

## Wayland Conservation Commission Meeting Minutes

Wednesday, January 24, 2024

Approved: February 7, 2024

Location: Commission members participated remotely via Zoom  
Present: Sean Fair, Chair; Barbara Howell, Vice Chair; Tom Davidson; Shannon Fischer; Jenny Brown; Luke Legere; Jen Pearlman; Linda Hansen, Conservation Administrator; Monica Rivas, Conservation Department Assistant  
Minutes: Monica Rivas

**S. Fair opened the meeting at 6:34 PM, noting that the meeting was being recorded by WayCam and a remote quorum was present consisting of Tom Davidson, Jenny Brown, Shannon Fischer, Luke Legere and Sean Fair. All participants were present virtually.**

### **1) Public Hearings (Starting after 6:30 PM):**

- a) **124 Cochituate Rd (DEP File no. 322-1022): cont. Notice of Intent** filed pursuant to Wayland's Wetlands and Water Resource Protection Bylaw (Chapter 194) and the Wetlands Protection Act (310 CMR 10.0), submitted by David O'Leary for the construction of St. Ann's Senior Village, a 60 unit rental development, parking area, stormwater management system, and supporting utilities at 124 Cochituate Rd in Wayland, MA 01778. The project is shown on Assessor's Map 34 Lots 4 and 5, and is located within the 100 foot buffer zone of a Bordering Vegetated Wetland, and Isolated Vegetated Wetlands.

L. Hansen stated she is still working with the applicant to get a peer reviewer on board. The scope of work was updated to accommodate a request by the Board of Health for a mounding analysis peer review. The three peer reviewers need to submit updated quotes to include the additional scope.

L. Legere moved and T. Davidson seconded the motion to continue the hearing under the WPA to February 7, 2024 after 6:30 PM. S. Fair initiated a roll call vote: YEA: S. Fair, J. Brown, T. Davidson, J. Pearlman, L. Legere, S. Fischer. NAY: None. ABSTAIN: None. Vote in favor 6-0.

- b) **24 School Street, (DEP file no. 322-0965): con't Notice of Intent** filed pursuant to the Wetlands Protection Act (310 CMR 10.0), submitted by Chris D'Antonio, Windsor Place LLC construction of twelve new townhouses, driveways and parking areas, subsurface sewage disposal system, stormwater management system, and supporting utilities at 24 School Street in Wayland, MA. Property is shown on Assessor's Map 52, Parcel 189 and is located within 100 feet of bordering vegetated wetlands and land under water.

*Barbara Howell joined the meeting.*

L. Hansen stated the quote submitted by J. Matthew Davis for peer review services was signed by the town manager, Michael McCall. An addendum was prepared by Mr. D'Antonio including a scope of work and a list of documents.

C. D' Antonio appeared before the Commission, as well as his consultant, Desheng Weng. He requested that M. McCall and the peer review consultant sign the addendum and that the addendum include a signature line for him.

Michael Wiggins, attorney to George Bernard (103 East Plain St.), appeared before the Commission. Mr. Wiggins requested that the two studies submitted by Scott Horsely be included in the peer review. They are brief letters which should not add significantly to the cost of the peer review. Discussion ensued.

L. Legere agreed the addendum should be signed and stated that J.M. Davis should review the two studies dated January 21, 2021 and September 13, 2023 submitted by Scott Horsely, as well as all the Modflow submittals. Discussion ensued.

L. Hansen requested electronic copies of the Modflow model to share with the peer reviewer.

Chris D'Antonio stated the peer review should only cover materials submitted by the applicant, and requested the material submitted by abutters be excluded from the peer review. Discussion ensued.

Desheng Weng requested that information regarding the wetlands be excluded from this peer review process.

Chris D' Antonio stated he did not want to accept new information as part of the peer review, and that only old documents submitted by Mr. Wiggins should be included in the scope.

L. Legere stated it is the norm for submittals from other consultants to be reviewed as well as materials from the applicants' consultant. It is the applicants' choice whether to include the content of Dr. Horsely's letters, but if excluded, the letters would be weighted according to the personal opinion of the Commission.

L. Legere moved to authorize L. Hansen to proceed with a peer review to include the addendum submitted by Chris D'Antonio, which will incorporate the letters submitted by Scott Horsely dated January 21, 2021 and September 13, 2023 and to be signed by the town manager, Chris D'Antonio, and J. Matthew Davis. T. Davidson seconded the motion. S. Fair initiated a roll call vote: YEA: S. Fair, J. Brown, T. Davidson, L. Legere, J. Pearlman, S. Fischer. NAY: None. ABSTAIN: None. ABSENT: B. Howell. Vote in favor 6-0-1.

L. Legere moved and T. Davidson seconded the motion to continue the hearing under the WPA to February 7, 2024 after 6:30 PM. S. Fair initiated a roll call vote: YEA: S. Fair, J. Brown, T. Davidson, B. Howell, L. Legere, J. Pearlman, S. Fischer. NAY: None. ABSTAIN: None. Vote in favor 7-0.

- c) **23 Claypit Hill Rd (DEP file no. 322-1002): cont. Notice of Intent** filed pursuant to Wayland's Wetlands and Water Resource Protection Bylaw (Chapter 194) and the Wetlands Protection Act (310 CMR 10.0), submitted by Mevan Samaratunga for the installation of a retaining wall and perimeter fence, as well as grading and landscaping of a rear yard. The project is located within the 100' buffer zone of a Bordering Vegetated Wetland at 23 Claypit Hill Road in Wayland, MA. Property is shown on Assessor's Map 19 Parcel 35.

Matt Sullivan with Sudbury Design Group appeared before the Commission. He presented plans for construction onsite. The plans have not changed since the applicant appeared before the Commission on October 18, 2023, except that they have been signed and stamped by a structural engineer for the grading and drainage of the

proposed structures, along with details for the proposed retaining wall. There were no changes to fill calculations.

L. Hansen requested a deed restriction be placed on the property, prohibiting further alteration within the wetland buffer due to the extensive amount of alteration already done onsite.

L. Legere moved and J. Pearlman seconded the motion to close the hearing under the WPA and Chapter 194. S. Fair initiated a roll call vote: YEA: S. Fair, J. Brown, T. Davidson, B. Howell, L. Legere, J. Pearlman, S. Fischer. NAY: None. ABSTAIN: B. Howell. Vote in favor 6-0-1.

L. Legere moved to issue an OOC under the WPA and a permit under Chapter 194 with a condition to include a deed restriction onsite. J. Pearlman seconded the motion. S. Fair initiated a roll call vote: YEA: S. Fair, J. Brown, T. Davidson, L. Legere, J. Pearlman, S. Fischer. NAY: B. Howell. ABSTAIN: None. Vote in favor 6-1.

## **2) Public Meetings, Request for Determination of Applicability (RDA):**

- a) **COA Trails Project (D-1020): Request for Determination** filed pursuant to Wayland's Wetlands and Water Resource Protection Bylaw (Chapter 194) and the Wetlands Protection Act (310 CMR 10.0), submitted by Linda Hansen for the construction of a 0.3 mile trail from the current path of the Bay Circuit Trail at Cow Common to the Council on Aging building in Wayland, MA 01778. The project is shown on Assessor's Map 23 Lot 52O, 52Q, 52S and is located within the 200 foot Riverfront Area.

Monica Rivas, Conservation Department Assistant, presented the plans to the Commission. The trail will be constructed in collaboration with the Appalachian Mountain Club. Conservation Department staff will clear the trail of any vegetation or debris. A portion of the trail will go through a BVW, which will require some debris clearing within the wetlands. Staff will take great care to ensure as little impact to the wetlands as possible. Eventually, a bridge will be built over the wetlands and permitted under a separate process, in a second phase of the project.

The AMC received \$10,000 in grant funding from River Stewardship Council for the construction of the trail. Funding will be used to install amenities such as a bench, trailhead, a possible bridge, and placement of a crushed stone dust surface to accommodate mobility impaired folks.

B. Howell moved to issue a Negative Determination under the WPA and a permit under Chapter 194. T. Davidson seconded the motion. S. Fair initiated a roll call vote: YEA: S. Fair, J. Brown, T. Davidson, B. Howell, L. Legere, J. Pearlman, S. Fischer. NAY: None. ABSTAIN: None. Vote in favor 7-0.

## **3) Other:**

- a) **Nominations open for the Ken Moon Award 2024:** The Commission received a nomination for the late Peg Norwood for the Ken Moon Award 2024. The Ken Moon award is granted to candidates who display outstanding achievements in Conservation. Candidates can include Wayland residents, people who volunteer in Wayland, or those who have served on the Conservation Commission. Nominations will close on March 1<sup>st</sup>.

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L. Legere moved and T. Davidson seconded the motion to open nominations for the Ken Moon Award. S. Fair initiated a roll call vote: YEA: S. Fair, J. Brown, T. Davidson, B. Howell, L. Legere, J. Pearlman, S. Fischer. NAY: None. ABSTAIN: None. Vote in favor 7-0.

b) A site visit will be held at Cascade (113-115 Boston Post Road), February 2nd at 10 AM.

### 4) **Public Comment:**

### 5) **Approve Minutes:**

a) **January 10, 2024 minutes:** The Commission reviewed the minutes and had no further comments.

L. Legere moved and J. Pearlman seconded the motion to approve the January 10, 2024 minutes. S. Fair initiated a roll call vote: YEA: S. Fair, J. Pearlman, J. Brown, T. Davidson, B. Howell. NAY: None. ABSTAIN: S. Fischer, L. Legere. Vote in favor 5-0-2.

### 8) **Adjournment:**

L. Legere moved and T. Davidson seconded the motion to adjourn the Conservation Commission meeting. The meeting was adjourned at 7:37 PM. S. Fair initiated a roll call vote: YEA: S. Fair, J. Pearlman, J. Brown, T. Davidson, B. Howell, L. Legere, S. Fischer. NAY: None. ABSTAIN: None. All in favor 7-0.

*The next Conservation Commission meeting is scheduled for Wednesday, February 7, 2024 @ 6:30pm*