

WAYLAND CONSERVATION COMMISSION

Minutes, Thursday, August 2, 2018 7:04-10:52 PM

Approved: August 23, 2018

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

Present: Barbara Howell, John Sullivan (7:12-10:00pm), Joanne Barnett (8:00pm), Tom Klem, Sherre Greenbaum
Chairperson: Sean Fair, Conservation Administrator: Linda Hansen

Not Present: Tom Davidson

Minutes: Nicole Thomson

S. Fair opened the meeting at 7:04 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.**

Tonya Cunningham, 9 Williams Road, spoke on the Oxbow Fields. Ms. Cunningham questioned when the ADA trail will be brought up to compliance standards and who will fund it. L. Hansen stated that work is dependent on when the field is completed. Ms. Cunningham also stated that 6-8 more trees in parking area have been removed than were permitted.

2. **7:15 pm- Continued Public Hearing, Adam Stack, Applicant, 3 Thompson Street, File No. 322-925:** 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. L. Hansen and S. Greenbaum performed a site visit on Tuesday, July 31st. S. Greenbaum asked if suggested revisions to the wildlife corridor were made since the site visit; K. O'Leary stated that he is waiting for advice from Commission before proceeding forward. L. Hansen mentioned that removing the circular driveway would increase the migration pathway. K. O'Leary stated that the drainage structure in the middle will be reconfigured.

B. Howell spoke that there is no limit of lawn demarcated on the site plan. K. O'Leary stated that limit of lawn follows the limit of work line. Almost all of the lawn is outside jurisdiction. Drainage calculations are still outstanding and will be received after the plan is revised.

Tom Maglione, 29 Rice Road, asked if the applicant needs to apply to ZBA for a curb cut; L. Hansen stated that the applicant can come to Conservation before ZBA.

B. Howell moved, T. Klem seconded the motion to continue the hearing at the request of the Applicant under the Wetlands Protection Act to August 23, 2018 at TBD; **5-0**

B. Howell moved, T. Klem seconded the motion to continue the hearing under Chapter 194 to August 23, 2018 at TBD; **5-0**

3. **7:30pm- Continued Public Hearing, Richard Olstein, Applicant, 33 Edgewood Road, DEP File No. 322-926:** 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. Project received a DEP File #. Structural engineer has provided a report on the proposed retaining wall. New plan was submitted with datum. P. Brinkman reviewed drainage design and the site plan has addressed all his comments. Timber stairway will be removed.

B. Howell moved, S. Greenbaum seconded the motion to close the hearing under the Wetlands Protection Act; **5-0**

B. Howell moved, S. Greenbaum seconded the motion to close the hearing under the Chapter 194; **5-0**

B. Howell moved, T. Klem seconded the motion to issue an Order of Conditions w/conditions as discussed under the Wetlands Protection Act; **5-0**

B. Howell moved, T. Klem seconded the motion to issue a permit w/conditions under Chapter 194; **5-0**

4. **7:45pm- Public Hearing, Ben Keefe, Applicant, 412 Commonwealth Road (Loker Conservation and Recreation Area), 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 submitted by Ben Keefe for Loker Conservation and Recreation Area, 412 Commonwealth Road, Wayland for recreation-related improvements including a new athletic field and parking lot. The property is shown on Wayland's Assessor's Map 49, Parcel 49-064B.

Gene Bolinger and other Weston & Sampson representatives were present. Project includes the construction of a single, multi-purpose artificial turf field, upgrading the access drive and creating a new parking lot. Approximately 8 ½ of 31 acres is set aside for recreation use.

There is a 50 ft. conservation area along Rice Road where there is no work being proposed. No work is proposed outside the 8 ½ acres set aside for Recreation. No disturbance will occur within the 30 ft. wetlands buffer except for proposed removal of old asphalt driveway from old access drive that meanders through the property and restoration with a softer surface. Drainage easement is highlighted: it connects North Pond to catch basins in vicinity of existing parking lot which outlet to south of access drive; water follows contoured swale toward West Pond; pipe between West Pond connects to East Pond which outlets in culvert under Commonwealth Road toward Willowbrook community.

G. Bolinger spoke that their arborist submitted a comprehensive report on the total number of trees proposed for removal, a majority being oak and pine. Several hundred additional trees in various conditions in upland areas outside the buffer zone will be removed, many white pine and 16-18" oaks.

There will be a 2 ft. porous base for artificial turf surface to be constructed on top of. Drainage system will be located underneath the field. Any overflow will bring the water down into the swale and empty into West Pond. Grading is outside the 30 ft. no disturb.

B. Howell spoke that there were issues with drainage when a previous plan was submitted for this property years ago. This filing will be reviewed. T. Klem asked for clarification of proposed stormwater treatment improvements. G. Bolinger spoke that with larger storm events there is now sheet water flow which is not treated; under proposed plan water will be captured, infiltrated and slowly released in 1 and 2 year storms but there will still be sheet flow overland in 10 year and larger storms. The direction of surface flow will remain the same. There will be a net increase of 1200 square feet of impervious.

L. Hansen asked if proposed treatment addresses phosphorus since the project is within the Charles River watershed and there is a TMDL for phosphorus. She mentioned that she does not think it is a better management of stormwater as almost 400 trees are being removed and a grove of trees currently eliminates sheet flow. G. Bolinger stated that tree removal can be addressed in pre- and post-development. S. Fair asked how storm events that are larger than 1 and 2 year events can be captured and not allowed to runoff with artificial materials. G. Bolinger spoke that flow is reduced post development and artificial turf accepts water at an extraordinary rate. When underground system reaches capacity it would overflow in West Pond. G. Bolinger stated he can quantify that for different storms.

J. Sullivan asked how the technology is different now so that the problems at the high school with the rubber infill and synthetic grass blades ending up in the drainage swale will not happen here. G. Bolinger stated that he was aware that happened at the high school and that the product used was recalled. Also this could be managed with swales outside the confines of the field closer to the resource areas.

S. Greenbaum provided written comments that will be addressed at a future hearing once all of the Commissioners' comments are received. Corrections to the O&M and Pollution plans will be made and submitted. New wetland delineation was not included in plans; any differences to previous delineation will be compared. The length of stream flow underground from North Pond will be calculated. S. Greenbaum asked how auger refusal due to bedrock would affect groundwater and stormwater. Depth to top of ledge was considered and most storage is in top 2'. There is a minimum of 4'-6' clearance between the finished field and ledge.

T. Klem asked for clarification of field drainage. Infiltration rate of artificial turf field is 6" per hour. There is one exit outlet pipe for extreme events. In normal events there is a 12" collector pipe around the perimeter used as a storage chamber. The field construction has a 2" depth of infill; underneath is fabric which holds fibers in place; underneath that is 24" depth of drainage stone. Water infiltrates downward but if infiltration rate can't keep up, lateral drains serve as back up. L. Hansen questioned the sizing of the pipe (12" or 18") and outlets. G. Bolinger spoke that the retaining wall around portions of the field is 4-4½ ft. tall and will be constructed to

reduce amount of grading beyond the field limits. 500 cubic yards of fill is proposed for the field and the amount of fill for other areas is unknown. S. Greenbaum questioned who would be responsible for the field; Ben Keefe, Facilities Director, stated that DPW will be responsible for maintenance of the field. He spoke that there is a MOU and DPW is aware of their responsibility to maintain the field.

B. Howell stated that the O&M plan needs major work and mentioned it will utilize salts and sand to treat the driveway and deep sump catch basins will be cleaned using clam shells.

Tom Maglione, 29 Rice Road, spoke that the field proposal is too large. Site is covered with large trees and ledge which would affect the downstream developments.

Anette Lewis, 37 Claypit Hill Road, asked what the interval between each elevation is; 10 ft. between each contour interval. A. Lewis questioned where people will stand during games and how the water will go around the corner of the fields. G. Bolinger spoke that excess water not being captured will naturally flow.

A resident commented on space available for attendance. Further question was asked if there will be a response to Mr. Maglione's letter. G. Bolinger spoke that stormwater modeling was performed and the Commission will hire a peer review.

John Berkowitz, 20 Highgate Road, Willowbrook Board of Trustees, stated that concerns are runoff of artificial materials, hiring peer review of drainage system, and removal of the tree buffer. He suggested that trees be planted elsewhere in town if they cannot be replanted on site.

Tom Sciacca, 31 Rolling Lane, stated that in the last several years many intersex fish have been found in the Sudbury River due to endocrine disruptors caused by plastics; simulated blades which wear out under UV and abrasion wind up in the environment and affect the fish habitat.

L. Hansen spoke that the stormwater peer review should be tied in with the High School since drainage is similar in design. L. Hansen stated that she will reach out to find availability and costs of each peer reviewer and work with Weston and Sampson to select one. Project will need to continue until August 23rd. L. Hansen stated peer review of wetlands for this property is not required since there is a distinct bank along the ponds; she also agrees with wetland delineation for high school and peer review is not needed there either.

S. Greenbaum moved, J. Barnett seconded motion to hire a peer review for stormwater management as discussed; 6-0

S. Greenbaum moved, T. Klem seconded the motion to continue the hearing at the request of the Applicant under the Wetlands Protection Act to August 23, 2018 at TBD; 6-0

S. Greenbaum moved, J. Barnett seconded the motion to continue the hearing under Chapter 194 to August 23, 2018 at TBD; 6-0

5. **8:30pm- Public Hearing, Ben Keefe, Applicant, 264 Old Connecticut Road (Wayland High School), 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 submitted by Ben Keefe for Wayland High School, 264 Old Connecticut Road, Wayland for improvements to the high school athletic facilities including a new track and field, bleachers, tennis courts, softball field and basketball courts. The property is shown on Wayland's Assessor's Map 37, Parcel 37-034.

Gene Bolinger, Weston & Sampson, was present. S. Greenbaum questioned adequacy of the abutter notices as it was only sent to a few neighbors and the notice did not exactly state what the project proposal is. J. Sullivan stated that abutters may not be aware of what the application includes. Weston & Sampson had a different interpretation of the abutter notices as it was stated that when a site is over 50 acres you can notify abutters within 100 ft. of the project site. Discussion ensued on the abutter notification process. Decision was made to re-notify all abutters within 100 ft. of the entire property including the federal government with a corrected notice to include all the intended work.

Brud Wright, 16 Jeffrey Road, asked the Commission if a decision can be made at this meeting as there are deadlines to make. L. Hansen stated that she will speak with three peer reviewers to receive a quote and availability.

S. Greenbaum moved, T. Klem seconded the motion to continue the hearing at the request of the Applicant under the Wetlands Protection Act to August 23, 2018 at TBD; 6-0

S. Greenbaum moved, T. Klem seconded the motion to continue the hearing under Chapter 194 to August 23, 2018 at TBD; 6-0

6. **9:00pm- Public Meeting, Warren Morss, Applicant, 33 Bayfield Road, File No. D- 934:** 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 submitted by Warren Morss, for 33 Bayfield Road, Wayland for construction of a screened porch onto the existing house. Property is shown on Assessor's Map 47A, Parcel 092.

Warren Morss, applicant, was present. W. Morss spoke that he proposes a screened-in porch on rear of house. The footings will be no dig footings. Currently, there is a patio that will be removed to make into a porch. Mitigation will be done by a vegetative barrier.

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

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

7. **Request for Certificate of Compliance- 33 Bayfield Road; DEP File No. 322- 592**

B. Howell spoke that there were issues with the As-built including a fire pit within the 30 ft. buffer, no design of the septic system, no datum, and questioned if trees were removed. Discussion with applicant will occur and defer issuance until the next meeting to answer outstanding questions.

8. **9:10pm- 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).

Stephen Garvin and Alicja Zukowski, Samiotes, and Ben Stevens, Applicant, were present. Proposal is for mitigation within the buffer zone. 11,000 sq. ft. within the buffer will have invasives removed and native species planted. Irrigation heads in 100 ft. buffer were removed and outlet structure has been changed. Mitigation plantings will be planted along back retaining wall.

S. Greenbaum questioned whether adding 3 trees and 18 shrubs was enough replanting for the 11,000 square foot area; B. Stevens stated that he would plant more if necessary. L. Hansen did not think that D. Wang should provide the planting plan as that is not his background and that a different individual should be used to specify appropriate plant material to ensure that recommended plantings would survive in shade and sun areas. B. Stevens has tried to reach out to New England Wetland Plants numerous times with no response. Discussion ensued on having a new planting plan being submitted with exact plant locations. It was decided that B. Stevens would submit a phased plan for invasive removal without the use of Glyphosate and a new planting plan. The Commission is fine with this concept as mitigation and moving forward.

32 Covered Bridge Lane will need to have shrubs or boulders placed to demarcate edge of lawn.

S. Greenbaum moved, T. Klem seconded the motion to continue the hearing at the request of the Applicant under the Wetlands Protection Act to August 23, 2018 at TBD; 6-0

S. Greenbaum moved, T. Klem seconded the motion to continue the hearing under Chapter 194 to August 23, 2018 at TBD; 6-0

9. **9:30pm- Public Hearing, Ben Stevens, Trask Development, Applicant, 24/26 Covered Bridge 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 submitted by Ben Stevens, Trask Development, for 24/26 Covered Bridge Lane, Wayland for an after-the-fact filing that addresses revisions to the plans that were unpermitted. The property is shown on Wayland's Assessor's Map 35, Parcel 030O (Owner on record is Richard & Lori Aidala, 24 Covered Bridge Lane, and Dennis & Diane Albano, 26 Covered Bridge Lane).

Stephen Garvin and Alicja Zukowski, Samiotes, and Ben Stevens, Applicant, were present. There was a previous filing, DEP File No. 322-834, that the Commission approved along with the ANRAD filing in 2014. Delineation was revised and included new grading and two drywells. A higher retaining wall was relocated. Lawn area and deck size increased and a walkway was added. The mitigation plan from 32/34 Covered Bridge Lane will not be applied to this property. B. Stevens stated that he is refiling the project to close it out.

L. Hansen would like P. Brinkman to review stormwater. Waivers were requested on the property and need to be voted on.

S. Greenbaum moved, J. Barnett seconded the motion to allow waivers as requested; 5-0

S. Greenbaum moved, J. Barnett seconded the motion to continue the hearing at the request of the Applicant under the Wetlands Protection Act to August 23, 2018 at TBD; 5-0

S. Greenbaum moved, J. Barnett seconded the motion to continue the hearing under Chapter 194 to August 23, 2018 at TBD; 5-0

10. Request for Certificate of Compliance- 35 Covered Bridge Lane; DEP File No. 322- 850

L. Hansen spoke that the homeowner is asking for further work within the buffer under the current Order of Conditions. The homeowner would like to install a gravel turnaround area. B. Stevens spoke that the homeowner should file for a permit as he wants to close out his permit. Commissioners agreed that a new application should be required.

S. Greenbaum noted that the last action on this property was a request for a continuance on a requested amendment in June 2017. B. Stevens will withdraw that request and proceed with this instead.

S. Garvin spoke that the detention basin was rebuilt and relocated and the riprap encroaches in the 30' no disturb; grass plugs were placed along the basin as mitigation. B. Stevens stated that there are no sprinklers within the 100 ft. buffer and the stone wall was part of original design. Impervious for the house was increased by 1200 square feet. L. Hansen requested that an overlay of the property be submitted for the file.

S. Greenbaum moved, J. Barnett seconded motion to issue a Certificate of Compliance as discussed under the Wetlands Protection Act; 5-0

S. Greenbaum moved, J. Barnett seconded motion to issue a partial Certificate of Compliance under Chapter 194; 5-0

11. Request for Return of Performance Guarantee- 18/20 Covered Bridge Lane; Dep File No. 322-822 (\$6,000)

B. Stevens spoke that the Commission denied a complete Certificate of Compliance as there were still outstanding issues including the retaining wall being built higher, rear yard was flatter and it extended further into riverfront. S. Greenbaum read from February 22, 2018 minutes regarding issuance of partial certificates of compliance based on problems with compliance. L. Hansen requested an overlay of the project to envision changes and a decision will be deferred until the following meeting regarding what should be returned of performance guarantee.

12. 10:00pm- 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 16, 2018).**

Commission voted to continue the hearing until August 9, 2018. G. Bernard, 103 East Plain Street, spoke on the request to allow Scott Horsley to speak at the meeting. Meeting will be

held a week earlier due to quorum issues. S. Greenbaum asked if the memo regarding missed submittal deadlines and requested continuances will be sent out to the applicant; L. Hansen will compile the edits and send out early next week.

13. Other

- a. Cascade Waivers-** ZBA needs waivers from Conservation. S. Greenbaum spoke that when she attended the Board of Health meeting waivers were denied due to lack of information. The Commission has not received any further information than what is provided.

J. Sullivan moved; T. Klem seconded motion to deny the waivers requested due to insufficient information; 6-0

- b. 52, 54 & 56 Rice Road Planting Plan-** The replanting plan for the property under Chapter 193 is adequate but the plan to replace 9 trees in the outer riparian zone with only 9 trees is not a sufficient number of trees or shrubs under the Chapter 194 replanting schedule. S. Greenbaum spoke that there is a preference for fir over Pine. L. Hansen will speak to the applicant regarding the planting plan.
- c. Change in Meeting Date-** Suggestion was made for a continuance of 24 School Street until August 9th, 2018. This would allow for the entire board to be present. J. Sullivan spoke that he could not be present at the meeting. L. Hansen received the stormwater review today. 29 Claypit Hill Road and a presentation by OARS will be on the agenda as well.
- d. 26 Damon Road; DEP File No. 322- 864: New Signature Page-** Homeowner did not receive the original copy and needs to have the permit signed. Commissioners signed as requested.
- e. Matters not reasonably anticipated by the Chair 48 hours in advance of the meeting, if any**

14. Request for Certificate of Compliance

- a. 29 Claypit Hill Road; DEP File No. 322-906-** Defer to August 9th 2018 Meeting.
- b. 55 Knollwood Lane; File No. D-878-** Homeowner has added numerous plantings. Stormwater management has been added and project is completed.

S. Greenbaum moved; T. Klem seconded motion to issue a partial Certificate of Compliance under Chapter 194; 5-0

- c. 8 Alice Road; DEP File No. 322- 552-** Defer to August 23rd, 2018 Meeting.

15. Request for Return of Performance Guarantee

- a. 55 Knollwood Lane; File No. D-878 (\$1,500)**

S. Greenbaum moved; T. Klem seconded motion to return the Performance Guarantee of \$1,500; 5-0

- d. 8 Alice Road; DEP File No. 322- 552 (\$10,000)-** Defer to August 23rd, 2018 Meeting to allow L. Hansen to review file for CR.

Approve Minutes: June 19, 2018 and July 12, 2018

S. Greenbaum moved, T. Klem seconded motion to approve the minutes of June 19, 2018 and July 12, 2018; **5-0**

16. Adjournment

S. Fair moved; J. Barnett seconded the motion to adjourn at 10:52pm; **5-0**
The next **Scheduled** Conservation Commission Meeting is August 16, 2018 and will be held in the
Wayland Town Building.