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CONSERVATION COMMISSION

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March 21, 2008

Secretary Ian A. Bowles
EOEA - MEPA Office
Attn: Holly Johnson, EOEA No. 13844
251 Causeway Street Suite 900
Boston, MA 02114

Re: Final EIR – “Wayland Town Center” Wayland MA
EOEA No. 13844

Dear Secretary Bowles,

The following comments are being submitted on behalf of the Wayland Conservation Commission regarding the Final Environmental Impact Report for Wayland Town Center, Wayland, Massachusetts.

The Conservation Commission is not supportive of any encroachment into wetlands, riverfront area, floodplain, and other resource areas on the site, be it state regulated wetlands (“WPA”) or wetlands regulated by the Wetlands and Water Resources Bylaw. The Commission has consistently stated this position and some adjustments have been made to the site. However, from the first informal presentation/meeting with the Commission they stressed to the project proponents that avoiding resource areas was highly desirable.

The proposed development has both new parking and portions of the municipal building within riverfront area. There is an existing building in the riverfront area however, there is little paving associated with the building and one paved way to Route 20. The new proposal has extensive parking, a new roadway, and a portion of the proposed municipal building within the riverfront area. There has been no formal assessment of this proposal and it should not be presumed that the additional impervious surface is acceptable within the riverfront area. To the extent possible the parking lot, manicured landscaping, or building should be removed from the riverfront area and minimized in the buffer zone of all of the wetlands, locally regulated or protected by the Wetlands Protection Act. No paving or impervious surface should be proposed within the first 100 feet of riverfront area. The level of detail on the figures in the FEIR is such that evaluating this requirement is difficult.

If the municipal pad is separated from the larger parcel of land all parties should be mindful of the regulations relating to riverfront area and lots created after August 1, 1996. The plans submitted do not clearly define the first 100 feet of riverfront and the scale is such that a detailed evaluation of the municipal building and parking is limited. But the plan and parties involved should be very mindful of the limitations on the development of riverfront area and that alternatives analysis will have to consider adjacent lots.

Also, Basin 2 is depicted within the riverfront area. There has been no assessment of the appropriateness of that drainage basin by the Conservation Commission. DEP has issued new regulations for storm water, which also may impact some of the drainage on this site. The Commission will need time to evaluate all of the proposed drainage for this site.

The Commission is supportive of the concept of natural plantings within the riverfront area to both improve screening as well as to provide resource area improvements to the riverfront. But other riverfront area activities such as the drainage basin and portions of the municipal site have not been fully evaluated for its impact or accepted by the Commission.

The Conservation Commission continues to urge project proponents to consider the use of pervious asphalt as a tool to minimize the impact of development. This site increases the amount of impervious surface and the use of pervious asphalt should be one low impact development tool that the project proponents commit to for some component of the development. For example: any proposed parking within the buffer zone or riverfront area (which the Commission would hope would be minimal or not proposed) should be pervious pavement. This would promote recharge of groundwater in a Zone II aquifer as well as providing water quality benefits.

The Conservation Commission did issue an Order for Resource Area Delineation ("ORAD") for both the site and the eastern portion of Route 20 at Routes 27/126. A second ANRAD is being acted upon by the Commission to assess bordering vegetated wetlands adjacent to the site where other work may take place.

Detention basins cannot be presumed to provide increased flood storage. The proposed drainage design in general should continue to explore alternatives and consider the new DEP regulations. Landscaped areas can function as water gardens and this has been successfully done in other locations.

Alternative landscaping should be further explored and irrigation systems not used at all. Drought tolerant native plantings should be used wherever possible on the site. The Town has a limitation on the amount of new irrigation systems permitted and the DEIR estimate exceeded the threshold for such systems. Providing alternative landscaping is a means to demonstrate leadership in responsible water consumption and proactive landscaping projects. Irrigation should either be eliminated or greatly reduced to reduce water consumption and to incorporate more sustainable land use practices. The FEIR does address landscaping but appears to continue to rely on the use of irrigation systems.

Where it is determined that a traffic improvement is needed there should be a commitment to alternative construction techniques which would reduce the impact to resource

areas. An example of this is a retaining wall, which can be used to reduce the affect of filling to create more upland.

In conclusion the redevelopment of the site should have a clearer statement of avoiding impact to resource areas both on and off the site. The Commission addressed off-site issues in their comments previously submitted for the DEIR – many of those are still pertinent. There should be no presumption that the Commission endorses the amount of resource area alteration proposed with the various mitigation plans.

Thank you for the opportunity to present these comments.

Sincerely,

Brian J. Monahan,
Conservation Administrator

Cc Conservation Commissioners
 Board of Selectmen
 Planning Board
 Board of Health
 F. Dougherty, Arrowstreet, Inc.
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