

TOWN OF
STONEHAM
MASSACHUSETTS
Town Hall
35 Central Street

Stoneham Conservation Commission
781-279-2696

STONEHAM CONSERVATION COMMISSION
MINUTES OF MEETING November 6 2023 Virtual 7 PM

<https://meet.goto.com/211874533> Phone: Access Code: 211-874-533 United States: +1 (646)
749-3122

Jessica Gerke, Norman L'Esperance, Richard Jackson, Tom Liddy, Stephen Glowacki, Joseph Coluntino, Alex Rozycki, Megan Day, Ellen McBride, Mary Jirmanus Saba, Joe Cunningham

PUBLIC HEARING

95 Maple St

Tom Liddy, Lucas Environmental, LLC

Request for Determination of Applicability

Professional wetland scientist Tom Liddy, Boston Gas and Stephen Glowacki are applicants. Gas line on paved portions of Maple St from Montvale Ave and 95 Maple St. Shares screen. 95 Maple St large development under construction, project will begin on Montvale Ave and continue to Maple St. Simple utility installation. Sweet meadow brook flows east to west, well defined banks, 200 riverfront area extends off culvert edge under 93 and Maple St. 100 foot buffer zone extends in an arch. Trench 4 feet wide, gas line installed 3 feet below grade. Trench passes within flood plain. Project estimate is 2 weeks. Requesting negative determination of applicability.

Jessica Gerke asks about Sweetwater Brook proximity, flows under Maple St and daylights by old Kraft building on other side of highway.

Small portion of brook daylights right before 93 for about 20 feet according to Stephen Glowacki from RJ O'Connell and Associates. Culvert in area is very deep and can handle shallow trench. Water lines also pass through the area. There is sufficient clearance.

Alex Rozycki asks if going above culvert, reply yes. 100 foot for utility acknowledged. Inappropriate to store materials, dewatering if needed, and provisions if working in flood zone. Glowacki mentions order for 95 Maple St has full dewatering, same protocols will be the same with gas install. Upgrade of existing service from Montvale Ave to Maple St.

Tom Liddy says conditions can be added to negative determination, Alex Rozycki no fueling of trucks in flood zone, materials will be covered if left overnight.

Norman L'Esperance agrees conditions will cover it. Motion to close public hearing by Alex Rozycki and seconded by Richard Jackson. Roll call Norman L'Esperance, Richard Jackson, Megan Day, Alex Rozycki and Jessica Gerke yes 5/0

Alex Rozycki motions for negative determination for standard work within buffer zone conditions seconded by Norman L'Esperance. Roll call Norman L'Esperance, Richard Jackson, Megan Day, Alex Rozycki and Jessica Gerke Yes 5/0

CERTIFICATE OF COMPLIANCE

188 Franklin St #297-0195

Stephanie Yepes

Request for Certificate of Compliance

Joseph Coluntino came on to close items that buyer's lender requested to sell property. Teachable moments intends to buy property. Buyer intends to rebuild wall with pavers. Close order of conditions from 2000 from project that didn't happen. Jessica Gerke acknowledges materials have been moved out of wetlands. Future projects would need to come before Commission with request for permitting.

Richard Jackson asked about construction materials on site. Joseph Coluntino said there are construction material there for wall to be built outside the 100 foot buffer zone. Materials have been moved to side of building. Richard Jackson trying to insure site is cleaned up and no materials left in buffer zone. Joseph Coluntino will clean up whatever needs to be removed.

Alex Rozycki mentions enforcement order unresolved from 2021.

Joe Cunningham removed illegal dumping, has permanent back damage from a fall, owner has pursued him about buying property. Buyer is a great woman who he will always help, Mr Cunningham stated.

Motion to grant the certificate of compliance by Alex Rozycki seconded by Norman L'Esperance. Roll call Norman L'Esperance, Richard Jackson, Megan Day, Alex Rozycki and Jessica Gerke Yes 5/0

DISCUSSION

Whip Hill

Garden Club requests 11/9 meeting 9:30am

Meeting approved by Alex Rozycki and Richard Jackson seconds. Roll call 5/0 yes Alex Rozycki, Jessica Gerke, Megan Day, Norman L'Esperance and Richard Jackson

Updates: Whip Hill calendar

Megan Day attended Select Board meeting and talking with MACC and Michele Gerard. Conservation Commission Act was enacted before WPA to protect and manage land. Conservation land trust management plans recommended that we start with town council to deal with tenants. Work with Conservation Works for land management plans. There is a blueprint out there. Subcommittee could be formed about Whip Hill as long as we are

less than quorum of 4. Building department mentioned not up to code. Document sent to Select Board on behalf of commission should have been discussed at meeting first.

Jessica Gerke states this isn't an emergency. Document sent to Select Board because Jessica Gerke thought they were meeting Tuesday. Select board meeting was moved till next week. Megan Day requested a meeting, concerned about process, has brought up Whip Hill repetitively.

Megan Day states article 97 does not pertain to this. Feels she hasn't been able to speak to this. Jessica Gerke says it was a history document that was sent to Select Board. Jessica Gerke will share with Commission. Megan Day is concerned about the process, would like subcommittee formed and requests more transparency with board. 9 years Domenick Cimina on board, 13 years for Megan Day on Conservation Commission, Norman L'Esperance for 18 years. Motion to form a subcommittee about Whip Hill by Megan Day, seconded by Jessica Gerke. Organize and have documents of land management of house and property. Roll call yes 5/0. Norman L'Esperance, Richard Jackson, Megan Day, Alex Rozycki and Jessica Gerke. Norman L'Esperance thinks we should talk in person and have to be united and understand conditions and restrictions. Legally set up and having someone at Whip Hill 24/7 has value for insurance.

Alex Rozycki watched Select Board meeting. Concerns about Select Board saying Whip Hill should be wrapped up before Arnold house. Alex Rozycki doesn't appreciate being spoken to or about as a volunteer committee. Megan Day felt we couldn't answer questions and that we don't have documents in place. Formalized relationship is desirable.

Alex Rozycki says we have to do this on our timeline.

Jessica Gerke doesn't feel our timeline relates to Arnold House. Process we will go thru.

Subcommittee Megan Day, Jessica Gerke and Norman L'Esperance.

Norman L'Esperance says we need to comply with the conditions for getting the property. The initial reason Stoneham got the property is written in the will, set in stone and follow basic business procedures.

Richard Jackson asks if the responsibility of Arnold House would it fall to us, Jessica Gerke answers no it's not a conservation property. Megan Day says when Arnold House was being reviewed questions came up about Whip Hill that Select Board couldn't answer. Norman L'Esperance states Whip Hill should have nothing to do with the Select Board.

Norman L'Esperance mentions Hartshorne House in Wakefield. Limitations at Whip Hill.

Ellen McBride happy to answer questions about Whip Hill. Article 97 does protect Whip Hill according to her MACC contact. Watched Select Board meeting and heard Whip Hill was mismanaged and no one has ever reported to Select Board. Ellen McBride has never been asked to come to a Select Board meeting to speak about Whip Hill. Angie Crockett owned property, donated to Town of Stoneham, 1968 voted to accept property to be maintained in Conservation use. Dan Towse original administrator of trust, protector of Whip Hill, prepared Whip Hill to clear trails for public usage with Friends of Whip Hill 1973. Dave Ragucci tried to put leaf dump at Whip Hill, Attorney Solomon said no.

Running a business out of Whip Hill is not Conservation usage. Mulberry nursery school with Mary has not been finalized with teacher certification and insurance liability, yet Ms Jirmanus is using Whip Hill address as if she is running a school there. Boys and Girls Club may use Whip Hill as their day camp reportedly promised through Dennis Sheehan, as their day camp could be challenged.

Alex Rozycki it's Conservation's decision who can use Whip Hill. Subcommittee can come up with a list of questions. Decide as a Commission if we want someone to live at Whip Hill and have a contract and agreement with the Town. This will be a process.

Ellen McBride says Jim Previte stays on as caretaker at Whip Hill when he retired from the Town. Dennis Sheehan to come up with legal document for Mr. Previte's responsibility according to Ellen McBride.

Angie Crockett left \$150,000 to trust. Will and deed are available as well as trust documents from Ms. McBride. Bank Mellon in Boston has trust. Checks from endowment fund at Bank of America and annually \$10,000 is written to Town Accountant. Trust can be revoked if Town doesn't contribute. Heating system failure years ago was paid 50/50 by Trust and Town Capital Committee. Ice dams affected Whip Hill, insurance paid for most of repairs.

Ellen McBride says Jim Previte is a great caretaker, advises Ms. McBride about Whip Hill. Porta potty was rented because house is on septic system, please don't paint picture of anything but transparency. Angie Crockett's intent was to conserve. Whip Hill is hidden gem, great for day trips. Ellen McBride says perhaps parking lot restriped, to fit more cars. Doesn't in Ellen McBride's opinion mean schools should attend. Norman L'Esperance thanks Ellen McBride and says it helps us.

Alex Rozycki happy we are on our own schedule, and we will put together a list and work on it. Happy to provide Reading's checklist or information for Whip Hill bookings.

Mary Jirmanus Saba responds to Ellen McBride's comment that she is not illegally running a school at Whip Hill. Her daughter and niece are at Whip Hill three days a week. Mary Saba is present to support Conservation vision. Will update Commission when Bob Galvin's task list is completed.

Ellen McBride advises Ms. Saba remove Whip Hill as address from Facebook.

Jessica Gerke asks Megan Day to send out meeting dates for Whip Hill.

Tree Committee

Megan Day Bimonthly meetings usually 6pm at Town Hall. Tom Brady attends, Megan Day feels she doesn't have bandwidth. Alex Rozycki has hands full with storm water committee. Requirements of appointments discussed. Jessica Gerke suggests revisiting at next meeting.

Approve Meeting Minutes from October 16, 2023

Motion made by Alex Rozycki seconded by Richard Jackson Roll call 4/0 yes Alex Rozycki, Jessica Gerke, Megan Day and Richard Jackson

Next Meeting November 27, 2023

Motion to adjourn by Alex Rozycki seconded by Norman L'Esperance Roll call yes 5/0 Norman L'Esperance, Richard Jackson, Megan Day, Alex Rozycki and Jessica Gerke