

WAYLAND CONSERVATION COMMISSION

Minutes, Thursday, July 12, 2018 7:02-9:45 PM

Approved: August 2, 2018

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

Present: Barbara Howell, Tom Davidson (7:16-9:36pm), Sean Fair, Joanne Barnett, Tom Klem, Chairperson: Sherre Greenbaum, Conservation Administrator: Linda Hansen

Not Present: John Sullivan

Minutes: Nicole Thomson

S.Greenbaum opened the meeting at 7:02 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.**

There was no Comment.

2. **Land Management**

- a. **Cow Common Land Management Study-** Comments were provided by L. Hansen, B. Harris and S. Greenbaum. L. Hansen will compile the comments and send off to A. Carr. S. Greenbaum questioned if the newly acquired parcel will be part of Cow Common; L. Hansen said that it should be. Total cost of study is \$6,000 and total of \$25,000 in Town Center gift account.

3. **7:15 pm- Public Hearing, Adam Stack, Applicant, 3 Thompson Street, 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 Adam Stack, for 3 Thompson Street, Wayland for construction of a driveway. The property is shown on Wayland's Assessor's Map 48, Parcel 093.

David Burke, Wetland Scientist; Kevin O'Leary, The Jillson Company; and Adam Stack, applicant, were present. K. O'Leary spoke that the property has riverfront to the west and bordering vegetative wetlands. There is a certified vernal pool on the property.

Driveway placement is constrained due to the vernal pool. The proposed driveway causes the least impact on the resource areas. This is a limited access project with few access points with this being the best set-up. L. Hansen questioned why the driveway couldn't follow the property line further before curving towards the house; soils near house are not good for burrowing animals and the current configuration saves trees.

L. Hansen spoke that a migration pathway was not included on the plan. D. Burke spoke that in his experience the animals crossing Rice Road or Thompson Road are taking a risky chance anyways and most would not cross the road. Discussion ensued on a migration pathway next to the house. Reducing the size of the driveway turnaround would allow for a better migration pathway.

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Stormwater recharge basins will be within the buffer. Additional stormwater basins will be near the driveway by the house. Entrance to the driveway will not drain into the vernal pool.

B. Howell spoke that datum needs to be provided on the plans. Work should be avoided during breeding season. L. Hansen would like to schedule a site visit. Project requires a continuance as no DEP File No. is available.

Stacey Cugini, 9 Thompson Road, asked the purpose of stormwater management. L. Hansen spoke that stormwater management prevents runoff from being sent into the neighbor's property.

B. Howell moved, S. Fair seconded the motion to continue the hearing at the request of the Applicant under the Wetlands Protection Act to August 2, 2018 at 7:15pm; 6-0

B. Howell moved, S. Fair seconded the motion to continue the hearing under Chapter 194 to August 2, 2018 at 7:15pm; 6-0

4. **7:35pm- Public Meeting, Adeline D'Amonville, Applicant, 108 Lakeshore Drive, File No. D- 932:** Chapter 194 application filed pursuant to Wayland's Wetlands and Water Resource Protection Bylaw filed by Adeline D'Amonville, for 108 Lakeshore Drive, Wayland for removal of trees within a resource area. Property is shown on Wayland's Assessor's Map 46B, Parcel 035.

L. Hansen spoke the applicant filed a permit to remove seven trees on the property. Two large trees are leaning and pose a safety threat; remaining trees are small and less than 6 inches. B. Howell mentioned that the homeowner resides in a condo and questioned if she owned the land. Property and land is owned by the homeowner and the trees can be removed.

Replacement planting schedule would be a requirement.

B. Howell moved, S. Fair seconded the motion to issue a Permit w/conditions as discussed under the Chapter 194 Bylaw; 6-0

5. **7:45pm- Public Meeting, James Ogletree, Applicant, 115 Dudley Road, File No. D- 933:** 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 James Ogletree, for 115 Dudley Road, Wayland for replacement of existing shed. Property is shown on Wayland's Assessor's Map 47A, Parcel 079.

James Ogletree, applicant, was present. Shed in rear of property is in poor condition and requires removal. Shed is within 30 ft. of Dudley Pond. Existing structure will be removed and a new shed will be built on the same footprint. J. Ogletree is unsure of what material the base is made out of. L. Hansen spoke that if the footings require a different plan then notification needs to be made. An improvement to the property would be to elevate the shed.

All construction work will be done without heavy machinery. L. Hansen spoke that a requirement will be to do a drip trench around the shed.

B. Howell moved; J. Barnett seconded the motion to issue a Negative Determination under the Wetlands Protection Act; 6-0

B. Howell moved, T. Klem seconded the motion to issue a Permit w/conditions as discussed under the Chapter 194 Bylaw; **6-0**

6. 8:00pm- Public Hearing, Richard Olstein, Applicant, 33 Edgewood Road, 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 Richard Olstein, for 33 Edgewood Road, Wayland for removal of existing structures and replace with a new single family home. The property is shown on Wayland's Assessor's Map 46D, Parcel 129 (Owner on record is Erik Andresen).

Richard and Ashley Olstein, Applicants, and Ardi Rrapi, Cheney Engineering, were present. There are two existing structures on the property. New septic tank will be installed. Dead and invasive species will be removed with native species planted.

Hearing with ZBA approved the structure as it was beyond salvageable. BOH approved the septic design.

A. Rrapi spoke that 11 trees will be removed. Drainage system will be under the basement. Proposed septic system will be to the right of house near property line to have the least impact on Lake Cochituate. Roof run-off for the entire house is being captured, including 100-year storm event.

Drip edging alongside of house and trench along roof edge will need to be shown on the site plan. Structural engineer will need to provide detailed plans of 11 ft. retaining wall. B. Howell spoke that assumed datum was used and that is not acceptable. A. Rrapi stated that he could not find existing datum. Discussion ensued on the requirement for datum to be included for revised site plan. L. Hansen spoke that the Town Engineer had outstanding issues that need to be resolved. L. Hansen questioned if Tom Holder, DPW Director, approved grading changes on the easement; R. Olstein stated that it was fine.

Work performed on the state property will need permission from them. R. Olstein stated that he spoke to a representative for DCR and work can be done but at the expense of the homeowner. J. Barnett questioned if there was a design for the landing by the lake; R. Olstein stated that it was all preliminary at this point.

Meeting will need to be continued until A. Rrapi meets with the Town Engineer and a DEP File No. is received for the property.

B. Howell moved, J. Barnett seconded the motion to continue the hearing at the request of the Applicant under the Wetlands Protection Act to August 2, 2018 at 7:30pm; **6-0**

B. Howell moved, J. Barnett seconded the motion to continue the hearing under Chapter 194 to August 2, 2018 at 7:30pm; **6-0**

7. 8:20pm- Stormwater and Land Disturbance Bylaw, Chapter 193 Permit: John Lawrence, Applicant, 47 Pilgrim Path, SMLD-34

Bob Drake, Drake Associates, was present. Proposed project includes removal of two existing structures and rebuilding a new single-family home. ZBA and BOH have both approved the

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design and septic plans. Additional impervious surface is not over 500 sq. ft. but there will be tree removal. Total of 5 trees will need to be removed; three are dead and require removal. The remaining two are not distressed and will be replaced with evergreens. L. Hansen stated that a planting plan will be required.

S. Fair moved; J. Barnett seconded the motion to authorize L. Hansen to issue the permit; 6-0

8. **8:30pm- COC Request: 46 Campbell Road; File No. D- 930-** L. Hansen visited the property and noted that the grass was growing. Silt fence can be removed.

S. Fair moved, J. Barnett seconded the motion to issue a Certificate of Compliance under the Wetlands Protection Act; 6-0

S. Fair moved, J. Barnett seconded the motion to issue a Partial Certificate of Compliance under Chapter 194; 6-0

9. **8:35pm- 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 until August 2, 2018).**

L. Hansen spoke that numerous emails have been sent to the applicant noting deadlines and asking for revised calculations and stormwater plans.

George Bernard, 103 East Plain Street, spoke that BOH received revised septic documents and asked the Commission if they had seen them. L. Hansen stated that she was unaware. G. Bernard further asked if continuances must be granted and it was stated that they do not have to be.

S. Fair spoke that a list should be compiled including what materials are missing, deadlines missed, and number of continuances. A memo will be drafted and sent to Commissioners for review.

J. Barnett moved; S. Fair seconded motion to continue the hearing at the request of the Applicant under the Wetlands Protection Act to August 2, 2018 at TBD; 6-0

10. **Other**

a. Chair and Vice Chair Appointments

T. Davidson moved; J. Barnett seconded S. Fair as Chair; 5-0

J. Barnett moved; S. Fair seconded B. Howell as Vice Chair; 5-0

- b. Update on Chapter 193 regulations-** S. Fair spoke that draft regulations were sent around earlier in the afternoon. Previous edits by Commissioners were included, and further edits that include information from the Town of Maynard's regulations will be compiled.

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- c. **Website: Conservation Commission Mission Statement-** J. Barnett is working on adding further information to the Commission website. S. Greenbaum will assist in compiling information to add to the website.
- d. **Summer 2018 Newsletter-** Summer newsletter was created to highlight the major events and updates of the Commission.
- e. **Emergency Certification for Sinkhole repair at Route 20 and 27-** L. Hansen spoke that there is a sinkhole from a collapsed pipe requiring repair. An emergency certification was issued by L. Hansen but Commissioners should sign.

B. Howell moved, S. Fair seconded motion to ratify emergency certification; 6-0

- f. **Update on Canoe Launch-** L. Hansen and B. Howell visited 246 Old Stonebridge Road and spoke that the site has exposing mud flats and the water level is very low. It would be impossible to use a kayak and walking around the area would threaten the habitat. S. Greenbaum stated that there should be further work to find a location for a kayak launch.
- g. **Ken Moon Award Nominations-** Nomination of an individual needs to be publicized. Information will be put on the Town website and sent to other town media outlets.
- h. **Change in Meeting Date-** It was noted on the meeting schedule that three meetings are scheduled for August and as it is summer and the applications slow down there may only be a need to have two meetings. Discussion ensued on removing one meeting day in August. It was decided to wait and see how many applications are filed for the August 16th meeting.
- i. **Matters not reasonably anticipated by the Chair 48 hours in advance of the meeting, if any**

11. Request for Certificate of Compliance

- a. **33 Wallace Road; File No. D-908-** L. Hansen visited the site and noted that grass has been growing.

J. Barnett moved, S. Fair seconded motion to issue a partial Certificate of Compliance under Chapter 194; 6-0

- b. **29 Claypit Hill Road; DEP File No. 322-906-** The pump house has been removed and grass is growing at the site as shown in photos.

J. Barnett moved, S. Fair seconded motion to issue a partial Certificate of Compliance under Chapter 194; 6-0

After the vote Anette Lewis, 33 Claypit Hill Road, asked the Commission to remove the conditions in perpetuity since the location of the work does not relate to the imposed conditions. Discussion ensued on removing the conditions with the final decision being to ask Town Counsel. Further discussion will happen at the next meeting on August 2nd.

J. Barnett moved; S. Fair seconded motion to rescind the vote due to further discussion of a Certificate of Compliance; 6-0

c. 102 Lakeshore Drive; DEP File No. 322-819

S. Fair moved; J. Barnett seconded motion to issue a partial Certificate of Compliance under Chapter 194; **6-0**

12. Request for Return of Performance Guarantee

a. 33 Wallace Road; File No. D-908 (\$200)

S. Fair moved; J. Barnett seconded motion to return the Performance Guarantee of \$200;
6-0

b. 102 Lakeshore Drive; DEP File No. 322-819 (\$3,000)

J. Barnett moved; S. Fair seconded motion to return the Performance Guarantee of \$3,000; **6-0**

13. Approve Minutes: June 12, 2018 and June 21, 2018

S. Fair moved; J. Barnett seconded the motion to approve June 12, 2018 minutes; **6-0**

J. Barnett moved; S. Fair seconded the motion to approve June 21, 2018 minutes; **6-0**

14. Adjournment

S. Fair moved; J. Barnett seconded the motion to adjourn at 9:45pm; **6-0**

The next **Scheduled** Conservation Commission Meeting is August 2, 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.