



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

PLANNING DEPARTMENT

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MEETING MINUTES

**Minutes are DRAFT until approved during a Planning Board Meeting
February 4, 2020**

The Wayland Planning Board met on **Tuesday February 4th, 2020 at 7:30PM** in the Wayland Town Building, 41 Cochituate Road, Wayland, MA relative to the following agenda items:

7:30 P.M. Public Comment

7:35 P.M.

- Vote take action on the Layout of Spencer Circle as a Town Way.
See attached Board of Public Works Memo dated January 21, 2020.
- Whittemore Lane - formerly Klempner Lane condition amendment regarding a new driveway connection to 213 Old Connecticut Path from the new subdivision road. Said driveway shall be installed prior to any lots being released. The old driveway shall be removed and loamed and seeded. The existing driveway opening shall be closed off with a stone wall similar to the existing stone wall on Old Connecticut path.
- Review and comment on the proposed Chapter 193 Stormwater and Land Disturbance Bylaw.
- Approve minutes October 17, 2019, November 5, 2019, December 10, 2019, January 7, 2020 and January 21, 2020.
- Town Planner report/ development update.

Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting

9:00 P.M. Adjourn

Attendance:

Mr. Ira Montague, Chair

Ms. Jennifer Steel, Member

Mr. Dan Hill, Member

Mr. Andrew Reck, Vice Chair

Ms. Anette Lewis, Associate Member

The Town Planner, Sarkis Sarkisian, was present.

7:30pm Open Meeting

Chair opened the meeting and reviewed Agenda. No public comment.

Spencer Circle layout

S.Sarkisian gave the board an update regarding Spencer Circle. The Board of Selectmen, Town Administrator, Board of Public Works, DPW Director have been working to bring Spencer Circle for Street Acceptance. Spencer Circle was approved by the Planning Board in 2004. Spencer Circle had several drainage problems because the drainage system was built on the front yard of 4 & 6 Spencer Circle. S.Sarkisian stated that the drainage structure was inspected last fall by the Town Engineer and DPW staff uncovering several castings. The drainage system appears to be in working order. Spencer Circle, at the time of the subdivision approval, was built to Town specifications and was intended to be an accepted road. In 2013, Spencer Circle was initially considered for acceptance along with a list of other roads but was removed from the list because the Town never received the drainage easement that it needs for maintenance of the drainage systems on lots 4 & 6. The bond was released by the Planning Board on December 6, 2004. The Planning board still has a bond from Avidia Bank in the amount of \$2,410.31. The road still has outstanding problems as stated in the memo from Joe Doucette, DPW Supt., dated April 22, 2019.

D.Hill asked what is the cost of the road work outlined in the 4/22/19 memo? and stated that the Board must follow the official process in place to recommend accepting a road.

S.Sarkisian stated that it will probably be one day of work for a DPW crew.

J. Steel stated that she was not prepared to vote the Street Acceptance tonight, understanding that we have innocent parties that have been affected by this process, with no plan, no final easements, and no clear cost estimate. She also stated that she was not a Planning Board member when earlier discussions about the road occurred..

S.Sarkisian stated that he understands J.Steel's concerns.. He recommended that we bring final resolution to this matter. We as a board would never have approved such a drainage system today. As-builts and plans were approved and accepted by the Town in 2013 and 2017.

I.Montague requested that S.Sarkisian call T. Holder and confirm the estimated costs of the punch list items outlined in the DPW memo.

Gordon Schultz and Evelyn Schultz of 6 Spencer Circle were present and voiced concerns regarding the easement and frustration with the Town of Wayland.

E. Schultz stated that she has been waiting for years for the road to be accepted and that she was at the Planning Board meeting when the bond was released.

G. Schultz is in the process of working with the BOS and Town Administrator regarding the final easement language.

S.Sarkisian confirmed with Tom Holder, DPW Director, that the \$2,400 would be sufficient for DPW to perform the road work listed in the punch list and, if contracted out, the cost would probably double because of wage rates.

D.Hill described the process for a proper layout procedure for Street acceptance. All easements, takings, bonds and as-built plans would be in place. Approval of the Definitive Subdivision Plan does not constitute the laying out or acceptance by the Town of streets within a subdivision.

A.Lewis recommended that we reference one and only one plan. She researched the matter and recommended that we at least reference the plan as stated in Michael Lowery, Chair of Public Works, memo dated January 21, 2020: Plan 'As-Built Spencer Circle' dated October 25, 2004, prepared by Ducharme & Wheeler, Inc. and on file with Town Clerk.

Motion: to approve layout of Spencer Circle subject to the following conditions:

Bond to be conveyed to the BoPW amount \$2,410
Work to be completed before Town Meeting
Easement language to be approved by BoPW and BOS.
Confirmation that the easements are in place
Lot release claims from all parties.

Move: D. Hill
Second: A. Reck
Vote: 4-0

Whittemore Lane

S.Sarkisian invited Attorney Ed McCarthy representing the Developer/Builder Oxbow Development Group LLC and Andy Myers and Greta Stone of 213 Old Connecticut Path regarding the new driveway off the new subdivision road of Whittemore lane.

S.Sarkisian updated the board that both parties are still in the process of negotiating a plan for the relocation of the driveway. The Decision for Whittemore Lane Subdivision required that a new driveway connection to 213 Old Connecticut Path from the new subdivision road shall be installed prior to any lots being released. The old driveway shall be removed and loam and seeded. The existing driveway opening shall be closed off with stone wall similar to the existing stone wall on Old Connecticut Path. S.Sarkisian stated that the Town of Wayland needs to have surety in place for driveway work. The Planning Board is also holding a \$46,000 bond for remaining work.

E.McCarthy stated that he is negotiating with the Stone/Myers to provide funds for them to contract with a licensed contractor with proper insurance to perform said work. Oxbow Development is prepared to issue check to the Town for \$10,000.00 for the surety and those funds can be released once work on 213 Old Connecticut Path driveway is completed. The other option is that Oxbow issues a check in the names of Greta Stone and Andrew Myers for \$10,000.00 as surety and that check would be held by the Planning Department in escrow until work is completed.

G. Stone stated that they have not agreed to anything and they now have a lawyer.

A.Meyer stated that they are close to an agreement.

S.Sarkisian recommended that the board not take any action on this matter tonight. The purpose of tonight's meeting was to invite the parties to the meeting to give the board an update on any progress.

A.Lewis stated that the board would need to have and advertise for a public hearing. She further commented that this is a subdivision and the board cannot make modifications without an advertised public hearing.

Chapter 193 Stormwater and Land Disturbance Regulations

S. Sarkisian reviewed several concerns regarding the regulations as they are currently proposed. He also noted that the Board should update its own stormwater regulations. A. Lewis reviewed a number of disturbance requirements that appear to be extremely onerous, expensive, and time consuming.

S. Sarkisian felt that the Conservation Commission would grant town staff requests to delay its vote on the proposed regulations and that the Board should spend time reviewing all town stormwater regulations in detail.

S. Sarkisian prepared a memo of existing stormwater regulations implemented by the PB via existing zone regulations such as earth movement, subdivision, site plan approval, etc.

A. Lewis outlined several issues that she had with the Bylaw and suggested that the Planning Board prepare a memo to the Conservation Commission.

J. Steel made several edits and suggestions to the Regulations.

I. Montague suggested that a subcommittee work on a memo for the Conservation Commission.

Approve Minutes

No action

Meeting minutes that still need approval: Oct 17, 2019, Nov 5, 2019, Dec 10, 2019 and this evening's. S. Sarkisian agreed to send out all outstanding minutes for the board to review.

Town Planner report/ development update.

S. Sarkisian updated board on following matters:

- Anticipate a Definitive Subdivision for 81 West Plain next week, to be heard on March 10 2020.
- 19-21 Training Field Conservation Restriction to be signed by BOS and Conservation Commission.
- Applied for Grant at MAPA Metropolitan Area Planning Council to study the East & West Plain Street Main Street intersection.
- Site visit for 105 Plain Road - Tampossi Brothers have requested site visit. No formal application has been filed.
- Massachusetts Central Rail Trail Project - notified by MassDOT that the Rail Trail from Russell's west to the Sudbury Town Line is eligible for Federal Aid highway funding. The estimated total of this project is \$4,380,000. Date of construction, if approved, is 2024.
- River's Edge Local Action Units and certification will be hand delivered this week.

S. Sarkisian read through the Road Safety Audit for Route 20 at Old Connecticut Path. Audit was conducted by Toole Design from Boston, Ma. The study is being funded by the developer of ???????, directed by the Town of Weston to study crash history. The site visit was conducted today and several Town of Wayland Dept Heads attended, including Tom Holder DPW Director, Paul Brinkman Town Engineer, Police Chief Pat Swanick,

D. Hill brought up the Route 20 corridor study and that we need to get started on sewer capacity.

A. Lewis requested that we have 104 Plain Road appear before the board to finalize the Conservation Restriction. She was concerned if time expires we would not be able to enforce decision.

10:30pm Adjourn

Motion: Adjourn
Move: D. Hill
Second: A. Reck
Vote: 4-0

Respectfully submitted,

Date