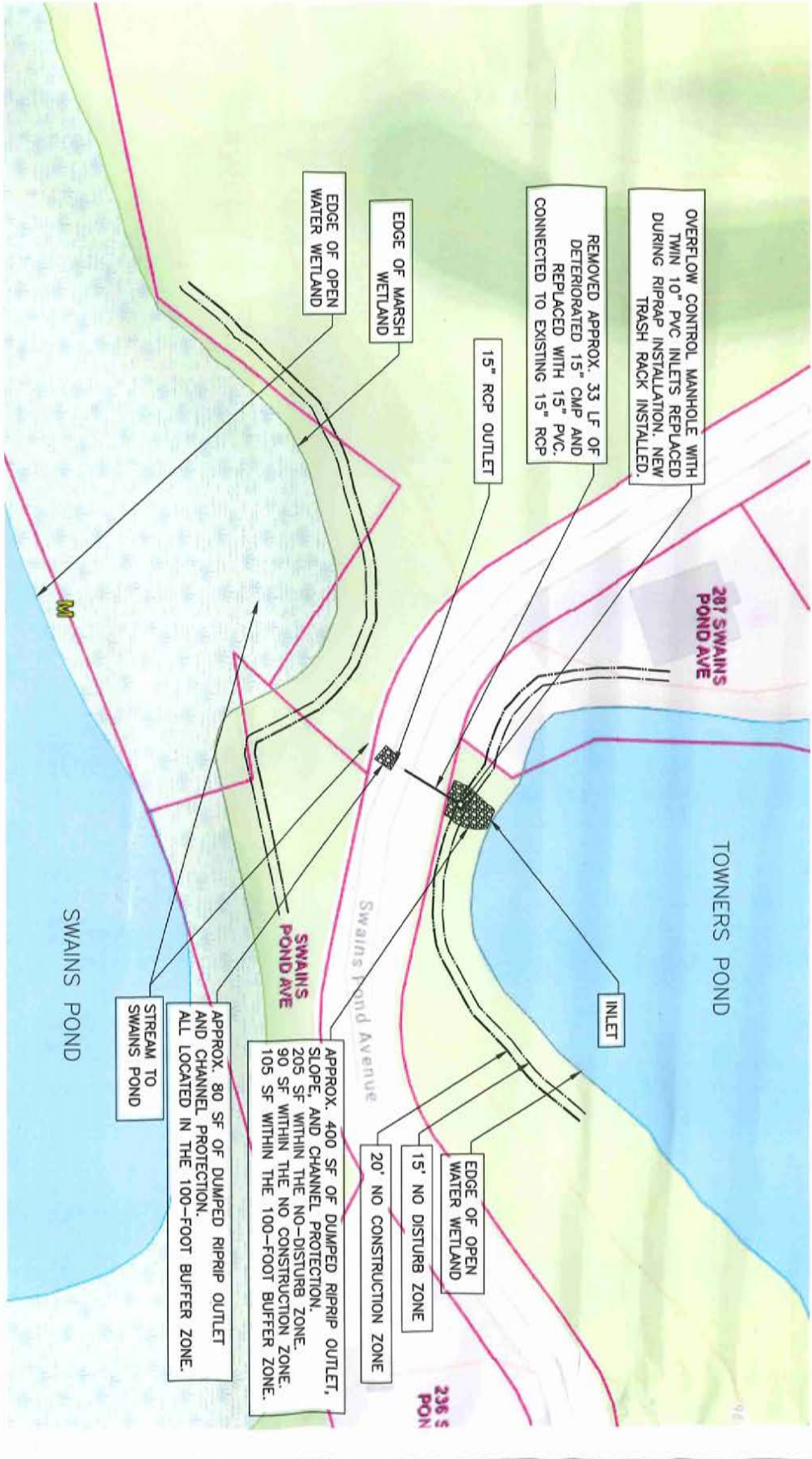
CITY OF MELROSE
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
652 MAIN ST., MELROSE, MA 02176



CITY OF MELROSE
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

SWAINS POND AVE
EMERGENCY CULVERT REPAIR SCHEMATIC

MAY 2022
REV NO. 0
FIGURE NO. 2



3.0 Existing Conditions

3.1 Site Description

The existing site is a public roadway that extends over the culvert. Towners Pond is to the northeast and Swains Pond is to the southwest. The culvert conveys flow from Towners Pond to Swains Pond. The area immediately adjacent to the project limits is undeveloped. The area within the roadway impacted by the project was approximately 33 by 10 feet. Photographs of pre-construction conditions are included in Attachment B.

3.2 Wetland Delineation

The entire project site is located within the 100-foot buffer zone of the two ponds. Bordering Vegetated Wetlands adjacent to Swains Pond extend up to the culvert discharge. **Figure 3** is the FEMA flood zone map. **Figure 4** shows the approximate location of the wetland resource areas and their proximity to the work area. Work was also conducted on the bank of Towners Pond and within the 25-foot No-Disturb Zone. Wetland and resource area boundaries were determined using MassMapper. A formal wetland delineation was not conducted.

3.4 ACEC and NHESP

The project area is not located in an Area of Critical Environmental Concern. No vernal pools are identified within the limits of work. The Natural Heritage and Endangered Species Program (NHESP) online atlas shows that the project site is not located within a habitat area for any rare or endangered species. **Figure 2** shows that none of these critical resources were identified within the project limits.

4.0 Mitigation Measures

4.1 During Construction

Measures implemented to avoid, minimize, and mitigate potential impacts to nearby wetlands included the following:

- Before the contractor began any site work, a sedimentation control barrier was erected around the limit of work and at the edge of Towners Pond, to prevent runoff or erosion of soils to the wetland resource areas.
- No stockpiling of materials occurred during the culvert repair. All materials were live loaded.
- Dewatering of the trench was pumped to a “dirt bag” prior to discharge into a catch basin.
- Construction was expedited to minimize the length of time during which the site was destabilized.
- All catch basins within the immediate workzone were protected by silt sacks, to prevent sediment from entering the storm drain system and being conveyed to wetlands or waterways.
- Riprap was installed both upstream and downstream of the work to stabilize the inlet channel and banks.

Notice of Intent
Swains Pond Avenue
Culvert Repair
FIGURE 3 – FEMA
Flood Zone Map

-  Project Location
-  Zone A: 1% Annual
Chance of Flooding, no BFE

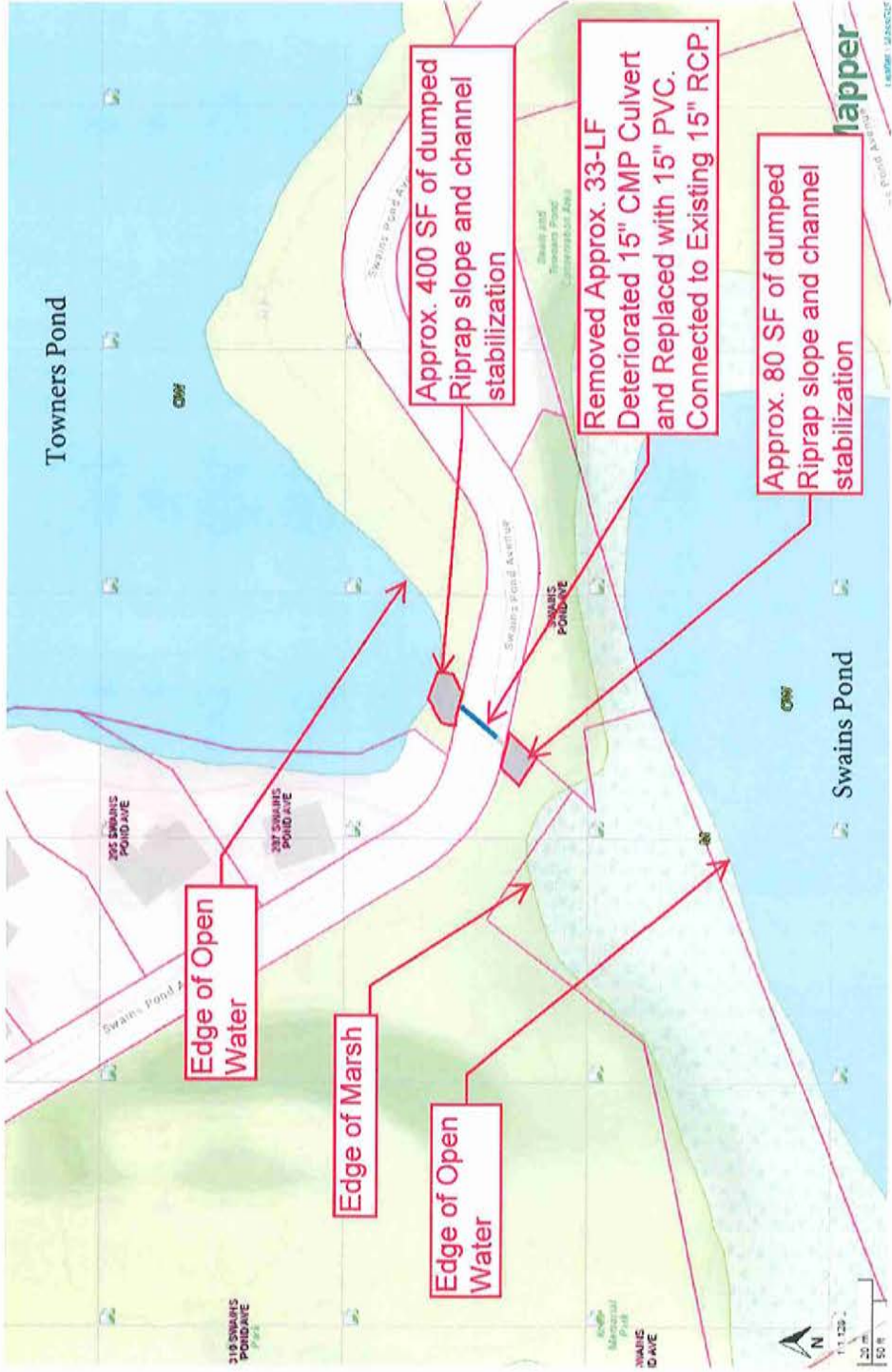


CITY OF MELROSE
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
652 MAIN ST., MELROSE, MA 02176

Notice of Intent

Swains Pond Avenue
Culvert Repair

FIGURE 4 – Wetland
Resource Boundaries



CITY OF MELROSE
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
652 MAIN ST., MELROSE, MA 02176

4.2 Post Construction Measures

All disturbed soils in the 100-foot Buffer Zone will be seeded for permanent stabilization using a wetland seed mix. The area will be maintained and re-seeded to ensure that cover is adequate to stabilize the exposed soil.

5.0 Summary

The proposed construction was conducted in compliance with 310 CMR 10.00, to the extent possible. The Melrose Conservation agent was keep informed at all steps in the process. The repair was successfully completed within a few days, allowing the road to be re-opened to traffic and eliminating a safety concern.

ATTACHMENT B

EMERGENCY NOI FORM AND MAYOR'S EMERGENCY DECLARATION



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Emergency Certification Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. Emergency Information

Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



- Issuance From: Melrose Conservation Commission
Issuing Authority
1. Site Location: Existing culvert underneath Swains Pond Ave, just south of 287 swains pond ave and conveys flow from Towners pond under roadway to Swains pond
 2. Reason for Emergency:
A culvert beneath the roadway of Swains Pond Avenue, which connects Swains Pond and Towners Pond has collapsed and soil is eroding below the road surface.
 3. Applicant to perform work: Melrose Department of Public Works
 4. Public agency to perform work or public agency ordering the work to be performed:
Melrose Department of Public Works
 5. Date of Site Visit: Start Date: End Date*:
3/30/2022 3/31/2022 4/14/2022
* no later than 30 days from start date or 60 days in the case of an Immediate Response Action approved by DEP to address an oil/hazardous material release.
 6. Work to be allowed*:
 - Sandbags placed on both sides of the culvert to dewater the work area.
 - sawcut the pavement and remove the asphalt and soil over the pipe section and remove the existing pipe, preserving the existing headwall at the outlet.
 - Install replacement PVC culvert and sleeve into the existing headwall.
 - Install riprap to stabilize slopes around the inlet and outlet, if necessary.
 - Remove all debris, including piping, soil, cement, and asphalt.
 - Pave trench area with 4-inches of pavement: 2 1/2-inches of binder and 1 1/2-inches of top course.

* May not include work beyond that necessary to abate the emergency.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Emergency Certification Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Signatures

Certified to be an Emergency by this Issuing Authority.

Melrose Conservation Commission

Signatures:

Eric Devlin - Conservation Agent
Signature

Eric Devlin
Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

A copy of this form must be provided to the appropriate DEP Regional Office.

C. General Conditions

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Emergency Certification or subject to enforcement action.
2. This Emergency Certification does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of property rights.
3. This Emergency Certification does not relieve the applicant or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. Any work conducted beyond that described above, and any work conducted beyond that necessary to abate the emergency, shall require the filing of a Notice of Intent.
5. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Emergency Certification at reasonable hours to evaluate compliance with this Certification, and may require the submittal of any data deemed necessary by the Conservation Commission or the Department for that evaluation.
6. This Emergency Certification shall apply to any contractor or any other person performing work authorized under this Certification.
7. No work may be authorized beyond 30 days from the date of this certification without written approval of the Department.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Emergency Certification Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

D. Special Conditions

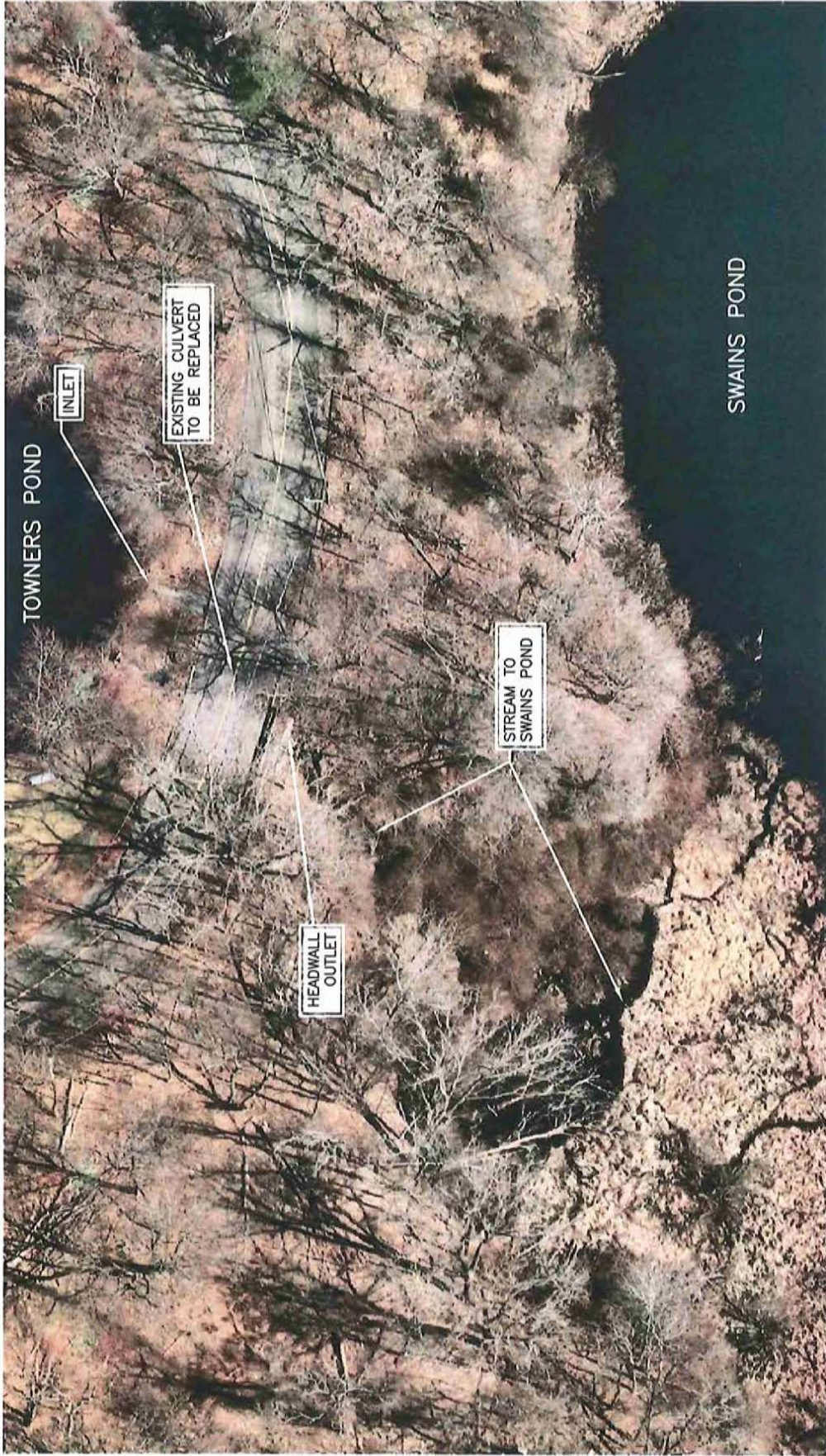
Erosion controls shall be installed along upstream and downstream edges on both sides of the existing culvert and around Towners pond edge to protect the pond.

All dewatering activities on the project site in which water will be released to Resource Areas or storm drains shall make use of a settling pond or similar device to remove sediment before water is released.

No heavy equipment access from the outlet side. All work to be done from roadway and inlet side.

E. Appeals

The Department may, on its own motion or at the request of any person, review: an emergency certification issued by a conservation commission and any work permitted thereunder; a denial by a conservation commission of a request for emergency certification; or the failure by a conservation commission to act within 24 hours of a request for emergency certification. Such review shall not operate to stay the work permitted by the emergency certification unless the Department specifically so orders. The Department's review shall be conducted within seven days of: issuance by a conservation commission of the emergency certification; denial by a conservation commission of the emergency certification; or failure by a conservation commission to act within 24 hours of a request for emergency certification. If certification was improperly granted, or the work allowed thereunder is excessive or not required to protect the health and safety of citizens of the Commonwealth, the Department may revoke the emergency certification, condition the work permitted thereunder, or take such other action as it deems appropriate.



CITY OF MELROSE
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

SWAINS POND AVE
EMERGENCY CULVERT REPAIR

MAR 2022

REV NO. 0

FIGURE NO.

1



PAUL BRODEUR
Mayor

CITY OF MELROSE

OFFICE OF THE MAYOR

City Hall, 562 Main Street
Melrose, Massachusetts 02176
Telephone - (781) 979-4440
Fax - (781) 662-2182

EMERGENCY DECLARATION

WHEREAS A sudden, generally unexpected occurrence or set of circumstances demanding public action has arisen within the City of Melrose on Swains Pond Avenue in relation to a culvert beneath the roadway which connects Swains Pond and Towners Pond; and

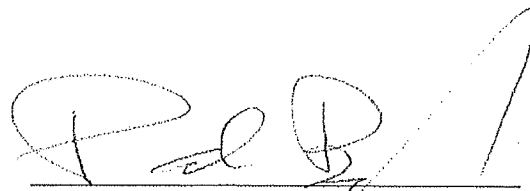
WHEREAS The Mayor of the City of Melrose, Massachusetts, upon advice from the Director of the Melrose Department of Public Works, has determined that the incident poses a present, reasonable and imminent danger to public health, safety or general welfare of the people of Melrose or their property so that it has become necessary for the Director to utilize and coordinate the services, equipment, supplies and facilities of existing departments, offices and agencies of the city for the purpose of civil defense/emergency management and emergency functions; and

WHEREAS The Mayor has determined that immediate public action is needed to prevent, minimize or mitigate damage to the public health, safety or general welfare of the people of Melrose or their property, and that taking the time required to comply with the application requirements of the Massachusetts Wetlands Protection Act and related local bylaws would endanger the health or safety of the people or their property; and

WHEREAS The people of the City of Melrose should be able to depend upon guidance from their Mayor.

THEREFORE I, Paul Brodeur, Mayor of the City of Melrose, Massachusetts, hereby declare that as of March 28, 2022, a state of emergency exists on Swains Pond Avenue in the City of Melrose. This declaration of emergency shall remain in effect until notice is given, pursuant to my judgment that the state of emergency no longer exists.

March 28, 2022
DATE


PAUL BRODEUR, MAYOR

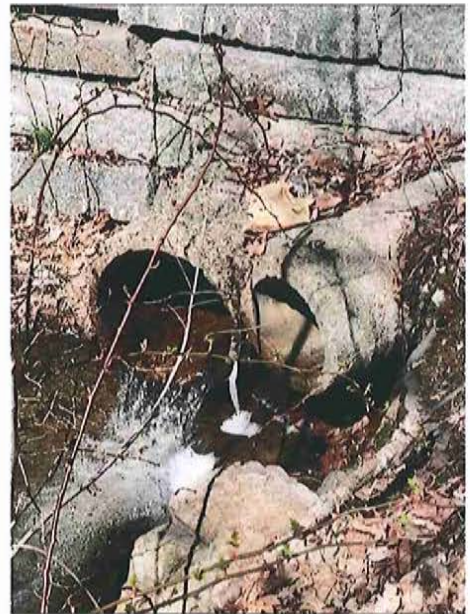
ATTACHMENT C
PROJECT PHOTOGRAPHS

*Swains Pond Ave. Culvert Replacement
BEFORE CONSTRUCTION Photos*



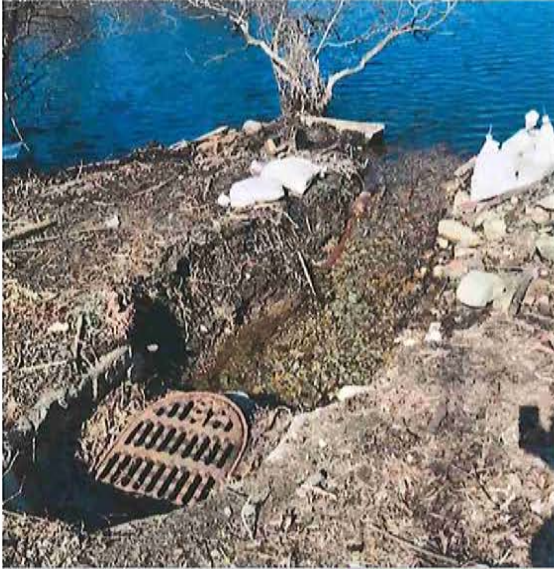
Swains Pond Ave. – road partially closed due to culvert collapse

Existing outfall to Swains Pond



CITY OF MELROSE
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
652 MAIN ST., MELROSE, MA 02176

*Swains Pond Ave. Culvert Replacement
BEFORE CONSTRUCTION Photos*



Culvert inlet on Towners Pond side

Culvert inlet on Towners Pond side

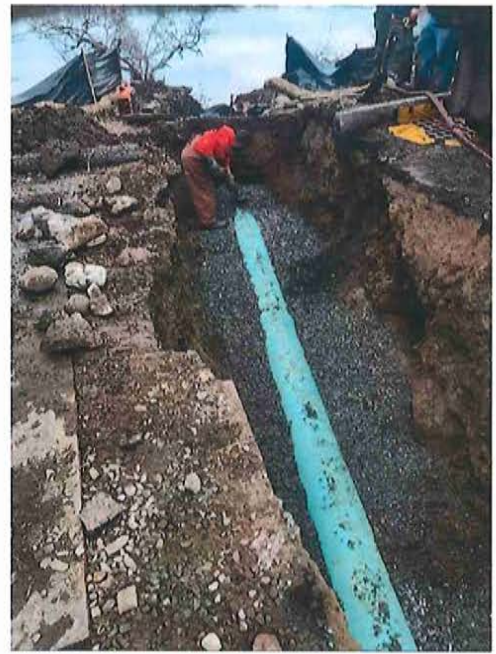


*CITY OF MELROSE
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
652 MAIN ST., MELROSE, MA 02176*

Swains Pond Ave. Culvert Replacement
DURING CONSTRUCTION Photos



Swains Pond Ave. – Culvert
replacement with 15" PVC pipe



CITY OF MELROSE
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
652 MAIN ST., MELROSE, MA 02176

*Swains Pond Ave. Culvert Replacement
DURING CONSTRUCTION Photos*



Swains Pond Ave. – Culvert replacement

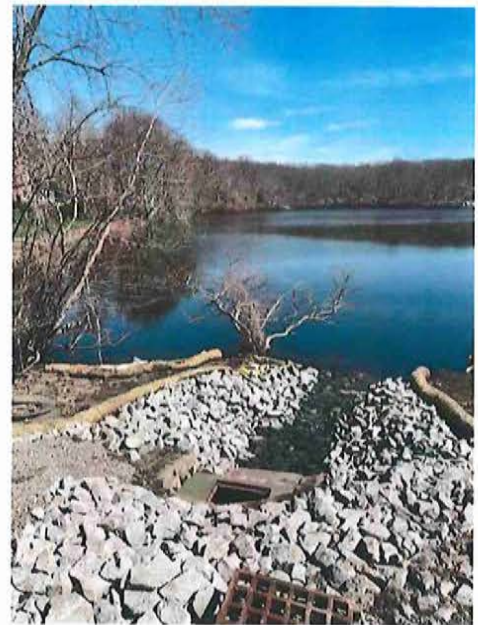


*CITY OF MELROSE
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
652 MAIN ST., MELROSE, MA 02176*

*Swains Pond Ave. Culvert Replacement
AFTER CONSTRUCTION Photos*

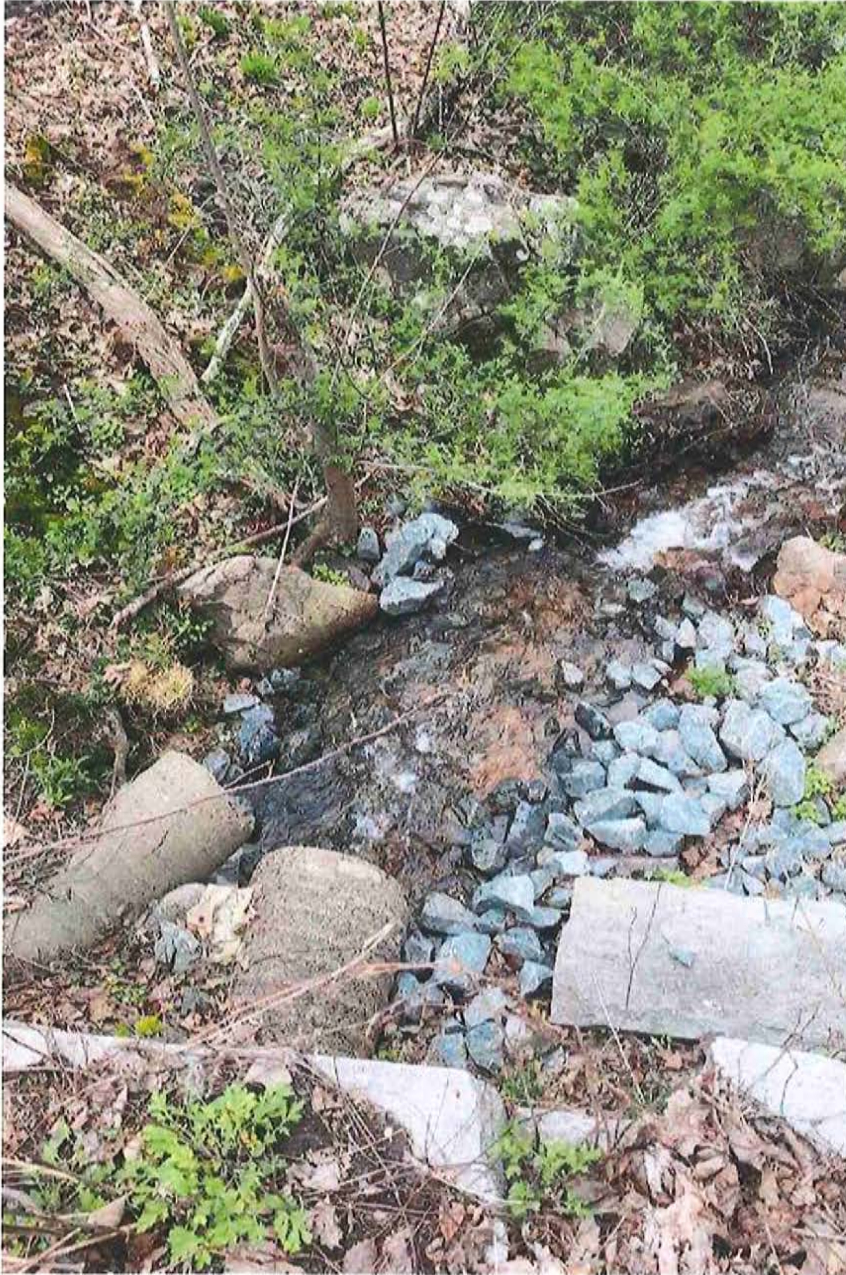


Inlet on Towners Pond side



*CITY OF MELROSE
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
652 MAIN ST., MELROSE, MA 02176*

*Swains Pond Ave. Culvert Replacement
AFTER CONSTRUCTION Photos*



Discharge on Swains Pond side

*CITY OF MELROSE
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
652 MAIN ST., MELROSE, MA 02176*

ATTACHMENT D
ABUTTER NOTIFICATION AND LIST

Notification to Abutters Under the Massachusetts Wetlands Protection Act

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, you are hereby notified of the following, since your property is within 100 feet of the proposed work:

- A. The name of the applicant is **Melrose Public Works**.
- B. The applicant has filed a Notice of Intent with the Melrose Conservation Commission seeking permission to repair the existing failing culvert in Swains Pond Avenue within the Buffer Zone to Open Water and Edge or Marsh Wetland Resource Areas under the Wetlands Protection Act (MGL Chp. 131, Sec. 40). This work consisted of excavation and replacement of a 15-inch corrugated metal pipe with a new 15-inch PVC pipe, riprap slope stabilization, and wetland seed planting.
- C. The address of the lot where the activity is proposed is **Swains Pond Avenue** and the adjacent Towners Pond and Swains Pond.
- D. A **Public Hearing** will be held at the Melrose City Hall Cassidy Conference Room, on May 19, 2022. Commission meetings begin at 7:30 p.m. unless otherwise posted. Although the Conservation Commission does not assign specific times for hearings, you may want to call in advance to obtain a sense of when this application might be heard.
- E. Information on the Notice of Intent can be obtained at the Conservation Commission, City Hall, 563 Main Street, Melrose, MA. Office hours are 8:00 a.m. to 4:00 p.m. Monday through Thursday, 8:00 a.m. to 12:00 p.m. Friday. You may also call 781-979-4312 for more information or to obtain copies of the Notice of Intent.
- F. Notice of the Public Hearing, including its date, time, and place will also be published at least five days in advance in the Melrose/Wakefield Item and posted in the City Hall not less than forty-eight (48) hours in advance of the meeting. You may contact the Melrose Conservation Commission or the Department of Environmental Protection (DEP) Regional Office for more information about this application or the Wetlands Protection Act. To contact the DEP, please call the **Northeast Regional Office at 978-694-3200**.

AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act
(to be submitted to the Massachusetts Department of Environmental Protection and
the Conservation Commission when filing a Notice of Intent)

I, Vonnie Reis, hereby certify under the pains and penalties of perjury that on May 2, 2022, I gave notification to abutters in compliance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the DEP Guide to Abutter Notification dated April 8, 1994, in connection with the following matter:

A Notice of Intent filed under the Massachusetts Wetlands Protection Act by Melrose Public Works with the Melrose Conservation Commission on May 2, 2022 for the emergency culvert repair in Swains Pond Avenue.

The form of notification, and a list of abutters to whom it was given and their addresses, are attached to this Affidavit of Service.

Vonnie Reis

05/02/22

Name

Date

