

# WAYLAND CONSERVATION COMMISSION

Minutes, Thursday, August 23, 2018 6:51-9:51 PM

Approved: September 13, 2018

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

**Present:** Barbara Howell, John Sullivan (7:01-9:49pm), Joanne Barnett, Tom Klem, Sherre Greenbaum, Tom Davidson  
**Chairperson:** Sean Fair, **Conservation Administrator:** Linda Hansen

**Minutes:** Nicole Thomson

S. Fair opened the meeting at 6:51PM noting that a quorum was present and that the meeting was being recorded by WayCAM.

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

**1. 6:45pm- Mary Antes, Board of Selectmen, Presentation on Special Act for Town Administrator Role**

Mary Antes, Board of Selectmen, was present. M. Antes spoke that the Collins Center was hired to evaluate the Town structure. Two major changes will be occurring based on the recommendation from the Collins Center, the budgeting process and reporting structure. Budgeting process would be led by the Selectmen and Town Manager. Reporting Structure will change to allow for department heads to report to the Town Manager.

**2. 7:00 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.

Applicant has requested a continuance until September 13<sup>th</sup> to deal with site plan revisions and stormwater calculations.

Tom Maglione, 29 Rice Road, spoke that since Rice Road is a scenic road what restrictions would there be on a curb cut and removal of trees. S. Fair spoke that tree removal within the buffer zone would require a permit but the curb cut issue is out of our jurisdiction.

**B. Howell moved, J. Barnett seconded the motion to continue the hearing at the request of the Applicant under the Wetlands Protection Act to September 13, 2018 at 7:15pm; 7-0**

**B. Howell moved, J. Barnett seconded the motion to continue the hearing under Chapter 194 to September 13, 2018 at 7:15pm; 7-0**

**3. 7:15pm- Chapter 193: Stormwater and Land Disturbance Bylaw**

**a. 10 Westway Road, Margaret and Michael Gargano, Applicants, SMLD-35**

Vito Colonna, Sullivan, Connors & Associates, was present. V. Colonna spoke that there is an existing house on the lot with a detached garage. The homeowners are proposing an

addition to attach the garage and house, construction of a patio, and driveway turnaround area. Drywell will collect runoff and is sized for a 100 year storm. Silt fence will be around limit of work.

L. Hansen stated that P. Brinkman reviewed the application and had minor comments (i.e. pervious pavers).

**B. Howell moved; J. Barnett seconded the motion to have L. Hansen issue a Chapter 193 permit; 7-0**

**b. 33 Lakeshore Drive, Richard Wilner, Applicant, SMLD-36**

Vito Colonna, Sullivan, Connors & Associates, and Richard Wilner, Applicant, were present. V. Colonna spoke that there is an existing house on the property and proposed 3 car garage addition. Current driveway is gravel but will use pavers. Silt fence will be placed along limit of work.

L. Hansen spoke that pervious pavement on a small driveway can create issues and may not be the best option. No proposed tree removal. Comments from P. Brinkman were provided to V. Colonna and a meeting will occur next week to discuss concerns.

**B. Howell moved; J. Barnett seconded the motion to issue a Chapter 193 permit following discussion with the Town Engineer; 7-0**

4. **7:30pm- Continued 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 Brendan Kunkel, Weston & Sampson, were present. Questions asked at the previous hearing were addressed and provided. Commission has hired BSC Group as the peer reviewer for stormwater management.

John Sax, 203 Willow Brook Drive, asked that his comments be provided to the peer review.

Tom Maglione, 29 Rice Road, questioned how the MS4 permit is being addressed. L. Hansen spoke that there is no need to specifically address the MS4 permit. The property is within the Charles River Watershed and stormwater and phosphorous removal will need to be designed into the project.

Tom Sciacca, 31 Rolling Lane, spoke that there are concerns about the endocrine disruptors causing issues with the fish populations in Wayland.

B. Howell spoke that the Commission works under the WPA and its regulations and that it is within the Commission's jurisdiction to protect the 8 public interests of the Act. This project doesn't deal with all 8 but it deals with groundwater supply and prevention of pollution. B. Howell questioned why the proposal is for synthetic turf, which is made up of crumb rubber, coated with plastic materials and contains heavy metals which are toxic. Synthetic turf is an endocrine disrupter. Grass is

safe and should be used as the playing surface. S. Fair spoke that during their informal discussions it was mentioned to use grass instead of synthetic turf. T. Klem stated that what material should be used was an open question. J. Sullivan noted that the project could be approved using grass only. L. Hansen stated that BSC Group was chosen since they have done multiple reviews of synthetic turf fields and could have other options. J. Sax noted that zinc leaching out is toxic to aquatic life and that crumb rubber is made with zinc oxide.

William Cossart, 87 Old Sudbury Road, stated that the reports provided by Weston & Sampson all showed toxicity levels lower than that of a child's toy. W. Cossart said that the statement made by T. Sciacca that the field is toxic and it is affecting the environment and water supply is incorrect.

**B. Howell moved, J. Barnett seconded the motion to continue the hearing at the request of the Applicant under the Wetlands Protection Act to September 13, 2018 at TBD; 7-0**

**B. Howell moved, J. Barnett seconded the motion to continue the hearing under Chapter 194 to September 13, 2018 at TBD; 7-0**

5. **7:45pm- Continued Public Hearing, Ben Keefe, Applicant, 264 Old Connecticut Path (Wayland High School), DEP File No. 322-928:** 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 Path, 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 and Brendan Kunkel, Weston & Sampson, were present. The previous hearing had issues with abutter notification, which were resolved. Athletic field will be moved out of the wetlands buffer and everything existing in the wellhead protection zone becomes natural grass. Tennis courts will be moved to the front of the property. Proposal is to remove 145,000 sq. ft. of asphalt pavement and 15,500 sq. ft. of impermeable material from the buffer zone. A replacement artificial turf field is proposed. There will be a stormwater drainage system below the field similar to the Loker field. Overflow from a larger storm such as the 100 year storm that can't be handled will go into the swale before emptying into the buffer zone. Additional drainage and new catchment areas will be installed. The fields will be maintained by the High School.

L. Hansen asked where the floodplain is located; G. Bolinger stated that the floodplain is outside any developable area. Question was raised whether the floodplain is located closer to the high school fields than stated as there are hydric soils that should be flagged as wetlands.

Tom Sciacca, 31 Rolling Lane, spoke that the groundwater in this area seasonally rises to the top of the existing swale. T. Sciacca further spoke on issues relating to the old high school. T. Sciacca's comment letter was sent around that spoke on errors with the measurements of zinc. There are environmental issues with the infill, crumb rubber, and the plastic carpet's micro plastics getting into the environment which carry endocrine disrupting chemicals (EDCs). Samplings of fish in the SUASCO system show intersex fish and the highest incidence is in Wayland. Happy Hollow Wells need to be protected for human health issues. Requirement to have natural grass would protect the, meadows and river. Mike Gitlin, PMBC, spoke about water sampling requirements.

Heath Rollins, Athletic School Director, stated that the tennis courts have never seen water. The grass areas between the tennis courts and track have always been walkable during the rainy season.

G. Bolinger spoke that the outstanding Orders of Conditions for the field and the high school will be closed out during the process. The Certificate of Compliance for the Superseding Order of Conditions for the field will be issued through the state but a Chapter 194 Permit is still outstanding and needs to be closed out by the Commission. The high school building project needs closure of the Chapter 194 permit and Order of Conditions issued by the Commission. L. Hansen will send around an email stating what is still outstanding.

**B. Howell moved, J. Barnett seconded the motion to continue the hearing at the request of the Applicant under the Wetlands Protection Act to September 13, 2018 at TBD; 7-0**

**B. Howell moved, J. Barnett seconded the motion to continue the hearing under Chapter 194 to September 13, 2018 at TBD; 7-0**

6. **8:30pm- 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 until September 13<sup>th</sup>.**

**B. Howell moved, J. Barnett seconded the motion to continue the hearing at the request of the Applicant under the Wetlands Protection Act to September 13, 2018 at TBD; 7-0**

**B. Howell moved, J. Barnett seconded the motion to continue the hearing under Chapter 194 to September 13, 2018 at TBD; 7-0**

7. **8:35pm- Continued Public Hearing, Ben Stevens, Trask Development, Applicant, 24/26 Covered Bridge Lane, DEP File No. 322-927:** 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 0300 (Owner on record is Richard & Lori Aidala, 24 Covered Bridge Lane, and Dennis & Diane Albano, 26 Covered Bridge Lane). **Applicant has requested a continuance until September 13<sup>th</sup>.**

**B. Howell moved, J. Barnett seconded the motion to continue the hearing at the request of the Applicant under the Wetlands Protection Act to September 13, 2018 at TBD; 7-0**

**B. Howell moved, J. Barnett seconded the motion to continue the hearing under Chapter 194 to September 13, 2018 at TBD; 7-0**

8. **8:40pm- 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.
- a. **Scott Horsley Presentation**
  - b. **Response to Comments**

Brian Nelson, Metrowest Engineering; Desheng Wang, Creative Land & Water Engineering; Chris D'Antonio, Applicant; Henry Nover, Nover-Armstrong; and Scott Horsley, Water Resources Consultant, representing George Bernard, were present.

S. Horsley spoke that the site is very sensitive with a high density design which requires a comprehensive hydrologic analysis. He reviewed his previous presentations regarding water tables, perennial streams and drawdowns due to pumping. Water levels are dynamic and can go up and down; if recharge rate is increased, water table goes up; if recharge rate is decreased it goes down. Transient, short-term, 10 or 25-year event, modeling has been done but he stated the need for long-term impact analysis of the site, called steady state modeling, which measures the cumulative effect of the smaller storms. Proposal is to put more stormwater into the ground to comply with Standard 2 regarding peak flow, but Standard 3 requires a balance of the hydrology, pre- and post- development. Most of current impervious area is not infiltrated and drains off the site. Stormwater report shows an increase in impervious area with twice as much stormwater going into the ground.

S. Horsley further spoke on a case study in Philadelphia to illustrate what happens if too much stormwater is put into the ground and the water table with additional recharge increases over the long-term. This type of modeling is not a standard item but is warranted on this site.

C. Peter R. Gossels, Attorney for George Bernard, had questions on the rainfall data and mounding analysis. S. Horsley spoke that projection is for increased rainfall and some of the numbers are likely to go up in the future. Long term waste water has been looked at only with short term stormwater design. The current data set would provide a lot of the information for the long-term mounding analysis.

D. Wang questioned the size of the Philadelphia study area and how the model applies to the site and watershed. He stated that the impact of adding more groundwater would be different on a large versus a small site.

L. Hansen spoke that latest report is that stormwater system will hold a 2-year storm and the remaining runoff will be brought to the stream. B. Nelson stated that infiltration was not considered.

C. D'Antonio spoke that there are outstanding questions relating to Chapter 194. There is no data to support S. Horsley's theory within the local bylaws. H. Nover spoke that the concept is interesting but does not believe it will apply to this site. The recharge system is in a good location on the site; it will only be a transient mound and not a long term increase in the water table. H. Nover noted that the Commission has latitude within the WPA to consider this but it is not required by DEP standards.

B. Nelson spoke that new information that responds to P. Brinkman's comment memo and site plans were submitted today.

S. Greenbaum questioned how long the modeling would take and who would be performing the modeling. H. Nover stated that he is unsure if all the data has been provided but that it would take 2-3 weeks to complete the process. T. Davidson stated that there are numerous iterations

that could not be completed by the next hearing. He stated that it's a net balance problem and the question is whether it's impacting the wetlands.

Michelle Galicia, 20 Aqueduct Road, spoke that the properties nearby do have basements. The site itself may have good drainage but most of it is being put into the wetlands. M. Galicia further stated that the applicant asked for the public to not be part of the design process.

Molly Upton, 23 Bayfield Road, stated that this project is one of the most dense projects in Wayland and cannot understand how both septic and stormwater can fit into the site. Brad Keyes, 91 East Plain Street, downstream from the site, stated that his basement has to be pumped all spring long every year.

**J. Sullivan moved, T. Davidson seconded the motion to continue the hearing at the request of the Applicant under the Wetlands Protection Act to September 13, 2018 at TBD; 7-0**

9. **Other**

**a. Return of CPC Funds for Stonebridge Canoe and Kayak Launch-** L. Hansen spoke that if the money will not be used then it should be returned. S. Fair stated that the canoe and kayak launch has issues with an endangered species and will not be able to be used for many months throughout the year and should be given to another project. T. Sciacca, representative of River Stewardship Council, spoke that further information should be gathered before voting to return the money to CPC; the Council may not reimburse the grant money for the engineering if the project does not proceed. L. Hansen will contact Sarah Bursky to discuss.

**J. Sullivan moved; J. Barnett seconded the motion to postpone the vote until a further meeting**

**b. Permitting Requirements for proposed Sheds at Library and Town Hall-** Request is to have a shed placed at the Library and a second at Town Hall; both sheds are 4 x 6 ft. The Library location is close to the wetlands and L. Hansen will speak with Facilities to determine if there is a better location. The Town Hall shed is proposed to be built next to the back entrance. The shed for Town Hall could be filed under a RDA.

**c. Discussion on Love Lane Event-** L. Hansen spoke that the event is scheduled for September. A site visit was made and nothing will be put in the 30 ft. No structures will be placed within the 100 ft.

**d. 26 Damon Road; DEP File No. 322- 864: Request to Change Scope of Work-** Homeowners were present for discussion. There is a request to change the scope of work to regrade two sections of the lawn. Existing OOC is for septic replacement. B. Howell spoke that one section of work may be within the 15 ft. no disturb and the second area has a steep slope. S. Greenbaum questioned if a retaining wall will need to be built. Homeowners are unsure but will complete the process with L. Hansen including a site visit and a more detailed plan. If further information is required then it will come back in front of the Commission.

**e. Signing of 74 Moore Road Deed-**

**J. Barnett moved, T. Klem seconded the motion to accept the land at 74 Moore Road; 6-0**  
Commissioners all signed the deed except for S. Fair, who will come back to the office to notarize his signature.

**f. Heard Farm old Orchard Lane Update-** Joseph Ingoldsby showed B. Harris how to spray the trees as some are getting minor rust. All the trees are in good health. Apples from the orchard were passed along to J. Ingoldsby to identify. L. Hansen has an appointment with UMass Amherst to come and evaluate the trees.

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

**10. Approve Minutes: August 2, 2018 and August 9, 2018**

**B. Howell moved, J. Barnett seconded motion to approve the minutes of August 2, 2018 and August 9, 2018;** **7-0**

**11. Adjournment**

**T. Davidson moved; J. Barnett seconded the motion to adjourn at 9:51pm;** **6-0**

The next **Scheduled** Conservation Commission Meeting is September 13, 2018 and will be held in the Wayland Town Building.