

Julia Junghanns, R.S., C.H.O. DIRECTOR OF PUBLIC HEALTH TEL. (508) 358-3617 www.wayland.ma.us/health

Signature: _

TOWN OF WAYLAND BOARD OF HEALTH

41 COCHITUATE ROAD WAYLAND, MASSACHUSETTS 01778

Fee:

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ealth o	Check No.	34				
WAYLAND BOARD OF HEALTH LOCAL UPGRADE APPROVAL and/or VARIANCE REQUEST FORM						
Wayland	W					
hituate Road, Wayland, MA 01778						

March 25, 2019

Date:

\$50.00

Town of Wayland Applicant_ 41 Cochituate Road, Wayland, MA 01778 Address 484-490 Boston Post Road, Wayland, MA 01778 Location of Property Variance of BOH regulations requested WAYLAND REGULATIONS FOR ON-SITE SUBSURFACE SEWAGE DISPOSAL SYSTEMS: SECTION I; Article 3: Soil Testing Dates/Times & SECTION II; Article C-1: GPD/Bedroom Flow AND: WAYLAND REGULATIONS FOR THE DESIGN, OPERATION, AND MAINTENANCE OF SMALL WASTEWATER TREATMENT FACILITIES: Section 1.30 - Service Area Limitations / Section 2.10 - Applications, Reports, Plans, Data, Documents / Section 4.30 - Hydrogeological Investigation / Section 4.40 - Wetlands and Floodplains / Section 4.51 - Distances / Section 4.70 - Treatment Plant Reliability / Section 5.10 - Groundwater / Section 7.10 - Monitoring Well Installation / Section 8.10 - Wastewater and Section 9.30 - Operational Guarantee. Local upgrade waiver requested N/A Variances of State regulations requested NONE Reasons for variance request and/or local upgrade_ A detailed description of the reasons and need for variances will be available at the Board of Health office and on the Town's website no later than 5 days before the Public Meeting. The Board has set the meeting date for this to be on their agenda and heard on Monday April 8, 2019 at 7pm. The meeting date, time and location will be published no later than 48 hours before the meeting.

David C. Formato, PE, President, Onsite Engineering, Inc.

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LOUISE L. E. MILLER TOWN ADMINISTRATOR TEL. (508) 358-7755 www.wayland.ma.us

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

LEA T. ANDERSON

MARY M. ANTES

LOUIS M. JURIST

CHERRY C. KARLSON

DOUGLAS A. LEVINE

March 25, 2019

Dear Abutter:

As you may be aware, the Board of Selectmen is currently working with Wood Partners, a developer, to construct a 188-unit development at 490 Boston Post Road, the former DPW materials management site. This project will require construction of a wastewater treatment plant. Onsite Engineering, Inc., on behalf of Wood Partners has filed a request for variances to some of the provisions and requirements of the Wayland supplemental Board of Health Regulations.

As an abutter, you are hereby notified in accordance with the Provisions of 310 CMR 15.000 (Title 5) and of the Town of Wayland Board of Health "Regulations for On-Site Subsurface Sewage Disposal Systems" and "Wayland Board Of Health Regulations For The Design, Operation, and Maintenance Of Small Wastewater Treatment Facilities, February 1988". The completed variance request form for the onsite wastewater treatment facility proposed to serve the development is attached.

The Board of Health has scheduled a meeting to consider these variance requests for Monday April 8th, at 7:00pm.

Notice of the Board of Health's agenda, including the date, time and place will be posted in the Town of Wayland Town Building (and online at the Town's website) at least forty-eight (48) hours in advance in the meeting. Additional information will be available on-line at the Board of Health website and at the Board of Health office at the Town Building at least five days prior to the meeting.

Sincerely,

Lea Anderson

Chair of the Board of Selectmen

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Louise Miller

Town Administrator

Louis Milla

Cc:

Wayland Board of Health Wayland Board of Selectmen Paul Brinkman, Town Engineer Julia Junghanns, Health Director

OnSite Engineering Wood Partners



Water, Wastewater and Stormwater Specialists

March 29, 2019

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APR 0 7 2019

TOWN OF WAYLAND BOARD OF HEALTH

Ms. Julia Junghanns, R.S., C.H.O. Director of Public Health Wayland Board of Health 41 Cochituate Road Wayland, MA 01778

Re:

Alta at River's Edge; 484-490 Boston Post Road; Wayland, Massachusetts Board of Health Septic System & WWTF Regulation Variance Request

Dear Ms. Junghanns:

As you are aware, the Town of Wayland Board of Health has a set of local bylaw regulations that govern the layout and design of wastewater treatment facilities in Town, which is written to supplement and/or supersede MassDEP requirements. On behalf of the Town of Wayland, who has an agreement in principal with WP East Acquisitions, LLC to purchase and develop these parcels, we have conducted a review of these Regulations and how they would impact the layout of the Alta at River's Edge project, which has been attached to this letter for your review.

Based upon our review, we have made a detailed list, included below, of the local Regulations that would create conflicts between the proposed layout approved by the Town in the RFP process when WP East Acquisitions, LLC was chosen to develop the site. Without relief from these Regulations, developing this site as proposed would not be feasible. It is important to note that any relief sought via this waiver/variance request is to instead apply the State Standards, as detailed in the MassDEP's Guidelines for the Design, Construction, Operation, and Maintenance of Small Wastewater Treatment Facilities with Land Disposal. No relief from the State requirements will be sought or required to develop the project as proposed in the selected RFP submittal.

<u>WAYLAND BOARD OF HEALTH "REGULATIONS FOR ON-SITE SUBSURFACE SEWAGE DISPOSAL SYSTEMS"</u>

SECTION I. GENERAL REQUIREMENTS FOR WASTEWATER TREATMENT OR DISPOSAL SYSTEMS

Article 3: Article 3 of this section limits Groundwater Testing season from March through May. We have already performed testing that was witnessed by MassDEP and the Board of Health in January. However, since additional testing will be completed in the coming months, we will have some of the testing done in the required season, which should be sufficient to establish seasonal high groundwater elevations. In addition, the planned hydrogeological site assessment allows for a more detailed understanding of seasonal high groundwater impacts at the site beyond the standard test pits. We request that the Board allow the use of the witnessed test pits conducted in January,

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in addition to the soil testing and monitoring well data that is yet to be collected, in the permitting of this project.

SECTION II. GENERAL REQUIREMENTS FOR WASTEWATER TREATMENT OR DISPOSAL SYSTEMS

Article C-1: Article C-1 of this section of the Septic System Regulations requires a design flow of 165 gpd/bedroom for residential construction. As this is not specifically listed in the WWTF Regulations discussed below, it appears it does not apply to this project, however we would request that the Board confirm that the State standard design flow of 110 gpd/bedroom applies to this project.

We believe the request for this specific project can be granted while providing equal protection under the Regulation because 25% of the project is dedicated to age restricted housing, which will lower the overall water use at the site and bring the average day water demand to within the range of the State standard of 110 gpd per bedroom count.

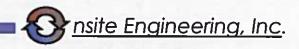
WAYLAND BOARD OF HEALTH "REGULATIONS FOR THE DESIGN, OPERATION, AND MAINTENANCE OF SMALL WASTEWATER TREATMENT FACILITIES, FEBUARY 1988"

The following sections of Wayland Regulations will, if applied, require significant changes to the overall site program and wastewater treatment system location and configuration. Waivers from these Regulations are necessary to maintain the current development plan as approved by the Town in the Request for Proposals (RFP) selection process.

<u>Section 1.30 – Service Area Limitations:</u> A waiver from this Regulation is being requested, as the site could not support a Title 5 compliant septic system large enough to accommodate the flows planned from the development because the limit for septic system sizing is 10,000 gpd, so application of this Regulation would be in conflict with Title 5 and the Massachusetts Groundwater Discharge Regulations, 314 CMR 5.00.

<u>Section 2.10 – Applications, Reports, Plans, Data, Documents:</u> We formally request a waiver from the Regulations for the Board of Health conducting the review and issuing their Permit only after MassDEP has completed their review; and request that the Board of Health review and permit action coincide with the MassDEP's review, so permits and approvals are issued at the same time. We envision the permitting process for this project to be a collaborative effort between the Developer, the Town and MassDEP. To date, all parties have been working well together to develop the initial testing program and we envision that collaboration continuing throughout the entire project.

<u>Section 4.30 – Hydrogeological Investigation:</u> The Regulations require the mapping of the wastewater discharge plume. This Regulation is largely applied to the possible impacts the proposed wastewater discharge will have on any existing groundwater contaminants currently



located at the site. In discussing this with MassDEP, we have determined that the fate/transport analysis of any pollutant plumes that might result from the development of this parcel (for both wastewater and stormwater) is regulated under the 21E site assessment process as part of the MCP Regulations. We believe that this information is important to the overall development program success for this project, but that, to the extent that it is needed, will be best obtained and analyzed as part of the MCP review process.

To that end, we propose that by obtaining this wavier, the Development Team acknowledges that the extent and effects of the plume mapping will not be required as part of the wastewater treatment system permitting, but, if determined to be required by the LSP, will be completed as part of the MCP review process instead. To complete that process, we envision that the results of the wastewater hydrogeological model and the impacts to groundwater movement will be provided to the Licensed Site Professional (LSP) team assembled by the Developer and that they will use that information, in conjunction with the test results they've obtained during the due-diligence process, to prepare an assessment of the fate and transport of any potential pollutants associated with the development of this site.

<u>Section 4.40 – Wetlands and Floodplains:</u> The setbacks shown in this Section cannot be met with the site configuration approved by the Town in the RFP selection process. The Regulations setback from wetlands to WWTF building/tanks is 100 feet, we are requesting the State standards be held instead, which is typically no closer than 50 feet for these types of projects.

For the purposes of discussion, we have developed an attached figure, which shows the available area of the site (in yellow) that would be available for the wastewater treatment system and effluent disposal area while meeting the Town's setback requirements.

<u>Section 4.51 – Distances:</u> Similar to Section 4.40, the setbacks required in this Section cannot be met with the configuration approved by the Town in the RFP selection process. To assist the Board with review of this request, we've developed the following list of the setbacks that we are seeking relief from and prepared the attached figure, which shows the available area of the site (in yellow) that would be available for the wastewater treatment system and effluent disposal area.

- The Town's setback from the dwelling units to the effluent disposal system is 100 feet, we are requesting the MassDEP standard of 25 feet be held.
- The Town's setback from the dwelling units to the WWTF building is also 100 feet, we are requesting the MassDEP standard of 50 feet be held.
- The Town's setback from property lines is 150-ft for the WWTF building and 100-ft for effluent disposal system, we are requesting the MassDEP standards of 50 feet for the WWTF building and 25 feet for effluent disposal system to property lines be held instead.
- The Town's setback from a subsurface drain to the effluent disposal system is 50-feet, we are requesting the MassDEP standard of 25-feet be held.

It is important to note that, while these requests are being made to provide the necessary relief as shown on the proposed development plan, every effort will be made to maximize separation distances (particularly from environmental receptors such as the wetlands) and that the Development Team intends to continue to work collaboratively with the Town and MassDEP to present the best overall project for this site.

Given the present use of the site and the limited amount of residential abutters that may be impacted by these requests, we believe that maintaining the State standards as described herein will provide for equal environmental protection and will not result in any adverse impacts to the environment or abutters.

<u>Section 4.70 – Treatment Plant Reliability:</u> Given the size of the proposed facility (less than 50,000 gallons per day), multiple treatment units and/or full redundancy is not necessarily required by MassDEP, as their regulations do not require redundant treatment units for facilities less than 50,000 gpd in flow. In our professional opinion, a "one size fits all approach" to requiring multiple treatment unit processes in certain instances can result in oversized treatment units to the detriment of the overall system performance and efficacy.

Therefore, we respectfully request that the Board consider a waiver from the strict enforcement of this provision of the Town's Regulation to allow the Board's technical staff (the Health Director and the Town's Engineer) to work with the Development Team to prepare and approve a design that meets the needs of suitable redundancy without over designing the capacity of the system. We believe that the collaborative approach planned for this project will allow for a suitable, cost effective design that will provide adequate levels of operator flexibility and redundancy protection, while maintaining the ability to effectively run the facility.

<u>Section 5.10 – Groundwater:</u> The vertical separation of 5-feet to mounded seasonal high groundwater will raise the height of the effluent disposal system, which may result in a localized mound appearance or require additional filling of the site in the courtyard area. A waiver from the Regulations to apply the State standard of 4-feet, as detailed in Section VII. EFFLUENT DISPOSAL starting on Page 44 of the MassDEP *Guidelines for the Design, Construction, Operation, and Maintenance of Small Wastewater Treatment Facilities with Land Disposal*, (attached) is requested.

In order to provide equal environmental protection of the statute while reducing the separation by one foot, we intend to develop an effluent disposal system layout that allows for complete dosing of the entire effluent disposal area to ensure that localized mounding does not occur. This will be achieved by determining the total effective dosing rate needed and configuring the effluent dosing system accordingly. Furthermore, it is important to note that, given the unique configuration of this site, that we may well be able to maintain a 5-foot (or greater) offset to mounded seasonal high groundwater. If that is possible, we will comply with the Regulations, however, given that the hydrogeological properties of the site are not yet fully understood, a waiver to this Regulation is important to secure in order to develop the site as proposed in the RFP process.

Section 7.10 – Monitoring Well Installation: The Regulations requires a cluster of three (3) upgradient monitoring wells and two clusters of three (3) downgradient monitoring wells from the discharge. A typical groundwater monitoring plan approved by MassDEP would require somewhere between three and five monitoring wells, which would not be clustered. As this site has limited space in and around the effluent disposal system, finding suitable locations for nine groundwater monitoring wells may be problematic. As a practical matter, siting clusters of wells typically results in the wells being offset from each other by many feet and, as a result, the clusters take up a large area. We believe that siting individual wells in strategic locations in order to install them off of paved areas is much more beneficial because they can be installed with ductile iron casings above grade so that they are easily found, protected and sampled year round. In our experience, wells that do not have risers above grade (which cannot be done in parking or roadway areas) are less frequently sampled due to obstructions such as cars, snow banks, etc., preventing access.

In order to provide equivalent environmental protection under this scenario, we propose that all wells be set to 25 feet below the measured seasonal high groundwater or to bedrock (if 25 feet cannot be achieved). This method of construction will ensure that the well screens always intercept seasonal high groundwater (which is the intent behind the local regulation). However, similar to our request for relief from Article 4.70, we intend to work collaboratively with the Town's professional staff and MassDEP to develop a groundwater monitoring plan that is acceptable to all parties.

In the event that, based on site characteristics, it is determined that multiple wells are necessary to adequately capture the overall groundwater quality, then that program will be proposed, developed and implemented as directed by the Town and MassDEP. Our intent with this request is for the Board to grant the flexibility to the Town's professional staff to work with the Development Team collaboratively and to not have to strictly enforce the Regulation as written for this particular project, since we believe that equivalent protection can be provided without the strict adherence to this requirement.

Section 8.10 – Wastewater: Sections 8.11 and 8.12 (and Section 8.20 Groundwater Monitoring Wells) require additional formal testing and reporting beyond the MassDEP standard testing requirements for the influent and effluent from the treatment facility. These additional tests, for the current types of treatment technologies used, do not provide any significant benefits to the operator by providing necessary information to properly operate the system, nor do they ensure a higher level of treatment and Permit compliance, therefore, they have been found to be superfluous in nature. A waiver request from the Regulation to apply the MassDEP Groundwater Discharge Permit requirements is appropriate to allow for operations to be conducted as typically done for similar facilities throughout the State and to provide consistency with testing and reporting to both regulatory agencies.

Section 9.30 – Operational Guarantee: We formally request a variance to this Section to allow for the Financial Responsibility guarantee be satisfied by the MassDEP Groundwater Discharge Permit conditions and Financial Assurance Mechanism (FAM) requirements. MassDEP has recently revised their FAM requirements to provide a similar level of financial assurance that is requested in the Town's Regulation. Specifically, the MassDEP will require, as a condition of the Permit, that the Permittee establish a dedicated escrow account (with a 3rd party escrow agent) and fully fund it with sufficient monies to cover twenty five percent (25%) of the construction cost for the sewage collection and treatment system. For a project of this size and type, that account will be funded with several hundreds of thousands of dollars at the outset of operations. This money is reserved for the sole purpose of addressing the sort of issues noted in the Regulation. Based upon these recent changes to the State's FAM requirements, we believe that equivalent protection to the BOH Regulation is provided under the State statute and that additional reserves beyond the State levels is redundant and burdensome to the project.

Thank you for your time in reviewing this submittal and the Boards full consideration of this matter. If you have any questions or require any additional information prior to the public meeting, please feel free to contact this office.

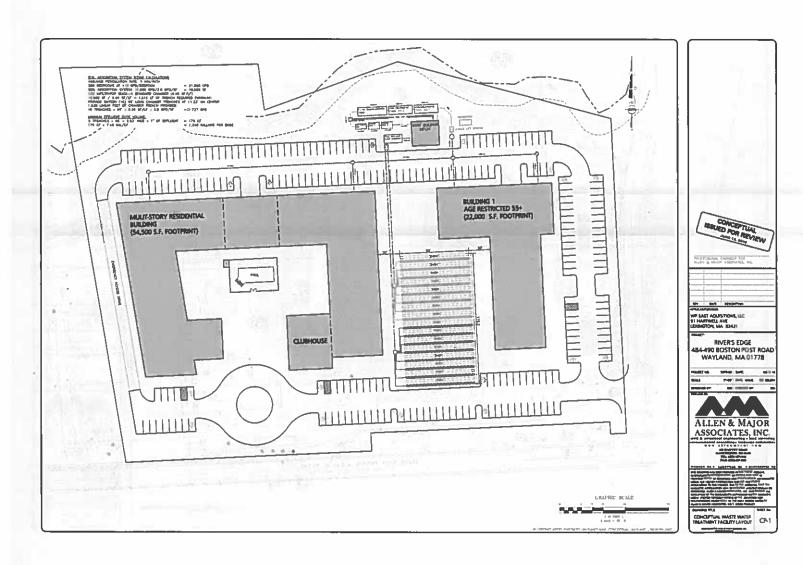
Sincerely,

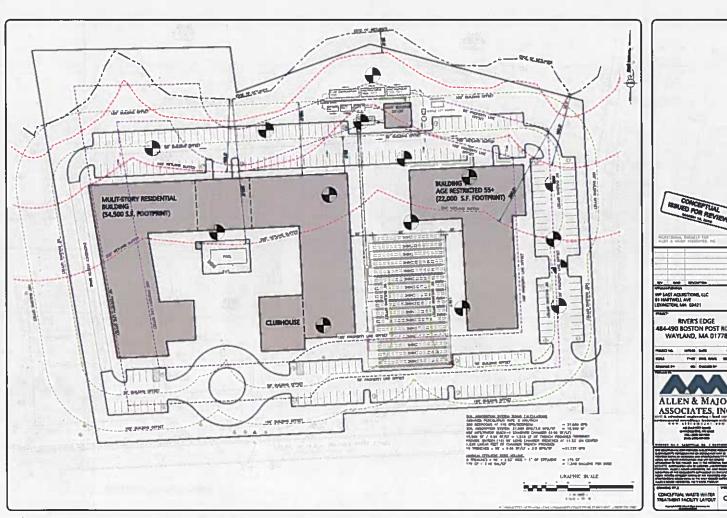
Onsite Engineering, Inc.

David C. Formato, PE

President

Enclosures







Preferred testing method:

Soil Description (To be most restrictive	Classification	Hydraulic Conductivity (Gal/Ft²/Day)	Testing Method
encountered and left in place at proposed site)	100 11	101 0	September 1
Clean Gravel	Gravel	10 ⁵ to 10 ⁴	Percolation Test (Likely to be less than 2 Min/In. See Table 3)
Clean Sand and Sand & Gravel	Sand	10 ³ to 10 ²	Percolation Test (Probably less than 2 Min./In.) (See Table 3)
Fine Sand	Fine Sand	10 ¹ to 10 ⁻¹	Percolation test or Infiltration test method
Sand with Silt & or Clay	Sandy Loam	10 ⁻¹ to 10 ⁻³	Infiltration test method (Possibly greater than 20 Min./In.) (See Table 3)
Sand with Significant Silt or Clay	Loamy Sand or Silt	10 ⁻³ to 10 ⁻¹	Infiltration test method (Greater than 20 Min./In.) (See Table 3)

<u>Distances</u> - No sewage collection, treatment or disposal system shall be closer than the distances stated to the components listed in Table 2. Please note that these are minimum setbacks and that site-specific conditions may warrant additional distance.

		TA	BLE 2		
MI	NIMUM ACC	EPTABL	E SEPARAT	ION DISTA	ANCES
		(F	FEET)		
Component	Treatment Plant Bldg.	Pump Station	Subsurface Tank	Leaching Facility	Sewer or Force Main
Well Public	400	400	400	400 ²	400
Private	50	50	50	100	50
Water Supply Line	III. II SARA	10	10	25	10*
Dwelling Unit	50	25	10	25	10
Subsurface Drain	-	25	25	25	10

² Distance either 400 feet or the 6-month groundwater travel time from the discharge to the public water source, whichever is greater.

50	25	10	25	10
100	50	50	100	50
10	10	10	50	HILLIAN LANCE
	25	25	25	5
	100	100 50 10 10	100 50 50 10 10 10	100 50 50 100 10 10 10 50

VII. <u>EFFLUENT DISPOSAL</u>

General - Final effluent disposal shall be by means of properly designed open sand beds, leaching pits, leaching chambers, leaching trenches, drip dispersal or other approved subsurface methods. The use of reclaimed water consistent with Department policies is encouraged. Other methods of discharge may be allowed on a case-by-case basis provided adequate documentation is presented to MassDEP, which demonstrates the expected impact on the environment and hazard to public health resulting from such alternate system. This documentation shall include either the results of a properly monitored pilot test performed with Departmental approval at the proposed discharge site or the results of tests and/or actual experience at other similar locations.

Reserve Area - A reserve area tested and shown to be sufficient to replace the capacity of the original leaching area shall be provided. Although it is preferred that a 100% reserve area be provided whenever possible, particularly for smaller facilities (\leq 50,000gpd), there are instances where this requirement can be modified.

For open sand beds, the construction of a minimum of four (4) basins of approximate equal size can be provided. In this manner, the loading cycle can be adjusted so that one bed is being loaded as the others are drying, while at the same time one of the beds can be taken out of service for required maintenance.

For subsurface facilities, the combination of a proven treatment process providing a high level of treatment and permeable soils may reduce the need for a reserve area, but shall not result in provisions for a reserve area less than 50% of the size of the designed SAS. Another example is where effluent disposal is accomplished by means of a number of

³ Where stormwater infiltration basins are proposed in proximity to an existing or proposed subsurface disposal system (SAS), the permittee shall provide documentation that no adverse impacts to the performance of the SAS shall result. The analysis should include assessment of stormwater infiltration of a one-year and ten-year design storm, or otherwise based on peak design flows to the basin if flow controls are incorporated into the design.

small subsurface leaching facilities that are not interconnected. In this instance, a reserve area equivalent to one field being off-line is possible.

When drip dispersal is used, the drip tubing shall be placed 4 foot on center if the area between the tubing is proposed for reserve.

Open Sand Beds

<u>Leaching Area</u> - The leaching area required shall be determined in accordance with the provisions of Table 3. The effective leaching area shall include only the bottom area, not the sidewall.

<u>Groundwater</u> - The maximum ground water elevation including mounding shall be no less than 4 feet (1.22 m) below the bottom of the sand bed.

<u>Number</u> - The sand bed shall be divided into at least two sections or at least two separate beds of approximate equal size shall be provided. Sections shall be alternately dosed.

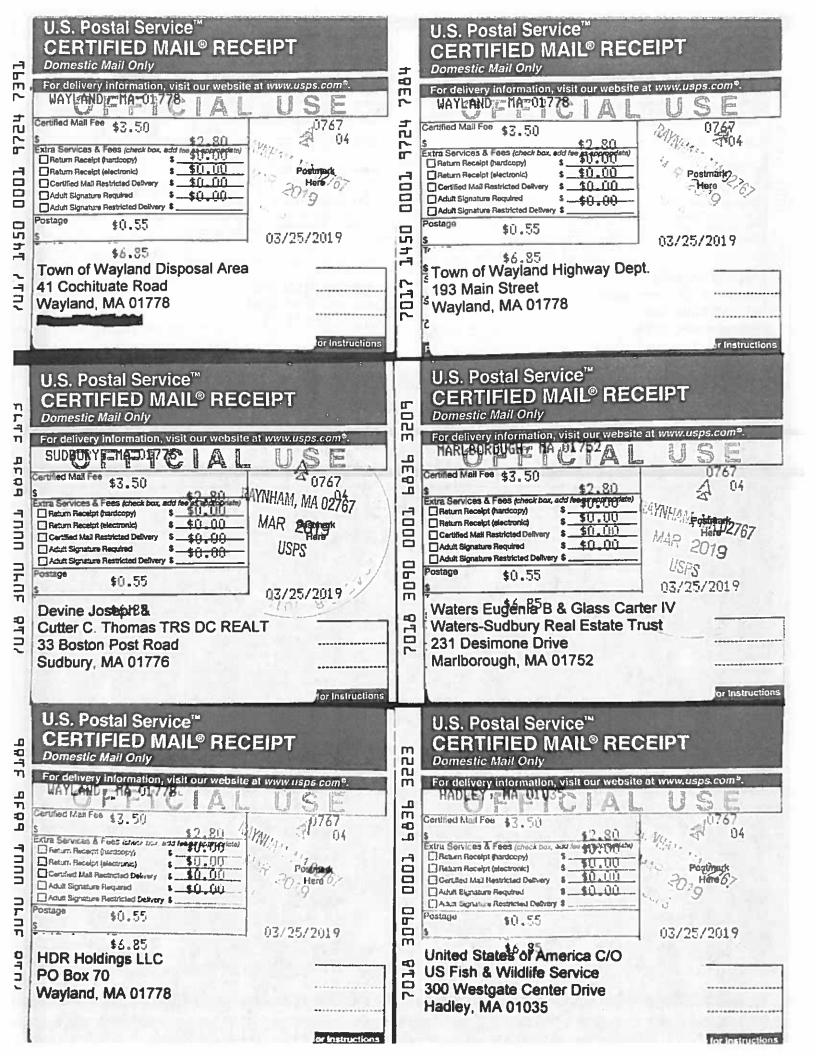
<u>Construction</u> - All top soils and subsoils shall be removed from the bed area. At least 2.0 feet (0.61 m) of clean sand shall be placed within the beds. Material for the sand beds shall be placed without compaction of the subgrade or the sand itself. Sand shall conform to the following grading limitations, as determined by AASHO -T11 and T27:

	Percent by We	eight
Size of Sieve	Passing '	Through
(Square Openings)	Minimum/Maximum	
1/2 inch	100	
3/8 inch	85	100
#4	60	100
#16	4 - 4 35	80
#50	10	55
#100	2	10

<u>Impervious Materials</u> - Excavations into or fill upon impervious material shall not be allowed. Excavation through impervious material may be allowed if at least 4 feet (1.22 m) of naturally occurring pervious material (as determined by performing a percolation test in the most restrictive pervious layer), remains beneath the lowest point of excavation. All construction after excavation through impervious material shall be in accordance with 310 CMR 15.02(17).

<u>Surface Drainage</u> - The grade adjacent to the sand bed shall slope away from the bed at least 2 percent to prevent the accumulation of surface water.

- 19. Spare Parts An inventory of high wear parts such as bearings, belts, gears, links, relays and starters shall be maintained at the treatment facility. A dated listing of those spare parts maintained on-site shall be placed in a prominent place in the wastewater treatment facility building and updated as applicable.
- 20. Redundancy Multiple treatment units shall be provided whenever the average daily flow exceeds 50,000 gpd and should include the biological processes and clarifiers. Each unit should be designed for equal proportions of the design flow. The treatment plant shall be capable of operating at 100 percent of the design flow without violating its discharge limits with any one unit out of service. In no case shall the organic or hydraulic loading to remaining units exceed the peak rates specified in the following sections of this document. This could involve sizing tankage and mechanical equipment for the extreme flow variations over the course of the year. Redundancy may also be required on a case-by-case basis for facilities under 50,000 gpd if the discharge is subject to the reclaimed water regulations of 314 CMR 20.00.
- 21. Flexibility and Recycling Provisions - When treatment facilities are designed with parallel process trains or multiple alternating components, designs shall also include interconnected piping to provide flexibility between all units (as example, modifying flow from parallel mode to series). This allows for a process unit in one train to be temporarily taken off-line without disrupting treatment capability. Most treatment technologies also employ means to recirculate partially treated wastewater and solids to prior units in the process train. This enhances flexibility in treatment processes, and provides a means of solids removal. However, it is critical that all recirculated flows and loads are accounted for in the general process design, For example, filter backwash return can significantly increase the total flow entering the equalization tank. These units must be sized to accommodate return flows. Similarly, the additional flow from these sidestreams must also be directly accounted for in calculating the required hydraulic detention time in biological processes. Failure to do so could result in shortened contact time in the unit and incomplete treatment. Flexibility shall also be provided with the ability to recycle flows and add chemicals to different units.
- 22. <u>Duplicate Pumps</u> Duplicate pumps shall be installed wherever pumping is required. Pumping systems shall be capable of handling the peak daily flow with the largest unit out of service. Particular care should be taken to insure that the pumps are capable of pumping the low flows during initial facility start-up. The use of variable speed pumps is preferred so as to provide maximum flexibility to the treatment process.



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