



T O W N O F  
S T O N E H A M  
M A S S A C H U S E T T S  
Town Hall  
35 Central Street

Stoneham Conservation Commission  
781-279-2696

**STONEHAM CONSERVATION COMMISSION  
MINUTES OF MEETING  
AUGUST 16, 2021  
REMOTE 7 PM**

Please join meeting from your computer, tablet or smartphone. <https://global.gotomeeting.com/join/824294085>

You can also dial in using your phone. United States: [+1 \(571\) 317-3122](tel:+15713173122) Access Code: 824-294-085

Attendees: Ellen McBride, Bob Parsons, Rob Fotino, Alex Rozycki, Megan Day, Jessica Gerke, Norman L'Esperance, Jim Juliano, Anthony/Sharon Vecchiarello, Julianna Bruce, EJ Green, Charles Houghton, Robert Galvin, Dennis Sheehan, Paul Checca, Amanda Sherbow, Raymie Parker, Paula Sasso, Nanty Brigido, Matt Shirley, Bob McGillivray, Terry, John Salemme

**PUBLIC HEARING:**

**Rear Hillside Ave.**

*Jim Juliano*

Construction of a new single family house with driveway and associated grading in the 100 foot buffer zone. Notice of Intent continued/Request for Determination of Applicability continued

Ellen McBride recuses herself. Bob Parsons mentions request to continue submitted by Attorney Juliano for reasons related to Commission's comments have been addressed and resolving DPW storm water report questions. Mr. Parsons has reviewed plan, has no additional comments and asks commissioners.

Norman L'Esperance is ready to close public hearing.

Jessica Gerke asked about number of trees, Bob Parsons says number of trees has been quantified including size.

James Juliano says final plan has been submitted, Planning Board approved drainage but DPW would solidify drainage and water tables' elevations.

Megan Day is ok continuing one more meeting. Believes Conservation Commission operates that we allow extensions.

Mr. Gonsalves looking for clarification on water shed following property lines.

Alex Rozycki is ready to move on if this is final plan. Water storage on site has not been dealt with, nor has abutters concerns been addressed. Undeveloped area that plans will increase detrimental issues for abutters. Does not believe project fits in this space.

Mr. Juliano is willing to change plan if Mr. Gonsalves says it's necessary for infiltration.

Continuing one more meeting could help but Mr. Parsons doesn't think it will change significantly.

Rob Fotino has seen what he needs to see but if it is the policy of the board to continue then the next meeting is it. Megan Day asks if we expose ourselves to liability if we don't have all the information and close the public hearing. Bob Parsons asks Attorney Galvin. Attorney Galvin states you can't predict what someone might or might not do, if the Commission wants more information they can continue particularly because the applicant has asked, the Commission also is within their rights to close.

Bob Parsons says folks on the Commission seem to be ready to close the public hearing and asks for a motion.

Alex Rozycki asks if closing the public hearing does the flow of information stop. Attorney Galvin answers you would not be able to accept more information.

Bob Parsons says one more meeting and that is it, ready for resolution.

Julianna Bruce states it is the applicants' burden to demonstrate by evidence that there will not be a cumulative effect on resource areas and the failure to do so will be sufficient for denial. Continuances have been given and it is unnecessary to continue and this is driven by fear.

Bob Parsons disagrees and the Commission would agree to move on and if the Commission decides to continue two weeks for drainage info and is not fearful of appeals, trying to follow process.

Julianna Bruce thinks it is ridiculous, the Commission has bent over backwards, and she will respect the Commission's decision.

Alex Rozycki Commission is not working full time on this, a board of volunteers that need to be on the same page, if giving them two weeks helps everyone feel better fine, but he is ready to move on.

Megan Day continues public hearing to August 30, 2021 7pm Norman L'Esperance seconded. Roll call yes  
Bob Parsons, Rob Fotino, Alex Rozycki, Megan Day, Jessica Gerke, Norman L'Esperance 6/0

## **DISCUSSION ONLY:**

### **34 Stevens Street**

*Elcio Tiede/Silbete Maccaty*

Restoration plan

Resident is trying to be in touch with Bill Manuell, others did not return calls. Ellen McBride asks them to continue to hold backyard and revisit with plan September 13, 2021. Ellen McBride instructs them not to pull plants, dig or add soil but grass next to house can be cut. Resident says its getting high, next to house its ok to cut. Please continue to contact wetland scientist.

### **36 Stevens Street**

*Dinesh Purni*

Restoration plans

Not on call.

### **2 North Street**

Bear Hill Golf Course

Discussion of restoring impacted areas and tree plantings.

Not on call.

### **102 Elm Street**

*Jessica Sprouse*

Questions about piping stream in her yard

Adjacent to 104 Elm Street, lived in home for 7 years and purchased home in January 2021. Has watched drainage canal deteriorate, land erosion and chemical smell, bugs and over three feet at deepest point when it floods. She has 4 children, 2 are under 10. Would like to be at parity with her neighbors who are piped, keep the yard safe for the kids and prevent land erosion. Needs maintenance currently.

Ellen McBride believes it was piped for the health of stream and for habitat, Brett Gonsalves may have seen.

Jessica did speak to DEP who directed her to Conservation Commission and to come back to DEP if they need to appeal. Jessica would like to have someone see her yard.

Ellen McBride comments generally DPW does not allow streams to be piped.

Drainage canal per Jessica Sprouse.

Ellen McBride said DEP frowns upon piping. Commission worked with another resident who mistakenly piped his yard and now has to do restoration work. In an effort to save you money so you do not have to pay permit fees, Commission suggested Jessica Sprouse spoke to someone at DEP as Ellen McBride guesses that even if she filed a notice of intent, DEP would override and deny. Town would not agree to pay for it. Believes Brett Gonsalves has seen it, and said culverts on either side are clear. Ellen McBride believes it was done the way it was for a reason, trying to save Jessica Sprouse money, and suggests she explain to DEP the decision. Ellen McBride offers to come to site visit.

Jessica Sprouse would like to read Alice Smith email as reference from Alicia Geilen and Tom McGuire who all said local level first.

Bob Parsons said site visit with Mr. Gonsalves makes sense. Process is made through local conservation commission, and DEP reviews all decisions.

Jessica Sprouse shows pictures from her yard. Asked to submit dates of photographs to office. Ellen McBride asks that pictures are sent with dates to office.

Wednesday August 25, 2021 at 5:30pm site visit. Reminder to be sent for site visit.

### **Whip Hill**

*Megan Day*

Art in the Park

Concert Saturday October 2, 2021 from 12-2pm. Park and walk, bring picnic. Ellen McBride asks that it be a Conservation minded group. Megan Day says its encouraging folks to use Whip Hill. Asks Attorney Galvin for interpretation of will.

### **Storm Water Wetlands Restoration Project**

*Alex Rozycki*

DPW Conservation survey

Overall project deliverables within the next month from Alex Rozycki.

### **Wetland Resource Flyer**

*Jessica Gerke*

New homeowner flyer

### **Tree Policy**

*Ellen McBride*

Warrant article deadline has passed, but May Town Meeting may suggest entry.

### **Approve Meeting Minutes July 19, 2021**

Motion made by Alex Rozycki, seconded by Rob Fotino. Roll call yes Bob Parsons, Alex Rozycki, Megan Day, Rob Fotino, Ellen McBride, Norman L'Esperance 6/0

Next Meeting September 13, 2021

Rear Hillside Meeting 8/30/21

Executive Session- To discuss strategy with respect to pending litigation or litigation that is demonstrably likely where an open meeting may have a detrimental effect on the litigating position of the Stoneham Conservation Commission and the chair so declares pursuant to Mass. Gen. L. c. 30A sec. 21(a)(3). Not returning to open session.

Roll call yes Norman L'Esperance, Rob Fotino, Jessica Gerke, Megan Day, Alex Rozycki and Bob Parsons 6/0

See Minutes from Executive Session 8/16/21 for detail.