



**TOWN OF WAYLAND**  
MASSACHUSETTS  
01778  
**PLANNING BOARD**

JOSEPH LAYDON  
TOWN PLANNER  
TOWN BUILDING  
41 COCHITUATE ROAD  
(508) 358-3615  
www.wayland.ma.us

PLANNING BOARD  
LYNNE DUNBRACK, CHAIR  
CHRISTOPHER SEVENY  
IRA MONTAGUE  
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ANETTE LEWIS, ASSOC.

Via email and postal mail

August 16, 2006

Secretary Stephen R. Pritchard  
Executive Office of Environmental Affairs  
Attn: Holly Johnson, MEPA Office  
100 Cambridge Street, Suite 900  
Boston, MA 02114

Re: EOE No. 13844 – Wayland Town Center, Wayland, MA

Dear Secretary Pritchard:

Thank you for the opportunity to comment on the Environmental Notification Form for the Proposed Wayland Town Center Project being proposed at 400-440 Boston Post Road, on the property locally known as the Former Raytheon Property. This letter is submitted in response to the potential impacts this development may have on the Town of Wayland.

Twenty Wayland, LLC proposes the construction of a 372,500 square foot mixed-use development in the center of Wayland. The proposal is a result of a recent Zoning Bylaw adopted by the Town for the redevelopment of the Former Raytheon Property into a mixed-use development and is comprised of up to 100 residential units (no more than 200 bedrooms) totaling approximately 167,500 g.s.f.; 156,700 g.s.f. of retail space; 8,250 g.s.f. of office space, and a to-be-determined municipal use of approximately 40,000 g.s.f.

As the project moves forward, its potential environmental impacts must be identified, examined and addressed. The Wayland Planning Board respectfully requests that the following impacts from the proposed development be included in the scope of the Environmental Impact Report.

Wetlands, Waterways and Stormwater

1. The Sudbury River has been designated a federal Wild and Scenic River Corridor. The Project Proponent should provide information regarding the visibility of the project from the river. Specific concern should be given to whether buildings will be visible to recreational users of the river.
2. The close proximity of wetlands and the Sudbury River to the project creates a challenge in addressing stormwater. The Project Proponent should examine using innovative

stormwater management techniques that protect water resources and treat to the highest level of contaminant removal practical.

3. The former Raytheon Property is currently undergoing cleanup activities under M.G.L. c.21.E and the Massachusetts Contingency Plan. The EIR should consider the location of contaminated areas in the design of the stormwater management system and take steps to ensure that clean-up activities are not impacted and that sensitive areas are avoided if deemed necessary.

#### Traffic

1. The traffic information contained in the ENF mentions only the estimated increase of traffic on the adjacent roadways of Route 20 and Route 27. The Project Proponent should submit a comprehensive set of traffic studies regarding those roads, nearby intersections and the increased traffic impacts on neighboring roads and roads connecting to Routes 20 and 27. The EIR should require that the proponent conduct a comprehensive traffic study and expand the area of study to include surrounding residential streets such as but not limited to Bow Road, Glezen Lane, Moore Road, Training Field Road, Claypit Hill Road, Plain Road, Millbrook Road, Glen Road, and Pelham Island Road in Wayland.
2. The Project Proponent should identify traffic routes to be used during the construction of the project and provide recommendations on restrictions for construction-related traffic to ensure that residential neighborhoods are not impacted.
3. The Project Proponent has indicated that approval for a curb cut on to Route 20 will be required by Mass Highway. The EIR should examine the opportunities for coordinating access alignment and access management with the businesses across Route 20.
4. The EIR should include information regarding how the proposed development will provide pedestrian connections to the existing businesses along (and especially across) Route 20, adjacent historic districts, residential and the other uses within the Wayland Center area.

#### Water

1. The Project Proponent should include in the EIR, information detailing the availability of water for the project, impacts on the associated distribution system, including any needed upgrades.
2. The Town is currently under an enforcement order by DEP for the reduction of its per capita water usage. The construction of the 100 units of residential will impact the Town's water usage and the ramifications of this increase and the DEP enforcement action should be examined.

#### Wastewater

1. The Project Proponent proposes to utilize septic systems in order to accommodate any additional wastewater that cannot be accommodated by the Wastewater treatment facility. The subsurface soil conditions, including examination of whether soil contamination is present, should be examined.

The proposed development will have a significant impact on the immediate area and on the Town as a whole. It is important that all potential impacts be identified. The Town of Wayland's

Planning Board will be following this project as it moves forward in the MEPA process and will provide additional information and comment as needed. Thank you for taking our concerns into account when preparing the scope for the Environmental Impact Report.

Sincerely

A handwritten signature in black ink, appearing to read 'Joseph Laydon', with a large, sweeping flourish extending to the left.

Joseph Laydon  
Wayland Town Planner

CC:   Wayland Board of Selectmen  
      Wayland Board of Health  
      Wayland Conservation Commission  
      Wayland Board of Road Commissioners  
      Wayland Conservation Commission  
      Wayland Historic District Commission  
      Wayland Historical Commission  
      MetroWest Growth Management Committee  
      Francis X. Dougherty, Twenty Wayland LLC



**WAYLAND HIGHWAY DEPARTMENT**

195 MAIN STREET  
WAYLAND, MA 01778

*email: [highway@wayland.ma.us](mailto:highway@wayland.ma.us)*

via e-mail to [holly.s.johnson@state.ma.us](mailto:holly.s.johnson@state.ma.us) & facsimile 617/626-1181

*Tel: (508) 653-4121*

*Fax: (508) 653-4476*

August 15, 2006

Secretary Stephen R. Pritchard  
Executive Office of Environmental Affairs  
Attn: MEPA Office – Holly Johnson  
100 Cambridge Street, Suite 900  
Boston, MA 02114

Re: EOEA No. 13844 – Wayland Town Center, Wayland, MA

Dear Secretary Pritchard:

Thank you for the opportunity to comment on the Environmental Notification Form submitted by Twenty Wayland, LLC (the “project Proponent”) for the construction of a mixed-use development known as the Wayland Town Center Project being proposed at 400-440 Boston Post Road in Wayland.

The ENF indicates that the project will trigger the transportation/traffic generation-related “ENF and Mandatory EIR” thresholds. One of the thresholds is the generation of 3,000 or more new vehicle trips per day on roadways providing access to a single location. The project Proponent estimates that this project will result in an increase of over 7,834 vehicle trips per day and that it also will require a state-issued permit for access to Route 20.

It is respectfully requested that an examination of the full traffic impacts from this project be included in the scope of the Environmental Impact Report. Specifically, the project Proponent should, among other things, address the following:

1. Present a comprehensive traffic evaluation assessing the project’s potential “worst case” impacts on roadways adjacent to the project site, nearby intersections, and neighborhood residential roads that are likely to be affected by the proposed development.
2. Present an alternatives analysis concerning number of vehicular access points to the project site. Scenarios that should be addressed are: a) only one site access point (i.e., along Route 20); b) two site access points (i.e., one along Route 20 and the other along Route 27); c) any other possible scenarios.


3. Present an analysis of the areas within both the State's and Town's rights-of-way where roadway widening and/or placement of new pavement may be considered or expected and assess the associated environmental impacts – consider especially
4. the impacts on wetlands, flood plain, parkland, conservation land, and the Town's Historic Districts.
5. Identify the routes to be used: a) by construction vehicles during build-out; and b) by re-supply vehicles on an on-going basis.

The evaluations should contain sufficient data so that the analyses can be replicated by others.

Currently, MassHighway is in the process of reconstructing the intersection of Route 20 with Routes 27/126, as more fully described in an ENF submitted to MEPA by letter of June 30, 2003 (EOEA No. 13072). As a condition of proceeding with that project, MassHighway required the Town of Wayland to enter into a Traffic Control Agreement that, in substance, states that no part of the project can be unilaterally changed by the Town without the prior written approval of MassHighway.

Thank you for considering these comments when drafting the scope for the Environmental Impact Report.

Very truly yours,

  
Stephen Kadlik  
Director of Highway Operations

cc: Wayland Board of Selectmen  
Wayland Board of Road Commissioners  
Wayland Conservation Commission  
Wayland Historic District Commission  
Wayland Historic Commission  
Wayland Park and Recreation Commission



THE COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF TRANSPORTATION

**EOT**

MITT ROMNEY  
GOVERNOR

KERRY HEALEY  
LIEUTENANT GOVERNOR

JOHN COGLIANO  
SECRETARY

**RECEIVED**

AUG 17 2006

**PLANNING BOARD**

August 14, 2006

Stephen Pritchard, Secretary  
Executive Office of Environmental Affairs  
100 Cambridge Street, Suite 900  
Boston, MA 02114-2150

ATTN: MEPA Unit  
Holly Johnson

RE: Wayland - Wayland Town Center – ENF  
(EOEA #13844)

Dear Secretary Pritchard:

On behalf of the Executive Office of Transportation, I am submitting comments regarding the proposed Wayland Town Center mixed-use project (EOEA #13844), as prepared by the Office of Transportation Planning. If you have any questions regarding these comments, please call J. Lionel Lucien, P.E., Manager of the Public/Private Development Unit, at (617) 973-7341.

Sincerely,

Kenneth S. Miller, P.E.,  
Deputy Secretary for Planning

KSM/jll



cc: Luisa Paiewonsky, Commissioner  
John Blundo, P.E., Chief Engineer  
Charles Mistretta, P.E., District 3 Director  
State Traffic Engineer  
PPDU files  
MPO Activities files  
Central Transportation Planning Staff  
Metropolitan Area Planning Council  
✓ Town of Wayland, Planning Board

COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF TRANSPORTATION  
OFFICE OF TRANSPORTATION PLANNING

MEMORANDUM

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TO: Kenneth S. Miller, P.E., Executive Director  
Office of Transportation Planning

FROM: J. Lionel Lucien, P.E., Manager  
Public/Private Development Unit

DATE: August 14, 2006

RE: Wayland - Wayland Town Center – ENF  
(EOEA #13844)

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The Public/Private Development Unit (PPDU) has reviewed the Environmental Notification Form (ENF) for the proposed Wayland Town Center mixed-use development project. The property, which has housed the former Raytheon Corporation, Polaroid Corporation and other businesses, is located on 56.5 acres, bounded by Boston Post Road (Route 20) and the Massachusetts Bay Transportation Authority (MBTA) right-of-way to the north, Old Sudbury Road (Route 27) to the west and the Sudbury River to the east. The project entails the reduction of 38,000 square feet of structural development, and the construction of approximately 100 residential units, 156,750 square feet of retail space and 8,250 square feet of office space. Based on ITE Land Use Codes 710 (General Office), 590 (Library), 220 (Apartments) and 820 (Shopping Center), the project is expected to generate 7,834 new vehicle trips on an average weekday for a total of 11,792 trips. A MassHighway permit is required for access to Route 20. The project is categorically included for the preparation of an Environmental Impact Report.

The Draft Environmental Impact Report (DEIR) should include a transportation study prepared in conformance with the EOEA/EOT Guidelines for EIR/EIS Traffic Impact Assessments and should identify appropriate mitigation measures for areas where the project will have an impact on traffic operations. The proponent should also provide a clear commitment to implement mitigation measures and should describe the timing of their implementation based on the phases of the project, if any. The DEIR should present capacity analyses and a summary of average and 95<sup>th</sup> percentile vehicle queues for each intersection within the study area. In the ENF, the proponent has taken vehicle trip generation credit of approximately 4,000 trips for existing land uses. The DEIR should include documentation to demonstrate that the site activity has not exceeded the three-year time limitation allowed for trip credit. The traffic study should include a signal warrant analysis for the Route 20/Site Drive intersection. MassHighway requests that as part of the traffic study, a modern roundabout be evaluated for installation at this location. At a minimum, the traffic study should analyze the following state highway and local roadway locations:



In Wayland

- the Route 20 (Boston Post Road)/South Site Drive intersection,
- the Route 20/Old Country Road intersection,
- the Route 20 (Boston Post Road)/Route 27/Route 126 (Conchituate Road) intersection,
- the Route 20/Pelhan Island Road intersection,
- the Route 27/Route 126 (Conchituate Road)/Millbrook Road/Pelhan Island Road intersection,
- the Route 27 (Old Sudbury Road)/Route 126 (Concord Road) intersection,
- the Route 27 (Old Sudbury Road)/North Site Drive intersection, and
- the Route 27 (Old Sudbury Road)/River Road intersection,

In Sudbury

- the Route 20/Union Avenue intersection, and
- the Route 20/Nobscot Road intersection .

The DEIR should include conceptual plans for the proposed roadway improvements that should be of sufficient detail to verify the feasibility of constructing such improvements. The conceptual plans should clearly show proposed lane widths and offsets, layout lines and jurisdictions, and the land uses (including access drives) adjacent to areas where improvement are proposed. Any mitigation within the state highway layout must conform to MassHighway standards, including but not limited to, provisions for lane, median and shoulder widths, and bicycle lanes and sidewalks.

To ensure that site drainage can be adequately accommodated on site, the DEIR should contain a comprehensive drainage analysis of the state highway culverts. The proponent should make every effort possible to redirect, retain, and infiltrate all storm water discharge on site.

The proponent should investigate and recommend for implementation Transportation Demand Management (TDM) measures aimed at reducing site trips. In addition the proponent should inventory the existing pedestrian infrastructure in the vicinity of the site and should ensure adequate on site circulation and connectivity to any existing pedestrian and bicycle networks. In addition, the proponent should work with the Town of Wayland to provide local transportation services for the development's elderly residents. The DEIR should contain the outcome of these discussions.

The DEIR should provide an update of the local permitting processes for the proposed project, particularly with respect to any state highway issues being discussed. We strongly encourage the proponent to consult with MassHighway before any state highway issues are discussed in local meetings or hearings.

We also encourage the proponent to meet with the Public/Private Development Unit and the MassHighway District 3 Office during the preparation of the DEIR. If you have any questions regarding these comments, please contact me at (617) 973-7341 or Melody Graves (617) 973-7344.



20 Main Street, Suite 205  
Natick, MA 01760  
[www.metrowestgrowth.org](http://www.metrowestgrowth.org)

Doug Gillespie, Chairman (Weston Board of Selectmen)  
John Stasik, Vice-Chairman (Framingham Board of Selectmen)  
Ken Soderholm, Clerk (Natick Planning Board)  
Marc Draisen, MAPC Executive Director  
Charlie Gaffney, Past Board Member (Southborough Planning Board)  
Philip Jack, Member-At-Large (Ashland Board of Selectmen)  
Donna Jacobs, Director

508.907.6740  
508.651.0085  
508.907.6743 fax

January 5, 2007

Mr. Ian Bowles, Secretary  
Executive Office of Energy and Environmental Affairs  
100 Cambridge Street Suite 900  
Boston, MA 02114

Attention: MEPA Unit – Holly Johnson

**RE: DEIR Comments for  
EOEA # 13844 Wayland Town Center**

Dear Secretary Bowles:

MetroWest Growth Management Committee (MWGMC) includes leaders from Ashland, Framingham, Holliston, Marlborough, Natick, Southborough, Wayland, Wellesley, and Weston. MWGMC helps local leaders meet growth management challenges by facilitating inter-local collaborative planning and problem solving to enhance the quality of life and economic competitiveness of the MetroWest region. In addition, MWGMC is the oldest subregion of the Metropolitan Area Planning Council (MAPC).

Through the MWGMC Regional Impact Review (RIR) program, we review proposed developments deemed to have significant regional impacts to assess regional impacts and to influence local and state permitting of development. The review process was created by unanimous agreement of MWGMC members to better understand and mitigate negative impacts, and enhance the positive impacts of development in the MetroWest region. MWGMC supports economic growth and understands the need for a diversified tax base; however, this growth should be sustainable and not come at the cost of undue strains on natural resources or public services.

The communities of Framingham, Natick, Southborough, Sudbury, and Wayland and the Metropolitan Area Planning Council participated in the review of the DEIR for the proposed Wayland Town Center project. We understand that the proposed project would be a mixed use development on the former Raytheon Company site located west of Route 27 and north of Route 20 in Wayland, Massachusetts. As proposed, the project includes a mix of commercial, residential, town green open space, municipal amenities, and dedication of property for a future municipal building.

The proposed project would result in a maximum of 167,500 square feet of residential use (100 units and 200 bedrooms), 155,000 square feet of commercial use (retail space and restaurants), 10,000 square feet of office space, and a potential future 40,000 square-foot municipal building on a parcel that will be deeded to the Town of Wayland.

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Ashland – Framingham – Holliston – MAPC – Marlborough – Natick – Southborough – Wayland – Wellesley – Weston*

In general, the RIR Committee (the Committee) had an almost completely positive reaction to the proposal, and was pleased with that the Commonwealth's Smart Growth Principles are reflected in the proposed redevelopment project. The Committee applauds the improvements in the proponent's project design since the Environmental Notification Forum, and offers the following comments from its regional perspective.

#### 1. Locus

The parcel of land has frontage on both Route 20 and Route 27 and is in close proximity to the intersection of Routes 126/27 and 20. These roads experience very heavy traffic volumes in the AM and PM peak period.

This project is adjacent to the Sudbury River, a wild and scenic river within the SuAsCo river basin. The Sudbury River is an important regional environmental and recreational asset. It is also a stressed water body. During peak demand in the summer months, there is a noticeable lack of flow at the headwaters of the Sudbury River. In fact, portions of the Sudbury River have dried up completely. Every effort should be made to ensure that there will be no adverse impacts to this important natural resource.

#### 2. Sewer Treatment Capacity

The proponent proposes to connect to the municipal wastewater treatment plant, and to construct an on-site subsurface disposal system to provide flexibility in the types of land uses that could be sited. The proponent is also proposing a subsurface system that designed to handle up to 9,900 gpd, which is very close to the requirements for a tertiary treatment system (10,000 gpd). Because the project is adjacent to the Sudbury River and the subsurface system is only 100 gpd from requiring a tertiary treatment system, we strongly urge the Secretary to require that a tertiary treatment plant be constructed in lieu of the proposed subsurface disposal system. If this cannot be done, we strongly urge that nitrogen removal be required.

#### 3. Water Supply

MetroWest is one of the two fastest growing regions of the Commonwealth and is predicted to continue to be one of the four economic growth areas in the Commonwealth through the next two decades. However, this growth could be seriously constrained due to water supply and the related water withdrawal caps. Water Supply is a serious issue facing all communities in MetroWest. We are concerned about the amount of water needed for irrigation purposes, and urge the Secretary to require some of the "Smart Growth" tools and techniques to help meet the water demand for irrigation.

#### 4. Background Growth

The project proponent should carefully review the background growth for the site locus. A quick tally of the residential projects that have been recently approved or are in the permitting pipeline shows another 3500 houses in MetroWest within the next 2-3 years. In addition, commercial growth is picking up rapidly. There are a number of proposed commercial and mixed developments along the Route 20 corridor that will significantly impact a roadway currently operating at level of service "F" at various intersections, and where significant queues occur during both the AM and PM peak hour. Boston Properties,

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Inc. is permitted for 350,000 SF of office space just west of the Route 20/I-95 interchange. Sam Park Company (SPC) has proposed a mixed use development in the City of Waltham along with a design for the Route 20 interchange that we feel will seriously impact traffic around the interchange. The proposed redevelopment of the Polaroid site in Waltham adjacent to I-95 at Route 20 could result in more than 1 million square feet of retail space and generate thousand of additional vehicle trips daily.

Westborough, Framingham, Natick and Northborough have recently approved over 2 million square feet of commercial floor area and EMC is proposing a new 2.1 million square foot facility on the Southborough town line. Just these few approved and proposed projects bring the total of new commercial growth to almost 6 million square feet.

## 5. Traffic and Parking

The journey to work data for the MetroWest region is virtually a black blob when mapped due to the varied commuting patterns. Major highways nearby, I-90, I-95, I-495 and SR 9, all experience extremely heavy traffic during peak commuting hours, as do Routes 20, 27, and 30. This is exacerbated by extensive commercial/industrial development along Routes 495 and 9, I-90 and I-95, which continue to expand as foci of employment in MetroWest.

The intersection of Route 20/27 and 126 is at level of service F. Routes 27, 20, 126 and 30 are a gridlock in the peak commuting hours. In mid-December 2006, the Framingham Board of Selectmen voted to establish a new regional transit authority (RTA), and notified the Governor. MWGMC has met with several towns to begin discussions about joining the newly formed RTA. There is a great need for a corridor analysis study for the Route 20 corridor extending from I-95 to I-495 to help the community of Wayland and other contiguous communities determine how to best meet their public transportation needs. We urge the proponent to consider both a contribution to a corridor analysis study and an on-going contribution to public transportation.

We applaud the fact that the project proponent will contribute \$4.2 million to address community mitigation needs, particularly, the proposed widening of the westbound and eastbound lanes of Route 20 to provide additional turning lane length. We urge the Secretary to facilitate the proposed reduction of curb cuts along Route 20 at Russell's Garden Center, and the signalization of the intersection of Routes 27 and 126.

The proposed project includes a reduction in parking spaces. We recommend that a significant number of spaces be "reserved" for future use if needed. In addition, we recommend that a combination of pavers and porous pavement be utilized wherever feasible (see Smart Growth below).

## 6. Smart Growth

Now that I've discussed the most serious challenges facing the proponent, I would like to recommend the use of some tools and techniques that would provide a financial benefit for the proponent and help the Town of Wayland and the region with water supply and site development issues. In addition these tools and techniques are in concert with the Commonwealth's Smart Growth Principles.

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The proposed Wayland Town Center redevelopment project is ideally suited for the use of Low Impact Development (LID) principles and techniques. The LID development approach uses a decentralized stormwater management approach to reduce the amount of runoff and treat it closer to the source by using smaller, less expensive techniques. Overall LID is cost-competitive because it can reduce the size of stormwater pipes and downstream ponds, reduce the amount spent on paving, and enhance site aesthetics and value.

The proponent states that they will employ LID design and techniques, but the DEIR lacks specificity as to how they will be employed. The use of infiltration techniques such as bioretention areas and grass swales will help to improve water quality and to reduce the amount of land devoted to stormwater management because smaller detention ponds are necessary. These same LID techniques can also be employed to fulfill site landscaping and open space requirements.

The use of pavers and/or porous pavement where appropriate can also reduce runoff and aid recharge. Rain barrels can be used on each building to collect runoff and use it for irrigation rather than relying solely on groundwater for irrigation. The proponent shared with us that they would consider the use of xeriscape on the portions of the site where it would be appropriate. Xeriscape can dramatically reduce the need for irrigation and should be required to preserve the water flow in the Sudbury River. The life-cycle cost of green roofs is lower than conventional roofs due to a much longer life span and considerable savings on heating and cooling costs. Additional information about these techniques can be found at [www.mass.gov/czm](http://www.mass.gov/czm) and [www.metrowestgrowth.org](http://www.metrowestgrowth.org).

## 7. Additional Traffic Mitigation

There has been a steady growth of significant employment centers and concentrations of population in the MetroWest region. On April 11<sup>th</sup>, we held our second annual transportation symposium that brought together local officials, legislators, representatives from regional economic organizations, and state officials for an annual review of the transportation issues in the communities between interstates 495 and 95. We all recognize the need to continue our economic development, and increase our transportation capacity to accommodate that growth. But we can't continue to keep putting people in cars on our already overcrowded roads.

The following are some additional measures the Planning Board may wish to employ.

- The Planning Board may want to consider the requirement of sustained membership in the 495/MetroWest Transportation Management Association (TMA) as a condition of approval. The TMA has many programs that can influence worker behavior and help them to consider alternatives to single occupant vehicle commuting.
- Transportation Demand Management (TDM) techniques should be a routine practice for all future tenants and employers. We believe that additional TDM measures can contribute toward a solution to regional and local traffic congestion.
- Another TDM measure that should be explored is the use of monetary incentives provided to employees who elect not to commute. This incentive could be easily employed and may provide a further benefit to the project proponent through potential tax benefits to the employers.

In summary, the Committee believes that the proposed Wayland Town Center would make an important contribution to economic development in the region if the recommendations made herein are incorporated into the project design and development.

Thank you for the opportunity to comment on the proposed Wayland Town Center.

Sincerely,

Donna M. Jacobs  
Director

cc: Members of the Regional Impact Review Committee  
Metropolitan Area Planning Council  
Joseph Laydon, Wayland Town Planner  
Frank Dougherty, Twenty Wayland, LLC  
Corinne Snowdon, Epsilon Associates, Inc.



**MassWildlife**

Commonwealth of Massachusetts

# Division of Fisheries & Wildlife

Wayne F. MacCallum, *Director*

Stephen R. Pritchard, Secretary  
Executive Office of Environmental Affairs  
Attention: MEPA Office  
Holly Johnson, EOE No. 13844  
100 Cambridge St.  
Boston, Massachusetts 02114

August 8, 2006

*Project Name:* Wayland Town Center  
*Proponent:* Twenty Wayland, LLC  
*Location:* 400 Boston Post Road  
*Document Reviewed:* Environmental Notification Form  
*NHESP Tracking No.* 06-20298

Dear Secretary Pritchard:

The Natural Heritage & Endangered Species Program (NHESP) of the Massachusetts Division of Fisheries & Wildlife (Division) has reviewed the Environmental Notification Form (ENF) and conceptual project plans (dated 7/6/06). At this time, the NHESP would like to offer the following comments in regard to state-listed rare species.

A portion of the subject property is located within Priority Habitat 600 (PH 600) and Estimated Habitat 169 (WH 169) as indicated in the 11<sup>th</sup> Edition of the Massachusetts Natural Heritage Atlas. A review of the NHESP database indicates that the American Bittern (*Botaurus lentiginosus*), Least Bittern (*Ixobrychus exilis*), and Pied-billed Grebe (*Podilymbus podiceps*) and, Common Moorhen (*Gallinula chloropus*) are documented in PH 600/WH169. The Least Bittern and Pied-billed Grebe documented since 2003, and American Bittern are state-listed as "Endangered," while the Common Moorhen is state-listed as "Special Concern." A fact sheet for each species is located on our website, [www.nhesp.org](http://www.nhesp.org). State-listed rare species are protected from a "take" pursuant to the provisions of the Massachusetts Endangered Species Act (MESA) (M.G.L. c.131A) and its implementing regulations (321 CMR 10.00). A review of the preliminary draft of the 12<sup>th</sup> Edition of the Massachusetts Natural Heritage Atlas, due out in October 2006, indicates that a portion of the property will remain in *Priority Habitat*. Please note that proposed activities located in Priority Habitat require a direct filing with the NHESP in compliance with MESA (321 CMR 10.18). Please visit the NHESP website, for more information regarding the MESA filing requirements, regulations, and other resources. If you have further questions regarding this letter please contact Dan Nein, Endangered Species Review Biologist at (508) 792-7270, ext 151.

We appreciate the opportunity to comment on this project.

Sincerely,

Thomas W. French, Ph.D.  
Assistant Director

cc: Twenty Wayland, LLC  
Wayland Planning Board  
Wayland Board of Selectmen  
Laura Rome, Epsilon Associates, Inc.  
DEP Northeast Regional Office, Wetlands Program

[www.masswildlife.org](http://www.masswildlife.org)

Division of Fisheries and Wildlife

Field Headquarters, North Drive, Westborough, MA 01581 (508) 792-7270 Fax (508) 792-7275

*An Agency of the Department of Fish & Game*