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# Sullivan, Connors & Associates

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## Land Surveying and Civil Engineering

Wayland Planning Board  
Town Building  
41 Cochituate Road  
Wayland, MA 01778

September 7, 2021

**Attention: Mr. Sarkis Sarkisian, Town Planner**

**Subject: Aquifer Protection District Special Permit & Updated Submission Materials  
Conservation Cluster  
27 Sherman's Bridge Road, Wayland, MA**

Dear Mr. Sarkisian:

On behalf of the applicant (Keystone Custom Builders, LLC), Sullivan Connors & Associates, Inc., is pleased to submit the enclosed Special Permit Application and updated materials related to the proposed Conservation Cluster off Sherman's Bridge Road.

Please find the enclosed.

1. Application for Special Permit under the Aquifer Protection Overlay District along with a check for \$25 to cover the advertisement fee.
2. Copies of the Conventional Subdivision Plan (Proof Plan). The plan has been updated to provide the proposed frontage of each lot.
3. Copies of the plans "Conservation Cluster and Definitive Subdivision Plans, 27 Sherman's Bridge Road, Wayland, MA,;" "Concept Build-out Plan;" and "Intersection Detail," prepared by Sullivan Connors & Associates, Inc., dated June 1, 2021, revised September 3, 2021. The plans have been revised to include an updated limit of clearing to reduce tree removal.
4. Updated List of Requested Waivers related to the Conservation Cluster Plans.

**Aquifer Protection Overlay District Special Permit:**

An application for Special Permit under the Aquifer Protection District ("APD") is enclosed. Since the site falls within the APD, the project requires this additional special permit under the Wayland Zoning Bylaws, § 198-1603.3.3, which allows a cluster development in the APD by special permit. The proposed Conservation Cluster would be in keeping with the intent of the bylaw by reducing impervious surfaces, land disturbance, and tree removal. The plan would also promote groundwater recharge in excess of the minimum requirements and maintain groundwater quality through stormwater best management practices that meet or exceed the requirements.

The following is a summary of the Density Restrictions and how the project conforms to the Bylaw. Section 1604 outlines three density restrictions for projects in the APD.

First, § 1604.1 is inapplicable since it applies only to "residential developments that do not require a special permit." Even if this section were applicable, which it is not, the total dwelling units allowed would be twelve (12) which is far below the five (5) dwelling units proposed.

Second, the project complies with § 1604.2 which requires site plan approval for projects that will render impervious more than 15% of the lot or 2,500 square feet, whichever is greater, and prohibits impervious surface of a residential lot in excess of 30% of the upland area of the lot. Here, the proposed total impervious area is 43,430 square feet or 12% of the lot area including all surfaces for both the roadway area (11,950 sq. ft.), and lot development areas (roof areas, driveways, walkways, etc.). Also, since each residential lot has an area of at least 30,000 square feet, 30% or 9,000 square feet of each lot can be impervious area. The individual lots would have far less (approximately 6,300 sq. ft.) of impervious area. Section 1604.2 also requires a system for ground water recharge which has been provided. Finally, this subsection requires that developments of five or more residential lots meet stormwater management standards and follow best management practices (BMP) including BMPs designed to treat 1.0 inch of runoff times the total impervious surface of the post development site and remove 80% of total suspended solids where possible. The project also meets or exceeds these standards.

Third, § 1604.3 is inapplicable since it applies only to any change or alteration to an existing nonresidential lot.

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There were also several questions raised at the previous hearing. Those items have been listed below.

Permit Procedure: Keystone has filed applications for (1) a Conservation Cluster Development Special Permit and (2) Approval of a Definitive Subdivision Plan. In accordance with the Wayland Zoning Bylaw (the "Bylaw"), § 198-1802.1, Keystone submitted Cluster Development plans (technically called the "Site Plan" in the Cluster Bylaw provision) which included all the information required for a Definitive Plan under the Subdivision Rules and Regulations (the "Rules"). Keystone also submitted a list of Waivers from the Rules. The Town Planner has pointed out additional Waivers from the Rules. Keystone also submitted the required "dimensional lotting plan" required under Bylaw, § 198-1803.1.3.1, to demonstrate the maximum number of lots that can be created by way of a conventional subdivision plan. The Definitive Subdivision Plan application provides a mechanism for the creation of a street which, in turn, allows for the creation of the 5 proposed lots with frontage that complies with the Bylaw's Cluster Development provisions. The process that Keystone is following by seeking approval of these two permits with accompanying waivers is the same process used earlier this year for the Planning Board's approval of 105 Plain Road Cluster Development/Subdivision project.

Permitting Update: Keystone is currently before the Conservation Commission for a Stormwater Management Permit Application. Under that process, there has been the initial hearing before the Commission and the plans are currently being reviewed by the Town's consultant. In addition to the Definitive Subdivision Application and Conservation Cluster Special Permit Application, Keystone has also filed the enclosed Aquifer Protection District Special Permit with the Planning Board. It is also planned to seek a Scenic Road Permit at a later point in the process. The only other permit would include an Earth Movement application to be filed through ZBA as described below for future lot development of Lot 2.

Tree Removal: The proposed plan has been updated to reduce the limit of work where ever practical and preserve existing trees. The applicant is also working with a Landscape Architect for proposed mitigation planting plan. Once this plan is completed it would be provided to the Board for review.

Tree removal along Sherman's Bridge Road was also discussed at the hearing. A larger scale plan has been included to provide some additional detail of the area. As shown on the plans a substantial undisturbed wooded buffer will be provided between the lot development area and Sherman Bridge Road. This buffer would range from a minimum width of 50 feet up to 90 feet in width or greater. The 'berm' along Sherman Bridge Road would remain intact except for the immediate location of the roadway (approximately 60 feet out of the 450 feet of frontage), and limited work for sight distance.

This work necessary for sight distance would push the embankment back approximately 8 feet from the edge of roadway for safety, but still keep the height of the berm intact along with the existing trees and vegetation on top of the berm.

Wetland Status: A question related to the wetland and potential vernal pool was raised at the previous hearing. The Wetland Delineation Report prepared by EcoTec, Inc (Wetland Scientists) submitted as part of the application had stated:

*"There are also no mapped Potential Vernal Pools on the site. The IVW wetland has seasonal ponding characteristics although it was observed to be nearly dry at the time of my site visit on May 14th. This observation indicates that the hydroperiod of the IVW is too short to facilitate successful reproduction of vernal pool species. Therefore, the IVW is likely not a functional vernal pool."*

The onsite wetland would not appear to qualify as a vernal pool. In either case the project has been designed to maintain a limit of work outside the jurisdictional 100 foot buffer zone to a wetland or vernal pool.

Buffer Requirements: A question had been raised by Town Staff related to the required buffer under section 301-17.C, which states *"There shall be a buffer strip at least 50 feet wide around the perimeter of the tract when the abutting use is not a conservation cluster development or dedicated open space or dedicated to conservation purposes."* This section would apply to the easterly boundary of the site where the project is abutted by a residential use. The term "Buffer" is further defined in Section 301-5-Definitions to include *"Buffer: Land, in its natural state or landscaped, unencumbered by structures or paved surfaces, which land is intended to provide a transition between different land uses or similar uses developed at different intensities or in different development patterns or between groups of houses within the conservation cluster development."* In accordance with the regulations, the Buffer need not be designated as "open Land," which falls under a separate requirement of the bylaws. The proposed plan has provided the requisite buffer in accordance with the requirements by providing an area that is at least 50 feet wide in its natural state or landscaped, and is not encumbered by structures or paved surfaces.

Earthwork: Our office has reviewed the proposed project and earthwork bylaw requirements. Based upon the bylaws the subdivision roadway and Infrastructure would be exempt, and work within the lots limited to foundations, driveways, and septic systems would also be exempt. Outside of these items, any lot with over 1,500 cubic yards of earthwork would require a Special Permit through ZBA. Lots 1, 3, 4, and 5 have been designed to require minimal earthwork with the existing topography closely matching that of the proposed subdivision roadway and a Special Permit would not be required for those lots. Lot 2 has been further evaluated based upon conceptual design, and the required earthwork would be approximately 3,000 cubic yards. A Special Permit would most likely be required through the ZBA for this lot. The overall project as a whole has been designed to closely balance the earth cuts and fills. Large imports or exports of fill are not anticipated.

Should you have any questions please contact our office.

Sincerely,  
Sullivan Connors & Associates, Inc.



Vito Colonna, PE



**TOWN OF WAYLAND**  
MASSACHUSETTS  
01778  
**PLANNING BOARD**

TOWN BUILDING  
41 COCHITUATE ROAD  
TELEPHONE: (508) 358-3778

**APPLICATION FOR HEARING**

**LOCATION OF SUBJECT PROPERTY**

27 Sherman Bridge Road                      07                      23F                      1915  
# and Street Name                      Plate                      Parcel                      Year Built

**ZONING INFORMATION**

R-60  
Zoning District  
Residential  
Present Use

Aquifer Protection District  
Overlay District  
Residential  
Proposed Use

**OWNER INFORMATION**

27 Sherman's Bridge Road Realty Trust  
Name                      Telephone Number  
27 Sherman's Bridge Road, Wayland, MA 01778  
Address  
25958                      306                      \_\_\_\_\_  
Book,                      Page;                      or Land Court Cert. No.

**APPLICANT INFORMATION (if different from owner information)**

Keystone Custom Builders, LLC                      508-229-7827  
Name                      Telephone Number  
910 Boston Post Road East, Suite 310, Marlborough, MA 01752  
Address

**ATTORNEY/AGENT INFORMATION (if applicable)**

Sullivan Connors & Associates, Inc.                      508-393-9727  
Name                      Telephone Number  
121 Boston post Road, Sudbury, MA  
Address

**NARRATIVE (describe proposal)**

Proposed 5 lot Conservation Cluster Subdivision  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



I hereby request a hearing before the Planning Board with reference to the above application, with supporting documentation submitted, and that the proposed work is authorized by the Owner of Records and I have been authorized by the owner to make this application as the agent.

  
Authorized Agent/Owner

9-7-21

Date

I have submitted nine (9) sets, each including the following:

- ☐ Application      ☐ Certified Plot Plan      ☐ Schematic Architectural Plans      ☐ Board of Health Approval  
☐ Narrative      ☐ Miscellaneous Additional Information\

**OFFICE USE ONLY:**

☐ Scenic Road Permit  
Permit

☐ Special Permit

☐ Aquifer Protection Special

☐ Other

Applicable Sections on Zoning By-Laws: \_\_\_\_\_

\_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Reviewed by: \_\_\_\_\_

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

Fee Paid: \_\_\_\_\_

Received and Recorded by the Town Clerk:

\_\_\_\_\_

Signature of Town Clerk

## REQUESTED WAIVERS

### Statement Regarding Scope of Requested Waivers

Waivers from the following sections of the Planning Board's Subdivision Rules and Regulations

#### Section III.B, Definitive Plan.

III.B.3 x – Waiver from filing all other local, state, and federal permits within seven (7) days of submittal of application

III.B.3 y – Waiver from including all reports, permits, etc. from local, state, and federal agencies required for the construction of roads

III.B.5. a.iii – Waiver from including all travel speed measurements and calculation of 85<sup>th</sup> percentile speed for proposed new street intersection in memorandum from qualified traffic engineer.

#### Section IV, Design Standards.

IV.B.2 – Waiver from the roadway width requirements to allow a paved travel way of 20 feet wide (22 feet required). This waiver would allow for reduced impervious areas and still maintain adequate emergence access.

IV.B.1.d – A waiver from the Minimum Road Length of two times the minimum lot frontage, which would require a minimum road length of 420 feet. The proposed Cluster Plan has proposed a road length of 338 feet. The reduced road length would conform to the goals of the Conservation Cluster by minimizing land disturbance, reduce the impervious areas, and provide greater open space.

IV.D – A waiver from requiring pedestrian ways or footpaths to areas such as conservation land. The conservation land to the rear currently has a footpath running parallel to the proposed open space parcel with access off Sherman's Bridge Road. A second access point may not be necessary.

V.B.13 – A waiver to not require street lighting. <sup>(1)</sup>

V.B.4 – Request to not require installation of walkways (sidewalks) along the proposed roadway. <sup>(1)</sup>

<sup>(1)</sup> Items are regulated as discretionary items "as required" or "as recommended" and may not specifically require a waiver. The request has been made per Town Staff recommendation.