

Wayland Conservation Commission

Minutes, Thursday, March 28th, 2019, 7:01 – 8:15PM

Approved: April 11th, 2019

Location: Council on Aging, Town Building, 41 Cochituate Road, Wayland, MA

Present: Joanne Barnett, Barbara Howell, Sherre Greenbaum, Tom Klem, Tom Davidson, Sean Fair; Chair Person, Linda Hansen; Conservation Department Administrator

Absent: John Sullivan

Minutes: Ryan Brown

S. Fair opened the meeting at 7:01pm noting that a quorum was present and that the meeting was being recorded by WayCAM.

Citizens Time: Designated time for input to the Commission regarding items that are *not* on the agenda.

John Sax, Willowbrook Drive, thanked the Commission for trying to find the best solution for the Loker project. J. Sax continued and asked the Commission what is next for Loker.

L. Hansen stated that the Town refiled and the hearing will be April 11th.

S. Greenbaum brought up the topic of the Open Meeting Law Violation.

L. Hansen stated that she drafted a response for the Town Administrator that reflected the Commission's decision. L. Hansen continued stating that it was voted upon at the last Commission meeting for the Town Administrator to write the response and for S. Fair to sign it. The response would state the Commission was not contesting the complaint. The Commission discussed whether or not to release the executive session minutes in an open or executive session. The Commission decided that the vote will be taken in executive session to release the minutes pertaining to the Open Meeting Violation and the remaining portion of that session. L. Hansen stated that executive session minutes will be distributed by email before the next meeting.

Approve Minutes: March 14th, 2019

J. Barnett moved, T. Davidson seconded the motion to approve the minutes as amended from the March 14th 2019 meeting of the Conservation Commission. All in favor 6-0

Announcements

Town Wide Clean-up day to be held on April 13th.

Annual Town Meeting to be held April 29th and 30th.

L. Hansen asked the Commission if a policy exists regarding installing memorial benches on conservation property. L. Hansen continued saying that a request to install one at Hamlen Woods near the reservoir has recently been proposed. The Commission discussed having a

Wayland Conservation Commission

Minutes, Thursday, March 28th, 2019, 7:01 – 8:15PM

Approved: April 11th, 2019

memorial bench policy and determined that it would be best to assess proposals on a case by case basis. Additional trail markers are being installed at the property.

10 Fiddlehead Lane - no permit for 2015 new construction within riverfront

L. Hansen stated that the owner of 10 Fiddlehead Lane recently came to the office inquiring about being able to do anything about the wetness of her backyard. L. Hansen stated that she searched for any past permitting for the property and could not find any record. L. Hansen stated that the property developer stated that former Department Administrator Brian Monahan and a Commission member attended a site visit and stated that no permitting was required by the Commission. Developer's plan stated "approximate wetland buffer" and there was no delineation; a CR runs behind the property. Mike Sullivan, Sullivan and Connors, did the as-built. S. Greenbaum stated that this could be the property she visited in 2016 due to a tree removal complaint. L. Hansen asked the Commission if an after the fact filing would be appropriate even though the property should never have been developed. The Commission made no decision in regards to this matter and will look into the matter further.

7:15pm – Continued Public Hearing, 68 Moore Road DEP File No. 322-0896 To consider an amendment to an Order of Conditions filed pursuant to the Wetlands Protection Act and an amendment to the Chapter 194 permit filed pursuant to Wayland's Wetlands and Water Resource Protection Bylaw, filed by Geoffrey Von Maltzahn and Maxine Giammo for additional improvements not originally permitted under DEP File Number 322-0896 at 68 Moore Road, Wayland, MA. Property is shown on Assessor's Map 10, Parcel 064.

L. Hansen stated that the applicant would like to continue the hearing until April 11th 2019. The stormwater report was recently submitted and the applicant would like to have more time to review the report.

B. Howell moved, J. Barnett seconded the motion to continue the hearing under the Wetlands Protection Act at the request of the Applicant and Chapter 194 to April 11th 2019. All in favor 6-0

7:22pm – Continued Public Hearing, 9 Charles Street, DEP File No. 322-0937 Notice of Intent filed pursuant to the Wetlands Protection Act and a Chapter 194 application filed pursuant to Wayland's Wetlands and Water Resource Protection Bylaw, filed by Ashley & Stephen Sutton for redevelopment of a single-family house lot at 9 Charles Street, Wayland, MA. Property is shown on Assessor's Map 51C, Parcel 067.

Vito Colonna of Sullivan Connors and Associates, stated that since the last hearing, the stormwater report by Fred King was completed. V. Colonna stated that three revisions came out of the stormwater report. The first revision was with the catch basin associated with the driveway. Rather than a cast iron trap, the stormwater report suggested using one that would catch more oils, specifically a plastic one with a hood that seals better and traps more oils. The second revision was the installation of an oil trap between the catch basin and the dry well. This adds additional treatment before infiltration. The third revision was to add more details to the

Wayland Conservation Commission

Minutes, Thursday, March 28th, 2019, 7:01 – 8:15PM

Approved: April 11th, 2019

erosion control. V. Colonna continued saying that an infiltration trench was added to accommodate runoff from the backside of the roof and several of the trees initially slated for removal have been saved.

L. Hansen stated that F. King went through the changes put forth by the applicant and agrees with the proposed changes.

S. Greenbaum stated she has a concern with the O&M plan, stating that all the “should” statements be changed to “shall” statements. S. Greenbaum also inquired about the definition of a “major storm” and if there is an amount associated with that definition. L. Hansen stated that a 1 year storm is 2.5” and a 2 year storm is 3.2”.

Steven Kaminsky, abutter to 9 Charles, asked the applicant to clarify the new stormwater trench, specifically what is going into the trench and where it is leaching to.

V. Colonna explained that the 3’ trench accepts a small portion of the roof on the backside of the house and the stormwater infiltrates from the trench into the ground. V. Colonna stated that the water would flow down and no significant lateral movement of water would occur.

L. Hansen stated that the system has an overflow pipe and the property owner would need to check that as well as other structures noted in the O&M Plan to ensure proper functioning.

The Commission agreed that the revisions to the stormwater systems were acceptable.

B. Howell moved, J. Barnett seconded the motion to close the hearing under Chapter 194 and the Wetlands Protection Act. All in favor 6-0

B. Howell moved, S. Greenbaum seconded the motion to issue an Order of Conditions with conditions as discussed under the Wetlands Protection Act. All in favor 6-0

B. Howell moved, S. Greenbaum seconded the motion to issue a permit with conditions as discussed under Chapter 194. All in favor 6-0

Violations: 7 Ellen Mary Lane – Revision to Planting Plan

L. Hansen stated that the restoration should be done under the enforcement order rather than an NOI; an NOI can be appealed. L. Hansen asked the Commission if something should be signed to approve the restoration plan and add conditions. These conditions would be similar to other planting plan conditions, such as starting date, survival of plantings for two growing seasons, photo documentation of progress, and three years of invasive plant removal. The Commission agreed that a letter stating the Commission’s decision should be sent to the homeowner.

Snake Brook Dam

Wayland Conservation Commission

Minutes, Thursday, March 28th, 2019, 7:01 – 8:15PM

Approved: April 11th, 2019

Discussion ensued on the Warrant Article for the Snake Brook Dam \$115,000 repair. L. Hansen stated that she is writing a proposal for a state sponsored Municipal Vulnerability Preparedness (Action) Grant. The spillway needs to be enlarged among other issues. L. Hansen contacted 3 dam specialists for cost estimates. A representative from Tighe and Bond offered to come to Town Meeting to speak on behalf of the Warrant Article.

L. Hansen stated that R. Brown will be doing vernal pool certifications in the coming weeks.

Adjournment

J. Barnett moved, T. Davidson seconded the motion to adjourn at 8:15pm. All in favor, 6-0

The next **Scheduled** Conservation Commission Meeting is April 11th, 2019 and will be held in the Wayland Town Building.

NOTE: Per changes to the Open Meeting Law, notice of any meeting of a public body shall include “A listing of topics that the chair reasonably anticipates will be discussed at the meeting”. AG’s Office guidelines state that the list of topics shall have sufficient specificity to reasonably advise the public of the issue to be discussed.

Wayland Conservation Commission

Minutes, Thursday, March 28th, 2019, 7:01 – 8:15PM

Approved: April 11th, 2019

List Of Public Documents Provided To The Conservation Commission In Preparation For The March 28th Conservation Commission Meeting.

9 Charles Street

- March 25th, 2019 _ Revised Site Plans – DEP File#322-0937

68 Moore Road

- March 25th, 2019 _ Review of Stormwater Management System Design and Supporting Documentation as prepared by Stamski and McNary. Inc

7 Ellen Mary Way

- March 27th, 2019 _ Revised Buffer Zone Restoration Program