

**SCHEDULE OF ELEVATIONS**

TOP OF FOUNDATION T.C. =  
 CONTRACTOR TO CONFIRM INVERTS PRIOR TO CONSTRUCTION  
 INVERT OF PIPE AT FOUNDATION = (UNIT #127) BELOW SLAB  
 INVERT AT SEPTIC TANK INLET = (UNIT #127) 151.4  
 INVERT AT SEPTIC TANK OUTLET = (UNIT #127) 151.2  
 INVERT AT DISTRIBUTION BOX INLET = 150.9  
 INVERT AT DISTRIBUTION BOX OUTLET = 150.7  
 INVERT AT CULTEC (IN) = 150.5  
 ELEVATION OF CULTEC BOTTOM = 150.0  
 FINISH GRADE OVER LEACHING AREA = 154-152

**DESIGN CRITERIA**

- ESTIMATED FLOW = 4 BDRMS X 110 GPD/BR=440 GPD
- DESIGN PERCOLATION RATE = 2 MPI
- LEACHING AREA CALCULATION = 440 GPD / 0.74 GAL/SF = 1334 SF OF LEACH AREA REQUIRED  
 CULTEC CONTACTOR 100 CHAMBERS IN BED CONFIGURATION  
 12 ROWS OF 3 CHAMBERS = 36 CHAMBERS  
 CONTACTOR 100 EFFECTIVE LEACH AREA = 5 SF/LF  
 EFFECTIVE LENGTH PER CHAMBER = 7.42' x 36 = 267.1 LF  
 267.1 LF x 5 SF/LF = 1,335 S.F.

**PUMP NOTES:**

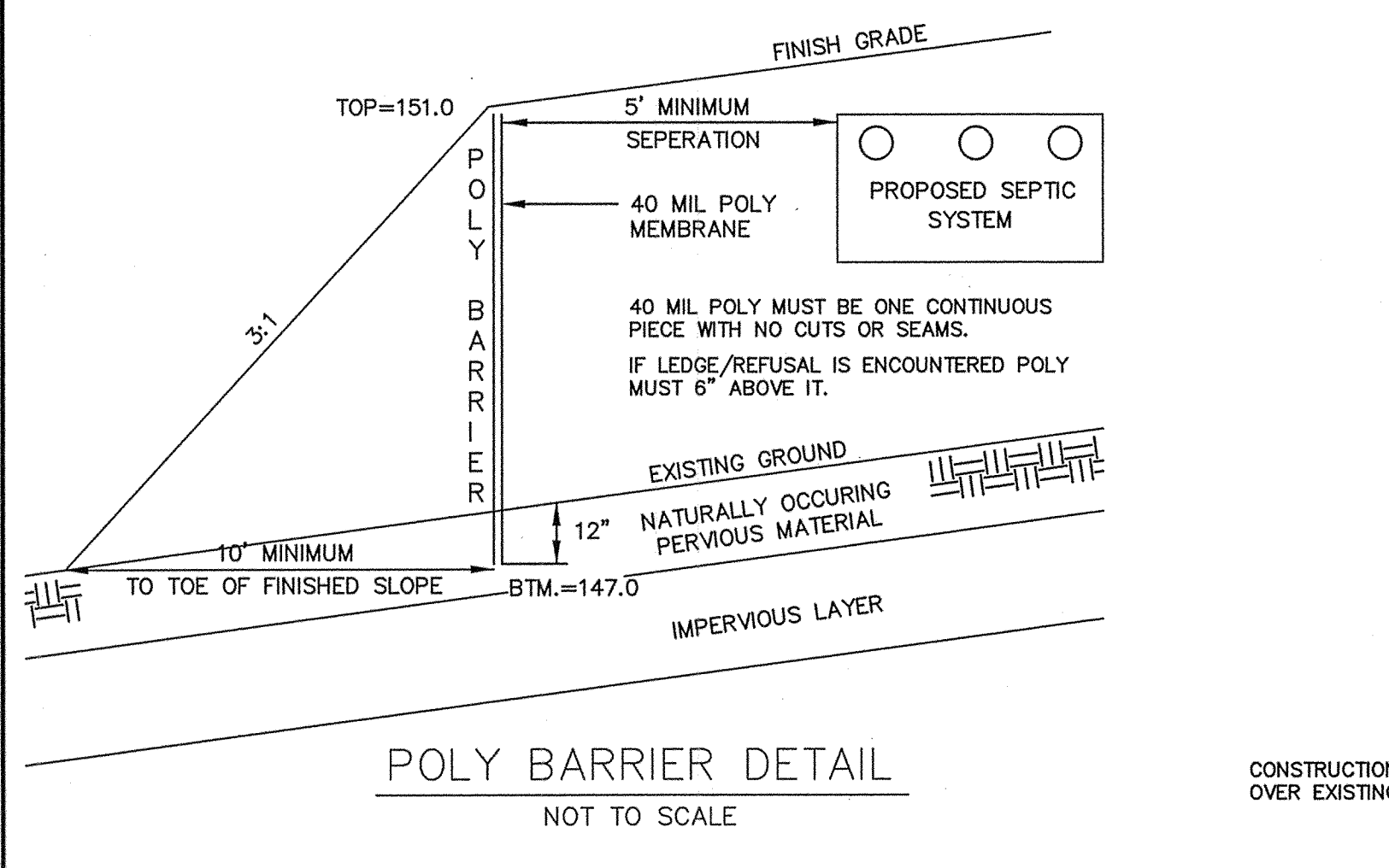
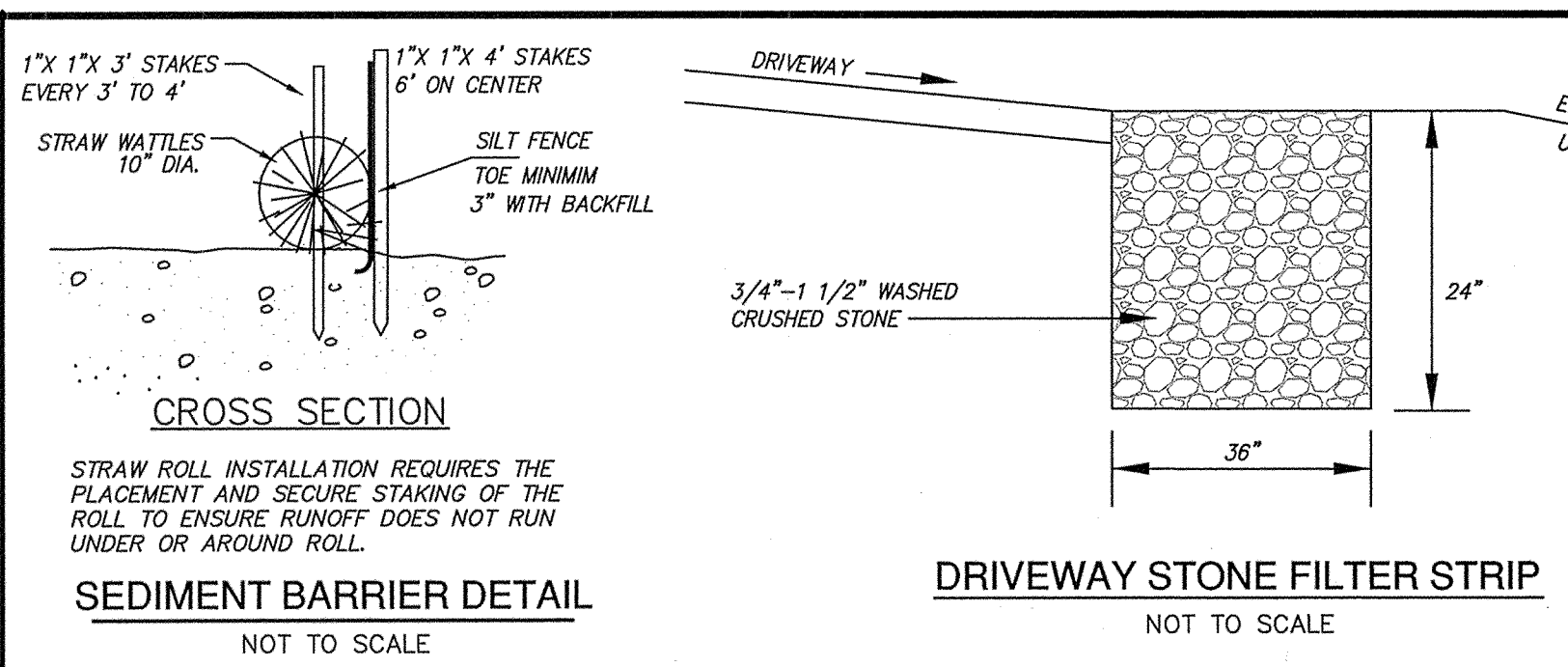
- THE PUMP CHAMBER SHALL BE A 500 GALLON SEPTIC TANK AS PRODUCED BY: E.F. SHEA INC. OR ITS APPROVED EQUAL. ALL JOINTS SHALL BE MORTARED, AND THE TANK WATER TIGHT.
- THE PUMP SHALL BE A MYERS SRM4 4/10 HP OR EQUAL WITH A 2" INCH DISCHARGE LINE AND SHALL BE EQUIPPED WITH 115 VOLT SINGLE PHASE POWER, 5M 15NO FLOATS, AND A CE 115 CONTROL PANEL THAT IS EQUIPPED WITH AN AUDIBLE ALARM.
- HIGH WATER ALARM TO CONSIST OF A MERCURY FLOAT SWITCH (CE 115 ALARM CONTROL) WITH A POWER CIRCUIT SEPARATE OF THE PUMP POWER CIRCUIT, SET TO ACTIVATE ALARM IN THE HOUSE WHEN WATER REACHES THE ELEVATION OF 148.0
- ALL WIRING TO BE PLACED OUTSIDE OF HOUSE TO BE WATERPROOF AND INSTALLED ACCORDING TO APPLICABLE CODES.
- THE DISTRIBUTION BOX SHALL BE EQUIPPED WITH A TEE.
- ANY BAFFLE OR TEE THAT OBSTRUCTS THE DISCHARGE LINE SHALL BE REMOVED.
- THE ALARM IS TO HAVE AN ALTERNATIVE SUPPLY IN CASE OF POWER FAILURE.
- WEEPTHOLE MUST BE IN 2" INCH FORCE MAIN, THE HOLE SHOULD BE LOCATED BETWEEN THE CHECK VALVE AND INSIDE OF TANK.
- CONTROL PANEL TO BE EQUIPPED WITH ON-OFF AND MANUAL SWITCHING POSITIONS.
- CHECK VALVE SHALL BE OF BALL TYPE, INSTALLED VERTICALLY WITH A 3/8" WEEP LOCATED ON THE DISCHARGE SIDE OF THE CHECK VALVE BETWEEN WALK AND INSIDE WALL OF TANK.
- ALL PRESSURE PIPING SHALL BE SECURED AND SHIELDED FROM ABRASION, AND SHALL BE COUPLED WITH HIGH PRESSURE PVC COUPLINGS.

**TOTAL DYNAMIC HEAD CALCULATION:**

LINEAL FEET OF 2 INCH PIPE = 97  
 EQUIVALENT FEET OF PIPE FOR FITTINGS = 27  
 TOTAL LINEAL FEET OF PIPE = 124  
 FRICTION HEAD LOSS PER 100' AT 55 GPM = 5.65  
 STATIC HEAD = 4.1  
 EQUIVALENT HEAD = 124 / 100 x 5.65 = 7  
 TOTAL DYNAMIC HEAD = 11.1

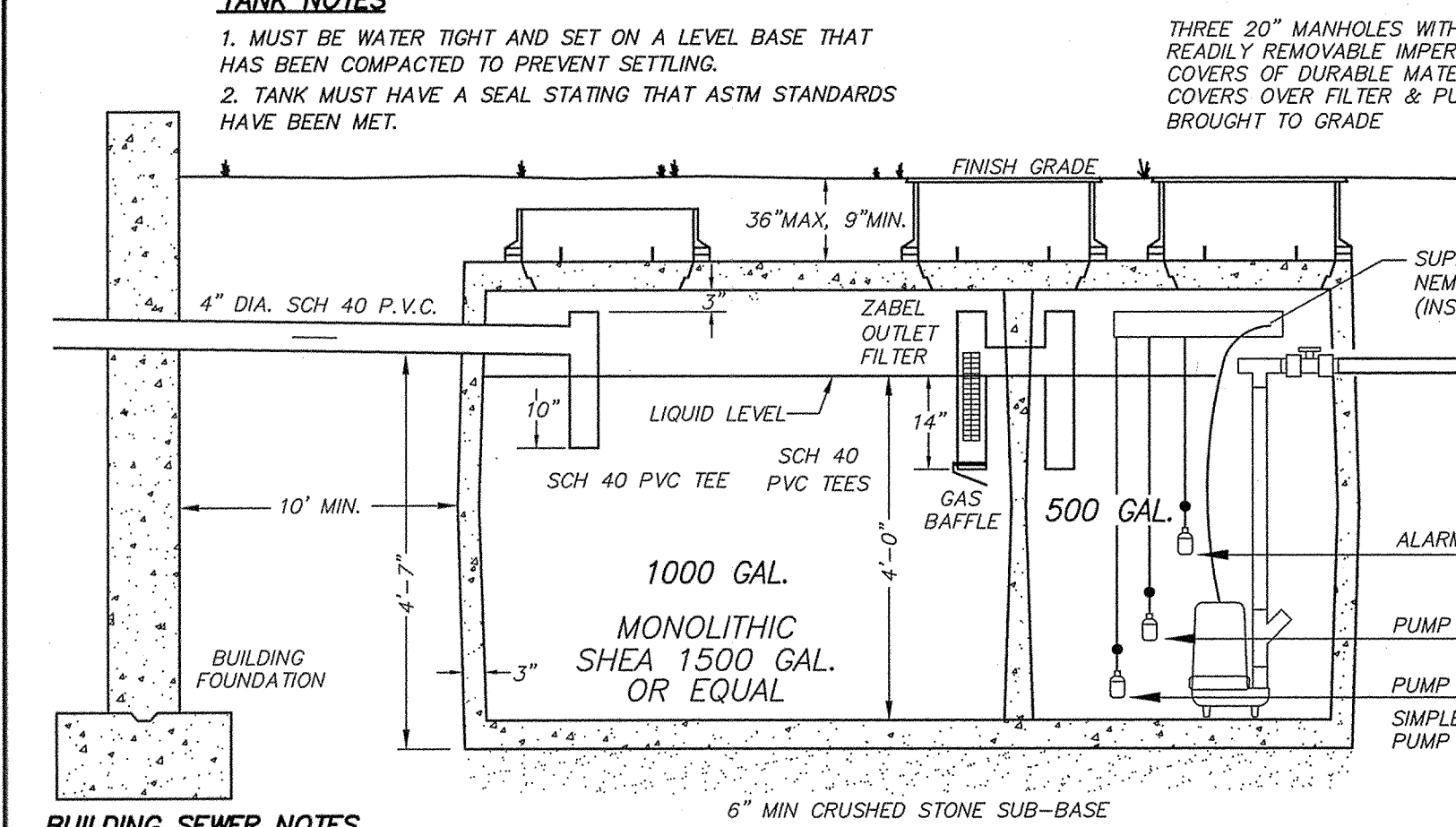
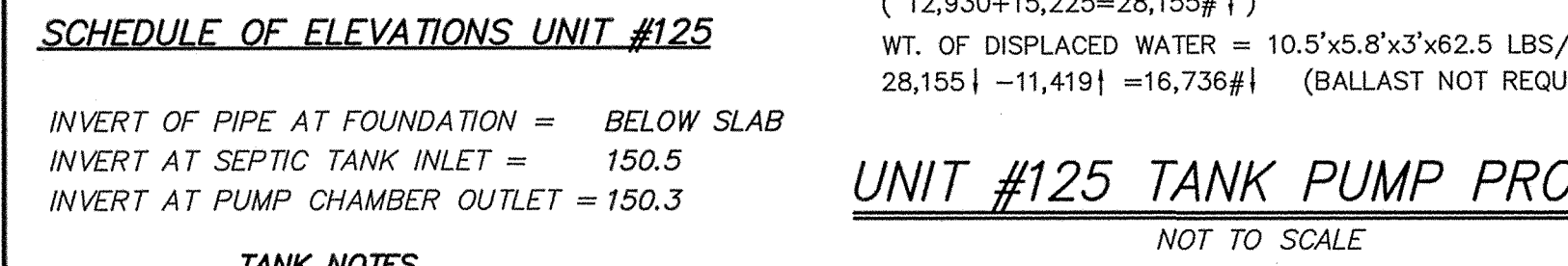
**PUMP DISCHARGE CALCULATIONS**

DOSE(S) PER DAY = 1  
 1000 GAL. TANK = 4 x 4 x 1 x 7.48 GAL/C.F. = 119 GAL./DOSE  
 PUMP CAPACITY AT 11 FT. OF HEAD = 55 GAL. / MIN.  
 DOSE TIME = 119/55 = 2.2 MIN. / DOSE



**BUOYANCY CALCULATIONS**

**SEPTIC TANK**  
 WEIGHT OF EMPTY TANK = 12,930#  
 FILL OVER TANK = 10.5' x 5.8' x 2.5' x 100# = 15,225#  
 (12,930 + 15,225 = 28,155#)  
 WT. OF DISPLACED WATER = 10.5' x 5.8' x 3' x 62.5 LBS/CF = 11,419#  
 28,155# - 11,419# = 16,736# (BALLAST NOT REQUIRED)



**BUILDING SEWER NOTES**

- SEWER LINE MUST BE LAID ON A FIRM COMPACTED BASE.
- PIPE MUST BE SLOPED AT A MIN. OF 1% (2% PREFERRED)
- PIPE MUST BE LAID ON A CONTINUOUS UNIFORM GRADIENT.

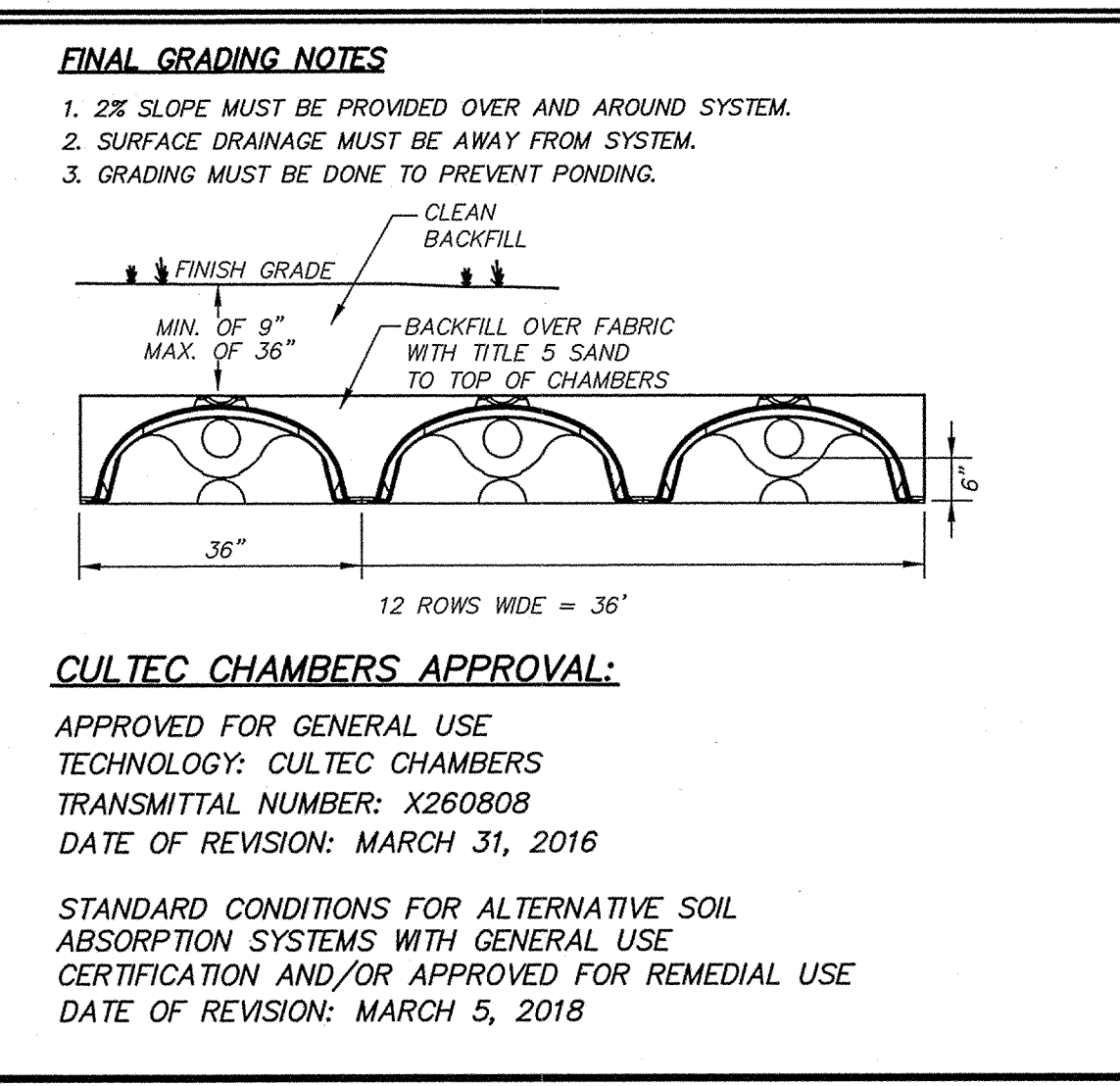
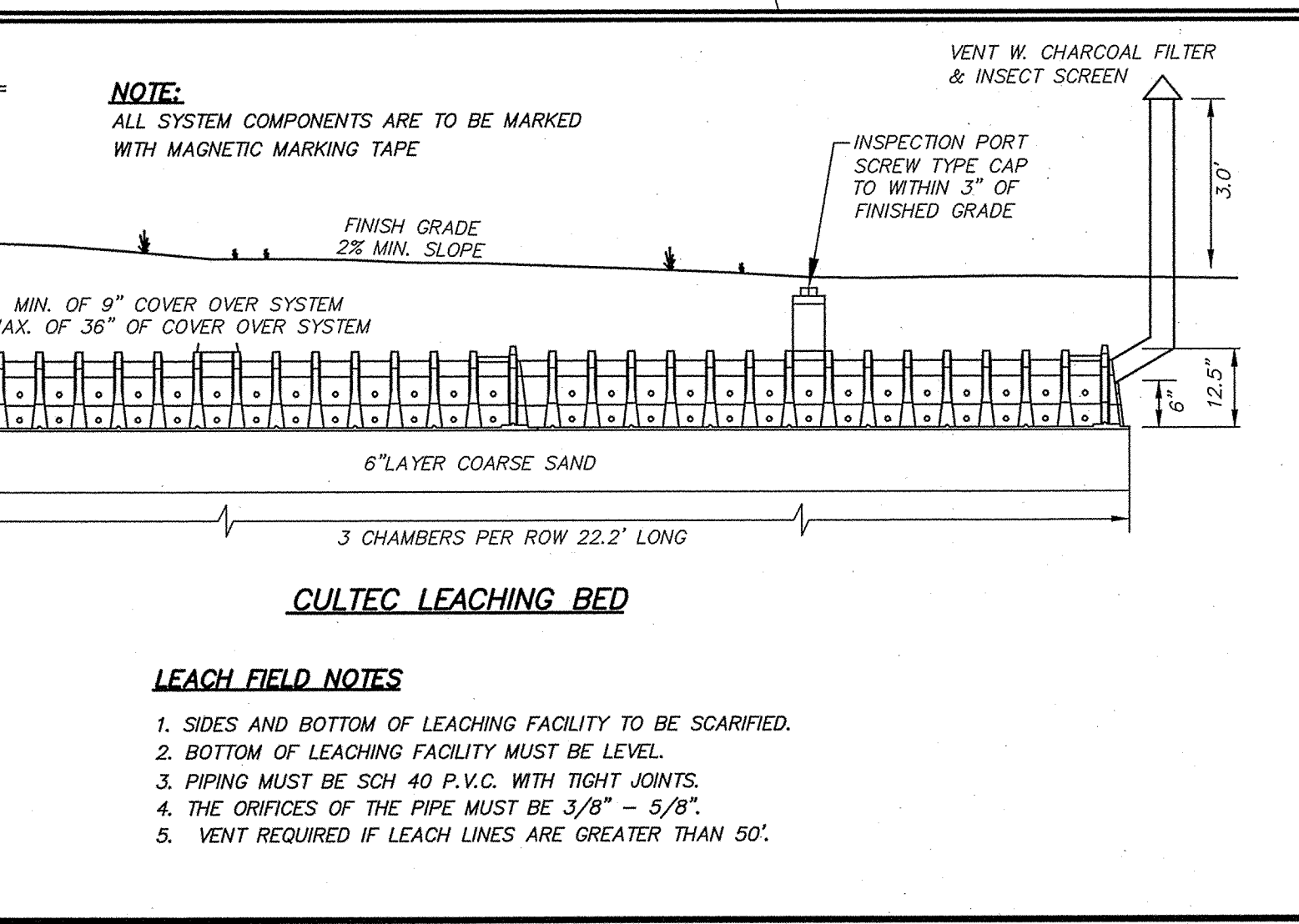
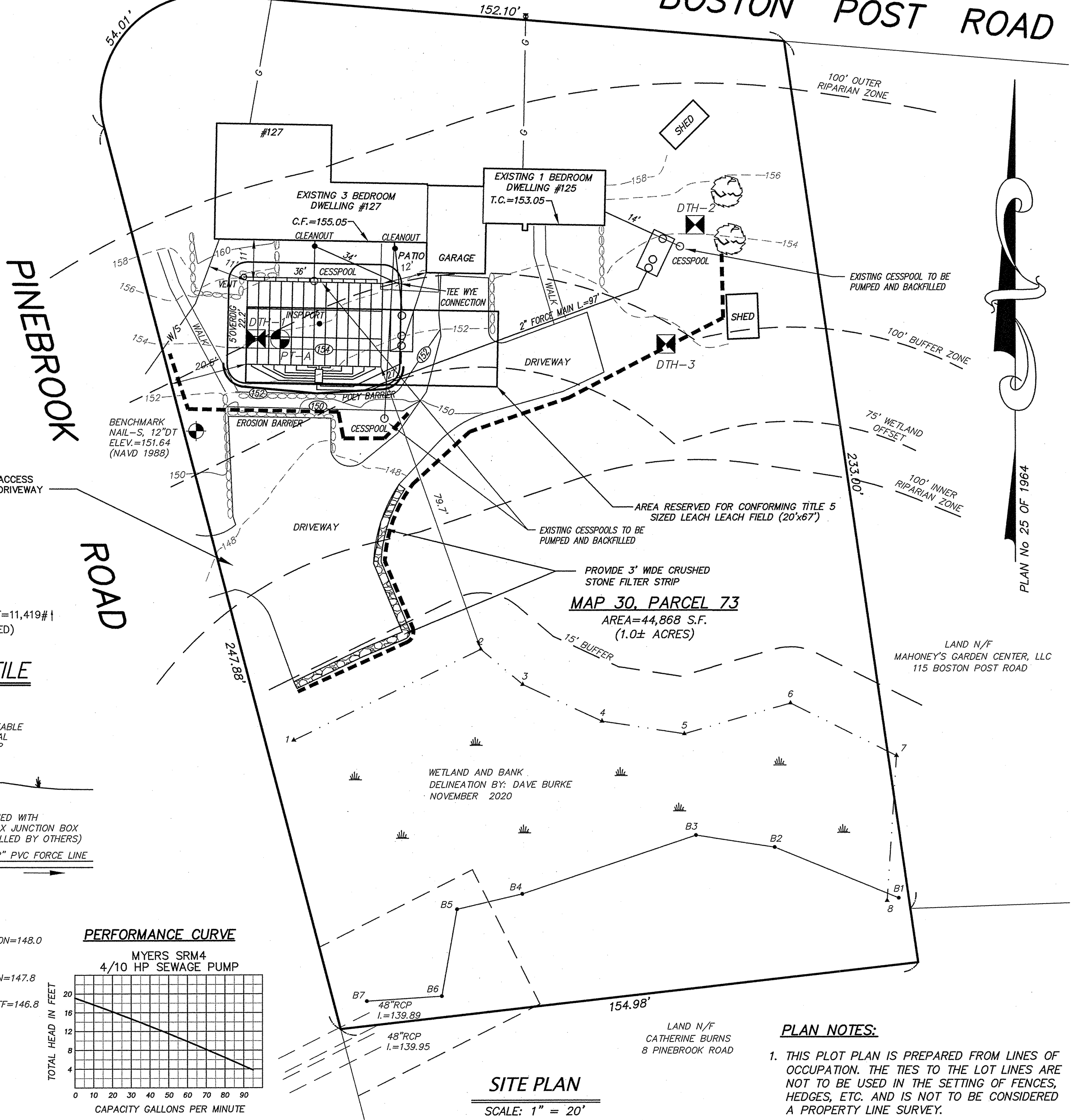
**TRENCH SIZING SUMMARY**  
 DRIVEWAY AREA = 3,600 S.F.  
 1/2" WATER QUALITY VOLUME  
 3,600 x 1/2" = 150 cu.ft. REQUIRED  
 PROPOSED VOLUME = 160 cu.ft.

**LOT COVERAGE SUMMARY**

- TOTAL UPLAND AREA = 32,538± S.F.
- EXISTING IMPERVIOUS AREA = 6,896± S.F.  
 PROPOSED IMPERVIOUS AREA = 6,896± S.F.
- EXISTING LAWN/LANDSCAPED AREA = 14,658± S.F.  
 PROPOSED LAWN/LANDSCAPED AREA = 14,658± S.F.
- TOTAL AREA DISTURBED = 4,630± S.F.

**LOCAL UPGRADE APPROVALS REQUIRED:**

- LEACH TRENCH SEPARATION TO E.S.H.G.W. LESS THAN 4' (3' PROPOSED).



**SEPTIC TANK NOTES**

- MUST BE WATER TIGHT AND SET ON A LEVEL BASE THAT HAS BEEN COMPACTED TO PREVENT SETTLING.
- TANK MUST HAVE A SEAL STATING THAT ASTM STANDARDS HAVE BEEN MET.

**MONOLITHIC SEPTIC TANK**

1. SEWER LINE MUST BE LAID ON A FIRM COMPACTED BASE.  
 2. PIPE MUST BE SLOPED AT A MIN. OF 1% (2% PREFERRED)  
 3. PIPE MUST BE LAID ON A CONTINUOUS UNIFORM GRADIENT.

**DISTRIBUTION BOX NOTES**

- COVER MUST BE WATER TIGHT.
- ALL OUTLET PIPES SHALL BE LEVEL FOR THE FIRST 2' OUT OF THE D-BOX. ALL OUTLET PIPES TO BE AT THE SAME ELEVATION.
- SOIL MUST BE COMPACTED UNDER "D" BOX TO PREVENT SETTLING.

**LEACH FIELD NOTES**

- SIDES AND BOTTOM OF LEACHING FACILITY TO BE SCARIFIED.
- BOTTOM OF LEACHING FACILITY MUST BE LEVEL.
- PIPING MUST BE SCH 40 P.V.C. WITH TIGHT JOINTS.
- THE ORIFICES OF THE PIPE MUST BE 3/8" - 5/8".
- VENT REQUIRED IF LEACH LINES ARE GREATER THAN 50'.

**GENERAL NOTES:**

- Contractor shall call Digsafe at (888) 344-7233 a minimum of 72 hours prior to commencing any construction activities on site.
- Inspections by Design Engineer and Board of Health are as required by the Board of Health.
- This plan was prepared for the design of the subsurface sewage disposal system only and is based on the subsurface explorations and percolation tests listed below.
- System was designed only to accommodate sanitary sewage associated with normal domestic usage, consisting of water carried putrescible waste, and for flows indicated in the design criteria.
- The system must be vented through the buildings plumbing in accordance with the state building code.
- Plans show only features that were visually apparent on the date of the topographic survey, and the absence of subsurface structures, utilities, etc. is not guaranteed.
- Contractor to determine if site conditions are suitable for construction of proposed system, and must promptly notify the Design Engineer and Owner, in writing, of any plan deficiencies, unforeseen subsurface conditions, or required changes.
- There are no wells located within 100 feet of the proposed leaching area or within 100 feet of the proposed septic tank (except as shown).
- The subject property is not located within a Zone II of a public drinking water supply well.
- All construction is to conform to the requirements of the Massachusetts Environmental Code, Title V, and the town of WALTON Board of Health regulations.
- There are no bordering vegetated wetlands, inland banks, or surface waters within 100' of the proposed system.
- There are no surface or subsurface drains which are used to lower the ground water.
- All elevations refer to T.M. 12 TREE HALL, MASS. = 151.84.
- For proper performance, septic tank should be pumped annually.
- System cannot be backfilled or concealed until design firm and board of health have inspected the system and permission to backfill has been given.
- Design firm must propose and submit "As-Built" plan to Board of Health. This plan must certify that the system was installed in accordance with state and local regulations and that it complies with the proposed plan.
- Property lines are approximate and are not to be used for boundary survey purposes. Surface features and topography outside of work area are approximate.
- System is not designed to accommodate a garbage grinder.

**TECHNICAL NOTES:**

- Building sewer shall be in accordance with state plumbing code and have a minimum of 4" of cover in landscaped areas. A minimum of 12" of cover and/or appropriate sleeving shall be used in areas subject to vehicular traffic.
- All tanks, including septic tanks, distribution boxes, dosing chambers, and grease traps shall be either watertight through manufacturer's specification and warranty, or made watertight by the manufacturer or other individual by means and persons as approved in 310 CMR 15.221. Septic tank shall be constructed and placed in accordance with 310 CMR 15.223 through 310 CMR 15.228.
- Septic tanks shall have at least three (3) 20" manholes with at least one (1) of these manholes located no more than 6" below finish grade. (Systems over 1,000 gpd shall have access ports at both the inlet and outlet tees.)
- Distribution box ("d-box") shall be of watertight construction, installed level on a firm base, and installed in accordance with 310 CMR 15.232.
- Septic tank covers and d-box are to be brought within 6" and 9" of finish grade respectively by the use of riser sections.
- When the soil absorption system (SAS) is to be dosed or the slope of the inlet pipe exceeds 0.08 feet per foot, an inlet tee, baffle or splash plate extending to one inch above the outlet invert elevation shall be provided to dissipate velocity of the influent.
- When the SAS is installed within the top and subsoil layers or above natural grade, all topsoil and subsoil shall be removed below and laterally a minimum of 5 feet surrounding the SAS. Removed material shall be replaced with clean granular material in accordance with 310 CMR 15.255(3).
- All disturbed areas shall be loamed, seeded, and maintained so as to prevent erosion.
- All native soil interfaces which will contact the SAS shall be scarified prior to placement of stone.

**PERCOLATION TESTS**

HOLE NO. & DATE	TOP ELEVATION	DEPTH (in.)	SATURATION (Min.)	12"-9" DROP (Min.)	9"-6" DROP (Min.)	PERC. RATE (Min./In.)
PT-A 11/24/20	0000	49"	15 MIN	2 MIN	3 MIN	<2 MIN/IN

**DEEP OBSERVATION HOLE LOG**

NO. DATE & ELEV.	DEPTH (In.)	SOIL HORIZON	TEXTURE (USDA)	COLOR (MUNSELL)	SOIL MOTTLING	OTHER
DTH-1 11/24/20 154.0	0-11"	Ap	SANDY LOAM	10YR3/2		
	11-29"	Bw	LOAMY SAND	10YR6/6		
	29-114"	C1	SANDY LOAM	2.5Y5/4		84"
DTH-2 11/24/20 154.25	0-29"	Fill				
	29-87"	C1	LOAMY SAND	10YR6/4		
	87-108"	C2	SANDY LOAM	2.5Y5/4		63"
DTH-3 11/24/20 151.5	0-47"	Fill				
	47-96"	Ap	SANDY LOAM	10YR3/2		
	96-62"	Bw	LOAMY SAND	10YR6/4		47"
62-84"	C1	SANDY LOAM	10YR6/8			

TESTS CONDUCTED BY: MIKE SULLIVAN  
 TESTS OBSERVED BY: DARREN MacCAUGHEY  
 DATE: 11/24/2020

I certify that I have passed the examination approved by the department of Environmental Protection and that the above analysis has been performed by me consistent with the required training, expertise, and experience described in 310 CMR 15.01B(2).

Certified:

APPLICANT		LOCATION	
125-127 BOSTON POST RD., LLC DEED BK. 29501, PG. 150		125-127 BOSTON POST ROAD WAYLAND, MA ASSESSORS MAP 30 & PARCEL 73	
NO.	DATE:	REVISION:	BY:
2.	4-21-2021	CON. COMM. EDITS	REM
1.	3-15-2021	MISC. B.O.H. EDITS	REM

**PROPOSED SEWAGE DISPOSAL SYSTEM**

**SULLIVAN, CONNORS AND ASSOCIATES**  
 LAND SURVEYING AND CIVIL ENGINEERING  
 121 BOSTON POST RD. SUDBURY, MA. 01776  
 PHONE: 978-443-9566 FAX: 978-443-8915

DATE: 12/15/2020 SHEET 1 OF 1

**Wayland Wetlands and Water Resources Bylaw, Chapter 194 Application**

**1. Applicant:**

JOE BERTOLA joe@bertolacustom.com  
 Name (PLEASE PRINT) Email Address (if applicable)  
699 MAIN ST WALTHAM MA 02451  
 Mailing Address City/Town State Zip Code  
781-975-1709  
 Phone Number Fax Number (if applicable)

**2. Representative:**

DOUCETTE ENGINEERING TED P. DOUCETTE  
 Firm/Business Name Contact Name  
152 WHITCOMB AVE LITTLETON MA 01460  
 Mailing Address City/Town State Zip Code  
978-621-2138  
 Phone Number Fax Number (if applicable)

**3. Property Owner(s)**

APPLICANT  
 Property Owner (PLEASE PRINT) Email Address (if applicable)  
 Address City/Town State Zip Code  
 Phone Number Fax Number (if applicable)

**4. Type of Application**

- |   |  |
|---|--|
| <input type="checkbox"/> Request for a Determination of Applicability (RDA) | <input checked="" type="checkbox"/> Notice of Intent (NOI) |
| <input type="checkbox"/> Abbreviated NOI                                    | <input type="checkbox"/> Extension of O.O.C.               |
| <input type="checkbox"/> Notice of Resource Area Delineation                | <input type="checkbox"/> Certificate of Compliance         |
| <input type="checkbox"/> After the Fact Amendment (AFA)                     | <input type="checkbox"/> After the Fact Filing (AFF)       |
| <input type="checkbox"/> Amendment to Order of Conditions                   |  |

**RECEIVED**  
**APR 13 2021**  
 WAYLAND CONSERVATION COMMISSION

**5. Project**

119 DUDLEY POND 47A 74  
 Location Address Assessors Map(s) Parcel(s)

Project Description (PLEASE PRINT): DEMOLISH EXISTING HOME, CONSTRUCT NEW HOME ON SAME FOOTPRINT AND REPLACE NON-COMPLIANT SEPTIC SYSTEM WITH TITLE 5 COMPLIANT SYSTEM

**6. Title/Date of Plan(s)**

SEWAGE DISPOSAL SYSTEM UPGRADE DESIGN DEMOLITION AND CONSTRUCTION PLAN

**7. Bylaw Application Fee:**

\$ 200

**8. Application filed pursuant to MGL Chapter 131, Section 40**

Yes  No

**9. Signature of Applicant**

[Signature] Date 02/14/21

**Signature of Property Owner**

[Signature] Date 02/14/21

(NOTE: This application shall be signed by the property owner as well as the applicant. Signature of the property owner on this application shall be deemed permission granted to the Conservation Commission and their agents to go upon the subject property.)

**RECEIVED**  
**APR 13 2021**  
 WAYLAND CONSERVATION COMMISSION



**TOWN OF WAYLAND**  
**Conservation Commission**  
 41 COCHITUATE ROAD  
 WAYLAND, MASSACHUSETTS 01778

## CHAPTER 194 Submittal Requirements

Upon submittal of any Bylaw application the applicant(s), property owner (if different), and their representative(s) must sign this checklist.

- Original and one copy of the MA Wetlands Protection Act ("WPA") application and Chapter 194 Bylaw application, including owner(s) signature, the applicant(s) signature, site plan(s), narrative, etc. \*

**NOTE:** If a WPA Application is not filed, a copy of either a statement as to not applicable (limited generally to buffer zone or bordering land subject to flooding) or a valid Order of Resource Area Determination (ORAD) must be provided with copies.

- A separate check for all applicable Wetlands Act fees.
- A separate check for all applicable Chapter 194 Bylaw fees.
- A list of the 100' Abutters, certified by the Assessors Office.
- Evidence of Board of Health receipt of application or approval for all applications with septic work or home renovations.

\*A copy of all documents submitted should be provided electronically to [conservation@wayland.ma.us](mailto:conservation@wayland.ma.us)

### Project Summary

- A narrative statement describing all of the activities proposed. If work is omitted from the narrative it may not be permitted.
- A narrative summary description of the types of resource areas on or near the site. Omission of resource areas is a basis for denial of the project as being incomplete.
- A narrative discussion how the project has been designed to minimize impacts to resource areas and how any mitigation has been proposed to better protect or enhance the resource areas during and after construction.

The Conservation Commission will evaluate the application based on the scope of the project and the potential impacts on the resource area (e.g. a wetland, pond, vernal pool, riverfront area, etc.) The Commission's priorities for project assessment are avoidance, minimization, and mitigation of impacts to resource area/s in that order. If mitigation is proposed, the Commission will require a 1:1.5 ratio of replication for impacts to wetlands and for buffer zones. The narrative should clearly address these priorities.

- A narrative discussion that presents justification, based on factors of technical or economic feasibility, why alternatives that might minimize or completely avoid adverse impact to the Riverfront Area, Floodplain, the Buffer Zone, and/or any other resource area are not being proposed. At a minimum there must be discussion of the alternative for no alteration.

The following items are required for Site Plans submitted with a Bylaw application; however, if the Applicant considers that the information is not relevant to the scope or scale of the proposed project, a Waiver(s) of requirements must be requested at the time of filing the application with the Conservation Commission.



**TOWN OF WAYLAND**  
**Conservation Commission**  
41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

**Site Plan Minimum Requirements**

The following shall be included on the Site Plan:

- Stamp of a Professional Engineer (P.E.) and/or a Professional Land Surveyor (P.L.S.) depending upon proximity to lot lines or project complexity.
- OR**
- Stamp of a Registered Sanitarian (R.S.) is acceptable for designs of septic systems handling less than 2,000 gallons per day, with incidental site work.
- Grade elevations based on National Geodetic Vertical Datum <sup>NAVD</sup>(NGVD). Grade contours in the area of work shall be provided with at least 1-foot intervals.
- Plan Scale: 1 inch = 10 feet or 1 inch = 20 feet.
- Wetlands flagging with letters and/or numbers as defined in the field.
- Date that wetlands flagging was done and name of the wetland delineator (if GIS was used to wetlands, then include the GIS source.)
- Site Plans must clearly show existing conditions and proposed conditions, utilities, impervious surfaces, limit of lawn, trees greater than 6 inches in diameter proposed for removal, significant land features such as rock outcroppings, all Resource Areas (differentiate each) including Buffer Zone. *Note: It may be more comprehensible to submit two plans: an existing conditions plan and a proposed conditions plan.*
- Site plans must detail the permanent demarcation of the limit of lawn with minimum 30' offset from resource area for new construction, and minimum average 15' offset for existing dwellings.
- Locations and identifiers for all test pit locations.
- A cross-section of grading and profile for proposed septic systems.
- Locations for temporary stockpiles or storage of soils or demolition debris during construction.
- Access route for construction equipment and construction entrance location details.
- Location of erosion control barrier(s).
- Detail for installation of erosion control barrier(s).
- Location for refueling of equipment. (Outside buffer zone strongly preferred)
- Locations designated for snow storage, if necessary.
- Pre/Post-Construction Lot Coverage Summary for areas within by-law jurisdiction: a) Total lot area; b) total impervious area (**Note: impervious areas shall include, but are not limited to, roofs, decks, walks, and driveways**); c) total landscaped/lawn area; and d) total area altered during construction (including temporary impacts).



**TOWN OF WAYLAND**  
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**Drainage Requirements**

The Commission seeks to protect water quality of surface waters and groundwater, and to limit any increase in the rate or quantity of runoff of storm water from the property.

- For projects adding less than or equal to 500 square feet of impervious area, a narrative description of specific measures used to provide for infiltration of runoff equivalent to runoff this additional impervious area. Those measures must be clearly depicted on the Site Plan as a specification.

**OR**

- For projects adding more than 500 square feet of impervious area,
- A narrative discussion of the methods and all assumptions used in the drainage calculations
  - A plan showing drainage catchment areas
  - Supporting calculations (i.e. HydroCAD) stamped by a P.E.
  - Summary tables presenting Pre/Post Construction Storm Water Runoff Rates and Volumes for a 1-inch storm event, a 10-year, and a 100-year storm events. Note: Rainfall of at least 8 inches in 24 hours must be used for 100-year storm event.
  - Compliance with DEP's Stormwater Management Standards.
- Narrative description of structural and non-structural best management practice (BMP) (See "Definitions), controls for storm water management for the project **during construction phases and for long term site management:**
- Evaluation of BMP selection and factors of site suitability including: soils, drainage area, depth to water table, depth to bedrock, slopes and proximity to wells and foundations
  - Discussion of construction phasing
  - Relevant site characterization data for design
  - Water quality calculations for total suspended solids (TSS) removal
  - Calculated storm water recharge rate
  - Calculated peak discharge rate

*ATA* Maintenance requirements and site inspections templates for BMPs must be specified. Operation and Maintenance (O&M) plans for Stormwater shall be submitted with the application describing short-term BMPs (during construction) and long-term BMPs (post-construction) for management of the drainage structures, roadway and/or parking lot (as applicable) including but not limited to sweeping; catch basin cleaning; snow storage and erosion controls, such as hay bales or sediment fences. The drainage components (Best Management Practice – BMP) shall be as described using terminology in the most recent version of the DEP Storm water Technical Handbook, March 1997. A Plan for protecting the post-construction BMPs during construction shall be include in the O&M Plan.

*ATA* Aquifer Protection District – If the project is within this area, a narrative description of how the project complies with aquifer protection requirements.



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**Soils Information**

Septic Systems or Drainage BMPs (where applicable) - Clear statement of how many test pits or borings were conducted for the project planning and engineering evaluations and what number and types of analytical methods may have been applied for soils characterization including visual evaluation, percolation tests, field screening, and laboratory analyses.

Septic Systems and/or applicable drainage BMP - Copies of all soil data including boring and/or test pit logs.

*NTA* Wetland field data forms that document observations made during the wetland delineation including soil or test pit logs.

**Waivers**

In the event that Applicant considers certain required information to be, in their opinion, not relevant to the scope or scale of the proposed project Applicant may request a Waiver of the requirements with this application to the Conservation Commission. Indicate all provisions requested for Waiver below designating the specific paragraph number/letter designation.

Site Plan Minimum Requirement Waiver(s)  None  List \_\_\_\_\_

Drainage Requirement Waiver(s)  None  List \_\_\_\_\_

Soils Information Waiver(s)  None  List \_\_\_\_\_

If applicable, attach a statement for justification of the requested waivers.

In the event that any requested Waiver is not granted by the Commission or the application is otherwise found to be deficient in providing required information the hearing may at the discretion of the Commission either be closed and denied for the lack of information or continued for a specific timeframe approved by the Commission for the Applicant to submit the required information.

The Commission has authorized its Administrator to review projects and to not accept project applications under the Bylaw that have apparent deficiencies to meeting the above requirements. Notwithstanding that authority, **acceptance of an application by the Administrator does not represent a decision that the application is fully complete.** Deficiencies identified by the Administrator will be report to the applicant and the Commission during the hearing.

The property owner, as well as the applicant and/or representative (if different from owner) must sign this checklist and all other applicable applications. The property owner, by signing this checklist and the applications, acknowledges that the Commission and Staff may enter the property to inspect the premises as part of the assessment of the application.

JOE BERTOLA  
Property Owner's Name (Print)

[Signature] 02/12/21  
Property Owner's Signature Date

I certify under penalty of law that this document and all its attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete.

JOE BERTOLA  
Applicant's Name (Print)

[Signature] 02/12/21  
Applicant's Signature Date



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
MassDEP File Number
Document Transaction Number
Wayland
City/Town

**Important:**  
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



**Note:**  
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

**A. General Information**

1. Project Location (**Note:** electronic filers will click on button to locate project site):

<u>119 Dudley Road</u>	<u>Wayland</u>	<u>01778</u>
a. Street Address	b. City/Town	c. Zip Code
<u>Latitude and Longitude:</u>	<u>42.330664009592034</u>	<u>-71.37173735803296</u>
	d. Latitude	e. Longitude
<u>Joe Bertola</u>	<u>47A / 74</u>	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

<u>Joe</u>	<u>Bertola</u>
a. First Name	b. Last Name
<u>Bertola Custom Homes</u>	
c. Organization	
<u>210 Felton Street</u>	
d. Street Address	
<u>Waltham</u>	<u>MA</u>
e. City/Town	f. State
<u>781-975-1809</u>	<u>02453</u>
h. Phone Number	g. Zip Code
<u></u>	<u>joe@bertolacustom.com</u>
i. Fax Number	j. Email Address

3. Property owner (required if different from applicant):  Check if more than one owner

APPLICANT

<u></u>	<u></u>
a. First Name	b. Last Name
<u></u>	
c. Organization	
<u></u>	
d. Street Address	
<u></u>	<u></u>
e. City/Town	f. State
<u></u>	<u></u>
g. Zip Code	
<u></u>	<u></u>
h. Phone Number	i. Fax Number
<u></u>	<u></u>
<u></u>	<u></u>
j. Email address	

4. Representative (if any):

<u>Ted</u>	<u>Doucette</u>
a. First Name	b. Last Name
<u>Doucette Engineering, Inc.</u>	
c. Company	
<u>152 Whitcomb Ave</u>	
d. Street Address	
<u>Littleton</u>	<u>MA</u>
e. City/Town	f. State
<u>978-621-2138</u>	<u>01460</u>
h. Phone Number	g. Zip Code
<u></u>	<u>doucette.engineering@comcast.net</u>
i. Fax Number	j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

<u>\$500</u>	<u>\$262.50</u>	<u>\$237.50</u>
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Wayland  
City/Town

**B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)**

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet _____	2. linear feet _____
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet _____	2. square feet _____
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet _____	2. square feet _____
	3. cubic yards dredged _____	

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet _____	2. square feet _____
	3. cubic feet of flood storage lost _____	4. cubic feet replaced _____
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet _____	
	2. cubic feet of flood storage lost _____	3. cubic feet replaced _____
f. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - specify coastal or inland _____	

2. Width of Riverfront Area (check one):

- 25 ft. - Designated Densely Developed Areas only
- 100 ft. - New agricultural projects only
- 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: \_\_\_\_\_ square feet

4. Proposed alteration of the Riverfront Area:

a. total square feet \_\_\_\_\_      b. square feet within 100 ft. \_\_\_\_\_      c. square feet between 100 ft. and 200 ft. \_\_\_\_\_

5. Has an alternatives analysis been done and is it attached to this NOI?  Yes  No

6. Was the lot where the activity is proposed created prior to August 1, 1996?  Yes  No

3.  Coastal Resource Areas: (See 310 CMR 10.25-10.35)

**Note:** for coastal riverfront areas, please complete **Section B.2.f.** above.





Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

## WPA Form 3 – Notice of Intent

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Provided by MassDEP:

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Document Transaction Number

Wayland  
City/Town

### C. Other Applicable Standards and Requirements

- This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

#### Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to [http://maps.massgis.state.ma.us/PRI\\_EST\\_HAB/viewer.htm](http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm).

- a.  Yes  No **If yes, include proof of mailing or hand delivery of NOI to:**

**Natural Heritage and Endangered Species Program  
Division of Fisheries and Wildlife  
1 Rabbit Hill Road  
Westborough, MA 01581**

b. Date of map \_\_\_\_\_

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); OR complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review\*

1.  Percentage/acreage of property to be altered:

(a) within wetland Resource Area \_\_\_\_\_

percentage/acreage

(b) outside Resource Area \_\_\_\_\_

percentage/acreage

2.  Assessor's Map or right-of-way plan of site

2.  Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work \*\*

(a)  Project description (including description of impacts outside of wetland resource area & buffer zone)

(b)  Photographs representative of the site

\* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/mas-endangered-species-act-mesa-regulatory-review>).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

\*\* MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



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**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

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City/Town

Online Users:  
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

**C. Other Applicable Standards and Requirements (cont'd)**

- 4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
  - a.  Yes  No      If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
  - b. ACEC

---

- 5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
  - a.  Yes  No
- 6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
  - a.  Yes  No
- 7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
  - a.  Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
    - 1.  Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
    - 2.  A portion of the site constitutes redevelopment
    - 3.  Proprietary BMPs are included in the Stormwater Management System.
  - b.  No. Check why the project is exempt:
    - 1.  Single-family house
    - 2.  Emergency road repair
    - 3.  Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

**D. Additional Information**

- This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

**Online Users:** Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

- 1.  USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
- 2.  Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



**Massachusetts Department of Environmental Protection**  
**Bureau of Resource Protection - Wetlands**  
**WPA Form 3 – Notice of Intent**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:  
 MassDEP File Number \_\_\_\_\_  
 Document Transaction \_\_\_\_\_  
 Number \_\_\_\_\_  
 Wayland  
 City/Town \_\_\_\_\_

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

4380 2- Municipal Check Number _____	2/19/2021 3- Check date _____
4379 4- State Check Number _____	2/19/2021 5- Check date _____
Bertola Custom Homes119 6- Payer name on check: First Name _____	7- Payer name on check: Last Name _____

**F. Signatures and Submittal Requirements**

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

1. Signature of Applicant _____	2. Date _____
3. Signature of Property Owner (if different) _____	4. Date 03/08/21 _____
5. Signature of Representative (if any) _____	6. Date 4/12/21 _____

**For Conservation Commission:**

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

**For MassDEP:**

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

**Other:**

If the applicant has checked the "yes" box in any part of Section C. Item 3. above. refer to that



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands  
**NOI Wetland Fee Transmittal Form**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**Important:** When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



## A. Applicant Information

### 1. Location of Project:

119 Dudley Road

a. Street Address

4379

c. Check number

Wayland

b. City/Town

\$237.50

d. Fee amount

### 2. Applicant Mailing Address:

Joe

a. First Name

Bertola

b. Last Name

Bertola Custom Homes

c. Organization

210 Felton Street

d. Mailing Address

Waltham

e. City/Town

MA

f. State

02453

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

### 3. Property Owner (if different):

APPLICANT

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

## B. Fees

Fee should be calculated using the following process & worksheet. **Please see instructions before filling out worksheet.**

**Step 1/Type of Activity:** Describe each type of activity that will occur in wetland resource area and buffer zone.

**Step 2/Number of Activities:** Identify the number of each type of activity.

**Step 3/Individual Activity Fee:** Identify each activity fee from the six project categories listed in the instructions.

**Step 4/Subtotal Activity Fee:** Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

**Step 5/Total Project Fee:** Determine the total project fee by adding the subtotal amounts from Step 4.

**Step 6/Fee Payments:** To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



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Bureau of Resource Protection - Wetlands  
**NOI Wetland Fee Transmittal Form**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**B. Fees** (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Constr. of single family house	1	500	500
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Step 5/Total Project Fee: \_\_\_\_\_

**Step 6/Fee Payments:**

Total Project Fee:	\$500
State share of filing Fee:	a. Total Fee from Step 5 \$237.50
City/Town share of filling Fee:	b. 1/2 Total Fee less \$12.50 \$262.50
	c. 1/2 Total Fee plus \$12.50

**C. Submittal Requirements**

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection  
Box 4062  
Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a copy of this form; and the city/town fee payment.

**To MassDEP Regional Office** (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a copy of this form; and a copy of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)



Enter your transmittal number →

X287517  
Transmittal Number

Your unique Transmittal Number can be accessed online:  
<https://www.mass.gov/service-details/transmittal-form-number-for-massdep-permit-application-payment>

# Massachusetts Department of Environmental Protection Transmittal Form for Permit Application and Payment

1. Please type or print. A separate Transmittal Form must be completed for each permit application.

2. Make your check payable to the Commonwealth of Massachusetts and mail it with a copy of this form to: MassDEP, P.O. Box 4062, Boston, MA 02211.

3. Three copies of this form will be needed.

Copy 1 - the original must accompany your permit application. Copy 2 must accompany your fee payment. Copy 3 should be retained for your records

4. Both fee-paying and exempt applicants must mail a copy of this transmittal form to:

MassDEP  
P.O. Box 4062  
Boston, MA  
02211

\* Note:  
For BWSC Permits, enter the LSP.

## A. Permit Information

WPAForm 3  
1. Permit Code: 4-to-7-character code from permit instructions  
Notice of Intent, single-family home  
3. Type of Project or Activity

BRP – Wetlands  
2. Name of Permit Category

## B. Applicant Information – Firm or Individual

Bertola Custom Homes  
1. Name of Firm - Or, if party needing this approval is an individual enter name below:  
Bertola  
2. Last Name of Individual  
210 Felton Street  
5. Street Address  
Waltham  
6. City/Town  
Joe Bertola  
11. Contact Person

Joe  
3. First Name of Individual  
MA  
7. State  
02453  
8. Zip Code  
781-975-1803  
9. Telephone #  
joe@bertolacustom.com  
12. e-mail address  
4. MI  
10. Ext. #

## C. Facility, Site or Individual Requiring Approval

Single Family Home  
1. Name of Facility, Site or Individual  
119 Dudley Road  
2. Street Address  
Wayland  
3. City/Town  
MA  
4. State  
01778  
5. Zip Code  
6. Telephone #  
7. Ext. #  
8. DEP Facility Number (if Known)  
9. Federal I.D. Number (if Known)  
10. BWSC Tracking # (if Known)

## D. Application Prepared by (if different from Section B)\*

Ted Doucette – Doucette Engineering, Inc  
1. Name of Firm or Individual  
152 Whitcomb Ave  
2. Address  
Littleton  
3. City/Town  
MA  
4. State  
01460  
5. Zip Code  
7. Ext. #  
Ted P Doucette  
8. Contact Person  
9. LSP Number (BWSC Permits only)  
978-621-2138  
6. Telephone #

## E. Permit - Project Coordination

1. Is this project subject to MEPA review?  yes  no  
If yes, enter the project's EOEA file number - assigned when an Environmental Notification Form is submitted to the MEPA unit:

EOEA File Number

## F. Amount Due

### Special Provisions:

- 1.  Fee Exempt: city, town, county, or district of the Commonwealth; federally recognized Indian tribe housing authority; municipal housing authority; the MBTA; or state agency if fee is \$100 or less. *There are no fee exemptions for BWSC permits, regardless of applicant status.*
- 2.  Hardship Request - payment extensions according to 310 CMR 4.04(3)(c).
- 3.  Alternative Schedule Project (according to 310 CMR 4.05 and 4.10).
- 4.  Homeowner (according to 310 CMR 4.02).

DEP Use Only

Permit No:

Rec'd Date:

Reviewer:

4379  
Check Number  
\$237.50  
Dollar Amount  
2/19/2021  
Date



**Town of Wayland**  
 41 COCHITUATE ROAD  
 WAYLAND MASSACHUSETTS 01778  
 www.wayland.ma.us TEL. 508-358-3788

OFFICE STAFF  
 Matthew Lanefski, MAA, Assistant Assessor  
 Mary-Ann Wohlfarth, Sr. Admin. Coordinator

BOARD OF ASSESSORS  
 Zachariah Ventress, Chair  
 Philip P. Parks  
 Molly Upton  
 Massimo Taurisano

### Certification of Abutters

Date of request 2/10/21

Please plan your submission accordingly. The Assessors' office has 10 business days to certify an abutters list Per MGL Ch. 66, S.10

Address to be certified 119 Dudley Rd Parcel ID 47A-074  
(Map/Lot)

Owner's Name Esposito, Gerardo, Adriana  
(PLEASE PRINT)

Owner's Mailing Address 146 Charles St. Cambridge, MA 02141

Name of Applicant Doucette Engineering Telephone: \_\_\_\_\_  
(PLEASE PRINT)

doucette.engineering@comcast.net  
 Mailing Address of Applicant \_\_\_\_\_  
City/Town State Zip  
152 whitcomb Ave Littleton, MA 01460

Signature of Applicant \_\_\_\_\_

Reason for List (check one)     Conservation     Health     Planning     Zoning     Board of Selectmen

**\*\*Please check with the Board/Commission for their guidelines regarding the number of feet required for notification. Each Board/Commission has its own regulations for their abutters listing. There's no fee for certification, however the list/s of abutters must be provided by the person or company requesting certification.**

For use by Assessors

This is to certify that at the time of the last assessment for taxation made by the Town of Wayland, the names and addresses are the assessed owners to these parcels.

Certified By: Mary-Ann Wohlfarth    Date: 2/10/21

CC:  Conservation     Health     Planning     Zoning     Board of Selectmen

## NARRATIVE

### Notice of Intent – 119 Dudley Road, Wayland April 12, 2021

This narrative is provided to support the Notice of Intent filing for 119 Dudley Road and to provide sufficient information to fully describe the project.

The following plans and drawings are submitted with this application.

Septic Design Plan – Subsurface Disposal System Upgrade Design for 119 Dudley Road, Wayland, Massachusetts, Doucette Engineering, dated 03NOV2020, Rev 2 03MAR2021, Ted P. Doucette, P.E.

Existing Conditions Plan - Plan of Land in Wayland, Massachusetts, prepared for Ted Doucette, 10/6/2020, Alfred M. Berry, P.L.S.

Conservation Plan – Notice of Intent Plan for 119 Dudley Road, Wayland, Massachusetts. Doucette Engineering dated 12MAR2021

Existing Floor Plans and Elevations – Tektoniks Architects, progress set 19JAN2021

Proposed Floor Plans and Elevations – Tektoniks Architect, zoning set, 26JAN2021

#### Existing Conditions

The property is a single-family house lot with an area 4100 sf (assessor) and 3,800 (measured) on the pond side of Dudley Road. Much of the house sits below street level and is a two-bedroom home that has stairs leading from the street down to the house. The existing septic system consists of a septic tank and a soil absorption system of unknown dimensions, that has been found not to conform with Title 5. The water level at the time of the survey was 147.8 (September 15, 2020). The area near the pond consists of garden areas, and concrete decks. Moving up from the pond toward the street the house spans most of the lot width, and there are concrete stairs and walkways constructed on both sides, leaving little natural landscape. There is an area of about 1200 square feet between the house and the road where the existing septic system is located. Test pits excavated in this area reveal the soil is medium sand is about 24 feet above the lake elevation. There is an easement that runs along the property to the north side of the property. This lot is non-conforming due to lot area. Currently there is not parking for this property, there is a handshake agreement that allows this owner to partially park on the neighbor's property, and to park within the easement. The plans are based on NAVD88 datum which is the official datum of the United States and has superseded the NGVD datum requested in the application requirements, the conversion is to subtract 3.6 feet from NAVD88 to obtain NGVD29.

#### Applicant/Owner:

Joe Bertola  
Bertola Custom Homes & Remodel  
210 Felton Street  
Waltham, Massachusetts, 02453

Mr Bertola purchased the property on December 15, 2020, although the information has not been entered into the assessor's data base.

#### Nearby Resources

The only resource in the area of the project is Dudley Pond, the limit of work is approximately 25 feet from the existing edge of water defined by the retaining walls at the water's edge. Due to the steep banks, and existing retaining walls, the only resource area is bank to a freshwater lake; as found on multiple properties along the Dudley Pond and Lake Cochituate there is not an associated bordering vegetative wetland.

#### Proposed project

The proposed project includes replacing the failed septic system with a new Title 5 compliant system; this work will take place greater than 90 feet from the edge of the resource area. The location of the proposed soil absorption system is at the only location found to have suitable soil and is as far from the resource area as possible. The design requires a septic tank and a pump chamber due to the sloping topography toward the street, the proposed soil absorption system is concrete chambers to support the parking area above. The work will also include relocating the existing water line.

The work will also include removing the existing structure, due to the age, quality of materials/construction, and overall condition renovating is not a viable option. The proposed structure will have the same foundation footprint, floor area and bedrooms.





February 19, 2021

Joe Bertola  
Bertola Custom Homes  
119 Dudley Road  
Wayland, MA 01778

Dear Board members,

I hope This letter find you well. We are planning to carefully deconstruct the existing structure existing on site following the steps bellow:

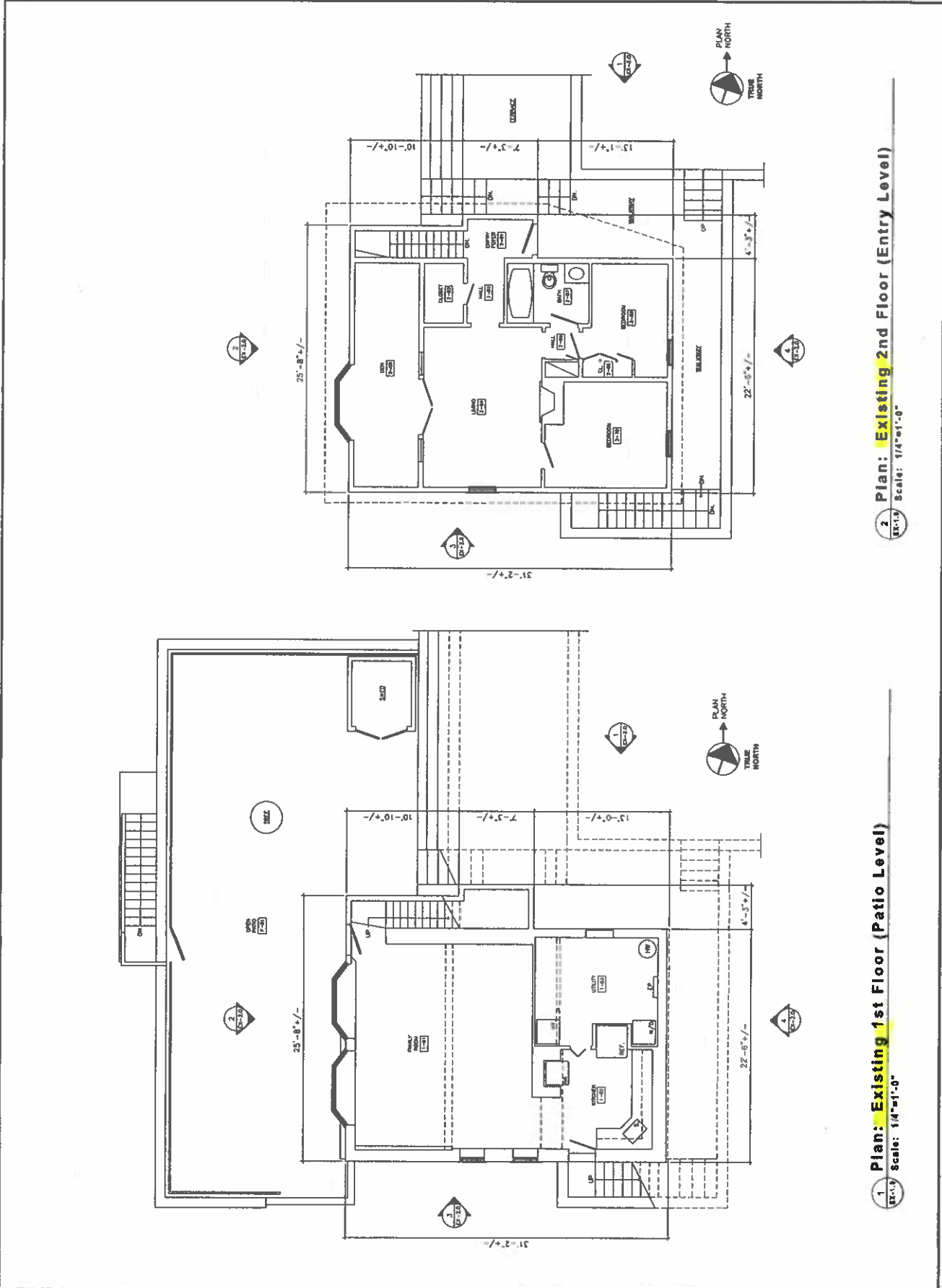
- 1- Installing a sediment control barrier around the perimeter and Have the company that provide oil to the house to come empty the tank and hall it away along with the furnace.
- 2- Cover the grounds around the structure with a 6-mil poly sheet to facilitate daily cleanups and avoid any site contamination
- 3- Starting from the inside of the house, disconnect all plumbing and electricity, install HEPA air filters, remove all the woodworking and send it separately for a recycling station, removing the drywall/ plaster/ insulation with a sprinkler system to damp the sheets/materials. The goal is to have no dust production wile tearing the walls down and removing it from the house in contractor bags to avoid any dust outdoors or in case of rain the content of the bags don't end up in the pond.
- 4- On the exterior, we will start by removing the aluminum siding and windows and send it out for a recycling station. After that the roofing will start to come a part by slicing it in 2 feet sections and by man power placing carefully into a dumpster. The same technic will be used to remove the walls and the rest of the wooden structure that will be send to a recycling facility, all the good frame members that will be worth saving will be reused to reconstruct the house.
- 5- Clean ups will take place in the end of every work day making sure that the site is tight and safe.

No heavy machinery will be used to deconstruct this structure, We will preserve the foundation intact so it is imperative that no harm will be done to it during the entire project, There will be a need for a small crane to place a steel beam on the west wall facing the pond to create the big opening we need on the ground floor. and the 2 steel beams on that will hold the carport roof it should take 5 to 6 hours for that to be accomplished and the crane can be set up in the road without a problem.

Also to remove and replace the septic system Curtis sept will use a back hole to facilitate their job, They did several septic systems on the same road and on the near by homes so they know the protocols they need to fallow and they are well used to it.

The re-construction of the property will happen according to the following:

- 1- We will have the steel beam installed in the first day with the help of a crane. All materials will be pre-fabricated from the metal shop, just assembling will be done on site, no welding or drilling will be needed, simply bolt the new structure into the existing foundation.



**1 Plan: Existing 1st Floor (Patio Level)**  
Scale: 1/4"=1'-0"

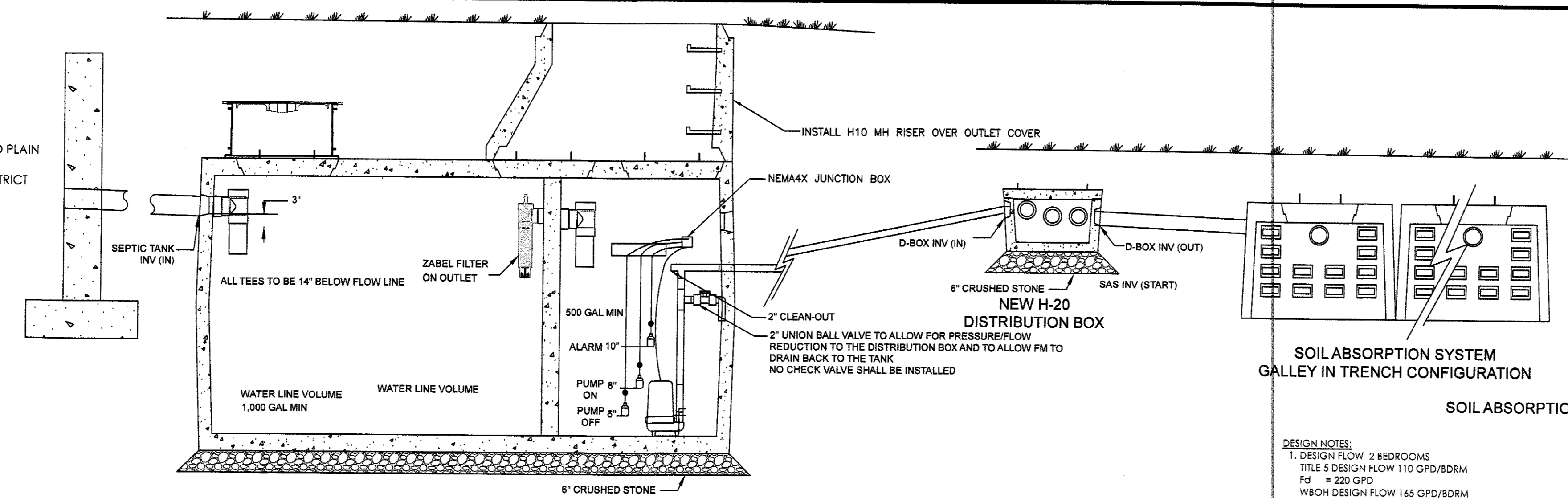
**2 Plan: Existing 2nd Floor (Entry Level)**  
Scale: 1/4"=1'-0"





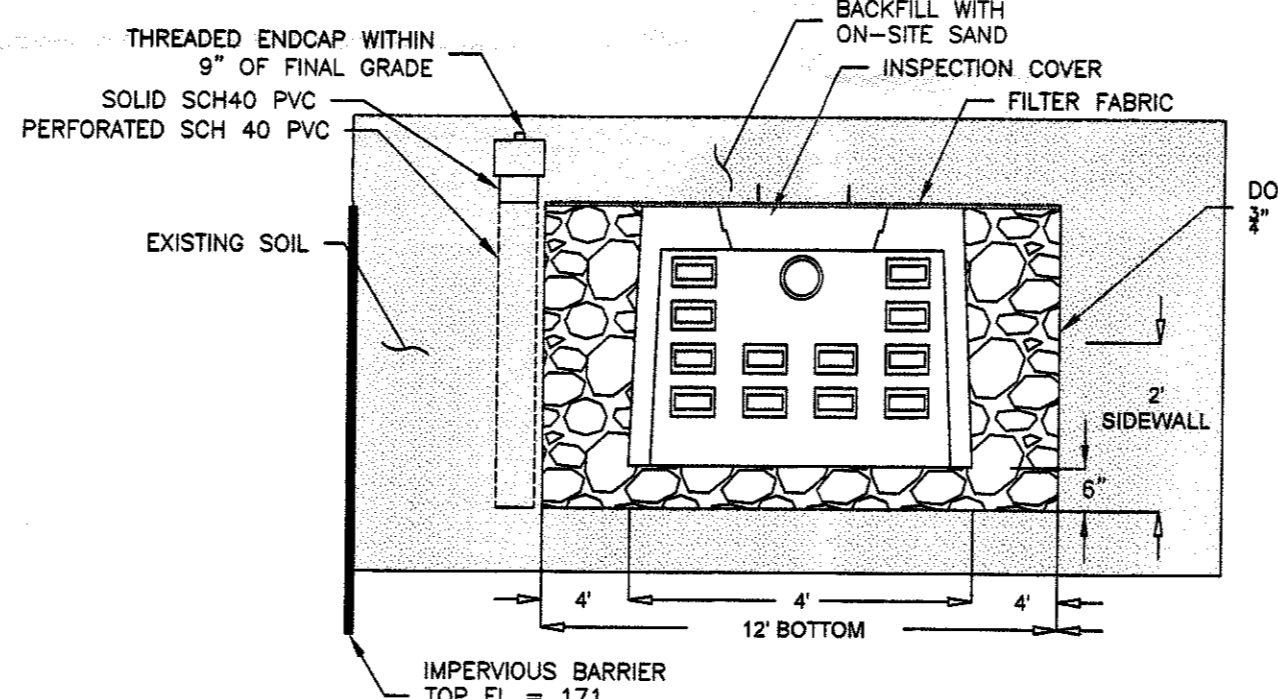
**PROPERTY INFORMATION**  
 OWNER OF RECORD: JOE BERTOLA  
 119 DUDLEY ROAD  
 WAYLAND MA 01778  
 WAYLAND ASSESSORS: 47A / 74  
 LOT AREA: 3000 +/- SF (RECORD)  
 ZONING DISTRICT: R20  
 THIS PROPERTY IS LOCATED WITHIN IN A ZONE II  
 THIS PROPOSED WORK ON THIS PROPERTY IS NOT LOCATED WITHIN A 100-YEAR FLOOD PLAIN  
 THIS PROPERTY IS NOT LOCATED WITHIN A NHESP PRIORITY HABITAT  
 THIS PROPERTY IS LOCATED WITHIN THE WAYLAND WATER RESOURCE PROTECTION DISTRICT  
 THE PROPOSED WORK IS WITHIN 100' OF A FRESHWATER BANK  
 THERE ARE NO DRAINAGE STRUCTURES WITHIN 50' OF THE PROPOSED SEPTIC SYSTEM  
 THIS SYSTEM IS NOT DESIGNED FOR A GARBAGE DISPOSAL  
 THERE IS NO GARBAGE DISPOSAL INSTALLED IN THE HOUSE

**ABBREVIATIONS:**  
 ASB AS-BUILT  
 BW BOTTOM OF WALL  
 BOH BOARD OF HEALTH  
 CB CATCH BASIN  
 CF CUBIC FEET  
 CONC CONCRETE  
 DMH DRAIN MANHOLE  
 EX EXISTING  
 ESHGW ESTIMATED SEASONAL HIGH GROUND WATER  
 EL ELEVATION  
 FFE FINISHED FLOOR ELEVATION  
 INV INVERT  
 LF LINEAR FEET  
 FC PUMP CHAMBER  
 PROP PROPOSED  
 SAS SOIL ABSORPTION SYSTEM  
 ST SEPTIC TANK  
 SYS SYSTEM  
 TOP TOP OF FOUNDATION  
 TW TOP OF WALL  
 TYP TYPICAL  
 VIF VERIFY IN FIELD



2,000 GALLON H-20 TWO COMPARTMENT MONOLITHIC SEPTIC TANK

SYSTEM PROFILE (NTS)



SOIL ABSORPTION SYSTEM CROSS SECTION

SOIL ABSORPTION SYSTEM  
 GALLEY IN TRENCH CONFIGURATION  
 SOIL ABSORPTION SYSTEM

**DESIGN NOTES:**

- DESIGN FLOW 2 BEDROOMS  
 TITLE 5 DESIGN FLOW 110 GPD/BDRM  
 Fd = 220 GPD  
 WBCH DESIGN FLOW 145 GPD/BDRM  
 Fdw = 290 GPD
- LTR = 0.74 GPD/SF  
 WBCH SOIL ABSORPTION SYSTEM AREA REQUIRED  
 Ar = (330 GPD) / (0.74 GPD/SF)  
 Ar = 445 SF  
 WBCH SOIL ABSORPTION SYSTEM REQUIREMENTS  
 Ar = 668 SF
- AREA PROVIDED  
 5' X 4' GALLEY SYSTEM IN SERIES  
 4' OF STONE ON SIDES 1' ON ENDS  
 Ad IS EQUAL TO THE BOTTOM AREA AND 2 FEET OF SIDEWALL  
 FOR THE FULL PERIMETER OF STONE.  
 Ad = Ab + 2\*Apm  
 Ad = (12')(22') - (2')(22') + 12' + 22' + 12'  
 Ad = 264 SF + 136  
 Ad = 400
- CAPACITY PROVIDED  
 Cp = (400 SF) \* (0.74 SF/GPD)  
 Cp = 296 GPD
- SEPTIC TANK CAPACITY  
 COMPARTMENT 1 = 48 HR CAPACITY  
 REQUIRED 2006 Fd  
 C1 = 1500 GAL MINIMUM PROVIDED

**IMPLEMENTATION NOTES:**

- CONTRACTOR SHALL CONTACT DIG SAVE AT 811 OR WWW.DIGSAFE.COM, NO LESS THAN 72 HOURS PRIOR TO STARTING THEIR WORK
- THE EXISTING SYSTEM SHALL BE PUMPED AND EXCAVATED TO MAKE ROOM FOR THE PROPOSED SEPTIC TANK/PUMP CHAMBER, ANY OTHER SUBSURFACE DISPOSAL STRUCTURES THAT ARE FOUND SHALL BE PUMPED AND THEN CRUSHED IN PLACE AND FILL WITH CLEAN SOIL
- SUBSURFACE CONDITIONS ARE NOT GUARANTEED, THE LOCATION AND PRESENCE OF SUBSURFACE UTILITIES ARE NOT WARRANTED TO BE COMPLETE, CONTRACTOR SHALL VERIFY ALL UTILITIES PRIOR TO THE COMMENCEMENT OF WORK
- CONTRACTOR SHALL MAINTAIN SERVICE TO THE RESIDENCE DURING CONSTRUCTION, SERVICING SHALL BE PERFORMED AS NECESSARY
- CONTRACTOR SHALL COORDINATE THE INSPECTIONS WITH THE BOARD OF HEALTH AND THE ENGINEER, PROVIDE 24-HOURS NOTICE, MINIMUM INSPECTIONS SHALL INCLUDE:  
 - AFTER EXCAVATION - BOTTOM OF HOLE  
 - AFTER CONSTRUCTION IS COMPLETE, PRIOR TO BACKFILLING  
 - PUMP TEST, IF NECESSARY SHALL BE WITNESSED BY THE BOARD OF HEALTH
- FINAL GRADES SHALL MEET EXISTING GRADES OR AS SHOWN ON THE PLAN
- THE A/B HORIZON AND ALL UNSUITABLE MATERIAL INCLUDING FILL, EXISTING SYSTEM AND ANY DELETERIOUS MATERIAL SHALL BE EXCAVATED FOR A DISTANCE OF AT LEAST 5' FROM THE EDGE OF THE PROPOSED SOIL ABSORPTION SYSTEM
- SHOULD THE CONTRACTOR FIND THAT CONDITIONS ON THE PLAN, INCLUDING THE BUILDING SEWER ELEVATION DO NOT MEET THOSE ON THE PLAN, THE ENGINEER SHALL BE CONTACTED IMMEDIATELY
- SEWER TIE-IN MUST BE TO SCH40 PVC OR CAST IRON OR ELSE THE BUILDING SEWER SHALL BE REPLACED TO THE FOUNDATION
- IMPERVIOUS BARRIER SHALL BE ONE CONTINUOUS LENGTH WITH NO HOLES, CUTS OR SEAMS, IF TWO LENGTHS ARE REQUIRED IT SHALL BE OVERLAPPED BY 10 FEET USING APPROPRIATE ADHESIVE AS REQUIRED BY THE WAYLAND HEALTH DEPARTMENT, BOTTOM ELEVATION SHALL BE AS SPECIFIED ON THE CROSS SECTION OR BURIED TO A DEPTH OF ONE FOOT INTO NATURALLY OCCURRING SOIL, IMPERVIOUS BARRIER SHALL BE 6 INCHES ABOVE LEDGE AND AT LEAST 12 INCHES INTO NATURALLY OCCURRING MATERIAL
- AS REQUIRED BY THE WAYLAND HEALTH DEPARTMENT A CONFIRMATORY TEST HOLE SHALL BE EXCAVATED DURING THE BED BOTTOM INSPECTION AND SHALL BE WITNESSED BY THE ENGINEERING AND THE HEALTH AGENT
- WATER LINE SHALL BE RELOCATED TO BE AS FAR FROM THE PROPOSED SOIL ABSORPTION SYSTEM AS POSSIBLE, AND SHALL BE SLEEVED INSIDE OF 4\"/>

**GENERAL NOTES:**  
 1. ALL MATERIALS AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH 310CMR 1.15, TITLE 5 OF THE STATE ENVIRONMENTAL CODE AND THE WAYLAND BOARD OF HEALTH REGULATIONS.  
 2. NO WORK SHALL BE CONDUCTED UNTIL ALL NECESSARY PERMITS ARE OBTAINED  
 3. THE SEPTIC SYSTEM SHALL BE INSTALLED BY A CONTRACTOR LICENSED IN THE TOWN OF WAYLAND  
 4. THIS PLAN IS INTENDED FOR THE INSTALLATION OF THE SEWAGE DISPOSAL SYSTEM ONLY; PROPERTY LINES SHALL BE CONSIDERED APPROXIMATE AND SHALL NOT BE USED FOR THE LOCATION OF STRUCTURES, FENCES OR OTHER PROPERTY LINE OFFSETS  
 5. PROPERTY LINES ARE BASED UPON THE FOLLOWING PLAN: PLAN OF LAND IN WAYLAND, MA, BY ALFRED M. BERRY, ATHOL MASSACHUSETTS DATED 10/6/2020.  
 6. NO CHANGES SHALL BE MADE TO THE APPROVED PLAN WITHOUT PRIOR APPROVAL OF THE BOARD OF HEALTH AND THE ENGINEER.  
 7. THIS SYSTEM IS NOT DESIGNED FOR THE USE OF A GARBAGE GRINDER.  
 8. EXISTING SOIL ABSORPTION SYSTEM 115 DUDLEY ROAD SCALED AND DIGITIZED FROM PLOT PLAN OF LAND IN WAYLAND, MASS GUN ENGINEERING CONSULTANTS, MAY 13, 2005, JOYCE F. HASTINGS, PLS. DOUCETTE ENGINEERING ASSUMES NO LIABILITY FOR THE ACCURACY OF THIS PLAN.

**SPECIFICATIONS:**  
**GENERAL/ALL COMPONENTS**  
 ALL MATERIALS SHALL BE AS SPECIFIED - ANY REPLACEMENT SHALL BE SUBMITTED TO THE ENGINEERING INCLUDING CUT SHEETS OR SPECIFICATIONS AND APPROVED PRIOR TO INSTALLATION  
 310CMR 1.5 AND WAYLAND BOARD OF HEALTH REGULATIONS FOR ON-SITE SUBSURFACE SEWAGE DISPOSAL SYSTEMS SHALL BE CONSIDERED PART OF THESE SPECIFICATIONS. ALL MATERIALS SHALL MEET THESE SPECIFICATIONS  
 ALL PIPING SHALL BE 4\"/>

IN ACCORDANCE WITH 310CMR 1.5.221 ALL SYSTEM COMPONENTS SHALL BE MARKED WITH MAGNETIC MARKING TAPE OR COMPARABLE MEANS IN ORDER TO LOCATE THEM ONCE BURIED  
 RISERS FITTED WITH CAST-IRON MANHOLE FRAMES AND COVERS OR APPROPRIATE EQUIVALENTS SHALL BE AFFIXED TO ANY SYSTEM COMPONENT WITH A DEPTH GREATER THAN 9\"/>

AN EFFLUENT TEE FILTER APPROVED BY MASSDEP SHALL BE INSTALLED ON THE OUTLET TEE OF THE FIRST COMPARTMENT, THE COVER OVER THE FILTER SHALL BE BROUGHT TO GRADE.  
 TANK SHALL BE EPE SHEA CONCRETE PRODUCTS M2002CH  
 PUMP SHALL BE EPE MYERS SRM4 OR APPROVED EQUIV  
 PUMP CURVE PROVIDED AS A REGULATORY REQUIREMENT ONLY AND IS NOT REQUIRED FOR PUMP SELECTION  
 OPERATING POINT: TDH 12 FEET, AND 30 GPM  
 A BALL VALVE SHALL BE PLACED IN LINE ON THE FORCEMAIN WITHIN THE PUMP CHAMBER TO THROTTLE THE FLOW, A CHECK VALVE SHALL NOT BE INSTALLED  
 PUMP AND ALARM SHALL BE ON SEPARATE CIRCUITS  
 CONTROL PANEL SHALL HAVE MANUAL RUN SWITCH AND CYCLE COUNTER

**DISTRIBUTION BOX**  
 THE DISTRIBUTION BOX SHALL BE CONCRETE, INVERT ELEVATIONS OF ALL OUTLETS SHALL BE EQUAL AND TWO INCHES BELOW THE INVERT OF THE INLET  
 OUTLET DISTRIBUTION LINES SHALL BE LEVEL FOR THE FIRST 2'  
 THERE SHALL BE A MINIMUM SUMP OF 6\"/>

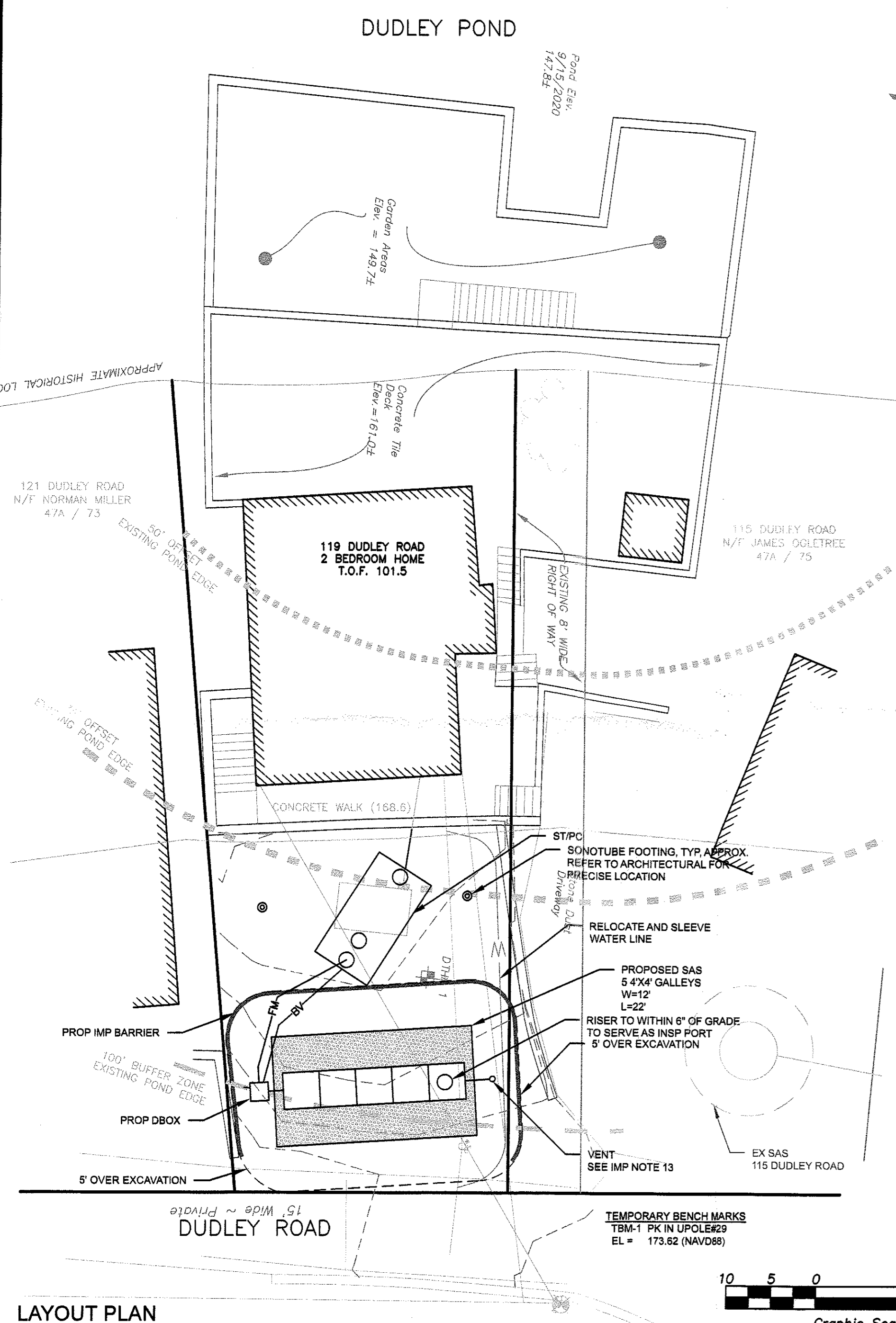
WHERE THE SOIL ABSORPTION SYSTEM IS NOT INSTALLED IN THE C-LAYER ALL UNSUITABLE MATERIAL INCLUDING THE A AND B HORIZONS, THE EXISTING SYSTEM AND ANY OTHER DELETERIOUS MATERIAL SHALL BE REMOVED FOR A DISTANCE OF FIVE FEET FROM THE LIMIT OF THE SOIL ABSORPTION SYSTEM, THE C HORIZON NEED NOT BE REMOVED  
 THE MINIMUM COVER OVER THE SOIL ABSORPTION SYSTEM SHALL BE 12\"/>

**SOIL ABSORPTION SYSTEM**  
 SOIL ABSORPTION SYSTEM PIPE MAY BE SCH40 OR SDR35 PVC GRAVITY SEWER PIPE  
 SOIL ABSORPTION SYSTEM SHALL BE CONSTRUCTED WITH SHEA CONCRETE PRODUCTS GALLEY 4X4 LOW PROFILE H20 LOADING SET ON 6\"/>

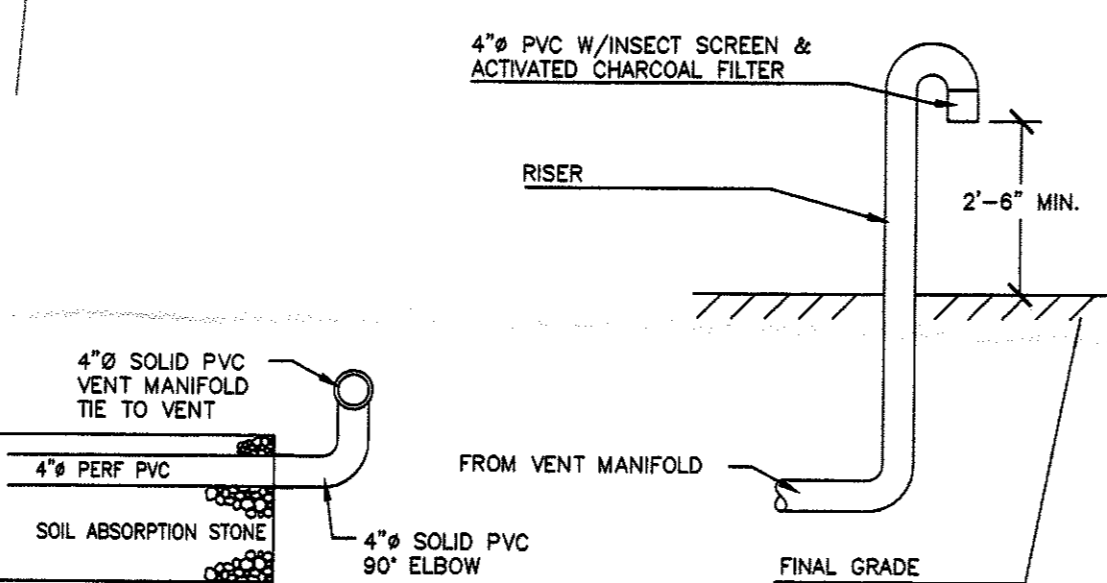
AGGREGATE SHALL BE DOUBLE WASHED 3/4\"/>

IMPERVIOUS BARRIER SHALL BE 6 MIL PVC OR APPROVED EQUIV  
 GALLEY SHALL BE SHEA CONCRETE PRODUCTS CGLPH OR APPROVED EQUIV

**CERTIFICATION:**  
 BY MY SIGNATURE AND STAMP BELOW, I CERTIFY THE FOLLOWING:  
 1. THAT ON 13NOV2023 I HAVE PASSED THE SOIL EVALUATOR EXAMINATION APPROVED BY THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THAT THE ABOVE ANALYSIS WAS PERFORMED BY ME CONSISTENT WITH THE REQUIRED TRAINING, EXPERTISE DESCRIBED IN 310 CMR 15.017  
**VARIANCE REQUEST:**  
 DUE TO THE SIZE OF THE LOT THE FOLLOWING VARIANCES ARE REQUESTED.  
 REQUEST RELIEF FROM 310CMR 1.5.211(1) TO ALLOW THE FOLLOWING  
 1. REDUCE THE OFFSET BETWEEN THE PROPOSED SOIL ABSORPTION SYSTEM AND PROPERTY LINE FROM 10 FEET TO NOT LESS THAN 5 FEET FROM A PROPERTY LINE/RIGHT OF WAY WITH THE REFERENCE TO A PROPERTY LINE DETERMINATION FROM A REGISTERED PROFESSIONAL LAND SURVEYOR.  
 2. REDUCE THE OFFSET BETWEEN A SEPTIC TANK AND PROPERTY LINE FROM 10 FEET TO NOT LESS THAN FIVE FEET WITH A CERTIFIED PROPERTY LINE.  
 3. REDUCE THE OFFSET FROM THE PROPOSED SOIL ABSORPTION SYSTEM AND A FOUNDATION FROM 20 FEET TO NOT LESS THAN 10 FEET.  
 4. REDUCE THE OFFSET BETWEEN A SOIL ABSORPTION SYSTEM AND WATER LINE FROM 10 FEET TO NOT LESS THAN FIVE FEET.  
 REQUEST RELIEF FROM WAYLAND HEALTH BOARD OF HEALTH REGULATIONS FOR ON-SITE SUBSURFACE SEWAGE DISPOSAL SYSTEMS SECTION 1(C), TO ALLOW THE PROPOSED UPGRADED SEPTIC SYSTEM TO BE DESIGNED AT THE TITLE 5 DESIGN FLOW OF 110 GPD



LAYOUT PLAN



CONNECTION MANIFOLD

RISER

SOIL ABSORPTION SYSTEM VENT

**ELEVATION SCHEDULE**

DESIGN	DESIGN
SEPTIC TANK INV (IN)	165.50
PUMP CHAMBER (OUT)	165.25
D-BOX INV (IN)	170.67
D-BOX INV (OUT)	170.50
SAS INV	170.00
BOTTOM CHAMBER	187.00
BOTTOM STONE	165.50

- LEGEND**
- BB EXISTING CONTOUR
  - PB PROPOSED CONTOUR
  - BV BACK VENT
  - E BURIED ELECTRIC (EX)
  - W DOMESTIC WATER LINE (EX)
  - W DOMESTIC WATER LINE (PROP)
  - G GAS SERVICE (EX)
  - G GAS SERVICE (PROP)
  - S SEPTIC VENT
  - RD ROOF DRAIN (PROP)
  - FM FORCE MAIN
  - FD FOUNDATION DRAIN (PROP)
  - STONE WALL
  - PROPERTY LINE (APPROX)
  - PROPERTY LINE (PROPOSED)
  - EDGE OF PAVEMENT (EX)
  - EDGE OF PAVEMENT (PROP)
  - WOOD FENCE
  - WIRE FENCE
  - LIMIT OF WORK
  - EROSION CONTROL/STRAW WATTLE
  - PROPOSED SPOT GRADE
  - SPOT GRADE TO REMAIN
  - 101.10+
  - (101.10)
  - DEEP TEST HOLE
  - PERCOLATION TEST
  - TEMPORARY BENCH MARK
  - CONFIRMATORY TEST HOLE
  - SURVEY CONTROL DO NOT DISTURB

**ON-SITE SOIL AND GROUNDWATER REVIEW**

DATE: 20AUG2020 TIME: 1000 WEATHER: CLEAR MID 70'S  
 LAND USE: RESIDENTIAL  
 SLOPE: <5% SURFACE STONES: NEGIGIBLE  
 VEGETATION: NEGIGIBLE  
 SOIL EVALUATOR: TED P. DOUCETTE, (CERTIFICATION NOV 13, 2003)  
 APPROVING AUTHORITY REPRESENTATIVE: DARREN MACCAUGHY, RS, WAYLAND HEALTH AGENT

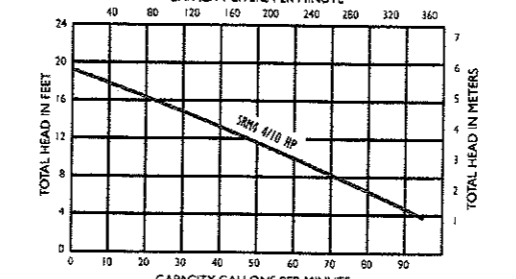
**DEEP OBSERVATION HOLE LOG**

DEPTH (INCHES)	HORIZON/LAYER	SOIL TEXTURE (USDA)	SOIL COLOR (MUNSELL)	REDOXIMORPHIC FEATURES
0"-12"	A	SANDY LOAM	10YR 6/3	-
12"-44"	B	FINE SANDY LOAM	10YR 6/8	-
44"-96"	C	MED SAND/GRVL	10YR 6/2	-

PARENT MATERIAL: SAND  
 EXISTING GROUND ELEVATION AT TEST HOLE: 171.17  
 KEEPING FROM PIT FACE: NOT OBSERVED  
 STANDING WATER IN THE HOLE: NOT OBSERVED  
 REDOXIMORPHIC FEATURES: NOT OBSERVED  
 ESTIMATED SEASONAL HIGH GROUND WATER: <163.17

**PERCOLATION TEST**

DATE:	20AUG2020	TIME:	A.M.
NUMBER:	1		
LOCATION:	DTH-1		
DEPTH OF PERC:	60"		
PRE SOAK: START	0850		
PRE SOAK: END	CNS		
12"			
9"			
6"			
TIME 9"-6" (MIN)			
PERC RATE (MIN/IN)	<2		



PUMP CURVE

NOTES:  
 PUMP CURVE PROVIDED AS A REGULATORY REQUIREMENT ONLY, NOT INTENDED TO BE USED FOR PUMP SELECTION  
 OPERATING POINT 12 FT AND 30 GPM

LOCUS

NTS  
 SOURCE: MASS GIS

**Sewage Disposal System Upgrade Design for  
 119 Dudley Road, Wayland, Massachusetts.**

**DOUCETTE ENGINEERING**  
 152 Whitcomb Avenue, Littleton, Massachusetts 01460  
 978.621.2138 = doucette.engineering@comcast.net  
 www.doucetteengineering.com

Date: 03NOV2020  
 Scale: as noted  
 Sheet 1 of 1  
 Drawn by: TPD  
 Drawing number: 2020-138

**Revisions:**

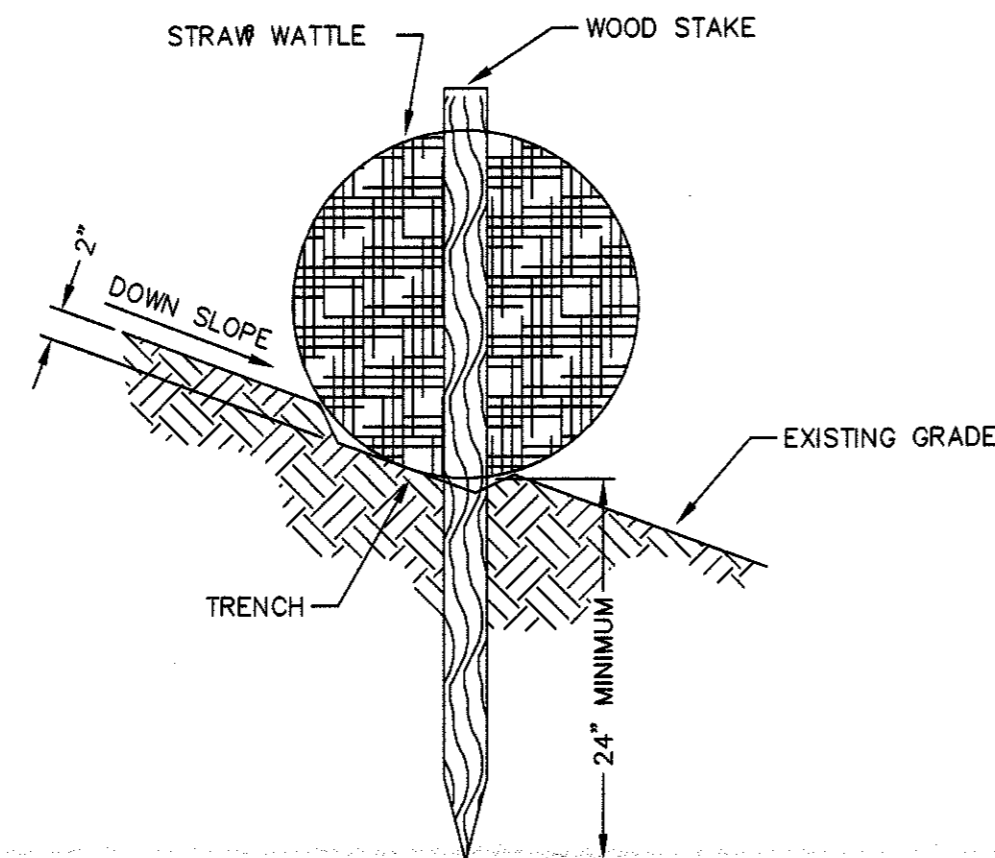
- Misc notes, town review, chamber sas 22JAN2021
- Town review on rev 1 03MAR2021

TED P. DOUCETTE  
 No. 45271  
 PROFESSIONAL ENGINEER

PROPERTY INFORMATION  
 OWNER OF RECORD: JOE BERTOLA  
 119 DUDLEY ROAD  
 WAYLAND MA 01778  
 WAYLAND ASSESSORS: 47A / 74  
 LOT AREA: 3000 +/- SF (RECORD)  
 ZONING DISTRICT: R20

THIS PROPERTY IS LOCATED WITHIN IN A ZONE II  
 THIS PROPOSED WORK ON THIS PROPERTY IS NOT LOCATED WITHIN A 100-YEAR FLOOD PLAIN  
 THIS PROPERTY IS NOT LOCATED WITHIN A NHESP PRIORITY HABITAT  
 THIS PROPERTY IS LOCATED WITHIN THE WAYLAND WATER RESOURCE PROTECTION DISTRICT  
 THE PROPOSED WORK IS WITHIN 100' OF A FRESHWATER BANK  
 THERE ARE NO DRAINAGE STRUCTURES WITHIN 50' OF THE PROPOSED SEPTIC SYSTEM  
 THIS SYSTEM IS NOT DESIGNED FOR A GARBAGE DISPOSAL  
 THERE IS NO GARBAGE DISPOSAL INSTALLED IN THE HOUSE

ABBREVIATIONS:  
 ASB AS-BUILT  
 BW BOTTOM OF WALL  
 BOH BOARD OF HEALTH  
 CB CATCH BASIN  
 CF CUBIC FEET  
 CONC CONCRETE  
 DMH DRAIN MANHOLE  
 EX EXISTING  
 ESHW ESTIMATED SEASONAL HIGH GROUND WATER  
 EL ELEVATION  
 FFE FINISHED FLOOR ELEVATION  
 INV INVERT  
 LF LINEAR FEET  
 PC PUMP CHAMBER  
 PROP PROPOSED  
 SAS SOIL ABSORPTION SYSTEM  
 ST SEPTIC TANK  
 SYS SYSTEM  
 TOF TOP OF FOUNDATION  
 TW TOP OF WALL  
 TYP TYPICAL  
 VIF VERIFY IN FIELD



- WETLAND NOTES:**
- ALL WORK SHALL BE CONDUCTED IN ACCORDANCE WITH THE ORDER OF CONDITIONS ISSUED BY THE WAYLAND CONSERVATION COMMISSION.
  - EROSION CONTROLS SHALL BE INSTALLED PRIOR TO STARTING ANY OTHER WORK.
  - NO FILL SHALL BE STOCKPILED OR PLACED WITHIN 100 FEET OF THE WETLAND.
  - THE WETLAND RESOURCE AREA WAS DELINEATED BY THE TOP OF BANK AND EDGE OF WALL. NO EVIDENT BORDERING VEGETATIVE WETLAND WAS OBSERVED.
  - THERE SHALL BE NO DISPOSAL OR BURIAL OF CONSTRUCTION DEBRIS WITHIN 100 FEET OF THE WETLAND. ANY DEBRIS THAT ENTERS THE RESOURCE AREA SHALL BE REMOVED BY HAND.
  - EQUIPMENT SHALL NOT BE FUELED WITHIN 100 FEET OF THE RESOURCE AREA.
  - THE SEQUENCE OF CONSTRUCTION SHALL BE AS FOLLOWS  
 INSTALL EROSION CONTROLS  
 DEMOLISH HOUSE  
 CONSTRUCT HOUSE  
 REMOVE EXISTING TANK, INSTALL PROPOSED TANK/PUMP CHAMBER  
 CONSTRUCT THE SOIL ABSORPTION SYSTEM  
 GRADE, SPREAD LOAM, SEED  
 REMOVAL OF EROSION CONTROLS SHALL ONLY BE COMPLETED WHEN SUFFICIENT VEGETATION HAS GROWN TO PREVENT EROSION OF LOAM.
  - RESTORATION SHALL INCLUDE SPREADING AT LEAST 4" OF LOAM AND SEEDED WITH A SUITABLE LAWN MIXTURE OR OTHER PERVIOUS TREATMENT. FINAL SURFACE TREATMENT OVER THE SEPTIC SYSTEM SHALL

- DRAINAGE/STORMWATER SPECIFICATIONS:**
- STRAW WATTLES SHALL BE HDPE PHOTODEGRADABLE NETTING FILLED WITH AN ORGANIC MEDIA CONSISTING OF AGRICULTURAL STRAW. EACH WATTLE SHALL BE 28" IN LENGTH AND SECURED OR TIED AT EACH END. FILL MATERIAL SHALL BE 100% CHOPPED AGRICULTURAL STRAW WEIGHING APPROXIMATELY 2 LBS/FOOT.
  - STRAW WATTLE DIMENSIONS:  
 DIAMETER 9"  
 LENGTH 25 feet  
 WEIGHT 50 pounds
  - STRAW WATTLE INSTALLATION: WATTLES SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S REQUIREMENTS. WATTLES WILL BE STAKED AT NO MORE THAN 5' INTERVALS (6 STAKES PER WATTLE) OR ADDITIONAL STAKES AS NECESSARY TO MAINTAIN INTIMATE CONTACT WITH THE GROUND. WHEN THEY CANNOT BE STAKED DUE TO THE SURFACE OR LOCATION THEY SHALL BE OTHERWISE SECURED SUCH AS TIED TO THE RAILING WITH ZIP TIES
  - STRAW WATTLES SHALL MEET THE ABOVE SPECIFICATIONS. BE 9" STRAW WATTLE BY NEW ENGLAND STRAW WATTLE OR APPROVED EQUAL.

**IMPERVIOUS AREA SUMMARY**

WITHIN THE 100 FOOT BUFFER ZONE  
 PRE-CONSTRUCTION 2495 SF  
 POST-CONSTRUCTION 2765 SF

LOT COVERAGE WITHIN BY-LAW JURISDICTION  
 AREA WITHIN JURISDICTION 3012 SF  
 PRE-CONSTRUCTION COVERAGE 83%  
 POST-CONSTRUCTION COVERAGE 92%

**ON-SITE SOIL AND GROUNDWATER REVIEW**

DATE: 20AUG2020 TIME: 1000 WEATHER: CLEAR MID 70'S  
 LAND USE: RESIDENTIAL SLOPE: <5% SURFACE STONES: NEGLIGIBLE  
 VEGETATION: NEGLIGIBLE  
 SOIL EVALUATOR: TED P. DOUCETTE, (CERTIFICATION NOV 13, 2003)  
 APPROVING AUTHORITY REPRESENTATIVE: DARREN MACCAUGHY, RS, WAYLAND HEALTH AGENT  
 DISTANCES FROM:  
 OPEN WATER BODY: 80' DRAINAGE: 100'+  
 POSSIBLE WET AREA: 100'+ PROPERTY LINE: 15'  
 DRINKING WATER WELL: 100'+ OTHER: N/A

DEEP HOLE NUMBER 12102018-1

DEEP OBSERVATION HOLE LOG				
DEPTH (INCHES)	HORIZON/LAYER	SOIL TEXTURE (USDA)	SOIL COLOR (MUNSELL)	REDOXIMORPHIC FEATURES
0"-12"	A	SANDY LOAM	10YR4/3	-
12"-44"	B	FINE SANDY LOAM	10YR6/8	-
44"-96"	C	MED SAND/GRVL	10YR5/3	-

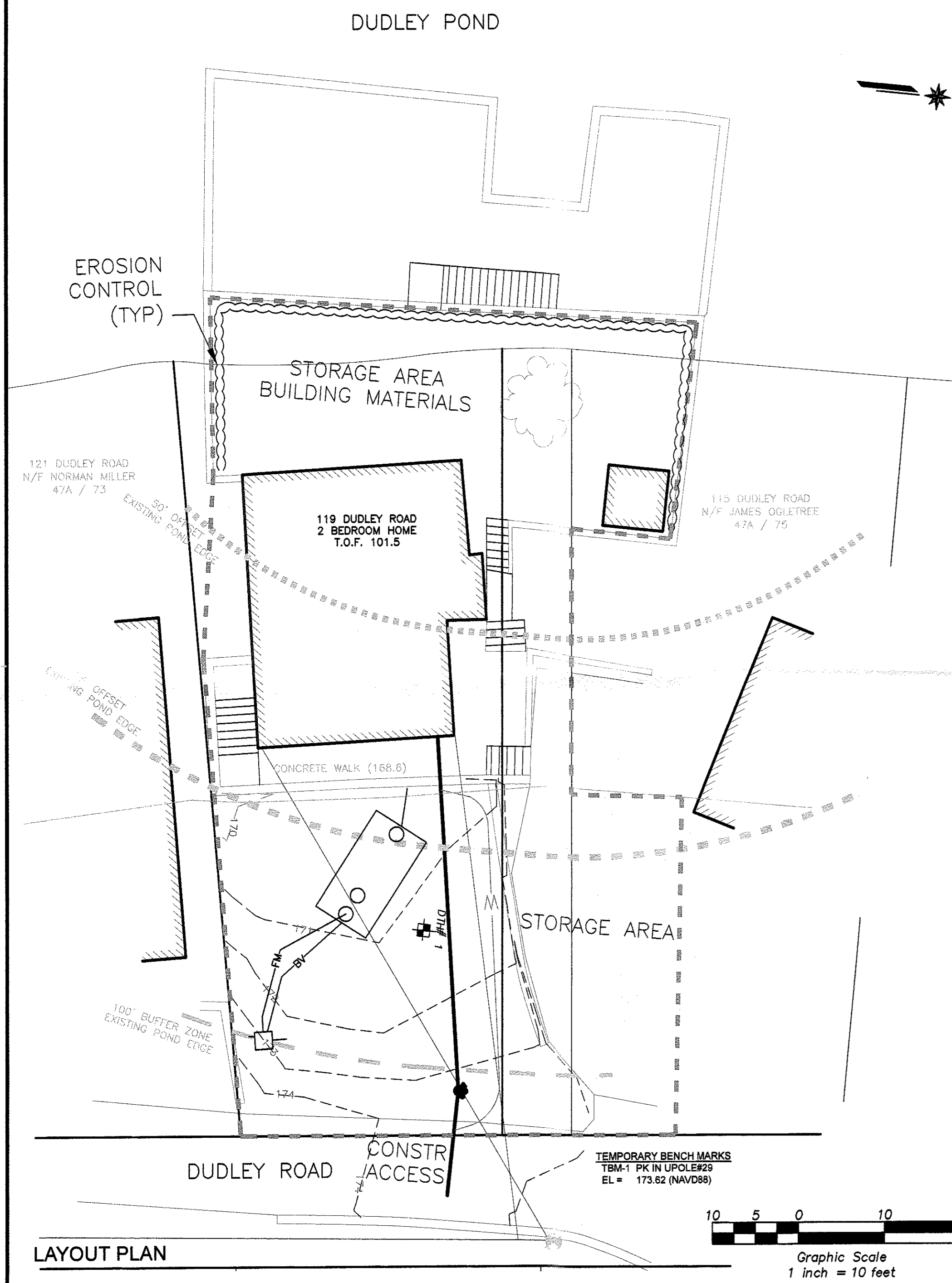
PARENT MATERIAL: SAND DEPTH TO BEDROCK: >96"  
 EXISTING GROUND ELEVATION AT TEST HOLE: 171.17  
 WEeping FROM PIT FACE: NOT OBSERVED  
 STANDING WATER IN THE HOLE: NOT OBSERVED  
 REDOXIMORPHIC FEATURES: NOT OBSERVED  
 ESTIMATED SEASONAL HIGH GROUND WATER: <163.17

**PERCOLATION TEST**

DATE: 20AUG2020	TIME: A.M.
NUMBER: 1	
LOCATION: DTH-1	
DEPTH OF PERC: 80"	
PRE SOAK: START 0950	
PRE SOAK: END CNS	
12"	
9"	
6"	
TIME 9"-6" (MIN)	
PERC RATE (MIN/IN)	<2

- 98 EXISTING CONTOUR
- 9B PROPOSED CONTOUR
- BV BACK VENT
- E BURIED ELECTRIC (EX)
- E BURIED ELECTRIC (PROP)
- W DOMESTIC WATER LINE (EX)
- W DOMESTIC WATER LINE (PROP)
- G GAS SERVICE (EX)
- G GAS SERVICE (PROP)
- S SEPTIC VENT
- RD ROOF DRAIN (PROP)
- FM FORCE MAIN
- FD FOUNDATION DRAIN (PROP)
- STONE WALL
- PROPERTY LINE (APPROX)
- PROPERTY LINE (PROPOSED)
- EDGE OF PAVEMENT (EX)
- EDGE OF PAVEMENT (PROP)
- WOOD FENCE
- WIRE FENCE
- LIMIT OF WORK
- EROSION CONTROL/STRAW WATTLE
- PROPOSED SPOT GRADE
- SPOT GRADE TO REMAIN
- 101.10<sub>+</sub>
- (101.10)<sub>-</sub>
- DEEP TEST HOLE
- PERCOLATION TEST
- TEMPORARY BENCH MARK
- CONFIRMATORY TEST HOLE
- SURVEY CONTROL DO NOT DISTURB

**LEGEND**



LAYOUT PLAN



LOCUS  
 NTS  
 SOURCE: MASS GIS

**Notice of Intent Plan for  
 119 Dudley Road, Wayland, Massachusetts.**

<p><b>DOUCETTE ENGINEERING</b>          152 Whitcomb Avenue, Littleton, Massachusetts 01460          978.621.2138 • doucette.engineering@comcast.net          www.doucetteengineering.com</p>	Date: 12MAR2021
	Scale: as noted
	Sheet 1 of 1
	Drawn by: TPD
Revisions:	Drawing number: 2020-188b





Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

Wayland  
City/Town

**WPA Form 1- Request for Determination of Applicability**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**A. General Information**

**Important:**  
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Applicant:

Gina Barnhouse

Name

ginabarnhouse@gmail.com

E-Mail Address

3 Wheelock Rd

Mailing Address

Wayland

City/Town

MA

State

01778

Zip Code

617-678-5652

Phone Number

Fax Number (if applicable)

2. Representative (if any):

Firm

Contact Name

E-Mail Address

RECEIVED

APR 16 2011

Mailing Address

City/Town

State

Zip Code

WAYLAND CONSERVATION COMMISSION

Phone Number

Fax Number (if applicable)

**B. Determinations**

1. I request the Wayland Conservation Commission make the following determination(s). Check any that apply:

- a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
- b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
- c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance or bylaw** of:

Name of Municipality

- e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).





**WPA Form 1 - Request for Determination of Applicability**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**C. Project Description**

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

3 Wheelock Rd  
Street Address

Wayland  
City/Town

Assessors Map/Plat Number

24-070  
Parcel/Lot Number

b. Area Description (use additional paper, if necessary):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c. Plan and/or Map Reference(s):

Title	Date
Title	Date
Title	Date

2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):

8' x 12' shed

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

Wayland  
City/Town

### WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

#### D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

Gina Barnhouse

Name

3 Wheelock Rd

Mailing Address

Wayland

City/Town

MA

State

01778

Zip Code

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

Gina Barn

Signature of Applicant

4/12/2021

Date

\_\_\_\_\_  
Signature of Representative (if any)

\_\_\_\_\_  
Date

**Wayland Wetlands and Water Resources Bylaw, Chapter 194 Application**

**1. Applicant:**

GINA BARNHOUSE ginabarnhouse@gmail.com  
 Name (PLEASE PRINT) Email Address (if applicable)  
3 WHEELLOCK RD WAYLAND MA 01778  
 Mailing Address City/Town State Zip Code  
617-678-5652  
 Phone Number Fax Number (if applicable)

**2. Representative:**

\_\_\_\_\_  
 Firm/Business Name Contact Name  
 \_\_\_\_\_  
 Mailing Address City/Town State Zip Code  
 \_\_\_\_\_  
 Phone Number Fax Number (if applicable)

**3. Property Owner(s)**

GINA AND BRANDON BARNHOUSE  
 Property Owner (PLEASE PRINT) Email Address (if applicable)  
3 WHEELLOCK RD WAYLAND MA 01778  
 Address City/Town State Zip Code  
617-678-5652  
 Phone Number Fax Number (if applicable)

**4. Type of Application**

- |  |  |   |
|--|--|---|
| <input checked="" type="checkbox"/> Request for a Determination of Applicability (RDA) | <input type="checkbox"/> Notice of Intent (NOI)      | <b>RECEIVED</b><br><b>APR 16 2021</b><br><b>WAYLAND CONSERVATION COMMISSION</b> |
| <input type="checkbox"/> Abbreviated NOI   | <input type="checkbox"/> Extension of O.O.C.         |   |
| <input type="checkbox"/> Notice of Resource Area Delineation                           | <input type="checkbox"/> Certificate of Compliance   |   |
| <input type="checkbox"/> After the Fact Amendment (AFA)                                | <input type="checkbox"/> After the Fact Filing (AFF) |   |
| <input type="checkbox"/> Amendment to Order of Conditions                              |  |   |

**5. Project**

3 WHEELLOCK RD. 24-070  
 Location Address Assessors Map(s) Parcel(s)  
 Project Description (PLEASE PRINT): 8' x 12' SHED  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**6. Title/Date of Plan(s)**

\_\_\_\_\_  
 \_\_\_\_\_

**7. Bylaw Application Fee:**

\$ \_\_\_\_\_

**8. Application filed pursuant to MGL Chapter 131, Section 40**  Yes  No

**9. Signature of Applicant**

Gina Barnhouse Date 4/12/2021

**Signature of Property Owner**

Gina Barnhouse Date 4/12/2021

**(NOTE: This application shall be signed by the property owner as well as the applicant. Signature of the property owner on this application shall be deemed permission granted to the Conservation Commission and their agents to go upon the subject property.)**

**FEES- Wetlands and Water Resources Bylaw (Chapter 194) and  
Stormwater and Land Disturbance Bylaw(Chapter 193)**

ADOPTED: May 10, 2005  
Effective June 8, 2005

RDA (1) – S.f.h. addition/Landscaping/ Septic Repair (w/on-site grading, other than septic, less than 1,000 s.f.); Work less than 50' from wetlands	\$100.00
RDA (1): Work, including grading more than 50' from wetlands	\$ 50.00
RDA – Determination of Conservation Commission jurisdiction, w/no proposed work	\$100.00/40,000 s.f. of lot area
Other RDA – Work less than 50' from wetlands	\$150.00
Other RDA – If no alteration of resource area is proposed, except buffer zone more than 50' from wetlands	\$100.00
Other RDA – w/alteration of resource area more than 50' from wetlands, excluding buffer zone	\$100.00 + .25/s.f. of resource area impacted (excluding buffer zone)
NOI – Single-family addition and on-site grading less than 2,000 s.f. and work more than 50' from wetlands	\$50.00
NOI – Single-family addition and on-site grading less than 2,000 s.f. and work less than 50' from wetlands	\$100.00
NOI – New construction and NO alteration of v.w. or l.s.f.i. work less than 50' from wetlands	\$200.00/unit
NOI – New construction and NO alteration of v.w. or l.s.f.i. and work more than 50 from wetlands	\$100.00/unit
NOI –Other, work less than 50' from wetlands	\$200.00
NOI –Other, work more than 50' from wetlands	\$100.00
NOI – w/alteration of v.w. and/or l.s.f.i. and work less than 50' from wetlands	\$200.00 + .25/s.f. of resource area impacted
NOI – w/alteration of v.w. and/or l.s.f.i. and work more than 50' from wetlands	\$100.00 + .25/s.f. of resource area impacted
NOI/RDA: Riverfront Area –Work within 100' and 200' of mean annual high water (First application)	Two times the applicable fee
NOI/RDA: Riverfront Area – work between 100' and 200' of mean annual high water (First application)	Applicable fee times 1.5
<b>ANRAD</b>	\$100.00/40,000 s.f. of lot area
<b>After the Fact Amendment</b>	Applicable fee above + \$100.00
<b>After the Fact Filing</b>	Double the applicable fee above
<b>Amendment</b>	\$75.00
<b>Extension</b>	\$25.00
<b>Certificate of Compliance</b>	\$50.00/unit
<b>Chapter 193- Stormwater Management and Land Disturbance Bylaw</b>	\$100.00

**Abbreviations:**

Request for Determination of Applicability (RDA)  
Notice of Intent (NOI)  
Request to Amend Order of Conditions (Amendment)  
Abbreviate Notice of Intent – Resource Area Determination (ANRAD)  
Single Family House (S.f.h.)  
Vegetated Wetlands (v.w.)  
Land Subject to Flooding and Inundation (l.s.f.i.)  
Riverfront Area (R.A.)  
Vernal Pool (V.P.)  
Square Feet (s.f.)

\* **NOTE:** Stormwater Management and Land Disturbance Bylaw, Chapter 193, has a separate filing fee. Please refer to the application for further submittal requirement.

**NOTES:**

- Legal advertising will be billed directly to the applicant.
- The Conservation Commission may seek consultant fees pursuant to the Rules and Regulations.
- These fees are in addition to the fees required for applications filed pursuant to the Wetlands Protection Act (MGL Chapter 131, Section 40).
- Payment of fee does NOT guarantee approval of project.
- Town, county, state, and federal projects may be exempted from fees upon request.





**Town of Wayland**  
**41 COCHITUATE ROAD**  
**WAYLAND MASSACHUSETTS 01778**

www.wayland.ma.us TEL. 508-358-3788

**OFFICE STAFF**

Ellen M. Brideau, Assessing Director  
 Denise Ellis, Assistant Assessor  
 Jessica Marchant, Administrative Assessor  
 Savitri Ramgoolam, Department Assistant

**BOARD OF ASSESSORS**

Susan Ruffo, Chairman  
 Jayson Brodie, Vice Chairman  
 Molly Upton  
 Zachariah L. Ventress

WAYLAND ASSESSORS  
 APR 26 PM 4:49

**LIST OF ABUTTERS**  
**REQUEST FOR CERTIFICATION**

PLEASE ALLOW 10 BUSINESS DAYS FOR A LIST TO BE CERTIFIED BY ASSESSORS PER MGL CH. 66, S.10  
 LISTS ARE CERTIFIED ON A "FIRST COME, FIRST SERVE" BASIS PLEASE PLAN YOUR SUBMISSION ACCORDINGLY

Date of request 4/26/21 Telephone: \_\_\_\_\_

Name Of Applicant GINA BARNHOUST Signature of Applicant \_\_\_\_\_  
Please Print

Company's Name \_\_\_\_\_ Conservation Dept.

Mailing Address \_\_\_\_\_

Location of Property 3 Wheelock Rd  
To Be Certified

Map Number 24 Parcel 070

\*\*\*Please check with the Board/Commission for their guidelines, each Board/Commission has its own regulations for their abutters listing.

This is to certify that at the time of the last assessment for taxation made by the Town of Wayland, the names and addresses are the assessed owners to these parcels.

Certified By: Mary [Signature] Date: 4/27/21

CC:

Conservation  Board Of Health  Other \_\_\_\_\_



# 100 foot Abutters List Report

Wayland, MA  
April 27, 2021

## Subject Property:

Parcel Number: 24-070  
CAMA Number: 24-070  
Property Address: 3 WHEELLOCK RD

Mailing Address: SWEETLAND TIMOTHY HADDAD  
ANDREA T/E  
3 WHEELLOCK RD  
WAYLAND, MA 01778

## Abutters:

Parcel Number: 24-053  
CAMA Number: 24-053  
Property Address: 4 WHEELLOCK RD

Mailing Address: MACLEOD RODERICK W  
4 WHEELLOCK RD  
WAYLAND, MA 01778 ✓

Parcel Number: 24-054  
CAMA Number: 24-054  
Property Address: 8 WHEELLOCK RD

Mailing Address: HELLER, CHRISTOPHER J HELLER,  
MATTHEW W TRUSTEES  
8 WHEELLOCK RD  
WAYLAND, MA 01778 ✓

Parcel Number: 24-069  
CAMA Number: 24-069  
Property Address: 5 WHEELLOCK RD

Mailing Address: CHIANG FENG MEI  
5 WHEELLOCK RD  
WAYLAND, MA 01778 ✓

Parcel Number: 24-071  
CAMA Number: 24-071  
Property Address: 15 LEE RD

Mailing Address: TOWN OF WAYLAND CONSERVATION  
41 COCHITUATE ROAD  
WAYLAND, MA 01778 ✓

Parcel Number: 29-048  
CAMA Number: 29-048  
Property Address: 134 BOSTON POST RD

Mailing Address: NORTHBRIDGE CARRIAGE HOUSE II  
LLC %NORTHBRIDGE SR HOUSING  
HLDNGS II LLC  
71 THIRD AVE  
BURLINGTON, MA 01803 ✓

Parcel Number: 29-048A  
CAMA Number: 29-048A  
Property Address: 136 BOSTON POST RD

Mailing Address: FARM STAND ACQUISTION LLC  
71 THIRD AVE  
BURLINGTON, MA 01803 ✓



www.cai-tech.com

Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.

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APR 12 2021

WETLAND CONSERVATION COMMISSION

WLF 13D

WLF 1

WLF 1

WLF 15

WLF 14

WLF 14

WLF 13

WLF 1

WLF 1

188.87'

LOT AREA

24,930 ± S.F.

L=95.98'

R=328.00'

20.00'

W H E E L O C K (50' WIDE) R O A D

150.00'

221.75'

N/F DIK

38.1'

58'

50'

22'

15.2'

H-20 1000 GAL PUMP CHAMBER

SMH2

SMH1

SEPTIC

H-20

SAS2

SAS1

VENT LINE

BLOWER LINE

BLOWER UNIT

12' 8'

HC 3

INV=129.17  
EXIST. HSE  
T.O.C.=136.52  
B.SLAB  
HC 1 =129.27

Setbacks

From front lot line - 67'

From side - 16'

From Rear - 110'

From Wetland (on right) - 31'

GRAPHIC SCALE

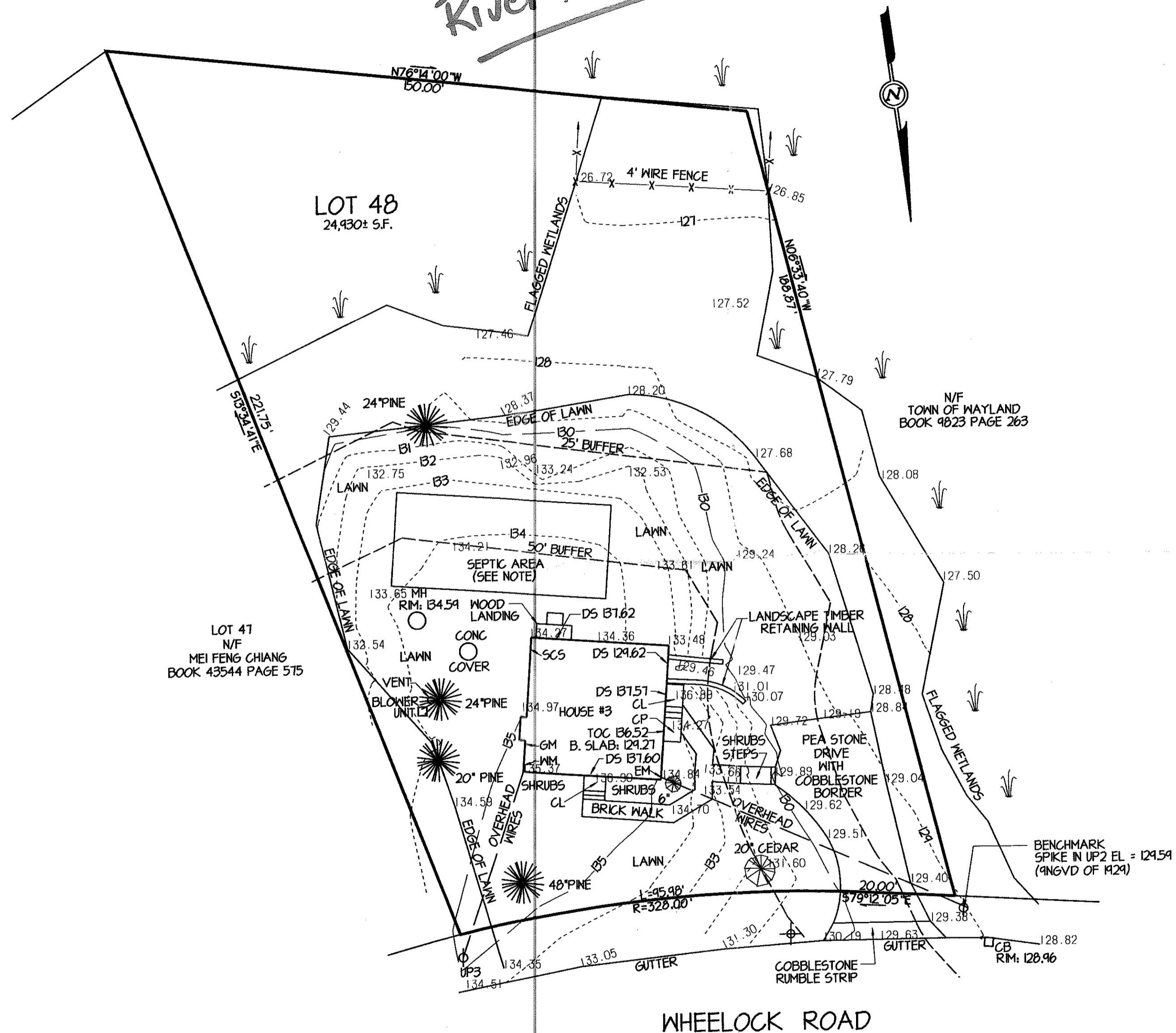


Scale: 1" = 20'

3'



Riverfront



- LEGEND**
- DS: DOOR SILL
  - TOC: TOP OF CONCRETE
  - CP: CONCRETE PAD
  - CL: CONCRETE LANDING
  - ⊗: 6\"/>
  - : CB: CATCHBASIN
  - ⊕: UP: UTILITY POLE
  - ⊙: MAILBOX
  - : MH: MANHOLE
  - SCS: SEPTIC CONTROL SWITCH
  - GM: GAS METER
  - WM: WATER METER
  - EM: ELECTRIC METER
  - 127.52: SPOT ELEVATION

ASSESSORS REFERENCE:  
MAP 24 PARCEL 070

ZONING REFERENCE:  
R40

DEED REFERENCE:  
BOOK 34223 PAGE 547

PLAN REFERENCE:  
BOOK 1006 PAGE END

ORDER OF CONDITIONS REFERENCE:  
BOOK 32455 PAGE 214 - 222

N/F DENOTES NOW OR FORMERLY AND REPRESENTS ALONG OR NEAR THE ABUTERS NAMES AS SHOWN AND THEY ARE NOT TO BE CONSIDERED RECORD MONUMENTS

SEPTIC LOCATION TAKEN FROM RECORD SEPTIC DATED JULY 30, 2001 BY: THE JILSON COMPANY P.O. BOX 285 FRAMINGHAM, MA 01703-285

NOTE: FIELD SURVEY CONDUCTED ON 4/9/08!

**CONSERVATION AS-BUILT PLAN  
3 WHELOCK ROAD  
WAYLAND, MA**

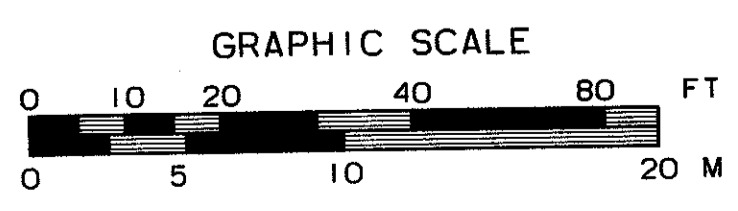
RECORD OWNERS:  
MICHAEL A. AND JENNIFER C. ROSSI

SCALE 1" = 20' 04/14/08

**InLand Survey, Inc.** DBA  
**ZANCA LAND SURVEYING**  
16 GLEASONDALE ROAD, SUITE 1-2  
STOW, MASSACHUSETTS 01175  
(978)461-2355 FAX:(978)461-2357



RECEIVED  
APR 15 2008  
WAYLAND CONSERVATION COMMISSION



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# Sullivan, Connors & Associates

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## Land Surveying and Civil Engineering

Wayland Conservation Commission  
Town Building  
41 Cochituate Road  
Wayland, MA 01778

April 15, 2021

**Attention:** Linda Hansen, Conservation Administrator

**Subject:** Request for Certificate of Compliance - DEP File #322-937  
9 Charles Street

Dear Ms. Hansen;

On behalf of the applicant (Ashley Sutton), Sullivan Connors & Associates (SCA) is transmitting the enclosed materials for your review:

- Request for Certificate of Compliance (DEP Form 8A);
- Chapter 194 form and fee payment;
- Post Development Photographs;
- Planting List;
- Copies of the As-Built Plans.

RECEIVED  
APR 20 2021  
WAYLAND CONSERVATION COMMISSION

The Order of Conditions and Chapter 194 Permit were issued by the Commission on April 19, 2019, and the permits were recorded at the South Middlesex Registry of Deeds in Book 72781, Page 298. The permits allowed for the construction of a new single family house partially within the 100 foot buffer zone to Lake Cochituate. The work was shown on the approved site plans revised through 3/25/2019, along with approved modifications revised on 8/12/2019 (rotate house).

Please accept this letter as certification of substantial compliance with the approved plan, Chapter 194 Permit, and Order of Conditions, with the following comments. The only plan deviation being the patio areas were installed with an overall smaller footprint than approved to reduce the impervious area by 210 square feet (825 sq. ft. approved vs. 615 sq. ft as-built). The rear landing patio included an inlet with stone sump and a two-foot high wall to coordinate with the site grading and reduce areas of steep slopes. The site drainage system has been installed including roof leader connections, and the system is functional. The overall system was installed in accordance with the design plans.

The replacement plantings under condition 29 were required for removal of one 12" pine tree. The Applicant has provided plantings far in excess of the minimum required. A list of planting materials has been attached and the locations are shown on the plans. The lawn areas had been hydro-seeded late last fall with some Initial growth began, but coverage is thin. Representative photos taken at the time of inspection have also been provided for review.

The site had been inspected during construction by SCA staff on June 26, 2020 during installation of the septic system, on July 6, 2020 during installation of the drainage system and drywell, and again on August 31, 2020. At the time of inspection the site appeared in compliance with the conditions of approval.

The above certification is based upon review of the as-built plans, records, and final site inspection on March 22, 2021. We trust this information is sufficient for its intended purpose. If you have any questions or comments please feel free to contact this office at 508-393-9727.

Sincerely,  
Sullivan Connors & Associates

A handwritten signature in blue ink, appearing to read 'V. Colonna', written in a cursive style.

Vito Colonna, P.E.



**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**WPA Form 8A – Request for Certificate of Compliance**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

**322-937**  
 Provided by DEP

**A. Project Information**

**Important:**  
 When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Upon completion of the work authorized in an Order of Conditions, the property owner must request a Certificate of Compliance from the issuing authority stating that the work or portion of the work has been satisfactorily completed.

1. This request is being made by:

**Ashley Sutton**

Name

**9 Charles Street**

Mailing Address

**Wayland**

City/Town

**MA**  
State

**01778**  
Zip Code

**508-479-0309**

Phone Number

2. This request is in reference to work regulated by a final Order of Conditions issued to:

**Ashley & Stephen Sutton**

Applicant

**4/19/2019**

Dated

**322-937**  
DEP File Number

3. The project site is located at:

**9 Charles Street**

Street Address

**51C**

Assessors Map/Plat Number

**Wayland**  
City/Town

**67**  
Parcel/Lot Number

4. The final Order of Conditions was recorded at the Registry of Deeds for:

**Ashley Sutton**

Property Owner (if different)

**Middlesex South**

County

**72781**  
Book

**298**  
Page

**n/a**

Certificate (if registered land)

5. This request is for certification that (check one):

- the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.  
 the following portions of the work regulated by the above-referenced Order of Conditions have been satisfactorily completed (use additional paper if necessary).

---



---



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- the above-referenced Order of Conditions has lapsed and is therefore no longer valid, and the work regulated by it was never started.



---

### A. Project Information (cont.)

6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

Yes      If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

No

---

### B. Submittal Requirements

Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or was the subject of an Adjudicatory Hearing Final Decision, submit this request to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).

**Wayland Wetlands and Water Resources Protection Bylaw, Chapter 194 Application**

1. Applicant: Ashley Sutton

Name (PLEASE PRINT) <u>9 Charles Street</u>	<u>Wayland</u>	Email Address (if applicable)	
Mailing Address	City/Town	MA	01778
Phone Number	FAX Number (if applicable)		

2. Representative:

<u>Sullivan Connors &amp; Associates</u>	<u>Sudbury</u>	<u>Vito Colonna</u>	
Firm/Business Name <u>121 Boston Post Road</u>	City/Town	Contact Name MA	01776
Mailing Address <u>508-393-9727</u>	City/Town	State	Zip Code
Phone Number	FAX Number (if applicable)		

3. Property Owner(s):

<u>Same as applicant</u>			
Property Owner (PLEASE PRINT)		Email Address (if applicable)	
Address	City/Town	State	Zip Code
Phone Number	FAX Number (if applicable)		

4. Type of Application

- Request for a Determination of Applicability (RDA)
  Notice of Intent (NOI)
  Abbreviated NOI
  Extension of O.O.C.
  Certificate of Compliance
  After-the-Fact Amendment (AFA)
  After-the-Fact Filing (AFF)
  Amendment to Order of Conditions

5. Project

<u>9 Charles Street</u>	<u>51C</u>	<u>67</u>
Location Address	Assessors Map(s)	Parcel(s)

Project Description (PLEASE PRINT):

Construction of new 4 bedroom house including associated site work.

6. Title/Date of Plan(s) "Conservation As-built Plan" for 9 Charles Street, last revised 1/27/2021

7. Bylaw Application Fee: # 22 \$ 50

8. Application filed pursuant to MGL Chapter 91A, Section 40  Yes  No

9. Signature of Applicant  Date: 4/1/2021

10. Signature of Property Owner  Date: \_\_\_\_\_

(NOTE: This application shall be signed by the property owner as well as the applicant. Signature of the property owner on this application shall be deemed permission granted to the Conservation Commission and their agents to access the subject property.)

**POST-DEVELOPMENT PHOTOGRAPHS MARCH 21, 2021**



**Photo 1 & 2: House Front View**



***Photo 3: View of Side Yard over Drainage System***



***Photo 4: View of Side Yard over Septic System***





***Photo 4: View of Rear Yard – Lake side***



***Photo 5: View of Rear Yard – Abutter side***



**Weston Nurseries, Inc.**  
 93 E. Main St., P.O. Box 186  
 Hopkinton, MA 01748  
 www.westonnurseries.com  
 PH:(508) 435-3414 FAX:(508) 435-3274

DOCUMENT NUMBER 923802/1 PAGE NO 1

CUST NO: 43257 JOB NO: 000

BILL TO: JANE SUTTON  
 14 MCGREGOR DR.

SHERBORN MA 01770  
 508-479-0309

CLERK	SALESPERSON	DATE / TIME
GCALEXK	ALEXANDRA KNOTT	10/16/20 12:29
TERMINAL	REFERENCE	
150		

# ORDER

SHIP VIA	PO NUMBER	ORDER NO
WESTON INSTALL		923802
DUE DATE	DELIVERY DATE	
	10/12/20	
TAX	TERMS	
MASS TAX EXEMPT	COD	

SHIP TO: SUTTON  
 CHARLES STREET (END OF STREET)

WAYLAND MA 01770

LN#	ITEM	UM	DESCRIPTION	ORDERED	B/O	SHIPPED	UNIT PRICE /PER	EXTENSION
1			-Foundation planting-					
2	ACEPA369B118	EA	ACER PALM DISS TAMUKEYAMA 4-5'	1		1	999.00 /EA	999.00 N
3			ACER PALMATUM VAR. DISSECTUM					
4			'TAMUKEYAMA'					
5			tagged in block					
6	CHAOB260119	EA	CHAM OBTU FILICOIDES 5-6'	1		1	199.00 /EA	199.00 SN
7			CHAMAECYPARIS OBTUSA 'FILICOIDES					
8			TAGGED IN c					
9			DAMAGED DURING INSTALLATION.					
10			DROPPED PRICE TO 50%.					
11	PIEJA560065	EA	PIER JAPO GAY GOBLIN #5	3		3	74.99 /EA	224.97 SN
12			PIERIS JAPONICA 'GAY GLOBIN'					
13			-substitution for kalmia					
14			raspberry glow.					
15	ILECR198B063	EA	ILEX CREN HOOGENDORN #3	1		1	49.99 /EA	49.99 N
16			ILEX CRENATA 'HOOGENDORN'					
17	HYDPA050063	EA	HYDR PANI LITTLE QUICK FIRE #3	2		2	49.99 /EA	99.98 N
18			Shipping from St# 3					
19			HYDRANGEA PANICULATA 'LITTLE					
20	WEIFL076B063	EA	WEIG FLOR FINE WINE #3	1		1	49.99 /EA	49.99 N
21			Shipping from St# 3					
22			WEIGELA FLORIDA FINE WINE (TM)					
			('BRAMWELL') (PP18513)					

Continued...

Thank you for shopping at Weston Nurseries!



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 Hopkinton, MA 01748  
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SHERBORN MA 01770  
 508-479-0309

SHIP TO: SUTTON  
 CHARLES STREET (END OF STREET)

WAYLAND MA 01770

DOCUMENT NUMBER  
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PAGE NO  
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CLERK	SALESPERSON	DATE / TIME
GCALEXK	ALEXANDRA KNOTT	10/16/20 12:29
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150		

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TAX	TERMS	
MASS TAX EXEMPT	COD	

LN#	ITEM	UM	DESCRIPTION	ORDERED	B/O	SHIPPED	UNIT PRICE /PER	EXTENSION
23	WEIFL991B063	EA	WEIG FLOR WINE & ROSES #3	1		1	49.99 /EA	49.99 N
24			WEIGELA FLORIDA					
25			'WINE & ROSES'					
26	BUXZZ136B1065	EA	BUXU SH GREEN MOUNTAIN #5 2-2.5'	1		1	149.00 /EA	149.00 N
27			BUXUS X SHERIDAN 'GREEN					
28			MOUNTAIN'					
29			TAGGED IN BLOCK					
30			-GARAGE YARD-					
31	HYDPA912B167	EA	HYDR PANI PINKY WINKY #7TF	1		1	169.00 /EA	169.00 N
32			HYDRANGEA PANICULATA PINKY					
33			WINKY					
34			(TM) ('DVP PINKY') (PP161666)					
35			TREE FORM					
36	BUXZZ142B063	EA	BUXU SHER GREEN VELVET #3	3		3	59.99 /EA	179.97 N
37			Shipping from St# 3					
39	CORFL150B136	EA	BUXUS X SHERIDAN 'GREEN VELVET'	3		3	299.25 /EA	897.75 SN
40			CORN FLOR CHEROKEE BRAVE 2-2.5"C					
41			CORNUS FLORIDA CHEROKEE					
42			BRAVE(TM) ('COMCO NO. 1')					
42			(PP10166)					
47	THUZZ600B120	EA	THUJA GREEN GIANT 6-7'	7		7	299.00 /EA	2093.00 N
48			THUJA S.X PLIC 'GREEN GIANT'					
49	RHOCT156B1014	EA	RHOD CATA BOURSALT #10 30-36"	3		3	199.00 /EA	597.00 N
			Shipping from St# 3					

Continued...

Thank you for shopping at Weston Nurseries!



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SHIP TO: SUTTON  
 CHARLES STREET (END OF STREET)

WAYLAND MA 01770

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# ORDER

SHIP VIA	PO NUMBER	ORDER NO
WESTON INSTALL		923802
DUE DATE	DELIVERY DATE	
	10/12/20	
TAX	TERMS	
MASS TAX EXEMPT	COD	

LN#	ITEM	UM	DESCRIPTION	ORDERED	B/O	SHIPPED	UNIT PRICE /PER	EXTENSION
50			RHODODENDRON CATAWBIENSE					
51			'BOURSAULT' tagged in commerc					
52	RHOCT153B115	EA	RHOD CATA ALBUM ELEGANS 3-3.5' Shipping from St# 3	3		3	199.00 /EA	597.00 N
53			RHODODENDRON CATAWBIENSE					
54			'ALBUM ELEGANS'					
55	ILEVE380B063	EA	ILEX VERT JIM DANDY #3	1		1	54.99 /EA	54.99 N
56			ILEX VERTICILLATA 'JIM DANDY'					
57	PICPU210119	EA	PICE PUNG GLAU BABY BLUE 5-6'	1		1	399.00 /EA	399.00 N
58			PICEA PUNGENS GLAUCA 'BABY					
59			BLUE' tagged					
60	VIBDI330B067	EA	VIBU DILA CARDINAL CANDY #7	1		1	99.99 /EA	99.99 N
61			VIBURNUM DILATATUM CARDINAL					
62			CANDY (TM) ('HENNEKE') (PP12870)					
63			tagged b3					
64	NYSSY700B136	EA	NYSS SYLV 2-2.5"C Shipping from St# 3	2		2	450.00 /EA	900.00 N
65			NYSSA SYLVATICA					
66			tagged in commercial					
67	WEIFL920063	EA	WEIG FLOR SPILLED WINE #3	3		3	49.99 /EA	149.97 N
68			WEIGELA FLORIDA 'SPILLED WINE'					
69			-PORCH PLANTING-					
70			-RHODODENDRON ARE LISTED ON					
71			PREVIOUS LINES					

Continued...

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DOCUMENT NUMBER  
 923802/1

PAGE NO  
 4

CUST NO: 43257 JOB NO: 000

BILL TO: JANE SUTTON  
 14 MCGREGOR DR.

SHERBORN MA 01770  
 508-479-0309

CLERK	SALESPERSON	DATE / TIME
GCALEXK	ALEXANDRA KNOTT	10/16/20 12:29
TERMINAL	REFERENCE	
150		

## ORDER

SHIP TO: SUTTON  
 CHARLES STREET (END OF STREET)

WAYLAND MA 01770

SHIP VIA	PO NUMBER	ORDER NO
WESTON INSTALL		923802
DUE DATE	DELIVERY DATE	
	10/12/20	
TAX	TERMS	
MASS TAX EXEMPT	COD	

LN#	ITEM	UM	DESCRIPTION	ORDERED	B/O	SHIPPED	UNIT PRICE /PER	EXTENSION
72	FOTMA880B063	EA	FOTH MAJO MT AIRY #3	4		4	69.99 /EA	279.96 N
73			FOTHERGILLA MAJOR 'MT. AIRY'					
74	ILEGL353063	EA	ILEX GLAB GEM BOX #3	4		4	54.99 /EA	219.96 N
75			ILEX GLABRA 'GEM BOX'					
76	HYDMA210B063	EA	HYDR MACR BLOOMSTRUCK #3	2		2	49.99 /EA	99.98 N
77			HYDRANGEA MACROPHYLLA					
78			'BLOOMSTRUCK'					
79			tagged					
80	BUXMI153B063	EA	BUXU MICR KORE TIDE HILL #3	4		4	59.99 /EA	239.96 N
81			BUXUS MICROPHYLLA KOREANA 'TIDE					
82			HILL'					
83			-BACK YARD-					
84	HYDMA210B063	EA	HYDR MACR BLOOMSTRUCK #3	3		3	49.99 /EA	149.97 N
85			HYDRANGEA MACROPHYLLA					
86			'BLOOMSTRUCK'					
87	PIEJA540B062	EA	PIER JAPO CAVATINE #2	2		2	44.99 /EA	89.98 N
88			PIERIS JAPONICA X 'CAVATINE'					
89	HYDPA200063	EA	HYDR PANI BOBO #3	3		3	49.99 /EA	149.97 N
90			HYDRANGEA PANICULATA 'BOBO'					
91	115143	EA	LABOR GG INSTALLATION	1		1	7250.00 /EA	7250.00 *N
92			LABOR SUBJECT TO CHANGE BASED					
93			ON SITE CONDITIONS					
94	522054	EA	HOURLY DESIGN LABOR	3		3	98.00 /EA	294.00 N
95			Revisions					

Continued...

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DOCUMENT NUMBER 923802/1 PAGE NO 5

CUST NO: 43257 JOB NO: 000

BILL TO: JANE SUTTON  
 14 MCGREGOR DR.

SHERBORN MA 01770  
 508-479-0309

CLERK	SALESPERSON	DATE / TIME
GCALEXK	ALEXANDRA KNOTT	10/16/20 12:29
TERMINAL	REFERENCE	
150		

# ORDER

SHIP TO: SUTTON  
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WAYLAND MA 01770

SHIP VIA	PO NUMBER	ORDER NO
WESTON INSTALL		923802
DUE DATE	DELIVERY DATE	
	10/12/20	
TAX	TERMS	
MASS TAX EXEMPT	COD	

LN#	ITEM	UM	DESCRIPTION	ORDERED	B/O	SHIPPED	UNIT PRICE /PER	EXTENSION
96	505549	EA	WESTON COMPOST BULK	6		6	36.00 /EA	216.00 *N
97	125328	EA	MULCH DARK PINE BULK	5		5	34.00 /EA	170.00 *N
98			MULCH DARK PINE BULK					
99			cut new beds and amend soil with					
100			compost					
101			Dig planting holes 2x larger					
102			than root balls, fill with					
103			water, let drain install					
104			plantings, apply ROOTS and					
105			backfill with amended soil..					
106			-ensure thujas have water					
107			retention dam down hill from					
108			trees.					
109			-crews will spread mulch around					
110			root balls but will not spread					
111			mulch in beds. as There is sod					
112			going in after the install.					
113			mulch should be spread in the					
114			spring					
115	522231	EA	\$100 OFF \$500 TAX FREE WEEKEND CREDIT RETURN	-1		1	100.00 /EA	-100.00 R*N
116								
117								
118								

Continued...

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PAGE NO  
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GCALEXK	ALEXANDRA KNOTT	10/16/20 12:29
TERMINAL	REFERENCE	
150		

## ORDER

SHIP VIA	PO NUMBER	ORDER NO
WESTON INSTALL		923802
DUE DATE	DELIVERY DATE	
	10/12/20	
TAX	TERMS	
MASS TAX EXEMPT	COD	

LN#	ITEM	UM	DESCRIPTION	ORDERED	B/O	SHIPPED	UNIT PRICE /PER	EXTENSION
119			LEU* RAIN*					
120								
121								
122			DIG SAFE 2020 370 3464					
123	LEUFO560B063	EA	LEUCO GIRARDS RAINBOW #3 Shipping to Job Loc frm ST#3	3		3	44.99 /EA	134.97 SN
124			LEUCOTHOE FONTANESIANA					
125			'GIRARD'S RAINBOW'					
126	ILEVE960B063	EA	ILEX VERT WINTER RED #3 Shipping from St# 3	3		3	37.49 /EA	112.47 N
127			ILEX VERTICILLATA 'WINTER RED'					
128	ROSSH302065	EA	ROSE GRACE N GRIT RED #5	1		1	37.49 /EA	37.49 SN
129			ROSA GRACE N GRIT RED					
130	CLEAL317B065	EA	CLET ALNI RUBY SPICE #5	3		3	59.99 /EA	179.97 SN
131			CLETHRA ALNIFOLIA 'RUBY SPICE'					
132	ROSSH432062	EA	ROSE RED DRIFT #2	3		3	26.24 /EA	78.72 SN
133			ROSE 'RED DRIFT'					
134	RHOMA516B111	EA	RHOD MAXI ROSEUM 2-2.5'	1		1	119.25 /EA	119.25 SN
135			RHODODENDRON MAXIMUM 'ROSEUM'					
136			(PONTICUM 'ROSEUM')					
137	PIEJA300B065	EA	PIER JAPO COMPACTA #5	3		3	74.99 /EA	224.97 SN
138			PIERIS JAPONICA 'COMPACTA'					
139	BUXZZ142B115	EA	BUXU SHER GREEN VELVET 3-3.5'	3		3	261.75 /EA	785.25 SN
140			BUXUS X SHERIDAN 'GREEN VELVET'					

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DOCUMENT NUMBER 923802/1 PAGE NO 7

CUST NO: 43257 JOB NO: 000  
 BILL TO: JANE SUTTON  
 14 MCGREGOR DR.

CLERK	SALESPERSON	DATE / TIME
GCALEXK	ALEXANDRA KNOTT	10/16/20 12:29
TERMINAL	REFERENCE	
150		

SHERBORN MA 01770  
 508-479-0309

# ORDER

SHIP TO: SUTTON  
 CHARLES STREET (END OF STREET)  
 WAYLAND MA 01770

SHIP VIA	PO NUMBER	ORDER NO
WESTON INSTALL		923802
DUE DATE	DELIVERY DATE	
	10/12/20	
TAX	TERMS	
MASS TAX EXEMPT	COD	

LN#	ITEM	UM	DESCRIPTION	ORDERED	B/O	SHIPPED	UNIT PRICE /PER	EXTENSION
141	RHOZE712B119	EA	RHOD ROSEUM ELEGANS 5-6'	2		2	29.25 /EA	59.50 SN
142			RHODODENDRON 'ROSEUM ELEGANS'					
143	RHOZE078065	EA	RHOD BUBBLEGUM #5	1		1	7.00 /EA	7.00 SN
144			RHODODENDRON 'BUBBLEGUM'					
145	RHOZL035B063	EA	RHOD APRIL SNOW #3	1		1	9.90 /EA	9.90 SN
146			RHODODENDRON 'APRIL SNOW'					
147	PICPU300B121	EA	PICE PUNG BACHERI 7-8'	1		1	44.00 /EA	44.00 SN
148			PICEA PUNGENS 'BACHERI'					
149			TAGGED BLACK/ORANGE 10.13					

PRIOR DEPOSIT 20060.79  
 DEPOSIT AMOUNT 0.00  
 BALANCE DUE -100.60

SUBTOTAL  
 GARDEN CENTER  
 DELIVERY CENTER  
 DELIVERY  
 TAXABLE 0.00  
 NON-TAXABLE  
 SUBTOTAL

TAX AMOUNT 0.00  
**TOTAL AMOUNT**

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X





**Wayland Wetlands and Water Resources Bylaw, Chapter 194 Application**

**1. Applicant:**

<u>Louis Latino</u>		<u>Lou. Latino@gmail.com</u>	
Name (PLEASE PRINT)		Email Address (if applicable)	
<u>10 Covered Bridge Lane</u>	<u>Wayland</u>	<u>MA</u>	<u>01778</u>
Mailing Address	City/Town	State	Zip Code
<u>781-686-2679</u>			
Phone Number	Fax Number (if applicable)		

**2. Representative:**

Firm/Business Name		Contact Name	
Mailing Address	City/Town	State	Zip Code
Phone Number	Fax Number (if applicable)		

**3. Property Owner(s)**

<u>Same as above</u>			
Property Owner (PLEASE PRINT)		Email Address (if applicable)	
Address	City/Town	State	Zip Code
Phone Number	Fax Number (if applicable)		

**4. Type of Application**

- |   |   |
|---|---|
| <input type="checkbox"/> Request for a Determination of Applicability (RDA) | <input type="checkbox"/> Notice of Intent (NOI)               |
| <input type="checkbox"/> Abbreviated NOI                                    | <input type="checkbox"/> Extension of O.O.C.                  |
| <input type="checkbox"/> Notice of Resource Area Delineation                | <input checked="" type="checkbox"/> Certificate of Compliance |
| <input type="checkbox"/> After the Fact Amendment (AFA)                     | <input type="checkbox"/> After the Fact Filing (AFF)          |
| <input type="checkbox"/> Amendment to Order of Conditions                   |   |

**5. Project**

<u>10 Covered Bridge Lane</u>		
Location Address	Assessors Map(s)	Parcel(s)
<u>Wayland, MA</u>		

**Project Description (PLEASE PRINT):**

Removal of Seven (7) Trees in back of home located in the wetlands buffer area. Six (6) of the seven trees remain as snags. One tree snapped about 3-4 ft from ground upon removal due to rot.

**6. Title/Date of Plan(s)**

\_\_\_\_\_

\_\_\_\_\_

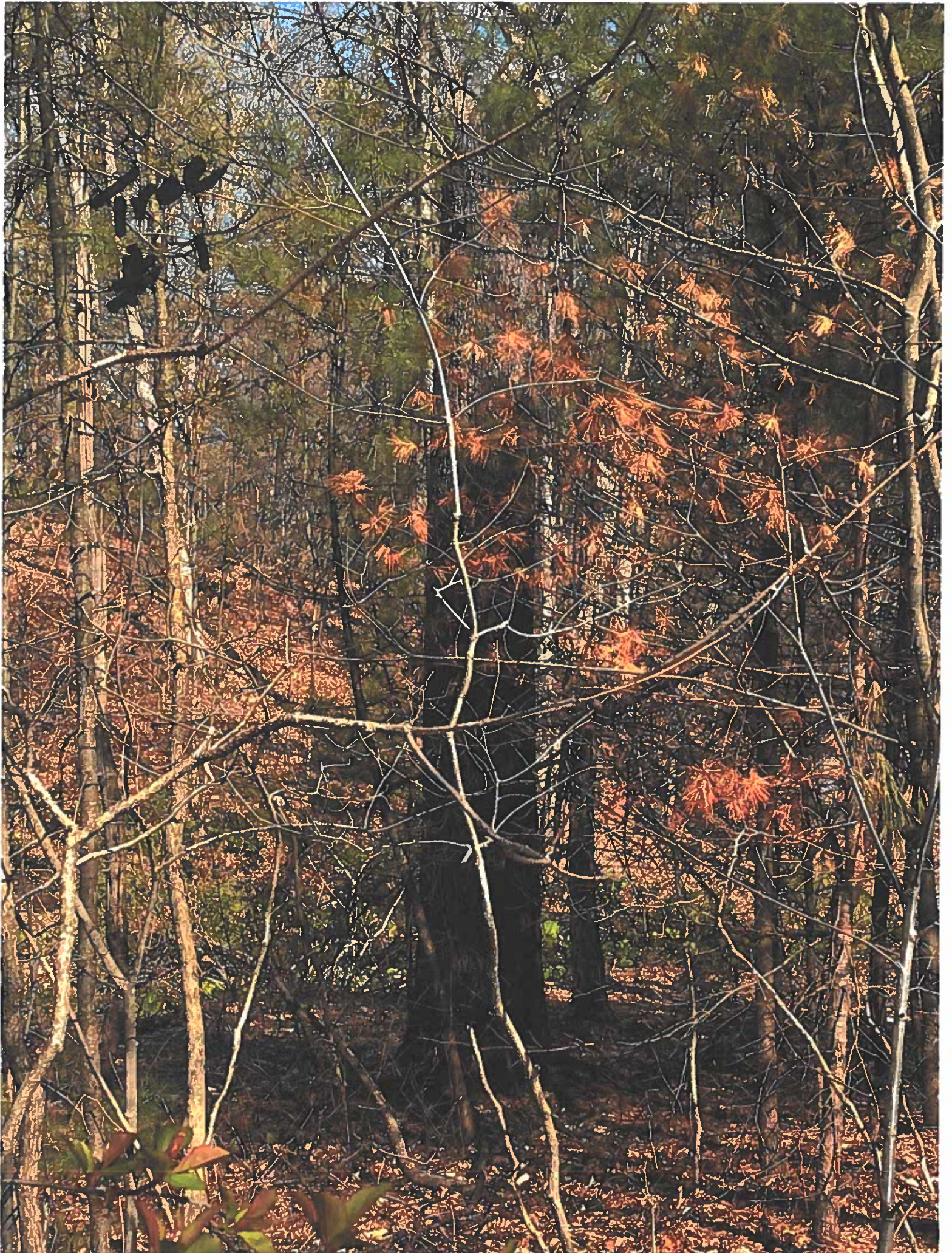
**7. Bylaw Application Fee:** \$ 50.00

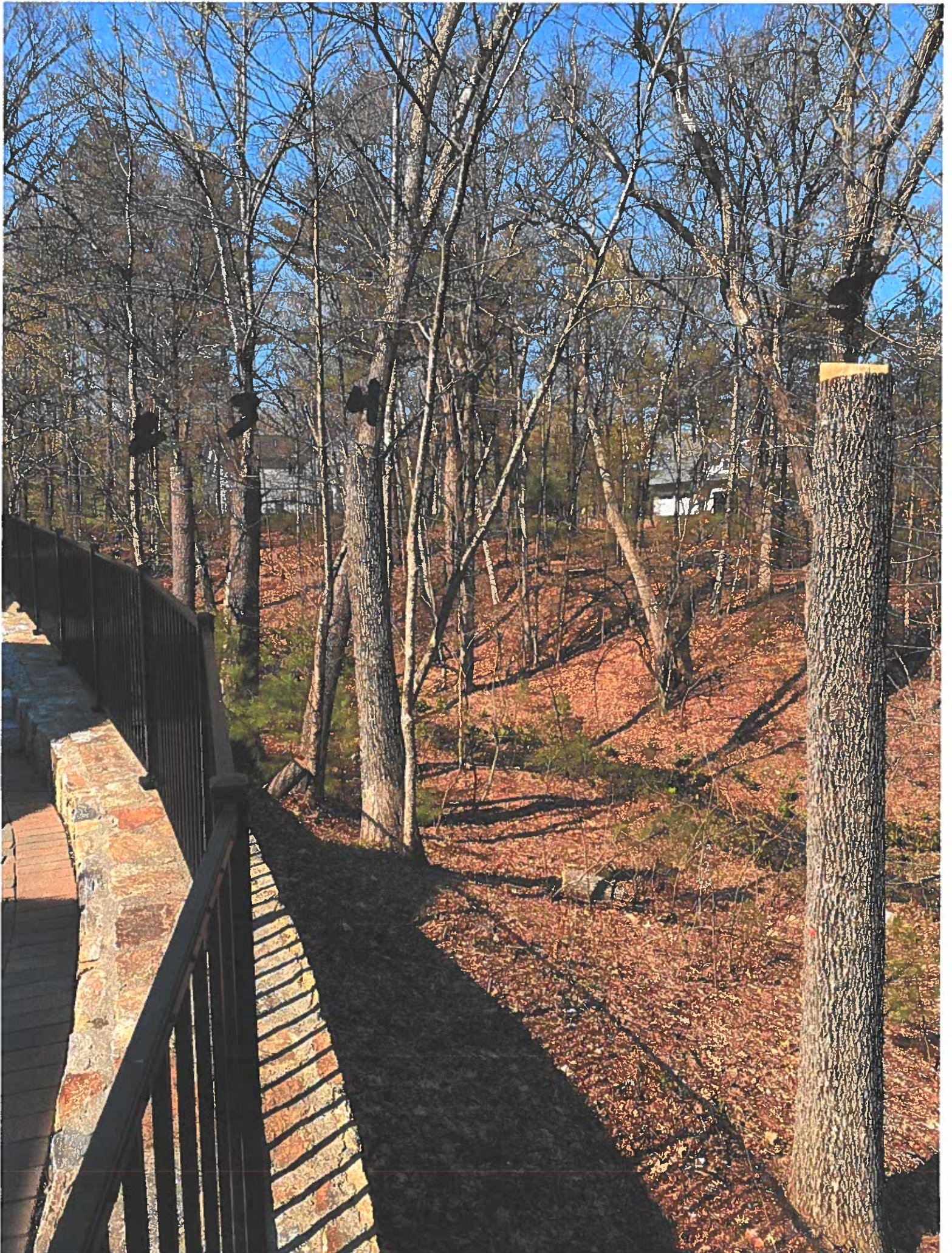
**8. Application filed pursuant to MGL Chapter 131, Section 40**     Yes     No

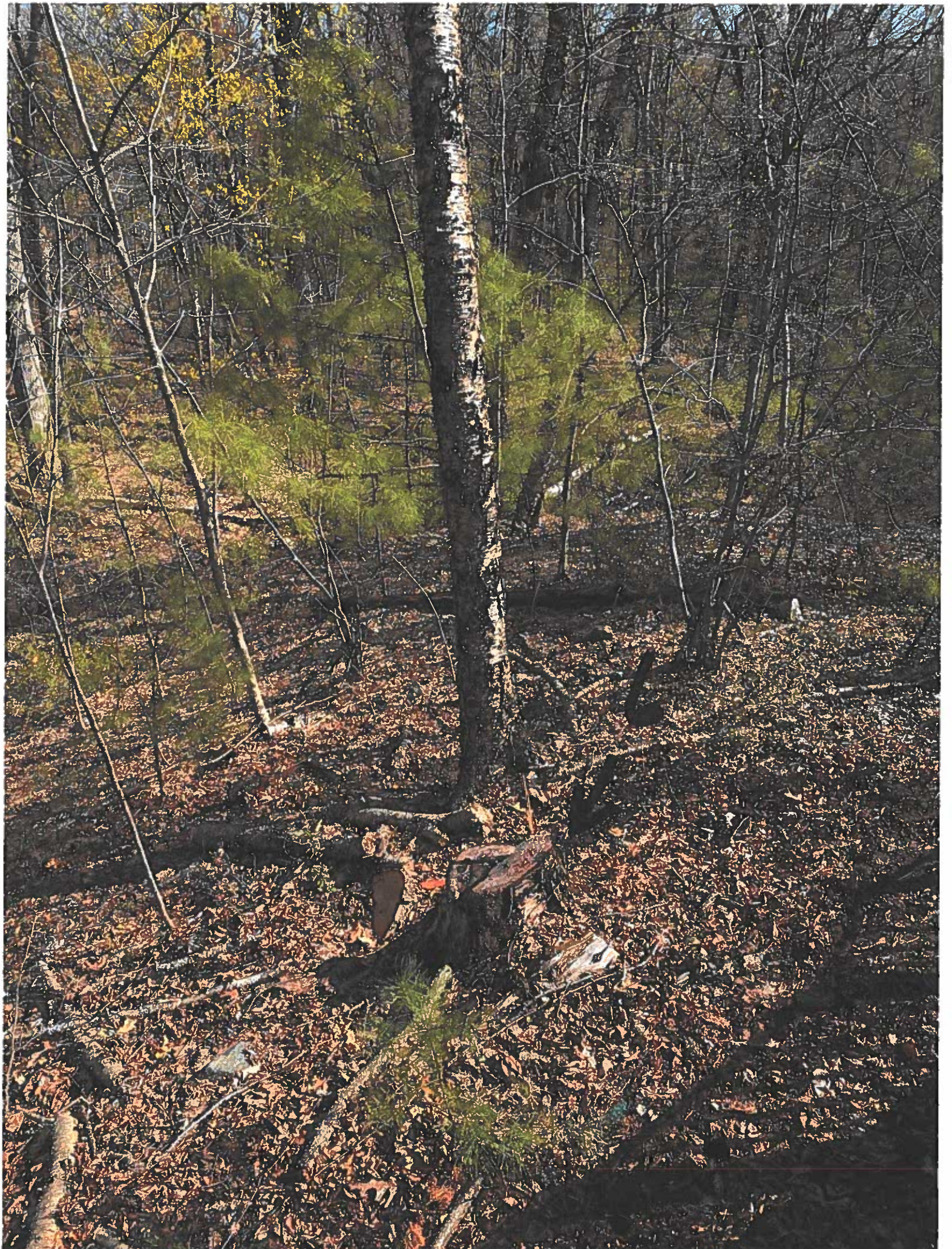
**9. Signature of Applicant**    Louis J. Latino    Date 4/21/21

**Signature of Property Owner**    Louis J. Latino    Date 4/21/21

**(NOTE: This application shall be signed by the property owner as well as the applicant. Signature of the property owner on this application shall be deemed permission granted to the Conservation Commission and their agents to go upon the subject property.)**











**Massachusetts Department of Environmental Protection**  
**Bureau of Resource Protection - Wetlands**  
**WPA Form 8A – Request for Certificate of Compliance**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:  
322-411  
 Provided by DEP

**A. Project Information**

**Important:**  
 When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Upon completion of the work authorized in an Order of Conditions, the property owner must request a Certificate of Compliance from the issuing authority stating that the work or portion of the work has been satisfactorily completed.

1. This request is being made by:

Kathy Schreiber and Steve Tise

Name

3 Fields Lane

Mailing Address

Wayland

MA

01778

City/Town

State

Zip Code

617-312-6966

Phone Number

2. This request is in reference to work regulated by a final Order of Conditions issued to:

Kathy Schreiber and Steve Tise

Applicant

July 16th, 1998

322-411

Dated

DEP File Number

3. The project site is located at:

147 Plain Road

Wayland

Street Address

City/Town

25

091

Assessors Map/Plat Number

Parcel/Lot Number

4. The final Order of Conditions was recorded at the Registry of Deeds for:

Property Owner (if different)

Southern Middlesex

28990

84

County

Book

Page

Certificate (if registered land)

5. This request is for certification that (check one):

the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.

the following portions of the work regulated by the above-referenced Order of Conditions have been satisfactorily completed (use additional paper if necessary).

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

the above-referenced Order of Conditions has lapsed and is therefore no longer valid, and the work regulated by it was never started.



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands  
**WPA Form 8A – Request for Certificate of Compliance**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:  
322-411  
Provided by DEP

---

### A. Project Information (cont.)

6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

Yes      If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

No

---

### B. Submittal Requirements

Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or was the subject of an Adjudicatory Hearing Final Decision, submit this request to the appropriate DEP Regional Office (see <http://www.mass.gov/dep/about/region/findyour.htm>).



## CONSERVATION RESTRICTION BASELINE INSPECTION REPORT

**Property Name:** Open Space A & B

**Location:** 104 & 106 Plain Road, Wayland, MA 01778

**Date of Site Inspection:** December 2, 2020

**Property Size:** Open Space A: 112,631.96 square feet; Open Space B: 13,135.91 square feet

**Inspection Details:** On December 2, 2020, Arthur Allen, Senior Environmental Scientist and Vice President of EcoTec, Inc., inspected the above-referenced conservation restriction (CR) areas. A brief description of Mr. Allen’s qualifications is attached.

The CR areas are depicted on a plan titled “104 Plain Road Conservation Cluster Site Plan”, revised through February 25, 2015. Site conditions when the inspection started (at 9:30 a.m.) were 41 degrees Fahrenheit, clear and dry with no snow cover or ground frost. Approximately 2 hours were spent walking the site, making observations and taking geo-referenced photographs. The inspection began at the northerly corner of 106 Plain Road and commenced in a clockwise direction around the perimeter of the Open Space A parcel, and included observations of the “L-shaped” Open Space B parcel. The 50-foot wide portions of Open Space parcel A (adjacent to the northwest and southeast sides of 104 Plain Road) were also observed from Plain Road, including the 15-foot wide strip of Open Space B that fronts on Plain Road. Land uses adjacent to the open space parcels include residential properties with landscaped yards to the north, east, south and west with a public road to the southwest.

Open Space A consists of wooded or overgrown, old fields. Open Space B consists of a partially mowed lawn with ornamental vegetation extending towards Draper Road and a narrow strip of overstory woodland extending to Plain Road. Both of the CR parcels have relatively level surface topography and appear to have been historically farmed and abandoned at least 30 to 40 years ago based on the extent of tree growth. The portion of Open Space B that extends to the southeast was likely also historically farmed but is now partially maintained as a mowed lawn with ornamental shrubs and saplings. Soils in the CR parcels are mapped by USDA-NRCS as Haven Loams. The Haven Loam consists of very deep, well drained soils formed in loamy over sandy and gravelly outwash. They are nearly level through moderately sloping soils on outwash plains, valley trains, terraces, and water-sorted moraine deposits. The official series description for Haven Loam is attached. On-site observations were consistent with the soil mapping and include plowed A-horizons throughout the CR parcels. No surface stones or ledge outcroppings were observed. No wetland resource areas were observed on or adjacent to the CR parcels.

No rare or unusual plant species were noted in the CR parcels although there is a significant component of non-native, invasive plant species, mixed with native species, throughout the parcels. The dense thickets of native and non-native species observed on the parcels provide habitat for ground nesting and foraging animal species including cotton-tailed rabbit and wild turkey as well as snakes and insects. Rabbit droppings were observed. Songbird nests

observed in the thickets as well. It is possible that white-tailed deer would forage in the larger contiguous portion of Open Space A but the surrounding residential development would preclude frequent use by deer or other large animals.

The attached photo locus map, prepared on a 2019 Google Earth aerial image, depicts the locations where site photos were taken with labels indicating the times of the photographs. The photos are printed on the attached photo pages and labeled to correspond to the locus map. A description of the photo locations is as follows:

**9:58** This photo was taken in the driveway at 106 Plain Road looking in a northeasterly direction into Open Space A. The lawn and driveway at 106 Plain Road is visible in the foreground with the transition to woody vegetation visible at the start of Open Space A.

**10:00** This photo was taken in the rear yard of 106 Plain Road looking northeast into an old field running along the northwest side of Open Space A. The old field is overgrown with largely invasive species including glossy false buckthorn (*Rhamnus frangula*), Tartarian honeysuckle (*Lonicera tatarica*) and Asiatic bittersweet (*Celastrus orbiculata*) vines interspersed and climbing over the shrub layer. There is a minor component of native species within the old field including brambles (*Rubus* spp.), common milkweed (*Asclepias syriaca*), *Spirea* sp. and Pennsylvania sedge (*Carex pensylvanica*). The border of the field, on the north side of the parcel, consists of mature white pine (*Pinus strobus*) and red oak (*Quercus rubra*) trees.

**10:10** This photo depicts the northeasterly portion of Open Space A. This portion of the parcel appears to have been a former orchard with unmanaged fruit trees including apple (*Malus* sp.) and pear (*Pyrus* sp.) visible in the photo. Common buckthorn (*Rhamnus cathartica*) and red cedar (*Juniperus virginiana*) are interspersed between the fruit trees. Several narrow trails lead into the parcel from the Hamilburg residential property and a painted bench and table is visible as well as several small piles of crushed stone that appear to be used as jumps for children on bicycles.

**10:16** This photo was taken in the east corner of the site depicting the dense thicket of Tartarian honeysuckle shrubs and Asiatic bittersweet vines that dominates this portion of Open Space A.

**10:20** Moving to the southwest from the 10:16 photo location, the Tartarian honeysuckle and Asiatic bittersweet thins out somewhat under a canopy of red cedar and apple trees mixed with non-native, invasive Russian olive (*Elaeagnus angustifolia*). A canopy of mature, invasive Norway spruce (*Acer platanoides*) and native white pine rises to the south between Open Space A and 106 Plain Road.

**10:24** Several, uninstalled concrete bounds were noted along the boundary line between 106 Plain Road and Open Space A. This photo depicts one of the bounds. Tartarian honeysuckle and a groundcover of non-native, lesser periwinkle (*Vinca minor*) were noted in this area.

**10:29** The central portion of Open Space A has an overstory of native sugar maple (*Acer saccharum*), black cherry (*Prunus serotina*), white pine and non-native Norway maple trees over Tartarian honeysuckle and lesser periwinkle.

**10:31** Within the central portion of Open Space A, one of the narrow trails leading from the Hamilburg property was again encountered. This photo depicts white pine and scarlet oak (*Quercus velutina*) over Tartarian honeysuckle, common buckthorn and glossy false buckthorn, with Asiatic bittersweet vines interspersed and climbing into the overstory.

**10:35** This photo of the central portion of Open Space A, depicts the trail leading back to the Hamilburg property and again shows the former orchard from a different angle with apple and pear trees interspersed with common buckthorn.

**10:44** The portion of Open Space B extending towards Draper Road is depicted in this photo. This area appears to be maintained as part of the Shelton property with mowed lawn around clumps of ornamental shrubs and saplings including *Forsythia sp.*, *Rhododendron sp.* and flowering dogwood (*Cornus florida*).

**10:50** This photo depicts the 50-foot wide, southeasterly extension of Open Space A looking towards Plain Road. The common driveway servicing 104 and 106 Plain Road is visible on the right as well as the bramble hedge along the edge of the open space which is dominated by *Rubus sp.* with Asiatic bittersweet, glossy false buckthorn and apple.

**10:54** Closer to Plain Road, the extensions of Open Space A and B become dominated by a closed-canopy of red maple (*Acer rubrum*) and white pine over red cedar and spruce (*Picea sp.*) saplings. This photo was taken looking away from Plain Road with the driveway to 106 Plain Road visible on the left.

**11:02** The southwesterly extension of Open Space A at Plain Road is depicted in this photo. A closed-canopy stand of white pine over red cedar saplings with non-native, pachysandra (*Pachysandra terminalis*) groundcover is visible in this area.

**11:06** This photo depicts the northeasterly part of the 50-foot wide extension of Open Space A located to the northwest of 106 Plain Road. This area is a dense thicket of Asiatic bittersweet growing over goldenrods (*Solidago spp.*) and asters (*Aster spp.*). The white pine grove at Plain Road is visible in the photo background.

**Summary:** Open Space parcels A and B consist of undeveloped, old-fields, old-orchards and wooded groves with a section of mowed lawn and ornamentals in the extension of Open Space B leading towards Draper Road. Several narrow trails extend into Open Space A from the Hamilburg property. The trails appear to be used largely by children and there is no evidence of motorized vehicle use. Both parcels have relatively level surfaces and well-drained soils. There is a significant component of non-native, invasive shrubs and vines in the northeasterly portion of Open Space A. There are also old fruit trees and native, overstory trees. The northeasterly portion of Open Space A makes up the majority of the land mass between the two parcels. Although non-native, invasive species are prevalent, they do create dense thickets which provide shelter, forage and nesting opportunities for wildlife species.

A number of quality, native, overstory trees are present and they contribute habitat value to the parcels. Although it would be difficult to eradicate the invasive species completely, there would be value in selectively controlling the Asiatic bittersweet vines which are climbing up and damaging some of the overstory trees. It would be relatively easy to treat the climbing vines, during the growing season, by cutting them off at the base and treating the stumps with a systemic herbicide. It is recommended that a licensed pesticide applicator be consulted regarding herbicide use.

Attachments: 4, 12 pages



## EcoTec, Inc.

### ENVIRONMENTAL CONSULTING SERVICES

102 Grove Street  
Worcester, MA 01605-2629  
508-752-9666 / Fax: 508-752-9494

**Arthur Allen, CPSS, CWS, CESSWI**  
**Vice President**  
**Soil & Wetland Scientist**

Arthur Allen is the Vice President of EcoTec, Inc. and has been a senior environmental scientist there since 1995. His work with EcoTec has involved wetland delineation, wildlife habitat evaluation, environmental permitting (federal, state and local), environmental monitoring, expert testimony, peer reviews, contaminated site assessment and the description, mapping and interpretation of soils. His clients have included private landowners, developers, major corporations and regulatory agencies. Prior to joining EcoTec, Mr. Allen mapped and interpreted soils in Franklin County, MA for the U.S.D.A. Natural Resources Conservation Service (formerly Soil Conservation Service) and was a research soil scientist at Harvard University's Harvard Forest. Since 1994, Mr. Allen has assisted the Massachusetts Department of Environmental Protection and the Massachusetts Association of Conservation Commissions as an instructor in the interpretation of soils for wetland delineation and for the Title V Soil Evaluator program.

Mr. Allen has a civil service rating as a soil scientist, an undergraduate degree in Natural Resource Studies and a graduate certificate in Soil Studies. His work on the Franklin County soil survey involved interpretation of landscape-soil-water relationships, classifying soils and drainage, and determining use and limitation of the soil units that he delineated. As a soil scientist at the Harvard Forest, Mr. Allen was involved in identifying the legacies of historical land-use in modern soil and vegetation at a number of study sites across southern New England. He has a working knowledge of the chemical and physical properties of soil and water and how these properties interact with the plants that grow on a given site. While at Harvard Forest he authored and presented several papers describing his research results which were later published. In addition to his aforementioned experience, Mr. Allen was previously employed by the Trustees of Reservations as a land manager and by the Town of North Andover, MA as a conservation commission intern.

#### **Education:**

1993-Graduate Certificate in Soil Studies, University of New Hampshire  
1982-Bachelor of Science in Natural Resource Studies, University of Massachusetts

#### **Professional Affiliations:**

Certified Professional Soil Scientist (ARCPACS CPSS #22529)  
New Hampshire Certified Wetland Scientist (#19)  
Registered Professional Soil Scientist – Society of Soil Scientists of SNE [Board Member (2000-2006)]  
Certified Erosion, Sediment & Stormwater Inspector (#965)  
Massachusetts Approved Soil Evaluator (#13764)  
Massachusetts Arborists Association-Certified Arborist (1982 – 1998)  
New England Hydric Soils Technical Committee member  
Massachusetts Association of Conservation Commissions member  
Society of Wetland Scientists member

#### **Refereed Publications:**

*Soil Science and Survey at Harvard Forest.* A.Allen. In: Soil Survey Horizons. Vol. 36, No. 4, 1995, pp. 133-142.  
*Controlling Site to Evaluate History: Vegetation Patterns of a New England Sand Plain.* G.Motzkin, D.Foster, A.Allen, J.Harrold, & R.Boone. In: Ecological Monographs 66(3), 1996, pp. 345-365.  
*Vegetation Patterns in Heterogeneous Landscapes: The Importance of History and Environment.* G.Motzkin, P.Wilson, D.R.Foster & A.Allen. In: Journal of Vegetation Science 10, 1999, pp. 903-920.

LOCATION HAVEN NY CT MA NH PA

Established Series  
Rev. RLM-JWW-MFF  
03/2010

## HAVEN SERIES

The Haven series consists of very deep, well drained soils formed in loamy over sandy and gravelly outwash. They are nearly level through moderately sloping soils on outwash plains, valley trains, terraces, and water-sorted moraine deposits. Saturated hydraulic conductivity is moderately high or high in the mineral solum and very high in the substratum. Slope ranges from 0 through 15 percent. Mean annual temperature is 50 degrees F. (10 degrees C.), and mean annual precipitation is 47 inches (1194 millimeters).

**TAXONOMIC CLASS:** Coarse-loamy over sandy or sandy-skeletal, mixed, active, mesic Typic Dystrudepts

**TYPICAL PEDON:** Haven loam - forested. (Colors are for moist soil.)

**Oi**-- 0 to 2 inches (0 to 5 centimeters); slightly decomposed plant material derived from loose pine needles, leaves and twigs.

**Oa**-- 2 to 3 inches (5 to 8 centimeters); black (5YR 2/1) highly decomposed plant material. (0 to 3 inches (0 to 8 centimeters) thick.)

**A**-- 3 to 6 inches (8 to 15 centimeters); dark grayish brown (10YR 4/2) loam; weak fine and medium granular structure; friable; many fine and coarse roots; very strongly acid; abrupt smooth boundary. (1 to 4 inches (3 to 10 centimeters) thick.)

**Bw1**-- 6 to 13 inches (15 to 33 centimeters); brown (7.5YR 4/4) loam; weak fine and medium subangular blocky structure; friable; common fine roots; many fine pores; very strongly acid; clear wavy boundary.

**Bw2**-- 13 to 22 inches (33 to 56 centimeters); strong brown (7.5YR 5/6) loam; weak fine and medium subangular blocky structure; friable; common fine roots; many fine pores; 5 percent fine gravel; very strongly acid; gradual wavy boundary. (Combined thickness of Bw horizon is 3 to 22 inches (8 to 56 centimeters) thick.)

**BC**-- 22 to 31 inches (56 to 79 centimeters); yellowish brown (10YR 5/6) gravelly loam; weak medium and fine subangular blocky structure; friable; few fine roots; common fine pores; 20 percent fine gravel; very strongly acid; clear wavy boundary. (0 to 11 inches (0 to 28 centimeters) thick.)

**2C**-- 31 to 65 inches (79 to 165 centimeters); yellowish brown (10YR 5/4) to brownish yellow (10YR 6/6) stratified gravelly sand; single grained; loose; 30 percent fine gravel; very strongly acid.

**TYPE LOCATION:** Suffolk County, New York; town of Brookhaven, one and one-half miles north of Sunrise Highway by Gerrard Road. USGS Bellport, NY topographic quadrangle; Latitude 40 degrees, 49 minutes, 4 seconds N. and Longitude 72 degrees, 54 minutes, 51 seconds W. NAD 1983.

**RANGE IN CHARACTERISTICS:** Thickness of solum and depth to the lithologic discontinuity range from 18 through 36 inches (46 through 91 centimeters). Gravel content ranges from 0 through 15 percent by volume in the A and Bw horizons, from 0 through 40 percent in the BC horizon, and from 0 through 65 percent in the 2C horizon. Cobble content ranges from 0 through 2 percent in the solum and 0 to 5 percent in the substratum. The soil ranges from very strongly acid through moderately acid.

The O horizon, where present, has hue 7.5YR or 10YR, value 2 or 2.5, and chroma of 0 through 2. The O horizons typically have increased decomposition with depth and range from fibric through sapric material.

A or Ap horizon, where present, has hue of 7.5YR or 10YR, value of 3 or 4, and chroma of 2 or 3. The A horizon is allowed to have value of 2 and chroma of 1. It is loam, silt loam, or very fine sandy loam. Structure is weak or moderate granular or massive. Consistence is friable or very friable.

Some pedons have thin albic and spodic horizons less than 2 inches (5 centimeters) thick. They have hue 7.5YR or 10YR, value 3 through 6, and chroma 1 through 3. Texture is very fine sandy loam. Structure is weak subangular blocky. Consistence is very friable or friable.

The B horizons have hues of 5YR through 2.5Y, values of 4 through 6, and chroma of 3 through 8. They are loam, silt loam, or very fine sandy loam, except the BC horizon is fine sandy loam, sandy loam, or loamy coarse sand in the fine earth fraction of some pedons. Structure is weak fine through coarse subangular blocky, or they are massive. Consistence is very friable or friable.

The 2C horizons have hues of 7.5YR through 2.5Y, values of 4 through 6, and chroma of 2 through 6. They are loamy fine sandy or coarser in the fine earth fraction. They are usually stratified.

**COMPETING SERIES:** The [Agawam](#), [Barnstable](#), [Branford](#), and [Narragansett](#) series are members of the same family. Agawam soils typically have less than 40 percent silt in lower part of the Bw horizon. Barnstable soils formed in till overlying outwash and have subangular or angular rock fragments larger than pebble-sized throughout. Branford soils have hues redder than 7.5YR. Narragansett do not have stratified sand and gravel in the substratum.

The [Allard](#), [Alton](#), [Bridgehampton](#), [Chenango](#), [Enfield](#), [Hartland](#), [Hoosic](#), [Riverhead](#) and [Tunkhannock](#) series are similar soils in related families. Allard soils have less than 15 percent fine sand and coarse in the upper part of the solum. Alton, Chenango, and Tunkhannock soil lack contrasting textures and have more than 35 percent coarse fragments in the particle-size control section. Bridgehampton, Enfield, and Hartland soils have more silt in the solum. Hoosic soils have sandy textures with more than 35 percent coarse fragments throughout. Riverhead soils have sandy loam or fine sandy loam B horizons with more than 50 percent fine sands and coarser.

**GEOGRAPHIC SETTING:** Haven soils are nearly level to moderately sloping soils of glacial outwash plains, valley trains, terraces, and water-sorted moraine deposits. Slope ranges from 0 through 15 percent in gradient. The regolith consists of 18 through 36 inches (46 through 91 centimeters) of water-sorted loamy material low in gravel over stratified gravel and sand. Mean annual air temperature ranges from 45 through 55 degrees F. (7 through 13 degrees C.), mean annual precipitation from 40 through 50 inches (1016 through 1270 millimeters), and mean growing season from 125 through 220 days.

**GEOGRAPHICALLY ASSOCIATED SOILS:** These are the [Bridgehampton](#), [Carver](#), [Enfield](#), [Ninigret](#), [Plymouth](#), [Riverhead](#), and [Tisbury](#) soils. Bridgehampton soils have a coarse-silty particle size control section. Carver and Plymouth soils are sandy. Enfield soils are coarse-silty over sandy or sandy skeletal. Ninigret and Tisbury soils are moderately well drained. Riverhead soils have less silt in the upper part.

**DRAINAGE AND SATURATED HYDRAULIC CONDUCTIVITY:** Well drained. The potential for surface runoff is very low to medium. Saturated hydraulic conductivity is moderately high or high in the mineral solum and very high in the substratum.

**USE AND VEGETATION:** Most of the soil has been cleared and is used for crops or is in community development. Principal crops are potatoes and other vegetables, corn, tobacco, or nursery stock. Common forest trees in woodlots include black, white, and northern red oak, beech, and maple.

**DISTRIBUTION AND EXTENT:** Southeastern New York and Connecticut. MLRA's 139, 140, 144A, 145, and 149B. The soil is of large extent.

**MLRA SOIL SURVEY REGIONAL OFFICE (MO) RESPONSIBLE:** Amherst, Massachusetts

**SERIES ESTABLISHED:** Dukes and Nantucket Counties, Massachusetts, 1925.

**REMARKS:** It should be noted that as a competing series, Agawam soils typically have soil temperatures that may be slightly cooler, but a precise difference could not be quantified based on available data and historic use. The present separation of the Haven and Agawam series may not match historic use of the two series.

Diagnostic horizons and features recognized in the typical pedon:

1. Ochric epipedon - the zone from 0 to 6 inches (0 to 15 centimeters) (O and A horizons).
2. Cambic horizon - the zone from 6 to 31 inches (15 to 79 centimeters) (Bw1, Bw2, and BC horizons).
3. Strongly contrasting particle-size class - both the coarse-loamy part and the sandy part of the particle-size control section are greater than 5 inches (12.5 cm) thick and the transition zone between the two parts is less than 5 inches (12.5 cm) thick.
- 4) Particle-size control section - the zone from 10 to 40 inches (25 to 100 centimeters) (Bw1, Bw2, BC and 2C horizons).
- 5) Lithologic discontinuity - at a depth of 31 inches (79 centimeters).



EcoTec CR Photo Locus Map  
104 Plain Rd., Wayland, MA  
12/2/2020



ECOTEC BASELINE REPORT PHOTOS FOR OPEN SPACE A & B, 104 PLAIN RD., WAYLAND, MA (DECEMBER 2, 2020)



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10:00

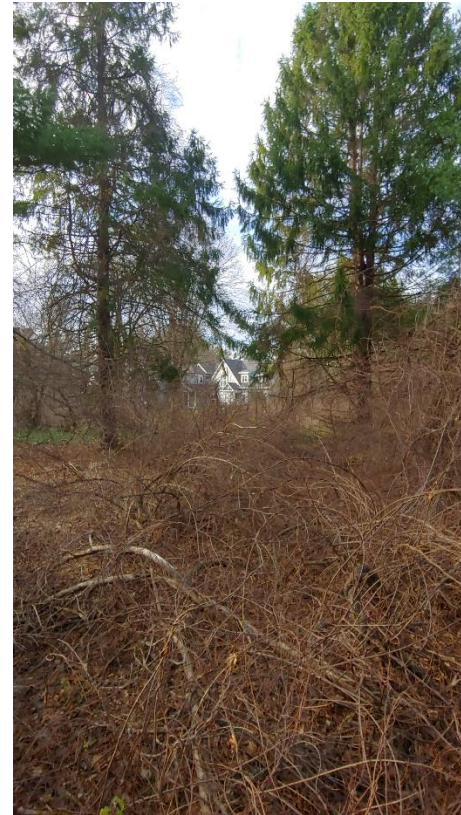


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ECOTEC BASELINE REPORT PHOTOS FOR OPEN SPACE A & B, 104 PLAIN RD., WAYLAND, MA (DECEMBER 2, 2020)



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ECOTEC BASELINE REPORT PHOTOS FOR OPEN SPACE A & B, 104 PLAIN RD., WAYLAND, MA (DECEMBER 2, 2020)



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ECOTEC BASELINE REPORT PHOTOS FOR OPEN SPACE A & B, 104 PLAIN RD., WAYLAND, MA (DECEMBER 2, 2020)



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ECOTEC BASELINE REPORT PHOTOS FOR OPEN SPACE A & B, 104 PLAIN RD., WAYLAND, MA (DECEMBER 2, 2020)



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ECOTEC BASELINE REPORT PHOTOS FOR OPEN SPACE A & B, 104 PLAIN RD., WAYLAND, MA (DECEMBER 2, 2020)



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11:02

ECOTEC BASELINE REPORT PHOTOS FOR OPEN SPACE A & B, 104 PLAIN RD., WAYLAND, MA (DECEMBER 2, 2020)



11:06



**106 Plain Road Conservation Restriction  
104-106 Plain Road  
Wayland, MA 01778  
December 30, 2020**

**Grantor(s):**

Michael J. Staiti  
106 Plain Road  
Wayland, MA 01778

**Current Owner:**

Michael J. Staiti  
106 Plain Road  
Wayland, MA 01778

**Grantee:**

Conservation Commission, Town of Wayland  
41 Cochituate Road, Wayland, MA 01778

## Table of Contents

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Summary of Property Description and Conditions	3-5
Maps and Plans	6-12
Photography Affidavit	13
Baseline Report of CR from Ecotec	14-30

## 106 Plain Road CR – Abstract of Conservation Restriction

Conservation Restriction Name: 106 Plain Road

Grantor(s): Michael J. Staiti

Grantee(s): Conservation Commission, Wayland, MA

Acreage: 2.89 Acres

Current Owner(s): Michael J. Staiti

Date Recorded: March 26, 2015

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Registry Book and Page #: Book 65115, Page 465

### Summary of Conservation Restriction

#### Purposes:

This Conservation Restriction is defined in and authorized by Sections 31-33 of Chapter 184 of the General Laws and otherwise by law. The purpose of this Conservation Restriction is to assure that the Premises will be maintained in perpetuity for conservation purposes, in a natural, scenic and underdeveloped condition, and to prevent any use or change that would impair or interfere with its conservation and preservation values ("conservation values"). This Conservation Restriction is required by the following permit: Conservation Cluster Development Special Permit dated February 18, 2015 and recorded with Middlesex South Registry of Deeds in Book 65115, Page 465.

#### Prohibited Acts of Uses

1. Constructing, placing or allowing to remain any temporary or permanent building, tennis court, landing strip, mobile home, swimming pool, asphalt or concrete pavement, sign, fence, billboard or other advertising display, antenna, utility pole, tower, solar panel, solar array, conduit, line or other temporary or permanent structure or facility on, above or under the Premises;

2. Mining, excavating, dredging or removing from the Premises of soil, loam, peat, gravel, sand, rock or other mineral resource or natural deposit or otherwise making topographical changes to the area;
3. Placing, filling, storing or dumping of soil, refuse, trash, vehicle bodies or parts, rubbish, debris, junk, tree and other vegetation cuttings generated off-site, waste or other substance or material whatsoever or the installation of underground storage tanks;
4. Cutting, removing or otherwise destroying trees, grasses or other vegetation;
5. Activities detrimental to drainage, flood control, water conservation, water quality, erosion control, soil conservation, wildlife habitat, or archaeological conservation;
6. Use, parking or storage of vehicles including motorcycles, mopeds, all-terrain vehicles, trail bikes, or any other motorized vehicles on the Premises except for vehicles necessary for public safety (i.e., fire, police, ambulance, other government officials) in carrying out their official duties;
7. Subdivision or conveyance of a part or portion of the Premises alone, or division or subdivision of the Premises (as compared to conveyance of the Premises in its entirety which shall be permitted), and no portion of the Premises may be used towards building or development requirements on this or any other parcel;
8. The use of the Premises for business, residential or industrial use, or for more than *de minimis* commercial recreation;
9. The conversion of Open Space to lawn with the exception of the right side of the common driveway which was lawn at the time the Conservation Cluster was permitted in 2015;
10. Any other use of the Premises or activity which is inconsistent with the purpose of this Conservation Restriction or which would impair its conservation values.

#### Rights Reserved to Grantors

1. Vegetation Management. The selective removing, pruning and cutting of brush and trees, and seasonal mowing, to prevent, control or remove hazards, disease, insect or fire damage, or to preserve the present condition of the Premises, including vistas, woods roads, fence lines and trails and meadows; The owner of 110 Plain Road shall have the exclusive right, in perpetuity, of access to Open Space B and the right to maintain the existing vegetation located on the parcel, and the right to plant additional trees and landscaping, in its sole discretion, provided no existing healthy specimen trees can be removed from Open Space B;
2. Non-native or nuisance species. The removal of non-native or invasive species, the interplanting of native species, and the control of species in a manner that minimizes damage to surrounding, non-target species and preserves water quality. The removal of non-native species should only be done with review and approval of the Conservation Commission and said removal shall only occur at specific, approved times of the year;
3. Composting. The stockpiling and composting of brush, limbs, and other biodegradable materials is expressly prohibited;
4. Wildlife Habitat Improvement. With the prior written approval of Grantee, measures designed to restore native biotic communities, or to maintain, enhance or restore wildlife, wildlife habitat, or rare or endangered species including selective planting of native trees, shrubs and plant species;

5. Outdoor Passive Recreational Activities. Hiking, cross-country skiing, nature observation and other non-motorized outdoor recreational activities that do not materially alter the landscape and do not degrade environmental quality;
6. Driveways. The Grantor shall have the right to install and maintain a driveway in the location shown on the Plan, including the right to 1) conduct the normal maintenance of a driveway, including but not limited to, repairing and repaving of the driveway and, within a 10' area on either side of the driveway, landscaping, installation and maintenance of utilities, mowing, and snow removal, as needed, 2) construct and maintain other common driveway appurtenances such as lighting, bollards, utilities and gates adjacent to that cross paved surface, all limited to the area within 10' on either side of the driveway, and 3) occasional parking on the Common Driveway Easement or the 10' wide adjacent areas solely for residents of, guests of and visitors to the two residences permitted by the above referenced Conservation Cluster Special Permit.
7. Signs. The erection, maintenance and replacement of signs with respect to trespass, public access, identify and address of the Grantor, sale of the Premises, the Grantee's interest in the Premises, any gift, grant or other applicable source of support for the conservation of the Premises, the Reserved Rights and the conservation values;
8. Trails. The Grantor or Grantee may construct and maintain trails for passive recreation consistent with 5. Above.
9. Permits, Regulations, Laws. The exercise of any right reserved by Grantor under this Paragraph B shall be in compliance with zoning, the Wetlands Protection Act, and all other applicable federal, state and local laws, rules, regulations, and permits. The inclusion of any reserved right requiring a permit from a public agency does not imply that the Grantee or the Commonwealth takes any position whether such permit should be issued;
10. Best Management Practices. The exercise of any right reserved by Grantor under this Paragraph B shall follow established, up to date, and regionally-applicable best management practices or similar standards developed by a governmental agency or other entity with known expertise in the area of practice and designed to protect the natural features potentially affected by the action(s).

## Rights Reserved to Grantees

1. Legal and injunctive relief
2. Non-waiver of Grantee enforcement rights
3. Absence of Grantee liability
4. Right of access for inspection and enforcement

## Summary of Property Description and Conditions

### Introduction

The 106 Plain Rd Conservation Restriction Area has a total restricted area of 2.89 acres. It is situated entirely within land now used for single family housing and has

frontage on Plain Road. It meets a requirement under the 104-106 Plain Road Conservation Cluster Development Special Permit that a certain portion of the land being developed be set aside as Open Land under conservation restriction.

### **Historical Land Use**

The CR land was historically part of a single large estate. The large field to the northwest was used for hay intermittently through 2014.

### **Current Land Use**

The CR land has been part of a single family residence for several centuries and it remains in that use.

### **Topography and Soils**

All of the area within the CR upland, some of which was at one time an active field and is now overgrown. It is generally flat and wooded. Soils within the CR area have not been characterized. The general area is comprised of glacial till with varying proportions of sand, sandy clay and burden underlying a loamy topsoil.

### **Natural Communities**

Plant communities are outlined in Appendix A: Ecotec's Conservation Restriction Baseline Inspection Report attached.

### **Rare Species and Associated Habitat**

None.

### **Wetlands**

None.

### **Maps and Plans**

The following section contains images of the following maps and plans showing the locus (104-106 Plain Road Conservation Cluster Development) and/or the Conservation Restriction area ("Open Land") contained therein in Wayland, MA.

- Filed Plan 104 & 106 Plain Road Conservation Cluster Plan and Conservation Restriction Area
- 2015 MassGIS Aerial Photo with Boundaries of 106 Plain Road Conservation Restriction Area
- Town of Wayland Assesor Map with Locus
- Town of Wayland Conservation Map with Locus
- USGS Quad with Locus
- Mass BioMap2 with Locus

Exhibit C



No.	Date	Description
1	3/2/2018	Planning Board comments, three open space areas
2	3/11/18	Proposed changes to the plan
3	1/16/18	Notes to the Planning Board
4	1/16/18	No-action Restriction added

Michael and Sandra Statti  
25 Stage Hill Road  
Wayland, MA

William C. Coleman  
18 Main Road  
Wayland, MA

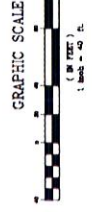
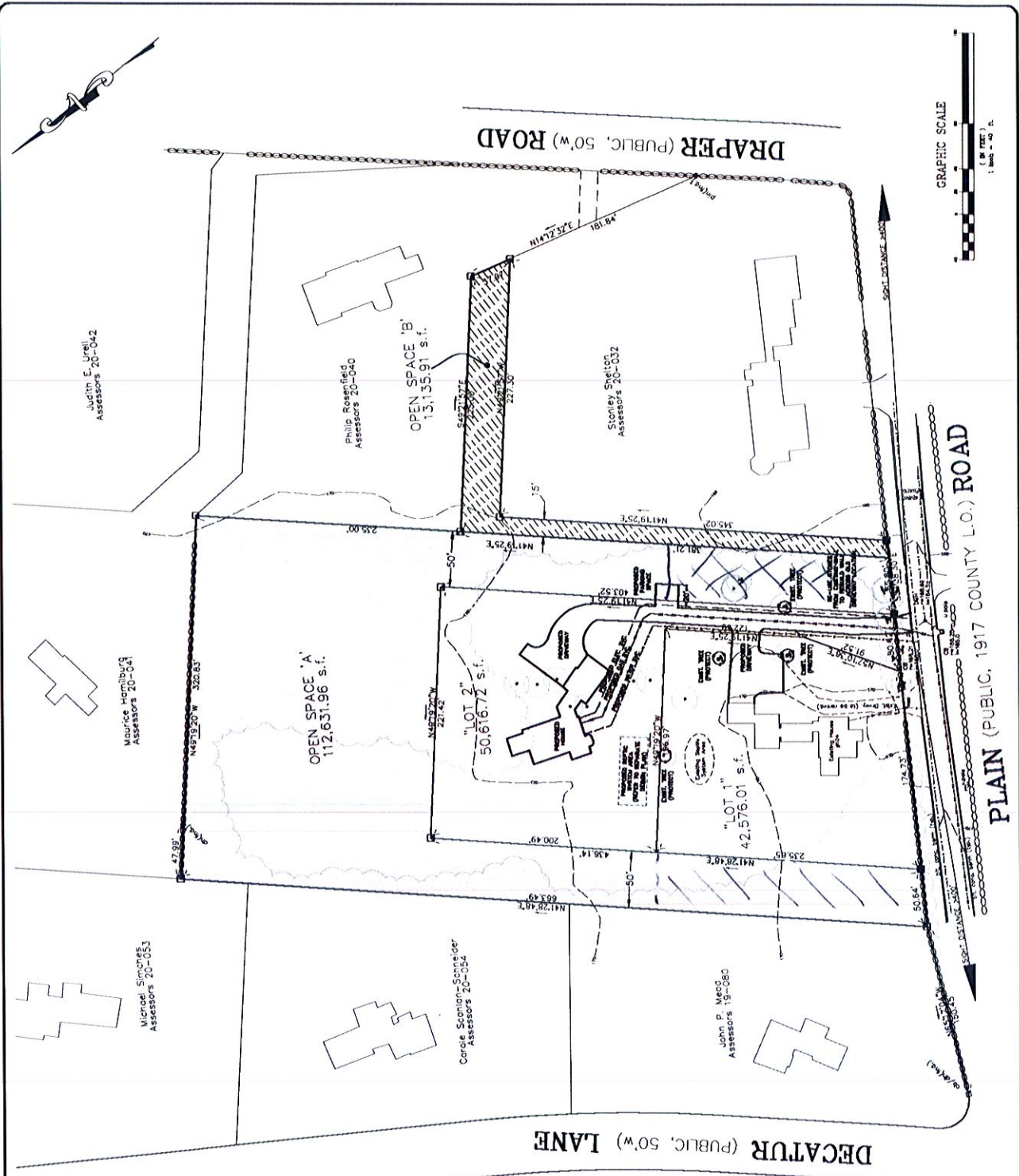


104 Plain Road  
Conservation Cluster  
Site Plan  
Wayland, MA

SCALE: 1"=40'
DRAWN BY: [Signature]
CHECKED BY: [Signature]
FILE NAME: 10010104 Plain
DATE: 12/17/14
DATE: 12/17/14
DATE: 12/17/14

SHEET 1 OF 1

Exhibit C



TOWN OF WAYLAND  
PLANNING BOARD

APPROVAL GRANTED SUBJECT TO  
COVENANT TO BE RECORDED HERewith

PLAN REFERENCES:

WORD BOOK 8276, PAGE 87;  
WORD BOOK 831 OF 1866  
WORD PLAN No. 803 OF 1974  
"PLAN OF LAND IN WAYLAND, MA"  
BY THOMAS DIFERSIO JR. & ASSOC. INC.  
DATED 12/17/14

- GENERAL NOTES:
1. PROPERTY LINES, VISIBLE UTILITIES, AND OTHER PERTINENT TOPOGRAPHICAL DETAILS BASED ON ON-THE-GROUND SURVEY BY THOMAS DIFERSIO JR. & ASSOCIATES, INC., NOVEMBER, 2014. OTHER FEATURES SUCH AS ADJUTING HOUSES SHOWN BASED ON 25 DATA AND AERIAL PHOTOGRAPHY.
  2. DATA AND AERIAL PHOTOGRAPHY FOR THIS PLAN WILL BE REQUIRED PRIOR TO BUILDING PERMIT. FINAL SITE/SEPTIC SYSTEM DESIGN PLAN WILL PRESENT DETAILS ON PROPOSED SEPTIC SYSTEM DESIGN, FINAL GRADES, ETC. PLAN SHALL SHOW THAT NO RUNOFF FROM NEW CONSTRUCTION WILL BE DIRECTED ONTO PUBLIC WAYWAY.
  3. PROPOSED WATER SERVICE SHALL BE CONSTRUCTED IN ACCORDANCE WITH WAYLAND DPW REGULATIONS.
  4. PROPOSED DRIVEWAY SHALL BE CONSTRUCTED IN ACCORDANCE WITH WAYLAND DPW REGULATIONS AND RUNOFF FROM NEW DRIVEWAY SHALL BE DIRECTED ONTO PUBLIC WAY.
  5. ANY TREE AND/OR STONE WALL REMOVAL WITHIN RIGHT-OF-WAY REQUIRES PRIOR APPROVAL BY WAYLAND PLANNING BOARD.
  6. TREES SHOWN TO BE "PROTECTED" SHALL BE SURROUNDED BY SNOW FENCE AND LEFT UNDISTURBED DURING CONSTRUCTION.

- LEGEND
- - - - - EXISTING TOPOGRAPHY
  - - - - - EXISTING TIE LINE
  - EXISTING TREES
  - EXISTING STONE WALL
  - - - - - APPROX. EXISTING WATER LINE
  - - - - - APPROX. EXISTING GAS LINE
  - - - - - EXISTING DRAIN LINE
  - CONCRETE BOUND TO BE SET

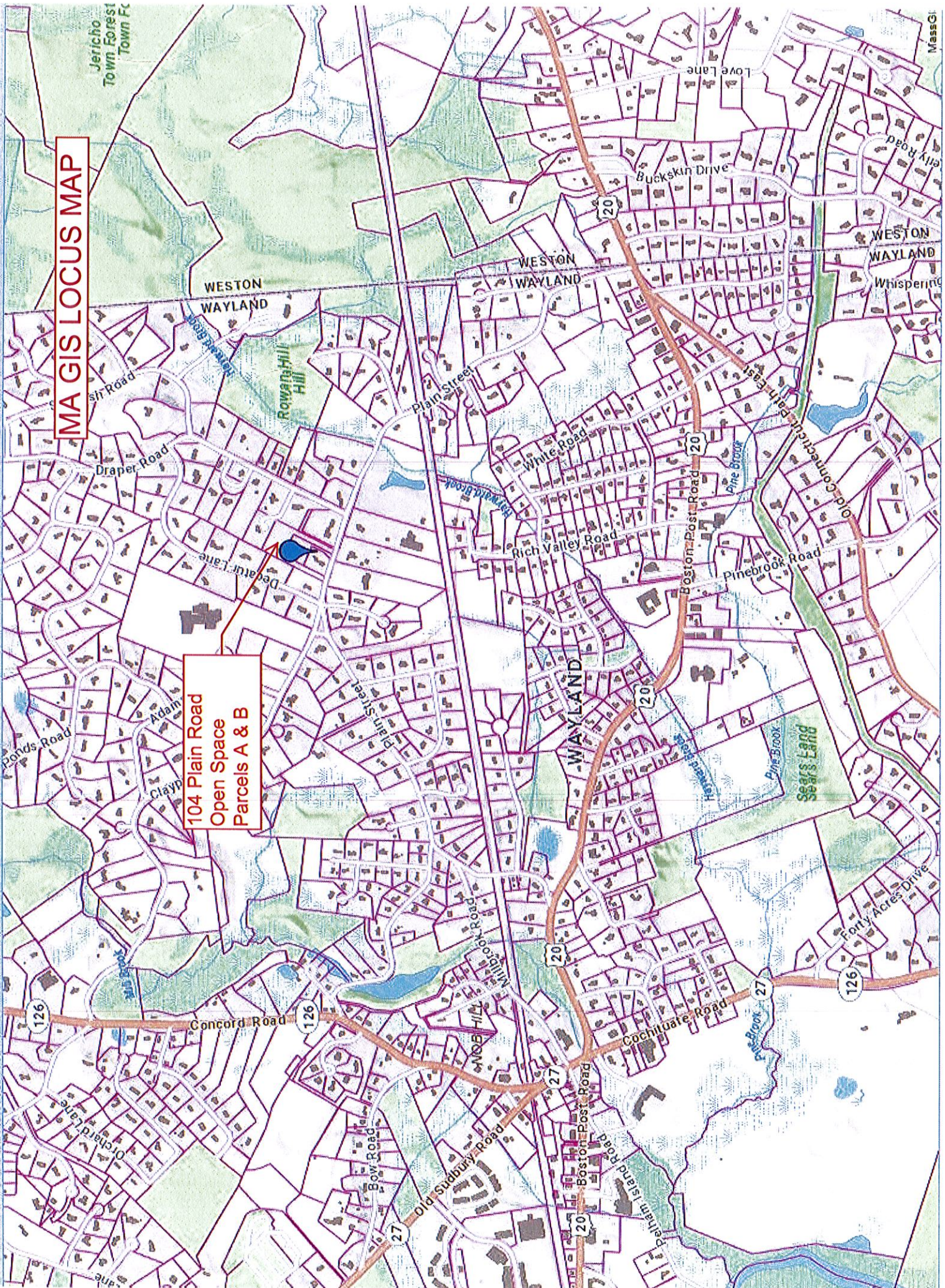




2015 MA GIS Aerial Photo Locus Depicting Open Space Parcels A & B

**MA GIS LOCUS MAP**

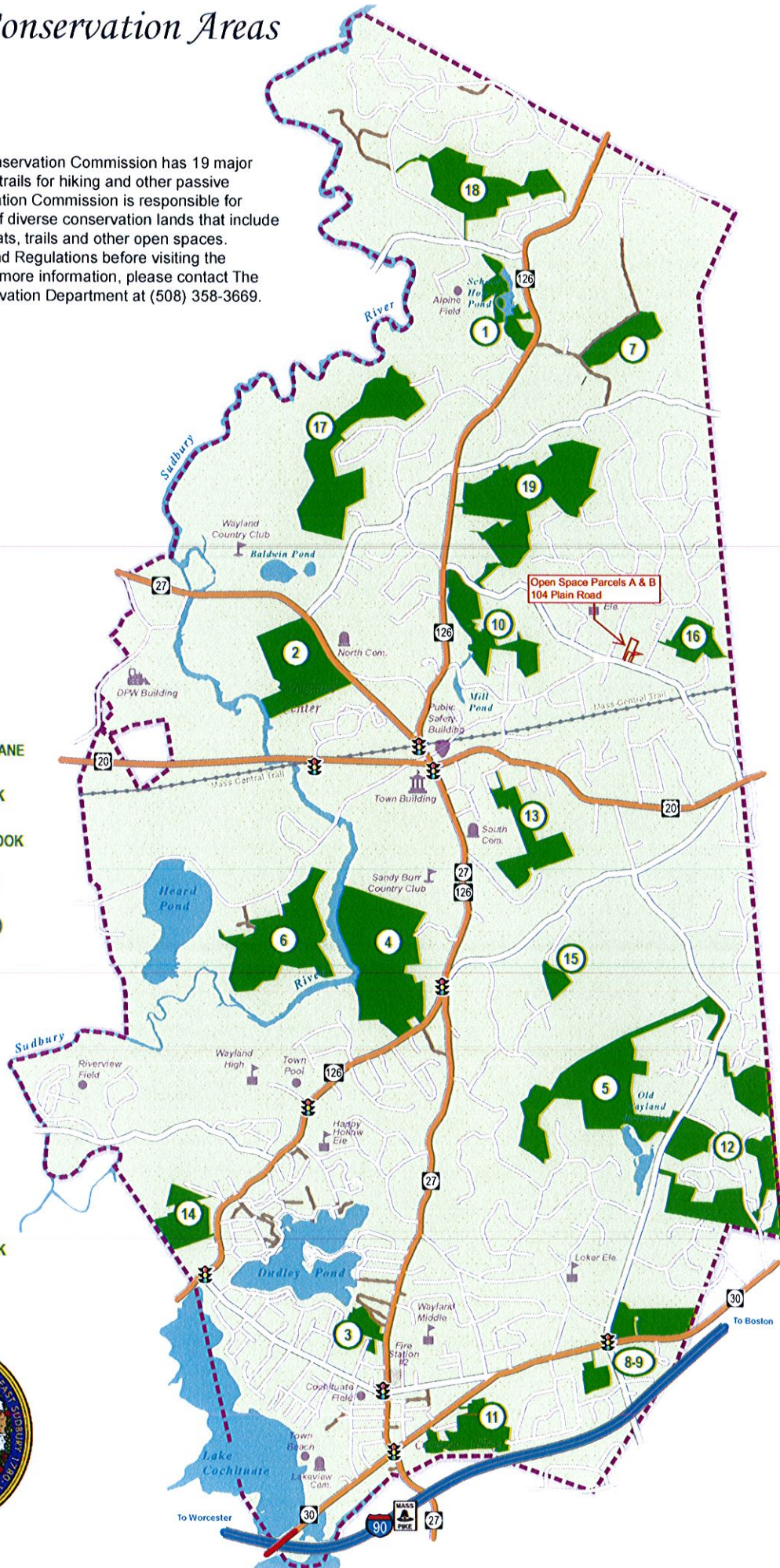
**104 Plain Road  
Open Space  
Parcels A & B**



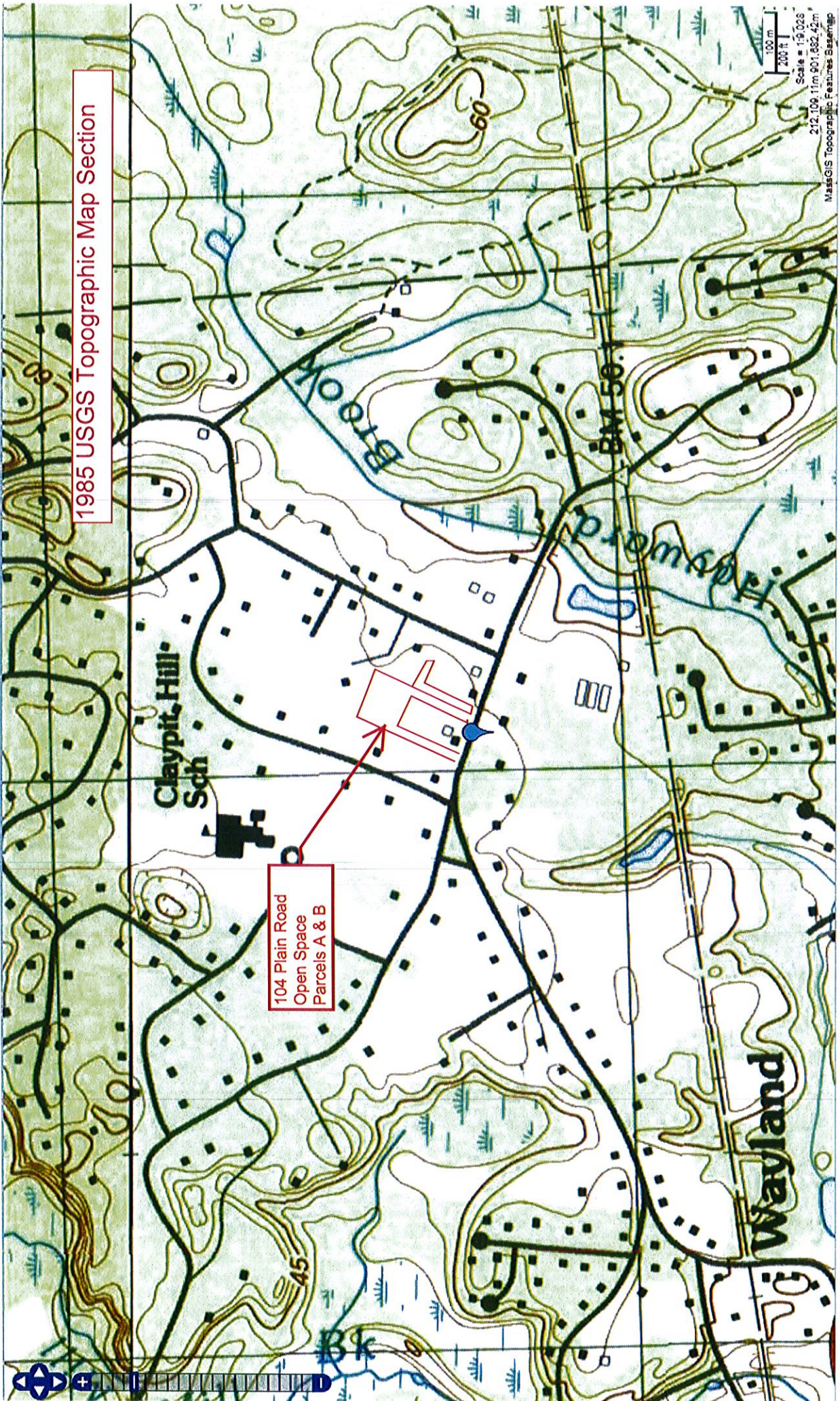
# Wayland Conservation Areas

NOTE: The Wayland Conservation Commission has 19 major Conservation Areas with trails for hiking and other passive recreation. The Conservation Commission is responsible for the protection and care of diverse conservation lands that include wetlands, sensitive habitats, trails and other open spaces. Please read the Rules and Regulations before visiting the Conservation Areas. For more information, please contact The Town of Wayland Conservation Department at (508) 358-3669.

- 1 CASTLE HILL
- 2 COW COMMON
- 3 DUDLEY BROOK
- 4 GREENWAYS
- 5 HAMLLEN WOODS
- 6 HEARD FARM
- 7 \* LINCOLN ROAD  
(\* No map available)
- 8-9 LOKER & TIMBER LANE
- 10 LOWER MILLBROOK
- 11 LOWER SNAKE BROOK
- 12 MAINSTONE HILLS  
(TURKEY HILL & WAYLAND HILLS)
- 13 PINEBROOK
- 14 POD MEADOW
- 15 REEVES HILL
- 16 ROWAN HILL
- 17 SEDGE MEADOW
- 18 TROUT BROOK
- 19 UPPER MILL BROOK



1985 USGS Topographic Map Section



104 Plain Road  
Open Space  
Parcels A & B

Claypit Hill  
Sch

Wayland

Brook

BM 50



100 m  
200 ft  
Scale = 1:9,028  
212,109.11m 901,882.42m  
MassGIS Topographic Features Sazerpip

# BioMap2 Cores



- BioMap2 Critical Natural Landscape
  - BioMap2 Core Habitat
  - Tax Parcels for Query
  - Detailed Features
  - Tax Parcels for Display
- MassGIS Statewide Basemap  
MassGIS Topographic Features Basemap

106 Plain Road CR – Photography Affidavit

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Photography Affidavit

I, Art Allen, hereby certify that on December 2, 2020

- I inspected the 106 Plain Road CR premises and took all the photographs contained in this Baseline Documentation Report;
- That these photographs are accurately described in their captions and located on the associated annotated aerial photograph preceding;
- That these photographs fairly and accurately depict the property as it appeared pm the dates the photographs were taken; and
- That, in addition to the several printed versions, the photographs were recorded on a number of copies on non-rewritable compact disc signed by me and titled 106 Plain Road CR Baseline Photos under the file names in this document and on the attached sheet, "Exhibit A", and that the photographs are original and have not been altered in any way.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

THE COMMONWEALTH OF MASSACHUSETTS  
COUNTY OF \_\_\_\_\_

Then personally appeared, before me, the undersigned notary public, the above named, Art Allen, proved to me through satisfactory evidence of identification which was photographic identification with signature issued by a federal or state governmental agency,

[SEAL]

\_\_\_\_\_  
Notary Public:  
My Commission Expires:

**GRANTOR:** Michael J. Staiti, ~~Owner of Open Space A and B as shown on the “104 Plain Road Conservation Cluster Site Plan”~~

**GRANTEE:** Town of Wayland, Massachusetts

**ADDRESS OF PREMISES:** Open Space A and Open Space B at 104, 106 and 110 Plain Road, Wayland, MA

**FOR GRANTOR’S TITLE SEE:** Open Space A: Middlesex (South) ~~District~~County Registry of Deeds at Book 65319, Page 344; Open Space B: Middlesex (South) ~~District~~County Registry of Deeds at Book \_\_\_\_\_, Page \_\_\_\_\_

### CONSERVATION RESTRICTION

I, **Michael J. Staiti**, Owner of Open Space A (containing 112,631.96 S.F. or 2.59 acres), by deed recorded with the Middlesex (South) ~~District~~County Registry of Deeds in Book 65319, Page 344 and Open Space B (containing 13,135.91 S.F. or .30 acres), ~~by deed as~~ recorded with the Middlesex (South) ~~District~~County Registry of Deeds in Book \_\_\_\_\_, Page \_\_\_\_\_, constituting all of the owner(s), for my successors and assigns (“Grantor”), acting pursuant to Sections 31, 32, and 33 of Chapter 184 of the Massachusetts General Laws, grant with QUITCLAIM COVENANTS to the **Town of Wayland, Massachusetts**, a municipal corporation duly organized and existing under the laws of the Commonwealth of Massachusetts and having a usual place of business at 41 Cochituate Road, Wayland, Massachusetts 01778, acting by and through its Conservation Commission, pursuant to G.L. c. 40, §8C and its successors and permitted assigns; (“Grantee”), in consideration of \$1.00, the receipt of which is hereby acknowledged, for nominal consideration, IN PERPETUITY AND EXCLUSIVELY FOR CONSERVATION PURPOSES, the following Conservation Restriction on two (2) parcels of land located in Wayland, Massachusetts containing approximately 2.89 acres, said parcels being shown as “Open Space A” and Open Space B & B” on the ~~Plan~~ plan entitled “104 Plain Road Conservation Cluster Site Plan,” dated December 17, 2014, recorded with the Middlesex (South) District Registry of Deeds as Plan 213 of 2015 (Sheet 2 of 2) (the “Plan”), ~~attached as Exhibit B and as described in Exhibit A,~~ which parcels are hereinafter referred to as the “Premises,” and which Premises is further described in Exhibit A and shown on a reduced copy of the Plan in Exhibit B, both of which are incorporated herein and attached hereto.

**I. PURPOSES:**

This Conservation Restriction is defined in and authorized by Sections 31-33 of Chapter 184 of the General Laws and otherwise by law. The purpose of this Conservation Restriction is to assure that the Premises will be maintained in perpetuity for conservation purposes, in a natural, scenic and undeveloped condition, and to prevent any use or change that would impair or interfere with its conservation and preservation values (“conservation values”).

This Conservation Restriction is required by the following permit: Conservation Cluster Development Special Permit dated February 18, 2015 and recorded with the Middlesex (South) DistrictCounty Registry of Deeds in Book 65115, Page 465.

**The conservation values include the following:**

- Open Space Protection. The Premises contribute to the protection of the scenic and natural character of the Town of Wayland and the protection of the Premises will enhance the open-space value of these and nearby lands.
- Public Access. Public access for passive outdoor recreation is permitted on Open Space A. Public access on Open Space B is not permitted.

These and other conservation values of the Premises, as well as its current uses and state of improvements, are described in a Baseline Documentation Report (“Baseline Report”) prepared by Grantee with the cooperation of the Grantor, consisting of maps, photographs and other documents ~~and~~ on file with the Grantee and referenced herein. The Baseline Report (i) is acknowledged by Grantor and Grantee to be a complete and accurate representation of the condition and values of the Premises as of the date of this Conservation Restriction, and (ii) is intended to serve as an objective information baseline for subsequent monitoring of compliance with the terms of this Conservation Restriction as described herein. Notwithstanding the foregoing, the parties may utilize any evidence of the condition of the Premises at the time of this grant other than the Baseline Report should the Baseline Report be unavailable or if it does not adequately address the issues presented.

**II. PROHIBITED ACTS AND USES, EXCEPTIONS THERETO, AND PERMITTED USES**

**A. Prohibited Acts and Uses**

Subject to the exceptions set forth herein, the Grantor will not perform or allow others to perform the following acts and uses which are prohibited on, above, and below the Premises:

- (1) Constructing, placing or allowing to remain any temporary or permanent building, tennis court, landing strip, mobile home, swimming pool, asphalt or concrete pavement, sign, fence, billboard or other advertising display, antenna, utility pole, tower, solar panel, solar



array, conduit, line or other temporary or permanent structure or facility on, above or under the Premises;

- (2) Mining, excavating, dredging or removing from the Premises of soil, loam, peat, gravel, sand, rock or other mineral resource or natural deposit or otherwise making topographical changes to the area;
- (3) Placing, filling, storing or dumping of soil, refuse, trash, vehicle bodies or parts, rubbish, debris, junk, tree and other vegetation cuttings generated off-site, waste or other substance or material whatsoever or the installation of underground storage tanks;
- (4) Cutting, removing or otherwise destroying trees, grasses or other vegetation;
- (5) Activities detrimental to drainage, flood control, water conservation, water quality, erosion control, soil conservation, wildlife habitat, or archaeological conservation;
- (6) Use, parking or storage of vehicles including motorcycles, mopeds, all-terrain vehicles, trail bikes, or any other motorized vehicles on the Premises except for vehicles necessary for public safety (i.e., fire, police, ambulance, other government officials) in carrying out their official duties;
- (7) Subdivision or conveyance of a part or portion of the Premises alone, or division or subdivision of the Premises (as compared to conveyance of the Premises in its entirety which shall be permitted), and no portion of the Premises may be used towards building or development requirements on this or any other parcel;
- (8) The use of the Premises for business, residential or industrial use, or for more than *de minimis* commercial recreation;
- (9) The conversion of Open Space to lawn with the exception of the right side of the common driveway which was lawn at the time the Conservation Cluster was permitted in 2015;
- (10) ~~Composting. The stockpiling and composting of brush, limbs, and other biodegradable materials is expressly prohibited;~~  
(9)
- (10)(11) Any other use of the Premises or activity which is inconsistent with the purpose of this Conservation Restriction or which would impair its conservation values.

## B. Reserved Rights and Exceptions

The Grantor reserves the right to conduct or permit the following activities and uses on the Premises, but only if such uses and activities do not impair the conservation values or purposes of this Conservation Restriction.

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1. Vegetation Management. The selective removing, pruning and cutting of brush and trees, and seasonal mowing, to prevent, control or remove hazards, disease, insect or fire damage, or to preserve the present condition of the Premises, including vistas, woods roads, fence lines and trails and meadows; The owner of the property commonly identified as 110 Plain Road, Wayland, shall have the exclusive right, in perpetuity, of access to Open Space B and the right to maintain the existing vegetation located on the parcel, and the right to plant additional trees and landscaping, in its sole discretion, provided no existing healthy specimen trees can be removed from Open Space B;

2. Non-native or nuisance species. The removal of non-native or invasive species, the interplanting of native species, and the control of species in a manner that minimizes damage to surrounding, non-target species and preserves water quality. The removal of non-native species should only be done with review and approval of the Conservation Commission and said removal shall only occur at specific, approved times of the year;

~~3.1. Composting. The stockpiling and composting of brush, limbs, and other biodegradable materials is expressly prohibited;~~

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4.3. Wildlife Habitat Improvement. With the prior written approval of Grantee, measures designed to restore native biotic communities, or to maintain, enhance or restore wildlife, wildlife habitat, or rare or endangered species including selective planting of native trees, shrubs and plant species;

5.4. Outdoor Passive Recreational Activities. Hiking, cross-country skiing, nature observation and other non-motorized outdoor recreational activities that do not materially alter the landscape and do not degrade environmental quality on Open Space A only;

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6.5. Driveways. The Grantor shall have the right to install and maintain a driveway in the location shown on the Plan, including the right to (a+) conduct the normal maintenance of a driveway, including but not limited to, repairing and repaving of the driveway and, within a 10' area on either side of the driveway, landscaping, installation and maintenance of utilities, mowing, and snow removal, as needed, (b2) construct and maintain other common driveway appurtenances such as lighting, bollards, utilities and gates adjacent to that cross paved surface, all limited to the area within 10' on either side of the driveway, and (c3) occasional parking on the Common Driveway Easement as set forth in the Declaration of Common Driveway, Easements and Covenant recorded with the Middlesex (South) District Registry of Deeds in Book 67021, Page 22 or the 10' wide adjacent areas solely for residents of, guests of and visitors to the two residences permitted by the above referenced Conservation Cluster Special Permit.

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7.6. Signs. The erection, maintenance and replacement of signs with respect to trespass, public access, ~~the identify~~ identify and address of the Grantor, sale of the Premises, the Grantee's interest in the Premises, any gift, grant or other applicable source of support for the conservation of the Premises, the Reserved Rights and the conservation values;

~~8-7.~~ Trails. The Grantor or Grantee may construct and maintain trails for passive recreation consistent with Section 5, a5-A above.

~~9-8.~~ Permits, Regulations, Laws. The exercise of any right reserved by Grantor under this Paragraph B shall be in compliance with zoning, the Wetlands Protection Act, and all other applicable federal, state and local laws, rules, regulations, and permits. The inclusion of any reserved right requiring a permit from a public agency does not imply that the Grantee or the Commonwealth takes any position whether such permit should be issued;

~~10-9.~~ Best Management Practices. The exercise of any right reserved by Grantor under this Paragraph B shall follow established, up to date, and regionally-applicable best management practices or similar standards developed by a governmental agency or other entity with known expertise in the area of practice and designed to protect the natural features potentially affected by the action(s).

### **C. Notice and Approval.**

Whenever notice to or approval by Grantee is required, Grantor shall notify Grantee, by a method requiring proof of receipt, in writing not less than 60 days prior to the date Grantor intends to undertake the activity in question. The notice shall describe the nature, scope, design, location, timetable and any other material aspect of the proposed activity in sufficient detail to permit the Grantee to make an informed judgment as to its consistency with the purposes of this Conservation Restriction. Where Grantee's approval is required, Grantee shall grant or withhold approval in writing within 60 days of receipt of Grantor's request. Grantee's approval shall not be unreasonably withheld but shall only be granted upon a showing that the proposed activity shall not impair the purposes of this Conservation Restriction.

Subject to any applicable law or regulation, failure of Grantee to respond in writing within 60 days shall be deemed to constitute approval by Grantee of the request as submitted, so long as the request sets forth the provisions of this section relating to deemed approval after 60 days in the notice, the requested activity is not prohibited herein, and the activity will not impair the conservation values or purposes of this Conservation Restriction.

## **III. LEGAL REMEDIES OF THE GRANTEE**

### **A. Legal and Injunctive Relief.**

The rights hereby granted shall include the right to enforce this Conservation Restriction by appropriate legal proceedings and to obtain injunctive and other equitable relief against any violations, including, without limitation, relief requiring restoration of the Premises to their condition prior to the time of the injury complained of (it being agreed that the Grantee will have no adequate remedy at law). The rights hereby granted shall be in addition to, and not in limitation of, any other rights and remedies available to the Grantee for the enforcement of this Conservation Restriction. Grantee agrees to cooperate for a reasonable period of time prior to resorting to legal means in resolving issues concerning violations provided Grantor ceases objectionable actions and

Grantee determines there is no ongoing diminution of the conservation values of the Conservation Restriction.

Grantor covenants and agrees to reimburse to Grantee all reasonable costs and expenses (including reasonable counsel fees) incurred in enforcing this Conservation Restriction or in taking reasonable measures to remedy, abate or correct any violation thereof, provided that a violation of this Conservation Restriction is acknowledged by Grantor or determined by a court of competent jurisdiction to have occurred. In the event of a dispute over the boundaries of the Conservation Restriction, Grantor shall pay for a survey and to have the boundaries permanently marked.

**B. Non-Waiver.**

Enforcement of the terms of this Conservation Restriction shall be at the discretion of Grantee. Any election by the Grantee as to the manner and timing of its right to enforce this Conservation Restriction or otherwise exercise its rights hereunder shall not be deemed or construed to be a waiver of such rights.

**C. Disclaimer of Liability**

By acceptance of this Conservation Restriction, the Grantee does not undertake any liability or obligation relating to the condition of the Premises pertaining to compliance with and including, but not limited to, hazardous materials, zoning, environmental laws and regulations, or acts not caused by the Grantee or its agents.

**D. Acts Beyond the Grantor's Control**

Nothing contained in this Conservation Restriction shall be construed to entitle the Grantee to bring any actions against the Grantor for any injury to or change in the Premises resulting from causes beyond the Grantor's control, including but not limited to fire, flood, storm and earth movement, or from any prudent action taken by the Grantor under emergency conditions to prevent, abate, or mitigate significant injury to the Premises resulting from such causes. In the event of any such occurrence, the Grantor and Grantee will cooperate in the restoration of the Premises, if desirable and feasible.

**IV. ACCESS**

- A. Grantee's Access to the Premises. The Grantor hereby grants to the Grantee, or its duly authorized agents or representatives, the right to enter the Premises upon reasonable notice and at reasonable times, for the purpose of inspecting the Premises to determine compliance with or to enforce this Conservation Restriction. The Grantor also grants to the Grantee, after notice of a violation and failure of the Grantor to cure said violation, the right to enter the Premises for the purpose of taking any and all actions with respect to the Premises as may be necessary or appropriate to remedy or abate any violation hereof, including but not limited to the right to perform a survey of boundary lines.

B. General Public Access to the Premises. The Grantor hereby grants access to the general public on Open Space A, as shown on the Plan. Public access on Open Space B is not permitted.

## V. EXTINGUISHMENT

A. If circumstances arise in the future such as render the purpose of this Conservation Restriction impossible to accomplish, this restriction can only be terminated or extinguished, whether in whole or in part, by a court of competent jurisdiction under applicable law after review and approval by the Massachusetts Secretary of Energy and Environmental Affairs. If any change in conditions ever gives rise to extinguishment or other release of the Conservation Restriction under applicable law, the Grantee, on a subsequent sale, exchange, or involuntary conversion of the Premises, shall be entitled to a portion of the proceeds in accordance with paragraph B below, subject, however, to any applicable law which expressly provides for a different disposition of the proceeds and after complying with the terms of any gift, grant, or funding requirements. Grantee shall use its share of the proceeds in a manner consistent with the conservation purpose set forth herein.

~~D.~~ B. Grantee's Receipt of Property Rights. Grantor and Grantee agree that the conveyance of this Conservation Restriction gives rise to a real property right, immediately vested in the Grantee, with a fair market value that is at least equal to the proportionate value of this Conservation Restriction. Such proportionate value of the Grantee's property shall remain constant.

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~~E.C.~~ Grantor/Grantee Cooperation Regarding Public Action. Whenever all or any part of the Premises or any interest therein is taken by public authority under power of eminent domain or other act of public authority, then the Grantor and the Grantee shall cooperate in recovering the full value of all direct and consequential damages resulting from such action. All related expenses incurred by the Grantor and the Grantee shall first be paid out of any recovered proceeds, and the remaining proceeds shall be distributed between the Grantor and Grantee in accordance with paragraph V. B above, after complying with the terms of any law, gift, grant, or funding requirements. If a less than fee interest is taken, the proceeds shall be equitably allocated according to the nature of the interest taken.

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~~F.D.~~ Grantee's Use of Proceeds Resulting From an Extinguishment. The Grantee shall use its share of the proceeds like a continuing trust in a manner consistent with the conservation purposes of this grant.

## VI. DURATION & ASSIGNABILITY

A. Running of the Burden. The burdens of this Conservation Restriction shall run with the Premises in perpetuity and shall be enforceable against the Grantor and the successors and assigns of the Grantor holding any interest in the Premises.

B. Execution of Instruments. The Grantee is authorized to record or file any notices or instruments appropriate to assuring the perpetual enforceability of this Conservation Restriction;

the Grantor, on behalf of itself and its successors and assigns, appoints the Grantee its attorney-in-fact to execute, acknowledge and deliver any such instruments on its behalf. Without limiting the foregoing, the Grantor and its successors and assigns agree themselves to execute any such instruments upon request.

C. Running of the Benefit. The benefits of this Conservation Restriction shall run to the Grantee, shall be in gross and shall not be assignable by the Grantee, except in the following instances:

As a condition of any assignment, the Grantee shall require that the purpose of this Conservation Restriction continues to be carried out; that the Assignee is not an owner of the fee in the Property, and the Assignee, at the time of the assignment, qualifies under Section 170(h) of the Internal Revenue Code of 1986, as amended, and applicable regulations thereunder, and is a donee eligible to receive this Conservation Restriction under Section 32 of Chapter 184 of the General Laws of Massachusetts. Any assignment will comply with Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, if applicable.

## **VII. SUBSEQUENT TRANSFERS**

The Grantor agrees to incorporate by reference the terms of this Conservation Restriction in any deed or other legal instrument which grants any interest in all or a portion of the Premises, including a leasehold interest and to notify the Grantee not less than twenty (20) days prior to the execution of such transfer. Failure to do any of the above shall not impair the validity or enforceability of this Conservation Restriction. Any transfer will comply with Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, if applicable.

The Grantor shall not be liable for violations occurring after their ownership. Liability for any acts or omissions occurring prior to any transfer and liability for any transfer if in violation of this Conservation Restriction shall survive the transfer. Any new owner shall cooperate in the restoration of the Premises or removal of violations caused by prior owner(s) and may be held responsible for any continuing violations.

## **VIII. ESTOPPEL CERTIFICATES**

Upon request by the Grantor, the Grantee shall, within sixty (60) days execute and deliver to the Grantor any document, including an estoppel certificate, which certifies the Grantor's compliance or non-compliance with any obligation of the Grantor contained in this Conservation Restriction.

## **IX. NON-MERGER**

The parties intend that any future acquisition of the Premises shall not result in a merger of the Conservation Restriction into the fee. The Grantor agrees that it will not grant, and the Grantee agrees that it will not take title, to any part of the Premises without having first assigned this Conservation Restriction to a non-fee owner that is qualified under Section 170(h) of the Internal Revenue Code of 1986, as amended, and applicable regulations thereunder and is eligible to

receive this Conservation Restriction under Section 32 of Chapter 184 of the General Laws of Massachusetts in order to ensure that merger does not occur and that this Conservation Restriction continues to be enforceable by a non-fee owner.

#### **X. AMENDMENT**

If circumstances arise under which an amendment to or modification of this Conservation Restriction would be appropriate, Grantor and Grantee may jointly amend this Conservation Restriction; provided that no amendment shall be allowed that will affect the qualification of this Conservation Restriction or the status of Grantee under any applicable laws, including Section 170(h) of the Internal Revenue Code of 1986, as amended, or Sections 31-33 of Chapter 184 of the General Laws of Massachusetts. Any amendments to this Conservation Restriction shall occur only in exceptional circumstances. The Grantee will consider amendments only to correct an error or oversight, to clarify an ambiguity, or where there is a net gain in conservation value. All expenses of all parties in considering and/or implementing an amendment shall be borne by the persons or entity seeking the amendment. Any amendment shall be consistent with the purposes of this Conservation Restriction, shall not affect its perpetual duration, shall be approved by the Secretary of Energy and Environmental Affairs and if applicable, shall comply with the provisions of ~~Article~~ 97 of the Amendments to the Massachusetts Constitution, and any gifts, grants or funding requirements. Any amendment shall be recorded in the Middlesex (South) ~~District~~County Registry of Deeds.

#### **XI. EFFECTIVE DATE**

This Conservation Restriction shall be effective when the Grantor and the Grantee have executed it, the administrative approvals required by Section 32 of Chapter 184 of the General Laws have been obtained, and it has been recorded in a timely manner in the Middlesex (South) ~~District~~County Registry of Deeds.

#### **XII. NOTICES**

Any notice, demand, request, consent, approval or communication that either party desires or is required to give to the other shall be in writing and either served personally or sent by first class mail, postage pre-paid, addressed as follows:

To Grantor: Michael J. Staiti  
~~Owner of Open Space A and B~~  
106 Plain Road,  
Wayland, MA 01778

To Grantee: Town of Wayland, Massachusetts  
Conservation Commission  
41 Cochituate Road  
Wayland, MA 01778

Town of Wayland, Massachusetts

Board of Selectmen  
41 Cochituate Road  
Wayland, MA 01778

or to such other address as any of the above parties shall designate from time to time by written notice to the other or, if notice is returned to sender, to an address that is reasonably ascertainable by the parties.

### XIII. GENERAL PROVISIONS

A. Controlling Law. The interpretation and performance of this Conservation Restriction shall be governed by the laws of the Commonwealth of Massachusetts.

B. Liberal Construction. Any general rule of construction to the contrary notwithstanding, this Conservation Restriction shall be liberally construed in favor of the grant to effect the purpose of this Conservation Restriction and the policy and purposes of Chapter 184, Sections 31, 32, and 33 of the Massachusetts General Laws. If any provision in this instrument is found to be ambiguous, any interpretation consistent with the purpose of this Conservation Restriction that would render the provision valid shall be favored over any interpretation that would render it invalid.

C. Severability. If any provision of this Conservation Restriction or the application thereof to any person or circumstance is found to be invalid, the remainder of the provision of this Conservation Restriction shall not be affected thereby.

D. Entire Agreement. This instrument sets forth the entire agreement of the parties with respect to this Conservation Restriction and supersedes all prior discussions, negotiations, understandings or agreements relating to the Conservation Restriction, all of which are merged herein.

### XIV. MISCELLANEOUS

A. Pre-existing Public Rights. Approval of this Conservation Restriction pursuant to Chapter 184, Section 32 of the Massachusetts General Laws by any municipal officials and by the Secretary of Energy and Environmental Affairs is not to be construed as representing the existence or non-existence of any pre-existing rights of the public, if any, in and to the Premises, and any such pre-existing rights of the public, if any, are not affected by the granting of this Conservation Restriction.

B. Homestead. To the extent Grantor and his spouse, Sandra Jean Staiti, has such rights, if any, the Grantor and his spouse hereby releases, agrees to waive, subordinate, and release any and all Massachusetts General Law Chapter 188 Homestead rights they may have in favor of this Conservation Restriction with respect to any portion of the Premises affected by this Conservation Restriction, and hereby agrees to execute, deliver and/or record any and all instruments necessary to effectuate such waiver, subordination and release.

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C. Subordination. The Grantor attests that there is no mortgage, promissory note, loan, lien, equity credit line, refinance assignment of mortgage, lease, financing statement or any other agreement which gives rise to a surety interest affecting the Premises.

D. Attached hereto and incorporated herein by reference are the following:

Signature pages:

Grantor  
Grantee Acceptance  
Approval by Town of Wayland Board of Selectmen  
Approval of the Secretary of Energy and Environmental Affairs

Exhibits:

Exhibit A: Legal Description of Premises  
Exhibit B: Reduced Copy of Recorded Plan of the Premises

GRANTOR:

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Michael J. Staiti

The undersigned, Sandra Jean Staiti, joins in this Conservation Restriction for the sole purpose of releasing any homestead rights she may have in the subject properties.

\_\_\_\_\_  
Sandra Jean Staiti

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss. COUNTY OF \_\_\_\_\_,  
2021 \_\_\_\_\_, 20

Then personally appeared, before me, the undersigned notary public, the above-named Michael J. Staiti and Sandra Jean Staiti, as aforesaid, proved to me through satisfactory evidence of identification which were \_\_\_ photographic identification with signature issued by a federal or state governmental agency, \_\_\_ oath or affirmation of a credible witness, \_\_\_ personal knowledge of the undersigned, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed voluntarily for its stated purpose.

Notary Public  
My Commission Expires:

ACCEPTANCE BY THE TOWN OF WAYLAND CONSERVATION COMMISSION

We, the undersigned, being a majority of the Conservation Commission of the Town of Wayland, hereby certify that at a public meeting duly held on \_\_\_\_\_, 2021-, the Conservation Commission voted to approve and accept the foregoing Conservation Restriction from Michael J. Staiti-, pursuant to Section 32 of Chapter 184 and Section 8C of Chapter 40 of the Massachusetts General Laws and do hereby accept the foregoing Conservation Restriction on this \_\_\_\_ day of \_\_\_\_\_, 2021-.

TOWN OF WAYLAND,  
CONSERVATION COMMISSION

\_\_\_\_\_  
Sean P. Fair, Chair

\_\_\_\_\_  
Barbara Howell, Vice Chair

\_\_\_\_\_  
Katherine Schreiber

\_\_\_\_\_  
John R. Sullivan

\_\_\_\_\_  
Thomas A. Davidson

\_\_\_\_\_  
~~Luke Legere~~Member

\_\_\_\_\_  
~~Joanne B. Barnett~~Member

COMMONWEALTH OF MASSACHUSETTS

COUNTY OF MIDDLESEX \_\_\_\_\_, 2021

Then personally appeared, before me, the undersigned notary public, the above-named \_\_\_\_\_, member of the Town of Wayland Conservation Commission, as aforesaid, proved to me through satisfactory evidence of identification which was \_\_\_ photographic identification with signature issued by a federal or state governmental agency, \_\_\_ oath or affirmation of a credible witness, \_\_\_personal knowledge

of the undersigned, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she/they signed voluntarily for its stated purpose.

---

Notary Public  
My Commission Expires:

APPROVAL BY THE TOWN OF WAYLAND BOARD OF SELECTMEN

We, the undersigned, being a majority of the Board of Selectmen of the Town of Wayland, Massachusetts hereby certify that at a public meeting duly held on \_\_\_\_\_, 2021-, the Board of Selectmen voted to approve the foregoing Conservation Restriction from Michael J. Staiti, Owners of the Plain Road Open Space A and B to the Town of Wayland, acting by and through its Conservation Commission in the public interest, pursuant to Section 32 of Chapter 184 of the Massachusetts General Laws on this \_\_\_\_ day of \_\_\_\_\_, 2021-.

TOWN OF WAYLAND,  
BOARD OF SELECTMEN

\_\_\_\_\_  
Cherry C. Karlson, Chair

\_\_\_\_\_  
Douglas A. Levine, Vice Chair

\_\_\_\_\_  
Mary M. Antes

\_\_\_\_\_  
Lea T. Anderson

\_\_\_\_\_  
Thomas J. Fay

COMMONWEALTH OF MASSACHUSETTS

COUNTY OF MIDDLESEX \_\_\_\_\_, 2021

Then personally appeared, before me, the undersigned notary public, the above-named \_\_\_\_\_, member of the Wayland Board of Selectmen, as aforesaid, proved to me through satisfactory evidence of identification which was \_\_\_ photographic identification with signature issued by a federal or state governmental agency, \_\_\_ oath or affirmation of a credible witness, \_\_\_ personal knowledge of the undersigned, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she/they signed voluntarily for its statedd purpose.

\_\_\_\_\_  
Notary Public  
My Commission Expires:

**APPROVAL BY SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS  
COMMONWEALTH OF MASSACHUSETTS**

The undersigned, Secretary of Executive Office of Energy and Environmental Affairs of the Commonwealth of Massachusetts, hereby certifies that the foregoing Conservation Restriction from Michael J. Staiti, Owner of the Plain Road Open Space A and B to the Town of Wayland, acting by and through its Conservation Commission, has been approved in the public interest pursuant to Massachusetts General Laws, Chapter 184, Section 32.

Dated: \_\_\_\_\_, 2021

\_\_\_\_\_  
Kathleen Theoharides  
Secretary of Energy and Environmental Affairs

**COMMONWEALTH OF MASSACHUSETTS**

SUFFOLK, ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, 2021-, before me, the undersigned notary public, personally appeared Kathleen Theoharides, and proved to me through satisfactory evidence of identification which was \_\_\_\_\_ to be the person whose name is signed on the ~~preceding~~proceeding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public  
My Commission Expires:

**EXHIBIT A**

Legal Description of Premises

**Open Space "A"**

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The land in the easterly part of Wayland, Middlesex County, Massachusetts being shown as Open Space "A", containing 112,631.96 square feet of land, on a plan entitled "104 Plain Road Conservation Cluster Site Plan in Wayland, MA" said plan being dated December 17, 2014, prepared by Thomas A. Dipersio, Jr. & Associates Inc., and recorded on March 26, 2015 with the Middlesex South Registry of Deeds as Plan No. 213 of 2015, Sheet 2 of 2.

**Open Space "B"**

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The land in the easterly part of Wayland, Middlesex County, Massachusetts, being shown as Open Space "B", containing 13,135.91 square feet of land, on a plan entitled "104 Plain Road Conservation Cluster Site Plan of Wayland, MA" said plan being dated December 17, 2014, prepared by Thomas A. Dipersio, Jr. & Associates Inc., and recorded on March 26, 2015 with the Middlesex South Registry of Deeds as Plan No. 213 of 2015, Sheet 2 of 2.

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**EXHIBIT B**

Plan of Premises



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**DECLARATION OF COMMON DRIVEWAY, EASEMENTS AND COVENANT**

104 Plain Road, Wayland

Whereas Michael J. Staiti and Sandra Jean Staiti, Trustees of the Plain Road Family Trust under Declaration of Trust dated April 8, 2015, recorded with the Middlesex South District Registry of Deeds in Book 65319, Page 316 (hereinafter collectively referred to as "Staiti"), are the owners of 104 Plain Road, Wayland, Massachusetts being shown as "Lot 1", containing 42,576.01 square feet of land, on a plan entitled "104 Plain Road Conservation Cluster Site Plan" duly recorded with the Middlesex South District Registry of Deeds as Plan No. 213 of 2015, Sheet 2 of 2, by virtue of a Quitclaim Deed recorded with said Registry of Deeds in Book 65319, Page 322 (hereinafter referred to as "Lot 1"); and

Whereas Michael J. Staiti and Sandra Jean Staiti, Trustees of the Plain Road Family Trust under Declaration of Trust dated April 8, 2015, recorded with the Middlesex South District Registry of Deeds in Book 65319, Page 316 (hereinafter collectively referred to as "Staiti"), are the owners of 106 Plain Road, Wayland, Massachusetts being shown as "Lot 2", containing 50,616.72 square feet of land, on a plan entitled "104 Plain Road Conservation Cluster Site Plan" duly recorded with the Middlesex South District Registry of Deeds as Plan No. 213 of 2015, Sheet 2 of 2, by virtue of a Quitclaim Deed recorded with said Registry of Deeds in Book 65319, Page 365 (hereinafter referred to as "Lot 2"); and

Whereas Lot 1 and Lot 2 shall share a driveway easement and landscaping easements as shown on said plan attached hereto as Exhibit "A" and it is the intent of Staiti, their successors and assigns to establish a common scheme among said Lot 1 and Lot 2, said Lot 1 and Lot 2 are and shall be held and conveyed subject to and with the benefit of the following easements for the benefit of Lot 1 and Lot 2:

1. Said Lot 1 and Lot 2 and the owners thereof shall have the right in common with each other to use, from time to time, to use that portion of the driveway on Lot 2 shown as shared driveway easement area containing 1,100 square feet, for all

purposes for which common driveways are commonly used in the Town of Wayland, including, without limitation, the right to pass and repass by foot or by motor vehicle across said areas from Plain Road to locate, install, repair, service and maintain utility connections within said shared driveway easement area, including but not limited to water, gas, drainage, electric and cable television, with the obligation to use due diligence in conducting all necessary and permitted work, provided however that in the event that a Lot owner disturbs the shared driveway easement area in connection with these rights the area shall be restored to its prior condition by the party who caused the disturbance at their sole cost and expense within a reasonable time, but in no event to exceed thirty (30) days after the construction has been completed, and further provided that vehicles shall not be parked in the shared driveway easement area at any time.

3. The owners of the Lot 1 and Lot 2 shall have the joint responsibility for the cost of repair and maintenance of the shared driveway easement area, so as to provide continuous year-round access for vehicular traffic to said lots and provide a continuous year-round access for all emergency, construction, maintenance and utility company vehicles and all vehicles commonly used by the owners of residential dwellings to provide goods and service to said lots.
4. The owners shall have the responsibility to maintain a well kept, aesthetically pleasing appearance that befits the character of the two lots. Repairs, maintenance and grounds keeping shall be performed to maintain the common driveway area in a clean and safe condition. In addition, but not limited thereby, the following maintenance events shall be performed:
  - A. Common Drive Repair: The bituminous concrete drive surface of the shared driveway easement area shall be maintained in good condition. All repairs shall be made to the satisfaction of the Town of Wayland Engineering/Building Department.
  - B. Snow Removal: The removal and disposal of all snow accumulations of two inches or more from the shared driveway easement area within 24 hours.
  - C. Grounds Keeping: The removal and disposal of fallen limbs and trees, the clearing and removal of all brush and foliage which would be unsightly and/or obstruct the sight of vehicles using the shared driveway easement area. The removal and disposal of litter (e.g. cans, bottles, paper, etc.).
  - D. Cosmetic and/or structural improvements to the shared driveway easement area which are outside the scope of maintenance items previously noted within this provision shall be agreed to by 100% of the lot owners.

5. The cost of such routine grading, repair, driveway maintenance, snow removal from the shared driveway easement area as outlined in Section 4 above shall be shared by the owners of the lots as follows:

50% shall be paid by each Lot owner.

6. The southwest facing side of the berm area now separating Lot 1 and Lot 2 as shown on the plan attached hereto as Exhibit "A" shall be maintained as follows: Lot 2 owner shall have the exclusive right to maintain or modify the first 100' of the berm starting from the driveway. Lot 1 owner shall have the exclusive right to maintain or modify the remaining 100'+/-.

If either party fails to maintain their section of the southwest facing berm than the other party may, but is not obligated to, maintain, modify or repair the other party's section.

7. The owners of Lot 1 shall have an exclusive easement for landscaping purposes over that portion of Lot 2 shown as the proposed landscaping easement to Lot 1 containing 1,900 square feet on the plan attached hereto as Exhibit "A". This area shall be landscaped at the sole cost and expense of the owners of Lot 1 in accordance with landscaping standards of homes in the immediate neighborhood but subject to the written approval of the owner of Lot 2, which approval shall not be unreasonably withheld or delayed, and shall include the right to plant trees, grass, shrubs, or other vegetative screening within said exclusive landscaping area, including the prompt replacement of any such trees, shrubs, or other vegetative screening that die or are required to be removed due to damage or disease with plants, trees or shrubs of the same species to the extent readily available and planted in the same location.
8. The owners of Lot 1 and Lot 2 shall have a joint easement for landscaping purposes over that portion of Lot 2 shown as the proposed landscaping easement to Lot 1 containing 1,450 square feet, on the plan attached hereto as Exhibit "A" and shall maintain grass or other mutually agreed landscaping within said joint landscaping area, including the prompt replacement of any such landscaping that die or are required to be removed due to damage or disease with grass, plants, trees or shrubs of the same species to the extent readily available and planted in the same location. The cost of planting and maintaining the joint landscaping area shall be divided evenly between the lot owners.

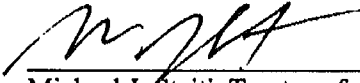
9. If any owner shall fail or refuse at any time to cooperate in the making or repairs or maintenance of said shared driveway, berm or landscaping areas, and such a failure or refusal shall continue for thirty (30) days following written notice and demand by the other owners, then such other owners or parties, their heirs, successors and assigns, shall have the right to make repairs and to forthwith recover any such sum due by suit at law or in equity against such owner, his heirs, successors and assigns, in any court of the commonwealth of competent jurisdiction, and may prosecute to final judgement and collect and enforce the same as in any other action, and such right of action shall exist on every successive default in such payments. Any owner or party bringing their suit hereunder for the enforcement of this covenant shall be entitled to reasonable attorney's fees, if he is the prevailing party.


This Declaration of Common Driveway, Easements, and Covenant may be amended by a written instrument duly recorded with the Middlesex South District Registry of Deeds and executed by 100% of the owners of Lot 1 and Lot 2, their successors and/or assigns.

The undersigned hereby certify that they are all of the Trustees of the Plain Road Family Trust, said Trust has not been amended or terminated, and that they have been authorized and directed by 100% of the beneficiaries of said Trust to execute this document.

Signature page to follow.

Executed as a sealed instrument this 23 day of March, 2016.

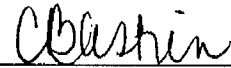
  
\_\_\_\_\_  
Michael J. Staiti, Trustee of  
Plain Road Family Trust

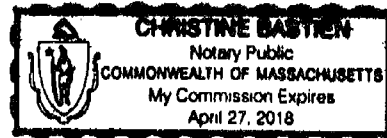
  
\_\_\_\_\_  
Sandra Jean Staiti, Trustee of  
Plain Road Family Trust

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this 23 day of March, 2016, before me, the undersigned notary public, personally appeared Michael J. Staiti and Sandra Jean Staiti, duly authorized as aforesaid, proved to me through satisfactory evidence of identification, which was/were drivers' licenses to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.

  
\_\_\_\_\_  
Notary Public:  
My Commission Expires:



Staiti Driveway Easement2





Massachusetts Department of Environmental Protection

## **eDEP Transaction Copy**

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Here is the file you requested for your records.

To retain a copy of this file you must save and/or print.

Username: **WAYCOM**

Transaction ID: **947970**

Document: **WPA Form 5 - OOC**

Size of File: **145.47K**

Status of Transaction: **In Process**

Date and Time Created: **8/21/2017:6:31:43 PM**

**Note:** This file only includes forms that were part of your transaction as of the date and time indicated above. If you need a more current copy of your transaction, return to eDEP and select to "Download a Copy" from the Current Submittals page.



**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**WPA Form 5 - Order of Conditions**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:  
 MassDEP File #:322-0892  
 eDEP Transaction #:947970  
 City/Town:WAYLAND

**A. General Information**

1. Conservation Commission WAYLAND

2. Issuance a.  OOC b.  Amended OOC

3. Applicant Details  
 a. First Name BEN b. Last Name KEEFE  
 c. Organization TOWN OF WAYLAND  
 d. Mailing Address 40 COCHITUATE ROAD  
 e. City/Town WAYLAND f. State MA g. Zip Code 01778

4. Property Owner  
 a. First Name b. Last Name  
 c. Organization TOWN OF WAYLAND  
 d. Mailing Address 40 COCHITUATE ROAD  
 e. City/Town WAYLAND f. State MA g. Zip Code 01778

5. Project Location  
 a. Street Address 246 OLD STONEBRIDGE ROAD  
 b. City/Town WAYLAND c. Zip Code 01778  
 d. Assessors Map/Plat# 41 e. Parcel/Lot# 001  
 f. Latitude 42.33921N g. Longitude 71.39531W

6. Property recorded at the Registry of Deed for:  
 a. County b. Certificate c. Book d. Page

7. Dates  
 a. Date NOI Filed : 6/20/2017 b. Date Public Hearing Closed: 8/10/2017 c. Date Of Issuance: 8/21/2017

8. Final Approved Plans and Other Documents  
 a. Plan Title: b. Plan Prepared by: c. Plan Signed/Stamped by: d. Revised Final Date: e. Scale:  
 STONE'S BRIDGE STRUCTURES  
 STABILIZATION - NORTH SB 05/03/2017 1" = 80'  
 WAYLAND, MA CONSULTING ENGINEERS, INC.

**B. Findings**

1. Findings pursuant to the Massachusetts Wetlands Protection Act  
 Following the review of the the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act.

Check all that apply:

a. <input checked="" type="checkbox"/> Public Water Supply	b. <input checked="" type="checkbox"/> Land Containing Shellfish	c. <input checked="" type="checkbox"/> Prevention of Pollution
d. <input checked="" type="checkbox"/> Private Water Supply	e. <input checked="" type="checkbox"/> Fisheries	f. <input checked="" type="checkbox"/> Protection of Wildlife Habitat
g. <input checked="" type="checkbox"/> Ground Water Supply	h. <input checked="" type="checkbox"/> Storm Damage Prevention	i. <input checked="" type="checkbox"/> Flood Control





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2. Commission hereby finds the project, as proposed, is:

**Approved subject to:**

a.  The following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.

**Denied because:**

b.  The proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**

c.  The information submitted by the applicant is not sufficient to describe the site, the work or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**

3.  Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310CMR10.02(1)(a).

                      
a. linear feet

**Inland Resource Area Impacts:(For Approvals Only):**

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input checked="" type="checkbox"/> Bank	1200 a. linear feet	<u>                    </u> b. linear feet	1200 c. linear feet	<u>                    </u> d. linear feet
5. <input checked="" type="checkbox"/> Bordering Vegetated Wetland	1200 a. square feet	<u>                    </u> b. square feet	1200 c. square feet	<u>                    </u> d. square feet
6. <input checked="" type="checkbox"/> Land under Waterbodies and Waterways	4000 a. square feet	<u>                    </u> b. square feet	4000 c. square feet	<u>                    </u> d. square feet
	0 e. c/y dredged	<u>                    </u> f. c/y dredged		
7. <input checked="" type="checkbox"/> Bordering Land Subject to Flooding	1800 a. square feet	<u>                    </u> b. square feet	1800 c. square feet	<u>                    </u> d. square feet
Cubic Feet Flood Storage	0 e. cubic feet	<u>                    </u> f. cubic feet	0 g. cubic feet	<u>                    </u> h. cubic feet
8. <input type="checkbox"/> Isolated Land Subject to Flooding	<u>                    </u> a. square feet	<u>                    </u> b. square feet		
Cubic Feet Flood Storage	<u>                    </u> c. cubic feet	<u>                    </u> d. cubic feet	<u>                    </u> e. cubic feet	<u>                    </u> f. cubic feet



**Massachusetts Department of Environmental Protection**

Bureau of Resource Protection - Wetlands

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Provided by MassDEP:  
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9. <input checked="" type="checkbox"/> Riverfront Area	<u>1200</u>				
	a. total sq. feet	b. total sq. feet			
Sq ft within 100 ft					
	c. square feet	d. square feet	e. square feet	f. square feet	
Sq ft between 100-200 ft					
	g. square feet	h. square feet	i. square feet	j. square feet	

**Coastal Resource Area Impacts:**

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
---------------	---------------------	----------------------	----------------------	-----------------------

10.  Designated Port Areas Indicate size under Land Under the Ocean, below
11.  Land Under the Ocean
- a.                      square feet    b.                      square feet
- c.                      c/y dredged    d.                      c/y dredged
12.  Barrier Beaches Indicate size under Coastal Beaches and/or Coastal Dunes below
13.  Coastal Beaches
- a.                      square feet    b.                      square feet    c.                      c/y nourishment    d.                      c/y nourishment
14.  Coastal Dunes
- a.                      square feet    b.                      square feet    c.                      c/y nourishment    d.                      c/y nourishment
15.  Coastal Banks
- a.                      linear feet    b.                      linear feet
16.  Rocky Intertidal Shores
- a.                      square feet    b.                      square feet
17.  Salt Marshes
- a.                      square feet    b.                      square feet    c.                      square feet    d.                      square feet
18.  Land Under Salt Ponds
- a.                      square feet    b.                      square feet
- c.                      c/y dredged    d.                      c/y dredged
19.  Land Containing Shellfish
- a.                      square feet    b.                      square feet    c.                      square feet    d.                      square feet
20.  Fish Runs Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above
- c.                      c/y dredged    d.                      c/y dredged
21.  Land Subject to Coastal Storm Flowage
- a.                      square feet    b.                      square feet

22.



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Restoration/Enhancement (For Approvals Only)

If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.5.c & d or B.17.c & d above, please entered the additional amount here.

a. square feet of BVW

b. square feet of Salt Marsh

23.

Streams Crossing(s)

If the project involves Stream Crossings, please enter the number of new stream crossings/number of replacement stream crossings.

a. number of new stream crossings

b. number of replacement stream crossings

**C. General Conditions Under Massachusetts Wetlands Protection Act**

**The following conditions are only applicable to Approved projects**

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
  - a. the work is a maintenance dredging project as provided for in the Act; or
  - b. the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not exceed the issuance date of the original Final Order of Conditions.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.
8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.
9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.
10. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,



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" Massachusetts Department of Environmental Protection"

[or 'MassDEP']

File Number : "322-0892"

11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before Mass DEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.
17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.
18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.

**NOTICE OF STORMWATER CONTROL AND MAINTENANCE REQUIREMENTS**

19. The work associated with this Order(the "Project") is (1)  is not (2)  subject to the Massachusetts Stormwater Standards. If the work is subject to Stormwater Standards, then the project is subject to the following conditions;
  - a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollutant Discharge Elimination System Construction General Permit as required by Stormwater Standard 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.
  - b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that: *i.* all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures; *ii.* as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is



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- fully stabilized; *iii.* any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10; *iv.* all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition; *v.* any vegetation associated with post-construction BMPs is suitably established to withstand erosion.
- c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 19(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following: *i.*) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and *ii.*) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.
  - d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollutant Discharge Elimination System Multi-Sector General Permit.
  - e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 19(f) through 19(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 19(f) through 19(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.
  - f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.
  - g) The responsible party shall:
    - 1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
    - 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
    - 3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
  - h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
  - i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
  - j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.



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- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
- l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

**Special Conditions:**

SEE ATTACHMENT A FOR A LIST OF SPECIAL CONDITIONS ISSUED IN COMPLIANCE WITH THE WETLAND PROTECTION ACT.



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**D. Findings Under Municipal Wetlands Bylaw or Ordinance**

1. Is a municipal wetlands bylaw or ordinance applicable?  Yes  No

**2. The Conservation Commission hereby (check one that applies):**

a.  DENIES the proposed work which cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw specifically:

1. Municipal Ordinance or Bylaw \_\_\_\_\_ 2. Citation \_\_\_\_\_

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order or Conditions is issued. Which are necessary to comply with a municipal ordinance or bylaw:

b.  APPROVES the proposed work, subject to the following additional conditions.

1. Municipal Ordinance or Bylaw WETLANDS AND WATER RESOURCES PROTECTION BYLAW 2. Citation CHAPTER 194

3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

The special conditions relating to municipal ordinance or bylaw are as follows:  
**SEE CHAPTER 194 PERMIT FOR CONDITIONS ISSUED IN COMPLIANCE WITH THE WETLANDS AND WATER RESOURCES PROTECTION BYLAW**



**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**WPA Form 5 - Order of Conditions**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:  
 MassDEP File #:322-0892  
 eDEP Transaction #:947970  
 City/Town:WAYLAND

**E. Signatures**

This Order is valid for three years from the date of issuance, unless otherwise specified pursuant to General Condition #4. If this is an Amended Order of Conditions, the Amended Order expires on the same date as the original Order of Conditions.

8/21/2017  
 1. Date of Original Order

Please indicate the number of members who will sign this form. This Order must be signed by a majority of the Conservation Commission.

4  
 2. Number of Signers

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

Signatures:

*Terre Ocellubaru*

*Barbara Hmull*

*[Signature]*

by hand delivery on Aug 21, 2017

by certified mail, return receipt requested, on \_\_\_\_\_

Date

Date

**F. Appeals**

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.





**Massachusetts Department of Environmental Protection**

Bureau of Resource Protection - Wetlands

**WPA Form 5 - Order of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:  
MassDEP File #:322-0892  
eDEP Transaction #:947970  
City/Town:WAYLAND

**G. Recording Information**

This Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on this page shall be submitted to the Conservation Commission listed below.

WAYLAND

Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

WAYLAND

Conservation Commission

Please be advised that the Order of Conditions for the Project at:

246 OLD STONEBRIDGE ROAD

Project Location

322-0892

MassDEP File Number

Has been recorded at the Registry of Deeds of:

County

Book

Page

for:

Property Owner

and has been noted in the chain of title of the affected property in:

Book

Page

In accordance with the Order of Conditions issued on:

Date

If recorded land, the instrument number identifying this transaction is:

Instrument Number

If registered land, the document number identifying this transaction is:

Document Number

Signature of Applicant

Rev. 4/1/2010



## Wayland Conservation Commission Attachment to Order of Conditions

to accompany Mass. Wetlands Prot. Act M.G.L. c. 131, §40 Order of Conditions

**Date of Issue: August 21, 2017**

**Applicants: Ben Keefe, Facilities Department**

**Owner: Town of Wayland**

**Project Location: Stone's Bridge on the Sudbury River**

**Map and Lot Number(s): Adjacent to Map 41, Parcel 001**

### **Project Description:**

The project involves the stabilization of historic Stone's Bridge spanning a portion of the Sudbury River with associated landscaping and the installation of temporary erosion controls.

### **Plans and Documents:**

The Commission voted to approve the following site plans subject to the pre-construction amendments required in Condition 20 below:

1. Notice of Intent Application, prepared by Linda Hansen, received on June 5, 2017.
2. Project Specifications for Stone's Bridge Stabilization, prepared by John Wathne of Structures North Consulting Engineers, Inc., dated May 2017.
3. Stone's Bridge Stabilization (12 pages), prepared by Structures North Consulting Engineers, Inc. in association with Kyle Zick Landscape Architectures, Inc., dated May 3, 2017.

### **Critical Dates:**

1. This Order of Conditions is valid for three years. Expiration date 08/21/2020.

### **Findings:**

1. The Applicant, Ben Keefe, Town of Wayland, filed a Notice of Intent on June 5, 2017 for the stabilization of the historic Stone's Bridge. The Notice of Intent was also submitted to Natural Heritage Program for their review.
2. The Commission finds the site significant to all the interests checked on page 2 of the state Order of Conditions, with no evidence presented by the applicant to rebut any of these presumptions.
3. The Commission finds that the project described in the Notice of Intent meets the performance standards of the state Wetlands Protection Act to the extent practicable, provided that all Conditions of the state Order and all conditions listed below are met.
4. The work qualifies as a Limited Project under the WPA according to 310 CMR 10.53(3)(i). The stabilization qualifies under the maintenance, repair, and improvement of a bridge that existed prior to April 1983.
5. The Commission finds that the entire portion of the proposed stabilization project is within areas Subject to jurisdiction. The majority of the work will occur on Land under Waterbodies and Waterways. Additional work will occur in the riverfront area along the bank and in the narrow strip of bordering vegetated wetland along the shoreline. The resource areas boundaries were not confirmed by the Conservation Commission. The riverfront area (as defined in 310 CMR 10.58) impacts total approximately 4,000 square feet and are associated with the Sudbury River.
6. The Commission finds that the project will occur within the habitat of a protected freshwater mussel, a species of special concern. The Natural Heritage Program, a division of the MassWildlife provided conditions and guidance for work within the project site and are provided below. The



## Wayland Conservation Commission Attachment to Order of Conditions

to accompany Mass. Wetlands Prot. Act M.G.L. c. 131, §40 Order of Conditions

Commission will be provided a copy of all correspondence sent to Natural Heritage related to the survey, detection and possible relocation of the freshwater mussel.

7. The Commission finds the AE flood zone is located along the 122 foot elevation on the east side of the Sudbury River. No changes in the floodplain are proposed.
8. The Commission further finds that any additional changes will require approval by the Conservation Commission. Therefore, the applicant will be required to provide the Conservation Commission with a copy of the final construction plan prior to the start of any construction or alteration for review and a determination as to whether the final plan is consistent with this Order.

### Conditions:

**Note: These conditions are issued under the Massachusetts Wetlands Protection Act. Numbering begins with #20, to be consecutive and integrated with and the conditions issued under the state Wetlands Protection Act. Conditions #1-19 are pertinent and are considered a part of this order of conditions.**

#### Before Project Begins (Prior to any Alteration):

20. **A site meeting with an Agent of the Conservation Commission and agreement upon/proof of the following must occur before any work may commence on the site.**




A. **Proof of recording** of the Order of Condition 

B. **Final Site Plans:**

1) Any changes to the site plan shall require review and approval by the Conservation Commission for a determination as to whether the plans are in substantial conformance with the approved plans or whether further approval is required.


2) An amended Order of Conditions is required if a project change results in an increase in disturbance or alteration or the plan is substantially different from the approved plans.

3) The applicant will provide an affidavit attesting to the completeness of the plans referenced in this permit and that these are the same plans that have been approved by any other Board and/or Department.

C. **Erosion controls** in the upland area shall be installed at the limit of work and will include fiber logs, silt fencing/straw bales, or other acceptable erosion control device approved by the Commission. A coffer dam or turbidity curtain  will be used for work over water. The work area will be searched by a mussel biologist  if the type of erosion control employed by the contractor will be determined by the mussel biologist . Erosion control will be required for the duration of the project, and will be inspected by the agent or member of the Commission prior to the start of construction.

D. **Contact information** shall be provided to the Agent including a written list of names, addresses, business phone numbers, and mobile phone numbers of the project supervisor who will be responsible for ensuring on-site compliance with this Order and his/her alternate, including 24-hour contact information of the person responsible for the site.

E. Proof that a **copy of the plans and this Order of Conditions has been provided to the Contractor**. The plans and the Order must be available at all times at the construction site for reference. This Order shall be included in all construction contracts and subcontracts dealing with the work proposed, and shall supersede any conflicting contract requirements.

F. **Limit of work line** for the bridge stabilization work is considered the erosion control barrier  No work may be performed beyond the limit of work line without prior approval of the Conservation



## Wayland Conservation Commission Attachment to Order of Conditions

to accompany Mass. Wetlands Prot. Act M.G.L. c. 131, §40 Order of Conditions

Commission under the Mass. Wetlands Protection Act and Wayland's Wetlands and Water Resources Protection Bylaw.

**G. Additional permits:** The applicant must present satisfactory evidence to the Conservation Commission that the following permits have been issued:

- Scientific Collection Permit, if needed

**H. Emergency supplies:** The applicants must have extra fiber logs, silt fence and/or straw bales or other acceptable erosion control device approved by the Commission on site in case there is need for immediate repair of erosion controls or if sediment is found to be leaving the site.

**I. Construction Schedule:** The applicant or contractor shall submit a construction schedule to the Commission. To the greatest extent practical, all in-water work should be conducted during the annual summer, low-water period defined as June through September.

**J. Start of Work Notification:** The applicant or contractor shall submit notification to the Commission and the Division not less than two or more than five business days notification before work commences.

**K. There is a separate Bylaw decision for the work permitted by this Order of Conditions issued pursuant to Wayland's Wetlands and Water Resources Bylaw Chapter 194. That decision contains conditions not listed in this decision including a requirement for regular professional inspections of the site.**

**L. Protected Mussel Habitat:**

1. Prior to the start of any construction activity, the contractor will employ a qualified, Division-approved biologist to search the work area and associated buffer zones and relocate any state-listed mussels suitable habitat outside the work zone. Work includes, but is not limited to, all work areas within the water, bridge abutments, bridge footings, temporary sheetings, areas under bridges and temporary support platforms, at and inside coffer dams, and all dewatered areas. Any machinery entering into the river or river bottom is included in the definition of work.
2. The mussel biologist shall submit a written protocol to the Division for review and approval detailing proposed survey methods, hours of effort, taxonomic identification characteristics, description of habitat for each target species, description of the method of holding animals before moving, translocation methods, and other details. The biologist shall acquire a Scientific Collection Permit from the Division to capture, handle, and relocated mussels and other state-listed species, as appropriate.
3. Survey for and movement of mussels may only occur between June 1 and October 1 and must be completed prior to any work. Mussels will need to be located and moved from all suitable habitat within the work area and a suitable buffer around it. If rare mussels are encountered, subsurface excavation shall be conducted in all appropriate juvenile mussel habitats.
4. The mussel biologist shall ensure that each collected state-listed mussel is marked or tagged and implanted into stable substrate, posterior end up, at the translocation site. Marks or tags need to remain legible for at least one year. The translocation site shall be demarcated in order to identify the site for future monitoring. All state-listed translocated (marked) and resident (unmarked) mussels in the translocation plot shall be monitored for survival and growth for a minimum of one year and one month after.
5. The mussel biologist shall implement a site worker training program. This training program shall be developed and presented by the mussel biologist prior to the start of work. Construction crews, project foreman, and site engineers shall participate in a special training





## Wayland Conservation Commission Attachment to Order of Conditions

to accompany Mass. Wetlands Prot. Act M.G.L. c. 131, §40 Order of Conditions

session to make them aware of rare species concerns and the various protective measures in place to safe guard the mussels.

6. The contractor shall employ an independent Environmental Monitor with significant experience in wetland protection and the monitoring and maintenance of erosion and sedimentation controls who is approved by the Conservation Commission. The Environmental Monitor shall verify the proper locations and installation of erosion and sediment control measures.

### During Construction

21. **Order of Conditions prevails:** Except where modified by these Conditions, all work must be performed in accordance with the plans outlined by the applicant and referenced on page 1 of this Order. Where a conflict exists between the referenced plans and these Conditions, the Conditions will govern.
22. **Stop Work Orders:** An Agent of the Commission and the Environmental Monitor shall have the right to halt all or a portion of the work on the site if the Agent or Monitor determines that any of the work is not in compliance with the Order of Conditions. Work shall not resume until the Commission is satisfied that the work will comply, and has so notified the applicant in writing.
23. **Reporting requirement:** A written report shall be provided to the Town and the Division following surveys and translocations, indicating the dates of all searches, species observed, and any corrective measures taken. Any and all rare species encountered at the site shall be reported to the Division on the rare Animal Observation Form as soon as possible.
24. **Maintain Erosion Controls:** The Environmental Monitor is responsible for the inspection and maintenance of the erosion controls throughout construction until the site is in a final stabilized condition. The site shall be managed such that no sediment leaves the proposed limit of disturbance to protect adjacent wetlands, land under water, bank, and riverfront. The coffer dam and/or turbidity curtains shall be removed as soon as the work in the surrounding area is complete and stabilized.
25. **Dewatering:** If dewatering is required, the discharge must be directed through adequate sedimentation controls on site. No dewatering may proceed until the Commission, its agent, or the Environmental Monitor has inspected and approved the installation of the dewatering controls.
26. **Work must conform with the approved plans:** 
  - A. **Limit of work:** At no time shall heavy equipment operate, nor shall work, disturbance, or alteration occur beyond the erosion control barrier, which will also serve as a limit of work. No construction materials, stockpiled soil or fill, debris, brush, leaves, or other materials may be placed beyond the limit of work.
  - B. **Landscaping:** The proposed plantings shall be native plant species. The final plantings must be installed and the vegetation established before a Certificate of Compliance will be issued. The Commission may require two full growing seasons to determine that the plantings are successfully established, and may require replanting in case of significant failure.
27. **Care of stockpiled materials:**  stockpiled soil, sand or similar unconsolidated material must be stored outside the limit of work on the paved road surface unless otherwise authorized by these Conditions, by the Environmental Monitor, Commission, or by an Agent of the Commission. Any stockpile of soil, sand, or similar materials that is permitted within a buffer zone, must be enclosed within a line of entrenched and staked straw bales or siltation fence. In the event that all earthwork ceases for more than 30 days, all exposed soils must be stabilized with a temporary vegetative cover, straw mulch, or other method of erosion control accepted by the Commission.
28. **Equipment** shall not be refueled or serviced within 100 feet of the bordering vegetated wetlands or within bordering land subject to flooding. A spill containment kit shall be provided on the site at all times.



## Wayland Conservation Commission Attachment to Order of Conditions

to accompany Mass. Wetlands Prot. Act M.G.L. c. 131, §40 Order of Conditions

29. **Trash and debris** that falls into or gets transported into the river during construction shall be immediately removed by the contractors. If the removal requires motorized equipment, the mussel biologist must be involved in the retrieval of materials. The mussel biologist is responsible for developing a material removal plan to avoid harm to state-listed mussels and obtaining prior approval from the Division.
30. **Site stabilization during construction:** During construction, bare ground that cannot be permanently stabilized shall be temporarily stabilized by a method approved by the Commission, such as jute netting at the close of each working day.
31. **Fuel storage:** No more than a total of 50 gallons of flammable or combustible chemicals relating to this project shall be stored on the site at any one time. No routine servicing of vehicles used for this project shall be permitted on the site. The Conservation Commission shall be notified prior to initiating any emergency repair on the site.

### Upon Completion of Project

32. **Permanent soil stabilization:** Following the completion of construction and grading, all exposed soils must be restored to the previous grade or proposed grade per the site plans and permanently stabilized with a permanent cover. Mulch or wood chips will not be considered permanent stabilization except in small planting beds.
33. **Removal of erosion controls:** With the approval of the Commission or its Agent, straw bales or wattles and silt fences or other erosion control devices may be removed from the site when the surface is permanently stabilized. These shall be removed before the issuance of a Certificate of Compliance.
34. **Notification of completion of the project/Request for Certificate of Compliance:** Within 30 days of completion of the project, the applicant shall make a written request to the Commission for a Certificate of Compliance (Form WPA 8A) and shall submit the following items with the request:
  - A. **A electronic copies** of photographs taken during the course of the project.
  - B. **Compliance report** and detailed narrative prepared by the Professional Engineer certifying compliance with this Order of Conditions. Any conditions not in compliance need to be addressed. Any deviations or changes to the approved plans need to be noted with information as to any corrections undertaken.
  - C. **Also see Condition 18 for other as-built plan and certification requirements.**

### Conditions In Perpetuity

**The following conditions must be included on the Certificate of Compliance, and must continue in perpetuity. The property owner will have the right to request from the Conservation Commission an amendment to the conditions in perpetuity. If, in the judgment of the Commission, the proposed amendment will not detrimentally affect the values of the wetland resource areas, the Commission will amend this Order or the Certificate of Compliance.**

35. **Disposal of yard waste or construction debris:** Yard waste or construction debris cannot be disposed in the adjacent riverfront zone. Every effort should be made to remove any disposed waste.
36. **Prohibition of Chemical Applications**
  - A. **Deicing salts:** Only calcium-based deicing chemicals may be used on surfaces where runoff or drainage will discharge into wetland or riverfront resource areas. This condition is ongoing and does not expire with the expiration of the Order of Conditions or the issuance of a Certificate of Compliance.
  - B. **Lawn fertilizer:** No fertilizer may be applied within the wetland resource area (within the 100-foot buffer zone) or the Riverfront Area. This condition is ongoing and does not expire with the expiration of the Order of Conditions or the issuance of a Certificate of Compliance.



**Wayland Conservation Commission**  
**Attachment to Order of Conditions**  
to accompany Mass. Wetlands Prot. Act M.G.L. c. 131, §40 Order of Conditions

**C. Herbicide or Pesticides:** No pesticides, herbicides or insecticides shall be used on the grounds located within the 100-foot buffer zone or riverfront area except with the prior written permission of the Commission. ***This Condition shall remain in force permanently and shall be recorded as such on the Certificate of Compliance.***

**End of Municipal Addendum to Order of Conditions**



**TOWN OF WAYLAND**  
MASSACHUSETTS  
01778  
**CONSERVATION COMMISSION**

TOWN BUILDING  
41 COCHITUATE ROAD  
TELEPHONE: (508) 358-3669  
FAX: (508) 358-3046

**Wayland's Wetlands and Water Resources Protection Bylaw**  
**CHAPTER 194 PERMIT**  
**Stone's Bridge Stabilization – August 21, 2017**  
**(Also DEP file 322-892)**

**Project Description:** The project involves the stabilization of the historic Stone's Bridge spanning a portion of the Sudbury River with associated landscaping and the installation of temporary erosion controls. This project will impact approximately 4,000 square feet of riverfront area in an area identified by the Natural Heritage and Endangered Species Program as protected habitat for a state-listed freshwater mussel.

**Decision:** The Wayland Conservation Commission (hereinafter "Commission") voted to issue a Chapter 194 permit approving the proposed work, as conditioned herein pursuant to Chapter 194 and Chapter 193. This permit is subject to the conditions noted below and based upon the findings listed thereafter. The Commission finds that the conditions are necessary, in accordance with the provisions of Chapter 194, to protect those interests noted in the findings. **There is a requirement for periodic inspections performed by the mussel biologist and the Environmental Monitor hired by the contractor in support of this project. The applicant is responsible for ensuring that the inspections are conducted and site inspection reports are submitted to the Commission as outlined in the "Reporting Requirements" herein.**

**Plan Reference/s:**

1. Notice of Intent Application, prepared by Linda Hansen, received on June 5, 2017.
2. Project Specifications for Stone's Bridge Stabilization, prepared by John Wathne of Structures North Consulting Engineers, Inc., dated May 2017.
3. Stone's Bridge Stabilization (12 pages), prepared by Structures North Consulting Engineers, Inc. in association with Kyle Zick Landscape Architectures, Inc., dated May 3, 2017.

**The work shall conform to these plans *except* as herein conditioned.**

**Special Conditions Issued by the Wayland Conservation Commission:**

**CONDITIONS TO BE MET BEFORE COMMENCING WORK:**

1. **The Commission requests that a portion of the total project cost shall be held as retainage as a performance guarantee.** The Commission recommends that the contract will include a provision for retainage that is not less than % of the total project cost and that the release of said retainage be conditioned upon issuance of a Certificate of Compliance for the project pursuant to Chapter 194 by the Commission.



2. **Prior to commencing any work**, the applicant shall provide *written notice*, not less than two or more than five business days prior to commencing any activity permitted by this Order, to the Commission. *E-mail shall not be considered written notice.*
3. **Prior to commencing any work**, the applicant shall submit a construction schedule that incorporates conditions in this Permit to the Commission. To the greatest extent practical, all in-water work should be conducted during the annual summer, low-water period defined as June through September.
4. **No work shall begin until the appeal period has expired for the Order of Conditions issued pursuant to the Wetlands Protection Act.**
5. **Prior to commencing any work**, the applicant shall employ an Environmental Monitor responsible the inspection and maintenance of the sediment barriers and the name of any alternate.
6. **Prior to commencing any work**, the applicant shall employ a mussel biologist who will follow the conditions provided in Order of Conditions to protect the rare mussel habitat in the Sudbury River (see condition 20. L.).
7. **Prior to commencing any work at the site**, the applicant will hold an onsite preconstruction meeting with the contractor, project engineer, Environmental Monitor, mussel biologist, and the Conservation Administrator. The meeting will allow for the inspection of the sediment barriers once they have been installed to ensure that the barriers have been properly installed. Any outstanding issues can be resolved at that time.

**REPORTING REQUIREMENTS:**

8. At least every other week, beginning the first week of construction, in which construction activity occurs on site and for as long thereafter as the ground remains unstabilized, and until the completion of work within the riverfront zone, the Environmental Monitor shall submit a written report to the Commission. The Environmental Monitor shall certify that, to the best of his/her knowledge and belief based upon careful site inspections (conducted during work hours at the site not less than biweekly) all work is being performed in compliance with this Order of Conditions. If the work is not in compliance, he/she will note where a deviation from the Order occurred. **The reports shall also include the date of the inspection/s, the time of the inspections, a summary of activities being conducted, any comment on the condition of the sediment barriers, and compliance with these conditions and conditions issued pursuant to the Wetlands Protection Act, if different.** These reports may be stopped if work ceases for a period of more than five days and the work is in conformance with this Order. If the reports are stopped, no work may occur, except for maintenance of the sediment barriers, until the Commission is given written notice of the intent to recommence work. If needed a final inspection/report, not less than 180 days before this Order expires shall also be submitted to the Commission.
9. The required reports shall be submitted within five business days after each required site inspection (the second inspection of each cycle).
10. The Commission may extend this decision for one or more periods of up to three years each upon application to the Commission at least 30 days prior to the expiration date of the decision.

11. Failure to comply with all conditions stated herein and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
12. **All written submissions to the Commission shall include: a date, the DEP File Number and the condition or conditions that the submission is intended to meet.** Failure to comply with this requirement may result in an incomplete file and adversely impact consideration of a Certificate of Compliance.

**CONDITIONS TO BE MET DURING THE PROJECT:**

13. A copy of this permit and the Order of Conditions shall be included with any bid documents and contracts issued for work authorized by this permit.
14. The work authorized hereunder shall be completed within three years from the date of this permit unless extended pursuant to Chapter 194. *Any extension sought must be done in compliance with this permit.*
15. This permit does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
16. This Permit does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of property rights.
17. Any fill or loam used in connection with this project shall be clean. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to wood, lumber, **asphalt**, bricks, concrete, plaster, electronic and computer components, wire lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.
18. This permit incorporates the conditions listed in Order of Conditions, DEP File 322-892. Failure to comply with a condition shall be deemed a violation of Wetlands and Water Resources Protection Bylaw Chapter 194.
19. Grading shall conform to the plans referenced in this permit. There shall be no increase in grade permitted within the buffer zone, riverfront area, and/or bordering land subject to flooding.
20. Sediment barriers shall be sediment filter fence and straw bales (or wattles) unless an alternative has been approved, prior to installation, by the Commission and shall be installed in the location as shown on the plan referenced in this permit.
21. The installation of sediment barriers should be done by hand or with equipment designed to minimize the amount of land disturbed. Heavy equipment should not be used to install the sediment filter fence; trenches should not be more than 4"-6" deep and not more than 3" wide. Straw bales or wattles shall be staked at grade without being dug into the ground.
22. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Permit.

23. All disturbed or exposed areas shall be brought to final finished grade and stabilized with loam and seed. This shall be specifically addressed in the site inspection reports required by this Permit.
24. Any debris, which falls into the river or wetland, shall be removed immediately by hand. All construction debris shall be properly disposed by the contractor.
25. A copy of this Permit shall be provided to the project supervisor and shall be available on the site at all times during construction.
26. If a container is used for disposal of materials, it shall be covered at night and secured. It shall not be placed closer than 100' from the wetlands.
27. There shall be no stockpiling of soil or other materials within 100 feet of any stream, wetland area, or within the riverfront area except as depicted on the plan referenced in this decision. Any erodible material stockpiled overnight shall be covered with plastic or canvas, or stabilized in a manner acceptable to the Commission to prevent soil from entering any resource area. Stockpiles shall also be contained with straw bales around the perimeter of the pile. Stockpiling shall be minimized.
28. Any concrete washouts shall conform to the U.S. EPA "Stormwater Best Management Practice for Concrete Washout".
29. Any catch basins on or adjacent to and down gradient from the site shall be protected by Silt Sacks while construction is ongoing at the property. Silt Sacks shall be maintained and regularly cleaned of sediments until all areas associated with the permitted work permitted have been permanently stabilized and the Commission has formally approved their removal. **They shall be monitored at least weekly and after major (.5" in 24 hrs) storm events to ensure proper function and removed immediately after construction has been completed.**
30. A small supply of straw bales or wattles and filter fabric shall be stockpiled for emergency use only. The Environmental Monitor shall immediately control any erosion/sedimentation problems that occur on the site. They shall also immediately notify the Commission if any corrective action has been required. The need for any additional erosion/sedimentation controls found to be necessary by either the Environmental Monitor or the Commission during construction shall be implemented by the contractor.
31. Equipment shall not be refueled or serviced within 100 feet of the riverfront, wetlands, and any other resource area or within the buffer zone except as conditioned herein. Prior to commencing any activity within the buffer zone or a resource area the applicant shall provide documentation to the Commission as to how they will achieve compliance with this Condition. The Commission may permit, on a restricted basis, some refueling within the buffer zone, if a spill containment kit is provided on the site at all times.
32. There shall be no more than a total of 50 gallons of flammable or combustible chemicals relating to this project stored on the site at any one time. No routine servicing of vehicles used for this project shall be permitted on the site. The Commission shall be notified prior to initiating any emergency repair on the site.

**CONDITIONS TO CONTINUE IN PERPETUITY:**

33. No composting and/or dumping of debris are permitted within 100' of a wetland or stream. Any existing material within the buffer zone shall be removed. *This Condition shall remain in force permanently and be recorded on the Certificate of Compliance.*
34. No de-icing chemicals shall be used on any paved surface located within the 100-foot buffer zone or inner riparian zone except with the prior written permission of the Commission. The Commission will consider the use of calcium chloride. *This Condition shall remain in force permanently and shall be recorded as such on the Certificate of Compliance.*
35. No pesticides, herbicides, or insecticides shall be used on the grounds located within the 100-foot buffer zone or riverfront area except with the prior written permission of the Commission. *This Condition shall remain in force permanently and shall be recorded as such on the Certificate of Compliance.*

**CONDITIONS ADDRESSING PROJECT COMPLETION:**

36. By acceptance of this Permit and commencement of work authorized herein, the applicant, owner, and their respective agents, assign, and successors in title agree to indemnify, defend and hold harmless the town for any damages that might occur on or off the subject property, or any legal claims which may be attributable to any alterations undertaken or construction performed on the subject property pursuant to this Permit. Issuance of this Permit does not in any way imply or certify that the subject property or downstream or adjacent properties will not be subject to flooding, storm damage, or any other form of water damage that might result from alterations undertaken or construction performed on the subject property pursuant to this decision.
37. The Commission and/or Conservation Administrator may require the removal and dispersal of the erosion controls after the site has been fully stabilized to their satisfaction. Sediment barriers may also be removed if, upon a required site inspection, the Environmental Monitor has certified that the site is permanently stabilized.
38. The applicant shall submit a request for a Certificate of Compliance not less than 60 days before this decision expires. The request for Certificate of Compliance shall include the following items:
  - a. The request for a Certificate of Compliance shall be submitted with a **detailed narrative** (signed original plus five copies and electronic submittal) prepared by the Environmental Monitor or P.E. registered in the Commonwealth of Massachusetts, which lists conditions that were not complied with and the reasons for non-compliance and details the manner and extent of any deviations from compliance with any condition, shall be submitted with a request for a Certificate of Compliance. This narrative shall certify compliance with the approved plans referenced above and this Permit and setting forth any deviation/s that exist with a note as to how it/they may be corrected. Work that is not complete shall be detailed in a schedule of planned completion dates prior to expiration of the Permit with a certification to the commitment of resources by an authorized official representative of the applicant to complete the work prior to expiration of the Permit.
  - b. Photographs showing the progression of the work shall be submitted electronically to the Commission.
  - c. A Chapter 194 Form properly filled out for a Certificate of Compliance.

**This decision is not valid without a signature sheet.**

**The page numbering does not include the signature sheet.**

This Permit expires on August 21, 2020  
If necessary, an extension must be filed by August 21, 2020.

**Findings:**

- a. Chapter 194 requires filing an application for any work to be done in a resource area – work is proposed in Riverfront, Vegetated Wetlands, Buffer Zone, and Bordering Land Subject to Flooding for this project.
- b. This permit does not define the limits of resource areas regulated by the Bylaw.
- c. The Sudbury River has been identified as a protected habitat for a state-listed freshwater mussel and special conditions provided by the Natural Heritage and Endangered Species Program and listed in the Order of Conditions 322-892 must be complied with.
- d. These resource areas identified have values relating to: the protection of public and private water supplies, prevention of pollution, wildlife habitat, prevention of flooding, prevention of storm damage, protection of ground water, unusual plants, wildlife, wildlife habitat, and passive recreation.
- e. A public hearing was opened on June 29, 2016 and closed on August 10, 2017.
- f. The minutes of the hearings are incorporated as part of the record for this decision.
- g. The Wetlands Bylaw provides greater protection of the buffer zone – a resource area defined within Chapter 194.
- h. This permit shall run concurrently with the Order of Conditions issued pursuant to the Wetlands Protection Act for DEP File 322-892.
- i. The requirements and findings of this permit are consistent with the provisions of Chapter 194 and are intended to be more stringent than the Order of Conditions. As noted above, the buffer zone is a resource area as defined by Chapter 194 – those conditions have been adopted as part of this decision.
- j. Sediment barriers will be required until disturbed areas are permanently stabilized.
- k. Discharges to the wetlands or the drainage system, if not properly permitted by DEP or EPA, are prohibited.
- l. During construction, precautions must be taken to avoid accidental spills of oils or hazardous materials in or near the wetlands or other resource areas. Precautions include limiting where equipment is serviced and refueled, having spill containment kits at the site, and taking steps to avoid spills and accidents.
- m. Projects covered by a Chapter 194 Permit meet Chapter 193 requirements.
- n. **Any deviation from the approved, detailed plan will require a formal determination by the Commission as to whether this decision may be modified or a new filing will be required.**
- o. Failure to comply with the conditions of this permit is a violation of the Wetlands Bylaw. Violations of Chapter 194 may result in the imposition of non-criminal penalties in the amount of \$300 in addition to other remedies available. Each day the violation exists may be considered a separate violation of the Bylaw.
- p. Any required approval by the Commission may be provided within 21 business days unless additional information is requested.
- q. Any required approval or action by the Conservation Administrator may be taken within 12 business days unless additional information is requested.
- r. The Commission may consider revoking this permit in the event the material presented during the hearing and/or on the plans is found to be different from material provided to another Board, Commission or official for work other than that described to the Commission during the public hearings.



**TOWN OF WAYLAND**  
MASSACHUSETTS  
01778  
**CONSERVATION COMMISSION**

TOWN BUILDING  
41 COCHITUATE ROAD  
TELEPHONE: (508) 358-3669  
FAX: (508) 358-3606

**CHAPTER 194 PERMIT**  
**WETLANDS AND WATER RESOURCES PROTECTION BYLAW**

Signature Sheet

**Stone's Bridge Stabilization**

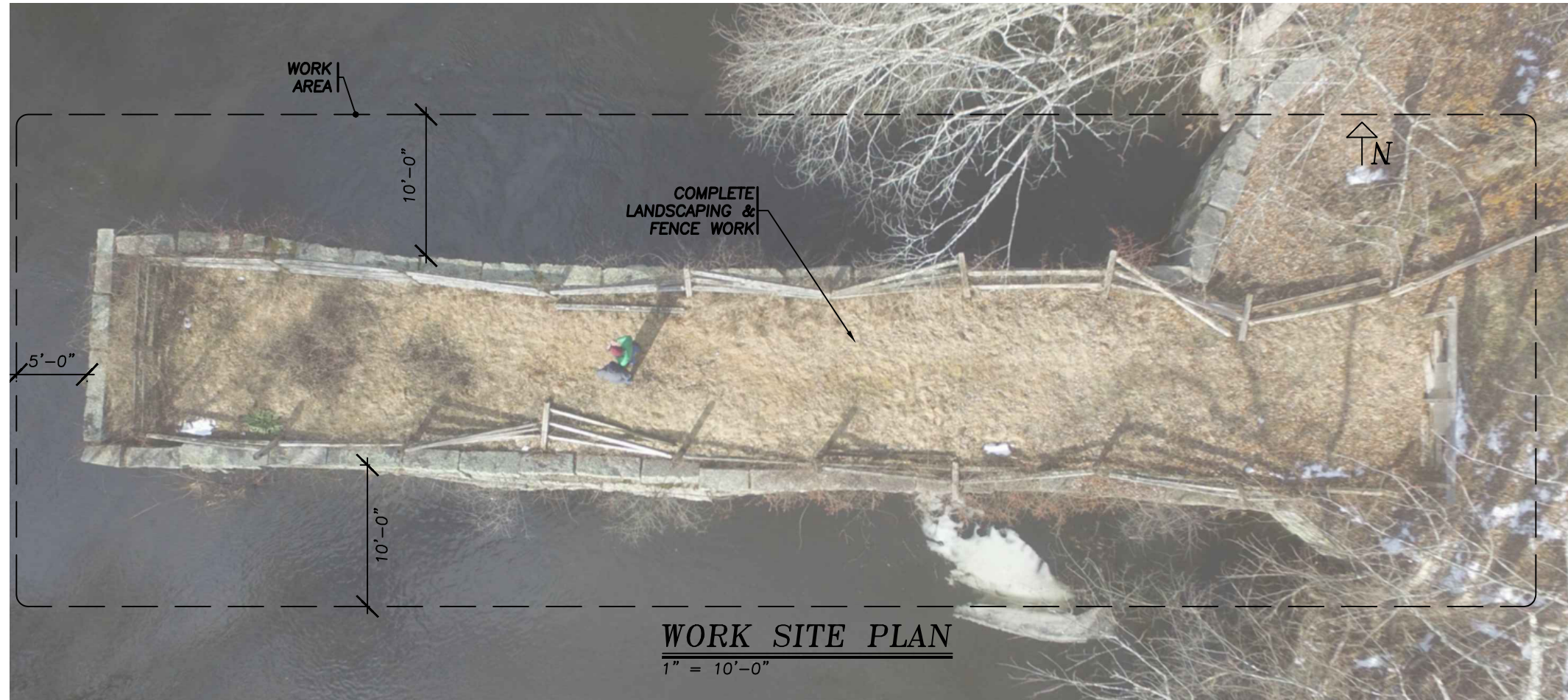
**File No. 322-0892**

Wayland Conservation Commission: \_\_\_\_\_


*Sherrill Brennan*  
\_\_\_\_\_  
*[Signature]* *Barbara Hull*  
\_\_\_\_\_

Date issued: Aug 21, 2017

This Permit is issued to the applicant as follows:  by hand delivery on Aug. 21, 2017  
 by certified mail on \_\_\_\_\_










**WORK SITE PLAN**  
 1" = 10'-0"

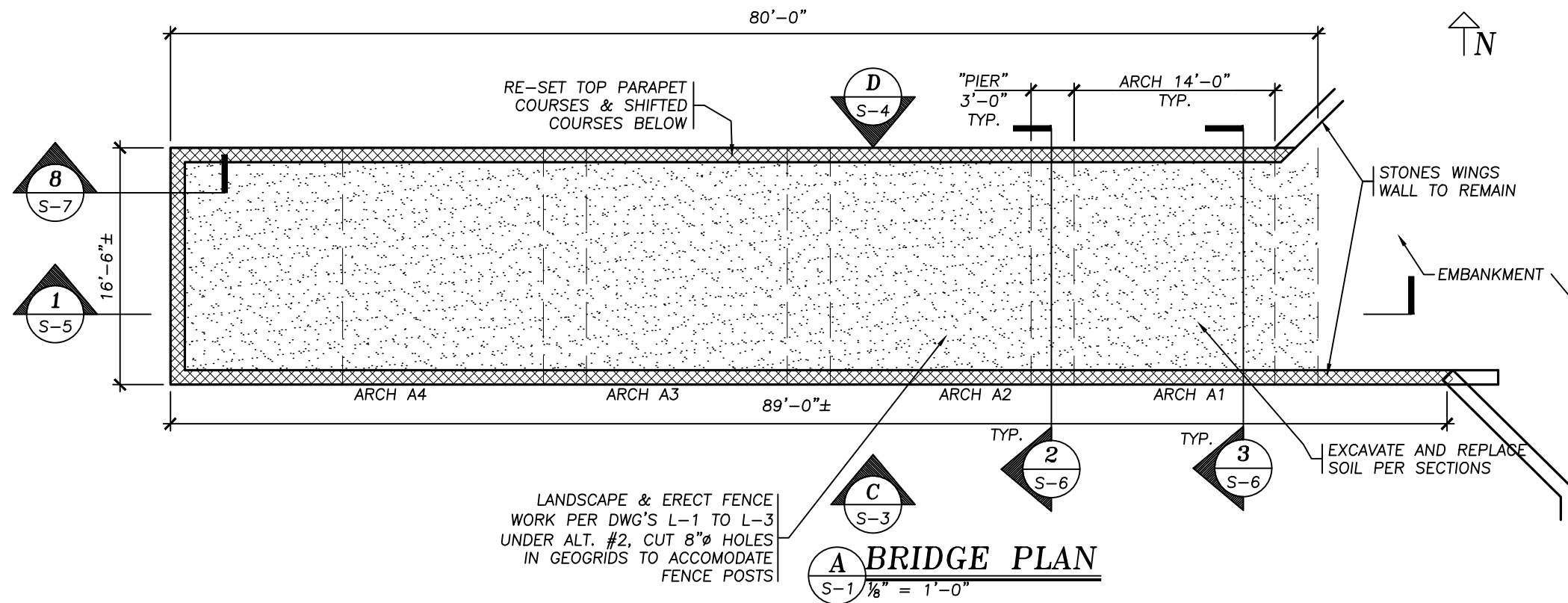
 <b>Structures North</b> <small>CONSULTING ENGINEERS, INC.</small>  <small>60 Washington St., Suite 401        Salem, MA, 01970-3517        T 978.745.6817   F 978.745.6067        www.structures-north.com</small>	<b>JOB NAME:</b> Stone's Bridge Restoration, Wayland, MA	
	<b>DRAWN BY:</b> SB	<b>CHECKED BY:</b> JMW
	<b>SCALE:</b> 1/8" = 1'-0"	<b>DATE:</b> 01/20/2019
	<b>BRIDGE PLAN</b>	
		<b>S-0</b>


**NOTES:**

1. DO NOT SCALE
2. FIELD VERIFY ALL DIMENSIONS NOTIFY ENGINEER OF ANY DISCREPANCIES.
3. CONTRACTOR TO TEMPORARY SHORE AND BRACE STRUCTURE AS NEEDED DURING WORK.
4. BASE BID WORK INCLUDES ARCH A1 AND THE EAST HALF OF ARCH A2 AND WORK AT ALL OF THE "PIER" BASES
5. CONTRACTOR IS RESPONSIBLE FOR ALL PERMITTING, INCLUDING ALL REQUIRED ENVIRONMENTAL PERMITS

**KEY:**

-  RE-CHINK WALL CONSTRUCTION PER DETAIL 5/S-7 (ITEM #U1)
-  RE-CHINK PER DETAIL 5/S-7, REPLACE STONES WHERE MISSING (ITEM #U2)
-  DISMANTLE & RE-SET SHIFTED STONES (ITEM #U3 & U4)
-  UNDERPIN GAPS IN FOUNDATION W/ INJECTED GROUT AND STONE CHINKING AT ALL "PIERS".
-  EXCAVATE AND REPLACE SOIL W/ INTEGRAL GEOGRID REINFORCING.
-  REPLACE MISSING STONES
-  CHINK EXIST. WIDENED CRACKS










 Structures North CONSULTING ENGINEERS, INC. 60 Washington St., Suite 401 Salem, MA. 01970-3517 T 978.745.6817   F 978.745.6067 www.structures-north.com	<b>JOB NAME:</b> Stone's Bridge Restoration, Wayland, MA	
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	<b>SCALE:</b> 1/8" = 1'-0"	<b>DATE:</b> 01/20/2019
	<b>BRIDGE PLAN</b>	
		<b>S-1</b>

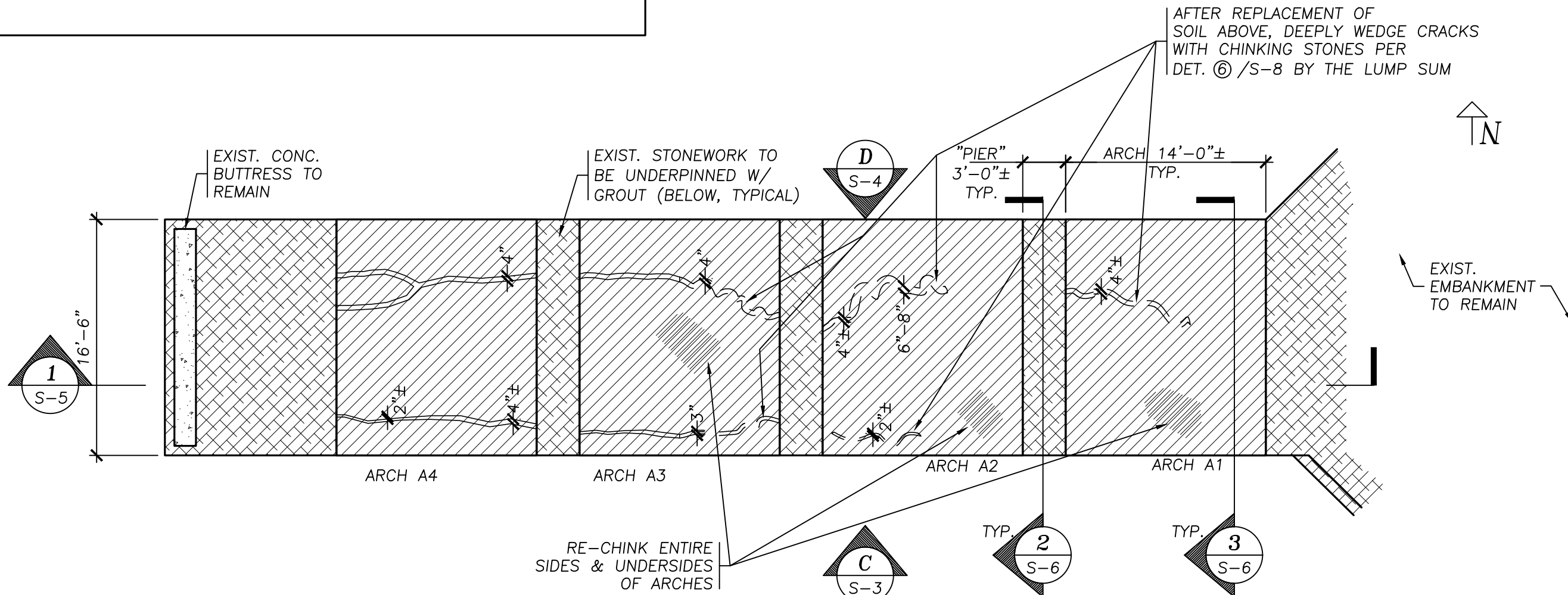


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






**B REFLECTED ARCH PLAN**  
 S-2 1/8" = 1'-0"

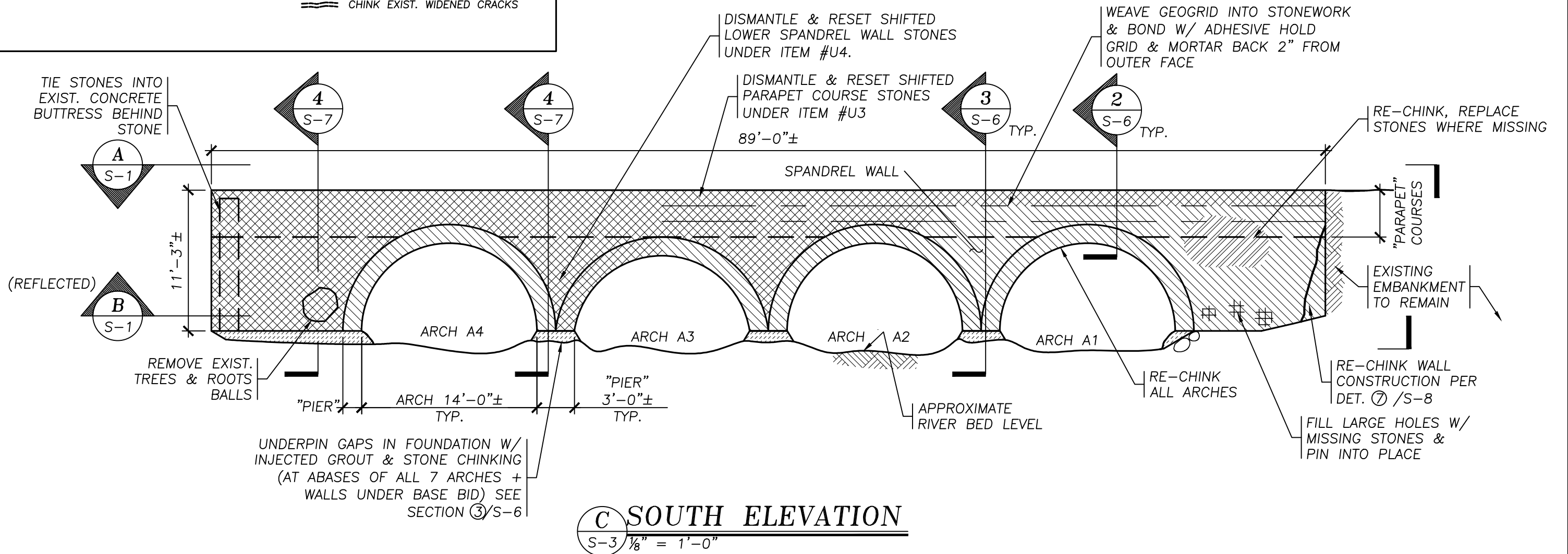
 <b>Structures North</b> CONSULTING ENGINEERS, INC. 60 Washington St., Suite 401 Salem, MA. 01970-3517 T 978.745.6817   F 978.745.6067 www.structures-north.com	<b>JOB NAME:</b> Stone's Bridge Restoration, Wayland, MA	
	<b>DRAWN BY:</b> SB	<b>CHECKED BY:</b> JMW
	<b>SCALE:</b> 1/8" = 1'-0"	<b>DATE:</b> 01/20/2019
	<b>REFLECTED ARCH PLAN</b>	

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






**C SOUTH ELEVATION**  
S-3 1/8" = 1'-0"

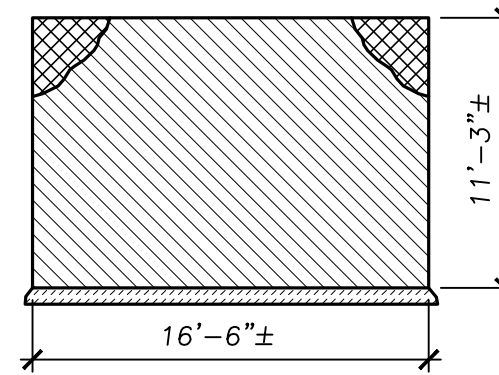
 <b>Structures North</b> CONSULTING ENGINEERS, INC. 60 Washington St., Suite 401 Salem, MA 01970-3517 T 978.745.6817   F 978.745.6067 www.structures-north.com	<b>JOB NAME:</b> Stone's Bridge Restoration, Wayland, MA	
	<b>DRAWN BY:</b> SB	<b>CHECKED BY:</b> JMW
	<b>SCALE:</b> 1/8" = 1'-0"	<b>DATE:</b> 01/20/2019
	<b>SOUTH ELEVATION</b>	

**NOTES:**

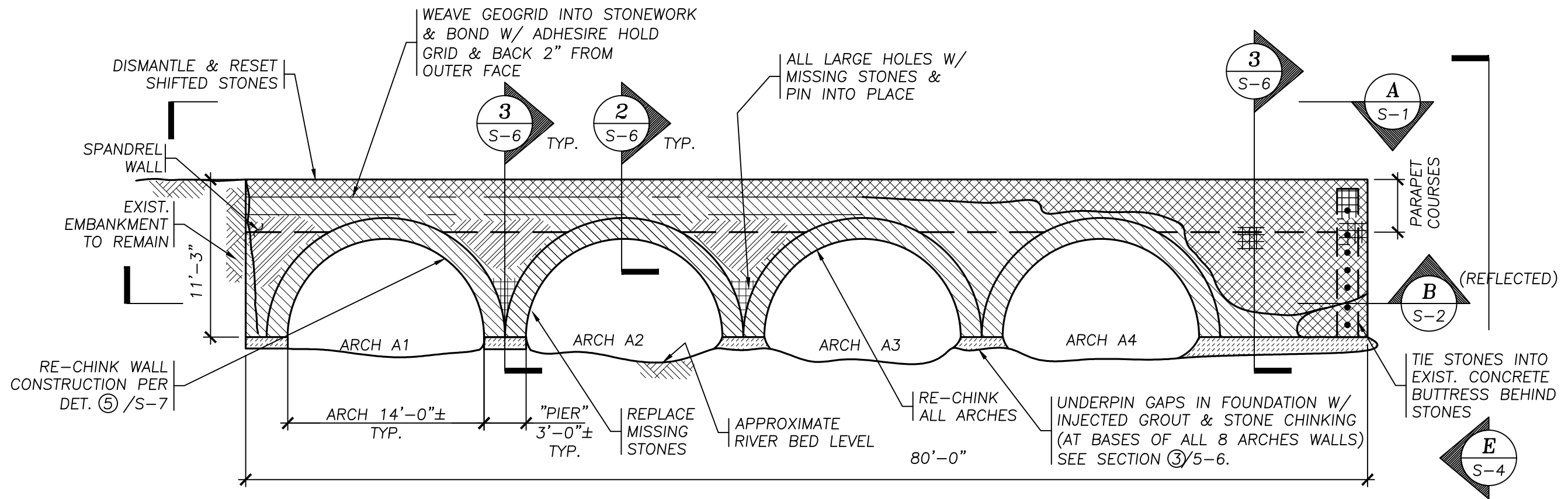
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**E WEST ELEVATION**  
S-4 1/8" = 1'-0"










**D NORTH ELEVATION**  
S-4 1/8" = 1'-0"

 Structures North CONSULTING ENGINEERS, INC. 60 Washington St., Suite 401 Salem, MA. 01970-3517 T 978.745.6817   F 978.745.6067 www.structures-north.com	<b>JOB NAME:</b> Stone's Bridge Restoration, Wayland, MA	
	<b>DRAWN BY:</b> SB	<b>CHECKED BY:</b> JMW
	<b>SCALE:</b> 1/8" = 1'-0"	<b>DATE:</b> 01/20/2019
	<b>NORTH ELEVATION</b>	

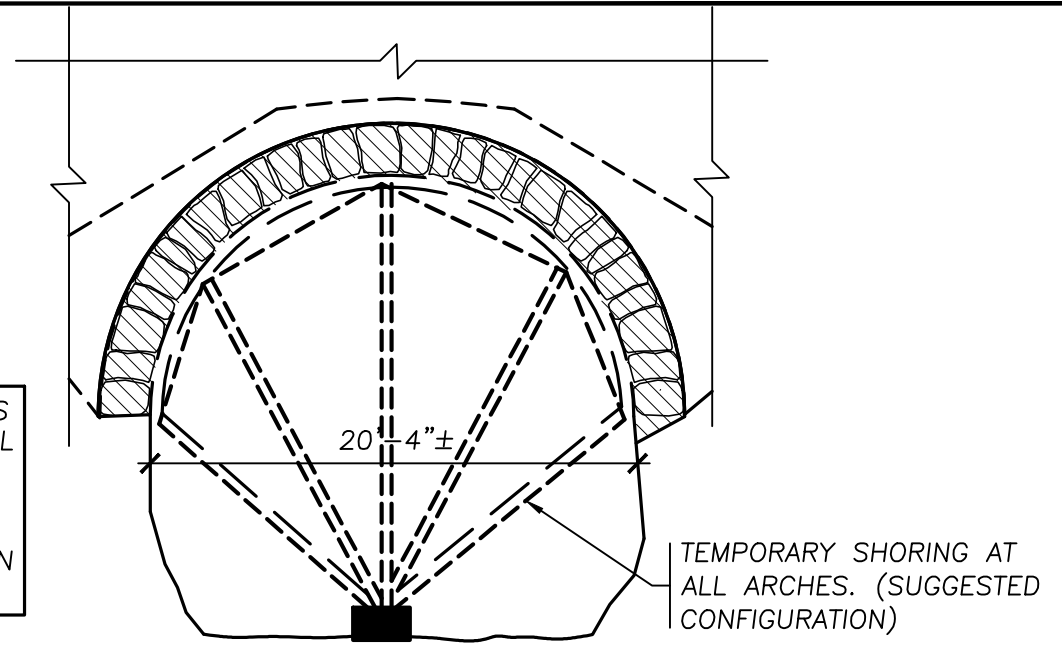
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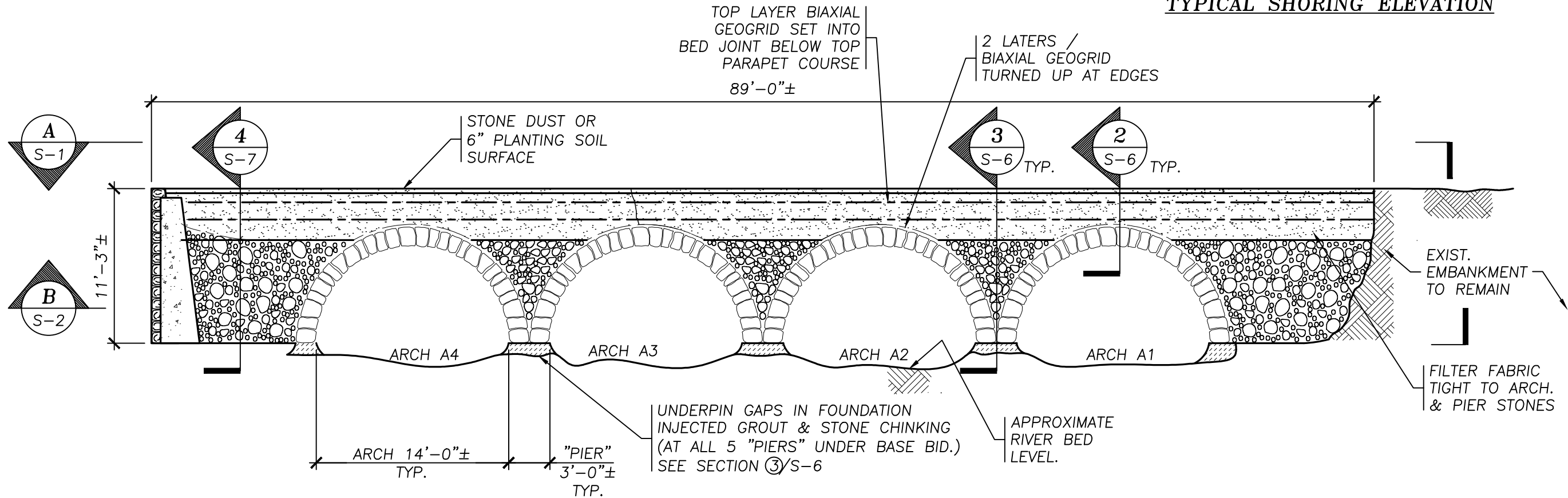
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**NOTE:** CONTRACTOR IS RESPONSIBLE FOR ALL TEMPORARY SHORING AND HIRING OF PROFESSIONAL ENGINEER FOR DESIGN OF SHORING SYSTEM



**TYPICAL SHORING ELEVATION**










**1 LONGITUDINAL SECTION**  
 S-5 1/8" = 1'-0" (LOOKING NORTH)

 Structures North CONSULTING ENGINEERS, INC. 60 Washington St., Suite 401 Salem, MA. 01970-3517 T 978.745.6817   F 978.745.6067 www.structures-north.com	<b>JOB NAME:</b> Stone's Bridge Restoration, Wayland, MA	
	<b>DRAWN BY:</b> SB	<b>CHECKED BY:</b> JMW
	<b>SCALE:</b> 1/8" = 1'-0"	<b>DATE:</b> 01/20/2019
	<b>LONGITUDINAL SECTION</b>	

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EXCAVATE SOIL TO TOP OF ARCH. STONES AND REPLACE W/ COMPACTED STRUCTURAL FILL INTEGRAL GEOGRID REINFORCING.

BIAXIAL GEOGRID W/ ENDS TURNED UP & OVER AT PARAPET. MOUND-UP GRADE AT PLANTING BED

UNIAXIAL GEOGRID WET-SET INTO BED JOINT BELOW TOP PARAPET COURSE

SEE DWG. L-3 FOR UPPER 12" TO 15" OF FILL

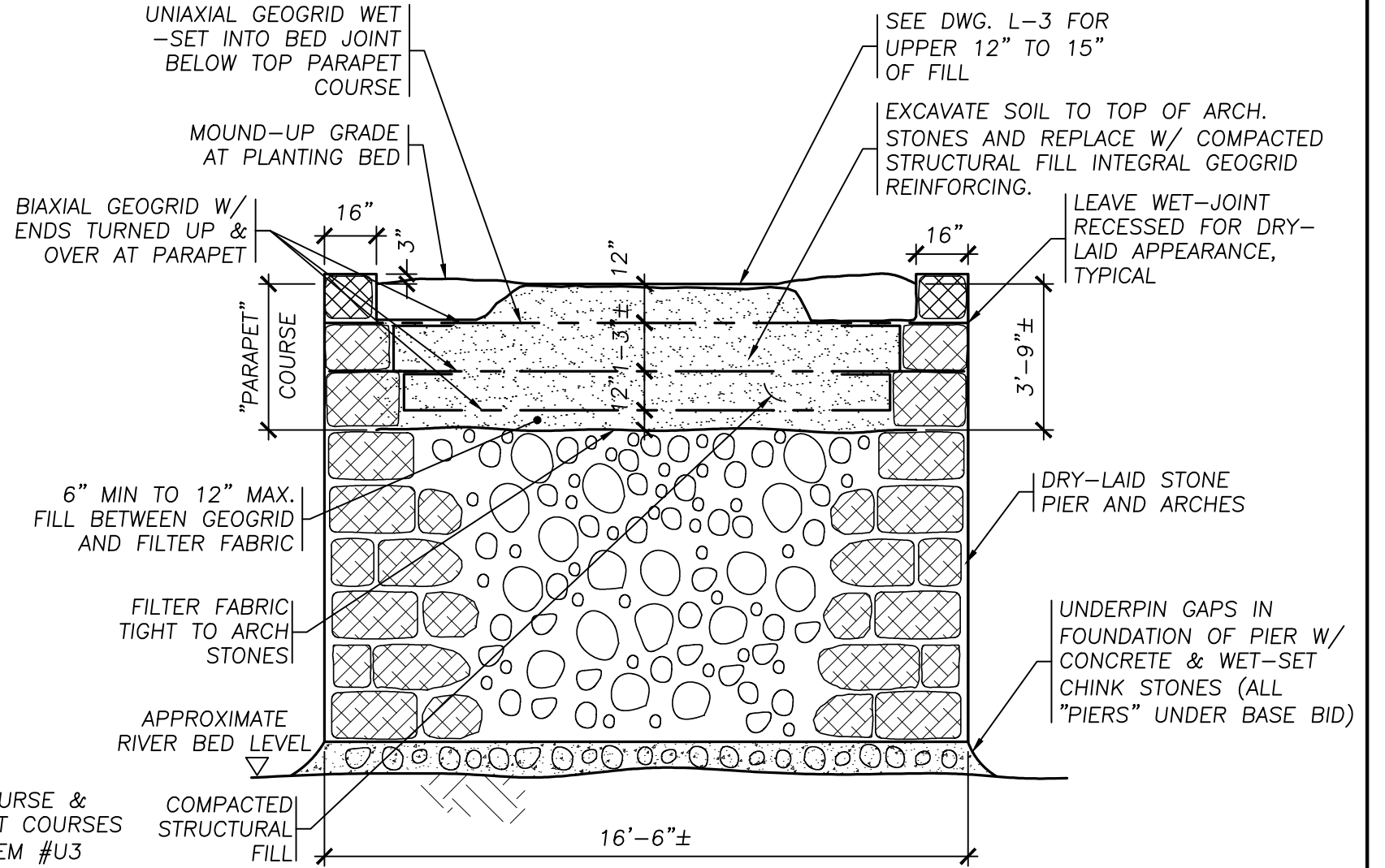
RE-SET TOP COURSE & SHIFTED PARAPET COURSES BELOW INDER ITEM #U3

LEAVE WET-JOINT RECESSED FOR DRY-LAID APPEARANCE, TYPICAL


FILTER FABRIC TIGHT TO ARCH STONES

6" MIN TO 12" MAX FILL BETWEEN GEOGRID AND FILTER FABRIC

**2 SECTION**  
S-6 1/4" = 1'-0"










**3 SECTION**  
S-6 1/4" = 1'-0"

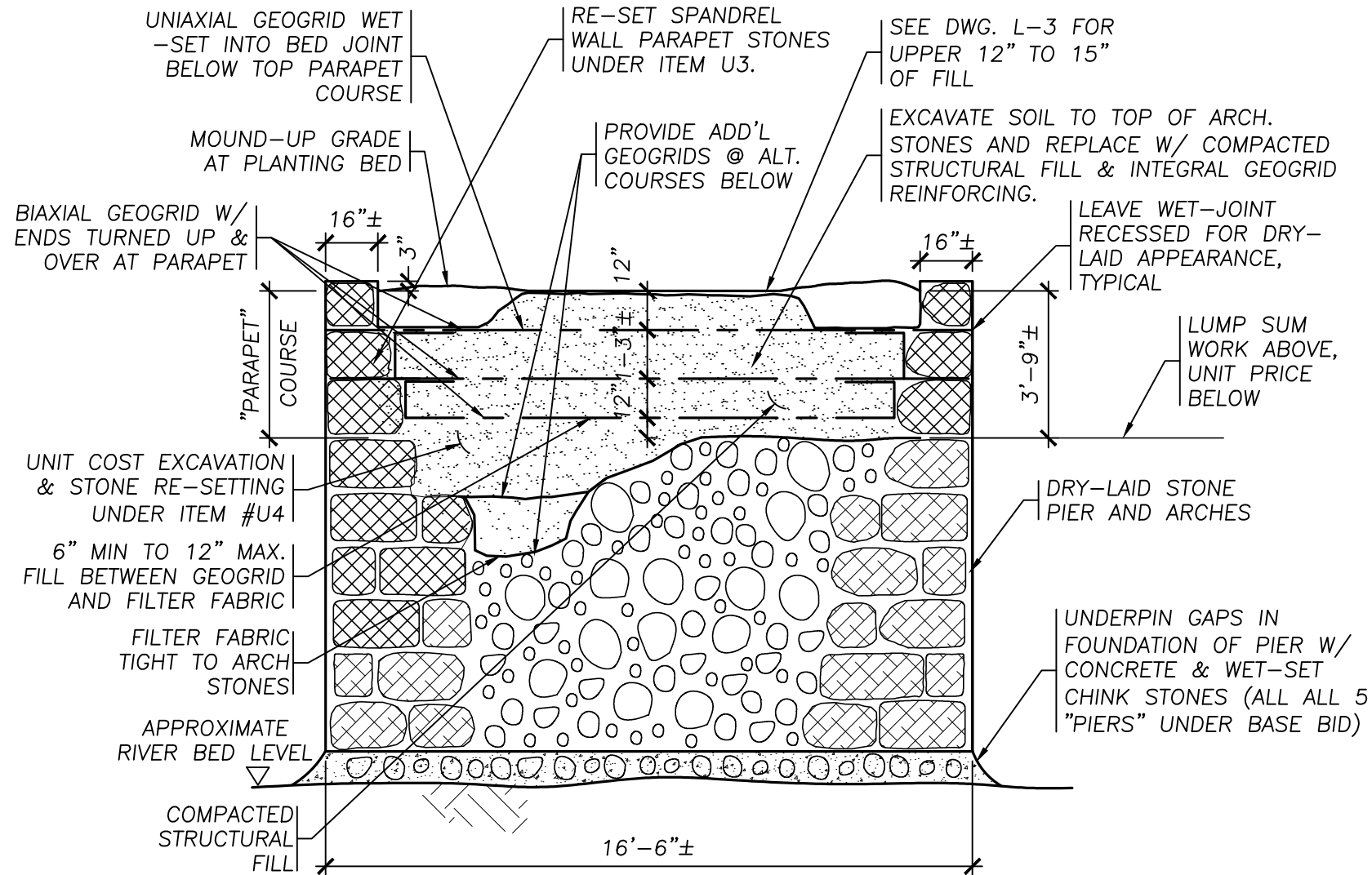
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	<b>TRANSVERSE SECTIONS</b>	

**NOTES:**

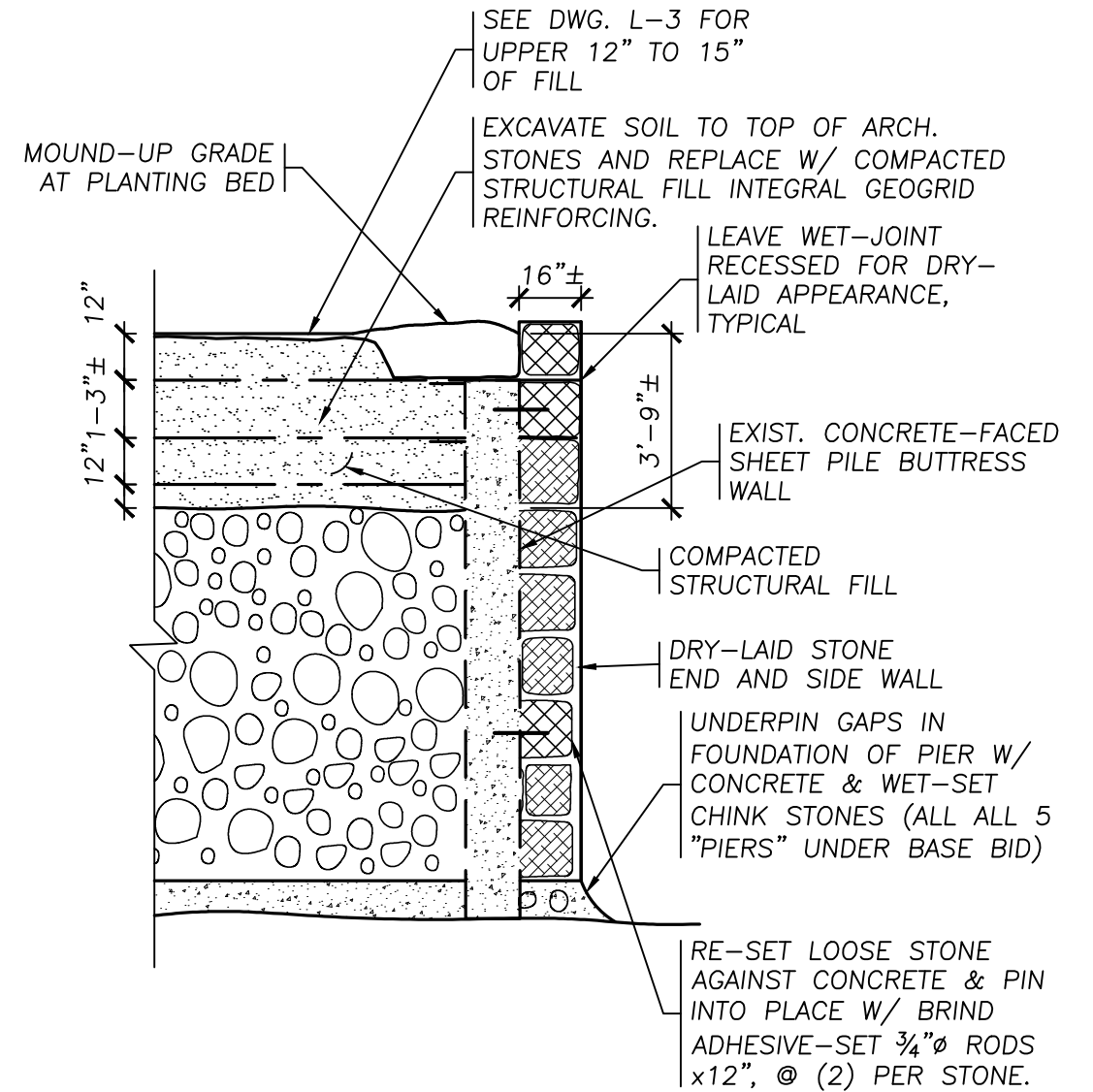
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**4 SECTION**  
S-6 1/4" = 1'-0"










**5 SECTION**  
S-6 1/4" = 1'-0"

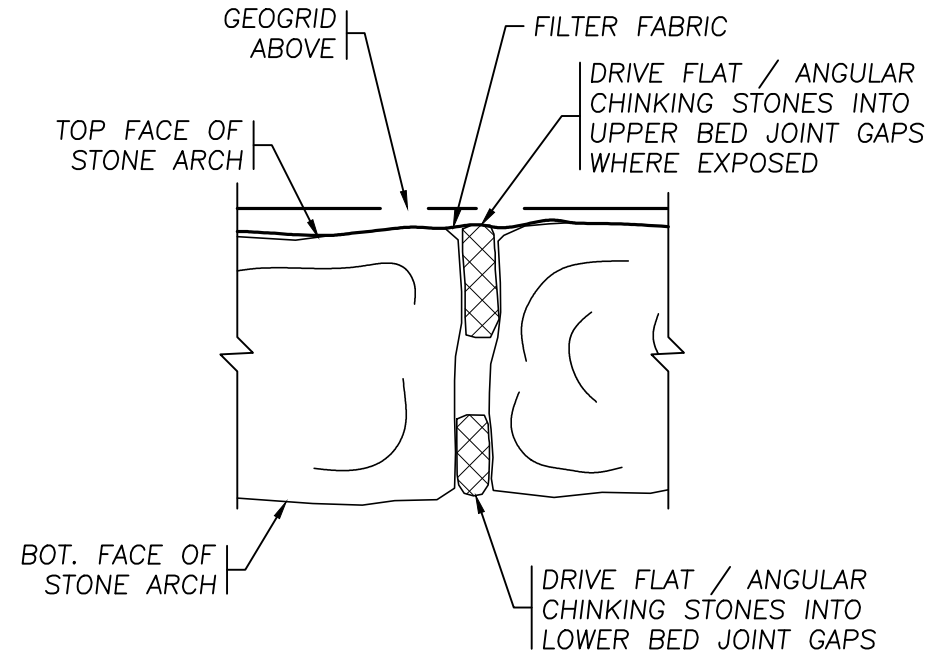
 Structures North CONSULTING ENGINEERS, INC. 60 Washington St., Suite 401 Salem, MA. 01970-3517 T 978.745.6817   F 978.745.6067 www.structures-north.com	<b>JOB NAME:</b> Stone's Bridge Restoration, Wayland, MA	
	<b>DRAWN BY:</b> SB	<b>CHECKED BY:</b> JMW
	<b>SCALE:</b> 1-1/2" = 1'-0"	<b>DATE:</b> 05/03/2017
	<b>CHINKING DETAILS</b>	
		<b>S-7</b>

**NOTES:**

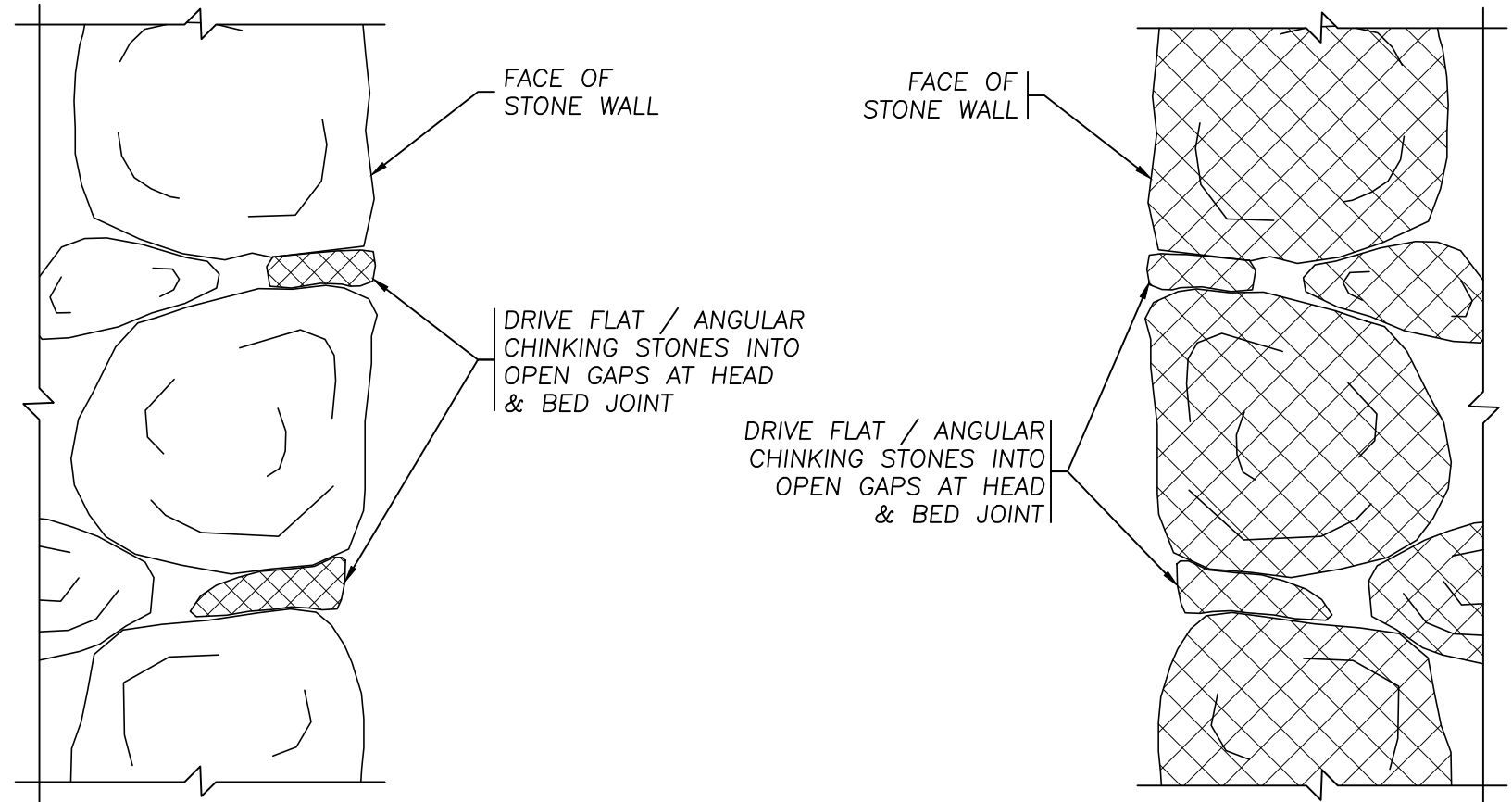
1. DO NOT SCALE
2. FIELD VERIFY ALL DIMENSIONS NOTIFY ENGINEER OF ANY DISCREPANCIES.
3. CONTRACTOR TO TEMPORARY SHORE AND BRACE STRUCTURE AS NEEDED DURING WORK.
4. BASE BID WORK INCLUDES ARCH A1 AND THE EAST HALF OF ARCH A2 AND WORK AT ALL OF THE "PIER" BASES
5. CONTRACTOR IS RESPONSIBLE FOR ALL PERMITTING, INCLUDING ALL REQUIRED ENVIRONMENTAL PERMITS

**KEY:**

-  RE-CHINK WALL CONSTRUCTION PER DETAIL 5/S-7 (ITEM #U1)
-  RE-CHINK PER DETAIL 5/S-7, REPLACE STONES WHERE MISSING (ITEM #U2)
-  DISMANTLE & RE-SET SHIFTED STONES (ITEM #U3 & U4)
-  UNDERPIN GAPS IN FOUNDATION W/ INJECTED GROUT AND STONE CHINKING AT ALL "PIERS".
-  EXCAVATE AND REPLACE SOIL W/ INTEGRAL GEOGRID REINFORCING.
-  REPLACE MISSING STONES
-  CHINK EXIST. WIDENED CRACKS




**6 ARCH CHINKING DETAIL**  
S-8 1 1/2" = 1'-0"



**7 WALL CHINKING DETAIL**  
S-8 1 1/2" = 1'-0"

**8 WALL REBUILD DETAIL**  
S-8 1 1/2" = 1'-0"

 Structures North CONSULTING ENGINEERS, INC. 60 Washington St., Suite 401 Salem, MA. 01970-3517 T 978.745.6817   F 978.745.6067 www.structures-north.com	<b>JOB NAME:</b> Stone's Bridge Restoration, Wayland, MA	
	<b>DRAWN BY:</b> SB	<b>CHECKED BY:</b> JMW
	<b>SCALE:</b> 1-1/2" = 1'-0"	<b>DATE:</b> 05/03/2017
	<b>CHINKING DETAILS</b>	
		<b>S-8</b>

## Wayland Conservation Commission Meeting Minutes

Wednesday April 14, 2021

Approved:

Location: Commission members participated remotely via Zoom and in person

Present: Sean Fair (Chair), Barbara Howell (Vice Chair), John Sullivan, Tom Davidson, Kathy Schreiber, Joanne Barnett, Luke Legere, and Linda Hansen (Conservation Department Director)

Absent:

Minutes: Ryan Brown

**S. Fair opened the meeting at 6:30PM, noting that the meeting was being recorded by WayCam and a quorum was present consisting of Sean Fair, Barbara Howell, Kathy Schreiber, Joanne Barnett, John Sullivan, and Luke Legere. Tom Davidson joined the meeting at [TIME].**

**125 – 127 Boston Post Road DEP File # 322-XXX Public Hearing, Notice of Intent** filed pursuant to Wayland's Wetlands and Water Resource Protection Bylaw (Chapter 194) and the Wetlands Protection Act (310 CMR 10.0), submitted by Robert Lyons for the repair and replacement of an on-site septic system for an existing two family dwelling at 125 – 127 Boston Post Road, Wayland, MA. Property is shown on Assessor's Map 30 Parcel 73.

At the time of the hearing, no DEP File Number was issued for the project.

Vito Colona, project representative, described the project to the Commission. Existing cesspools are failing and to be replaced with leaching field. Proposed work taking place within the riverfront area of Pine Brook. Floodplain follows wetlands line. L. Hansen would like to see site improvements in capturing runoff from driveway and managing invasive plants. V. Colona recommended installing a stone filled trench along the edge of driveway turn around.

J. Sullivan moved, K. Schreiber seconded the motion to continue the hearing to May 5<sup>th</sup> after 6:30PM under the Wetlands Protection Act and Chapter 194. S. Fair initiated a roll call vote. All in favor 7-0.

**40 Claypit Hill Road DEP File # 322-969 Public Hearing, Notice of Intent** filed pursuant to Wayland's Wetlands and Water Resource Protection Bylaw (Chapter 194) and the Wetlands Protection Act (310 CMR 10.0), submitted by Philip and Erica Parks for the installation of a pool, pool shed, landings, walkways, walls, fencing, and the removal of 19 trees, driveway modification, yard expansion, and landscaping at 40 Claypit Hill Road, Wayland, MA. Property is shown on Assessor's Map 19 Parcel 039C.

L. Hansen stated that a site visit was taken, noting that several of the trees show signs of rot. L. Hansen recommended pursuing the original plan. M. Sullivan, project representative, stated that a revised plan was submitted showing the details requested by the Commission, such as the boundary of the CR and runoff capture information.

B. Howell moved, J. Sullivan seconded the motion to close the hearing under the Wetlands Protection Act and Chapter 194. S. Fair initiated a roll call vote. All in favor 7-0.

B. Howell moved, J. Sullivan seconded the motion to issue order of conditions under the Wetlands Protection Act and a permit under Chapter 194. S. Fair initiated a roll call vote. All in favor 7-0.



## Wayland Conservation Commission Meeting Minutes

Wednesday April 14, 2021

Approved:

**149 Concord Road, D-971: Public Meeting, Request for Determination** filed pursuant to Wayland's Wetlands and Water Resource Protection Bylaw (Chapter 194) and the Wetlands Protection Act (310 CMR 10.0), submitted by Qifeng Wei for construction of a three-season porch over an existing deck at 149 Concord Road, Wayland, MA. Property is shown on Assessor's Map 11, Parcel 095.

Qifeng Wei present and described project to the Commission. Five helical pilings will be added underneath the existing deck to support the conversion to a three-season porch. L. Hansen noted that gravel/crushed stone should be added beneath and around porch to facilitate stormwater infiltration.

B. Howell moved, J. Sullivan seconded the motion to issue a negative determination under the Wetlands Protection Act and a permit under Chapter 194. S. Fair initiated a roll call vote. All in favor 7-0.

**24 School Street DEP File # 322-965: Continued Public Hearing, Notice of Intent** filed pursuant to the Wetlands Protection Act, submitted by Chris D'Antonio for the construction of twelve new townhouses, driveway and parking areas, subsurface sewage disposal system, stormwater management system, and supporting utilities at 24 School Street in Wayland, MA. Property is shown on Assessor's Map 52, Parcel 189.

Applicant requested to continue the hearing.

J. Sullivan moved, L. Legere seconded the motion to continue the hearing under the Wetlands Protection Act to a time after 6:30PM on May 5<sup>th</sup>, 2021. S. Fair initiated a roll call vote. All in favor 7-0.

**105 Plain Road – SMLD-72**, Proposed Conservation Cluster Subdivision to create two lots. Lot 1 would contain and preserve the existing historic home. Lot 2 would contain 4 proposed dwelling units plus open space. Work would also include a common driveway, utilities, stormwater management, septic system, and miscellaneous site work.

L. Hansen stated that the Commission has reviewed the peer review comments from DGT, noting that the revised plans from the Applicant were submitted, but the Commission did not have enough time to review the materials before the meeting. V. Colona noted that increased soil testing was suggested in the peer review. V. Colona asked if soil testing should be done before work begins or if it could be done just before construction. L. Hansen stated that soil testing conditions are typically included in the permit. Applicant's comments and revised plans were sent to DGT for review.

B. Howell moved, J. Sullivan seconded the motion to authorize L. Hansen to issue the Chapter 193 Permit once satisfied with the project. S. Fair initiated a roll call vote. All in favor 7-0.

### **Performance Guarantee Return: 102 Lakeshore Drive DEP File # 322-819**

B. Howell moved, K. Schreiber seconded the motion to issue a complete certificate of compliance under the Wetlands Protection Act. S. Fair initiated a roll call vote. All in favor 7-0.

B. Howell moved, J. Sullivan seconded the motion to return the \$3,000 performance guarantee with interest. S. Fair initiated a roll call vote. All in favor 7-0.

## Wayland Conservation Commission Meeting Minutes

Wednesday April 14, 2021

Approved:

### **Vote to extend OOC for 9 Brewster Rd (322-0891) for one year**

J. Sullivan moved, K. Schreiber seconded the motion to extend the order of conditions for 9 Brewster Road (322-891) for one year. S. Fair initiated a roll call vote. All in favor 7-0.

### **Discuss reasons for issuing partial COCs under Chapter 194**

J. Sullivan noted that partial COCs were issued to highlight perpetual conditions pertaining to the site and to make the conditions obvious to future buyers. L. Hansen stated that COCs are recorded at the Registry of Deeds and linked with the deed of the property. Once the project is complete and the permit conditions were met, a complete COC should be issued.

Commission in favor of issuing complete certificate of compliances on a project to project basis.

### **Schedule of future meetings--every three weeks on Wednesday evenings**

Commission will continue having meetings every three weeks on Wednesday at 6:30PM.

### **Discuss parking restriction on Heard Farm Road**

Heard Farm neighbors have petitioned the Wayland Police Department to make the parking restriction on Heard Farm Road permanent. Commission noted their support of the parking restriction on Heard Farm Road.

J. Sullivan moved, K. Schreiber seconded the motion to support the permanent parking restriction on Heard Farm Road. S. Fair initiated a roll call vote. All in favor 7-0.

### **Pursue Sedgemoadow Management Plan**

Commission noted its approval of the pursuing the management plan for Sedgemoadow Conservation Area.

### **Approve Minutes: 03.24.2021**

J. Sullivan moved, K. Schreiber seconded the motion to approve the minutes from 03.24.2021 contingent on edits from L. Hansen. S. Fair initiated a roll call vote. All in favor 7-0.

### **Adjournment**

J. Sullivan moved, K. Schreiber seconded the motion to adjourn the Conservation Commission meeting of April 14<sup>th</sup>, 2021 at 7:02PM. S. Fair initiated a roll call vote. All in favor 7-0.

*The next meeting of the Wayland Conservation Commission is scheduled for Wednesday May 5th, 2021 at 6:30PM.*



**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**WPA Form 8A – Request for Certificate of Compliance**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:  
 322-643  
 Provided by DEP

**A. Project Information**

**RECEIVED**

**MAY 03 2021**

**Important:**  
 When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Upon completion of the work authorized in an Order of Conditions, the property owner must request a Certificate of Compliance from the issuing authority stating that the work or portion of the work has been satisfactorily completed.

1. This request is being made by:  
 MA DCR - LAKES AND PONDS PROGRAM  
 Name Wayland Conservation Commission  
 Mailing Address 251 Causeway Street  
 Boston MA 02114  
 City/Town State Zip Code  
 617-626-1411 Phone Number
  
2. This request is in reference to work regulated by a final Order of Conditions issued to:  
 MA DCR - Lakes and Ponds Program  
 Applicant April 19, 2006-2014 322-643  
 Dated DEP File Number
  
3. The project site is located at:  
 Lake Cochituate Wayland  
 Street Address City/Town  
 46C-D/50/51C/54/55 n/a  
 Assessors Map/Plat Number Parcel/Lot Number
  
4. The final Order of Conditions was recorded at the Registry of Deeds for:  
 MA-DCR - LAKES AND PONDS PROGRAM  
 Property Owner (if different) \_\_\_\_\_  
 Middlesex 2635 1  
 County Book Page  
 N/A  
 Certificate (if registered land) \_\_\_\_\_
  
5. This request is for certification that (check one):  
 the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.  
 the following portions of the work regulated by the above-referenced Order of Conditions have been satisfactorily completed (use additional paper if necessary).  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 the above-referenced Order of Conditions has lapsed and is therefore no longer valid, and the work regulated by it was never started.



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### A. Project Information (cont.)

6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

Yes      If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

No

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### B. Submittal Requirements

Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or was the subject of an Adjudicatory Hearing Final Decision, submit this request to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).