

# **TOWN OF LYNNFIELD CONSERVATION COMMISSION**

## **MEETING MINUTES**

**TUESDAY, NOVEMBER 20, 2018, 6:30 PM**

H. Joseph Maney Hearing Room, Lynnfield Town Hall

### **Members present:**

Paul Martindale, Chairman, Commissioners; Don Gentile, Jan Solomon, Chris Martone, Angelo Salamone; Bill Thompson; Administrator Emilie Cademartori.

### **6:34pm Chairman Martindale called the meeting to order.**

### **6:35pm Open Space Properties Maintenance Ideas List**

DPW Director John Tomasz, and Open Space Committee members Erin Madden and Betty Adelson, were present. To be discussed was a listing of the 5 recommended LCC properties maintenance ideas that the Commission had requested from Lucy Madden, stemming from her work compiling the results of the Open Space & Recreation Plan survey.

- 1) Create 4 Town-owned parking spaces, on conservation-owned land, behind the Center stores to be designated for the Beaver Dam Brook Reservation. Director Tomasz said that he would have the DPW grade out 4 graveled spaces, off to the right side of the entrance, similar to what was done at Summer Street School. Martindale asked if a sign was still erected. The consensus was that there is no signage, only a gate marking the entrance. A sign would need to be erected that marked the new parking spaces, and a second sign would need to be erected just inside the area marking the conservation area itself. Martindale asked Director Tomasz for sign construction recommendations, and a discussion ensued regarding various materials. Metal signs are cost-effective, would last 10-15 years, and the DPW would pay for the signs to be made and installed. Betty suggested that, if desired, pricier signage could be considered in the future. Director Tomasz indicated signage could be installed in the Spring.
- 2) Establish a monthly schedule for the Beaver Dam Brook and Partridge Island Trail conservation areas to be maintained by the DPW. Martindale reported that for the last 2 years, the growth of poison ivy has made the trails impassable. Martindale asked if any DPW staff had wetland herbicide licenses. Cademartori noted that RODEO is an approved herbicide for wetland applications. Tomasz said he needed to check if his DPW licenses specifically allowed for wetland herbicides. Tomasz suggested a treatment approximately 3-4 times per year, rather than monthly. Martindale suggested March/April for the first treatment, then a second treatment a month afterwards, then another halfway

through the growing season. Tomasz asked that Cademartori suggest a schedule and remind him in the early spring. Adelson also asked for routine cutting of invasives, as well as herbicide treatments. Martone noted the presence of a great deal of Buckthorn, to which Cademartori said that it should be cut first, followed by treatment of the stumps. Adelson said that Beaver Dam Brook just needs mowing - for tick abatement - except during the spring to avoid the 2 vernal pools on either side of the path.

- 3) Install trail head signs at the conservation entrances that currently do not have signage. The Bow Ridge area needs a sign on Ledge Road, and needs the existing sign brought forward at the entrance on Lynnbrook Drive. At their expense, Kelly Management will install a sign at the Kelly property entrance on Route One. The Pine Hill Lot needs a sign at the entrance on Littledale Road. Partridge Island and Beaver Dam Brook Reservation need signs.
- 4) Clear some paths in the Pine Hill Lot to be used for a walking trail, and possibly as part of the LHS cross-country route. Martindale noted that the LHS cross-country team would like to use this area as part of its route, and a discussion ensued. Martindale suggested scheduling a site visit to identify/mark a trail.
- 5) Investigate alternative access points to Bennett Keenan that could be located directly from Lynnfield, or possibly by obtaining an easement through a North Reading property. Adelson noted that the Lynnfield Center Water District does not allow access over its property. Martindale suggested scheduling a Commission site visit with Adelson and Madden to walk the Bennett Keenan area, with an eye towards possible access points - through Bostik, through Elm Street in North Reading, or perhaps via North-Reading town-owned land. Martindale further suggested that he and Cademartori try and contact Mr. Smith, the gentleman on Elm Street who donated land as access to Bennett Keenan.

### **7:03 Public Meeting - Request for Determination- 244 Moulton Drive**

Applicant: Gerardo Spagnuolo

Project: Installation of new septic system

Luke Roy, LJR Engineering, was present to explain the project.

The project replaces a failed septic system roughly in the same location for an existing single family 4-bedroom home, with no plans for expansion. Roy noted that their firm had located an unmapped wetland. The closest point of the system is at 82' from the wetland area. Martindale inquired about the description of the wetland, to which Cademartori further explained that it appears to "run" down the slope, and perhaps flows into the culvert under Moulton Drive. The system design has been approved by the Board of Health. There are several large pines proposed for removal. Also proposed is installation of erosion controls during construction. No new impervious surface is proposed.

Solomon asked how many trees were to be removed, to which Roy answered 4 large pine trees. Emilie noted that the wetland was not flagged, and suggested that the Commission not confirm the delineation. Martindale also noted that there was significant debris in the wetland area which should be cleared away. He suggested that in exchange for removal of the 4 trees, the resource

area should be cleaned up and stabilized. Martindale then suggested a Negative 3 Determination, citing that the work done is in the buffer zone but will not alter the area protected under the Act. The determination does not require filing of an NOI, but is subject to the following conditions; 1) installation of erosion controls, 2) stabilization of disturbed areas upon completion, 3) removal of debris in the wetland area and stabilization of the slope.

*On a motion duly made by Gentile and seconded by Solomon, the board voted (6-0) to issue a Negative 3, subject to the conditions noted above.*

### **7:15pm Public Hearing - Notice of Intent - 17 Essex Street**

Applicant: Gaetano DeNardo & Nicole Adiletto

Project: Construction of barn

Richard Kirby, LEC Environmental, was present to explain the project.

The barn will be constructed approximately 55' from the buffer. A driveway provides access from Essex Street. The backyard will be totally fenced. The barn will be constructed on relatively flat existing lawn space, on a slab with no basement/crawl space, or plumbing. Kirby also noted that tree removal has already occurred. Cademartori had visited the site several times over the summer and provided guidance about location of the proposed barn, allowable tree removal, and, abiding by the 25' no disturb and the 50' no build, even though the property is not subject to the local bylaw.

Martindale said that he saw no proposed erosion control, to which Kirby noted that it was indicated on the planting plan. He also asked about the extent of the wetland, to which Cademartori indicated that it "runs" under Center Village and daylights near the Historical Society building, eventually emptying to Reedy Meadow.

Martindale asked for abutter comments. Marjorie Generazzo, 802 Essex Village, was present to represent her daughter - an abutter to the property. She asked who approved all the tree removals and substitution of blueberry bushes. Martindale referred to the planting plan noting a combination of wetland shrubs and trees. Cademartori said that she had not been back to the site after the tree removal. Homeowner Adiletto indicated that only 10 trees were removed, but debris and other brush had been cleared, as well. Two large pines were kept.

Abutter Barry Karp of 719 Main Street inquired about no plantings proposed for the side of the barn, in his line of sight. Martindale suggested that this could be something negotiated at this time. Kirby said that he assumed that the LCC would want all the plantings behind the barn, where they would shade the wetland, to which Martindale agreed but also noted that aesthetics and neighboring properties were also considerations. Adiletto suggested that her plan was to plant arborvitae along the property line with Karp. Martindale said that arborvitae would not be

sufficiently high, and suggested a blue spruce or fast-growing pine. Kirby suggested an Eastern Hemlock, and rhododendrons.

Generazzo asked if the Commission would get the homeowners' planting plans in writing. Martindale said a condition could be that the homeowners consult with the LCC regarding the plantings in the 50-100' buffer along the fenceline once the barn is constructed. Cademartori suggested an administrative review of the landscaping plan prior to granting a Certificate of Compliance.

Thompson commented that treatment of a Hemlock in his yard has become expensive. Martindale also noted that next year the treatment will no longer be allowed in the Massachusetts.

Abutter Carlos Loureiro of 515 Main Street, asked about the proposed height of the barn. Kirby noted that the dimensions had yet to be designed, but noted that there are town height restrictions in place.

Generazzo asked if there were any restrictions on what will be stored in the barn. Martindale noted that the contents would not be under LCC jurisdiction. Cademartori noted that the storage of fuels and hazardous materials would be within LCC jurisdiction, but only if located too close to resource areas.

***On a motion duly made by Solomon and seconded by Salamone, the board voted (6-0) to issue an Order of Conditions for this project.***

#### **7:41 Public Meeting – Request for Determination - 41 Apple Hill Lane**

Applicant: Dorene Calvani

Project: Installation of new septic system

Peter Blaisdell, Williams & Sparages LLC, was present to explain the project.

This request is to replace a septic system. The proposed new field is a significant improvement from the current location. The leaching field is outside the buffer; only the tank is within the buffer. There is an outstanding OOC from 2008 for an addition believed to be completed in 2010. The current BVW delineation is different than the 2008 plan.

Martindale noted that the new system's location is an improvement over the existing system, with the proposed site as far away from any resource area as possible. The design is approved by the Board of Health.

Cademartori asked if the delineation would be confirmed as accurate by the LCC. Martindale suggested that a site visit be done prior to issuing a COC, to be addressed later in the agenda. For this RDA, the LCC will not confirm the delineation.

***On a motion duly made by Gentile and seconded by Salamone, the board voted (6-0) to issue a Negative 3 determination for this project.***

### **7:57pm New Request – Request for COC – 41 Apple Hill Lane – DEP #209-0457**

The September 23, 2008 OOC covers installation of a deck and landscaping. Cademartori noted that she had not visited the site to review this work. Martindale suggested that a site visit needs to be conducted to ensure that the work under the OCC has been done, and before a COC can be issued.

### **8:02pm New Request – Request for COC – Pondview Lane subdivision – DEP #209-0395**

No one was present for this project. A partial COC for the roadway construction was given in 2013. The developer is seeking to have a full COC issued to release all the lots. (The last house was just recently completed). There were some outstanding issues and perpetual conditions with the 2013 COC. Missing is any information of installation of dry wells. There has also been no submission of any maintenance reports on the detention system since 2013. The developer has passed Cademartori's request for maintenance reports on to the homeowners' association.

### **8:02pm -- Updates/Correspondence:**

#### **Boston Clear Water**

The DEP had requested information with an October 25 deadline. Partial information was provided, but the full report was not submitted in time.

Regarding the local lawsuit, there is a deadline November 29 to file a motion. Cademartori noted that the case before the zoning board currently, does not include any of the proposed expansion that was part of the NOI.

#### **National Grid ROW maintenance activities**

Cademartori noted that National Grid runs high-tension lines through Reedy Meadow, and has traditionally accessed through Partridge Lane with an easement that goes back to 1926. However, they are now installing 2 new 90' poles, and have brought in much larger equipment. They have also sought to access the work area through ConCom land. The Partridge Lane homeowners are unhappy. The Lynnfield Police have sent them away a couple of times. There will be a new memorandum of understanding developed as to how they will use ConCom property in the future.

#### **Special presentation - Handmade Walking Sticks from Paul Martindale**

Chair Martindale took a few moments to present special handmade walking sticks to Emilie Cademartori and Jennifer Welter. Martindale fashions these from maple branches and finishes them to accommodate the height of the recipients.

#### **Tree removal requests/policy**

Martindale said that he had visited 21 Alexandra Road. It is a well-wooded lot in a well-wooded neighborhood. Some trees in the rear may actually be in the wetland. Cademartori held off providing the homeowners with an opinion because of the large number of trees proposed for removal. Martindale indicated that the trees on the sides and front of the house were not of as much concern as the trees in the back, and that perhaps Cademartori could negotiate replacement plantings with high-bush blueberries, swamp maples, etc.

Thompson provided a detailed set of rules and regulations regarding trees from Chevy Chase, Maryland. After a brief review, Martindale proposed establishing a set of categories, such as “a tree diseased beyond recovery”, “tree in danger of falling”, etc., that can be easily applied by Cademartori. Solomon added that she and Thompson have investigated tree bylaws in Weston, Reading and Bedford.

Martindale suggested that before a tree bylaw is proposed, the LCC could establish a recommended set of guidelines that could be used in guiding residents for general tree issues, perhaps establishing a policy and procedure that can be “tested” for a year, and used as the precursor for a tree bylaw to be brought to Town Meeting.

Martindale then produced a listing of 16 native tree species that could be posted to our website. Some of the trees have come from the Tree Committee. This list would be best for people to use as replacements for trees taken down that are upland of resource areas, or are in the front of their properties. This “unofficial list of suggested shade trees” includes trees that are in their native range, have a broad crown and are aesthetically pleasing. Martindale acknowledged that the Planning Board, the Tree Warden, and perhaps other groups maintain lists for different purposes. Gentile asked what trees were donated by Northeast Nursery for the Tree Photo contest, to which Thompson answered 2 Red oaks, 2 Red Maples and 2 Sugar Maples - all of which were 10’ high trees.

Cademartori asked about next steps for this listing. Martindale suggested that this listing be posted to the website. Solomon would like to review this listing and cross-reference it with some other tree information she has received from the State of New Hampshire, which provides expanded information such as ideal soil or light conditions for certain tree species, etc. Martindale suggested that Solomon review the list and bring back a version to the LCC for discussion. Thompson added that a smaller number of options is better than a larger number. Gentile added that availability is also an important factor.

### **FY 2020 budget**

Cademartori reported that in the upcoming weeks she needs to submit a preliminary budget, which will include a combined Planning and ConCom budget. Jane Bandini also inquired if the Tree Committee could have a dedicated budget line item. Martindale suggested that the existing line item money be divided between the Open Space Committee and the Tree Committee. Martindale suggested \$25,000 be added for the Pillings Pond capital expenditure, and that a new contract be put out for bid this year. Cademartori also noted that Sue Lambe and Jennifer Welter would be officially hired as of 11/26 in the newly configured Planning/ConCom department.

### **Open Files - updates if any**

None at this time.

### **Administrative Matters:**

**Bills:** bills were distributed for signatures. Cademartori noted that for administrative bills, the Finance Director believes the LCC board does not need to sign off on them. She suggested that she sign department expense bills, but will bring forward capital expenditures, discretionary items, or funds proposed to be expended from the ConCom fund.

**Tree Policy Task Force:** Next meeting will be scheduled before the December LCC meeting.

**Site visits:** “Walk on the Wild Side” to Bennett Keenan Reservation, and 41 Apple Hill Lane. Saturday, December 1 at 9:30am. LCC members to meet at Town Hall. If time permits, LCC members could visit Partridge Lane to see what National Grid is doing.

**Minutes:** The October 16, 2018 draft meeting minutes were reviewed and corrected.

*On a motion duly made by Gentile and seconded by Solomon the LCC voted (6-0) to approve the October 16, 2018 LCC meeting minutes as corrected.*

### **Miscellaneous reports:**

Beaver Dam culvert: Cademartori reported that more coffer dams were removed November 20, per current weather conditions. Cadamartori extended the November 1 work deadline.

*9:16pm - On a motion duly made by Salamone and seconded by Gentile the LCC voted (6-0) to adjourn the meeting.*

### **NEXT REGULAR MEETING – Tuesday, December 18, 2018**

As recorded and submitted by Jennifer Welter