

# LYNNFIELD CONSERVATION COMMISSION

## MINUTES

JULY 18, 2017

PRESENT: Paul Martindale  
Melanie Lovell  
Angelo Salamone

Don Gentile  
Christopher Martone  
Janice Solomon

Vice Chairman Paul Martindale called the meeting to order at 6:30 p.m. and adjourned the meeting at 8:28 p.m.

**ELECTION OF OFFICERS:** Bob Milano has resigned from his position as Chairperson and will no longer be serving on the LCC. Solomon nominated Martindale as Chairperson of the LCC, Martindale accepted the nomination. *On a motion duly made by Solomon and seconded by Lovell, the LCC voted (5-0-1) to appoint Martindale as Chairperson of the LCC. Martindale abstained.*

Lovell nominated Gentile as Vice Chairperson of the LCC, Gentile accepted the nomination. *On a motion duly made by Lovell and seconded by Solomon, the LCC voted (5-0-1) to appoint Gentile as Vice Chairperson of the LCC. Gentile abstained.*

Solomon nominated Lovell as Site Coordinator of the LCC, Lovell accepted the nomination. *On a motion duly made by Solomon and seconded by Salamone, the LCC voted (5-0-1) to appoint Lovell as Site Coordinator of the LCC. Lovell abstained.*

**SIGNING OF LINDEN CONTRACT FOR FY 18 CAPITAL PROJECT: DRAINAGE DESIGNS FOR BEECHWOOD, LAKEWOOD AND LOCKWOOD ROADS:** Bill Jones of Linden Engineering was present to speak on behalf of this contract for professional design services to begin to rectify the “Woods Roads” drainage issues at Pillings Pond. The LCC has requested professional design services from Linden Engineering to begin to rectify Wood Roads’ drainage, via DPW, at the pond. The DPW requested that an engineering design study be conducted for long term planning purposes. Martindale asked if Jones was amenable to having the LCC’s Wetland Scientist, Kristin Kent, delineate the wetlands for the projects with the goal of saving the Town money. Jones was agreeable to that suggestion and noted that a late day email from Town Engineer Richter requested that DPW be kept informed of the on-goings. Kent offered that in an email to Adelson, Charlie noted that the contract did not address permitting and easements therefore additional costs could be expected. Jones will make revisions and send an updated contract to the LCC. *On a motion duly made by Gentile and seconded by Lovell, the LCC voted (6-0) to accept the Linden Engineering Proposal for Professional Services pending removal of the wetland services component.*

**SIGNING OF LINDEN CONTRACT, DESIGN REVIEW FEE FOR BOSTON CLEAR WATER, 165 LOWELL STREET PROJECT:** Bill Jones was present to speak on behalf of this contract agreement. The LCC was in receipt of the itemized project review from Jones which totaled \$2,500 and included conditions. *On a motion duly made by Solomon and seconded by Gentile, the LCC voted (6-0) to accept the Linden Engineering proposal for the review of the Boston Clear Notice of Intent filing and plans.*

**CONTINUANCE OF A PUBLIC HEARING, REQUEST TO AMEND ORDERS, 7 OAK STREET, JIM BOUDREAU, TOWN ADMINISTRATOR:** Solomon called the hearing to order at 6:35 p.m. and read the legal notice as posted at Town Hall. John Perry of Gale Associates was present for this hearing. The LCC was in receipt of the July 13, 2017 Linden Engineering review of the Request for an Amended OOC and Insignificant Change. Perry informed the LCC that the Town has modified the plan to include a playground

structure and walking paths. In consideration of the concerns surrounding the originally proposed pervious pavement, the plan was modified to include standard bituminous impervious pavement. Perry said the stormwater calculations were run based upon the pavement change. Vegetated swales are being proposed and the entire project is out of the 25-foot buffer zone. Bill Jones reviewed the project and had two minor comments which were addressed. Martindale noted one comment was the stormwater calculations. Jones said that Gale had inputted an incorrect number for the weir outlet to the swale. The mistake was ministerial and when the number was corrected, it resulted in less run off. The other comment was that sandy loam be specified for infiltration in the swale. Jones offered that the Request to Amend appeared to be more of an Insignificant Change and said that he was in favor of the Gale design and there were no concerns of impact, issues or concerns regarding the Wetland Protection Act. ***On a motion duly made by Lovell and seconded by Solomon, the LCC voted (6-0) to accept the changes as an Insignificant Change to the Order of Conditions.***

**PAYROLL:** Martindale explained that with the resignation of Chairman Milano, the LCC needed to vote on authorizing himself as newly elected Chairman to be the payroll designee to sign the weekly payroll forms. ***On a motion duly made by Solomon and seconded by Gentile, the LCC voted (5-0-1) to authorize Chairman Paul Martindale as a signee for LCC Payroll Authorization form. Martindale abstained.***

**SITE VISITS:** The LCC is scheduling site visits at 165 Lowell Street, 10 Ramsdell Way, 74 Crescent Avenue, King Rail Golf Course and possibly Reedy Meadow Golf Course. A date and alternates were agreed upon. Monday, August 7<sup>th</sup> was the first choice and Friday, August 4<sup>th</sup> and Thursday, August 10<sup>th</sup> were decided upon as alternates. Paul Marchionda was present and was in agreement with the August 7<sup>th</sup> date and will check with the Boston Clear Water team for the 165 Lowell Street visit.

**REEDY MEADOW GOLF COURSE UPDATE:** Martindale and Martone met with Don Lyons, Golf Pro, to visit the 6<sup>th</sup> hole of the Reedy Meadow Golf Course. It appears that wetlands partially surround the green at the end of the hole. Martindale explained that nesting Marsh Wrens and Virginia Rail birds have been observed in Reedy Meadow, as well as Rusty Blackbirds roosting in large oaks. Martindale said half of the oak trees were cut in previous years and wants Lyons to be sure the rest are allowed to remain. Also, it appears that the lawn is being mowed up to the water's edge to within 6 inches. Lyons was informed that the close mowing was not acceptable and he was amenable to the LCC's suggestions. Martindale would like him to pull the mowing back 10 feet from the top of the bank. Martindale would also like to see some of the trees replanted and see as much of the area, as possible, remain natural. Martindale encouraged the LCC members to stop by and view the area.

**PUBLIC HEARING, NOTICE OF INTENT, 27 ROBIN ROAD, MARK MAZONE:** Solomon called the hearing to order at 7:00 p.m. and read the legal notice as printed in the July 5, 2017 issue of the Lynnfield Villager. Kevin Hoyle of K Hoyle Construction and Marc Mazone, property owner, were present for this hearing. Mazone would like to demolish the existing dwelling, construct a new structure, add utilities and pave a driveway. He is proposing a two-story colonial with the same grading and is proposing to relocate the home further back on the property. The LCC conducted a site visit and observed the wetland is along the right and rear of the property. Martindale noted that only one corner of the existing structure is in the 50 buffer zone but almost 50% of the proposed dwelling is in the 50-foot buffer zone. Hoyle said he was not going to give any special consideration to possible basement flooding since the grading was to remain the same. Solomon voiced her concern about the disturbance with the proposed movement of the dwelling as the A1 flag will now be 15' from the corner of the home. The LCC inquired as to why the home is being relocated. Hoyle replied that the BOH requested the structure be relocated 10' from the septic tank box. Hoyle informed the LCC that the proposed bump out in the front of the home had been removed from the plan and suggested the home could be moved forward 4-5' with this change. The LCC was amenable to that suggestion. Martindale noted that the

right side of the home is vegetated and asked the homeowner to please keep the rhododendron and large pines to maintain drainage in that area. Hoyle noted that they did intend to remove the large two pines between the properties but will add more plantings. Martindale asked him to replace some trees there to stabilize that area. Hoyle said the engineer will revise the plans to show added trees and some additional plantings to the proposed plans. *On motions duly made by Lovell and seconded by Gentile, the LCC voted (6-0) to close the hearing and issue an Order of Conditions.*

**CONTINUANCE OF A PUBLIC HEARING, NOTICE OF INTENT, REQUEST TO AMEND ORDERS, 397 WALNUT STREET (FORMALLY 427), KING RAIL GOLF COURSE, TOWN OF LYNNFIELD, JIM BOUDREAU, TOWN ADMINISTRATOR:** Solomon called the hearing to order at 7:15 p.m. and read the legal notice as posted at Town Hall. The LCC was in receipt of the July 13, 2017 Linden Engineering Review of Request for an Amended Order letter and an email from Adelson to Domenic Rinaldi suggesting a continuance since abutters in Wakefield were not notified of the proposed improvements or meeting. Bill Jones of Linden Engineering was able to identify four abutters in Wakefield who were not notified and therefore must be notified before a hearing can be held. Kent noted that BSC requested a continuance on July 18, 2017. LCC was in receipt of Jones' review but no discussion was held. *On a motion duly made by Gentile and seconded by Solomon, the LCC voted (6-0) to continue the hearing until the August 15, 2017 meeting.*

**CERTIFICATE OF COMPLIANCE REQUEST, 5 TAPPAN COURT:** The LCC members conducted a site visit to this house located in a subdivision. The current homeowners are selling and need a Partial Certificate of Compliance from the subdivision's Order of Conditions. The associated wetlands are located across the street from the home and no wetlands exist on the property. Adelson will contact the subdivision owner for an As-built which is needed to obtain a Certificate of Compliance for the subdivision. *On a motion duly made by Lovell and seconded by Salamone, the LCC voted (6-0) to issue a Partial Certificate of Compliance.*

**CONTINUANCE OF A PUBLIC HEARING, NOTICE OF INTENT, 165 LOWELL STREET, ANDREW ZUROFF, BOSTON CLEAR WATER COMPANY LLC:** Solomon called the hearing to order at 7:30 p.m. and read the legal notice as posted at Town Hall. Present for this hearing were Paul Marchionda of Marchionda and Associates of 62 Montvale Avenue, Stoneham, MA and two (unnamed) abutters. The applicant's engineer requested a continuance. The LCC and Marchionda discussed possible site visit dates. Marchionda was agreeable to Monday August 7<sup>th</sup> and would verify the availability of the Boston Clear Water team. Martindale informed the attending abutters that they should return to the August 15, 2017 meeting should they want to discuss any issues regarding the hearing. *On a motion duly made by Gentile and seconded by Salamone, the LCC voted (6-0) to continue the hearing until the August 15, 2017 meeting.*

**CERTIFICATE OF COMPLIANCE REQUEST, 6 RAMSDELL WAY:** The LCC was in receipt of an As-Built plan for the recharge chambers from Marchionda and Associates dated December 23, 2016. Paul Marchionda of Marchionda and Associates was present for this request. The LCC conducted a site visit. Martindale expressed concern with phragmites along the wetland line and would like to ask owners' permission to treat them. Martindale suggested Adelson compose a letter to the owners of 6 and 8 Ramsdell Way requesting permission to treat the phragmites. *On a motion to duly made by Lovell and seconded by Solomon, the LCC voted (6-0) to issue a Partial Certificate of Compliance.*

**CERTIFICATE OF COMPLIANCE REQUEST, 53 CHESTNUT STREET:** Matthew Guarracino was present for this request. Guarracino said he completed the additional plantings and replanted the plantings that

did not thrive. Guarracino said the sprinkler system has been installed, the debris on the right of the lot has been removed and the area has been seeded. The LCC reviewed the photos provided by Guarracino which showed the loam and seed. Martindale observed that though the problem areas have been properly corrected, the area was not yet thriving. The LCC would like to give the ferns time to take root. Regarding the grading issue, Guarracino said the grading had been corrected prior to the last meeting. Kent replied that he should submit an updated As-Built plan to reflect the correction. Guarracino noted that the partial Certificate of Compliance has not yet been issued to him. Martindale suggested he provide an As-built showing the corrected grading and said he would like to see the plants established but by fall 2017, the LCC could issue a full Certificate of Compliance.

**10 RAMSDELL WAY DISCUSSION:** The LCC was in receipt of a July 13, 2017 email from Adelson to property owner, Ms. Costa, the Marchionda December 9, 2017 plan and the property's Special Conditions from February 6, 2014. Mr. and Mrs. Costa and Paul Marchionda of Marchionda and Associates were present for this discussion. The LCC was in receipt of recent photos. LCC observed this property when attending another site visit and saw that there appears to be a large quantity of fill on the slope behind the property as well as two unpermitted decks. The slope with the fill grades down to the wetland area. Marchionda said that the Costas were not aware of any wetland restriction. Marchionda said he observed that the silt fence from the subdivision is still present at the wetland line. Costa said he completed the deck work himself. Martindale suggested the issuance of an Enforcement Order and a site visit to see how far the improvements and fill are in the buffer zone. Marchionda noted that this land was subdivided prior to the enactment of the Lynnfield Wetland Bylaw therefore they cannot be held to a 25' or 50' no disturb zone. Kent said the land was subdivided in 2013. Kent informed Marchionda and the LCC that the Order of Conditions was still open. Martindale reiterated that the LCC is concerned with the fill on the steep slope making its way into the wetland. *On a motion duly made by Salamone and seconded by Gentile, the LCC voted (6-0) to issue an Enforcement Order.*

**CERTIFICATE OF COMPLIANCE REQUEST, 3 HILLTOP:** The LCC was in receipt of an As-built plan and photographs from Atlantic Engineering & Survey Consultants dated July 6, 2017. Homeowner Bill Lahey was present for this request. Adelson, Lovell and Martindale have visited the site. Lahey distributed pictures to show the LCC that he removed the piles of wood debris the previous homeowner left behind in the yard. Lahey said that he left some fallen trees but removed the branch debris. Martindale noted two wetland flags in the middle, rear of the lot were missing and the wetland area in that area was being maintained as lawn. Lovell informed Lahey that he should let that area revegetate and not mow the wetland area. Martindale discussed the installation of wetland markers affixed to wooden post to demarcate the wetland. Kent will go out to the property to reflag wetland markers A10 and A12 to ensure Lahey installs the posts in the correct location. Martindale requested that Leahy remove the straw wattle and reseed that area. The LCC will verify the conditions have been met prior to the August 15, 2017 meeting and if all is favorable, the LCC will vote on the COC at the August meeting.

**2 PILLINGS POND ROAD PERMIT EXTENSION REQUEST:** The LCC was in receipt of a letter requesting an Extension Permit from Robert Noe dated July 12, 2017. The homeowners have not yet installed the pool and are requesting a 3-year extension. Kent informed the LCC that the house is permitted separately from the pool and said as a condition of the extension; both permits will be required to be closed at the same time. *On a motion duly made by Gentile and seconded by Lovell, the LCC voted (6-0) to issue an Extension Permit for three years.*

**CERTIFICATE OF COMPLIANCE REQUEST, 8 KIMBALL LANE, UPS:** The LCC was in receipt of Linden Engineering's Review of Request for a Certificate of Compliance for 8 Kimball Lane dated July 12, 2017. The LCC viewed pictures of the associated stormwater runoff from this property. It was apparent that water is overflowing the storm drain and running over the curb into the Saugus River, causing significant erosion in a small area. Martindale said this is the only issue on the property but Linden Engineering was not comfortable with leaving this area as is. The LCC suspects the storm drain may be blocked and Kent said she believes it to be a private way. Martindale noted that the storm drain must be unblocked, the sand in the culvert must be removed and the erosion issue must be addressed. Solomon suggested adding an O&M report for the drain to the conditions. The LCC would like to see the owners attend the August 15, 2017 meeting with their modifications. Adelson is to reach out to discuss what steps need to be taken to have their request approved. Kent noted that there is requirement for yearly reports but none have yet to be submitted.

**PARTRIDGE ISLAND BOARDWALK UPDATE:** Quotes for the work have come in but still need to be reviewed.

**VIOLET CIRCLE UPDATE:** The work has started at Violet Circle: erosion controls have been installed, tree clearing has begun and some of the supplemental information required under the Order has been submitted.

**PILLINGS POND UPDATE:** Pillings Pond was treated last week and Martindale noted that this work should be done earlier next year, in June of 2018, to get ahead of algae growth.

**MOTION TO ADJOURN:** On a motion duly made by Solomon and seconded by Lovell, the LCC voted (6-0) to adjourn at 8:28 p.m.

As recorded and submitted by Marlene Clapp and Kristin Kent

Kristin Kent  
Assistant Conservation Administrator