

**TOWN OF LYNNFIELD
CONSERVATION COMMISSION**

MEETING MINUTES

May 18, 2021, 6:30 PM

Virtual Meeting via ZOOM

Members present:

Commissioners; Chairman Don Gentile, Kirk Mansfield, Janice Solomon, Angelo Salamone, Erin Hohmann, Bryce Foote, Jared Yagjian

6:32pm - Chairman Gentile called the meeting to order.

As the applicant was not present for time of the Public Meeting for 3 Meadow Lane, the Chair turned the Board's attention to the Open Permitting Items.

Other Open Permitting Items

6:34 - Request for Extension OOC - DEP File #209-0616 - 18 Temple Road

Applicant Michael Monkiewicz was present to request the extension. The permit has not yet expired, but Mr. Monkiewicz would like a 2-year extension for his construction plans.

On a motion duly made by Hohmann and seconded by Yagjian, the LCC voted (6-0-1) to issue a two-year extension of the Order of Conditions for DEP File #209-0616 18 Temple Road. Roll Call Vote: Mansfield-Aye, Yagjian-aye, Hohmann-Aye, Salamone-Aye, Solomon-Aye, Gentile-Aye, Foote-abstain-not present for voice vote.

New Public Meetings

6:33pm - Request for determination - 3 Meadow Lane

____ Applicant: Paul O'Shea

Project: Remove existing garage and deck and construct new addition and new deck within the 100 ft. to Bordering Vegetated Wetland, within the 200 ft. Riverfront area to Beaver Dam Brook.

Applicant Paul O'Shea and Contractor Dan Tremblay presented the project. The building project will include a second story above the garage. The project slightly extends on 2 sides, but in existing lawn area or asphalt area. A professional was hired to mark the wetlands. Silt socks will be used for erosion control. Solomon suggested a site visit, and Mr. Tremblay noted that Field Inspector Patrick McDonald made a site visit the day prior and reported no issues.

On a motion duly made by Solomon and seconded by Mansfield, the LCC voted (6-0-1) to confirm the wetlands delineation and issue a Negative Determination of Applicability for 3 Meadow Lane. Roll Call Vote: Mansfield-Aye, Yagjian-aye, Hohmann-Aye, Salamone-Aye, Solomon-Aye, Gentile-Aye, Foote-abstain-not present for voice vote.

Other Open Permitting Items

6:47pm - Request for Certificate of Compliance- DEP File # 209-0422 - Windsor Estates

Attorney Ruth Sillman, representing the developer, Rich Williams of Williams & Sparages, and developer Gregg Monesteiro were present for the update. Atty. Sillman reported that there were a couple of technical issues, and expressed regret that Director Cademartori and Linden Engineering were not present to discuss. Gentile suggested that the discussion be postponed until June.

Sillman said that in Linden's review of the as-builts, Linden notes that the original order should show the location and other specifics of the drainage system. However, Sillman says that the order only required an as-built, but not some of the specifics of the drainage systems. She said that it would now be impossible, outside of massive excavation, to comply with Linden's requirements. Gentile said that he felt unable to make a determination without Linden present. Yagjian agreed.

Williams suggested that a meeting to discuss the outstanding issues be held with Cademartori and Linden Engineering before the June LCC meeting. Gentile agreed.

6:58pm - Request for Certificate of Compliance - DEP File #209-0413 - 2 Broadway - Michael's Landing

Rich Williams, Williams & Sparages and developer Gregg Monesteiro were present for the request. Field Inspector Patrick McDonald was also present. A site visit was held prior to the meeting and attended by Solomon, Hohmann, Salamone, Foote and Field Inspector McDonald.

Williams noted that in the back of the project there are 2 galvanized corrugated 20" pipes half buried in the stream, somewhat filled with silt. The applicant expressed concern about their removal because of disturbance to the slope on the site, the possible contamination to the stream, and the access through the neighbor's new asphalt paved parking lot. Solomon added that the pipes are unsightly and would like to investigate removal. Hohmann asked if the pipes were being used for water drainage. Monesteiro said that water was flowing through. Gentile said that the pipes are considered debris from earlier work, and the question for removal centered around disturbance to the wetland. Williams said that removal should not affect any hydraulics there.

McDonald suggested that the pipes be craned out, but expressed concern about the silt inside. Hohmann suggested that vegetation might ultimately grow over the area. Solomon said that the disturbance could be remedied in part with reseedling, and parking lot access for removal is nearby. Gentile asked Williams about revegetation if the pipes were removed, to which Williams suggested a conservation mix, and perhaps some handwork - all of which is outside of the OOC in the proposed plan. McDonald said that a tackifier would be necessary, as well.

Monesteiro suggested that the pipes be crane-removed, rather than cable-pulled. He would need the neighbor's approval for access and will investigate this removal method. He is also concerned about having the project turn into a "Pandora's Box".

A second issue is the footbridge that has a pipe suspended from the underside. Williams said the original plan called for a footbridge to access the back parking lot of the Christmas Tree Shop. That access as a footbridge was then abandoned in favor of a pipe to convey stormwater placed on top of the bridge. The pipe needs to be flat-strapped to the bridge, and be wrapped in insulation. Monesteiro said that there are concerns about types of insulation, including toxicity during application and decomposition of the material over time. The preferred method would be rigid insulation underneath, and then the entire pipe wrapped. Gentile asked why the pipe needed to be insulated to which Williams said because it is not buried and the water would freeze.

A third issue concerned regular reporting of the maintenance system. Williams noted that Cademartori has requested a formal stormwater report, which will be used as a guideline going forward for periodic reporting required by the O&M.

McDonald said that the grass has not grown, but the area appears stabilized. Gentile suggested that with the applicant offering to investigate removal of the corrugated pipes, this should not be an impediment to a COC. Solomon asked if Linden was aware of the insulation issue, to which McDonald said that the idea had come up during his conversation with Williams. Gentile then said that if Linden thought insulation was prudent, a COC could be issued with the condition that a solution for the pipe insulation be reviewed and approved by Linden. Salamone suggested looking at spray foam to the bottom of the pipe, to which Monesteiro said that he was very familiar with spray foam but spraying any product over the stream would be toxic to the stream, and would be subject to decomposition over time.

On a motion duly made by Yagjian and seconded by Hohmann, the LCC voted (7-0) to issue a Certificate of Compliance for 2 Broadway - Michael's Landing with the following conditions; the applicant will work in conjunction with the Conservation Administrator to investigate the removal options of the corrugated pipes; the applicant will work with the LCC peer reviewer as to how best to secure and if necessary, wrap the pipe that leads over the waterway and that the applicant will meet the requirements as decided by the peer reviewer, and the applicant will submit a formal stormwater maintenance report as discussed with the Conservation Administrator and also comply with the O&M plan for the stormwater management system going forward in perpetuity. Roll Call Vote: Mansfield-Aye, Yagjian-aye, Hohmann-Aye, Salamone-Aye, Solomon-Aye, Gentile-Aye, Foote-Aye.

Administrative Matters

7:42pm - Pine Hill Trail - Encroachment area restoration

Chair Gentile said that a meeting with the Bossi's to review the encroachment area and discuss trail delineation solutions should be the next step. He suggested a small group of board members to work on this issue outside of the meetings. Mansfield asked about the Bossi's understanding of the survey results, to which Gentile said that he believed such discussions will go forward guided by the LCC's survey results, as the Bossi's have not conducted a survey on their own.

Solomon said that she wanted to avoid any confrontation with abutters. Yagjian said that the onus is on the abutters to prove the survey results, and that it is not necessary to give in to demands - presenting an opportunity to work positively to resolve. Mansfield asked who would be paying for some kind of barrier, to which Yagjian and Gentile agreed that this would be part of the negotiations with the Bossis. Yagjian also noted that the letter from Police Chief Secatore summarizing his meeting with the neighbors' representative was positive.

Solomon, Yagjian and conservation staff will work with the Bossis. Jane Bandini, Chair of the Tree Committee will assist. Patrick McDonald will also be involved as he has worked on the trail development all along.

7: 59pm - Dam Breaching - Beaver Dam Brook at Rail Bed

Chair Gentile apprised the Board that Cademartori had to issue a permit to breach a beaver dam at the rail bed.

8:02pm - Rotary Park Bank Planting Events - May 1

Chair Gentile thanked board members for their participation and called the day a success. Mansfield asked if there was a barrier to cordon off the planting area to replace the staked police tape. Jennifer Welter said she would put in a request to the DPW. Mansfield also added that resident Mary Stewart is reaching out to him, to the Select board and to the LCC staff with a plan to remove the shoreline plantings from the Rotary Park bank and install a hard fence to prevent fishermen standing on the shoreline.

Unscheduled Comments:

Chair Gentile said that June 15 may be the lifting of the state emergency order, which would ease the way for the LCC to begin in-person meetings, possibly starting in June.

Mansfield noted that the Tree Committee is a sub-committee of the Conservation Department, and called for participation from interested board members. He added that their next meeting was Tuesday, May 25 at 7:00pm. Gentile remarked that the Tree Committee has developed an "amazing" website to support the 1000 TREES initiative. He added that at some point he would

like to see this website host the information about preferred trees for Lynnfield residents. Welter will circulate the website address to Board members.

Jared Yagjian left the meeting at 8:11

8:12pm - Minutes - February 16, March 16, April 20, April 27 (Special Meeting)

On a motion duly made by Mansfield and seconded by Hohmann, the LCC voted (5-0-2) to approve the February 16 meeting minutes. Roll Call Vote: Mansfield-Aye, Salamone-Aye, Solomon-Aye, Foote-Aye, Gentile-Aye, Yagjian-Abstain- was not in attendance, Hohmann-Abstain- was not in attendance.

On a motion duly made by Mansfield and seconded by Hohmann, the LCC voted (5-0-2) to approve the March 16 meeting minutes. Roll Call Vote: Mansfield-Aye, Salamone-Aye, Solomon-Aye, Hohmann-Aye, Foote-Abstain - was not in attendance, Yagjian-Abstain - had left the meeting at 8:11pm.

On a motion duly made by Mansfield and seconded by Hohmann, the LCC voted (7-0) to approve the April 20 meeting minutes. Roll Call Vote: Mansfield-Aye, Salamone-Aye, Solomon-Aye, Hohmann-Aye, Foote-Aye, Yagjian-Aye, Gentile-Aye.

On a motion duly made by Mansfield and seconded by Hohmann, the LCC voted (5-0-2) to approve the April 27 Special Meeting minutes. Roll Call Vote: Mansfield-Aye, Solomon-Aye, Hohmann-Aye, Foote-Abstain - was not in attendance, Salamone-Abstain - present by inaudible.

8:26pm - Adjournment

On a motion duly made by Mansfield and seconded by Hohmann, the LCC voted (6-0-1) to adjourn the May 18, 2021 meeting. Roll Call Vote: Solomon-Aye, Hohmann-Aye, Mansfield-Aye, Salamone-Aye, Gentile-Aye, Foote-Aye, Yagjian-Abstain, having left the meeting at 8:11pm.

NEXT REGULAR MEETING – Tuesday, June 15, 2021

As recorded and submitted by Jennifer Welter.