

## WAYLAND CONSERVATION COMMISSION

Minutes, Thursday, June 7, 2018 7:15 – 9:02 PM

Approved: June 21, 2018

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

**Present:** Barbara Howell, Tom Davidson, John Sullivan, Chairperson: Sherre Greenbaum, Conservation Administrator: Linda Hansen

**Not Present:** Tom Klem, Joanne Barnett, Sean Fair

**Minutes:** Nicole Thomson

S.Greenbaum opened the meeting at 7:15 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.**

Tom Sciacca spoke on River Fest. River Fest will occur next weekend, June 16<sup>th</sup> and 17<sup>th</sup>. Further information can be found online.

Mr. Sciacca spoke on the issue of artificial turf athletic fields. There is still discussion between the Recreation and School Committees to install artificial turf athletic fields; Mr. Sciacca stated that the Commission should be proactive about this issue.

2. **Land Management**

- a. **Heard Farm Old Orchard Update-** Trees were pruned, trimmed, and fertilized by B. Harris. Chainsaw is broken, once repaired further work will need to be completed to finish phase one. Stakes were placed to visualize where new trees would be planted. Second phase would include fundraising to purchase vintage apple trees. DPW will help pay for the apple trees. S. Greenbaum questioned why we would purchase more apple trees, which require a lot of work, when there is a new apple orchard that volunteers maintain; native trees that wouldn't require as much maintenance could be planted instead. She stated that a maintenance plan with funding should be in place before there is any further planting. B. Howell spoke that it is a historic apple orchard and supplementing the current trees with more trees is a great idea. Further discussions will be had with Dev Hamlen on help maintaining the orchard.

3. **7:15 pm- Continued Public Meeting, Jack Carr, Applicant, 67 Edgewood Road, File No. D- 928:** Chapter 194 application filed pursuant to Wayland's Wetlands and Water Resource Protection Bylaw filed by John Carr, for 67 Edgewood Road, Wayland for removal of trees within a resource area. Property is shown on Assessor's Map 50, Parcel 081.

Jack Carr, applicant, was present. L. Hansen and J. Carr worked to determine which trees would require removal based on the arborist report. J. Carr stated that trees requiring removal may fall on the house or onto a hiker using DCR trails.

Discussion ensued on which trees to remove. It was decided to remove the two white pine trees and beech tree. B. Howell stated that the sassafras is uncommon for Wayland and those seen are small; the tree should not be removed. There was discussion on whether to remove the two oak trees as the arborist stated there was minimal foliage and potential root damage. During a site visit, this was not seen. J. Carr stated the oak may fall and injury anyone using the land. B. Howell stated the trail is near the bottom of the slope, far from the tree's location.

T. Davidson stated that removing the trees will improve their view. J. Sullivan spoke that arborists will remove healthy trees; only imminent threat should cause these trees to be removed. J. Carr stated that removal of trees was for safety reasons only.

**J. Sullivan moved, T. Davidson seconded motion to issue a Permit w/conditions for removal of two white pines and a beech tree under the Chapter 194 Bylaw; 4-0**

J. Carr stated that the oak trees will be pruned and 4 dead trees will be removed.

4. **7:30pm- Public Meeting, Paul Zaferiou, Applicant, 76 Glezen Lane, File No. D- 931:** Chapter 194 application filed pursuant to Wayland's Wetlands and Water Resource Protection Bylaw filed by Paul Zaferiou, for 76 Glezen Lane, Wayland for an after-the-fact filing for restoration of a temporary access road on rear of property. Property is shown on Assessor's Map 14, Parcel 47. (Owner on record is Andrew Dallin).

Paul Zaferiou, applicant, was present. Project was presented to Commission last summer for work on 70 Glezen Lane. An access road to reach the applicant's property was constructed at 76 Glezen Lane without the owner's permission. Separate permit was required for restoration work. P. Zaferiou stated that sand and wood chips would be removed and replaced with native shrubs. Access road landscape plan was submitted with the filing for 70 Glezen Lane and approved by the Commission. L. Hansen spoke that the property owner of 70 Glezen Lane has reviewed the proposal and approved the plan. A condition would be for hand removal of sand and wood chips. B. Howell stated that the area has grown back into its natural state.

**B. Howell moved, T. Davidson seconded the motion to issue a Permit w/conditions as discussed under the Chapter 194 Bylaw; 4-0**

5. **7:40pm- Stormwater and Land Disturbance Bylaw, Chapter 193: 85 Highland Circle, Peter Bachman, Applicant, SMLD-32**

Kevin O'Leary, Jillson Company, and Peter Bachman, applicant, were present. Proposed project is for major landscape construction to allow for a larger backyard. Stormwater application was only submitted as a precaution but nothing is currently over 500 sq. ft. of additional impervious surface.

25- 30 trees were removed on the site prior to issuance of the permit. Homeowners will replant trees as required. K. O'Leary stated that there is a possibility of additional tree removal based on the grading plan to create a flat yard. L. Hansen stated that a planting plan including oak trees will be required. Application needs to be reviewed by P. Brinkman before issuance. K. O'Leary spoke that the site plan still needs revisions.

Revisions and planting plan will be provided before the issuance of a permit.

6. **7:50pm- Continued Public Hearing, Paul Morrison, Applicant, 22 Rich Valley Road, DEP File No. 322-922:** 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 Paul Morrison, for 22 Rich Valley Road, Wayland for replacement of a failed septic system. The property is shown on Wayland's Assessor's Map 25, Parcel 6.

Maryann DiPinto, Three Oaks Environmental, was present. M. DiPinto spoke that a few flags were moved to have septic system 75 ft. away from wetlands. New plan was not submitted prior to the meeting and will require a continuance.

**B. Howell moved, T. Davidson seconded the motion to continue the hearing at the request of the Applicant under the Wetlands Protection Act to June 21, 2018 at 8:00pm; 4-0**

**B. Howell moved, J. Sullivan seconded the motion to continue the hearing under Chapter 194 to June 21, 2018 at 8:00pm; 4-0**

7. **7:55pm- Continued Public Hearing, Roger Dilbarian, Applicant, 14 Rich Valley Road, DEP File No. 322-923:** 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 Roger Dilbarian, for 14 Rich Valley Road, Wayland for replacement of a failed septic system. The property is shown on Wayland's Assessor's Map 25, Parcel 2

Maryann DiPinto, Three Oaks Environmental, was present. Issue with mitigation of the structures within the 30 ft. buffer; two flagstone patios and one shed. The homeowners have agreed to remove the shed. The patios would be hard to remove and can stay. Backyard is covered in invasives that need to be removed. M. DiPinto spoke with homeowners who will remove invasives and plant a native wetland wildflower seed mix along with native shrubs.

**B. Howell moved, J. Sullivan seconded motion to close the hearing under the Wetlands Protection Act; 4-0**

**B. Howell moved, J. Sullivan seconded motion to close the hearing under Chapter 194; 4-0**

**B. Howell moved, J. Sullivan seconded motion to issue an Order of Conditions with conditions as discussed under the Wetlands Protection Act; 4-0**

**B. Howell moved, J. Sullivan seconded motion to issue a Permit with conditions as discussed under Chapter 194; 4-0**

8. **8:00pm- Stormwater and Land Disturbance Bylaw, Chapter 193: 12 Cochituate Road, Molly Faulkner, Applicant, SMLD-33**

Molly Faulkner, applicant representing the Wayland Museum and Historical Society, and Marjorie Baston were present. Proposal is for a new driveway and parking lot at the Historical Society. New driveway will allow for safe access to the museum. Plan was approved by the Planning Board and Historic District Commission. The driveway will be asphalt with permeable pavers at the back lot. P. Brinkman has reviewed the plans.

**J. Sullivan moved; T. Davidson seconded motion to authorize L. Hansen to issue a permit;**  
**4-0**

9. **8:15pm- 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).

Discussion ensued on the applicant's numerous requests to continue the hearing. It was decided that at the meeting of August 2<sup>nd</sup> the Commission must have new material as previously required. If new information is not received then the applicant will need to re-file.

**B. Howell moved; J. Sullivan seconded motion to continue the hearing at the request of the Applicant under the Wetlands Protection Act to August 2, 2018 at TBD as discussed;** **4-0**

10. **8:30pm- 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. **Postponed to June 12, 2018 at the joint hearing between ZBA and Conservation Commission.**

Hearing is postponed until June 12<sup>th</sup> to allow for a joint meeting with ZBA. The meeting will be on June 12<sup>th</sup> at 7:15pm in the large hearing room. Abutters and their representatives will be present for discussion and presentation. Nover-Armstrong Associates will discuss their findings from the peer review. The applicant's representatives will be present to discuss any questions. An agenda is posted with an outline of the topics to be discussed.

S. Greenbaum will reach out to Jonathan Sachs, ZBA Chair, on how to conduct the meeting.

**J. Sullivan moved; T. Davidson seconded motion to postpone the hearing at the request of the Applicant until June 12<sup>th</sup>, 2018 at 7:15pm;** **4-0**

11. **Other**

a. **Update on Chapter 193 regulations-** Defer to next meeting

b. **Website: Conservation Commission Mission Statement-** Defer to next meeting

c. **TC COC request update-** L. Hansen scheduled a site visit with Mike Abel, DEP, on June 13<sup>th</sup> to discuss any outstanding issues. Title search is still outstanding on all properties donated to town. Draft deed will be compiled once the title search is completed. C. Karlson has reached out to the current property manager on any outstanding issues.

- d. Canoe/kayak landing update-** Draft NOI has been compiled. L. Hansen is waiting for response from Natural Heritage on the most feasible option.
- e. Baldwin Pond land protection-** Site visit was done with Don Millette, Water Superintendent, P. Brinkman, L. Hansen and S. Greenbaum. S. Greenbaum spoke on the potential location for land protection. Protection of land is a condition in the OOC but exact location is not clearly written in the permit. Northwestern section of property should be protected through a deed restriction or transfer of deed from DPW to Conservation to close out permits. L. Hansen spoke that Board of Public Works has this item on their agenda and no decision should be made until after their decision.
- f. Matters not reasonably anticipated by the Chair 48 hours in advance of the meeting, if any**  
  
B. Howell and S. Fair would like to be reappointed. It is uncertain whether interviews will be required.

**12. Request for Certificate of Compliance**

- a. 38 Standish Road; DEP File No. 322-860-** Closing of the house was today. Partial Certificate of Compliance can be issued as the plants have not survived two growing seasons yet. Plantings were installed in September 2017. L. Hansen spoke that during the site visit it was noted that the slope on rear of property has a large amount of invasives that should be removed.  
  
**B. Howell moved; J. Sullivan seconded motion to issue a partial Certificate of Compliance under the Wetland Protection Act; 4-0**  
**B. Howell moved; J. Sullivan seconded motion to issue a partial Certificate of Compliance under the Chapter 194 Bylaw; 4-0**

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

- a. 38 Standish Road; DEP File No. 322-860 (\$ 2,000) -** Performance Guarantee should not be returned as it has not been two growing seasons for the plantings.  
  
**J. Sullivan moved; T. Davidson seconded motion to not return the performance guarantee until after the plantings survive two growing seasons; 4-0**

**14. Approve Minutes: May 10, 2018 and May 24, 2018**

- J. Sullivan moved; T. Davidson seconded the motion to approve May 10, 2018 and May 24, 2018 minutes; 4-0**

**15. 8:45pm- Enter into Executive Session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(2) and Section 21(a)(3) to review and consider for approval and potential release of the Executive Session minutes of March 20, 2014; December 18, 2014; September 24, 2015; November 4, 2015, and May 10, 2018 because a public discussion of these matters may have a detrimental effect on the litigating, negotiating or bargaining position of the Town.**

Defer to June 21<sup>st</sup> meeting to allow for Commissioners to review the minutes.

16. **Adjournment**

**T. Davidson moved; J. Sullivan seconded the motion to adjourn at 9:02pm; 4-0**

The next **Scheduled** Conservation Commission Meetings are June 21, 2018, and will be held in the Wayland Town Building.