

WAYLAND CONSERVATION COMMISSION

Minutes, Thursday, December 21, 2017 7:01 – 9:24 PM

Approved: January 11, 2018

Location: Council on Aging, Town Building, 41 Cochituate Road, Wayland, MA

Present: Barbara Howell, Tom Klem, Tom Davidson, Joanne Barnett, Sean Fair Chairperson: Sherre Greenbaum, Conservation Administrator: Linda Hansen

Not Present: John Sullivan

Minutes: Nicole Thomson

S.Greenbaum opened the meeting at 7:01 PM noting that a quorum was present and that the meeting was being broadcast live by WayCAM.

1. **Citizens Time: Designated time for input to the Commission regarding items that are *not* on the agenda.**

There was no comment.

2. **7:05 pm – Tom Sciacca, RSC Presentation.**

Tom Sciacca, River Stewardship Council; Sarah Bursky, Community Planner and Rivers Manager for the Wild and Scenic Rivers; and Mary Antes, River Stewardship Council, were present. T. Sciacca spoke on the history of the River Stewardship Council.

S. Bursky spoke on the need for a management plan within the National Park Service to care for the river going forward. A draft will be created, with input from the Commission.. Total of 7 towns with representatives from each, OARS, and SVT will create a volunteer network to steward the conservation plan.

S. Bursky asked the Commission for ideas in updating the conservation plan; what is a vision you see for these rivers and surrounding communities and what are seen as threats or opportunities.

L. Hansen mentioned restrictions on pesticides and herbicides and the constant problems of failed septic systems. There are issues related to climate change, including increases in invasive species and urban wildlife (Canada Geese), and there is the long time Billerica Dam impounding water and blocking the passage of fish.

Long time mercury contamination is a problem as the fish are not harmed but humans should not consume them. Route 20 boat ramp could use improvements as any enhancements to the site would be beneficial.

S. Fair spoke that parts of the Sudbury River get very low and when beavers take down large trees the river will stop flowing. Beaver control measures should be considered to prevent

removal of trees. S. Bursky mentioned that in the draft management plan concerns of drought have been included.

J. Barnett said that when the water level is low the geese in the area make it very dirty.

3. **7:30 pm – Continued Public Hearing, Ben Stevens, Trask Development, Applicant, 32/34 Covered Bridge Lane, DEP File No. 322-899:** Notice of Intent filed pursuant to the Wetlands Protection Act and a Chapter 194 application filed pursuant to Wayland's Wetlands and Water Resource Protection Bylaw filed by Ben Stevens, Trask Development, for 32/34 Covered Bridge Lane, Wayland to address mitigation for unpermitted work within a wetland buffer zone. The property is shown on Wayland's Assessor's Map 35, Parcel 030 P. (Owner on record is Ryan Dunne, 32 Covered Bridge Lane, and Vasant and Semma Padmanabhan, 34 Covered Bridge Lane).

Ben and Matthew Stevens, Trask Development, were here to present. P. Brinkman reviewed the stormwater management plan and is still waiting to hear from Samiotes on minor changes. The outstanding stormwater issues will continue to be corrected.

B. Stevens spoke on his view of the history of the site. The original conservation cluster was planned for 14 houses. A wetland line was established in 2010. Around October/November of 2014, before work started, the wetland line was re-established but because it was delineated during the winter the Commission would not accept the line. A peer review of the delineation was confirmed in the spring and shown on the plan. However, no flag was placed in the field where the line changed and construction happened 5 ft. further south than where the delineated flag was shown on the plan. The wall was built around a wrong flag.

To correct the mistake Samiotes sent in a plan that included wetland replication. The Commission, L. Hansen, and B. Stevens did not think this was the best option for mitigation. B. Stevens is proposing the removal of invasive species and replanting along the entire conservation cluster bordering wetlands. The proposed area would be about 1,000 ft. by 30 ft. wide and will include native plantings approved by the Commission.

S. Greenbaum requested that 32 Covered Bridge Lane have a demarcation as to where the edge of lawn should be. A question was raised if the lawn was placed within the 30 ft. buffer. The 30 ft. buffer will need to be determined for demarcation of lawn. Recommendation was made and B. Stevens agreed to either use large boulders or to have a native shrub border, as determined by the Commission.

L. Hansen spoke that she had previously worked with the New England Wildflower Society and recommended B. Stevens visit them to find ideas on native species to plant.

An issue was raised that landscapers are dumping debris near the wetlands and that cannot continue to happen. S. Greenbaum spoke and B. Stevens agreed that the irrigation heads, improvement to crushed stone parking pad and any other outstanding items will need to be resolved as well.

L. Hansen will arrange a site visit before the next hearing to walk the property.

Motion to continue the hearing to January 11, 2017 at 8:00pm;

Seconded 6-0

4. **7:50 pm – Continued Public Hearing, Eagle River Trust and Trustee Perry Beckett, Applicant, 50 Sherman Bridge Road, DEP File No. 322-907:** Notice of Intent filed pursuant to the Wetlands Protection Act and a Chapter 194 application filed pursuant to Wayland's Wetlands and Water Resource Protection Bylaw filed by Eagle River Trust and Trustee Perry Beckett for 50 Sherman Bridge Road, Wayland for replacement of failed cesspool with septic system. Property is shown on Wayland's Assessor's Map 06, Parcel 017 (Owner on record is Eagle River Trust).

The hearing was previously continued as no file number was issued. DEP issued a file number for the project.

Motion to close the hearing under the Wetlands Protection Act;

Seconded 6-0

Motion to close the hearing under Chapter 194;

Seconded 6-0

Motion to issue an Order of Conditions with conditions as discussed under the Wetlands Protection Act;

Seconded 6-0

Motion to issue a Permit with conditions as discussed under Chapter 194;

Seconded 6-0

Motion to require a Performance Guarantee of \$250.00;

Seconded 6-0

5. **Land Management**

- a. **CPC Proposals** – J. Sullivan was not present to discuss the CPC meeting.

6. **Other**

a. **Oxbow Fields and Loker Fields**

Oxbow Fields- Brud Wright, Recreation Commission, was here to present. An updated proposed site plan was presented to the Commission. The ADA trail was proposed to be moved to accommodate the field being relocated north by 25 ft. Moving the field north will not require removal of any trees to the north except for one dead tree and two small trees. This would reduce the total number of trees removed by 25- 30 trees. About 80-83 trees still require removal. B. Wright spoke that the only way to accurately count the number of trees requiring removal is to get a survey count and mark every tree. The tree count includes 15 ft. that may not need to come down.

The existing trail comes along the northern section and connects with the main trail. With the updated site plan, the trail was removed along the northern section and instead loops back along the proposed field edge.

Tonya Cunningham, 9 Williams Road, spoke as an abutter. Ms. Cunningham said that the ADA compliant trail should stay in place around the perimeter. CPC funds were approved for design of a full-size field, and if that could not fit then a smaller size field would need to be designed. The ADA trail will become unusable. Ms. Cunningham urged the Commission to require Recreation to design a smaller field that would save the ADA trail.

Charlie D'Ambrosio, 17 Williams Road, spoke that he is not against the field but rather Recreation should not be abusing the property. Fitting the field in the footprint is the best option. Adding this field for the Town will definitely help with the current situation.

S. Greenbaum stated that in her opinion the Commission is faced with two unsatisfactory options: to leave the field where originally proposed and take down 113 trees or relocate the field to save some trees and lose part of the ADA trail. T. Klem suggested a third option: to permit a smaller field. It was noted that the Commission only has limited jurisdiction over Stormwater Management and Land Disturbance and all the information brought up tonight should have been discussed with the Planning Board, BOS or at Town Meeting. The Commission cannot resolve most of these issues because they are not within its purview. Conservation is only the last step for permitting. S. Fair spoke that the Commission needs to look at minimizing the impact.

Tonya Cunningham, 9 Williams Road, spoke that the neighbors and town were always told 40 trees would be removed. The alternative to prevent 113 trees being removed is to build a smaller field. The 40 trees were determined after the ATM vote.

Before the next meeting, B. Wright stated that the field will be surveyed so that the options can be considered. The trees requiring removal will be flagged and an accurate count provided. The Commission will then be able to determine the best field arrangement and whether to save some trees or preserve the existing trail. Discussion ensued on the specific information required to write the permit and the Commission's inability to write a permit pending the survey and tree count.

B. Wright spoke that the contractor will look at relocating a portion of the ADA compliant trail and any rebuilding of the trail further into the woods will be done by the Recreation Commission. B. Howell spoke that she hopes the trail can be protected. B. Wright will contact L. Hansen to determine if any further information will be required. S. Greenbaum stated that the Commission will determine where the 1:1 replanting will be done and Patty Starfield, landscape designer, was invited to provide input.

Loker Field- Town voted to spend \$180,000 for field design. B. Wright spoke that a warrant article will be developed for ATM and is working with the Commission informally beforehand. Weston and Sampson have provided an updated field design that would not include a football field; rather a large multi-purpose field will better fit into the property. Total area is 300 by 180 yards and it would stay outside the buffer zone. S. Greenbaum stated that there is a portion of the proposed field encroaching onto the 50' Conservation land; the field itself as well as the perimeter edge and grading would need to be moved outside the conservation area. B. Wright stated that Weston and Sampson told him the 50' buffer was jointly held by Conservation and Recreation.

B. Wright asked if a land swap would be possible for sections of land as S. Sarkisian said it was possible. Discussion ensued on land swaps which require the approval of two houses of the legislature can take years and must be of equal value.

A delineation of the property on future plans was requested to determine exact boundaries of recreation versus conservation land. B. Wright stated that the parking lot currently in place will be improved and the project will be managed by the Permanent Municipal Building Committee. B. Wright brought up the possibility of improvements to trail heads as well.

S. Fair asked what type of material will be used on the artificial turf field. B. Wright spoke that a meeting with the designers and Board of Health will determine best material. S. Fair stated and Commissioners agreed that they were against the usage of crumb rubber and rather any biodegradable material should be considered due to the field's location in a sensitive area.

B. Howell asked why artificial turf is being used when the area can be watered. B. Wright spoke that if grass is used then it will take a few growing seasons to grow and natural grass cannot stand up to the amount of usage compared to artificial turf.

S. Greenbaum noted that the Order of Conditions issued for the High School turf field and the O&M Plan were not enforced well enough and there were many failings. This time the fields will be highly scrutinized and followed-up with better enforcement.

Tom Maglione, 29 Rice Road, stated that he was the closest abutter and the Commission should consider a delineation of the wetlands as it has not been done recently at Loker. Mr. Maglione spoke about the possible need for blasting due to ledge and that he is against the usage of artificial turf and would prefer a natural field.

Linda Segal, 9 Aqueduct Road, spoke that natural grass and a smaller field would be better as it would be less intrusive on the area. Ms. Segal is concerned that many neighbors will be unhappy with this plan and that it is important for TM to know what it is voting for.

S. Greenbaum asked what the next smallest field would be if this size could not fit. B. Wright is unsure as the current size being proposed is standard. It was emphasized that the field and grading need to occur outside the conservation area. B. Wright stated that if artificial turf is used then lights would be installed. Tom Sciacca spoke that even with organic rather than crumb rubber infill the plastic grass blades will be wind blown into sensitive areas as they were blown into the swale at the high school.

- b. Capital Budget-** Finance Committee is waiting for a detailed cost benefit analysis for the tractor. The analysis will look at the amount of time seasonal employees spend mowing versus what would be saved with a tractor.
- c. Review of Meeting Schedule-** S. Greenbaum spoke that she attended the last ZBA hearing on 24 School Street and there may need to be another meeting scheduled for January 25th which would be before the next ZBA hearing. The Applicant committed to having the mounding analysis completed by January 12 and then our peer review would be anticipated to be done by January 24th. The meeting schedule will be further discussed at the next meeting.

George Bernard, 103 East Plain Street, stated that Scott Horsley will come for the presentation on January 11th. Mr. Bernard asked if the boundary line information will also be available. L. Hansen has asked two surveyors but has only received one quote. The peer reviewer for the NOI will be Nover Armstrong Associates.

- d. 2018 Priorities-** To be discussed at the next meeting.

e. **Matters not reasonably anticipated by the Chair 48 hours in advance of the meeting, if any**

7. **Request for Certificate of Compliance**

- a. **341 Old Connecticut Path; File No. D-880-** The As-built did not reflect what was built. L. Hansen will speak with the applicant and Bob Drake to determine the next steps. This project will be discussed at a future date.

8. **Request for Return of Performance Guarantee**

- a. **341 Old Connecticut Path; File No. D-880 (\$388.00)**

9. **Approve Minutes: December 7, 2017**

Motion to approve the minutes of December 7, 2017;

Seconded 6-0

10. **Adjournment**

Motion to adjourn at 9:24pm; Seconded 6-0

The next **Scheduled** Conservation Commission Meeting is January 11, 2018 and will be held in the Wayland Town Building.

NOTE: Per changes to the Open Meeting Law, notice of any meeting of a public body shall include "A listing of topics that the chair reasonably anticipates will be discussed at the meeting". AG's Office guidelines state that the list of topics shall have sufficient specificity to reasonably advise the public of the issue to be discussed.