

WAYLAND CONSERVATION COMMISSION

Minutes, Thursday, April 26, 2018 7:00 – 8:55 PM

Approved: May 10, 2018

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

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

Not Present: John Sullivan

Minutes: Nicole Thomson

S.Greenbaum opened the meeting at 7:00 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.

Anna Meliones, 255 Concord Road, spoke on the property at 265 Concord Road, so-called Barlow land. A. Meliones mentioned that the property is now listed at \$150,000. The property has extensive wetlands and connects to conservation area owned by SVT. A. Meliones would like to be on a future meeting to discuss the possibility of purchasing the land through CPC money. A new appraisal of the property would need to be done. SVT is not interested in buying the land.

Linda Segal, 9 Aqueduct Road, spoke on the Eversource's proposal to use chemicals for the vegetative management plan. Eversource has notified the town for the proposed vegetative removal in several rights-of-way. L. Segal stated that heavy machinery and chemicals should not be used. L. Hansen provided a comment memo to Board of Selectmen stating the negative impacts that vegetative removal has on the area. L. Hansen spoke that J. Junghanns will also be providing comments to Eversource on the yearly operation plan.

2. Land Management

- a. Heard Farm Old Orchard Update-** L. Hansen spoke with DPW and they have agreed to go to the orchard with a chipper. All the leftover chips will be placed along areas of the trail that get wet in spring. There is an Eagle Scout whose project will be creating a board walk on right side of Heard Farm from the parking lot.
- b. Spade footed Toad-** Neighbors have reported that between 20 and 30 toads have been spotted. Natural Heritage will visit the site within the coming weeks to check the habitat.
- c. Park Service Request-** A request was made for a trail around Loker School; the area is owned by the School and they are in charge of maintaining the trails.

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 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 May 10, 2018.**

Motion to continue the hearing at the request of the Applicant under the Wetlands Protection Act to May 10, 2018 at 7:50pm; Seconded 6-0

Motion to continue the hearing under Chapter 194 to May 10, 2018 at 7:50pm; Seconded 6-0

4. **7:15pm- Executive Session pursuant to M.G.L. Chapter 30A, Section 21(a)(3) for Crown Path Land Court Case.**

S.Greenbaum moved that the Conservation Commission enter into Executive Session pursuant to M.G.L. Chapter 30A, Section 21(a)(3) to discuss litigation relating to Crown Path Land Court Case and that the Commission recess to the Planning Board conference room for approximately 15 minutes and return to the Senior Center to reconvene in open session; Motion seconded; Roll Call vote noting B. Howell, T. Davidson, S. Fair, J. Barnett, T. Klem and S. Greenbaum; 6-0 in favor.

S.Greenbaum declared that a public discussion with respect to the litigation relating to Crown Path Land court Case will have a detrimental effect on the litigating position of the Town.

S.Greenbaum invited Linda Hansen, Conservation Administrator, and Nicole Thomson, minute taker, to attend Executive Session. Roll Call vote was taken to approve the staff members' attendance noting the approval of B. Howell, T. Davidson, S. Fair, J. Barnett, T. Klem and S. Greenbaum; 6-0 in favor.

S.Greenbaum declares that the Executive Session will last for approximately 15 minutes after which the Commission will reconvene in this room.

S.Greenbaum announced that the Commission is now going into Executive Session at 7:25pm for sole purpose of this discussion as noted and will reconvene in open session in approximately 15 minutes.

The Commission reconvened in open session at 7:41pm

5. **7:30pm- Public Hearing, Vorapong Chanawatr, Applicant, 74 Lakeshore Drive, DEP File No. 322- 918:** 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 Vorapong Chanawatr, for 74 Lakeshore Drive, Wayland for removal of existing shed and

replacement of a detached single-car garage. The property is shown on Wayland's Assessor's Map 42D, Parcel 58.

Vorapong Chanawatr, applicant, was present. V. Chanawatr spoke that there is currently a shed and the proposal is remove the shed and construct a garage. The garage will be placed on top of the existing shed location and cover part of the driveway as well. L. Hansen spoke that improvements can be done on the property; request a 15 ft. vegetative buffer along the edge of pond. Currently there is lawn behind the shed. B. Howell spoke that there is assumed datum and a condition in the permit will be to have correct datum on as-built. Goddard Consulting observed that there were no resources besides the bank.

Garage will be placed on concrete slab, level with driveway. V. Chanawatr mentioned that he proposes to use existing planters to capture rainwater from garage. No stone around side of garage will be required. Condition in permit will include a 15 ft. vegetative buffer.

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

6. **7:40pm- Public Meeting, N. Leon Wardle, Applicant, 7 Acorn Lane, File No. D-923:** 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 N. Leon Wardle, for 7 Acorn Lane, Wayland to remove a pine tree within a resource area. Property is shown on Assessor's Map 11, Parcel 033.

N. Leon Wardle, applicant, was present. L. Wardle spoke that there is a large pine tree over his garage that needs removal. Entire tree will be removed except for stump.

L. Wardle stated that replacement plantings are already present as many small saplings have been growing for years. S. Greenbaum stated that replacement plantings for tree removal have always been required. A waiver of this precedent will need to be granted to not require any new plantings. L. Hansen spoke that it is a heavily wooded lot.

**Motion to waive replacement plantings as required in the tree schedule;
seconded 5-1 (S. Greenbaum opposed)**

Motion to issue a Permit with conditions as discussed under Chapter 194;	Seconded	6-0
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7. **7:45pm- Continued Public Hearing, Michael and Amanda Nugent, Applicants, 7 Beech Road, DEP File No. 322-915-** 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 Michael and Amanda Nugent, for 7 Beech Road, Wayland for construction of a new home and septic system. The property is shown on Wayland's Assessor's Map 46B, Parcel 50, 64, 28, 29, and 30.

Michael Nugent, applicant, was present. M. Nugent spoke that there may be a reduction in the number of trees that need to be removed. L. Hansen spoke that a final tree count and replacement plantings will need to be provided.

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

8. **7:50pm- 19 Charena Road: Informal Discussion**

Connie and Donald Askin, homeowners, were present. The homeowners are looking for feedback from the Commission regarding a proposal to redo the deck and create a screened in porch. L. Hansen provided background. The original proposed design located the deck within 5 ft. of wetlands and she advised against the proposal. Ditch on side of property is flagged as a wetland. Proposed deck will now be within same footprint of existing deck. Layer of gravel beneath the deck will be a condition in permit.

9. **8:00 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 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 May 24, 2018.**

- a. Results of Mounding Analysis**
- b. Peer Review on Notice of Intent and Stormwater**

The project's attorney stated that the project ran into substantial engineering issues and is requesting a delay. L. Hansen stated that information should be provided 3 weeks prior to the hearing to allow for time for review by the peer reviewer and Commission. All information will need to be submitted by May 3rd.

Linda Segal, 9 Aqueduct Road, spoke that ZBA will not be having special meeting nights anymore for the 40B projects; the next scheduled hearing is for June 12th. ZBA would like to hear opinions from Conservation Commission and Board of Health before discussing any further.

Motion to continue the hearing at the request of the Applicant under the Wetlands Protection Act to May 24, 2018 at TBD;	Seconded	6-0
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10. **8:15pm- Public Meeting on Doggy Dates Land License at Lower Snake Brook Conservation Area:** Public meeting to discuss a request by Doggy Dates to establish a fenced in dog run at Lower Snake Brook Conservation Area. The property is shown on Wayland's Assessor's Map 52, Parcel 166.

Doggy Dates representative has requested that its application be withdrawn.

Motion to accept withdrawal of the application;	Seconded	6-0
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11. Other

- a. 52/54 Rice Road Planting Plan-** Plans received did not provide enough information including type of tree buffer between the property and the abutter to the south. Further information from the property owner will need to be provided before a decision can be made.
- b. Update on NOI filing for canoe landing-** L. Hansen spoke that she is waiting for a design proposal from Kyle Zick. Canoe landing will be constructed at Stonebridge Conservation Area. Rare mussels were found at Stone's Bridge during the bridge stabilization project. L. Hansen spoke that there are numerous conditions from Natural Heritage for the bridge construction and is unsure if building a canoe landing at this location can be done because of the mussels. L. Hansen mentioned that Z. Pierce, Town Treasurer, is foreclosing on numerous tax title properties and one is on Dudley Pond which may be suitable for a canoe landing.

L. Hansen will speak with Natural Heritage for more information.
- c. Update on chapter 193 regulations-** L. Hansen sent Maynard's proposed regulations to S. Fair for revisions. S. Fair will provide an update on the revisions at the next meeting.
- d. Matters not reasonably anticipated by the Chair 48 hours in advance of the meeting, if any**

S. Greenbaum spoke that she would like her town email account to be active on the website. Discussion ensued on what other Commission members would like to do. L. Hansen spoke that emails on the town website are public information.

12. Request for Certificate of Compliance

- a. 33 Rice Road; File No. D-700-** L. Hansen visited the site. The project was for a replacement of the driveway. Numerous shrubs did not survive and yard waste was not removed as stated in the permit. The owners are trying to sell. The permit can be signed tonight but will not be issued until outstanding conditions are complied with.

Motion to sign a Certificate of Compliance under Chapter 194 when L. Hansen has verified compliance; **Seconded 6-0**

13. Approve Minutes: April 12, 2018

Motion to approve minutes of April 12, 2018; **Seconded 6-0**

14. Adjournment

Motion to adjourn at 8:55pm; **Seconded 6-0**

The next **Scheduled** Conservation Commission Meeting is May 10, 2018 and will be held in the Wayland Town Building.