

WAYLAND CONSERVATION COMMISSION

Minutes, Thursday, March 29, 2018 7:05 – 9:16 PM

Approved: April 12, 2018

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

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

Not Present: Tom Davidson, John Sullivan

Minutes: Nicole Thomson

S.Greenbaum opened the meeting at 7:05 PM noting that a quorum was present and that the meeting was being recorded by WayCAM.

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

2. **Land Management**

- a. **Bird Walk-** B. Harris will be having a bird walk on Saturday, April 7th at 6:30pm at the Cow Common Parking lot. Further information can be found on our newsletter and the Conservation Department's website.

Applications for the Community Gardens are currently being accepted. Previous gardeners should have their applications in by April 2nd. The gate was opened earlier in the week.

L. Hansen spoke that with the recent storms many of the Conservation properties have down trees. B. Harris and L. Hansen have been surveying the properties and noting where there are trees requiring removal. Land stewards are encouraged to report down trees to B. Harris.

3. **7:15 pm- Continued Public Hearing, William Dewey, Applicant, 7 Hazelbrook Lane, DEP File No. 322-XXX:** 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 William Dewey for 7 Hazelbrook Lane, Wayland for construction of a home addition and removal of three trees. The property is shown on Wayland's Assessor's Map 11, Parcel 80.

William Dewey, Applicant, was present. Still waiting for file number from DEP. V. Colonna has been in contact with DEP to resolve the issue. L. Hansen spoke that during the site visit there was a large number of trees flagged for removal. W. Dewey spoke that he will count the exact number of trees requiring removal. An exact number will need to be provided for the permit. Bank will need to be stabilized and stumps on bank will not be removed. Stumps in front yard will be grinded.

Motion to continue the hearing under the Wetlands Protection Act to April 12, 2018 at 8:10pm; Seconded 5-0
Motion to continue the hearing under Chapter 194 to April 12, 2018 at 8:10pm; Seconded 5-0

4. **7:20 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 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). **Applicant has requested a continuance to April 12, 2018.**

Motion to continue the hearing under the Wetlands Protection Act at the request of the Applicant to April 12, 2018 at 7:15pm; Seconded 5-0
Motion to continue the hearing under Chapter 194 at the request of the Applicant to April 12, 2018 at 7:15pm; Seconded 5-0

5. **7:20pm- Commission positions on TM Warrant Articles: Article 28, Loker Fields**

Cass Chroust, Weston & Sampson, Katherine Brenna, Recreation Director, and Brud Wright, Recreation Commission, were here to present. Field size has been reduced to 195 by 330 and is more rectangular to remove it from the 50' conservation land; the parking has been increased to 61 spots. All the changes have now been made on Recreation property. Slope of grade is steeper, which provides less land disturbances than the previous plan.

John Sax, 203 Willow Brook Drive, was concerned that the increase in water flow could affect the drainage toward the Willow Brook development and his septic system. C. Chroust stated that 25% of the design is done and they will continue to address stormwater issues and use BMP's going forward.

C. Chroust stated that borings at 5-8ft. found refusal and it is most likely ledge. Field will need to be raised and balanced with fill mainly at the 212' elevation. Plan shown tonight is an improvement from previous designs but the field is still within a wetland resource buffer.

Tom Maglione, 29 Rice Road, mentioned that the bottom half of the proposed field is where a previous building's foundation exists. Mr. Maglione asked if it was difficult to do borings in the area; C. Chroust spoke that historical plans were used to perform test pits around the foundation.

S. Greenbaum spoke that when the project comes before the Commission for a permit then a new delineation will need to be performed. Design presented tonight uses the delineation from 2014. C. Chroust stated the survey would be completed this week. Request was made to include the drainage easement on next site plan.

Linda Segal, 9 Aqueduct Road, asked what percentage is completed of the preliminary design for Town Meeting. 25% of the design has been completed.

Discussion ensued on the position of the Commission if asked at Town Meeting. S. Greenbaum stated that a draft statement will be distributed for comment to the effect that the Commission is against artificial turf fields for the reasons discussed at previous meetings.

6. 7:30pm- Oxbow Field Planting Plan Approval

Katherine Brenna, Recreation Director, and Brud Wright, Recreation Commission, were here to present. Permit issued was for removal of 84 trees and replacement plan is for 125 trees and shrubs. Enhancement will be made to the trails. Discussion ensued on the planting plan. B. Howell stated that Red Pines should not be planted since they form monocultures and grow very tall. Patty Starfield, 28 White Road, who has been working on the plan, recommended using Juniper or Fastigate White Pine instead of Red Pine.

L. Hansen questioned the screening in the parking lot as there are currently 7 or 8 White Pines that have plantings being proposed directly on top of them. There is not enough suitable space to fit all these plants. B. Wright spoke that the proposed plantings will be staked and the Commission can walk the property. The field will be constructed in the summer and plantings planted in the fall.

P. Starfield further commented on the planting plan. A number of plants chosen will not provide screening for the residents surrounding the field. Plants chosen for south side of field may not survive based on location. B. Wright stated that a water source and sprinkler system will be installed. P. Starfield recommended that the plan be simplified. There are too many plants that will not survive.

K. Brenna mentioned that a revision to the plan has been made, including the addition of ferns on the south side. The slope needs to be stabilized to prevent erosion. L. Hansen spoke that edits should be made to eliminate the plantings that will not work. A walkthrough of the potential location of the plantings can be arranged for the fall.

7. 7:40 pm- Continued Public Hearing, Paul Brinkman, Town Engineer, Applicant, Conservation Improvements at Boston Post Road Transfer Station Access Road, DEP File No. 322-914: Notice of Intent filed pursuant to the Wetlands Protection Act filed by Paul Brinkman, Wayland Town Engineer, for Site Environmental Improvements, Boston Post Road, Wayland to construct environmental improvements including wetlands restoration, wetland crossing structures, and trailhead access. Other project elements include the construction of a water main, stormwater management infrastructure associated with the reconstruction of the transfer station access road. The properties are shown on Wayland's Assessor's Map 22, Parcel 007; Map 22, Parcel 5; Map 22, Parcel 4; and Map 17, Parcel 18 (Owner on record is Town of Wayland).

Paul Brinkman, Town Engineer, was present. P. Brinkman spoke that wetland flagging was performed in the winter to confirm the previous delineation. An overlay of the previous delineation versus the current delineation showed slight variation. Wetland replication will occur as required from the Superseding Order of Conditions, 322-808.

Project elements include the road and water line. Sand Hill will be graded with material from the laydown and compost areas and a small gravel parking area will be created. Looped water main will need to be installed due to the River's Edge project. Grant money was received from the state. The wetland restoration will remove leaves in compost area and be replaced with trees, shrubs, perennials, ferns, and wetland plant species. Amphibian crossings will be constructed using steel concrete to allow for passage under the road. Stormwater management with bioswales will be an improvement to what currently exists.

Question from last meeting regarding the salt shed as it currently stores sand and DPW vehicles.

Motion to close the hearing under the Wetlands Protection Act;	Seconded	5-0
Motion to close the hearing under Chapter 194;	Seconded	5-0
Motion to issue an Order of Conditions with conditions as discussed under the Wetlands Protection Act;	Seconded	5-0
Motion to issue a Permit with conditions as discussed under Chapter 194;	Seconded	5-0

8. **8:00 pm –Public Meeting, Christopher and Rebecca DiJulia, Applicant, 1 Winthrop Terrace, File No. D-922:** Chapter 194 application filed pursuant to Wayland's Wetlands and Water Resource Protection Bylaw filed by Christopher and Rebecca DiJulia, for 1 Winthrop Terrace, Wayland to remove a maple tree within a resource area. Property is shown on Assessor's Map 29, Parcel 69.

Rebecca DiJulia, applicant, was here to present. A maple tree on rear of property has split into two pieces and needs to be removed. R. DiJulia spoke that she will do replacement plantings.

Motion to issue a Permit w/conditions as discussed under the Chapter 194 Bylaw;	
	Seconded 5-0

9. **8:05 pm – Chapter 193: Stormwater and Land Disturbance Bylaw, Morrell Construction, Applicant, 4 Pear Tree Lane, SMLD-30**

Rick Morrell, Morrell Construction, was present. L. Hansen spoke that there is still outstanding information that can be resolved through a meeting with V. Colonna and other town boards. There is a reduction of impervious surface as most of the existing structures will be removed. A final count on the number of trees requiring removal needs to be provided. R. Morrell spoke that it is about 24 trees, most being removed for installation of septic system. L. Hansen will speak with V. Colonna on any outstanding issues.

Motion to authorize L. Hansen to issue a Stormwater and Land Disturbance Permit when all the required information is submitted;	Seconded 5-0
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10. **8:15 pm –COC Request: 400-440 Boston Post Road, Town Center, 322-701**

Frank Dougherty, Twenty Wayland LLC, was present representing the previous owner. The Order of Conditions was never closed out. Discussion ensued on his responses to L. Hansen's list of outstanding items.

#1 is the drainage pipe from the municipal parcel that was not constructed as required. F. Dougherty stated that the permit showed the pipe but it was constructed short of what was shown on the plans as a field change that he thought had been approved. He stated that the pipe was placed only for future convenience; if the pipe was never installed the project still would have complied with the WPA because it was not required in order to meet a performance standard.

Pipe was left for future connection for town usage. F. Dougherty spoke that he could not quantify whether Basin 2 could hold drainage from the municipal parcel since no designs for that parcel were presented. He will check the calculations since there is a question of capacity. L. Hansen questioned why drainage would be sent to Basin 2. S. Greenbaum noted her understanding that was always the intention and read from the 2009 letter saying the basin was designed to convey stormwater from the parcel to Basin 2. F. Dougherty disagreed. B. Howell questioned whether municipal parcel should have its own basin. Discussion ensued on where that could be located.

L. Hansen noted that findings in the permit showed concern about the basins draining within 2 hours. F. Dougherty stated basins were monitored as required and current owner will send files.

F. Dougherty stated drainage easement in #2 was not yet conveyed. It was on land to be given to town and if not given then it will be conveyed.

F. Dougherty spoke that he will ask the current owner for site inspection reports (#3). The project's impervious areas will be calculated by the engineer in (#4). He stated that River Trail Place impervious calculations affecting Basin 2 should not be included in the COC request since that development was permitted separately (#5). S. Greenbaum suggested this be reviewed.

L. Hansen received a clean copy of the O&M Plan but it states it is a revised draft. F. Dougherty spoke that he thought the O&M Plan had been accepted. Once the title is revised, it can be accepted at a future meeting (#6).

L. Hansen spoke with Michael Abell, DEP, regarding his missing "letter of compliance." M. Abell will look into his files for information on Town Center. DEP is reviewing the request for a COC for the superseding OOC (#7).

F. Dougherty stated that Table 1 in the COC will be updated and submitted (#8)

There was some confusion in numbering of conditions; #48 is sweeping which is part of O&M Plan (#9).

S. Greenbaum read public comment from Anette Lewis stating the need for compliance before issuing a COC. A. Lewis noted a complicated 51 page Declaration of Easements that deals with drainage among other things. F. Dougherty had no comment on the document. S. Greenbaum suggested getting together with A. Lewis to discuss and report back. Cherry Karlson, Board of Selectmen, spoke that on advice from Town Counsel a title review of the properties being deeded to the town will be done after TM; there are 4 parcels that the town will be voting on to

receive. L. Hansen stated that there will be a future vote on accepting the deed for the parcels being given to Conservation.

F. Dougherty stated that he will come back to the Commission on April 12th to discuss these outstanding issues if he has new information.

11. **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 and a Chapter 194 application filed pursuant to Wayland’s Wetlands and Water Resource Protection Bylaw 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 April 26, 2018.**

a. Results of Mounding Analysis

b. Peer Review on Notice of Intent and Stormwater

L. Hansen noted that mounding analysis with revised stormwater report should be done by April 5. Peer review would need 2 weeks to review. Peer reviewer will attend April 26 hearing to discuss with Commission.

Motion to continue the hearing under the Wetlands Protection Act at the request of the Applicant to April 26, 2018 at TBD; Seconded 5-0

12. **Other**

- a. Commission positions on TM Warrant Articles (Article 20, 25, and 28)- Discuss Article 28, Loker Field at 7:20pm**

Article 28 (High School): Cass Chroust, Weston & Sampson, and Kathie Steinberg, School Committee, were here to present for Article 25. S. Greenbaum requested any new information since the previous meeting. K. Steinberg spoke that a part of the project was moved further away from the river. The flagging for the site has not been completed and the design presented is only using GIS. Part of the softball field is within 200 ft. of riverfront. D. Burke needs to complete the flagging as mean annual high water is still outstanding. Snow cover has delayed the process.

C. Chroust spoke that only 25% of the preliminary design is complete. There is still an outstanding Order of Condition; C. Chroust spoke that there is a draft Certificate of Compliance that needs revision before submitting. The state wants an as-built which will be created from a survey.

S. Greenbaum read public comment from Tom Sciacca. Questions were raised as to how the chemicals from the infill will be monitored and how the grass blades will be dealt with. C. Chroust spoke that there were many problems in the past and the monitoring and maintenance on the proposed artificial turf field will be different. Grass blades should remain on the field and not be blown off.. Technology has improved since the high school field was installed and errors were made on the current field such as plowing snow. There

were also defects in the carpet from the beginning which caused issues. O&M Plan was not followed. L. Hansen will include as part of any permit to have an O&M plan.

C. Chroust spoke that the buffer zone has not been determined and the plan presented tonight is just preliminary. S. Fair stated that the plan is improving as it is being moved away from the riverfront.

Article 20: The COA/Community Center proposal is preliminary as discussed at a previous meeting. Building will use the existing foot print, possibly a trail but no boathouse. Concerns include Riverfront and parking.

b. Oxbow Field Planting Plan Approval- Discuss at 7:30pm

c. Conservation Restriction for 21 Training Field Road- L. Hansen sent J. Lehmann a state template for completing a CR. J. Lehmann agreed to rewrite the CR based on the appropriate template. S. Greenbaum asked who is in control of the CR; L. Hansen spoke that the Conservation Commission will be maintaining the land.

d. Spring 2018 Newsletter- The Conservation Department completed a spring 2018 newsletter highlighting the events and updates on the Commission. Updates included the spring bird walk, community gardens, vernal pools, and bobolinks. Copies can be found at the Conservation Department and on our website.

e. Discussion of Waivers Requesting for Developers of 24 School Street and 113-119 Boston Post Road

For 24 School Street the stream was designated as perennial under the Chapter 194 bylaw but as intermittent under the Wetland Protection Act. ZBA is asking for a waiver for the stream designation and for land subject to flooding. The applicant is not filing under the Chapter 194 bylaw, it is a procedural issue and ZBA is asking the Commission to vote on a waiver. Questions were raised as to why a waiver would be required if the applicant is not filing under the bylaw. Discussion ensued on the need to vote for a waiver.

L. Hansen spoke this is a request from ZBA and it needs to be voted on.

Motion to grant the waiver for 24 School Street related to land subject to flooding to the extent in excess of FEMA;

Seconded 5-0

Motion to grant the waiver for 24 School Street for stream designation to the extent in excess of state law;

Seconded 5-0

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

13. Request for Certificate of Compliance

a. 400-440 Boston Post Road, Town Center; 322-701- Discuss at 8:15pm

14. Approve Minutes: March 15, 2018

Motion to approve minutes of March 15, 2018;

Seconded 5-0

15. Adjournment

Motion to adjourn at 9:16pm;

Seconded 5-0

The next **Scheduled** Conservation Commission Meeting is April 12, 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.