

WAYLAND CONSERVATION COMMISSION

Minutes, Thursday, February 1, 2018 7:07 – 9:10 PM

Approved: February 22, 2018

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

Present: Barbara Howell, Tom Klem, Tom Davidson, Joanne Barnett, Sean Fair, John Sullivan (7:15pm)
Chairperson: Sherre Greenbaum, **Conservation Administrator:** Linda Hansen

Minutes: Nicole Thomson

S.Greenbaum opened the meeting at 7:07 PM noting that a quorum was present.

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

There was no comment.

2. **Land Management**

- a. **Sedge Meadow Nature Walk-** B. Harris had a low turnout due to lack publication. The walk was publicized in the Wayland Town Crier and Conservation Newsletter. Nature walks are normally advertised in the tax bill insert. With the transition of Executive Assistants there has been a miscommunication on tax bill insert deadlines. Brian should send notices to the list of local media.

3. **7:15 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).

B. Stevens, Trask Development, was present. B. Stevens, S. Greenbaum, J. Barnett, and L. Hansen performed a site visit on January 27th to look at area for proposed mitigation plantings and invasive removal. Discussion ensued on stormwater management revision based on a recommendation from P. Brinkman, Town Engineer. He was present at the hearing and stated that the stormwater fix is appropriate.

Snout hood is to be added to the underground structure on the rear of 34 Covered Bridge Lane's driveway. The pipe behind 32 Covered Bridge Lane leading to the leaching pit has been removed. Overflow now goes into the basin. Detention basin's 8 in. outflow pipe will be elevated 18 in. higher to allow the basin to handle more of the first flush. The pipe will hold larger stormwater discharge. It should drain within 72 hours.

Additional required mitigation includes removal of two irrigation heads, demarcation of limit of lawn line with shrubs or boulders at #32, and other previously discussed issues. L. Hansen will determine 30' no disturb at #32 from GIS. Invasive plant removal will remediate the section of retaining wall being placed in the 30 ft. buffer. B. Stevens spoke that the proposal is to remove invasives on 1,500 sq. ft. within the 30 ft. buffer and on land donated to SVT with its approval.

T. Klem, T. Davidson, and J. Barnett all agreed that it was an appropriate mitigation plan. B. Howell spoke that this was the best mitigation that could happen without further damage to the wetlands. J. Sullivan said that he was upset that the Order of Conditions was ignored. B Stevens spoke that the wetland flagging was a miscommunication between the contractors.

Planting plan shall be submitted to the Commission for its approval prior to closure of hearing.
B. Stevens will have a site visit to determine plantings.

Motion to continue the hearing under the Wetlands Protection Act at the request of the Applicant to February 22, 2018 at TBD; Seconded 7-0

**Motion to continue the hearing under the bylaw to February 22, 2018 at TBD;
Seconded 7-0**

4. **7:30 pm – Stormwater and Land Disturbance, Chapter 193, Paul Brinkman, Town Engineer, 65 Old Sudbury Road, SMLD-29**

Paul Brinkman, Town Engineer, was present. P. Brinkman spoke that the North Cemetery is proposed to be expanded. Additional roadways will be constructed and a new stormwater system will be installed. Any additional roadway runoff will be captured in five catch basins and directed to infiltrator structures. P. Brinkman completed calculations for design of a 25 year storm.

Board of Health approved in 2002 and DEP provided approval in December 2017. P. Brinkman stated that the regulations from Board of Health are very general for cemeteries. S. Greenbaum noted that an analysis of groundwater flow for the Baldwin wells which was an approved capital expense several years ago was never done.

B. Howell questioned why the Chapter 194 regulations have stormwater for 7 inches. L. Hansen spoke that it was recently changed to 7 inches. It is not specified for Stormwater applications since there are no regulations yet for Chapter 193.

**Motion to authorize L. Hansen to issue a Stormwater and Land Disturbance Permit;
Seconded 7-0**

P. Brinkman spoke on Baldwin Pond Water Treatment Plant. Property near the pond was previously owned by SVT and now it is Town land. The language in the OOC requires protection of land near the pond. Discussion ensued on the type of protection the land should have, CR or deed restriction. There will be a site walk with P. Brinkman and L. Hansen to better understand the property.

5. **7:45 pm – Stormwater and Land Disturbance, Chapter 193, Katherine Brenna, Recreation Director, Oxbow Fields**

Katherine Brenna, Recreation Director, and Brud Wright, Recreation Commission, was present. L. Hansen, S. Greenbaum, J. Sullivan, B. Wright, K. Brenna, and the contractor performed a site visit prior to the meeting.

K. Brenna spoke that the original bid for the field design ("Plan A") would remove 104 trees. If the field is redesigned and moved north, then 24 trees will be saved resulting in the removal of 80 trees ("Plan B"). An additional 5 trees will require removal if an access road is constructed. Moving the field north will remove the existing trail on the north side but will provide a larger buffer for residents on the south side. L. Hansen spoke that this option allows for the existing bird habitat to still remain. A meeting between L. Hansen, S. Greenbaum and Patty Starfield discussed the possible mitigation planting locations.

Tom Hoopes, 18 Williams Road, spoke on the issue that there are remains of two concrete silos that have been partially crushed and buried beneath the area and could result in poor drainage. The silos have been capped with concrete. K. Brenna stated that fill will be added for better drainage.

Grading on the property will change with a 1 percent slope. L. Hansen was satisfied with the drainage calculations.

Tonya Cunningham, 9 Williams Road, spoke that there are more than 85 trees proposed to be removed. If the permit is issued then it will override the Planning Board approval from August 2017. The decision was based on approval to remove 40 trees.

Discussion ensued on the confusing language in the permit. The field has been reduced by 5 yards. J. Sullivan stated that the stormwater permit does not override the Planning Board.

L. Hansen will speak with Town Planner to confirm field size and any revisions to its permit. A draft permit will be sent to Commission members to review before issuance.

**Motion to authorize L. Hansen to issue a Stormwater and Land Disturbance Permit upon confirmation from Town Planner and to not exceed the removal of 85 trees based on "Plan B";
Seconded 7-0**

6. **8:15pm- Public Meeting, Eric Ye, Applicant, 25 Barney Hill Road, File No. D-921:** Request for Determination of Applicability 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 Eric Ye, for 25 Barney Hill Road, Wayland to replace the existing septic tank and distribution box. Property is shown on Assessor's Map 44, Parcel 42.

Vito Colonna, Sullivan, Connors & Associates, was here to present. V. Colonna spoke that the existing septic needs repair along with replacement of the d-box. Buffer zone only includes d-box and its components. D-box is within 72 ft. from wetlands. L. Hansen performed a site visit and noted that the property slopes quickly into wetlands. Access for work will occur on the left side of house. Curtis Septic will be performing the work. V. Colonna received comments from

Board of Health. These comments do not impact the current application but L. Hansen requests an updated site plan with revisions.

Motion to issue a Negative Determination as discussed under the Wetlands Protection Act;

Seconded 7-0

Motion to issue a Permit w/conditions as discussed under the Chapter 194 Bylaw;

Seconded 7-0

7. **8:30 pm –Continued Public Hearing, Chris D’Antonio, Windsor Place, Applicant, 24 School Street, DEP File No. 322-897:** Notice of Intent filed pursuant to the Wetlands Protection Act filed by Chris D’Antonio, Windsor Place, LLC, for 24 School Street, Wayland to demolish the existing house, barn and driveway followed by construction of two new townhouse buildings, paved parking and driveways, new subsurface sewage disposal system, stormwater management system and supporting utilities. The property is shown on Wayland’s Assessor’s Map 52, Parcel 189. **Applicant has requested a continuance to February 22, 2018.**

Motion to continue the hearing at the request of the Applicant to February 22, 2018 at TBD;
Seconded 7-0

8. **Other**

- a. **Dog Walking-** L. Hansen had a conference call with other towns and groups focused on regulating dog walking. There were a number of different approaches used. L. Hansen visited Loker Conservation Area and noted that there was a lack of pet waste removal. S. Fair spoke that a retired citizen should be hired to patrol the conservation areas. L. Hansen will speak with N. Balmer to learn if this is even an option.
- b. **Update on ZBA hearings for 40B Projects: 113-115 Boston Post Road and 24 School Street-** Dan Hill, Planning Board Chair, has asked the Finance Committee for money from the reserve fund to do a transport analysis on stormwater. L. Hansen compiled a memo that noted Planning Board has no jurisdiction. A scope of work has not been provided, including what exactly would be monitored and who would perform the peer review. It could be viewed that the intent of this study is to stop the project and slow down the process. L. Hansen spoke that the Commission needs to remain neutral and evaluate the project based on material submitted for the hearing.

D. Hill noted that studies such as this were performed in Carlisle and Sherborn. J. Junghanns, Health Director, spoke with the Health Department at Carlisle and was told that the town is all on private wells and have restrictions for nitrogen levels.

L. Hansen spoke that the Cascade Applicant provided information on degraded vs. disturbed on the site and she questioned the analysis. If the stormwater management system cannot handle a storm then all remaining runoff will flow into Pine Brook.

ZBA will decide if the bylaw can be waived based on input from the Commission. State law provides more regulations of riverfront than the bylaw.

The Commission agreed that the ZBA should be provided as much information as possible. L. Hansen and Health Director have agreed that these Departments should have primary access. L. Hansen provided D. Hill a copy of the scope of work for 24 School Street.

N. Balmer denied the request for a transfer of funds. S. Fair spoke that the study should be completed but logistics need to be addressed.

S. Greenbaum spoke that while attending the 24 School Street hearing the ZBA stated that they were asked by L. Hansen if remaining money from the 53G fund could pay for the mounding analysis although Commission had agreed to pay for it. L. Hansen spoke that it was larger expense than previously thought. Scope of work will not change even if ZBA pays for the mounding analysis. L. Hansen mentioned that the design has changed with 7 units on wetland side and 5 units along School Street. No new design plan has been submitted to Conservation.

For the next hearing on 24 School Street the peer reviewer will be invited to come if the mounding analysis has been completed by February 5 as promised and the peer review is completed. Finance Committee was also meeting tonight and will wait to see what they decide about D. Hill's proposal. L. Hansen will draft a letter about the Commission's position and send around.

- c. **Update on Warrant Articles-** No update. S. Correia and M. Antes questioned if Finance would need to fund the money for the revolving fund. There is no cost to the general fund.
- d. **Matters not reasonably anticipated by the Chair 48 hours in advance of the meeting, if any**

104 Plain Road- B. Wright has asked about the history of the property and why the Commission rejected the open space parcel. Recreation Commission voted to take the land. The special permit was issued although there was never 5 acres for a conservation cluster. The property can only be accessed through the property at 104 Plain Road.

Rowan Field- J. Barnett asked if there was trail access at the bend on 130 Plain Road. The area was surveyed but a driveway currently runs through the easement.

Gatehouse- Roof will be going on the gatehouse shortly. Access will need to be gained from the neighbors.

9. **Request for Certificate of Compliance**

- a. **55 Knollwood Lane; D-878- Will be discussed at a future hearing**
- b. **15 York Road; 322-881-** L. Hansen did a site visit and recommended a certificate of compliance for the property.

**Motion to Issue a Certificate of Compliance under the Wetlands Protection Act;
Seconded 7-0**

**Motion to Issue a Partial Certificate of Compliance under the Chapter 194 Bylaw;
Seconded 7-0**

10. Request for Return of Performance Guarantee

- a. 55 Knollwood Lane; D-878 (\$1,200)- Will be discussed at a future hearing**
- b. 15 York Road; 322-881 (\$1,200) -** It has not been two growing seasons yet. The applicant will need to request a partial return of performance guarantee after the end of this growing season.

11. Approve Minutes: January 11, 2018

Motion to approve the minutes of January 11, 2018;

Seconded 7-0

12. Adjournment

Motion to adjourn at 9:10pm;

Seconded 7-0

The next **Scheduled** Conservation Commission Meeting is February 22, 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.