

**TOWN OF WAYLAND**  
**Recreation Commission Meeting Minutes**  
Posted in accordance with the provisions of the Open Meeting Law

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**Monday, February 10, 2020 at 7:00 PM**

Wayland Town Building | 41 Cochituate Road | Wayland MA 01778  
School Committee Small Conference Room, broadcast on WayCAM

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<b>Present</b>	Commissioners: Christopher Fay, Asa Foster, Co-Chair; Brud Wright, Co-Chair; Kelly Pierce; (arrived at 7:22pm) David Pearlman; (arrived at 7:40pm)
<b>Absent</b>	None.
<b>Guests</b>	Katherine Brenna, Recreation Director

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**7:00 PM                      MEETING CALLED TO ORDER**

Chair Brud Wright calls meeting to order at 7:00 p.m. and, announced the meeting was likely broadcast on television by WayCAM.

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**PUBLIC COMMENT**

Representatives from Wayland Youth Soccer participated in conversation regarding the Loker Turf Field Project Public Forum Alexia Obar, WAYS, Steve Prince, WAYS.

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**7:05 PM                      DISCUSS LOKER PROJECT**

B. Wright explained the expectations for the 7:40 pm discussion with LSP Ben Gould and the Board of Selectmen, it would like be observatory and Commissioners would not have an opportunity for participation.

B. Wright it's important for BoS and Commission to address the public concerns, and felt like the meeting will produce the answers to the bigger concerns voiced by residents.

Asa Foster mentioned there will be an open forum tentatively scheduled on Wednesday, March 18, 2020 with a moderator from League of Women Voters. C. Fay suggested it be held in the Large Hearing Room or in the WHS Auditorium. K. Brenna asked about the capacity of the Large Hearing Room, sent an email to B. Keefe and was awaiting response. B. Wright discusses how the rules will be set to maintain order in the forum.

Discussion about selecting the important topics to be discusses at the forum, some suggestions were how the site was selected, and how much money has already been invested, the need, types of infill, costs.

B. Keefe entered the meeting and confirmed the capacity of the Large Hearing Room was 175 people.

Kelly Pierce joins the meeting at 7:22pm.

B. Wright asked K. Brenna for an update on the historical issues. K. Brenna reported she had a meeting with K. Westcott and L. Miller, and determined that by providing a visual overlay of the 2013 design referenced in Doug Harris' letter, with the 2019 design would be helpful; because the 2019 letter insinuated that Loker project was bigger than the 2013 design, but the overlay will likely shows it is a bit smaller, and mostly

covers the same exact area already studied in 2013. The Historical Commission is next meeting on Tuesday, February 18, 2020.

K. Brenna reported that Conservation Department had received a letter that North Pond was certified as a vernal pool on Jan 24, 2020. It would need to be protected with a 100 foot buffer. That although it does not meet the definition of vernal pool, it was determined to be acting as a vernal pool because it potentially supported aquatic life. The project, as designed, is not within the 30 foot no disturb zone. The East and West Ponds were not found to be vernal pools. The State advised the Conservation Administrator that if that there was evidence to the contrary the vernal pool status could be reversed. B. Wright asked about the order of the articles. C. Fay discussed about how to communicate the information to the field users.

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**ATTEND BOS MEETING FOR DISCUSSION REGARDING LOKER (7:36 pm – 8:39 pm)**

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B. Wright, at 7:36 pm, called the agenda item to relocate to the Board of Selectmen Room to discuss the Loker Project with the BoS.

7:40 pm David Pearlman joined the meeting in the Selectmen's Meeting Room.

**Loker Turf Field. Review and discuss outstanding environmental questions with Benson Gould, Principal, CMG Environmental, Inc., Licensed Site Professional:**

**Benson R. Gould, LSP, LEP Principal CMG Environmental, Inc.**

**Loker Turf Field. Review and discuss outstanding environmental questions with:**

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Wayland Board of Selectmen invited Benson Gould, Principal, CMG Environmental, Inc., Licensed Site Professional (LSP) to a discussion and opportunity for questions and answers raised concerning Loker Turf Field.

**If Gould had reviewed the proposed project in relation to the excavation of the area of the former septic system leach field?**

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B. Gould, LSP shared a schematic overlay that he had prepared to depict the area in question. Gould described the overlay to include a base map of old Ransom Environmental Phase II investigation, the 2019 proposed field design, and the areas where Ransom had highlighted as areas of concern. The interesting area was the area of the upper septic system which covers the same area as about half of the field. The question that Gould received was questioning if he understood how the project related to the areas of concern. He did, and the overlay answers that question directly.

He stated what was more important was what that information meant. Ransom took 14 soil samples out of 10 boring locations and submitted them for laboratory analysis, tested for a lot of metals, 38 metals in total and several organic compounds. The results of that were that levels were in normal expected ranges, none exceeded what DEP has published for RCS1, or reportable concentrations as acceptable levels of those particular metals. For the organic compounds, there were nearly no detections. A couple undetermined compounds were detected, which were then reviewed more closely, because Dow Chemical Co. was known to use non-standard chemicals. **B. Gould reported that nothing stood out as a contaminant; overall Gould's impression was that this area received very little if any contamination.**

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**D. Levine asked Gould to explain a Tentatively Identified Compounds (TIC) and if they can change over time, and if they would have changed here.** B. Gould explained a standard laboratory analysis of either Volatile Organic Compounds (VOC) 8260 or Semi-Volatile Organic Compounds (SVOC) 8270, the EPA method numbers. The samples run through a Mass spectrometer (GC/MS) which is an analytical method used to identify organic compounds in environmental samples, that method measures the mass-to-charge ratio of ions. The samples were then cross-referenced to a library with of thousands of compounds. When the library is searched for an unknown compound, it can frequently give a tentative identification to the unknown; hence the name Tentatively Identified Compound – TIC; by identifying compounds that might otherwise be missed at the site. All TIC compounds come with a percent match of the library

reference compound, to have confidence in the sample. B. Gould gave an example, the 8260 analysis checks against 106 target compounds and the standard suite of analyses plus the first 10 or 25 TICs, if there was concern, and the lab would identify what it is. This way to identify unusual compounds or things you were not specifically looking for, but may be of interest. D. Levine asked if Gould knew if any TICs were identified at the site. **B. Gould responded that he did not believe any TICs were identified in the report.**

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**D. Levine shared a concern about Perfluoroalkyl and Polyfluoroalkyl substances (PFAS) contaminants that residents in Town had been reading about it in the public domain, and asked if this an area of concern at this site.**

B. Gould reported that PFAS substances had been present in the environment since the 1930's, but have only come to the attention of regulatory agencies in the last few years. B. Gould was almost certain no PFAS testing was done at the site. PFAS are human-made chemical, associated with Teflon and stain-resistant fabrics. Polytetrafluorethylene (PTFE) has a lot of fluorine in it, not a typical element one would find in organic molecules. B. Gould opined that Dow Chemical was not likely using Teflon. B. Gould reported that generically PFAS were not tested for, PFAS are quite widespread. B. Gould advised that if the Town or the Board was interested in testing for PFAS, it would be quite difficult to test for PFAS in soil and the results would not be definitive; and there are no current PFAS standards for testing.

**T. Fay stated people are likely to have exposure to PFAS in everyday life, like dental floss, popcorn bags, and pizza boxes. B. Gould agreed, if the project goes forward as a soccer field and kids play on it, even if there are PFAS compounds there, user exposure to PFAS would be a lot greater elsewhere.**

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**C. Karlson asked B. Gould if he had an opportunity to review any testimony from former Dow Chemical Company employees to understand what they did with hazardous waste at the site.** B. Gould answered that that specific information was not available in the DEP file, however Dow Chemical provided DEP a letter dated April 29, 1994, and that letter included interviews with 27 former employees and local Wayland residents. B. Gould found a separate letter summarizing that testimony that was part of the DEP file, but not the actual testimony. C. Karlson followed up with the question if there was anything of concern in the summary letter. B. Gould reported that there was nothing specifically concerning; but it had been prepared by Dow Chemical so therefore subject to debate. B. Gould summarized the letter dated June 9, 1994, which stated that Dow Chemical made it clear that all the employees segregated "reaction wastes from lab experiments" for off-site disposal initially, and those wastes were disposed of by an unnamed contractor. **In later years, presumably the 1980's and 1990's, the wastes went solely to the disposal incineration facility owned by Dow Chemical in Midland, Michigan.**

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**T. Fay asked B. Gould if he would have his grandchildren play on the field. B. Gould reported he did not have a bad feeling about the Loker project.** Wayland residents have a historical bad feeling about Dow Chemical; they felt Dow did not initially do the right thing in Wayland. After a bad experience with Dow, residents were naturally suspicious that Dow tried to hide what they were doing; Dow felt it was corporate privilege or proprietary not to report on activity at the site. Later on, only when pushed by the Town, Dow changed gears, cooperated and then did pretty much the right thing. **Dow ultimately did the right thing, they did a lot of intensive investigation of the property and looked for an awfully lot of compounds that were unusual.** Through that process they did dispose of quite a bit of material offsite, some went to the burn facility in Michigan, and some contaminated soils went to a proper disposal facility. B. Gould confirmed that Dow did clean up that site to the standards to which were held to at the time.

**B. Gould reported that both the risk characterizations that he reviewed and the residual chemicals that were tested on site showed very low risk.** B. Gould opined that does not mean it is "safe". "Safe" was not a word professionals use, as industry standards, because it is not definable. **Gould reported he would not feel bad about having a grandchild play on that field and nothing he has read in the records would scare him to avoid the area.**

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**C. Karlson asked anything in the documentation indicated why Dow left the septic fields.**

B. Gould responded that nothing he reviewed expressly stated why they did not excavate those areas, but presumes Dow did not excavate that area because the soil samples presented did not identify significant metals contamination or anything of concern in that area. B. Gould reviewed the summary table data and from the 14 soil samples and compared them with today's current RCS1 soil standards, which is the most stringent standards, and there was not a single exceedance on any

of the metals by today's standards. **Gould stated that if he were responsible for this site, he would have also left the septic fields.**

**M. Antes asked if Gould felt the same way about the burn area as the septic system areas.** B. Gould reported the burn area was not as clean, it was a concrete pad, and Dow took flammable chemicals and lit them on fire. This practice is not acceptable by current standards, but in the 1960's the method was considered good practice. Dow Chemical later sent the chemicals to the burn facility in Michigan. **B. Gould noted that Dow Chemical pulled approximately 600 tons of contaminated soil from the burn area, and stated that the area was investigated and remediated.**

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**C. Karlson shared another question sent by a resident; a resident questioned if Gould reviewed the Weston & Sampson test results from samples taken from the bore holes used to determine the depth of the ledge, and in his opinion was there enough sampling in the leach field area to assure that no hazardous wastes would emerge when the leach field was excavated.** B. Gould confirmed he had reviewed all of Weston & Sampson's boring logs. The term he used was 'refusal', for when you hit bedrock at a certain depth. One depth was 17', the majority of boreholes were between 6' and 8' refusal, and some did not hit any ledge or bedrock at all. From this, B. Gould determined that bedrock was an estimated average of 7' or 9' down at the Loker Site. Weston & Sampson had done 14 samples out of 10 borings and did not find much of anything of concern; **Gould opined that this was sufficient analysis to characterize adequately the subsurface conditions within the area.**

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## **VOTE TO INSERT ARTICLE INTO TOWN MEETING WARRANT**

**D. Levine moved,** seconded by L. Anderson, that the Board of Selectmen insert the Loker Turf Field proposed by the Recreation Commission into the Town Meeting Warrant.

In discussion, D. Levine reminded the Board that this article was very close at the last Town Meeting when it narrowly failed to pass with the required 2/3 majority, and Board hoped that the proposers would change the article before bringing it back to Town Meeting. D. Levine understood also that the Recreation Commission held the position that this was the best project design and best article and there was little for change. D. Levine took the position that, because the vote was so close at last Town Meeting, the project deserved a second chance at Town Meeting; but it would not be appropriate for the Board to insert it a third time in 2021. D. Levine stated he would vote to support inserting the article.

**T. Fay stated his was supportive of inserting the article.** He commended the Recreation Commission's diligence in responding to the residents' concerns, and how the Commission continues to do so by hosting a public forum for residents on March 18. T. Fay expressed his appreciation for the long history of the site that B. Gould reviewed. T. Fay referenced an article titled [Acquisition of 33-acre former Dow Chemical property for conservation and recreation](#) by resident Anette Lewis published by the University of Massachusetts Boston, Joseph P. Healey Library, in 2000. T. Fay read from the article:

**"May 8, 2000 was the night the Wayland Board of Selectman signed the paperwork and gave Dow Chemical Company corporate official Jerry Ring a check for \$1.7 million dollars to acquire the 33 acres at 412 Commonwealth Road, where Dow Chemical had operated a research facility for about 25 years. Today it's the Loker Conservation and Recreation Area. The town's purchase of the property, with a deed restriction for conservation and recreation uses, culminated a decade of contentious events. From 1993 to 2000, the property was the subject of a hazardous waste cleanup. A case study was published by the John Snow Institute in 2004 telling the story of how confrontation eventually led to collaboration, resulting in a win-win outcome. In the summer of 1999, the neighbors' group, that Linda Segal led, asked Dow Chemical to please provide a community relations person because communications had broken down."**

T. Fay added that many dedicated volunteer residents felt the land was appropriate to purchase and use for Recreation and Conservation Area. T. Fay concurred with D. Levine that if the article did not pass, the Commission should look at other sites, although the Loker site was the least intrusive option in terms of impacting neighbors.

**L. Anderson stated there had been times when the Board has not voted to insert an article because it felt it was not ready, but she felt the article was ready to go back to Town Meeting and stated support to insert the article.**

No further discussion. YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

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## VOTE TO SUPPORT AND RECOMMEND APPROVAL OF THE LOKER TURF ARTICLE

T.Fay moved, seconded by D. Levine that the Board support Loker Turf Field proposed by the Recreation Commission. YEA: L. Anderson, T. Fay, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: M. Antes. Adopted 4-0-1.

- **L. Anderson** stated she had not always supported the article, had been concerned with the costs, but had looked at what it would cost to build more grass fields, and turf has a clear advantage over a 20-year period. L. Anderson also recognized the difficulty in locating other suitable sites especially in neighborhoods; and opined that this location was an excellent location.
  - **D. Levine** stated the need for more fields was apparent, he had questioned grass versus turf, while turf has clear advantage when it comes to playing time, and he had struggled with the Commission's decision not to make a substantive change with the infill. D. Levine stated his support for the article given the need for a field in this Town.
  - **M. Antes** would be interested in hearing the League of Women Voters presentation at the March 18 Forum, which would be after the Board votes to support the article, and therefore would abstain from the vote. M. Antes did not disagree with the points the Board has made, understood the need for fields, but had asked for another public forum to allow residents to see the bigger picture in terms of the capital plan, and although the forum was scheduled, it was not before the vote, and therefore stated she would abstain.
  - **T. Fay** responded to M. Antes point, and reported that the Recreation Commission had looked at almost a dozen other sites for a turf field, and felt this site was the least intrusive. T. Fay gave the example that the Middle School site was studied during the library site investigation and designed around the burn dump, hated the idea of a field at Greenways, and Holiday Road/Orchard Lane would be a twelve year legal battle. Other sites have their own challenges, and Loker was determined to be the best site.
  - **C. Karlson** recognizes the Town has done a lot of work to answer concerns about traffic, tree removal, vernal pools, environmental concerns, and would vote to support the article.
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**TOWN MEETING WARRANT ARTICLE** will go before the Wayland Annual Town Meeting voters at Town Meeting beginning on April 5, 2020.

### **8:40 PM            DISCUSS LOKER PROJECT**

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8:40 pm Recreation Commission relocates back to School Committee Small Conference Room

D. Pearlman left the meeting to attend the Finance Committee Meeting

Commission discussed the 5-year capital plan, and B. Wright asked to put the topic on the next Recreation Commission agenda. C. Fay confirmed the current 5-year plan was effectively to build the Loker project and smaller plans to rehab existing grass field in the out years. B. Wright looking to post the site selection information on the website.

8:46 pm D. Pearlman re-joined the Recreation Commission meeting in the School Committee Small Conference Room. B. Wright reviewed the previous few minutes of discussion on the March 18 forum for D. Pearlman. B. Wright reiterated the Commissions ideas on location, who the moderator is, who will be invited. The idea that questions could be submitted ahead of the forum.

B. Wright stated he thought there should be a presentation to open the forum, then the moderator could go over the rules. B. Wright suggested a 20-30 minute presentation. He suggest Ben Gould should attend the forum too. C. Fay felt a maximum of 4 or 5 slides will be good. D. Pearlman asked about what experts might be able to attend the forum. A. Foster listed a representative from Weston & Sampson designers, the toxicologist, PMBC, Left Field OPM, Ben Gould, LSP and the contractor working on the high school project.

K. Brenna shared with the Commission that some experts would likely expect compensation or a contract to appear at this forum, and there is a procurement process for that. D. Pearlman suggested attendance by the representative from the Wayland DPW who could attest to the overuse of existing grass fields.

K. Brenna suggested the Recreation Commission think about who will move the article at Town Meeting. C. Fay confirmed he will still be a member of the Commission at Town Meeting, in light of his decision leave his seat at the end of his term. B. Wright is open to moving the article. C. Fay reminded the commissioners that over 65% of the Town indicated they are support of the project, that it is a considerable number. C. Fay suggested it be either A. Foster or B. Wright. D. Pearlman concurred that A. Foster or B. Wright should move the article, even though C. Fay would be well received. K. Pierce agreed also that A. Foster or B. Wright should move the article. B. Wright suggested the Commission table the decision on the article mover to the next meeting.

#### **DEPARTMENT UPDATE**

Summer Camps sold out tonight. Playgrounds are ongoing work to get the article ready for Town Meeting. Brochure is almost done will go to print next week. Oxbow will be re-visited April 1.

D. Pearlman asked about surfacing on the Playgrounds. Discussed full unitary surfacing versus accessible access route to play structures. K. Brenna talked about how the Wood carpet suggested at public comment could not be used in fall zones, just on accessible routes.

K. Brenna will prepare a summary of all the acceptable materials and the pros and cons, and provide for the next meeting.

C. Fay asked about field permits, and potential conflict between little league and WHS Softball, given the WHS Softball field is offline. B. Wright suggested the Field Priority be added to the agenda for the next meeting.

#### **TOPICS NOT REASONABLY ANTICIPATED BY THE CHAIR 48 HOURS IN ADVANCE OF MEETING, IF ANY**

There were none.

#### **2020 CALENDAR – SCHEDULE NEXT RECREATION COMMISSION MEETING**

The Recreation Commission tentatively scheduled a next meeting on Tuesday, February 25, 2020 because members should also attend a meeting with the Planning Board. K. Brenna reviewed other notable dates for which the Commission should be aware.

#### **ADJOURN**

At 9:56pm, A. Foster moved, seconded by D. Pearlman, to adjourn the meeting. YEA: C. Fay, A. Foster, T. Wright, D. Pearlman, K. Pierce NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0-0.

**DOCUMENT LIST:**

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- 2/10/2020 Agenda of the Recreation Commission
- May 20, 2019 Planning Board letter to ZBA Loker Recreation Project - Clarification on the Site Plan Review Application
- Happy Hollow Playground schematic
- Field Packet