



TOWN OF WAYLAND
 MASSACHUSETTS
 01778
BOARD OF APPEALS

TOWN BUILDING
 41 Cochituate Road
 TELEPHONE: (508) 358-3600
 FAX: (508) 358-3606

NOTICE OF DECISION 21-02

APPLICANT/PETITIONER LOUIS MILLER
PROPERTY IS LOCATED AT 412 COMMONWEALTH RD

I the member Board that administered this decision certify that in accordance with Massachusetts General Laws, Chapter 40A Section 11, published in the Town Crier; a newspaper of general circulation in Wayland on **February 18th, 2021** and on **February 25th, 2021** and that notice by mail, postage prepaid, was sent to the applicant/petitioner, abutters, owners of land directly opposite on any public or private street or way and abutters to abutters within five hundred feet of the property line all as they appear on the most recent applicable tax list and to the Wayland Town Clerk on **February 9th, 2021**. Notice of the Decision was mailed to each of the parties in interest. Any person aggrieved by this decision may appeal to a court of competent jurisdiction pursuant to G.L. Chapter 40A, Section 17.

The record and decision was received and recorded as a public record on 7-29-2021
 TOWN CLERK, WAYLAND, MASSACHUSETTS


 TOWN CLERK/ASSISTANT

2021 JUL 29 PM 2:14
 WAYLAND TOWN CLERK



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**TOWN OF WAYLAND
MASSACHUSETTS
01778**

ZONING BOARD OF APPEALS

**TOWN BUILDING
41 COCHITUATE ROAD
(508) 358-3601
www.wayland.ma.us**

DECISION NO. 21-02

NAME OF APPLICANT

Town of Wayland.
Town Administrator, Louise Miller, on behalf of the Town of Wayland (owner)

APPLICATION:

For any necessary approvals; including but not limited to Site Plan Approval, findings, special permits, and/or variances as may be required in order to construct an illuminated multi-use rectangular (195' x 330') artificial turf athletic field with parking under the Town of Wayland Zoning By-Laws Chapter 198; including but not limited to: Sections 104.2, 201, 203, 401.1.2, 501.2, Article 6 Site Plan Approval, 603.2, Articles 7, 8 and the Tables of Dimensional Requirements and Uses.

PROPERTY

The property is located at 412 Commonwealth Road, Town of Wayland, of Middlesex County, Massachusetts 01778 which is in the R-30 Zoning District. Map 49, Parcel 064B.

DATE OF HEARINGS

March 9, 2021; April 13, 2021; and May 12, 2021

BOARD MEMBERS CONDUCTING HEARING AND RENDERING DECISION:

David Katz
James Grumbach

Shaunt Sarian
Tom White

Joshua Wernig

DECISION

Special Permit and Site Plan Approval granted with conditions.

VOTE OF THE BOARD

5-0 on July 13, 2021

WAYLAND TOWN CLERK
2021 JUL 29 PM 2:01

I) PROCEDURAL HISTORY

- A. Special Permit & Site Plan Approval Application for Case #21-02 was received by the Zoning Board of Appeals (ZBA) on February 4, 2021 pursuant to Town of Wayland Zoning Bylaw and Site Plan Approval Regulations.
- B. Legal Advertisements were published in two consecutive issues of the legal section of the Wayland Town Crier newspaper on February 18, 2021 and February 25, 2021.
- C. The Wayland Zoning Board opened a public hearing on March 9, 2021, and continued the hearing to April 13, 2021 and May 11, 2021. The May 11, 2021 hearing was rescheduled to May 12, 2021, as the Town Election would be held on May 11, 2021.
- D. Site Visits were held at the property on Tuesday, March 16, 2021 and Wednesday, March 17, 2021 and attended by Board members David Katz, James Grumbach, Shaunt Sarian, Joshua Wernig and Thomas White.
- E. Building Commissioner Geoffrey S. Larsen submitted a memorandum to Jonathan Sachs, Chair of Zoning Board of Appeals, and dated April 1, 2019 re: Determination of ZBA as board of jurisdiction for Site Plan Approval for Case #18-27 due to Special Permit for Illumination.
- F. On March 9, 2021, Zoning Board of Appeals voted to approve a request to Withdraw without Prejudice the Application of Kenneth Keefe, Town of Wayland's Director of Facilities on behalf of the Town for any necessary approvals related to 412 Commonwealth Road (Case #18-27).
 - a. Case #18-27 had been hearing and continued: 1/22/2019, 3/26/2019, 4/9/2019, 5/21/2019, 6/25/2019, 8/13/2019, 10/22/2019, 12/3/2019 and 1/14/2020. The file includes 1/15/2020 Extension Agreement thru 4/14/2020 as controlled by 11/16/2020 revisions to Chapter 53 of the Acts of 2020.
 - b. The 04/14/2020 hearing for Case #18-27 was continued to March 9, 2021 due to the declared state of emergency pertaining to public health risks related to the COVID-19 pandemic.
 - c. As of March 9, 2021 some ZBA members that were assigned to the panel for Case #18-27 had resigned or missed hearings resulting in an insufficient number of empaneled members.
- G. All plans and other submission materials for Case #18-27 and #21-02 are on file in the Building Department as stamped by the Town Clerk and posted publicly at <http://www.wayland.ma.us>. Throughout its deliberations the Zoning Board of Appeals has been mindful of the statements of the applicant, its representatives, Town officials, Boards, Committees and Commissions, abutters and other members of the public, all as made at the virtual public hearing.

II) APPLICATION SUBMITTALS AND RELATED DOCUMENTS

The Site Plan Approval application contained a signed and stamped application, a set of plans entitled "Town of Wayland Improvements to Loker Conservation and Recreation Area" Map 49, Parcel 064B, 412 Commonwealth Road, Town of Wayland, Middlesex County, Massachusetts" consisting of 26 sheets, prepared by Weston & Sampson Inc., 85 Devonshire Street, 3rd Floor Boston, Massachusetts.

The Site Plans submitted for Case #21-02 incorporated the changes recommended by the Planning Board during the Site Plan Approval process for the now withdrawn Case #18-27. The revised set of plans replaced the original set of plans submitted to the ZBA in September 2018. Because the two

applications related to the same project and parcel, the Planning Board considered and acted upon the applications concurrently.

The revised plans include modifications and considerations that were made in response to comments from the public, Recreation Commission, Permanent Municipal Building Committee, Board of Health, Board of Selectmen, the Historical Commission, the Planning Board and the Conservation Commission between late 2018 and early 2019.

A) PLANS SUBMITTED BY APPLICANT FOR CASE#21-02

1. Plan Set: Town of Wayland Improvements to Loker Conservation and Recreation Area, dated February 28, 2019 prepared by Weston & Sampson, 26 sheets:

L0.00	Cover Sheet
L1.00	Overall existing conditions plan
L1.01-L1.02	Existing Conditions Plan Enlargement
L2.00	Overall Site Preparation and Demolition Plans
L3.00	Overall Site Plan
L3.00A-L3.02	Materials Plan Enlargement
L4.01-L4.02	Layout Plan Enlargement
L5.00	Overall Grading, Drainage & Utilities Plan
L5.01	Grading, Drainage & Utility Enlargement Plans
L5.02	Grading, Drainage & Utility Enlargement Plans
L6.00	Overall Planting Plan
L7.00-L7.06	Construction Details
E0.01	Electrical Legend, Abbreviations & General Notes
E1.00	Electrical Site Plan
E2.00	Electrical one line and schedules
E3.00	Electrical details

2. Lighting Plan by Musco Lighting, Inc. titled Loker Soccer Field in Wayland, dated January 21, 2019 consisting of 10 sheets.

B) RELATED DOCUMENTS SUBMITTED BY APPLICANT

1. Site Plan Approval Form C Application for Site Plan Review and Approval, signed and stamped February 4, 2021
2. Supplemental SPA Form A for Application for Site Plan Review and Approval submitted with Application, signed and stamped February 4, 2021
3. Memorandum from Building Commissioner Geoffrey S. Larsen to Jonathan Sachs, Chair of Zoning Board of Appeals, dated April 1, 2019 re: Board of Jurisdiction for SPA due to Special Permit for Illumination.
4. Memorandum to Zoning Board of Appeals from Brandon Kunkel, Team Leader, Weston & Sampson, Inc., dated February 26, 2019 Re: Loker Conservation & Recreation Area By-Law 198-606.2 Compliance
5. Certification of Abutters, within 500 feet, dated February 4, 2021
6. Loker Conservation and Recreation Area Locus Map, dated October 30, 2018
7. Aerial view of Loker Recreation Parcel Locus Map, undated

C) SUPPLEMENTAL DOCUMENTS SUBMITTED BY APPLICANT

1. Cross-sections re: Lighting Factors, labeled Attachment A2 and H, dated 2018, 2 sheets
2. Perspective of Loker Turf Field, dated 2018 showing light poles and field

3. Musco Lighting, Inc. Light Plan shows Environmental Glare Impact
4. Musco Lighting, Inc. Technological Improvements, dated 2018
5. Musco Lighting, Inc. TLC LED Fixture detail, dated March 10, 2021
6. Musco Lighting, Inc. Lighting Control example, dated 2018
7. Musco Lighting, Inc. Lighting Control example, attachment A3
8. Aerial view of Existing Conditions, dated 2018
9. Aerial View of Site Context and Proximity to Residential properties, distance to abutters, dated 2018, consisting of 2 sheets
10. Aerial Locus, 412 Commonwealth Road
11. Previous Schematic Plans, dated 2018 showing a proposal for two fields, consisting of 2 sheets
12. Planting Plan Option 5 – Tree Replacement Strategy as presented to the Conservation Commission, dated September 17, 2018
13. Attachment G2, undated, Summary of Tree Removal data
14. Slide from Traffic Evaluation – Study Area Existing Conditions & Build Conditions, dated 2018
15. Photos of Rice Road, Property Entrance and Access drive, dated 2018, consisting of 3 sheets
16. Summary chart of 9 items requested by the Planning Board with status, response, and supporting information
17. SportsEdge® sample of proposed sports netting dated 04/21/2014
18. Pedestrian Accommodations from Dumor, Inc. schematic for proposed Bike Racks (5)
19. Specifications for Tuffy ® Windscreen to comply with Planning Board recommendation for fabric to contain infill.

D) RELATED DOCUMENTS SUBMITTED BY CONSULTANTS OR TOWN OFFICIALS

1. Memorandum to Zoning Board of Appeals from Planning Board dated February 26, 2010 re: Loker Project Comments on Site Plan Review Application
2. Memorandum from The Engineering Corp, Inc. (TEC) to Town Planner Ref. T0737.11 Re: Transportation Engineering Peer Review Loker Field Development – Wayland, Massachusetts, dated December 3, 2018
3. Projected Sample Schedule of Field Use for a proposed Turf Field at Loker and Parking Comparison chart from Recreation Department to Weston & Sampson for purpose of traffic and parking evaluation.
4. Traffic Evaluation: Technical Memorandum to Paul Brinkman, Town Engineer from Lisa Slonus, PE, PTOE, dated October 31, 2018 re: Traffic Evaluation of Loker Recreation Area, with attachments
5. Slide Deck, as presented by Chair of Recreation Commission, Brud Wright to provide an overview of the project, 10 slides, presented on March 9, 2021
6. Email from Wayland Fire Department/EMS Chief Neil McPherson re: Loker plans, dated March 09, 2021
7. Comment Memo from Conservation Administrator, Linda Hansen to Zoning Board of Appeals, Re: Response to John Sax public comment letter, dated February 25, 2021
8. Memorandum from Planning Board to Zoning Board of Appeals, re: preliminary memorandum for SPA, dated March 3, 2021
9. Memorandum from Planning Board to Zoning Board of Appeals re: Comments on Site Plan Review Application, dated April 6, 2021
10. Final Conservation Commission Notice of Intent, with Storm Water Report and approved for Chapter 193 and 194 permits with Order of Conditions, dated April 05, 2021

E) RELATED DOCUMENTS SUBMITTED FOR PUBLIC COMMENT

1. Public Comment from John Sax, Willowbrook Drive re: Comments to Zoning Board of Appeals, dated February 22, 2021

2. Slide Deck from John Sax, Willowbrook Drive to Zoning Board of Appeals, dated March 9, 2021
3. Public Comment from John Sax, President of the Willowbrook Condominium Association, dated March 11, 2021
4. Public Comment from Meredith Ainbinder, Esq., David Shein, MD Thompson Street, March 9, 2021
5. Zoning Board of Appeals Meeting Minutes describe verbal public comments during the following hearing dates: March 9, 2021, April 13, 2021 and May 12, 2021.

III) FINDINGS & SITE HISTORY

A) General Findings

1. The property is owned by the Town of Wayland.
2. The property is located in a Residential 30,000-150 District.
3. The location of the proposed project is 412 Commonwealth Road; Assessor's Map 49, Lot 064B
4. The size of the Lot 064 parcel is 28.2 ± acres. Redevelopment is being proposed on 5.3 acres of the 8.37 acres that was delineated for recreational use at 2004 Annual Town Meeting.
5. The proposed use as a recreational athletic field is a permitted use by right.
6. The site has been designated for active recreation, and today is predominately vacant and/or used for passive recreation since 2000. A small parking lot, remnant from Dow Chemical Company, informally accommodates approximately 10 vehicles at the top of the access drive off Commonwealth Road.
7. Wayland Fire Department/ EMS reviewed the site plans and provided keys considerations for adequate parking and emergency vehicle access in 2021.
8. The Conservation Commission filed WPA Form 5 – Order of Conditions (DEP# 322-0953) and issued Special Conditions pursuant to the Wetlands Protection Act (310 CMR 10.0) Chapter 194 Permit on April 5, 2021.
9. Improved pedestrian and bicycle accommodations within the project boundaries will allow for future connectivity to Commonwealth Road or Rice Road. Although no pedestrian accommodations currently exist along these public ways, accommodations may be constructed in the future. Sidewalks in the project area are included in the Town's five-year Capital plan.

B) Site History

1. There is a deed restriction that the 22.8 ± acre parcel only be used for conservation and recreation purposes, the deed further specifies that land is "not for the sale, lease, rental or use as a single-family, multi-family, or other type of temporary or permanent residence." There are no Activity and Use Limitations.

See Purchase and Deed: Massachusetts: Middlesex County Registry of Deeds,

- Land Court Certificate #218188 Book 1221, Page 38; May 9, 2000 Registry Book 31387 Page 167; Owner: Town of Wayland
- Land Court Certificate #201533 Book 1137, Page 183; February 10, 1995 Registry Book 25175 Page 174; Owner: The Dow Chemical Company
- Land Court Certificate #184889 Book 1054, Page 139; March 2, 1989 Registry Book 19677 Page 325; Owner: NED Wayland Realty Trust

- Land Court Certificate #111719 Book 688, Page 169; March 2, 1989
Registry Book 10146 Page 486; Owner: The Dow Chemical Company
 - Registry Book 9114 Page 83; March 14, 1958; Owner: Estate of Leonard Anzivino
2. The Dow Chemical Company facility was built in 1962 and remained until 1989 when it was sold to New England Development Corporation (NED).
 3. New England Development Corporation (NED) conducted environmental tests and when contaminants were found in the soil and water, it began a long and complex process to achieve environmental cleanup requirements established by the Massachusetts Contingency Plan, General Laws Chapter 21E which govern prevention, response, investigation and remediation of hazardous waste sites.
 4. A Wayland community group, named NED/Dow Neighbors, Inc., was formed out of concern for the safety of the area, and, between 1989 and 2000, this group monitored the cleanup process. Dow and NED were involved in the cleanup process until early 1995 when NED sold the land back to Dow Chemical. Dow finished the cleanup process and the Town of Wayland purchased the property for \$1.7 million dollars in 2000.
 5. In March 2000, a Class A-2 Response Action Outcome (RAO) Statement, concluding that a Permanent Solution had been achieved at the Site, was submitted to the MassDEP. Class A means that "remedial work was completed and a level of "no significant risk has been achieved." Class A is further subdivided into four categories where Class A-1 and Class A-2 require no AUL (Activity and Use Limitations). As a Class A-2, the Loker site has no AUL. "Class A-2" means "a permanent solution has been achieved. Contamination has not been reduced to background."
 6. The area planned for redevelopment is defined in previous environmental reports as the area where several former buildings were previously located on-site including a main office building and laboratory building, a cooling tower building, a solvent storage shed, a garage and a small shed. The proposed area for athletic field redevelopment is limited to the area of the main office building on the western portion of the site.
 7. The property has been reviewed by no less than seven Licensed Site Professionals (LSP), most recently by CMG Environmental in February 2020.
 - CMG Environmental Inc. (2019-2020)
 - Ransom Consulting Engineers and Scientists; (2019)
 - Weston & Sampson Engineers, Inc. (2018)
 - JSI Center for Environmental Health Studies (2004)
 - Camp, Dresser & McKee Environmental; (2000)
 - Gradient Corporation (1995)
 - Ransom Environmental Consultants, Inc. (1999)

8. The Planning Board issued a memorandum to the ZBA on February 26, 2019 (submittal D-1 listed above) recommending that the ZBA require an “independent review of the historical site contamination and remediation efforts on the Project site by a Licensed Site Professional (“LSP”) who has not previously been involved in the site. Ensure a thorough review based on current standards and practices to ensure that the proposed athletic field construction and operation will not present any risks to public health, particularly to children.”

As such, the Board of Selectmen contracted CMG Environmental, Inc. in late 2019 to conduct an Environmental File Review and present findings and opinion to the Board of Selectmen. CMG Environmental Inc. concluded that Gradient’s previous determination of ‘No Significant Risk’ would also be valid for future recreational soccer field use of the Site.

C) Specific Findings

A complete application for Special Permit & Site Plan Approval for Case #21-02 was received by the Zoning Board of Appeals (ZBA) on February 4, 2021 pursuant to Town of Wayland Zoning Bylaw and Site Plan Approval Regulations 198-203 and specifically 198-501.2 of the Town of Wayland By-laws for the sport light fixtures. The Zoning Board of Appeals finds that the construction of the proposed Loker Turf Project satisfies the criteria for:

1. Special Permit: Signs and Exterior Lighting, By Law 198-501.2

- There are four total sports light fixtures being proposed to provide illumination and include shields to completely cut off and diffuse glare to 0.0-foot candles beyond that of the property line, including Commonwealth Road and Rice Road rights-of-way and adjacent abutters.
- The sport light fixtures are a Total Light Control (TLC) LED system designed by the manufacturer specific to the Loker property. TLC allows for precise control of the optics and allows a high percentage of the light being placed directly onto the field envelope and significantly cut off any impact to the surrounding area beyond the field itself.
- The software platform used to generate the photometric plan does not account for the dense forest vegetation surrounding the Loker property which further reduces spillage.
- The project will also include 10 total pedestrian walkway, parking lot and roadway fixtures that will provide safety lighting beyond the field footprint. The proposed light fixtures are approximately 20-foot height with glare shields per Conservation Conditions.

2. Site Plan Approval, By-law 198-606.2.1-606.2.10

- (606.2.1): Integration into the existing terrain and surrounding landscape.

606.2.1.1 Minimize the use of wetlands, steep slopes, floodplains and hilltops. Making use of and optimizing existing topographic constraints and elevation changes throughout the designated recreational zone, the multi-purpose field and parking lot are nestled within the existing site to the greatest extent possible. Attempts have been made to minimize land disturbance and tree removal without impacting wetlands and prevailing steep slopes. The field is located atop an existing knoll on a north/south orientation that allows the field to take advantage of the existing, mostly flat lawn area, which was previously the location of a Dow Company building. The orientation is also optimal for rectangular field sports as it relates to solar glare. The parking lot is located downhill from the field in an area that has previously served as a parking area. While the field is located atop the knoll, it is not advantageous to significantly cut the elevation of the hill as geotechnical findings have

confirmed the presence of ledge located at a variety of depths throughout the field limits. Ledge removal would have a negative impact on the project cost and feasibility. In addition, the removal or cutting of the existing hill would substantially increase tree removal beyond the extent needed to construct the field. There are locations throughout the field footprint that will require imported fill material to raise the elevation of the side slopes. In field perimeter locations where it is not feasible to transition to existing elevations without significantly impacting adjacent natural features, including trees, wetlands and designated conservation land, segmental block walls shall be placed to minimize land disturbance and meet existing elevations. This strategy (use of block walls) reduces the extent of work within 100-foot buffer zone and allows the project to remain outside the limits of the 30' No Disturbance Zone.

606.2.1.2 Preserve natural and historic artifacts

The orientation of the field and parking lot in combination with the proposed design elevations were deliberately located to not impact the known historically sensitive locations throughout the site. A site plan overlay was generated to show the relationship of site improvements to known or expected artifact locations and this confirmed that there are no impacts. The site plan overlay was submitted to the Planning Board on January 18, 2019. The Town has agreed to provide an Archeologist and Historical Monitor during construction.

The design team worked in tandem with the Historical Commission and shares the intent to protect and respect any cultural, ceremonial and/or historically significant areas that may exist on the site. To that end, the Town funded an exhaustive study of the Recreation parcel in 2013, with the Technology Integration Group, Inc. (TIG) and the Narragansett Indian Tribal Historic Preservation Office (NITHPO). The design team used the findings and designed and engineered the project to circumvent the identified "avoidance areas."

606.2.1.3 Maximize the retention of open space.

The compact footprint of both the multi-purpose field and parking lot, in addition to making use of the already developed driveways that exist on site today, minimize the disturbance of open space beyond the footprint of the field and parking lot. It should also be noted that the field will continue to serve as open space from a recreation perspective and the parking area has been developed within areas that were never restored to a naturalized condition following removal of the Dow Chemical building. The proposed parking lot will also serve the greater Town of Wayland community and provide parking for the 22 acres of conservation land and trails at the site.

606.2.1.4 Preserve scenic views

The nesting of the field and parking lot into the natural topography as previously noted, allows for the substantial, well established forest buffer along Commonwealth Road and Rice Road to remain in place as it is today. During the anticipated high use months by recreational programs, typically April through October, the forest surround will provide a thickly vegetated screen to adjacent properties and roads and it is not anticipated that the views will be altered dramatically from the perimeter of the property. Also, many might suggest that interior views will be improved through the removal of invasive vegetation and former Dow Chemical facility remnants and with the planting of considerable new native vegetation. A fifty foot (50') Conservation buffer remains between the project and

Commonwealth Road.

606.2.1.5 Minimize tree, vegetation and soil removal, blasting and grade change

While, approximately 221 trees are anticipated to be removed within the project area, every effort was made to minimize tree removal beyond the envelope of work by using segmental block retaining walls and 3:1 slopes that allow for short transitions back to existing elevations. Only 14 total trees scheduled to be removed as part of the site demolition and clearing are greater than 24-inch diameter breast height (dbh). No trees in the 30' No Disturb Zone will be removed. A planting plan will mitigate tree removal with the replacement of 221 new trees and shrubs as approved by the Conservation Commission.

606.2.1.6 Screen objectionable features from adjacent properties and roadways

As noted in item 5 above, there are significant and well-established trees and thick understory vegetation buffer that is to remain in place between Commonwealth Road and Rice Road and the designated conservation land. There are four light poles associated with the multi-purpose field that will have fixtures mounted at a 66-foot height above finished grade. The design team determined that the mature forest, dense understory vegetation and the upward angle of any view corridor from Commonwealth Road, Rice Road and adjacent abutters reduces the potential of a pole to be visually intrusive with glimpses of them available from limited locations during late spring, summer and early fall seasons. In seasons where vegetation may not be as prominent, such as late fall and the winter months, the use of the fields would likely be reduced or stopped completely given the anticipated programming of the field. The project has made every effort to screen the poles and fixtures from public view and takes advantage of the mature tree buffer that surrounds the field.

▪ 606.2.2 Adequate water supply and sewer system.

The proposed project improvements do not require water or sewer service. Portable restroom facilities will be provided on a seasonal schedule by the Recreation Department and serviced routinely through an outside vendor contract, as is done for all recreation playing fields. The site plans indicate a location for temporary restrooms. The seasonal restrooms will be screened on three sides by an 8-foot height solid wood slat fence.

▪ 606.2.3 Pollution prevention of surface water, groundwater and minimize erosion and sedimentation. Maximize groundwater recharge and prevent any increase in the rate and volume of runoff.

The stormwater design calls for the collection and recharge of groundwater within the limits of the synthetic turf multipurpose field. The field design includes a robust subsurface network of lateral drains, collector pipes and drainage stone. The stone and pipes serve as storage and overflow relief of rainwater during large storm events and tie into a subsurface chamber infiltration system downstream, located below the parking lot. The parking lot utilizes deep sump catch basins to collect and treat stormwater runoff and discharge into the chambers. The chambers will store and mitigate the release of peak flow and stormwater velocity at the existing downstream outfall located at East Pond and West Pond adjacent to Commonwealth Road. The stormwater design for Loker was vetted by an independent third party, whom was engaged by the Town of Wayland's Conservation Commission in the fall of 2018, as part of the Massachusetts Wetland Protection Act's Notice of Intent application process, ultimately approved and issued April 5, 2021. As previously noted, there is the

potential for substantial ledge to be encountered in portions of the field and throughout other portions or the site.

The Applicant has included the following specification in the bid documents for the project: In Section 32 18 13 Synthetic Grass Infill System of the bid specifications, the following are defined:

- A resilient infill system, consisting of a course, rounded, uniformly sized silica sand and graded virgin EPDM crumb rubber. (Minimum total weight of 7 lbs. (4 lbs. sand and 3 lbs. rubber) per square foot with a 57/43 sand and rubber ratio – No Exceptions). Infill shall be installed to a minimum height of 2 inches providing no more than ½ inch exposed fiber.
- All turf systems should be considered “PFAS/PFOS free” according to REACH and PROP 65. Turf systems should be non-detect (ND) for 30 PFAS compounds tested via EPA Method 537 Modified and have a statement from the vendor that the turf does not contain and is not manufactured with PFAS/PFOA.

▪ **606.2.4 Minimize demands placed on Town services and infrastructure.**

The project program does not require sanitary sewer or water services and therefore will not place a demand on the Town’s infrastructure. The stormwater design meets the Massachusetts Department of Environmental Protection’s guidelines and does connect into the Town’s stormwater infrastructure of pipes and outfalls to the existing wetlands located at East Pond and West Pond following treatment. New electrical service is being provided. The power requirements are limited to the field and parking lot light fixtures and this service is being provided by a private utility, not the Town of Wayland. The field user fees will offset any costs for maintenance and use of electricity, and not Town of Wayland tax dollars. Highly efficient LED are to be used requiring less energy to operate. The new Loker field would also alleviate considerable field use demands currently placed on other Recreation Department and Town assets because of the current field deficit.

▪ **606.2.5 Provide safe vehicular and pedestrian movement within the site and adjacent ways.**

Within the project limits, a pedestrian access connection from the parking lot to the field is included within the design. The sidewalk will meet ADA and MAAB requirements with cross slopes no greater than 2% and less than 5% as it traverses the slope from the parking to the field. A pedestrian drop-off zone and stairway are included at the parking lot and this provides a direct and convenient route to the field for users and visitors.

As there is not an existing network of sidewalks at Commonwealth Road or Rice Road, and existing wetland boundaries flank the existing entrance drive, it was deemed ineffective to provide a sidewalk from Commonwealth Road to the parking lot and field. Taking into consideration the traffic demands on Commonwealth Road and the geographic location of the site itself within the Town, it is unlikely that pedestrians would travel to the site and most users are expected to arrive by vehicle.

A traffic study was performed by Weston & Sampson and reviewed by a third-party consultant, TEC, retained by the Planning Board in December of 2018. As the existing vehicular access to Loker is to remain in place at Commonwealth Road, the projected vehicle trip increase to the site will have negligible impacts to Commonwealth Road and the

intersection at Rice Road. The traffic analysis does identify measures that the Town might take separately (from this project) to consider deploying to improve the overall traffic rating along Commonwealth Road.

- **606.2.6 Buildings, structures and landscaping shall be in harmony with the prevailing character and scale of the zoning district.**

The project does not include a building or structure. The landscaping pallet includes a mix of native deciduous trees, shrubs and a New England conservation ground surface seed mix. The conservation seed mix is hardy and tailored to provide erosion control and wildlife habitat value. The shrubs were selected for their wildlife value also as they will produce small fruits and seeds throughout the year and support the wildlife within and near to the project site and larger parcel. The design team presented a menu of five distinct planting plans to the Conservation Commission, for which one was selected and provided with the site plans.

- **606.2.7 Electric, telephone, cable television and other utilities on the site to be placed underground.**

All infrastructure for the electrical utility will be placed below ground and not impact views or aesthetics of the natural surroundings. Please note, as part of providing power to the site, one new utility pole and mounted transformer will be located at Commonwealth Road and the existing access driveway. The electric power will be “dropped” into the ground at that utility pole and then traverse to the project area to support pedestrian and field sports lighting systems. No other utilities are included within the scope of the project.

- **606.2.8 Storage areas, machinery, service areas, truck loading areas, utility buildings and structure to be setback and or screened to the extent feasible.**

There are no storage buildings or service areas included within the project. The seasonal restrooms will be screened on three sides by an 8-foot height solid wood slat fence. The project does include an open-air field equipment storage component, to stow such things as soccer goals and other sports related equipment. This is located approximately 60-feet away from the Rice Road right-of-way. There is a 50-foot wide, heavily wooded, conservation easement that separates the project area from Rice Road to screen the area from view.

- **606.2.9: Minimize shadow cast on adjacent properties in residential zoning districts.**

As the project does not include any structures it is not anticipated that any shadow cast would be generated onto adjacent properties. The nearest residential abutter located on Thompson Road is approximately 365-feet from the limits of the multi-purpose field footprint within the site.

- **606.2.10: No unreasonable glare from lighting onto roads and other ways, to the night sky or onto adjacent properties in residential zoning districts.**

As noted previously, a photometric diagram and glare study were provided for the sport light fixtures to the Planning Board and Zoning Board of Appeals on January 22, 2019. The light fixtures being proposed are Total Light Control (TLC) fixtures and include cut off shields to minimize light spill to the greatest extent possible. The photometric plans indicate 0.0-foot candles and no glare casting outside of the property limits. The software used to generate

the photometric plan does not account for the dense forest vegetation surrounding the Loker property which further reduces the potential for seeing the lights when in use.

IV) DECISION and CONDITIONS

1. The Final Site Plan Review and Special Permit for Illumination are approved and the project shall be built substantially in accordance with:
 - i. Plan Set: Town of Wayland Improvements to Loker Conservation and Recreation Area, dated February 28, 2019 prepared by Weston & Sampson, 26 sheets
 - ii. Lighting Plan: by Musco Lighting, Inc. titled Loker Soccer Field in Wayland dated January 21, 2019 consisting of 10 sheets.
2. The applicant shall submit any substantially revised plans to the Zoning Board of Appeals for its review and determination as to whether approval is required for modification of the site plan.
3. The aforementioned site plan approval shall lapse if the project has not been completed within two (2) years from the date of Site Plan Approval.
4. This site plan approval and its conditions apply to the applicant and its successors and assigns.
5. Site Plan Approval is subject to the Applicant receiving all other applicable municipal and state permits and approvals including but not limited to an Order of Conditions and Chapter 194 Permit from the Conservation Commission to ensure proper stormwater management.
6. Prior to the commencement of site work, erosion controls shall be installed and maintained. The contractor shall install silt fence to identify limits of disturbance in order to minimize impacts to existing vegetation during construction.
7. On-site construction work shall be limited to weekdays during the hours of 7:00 A.M. to 6:00 P.M. Saturday's hours shall be 8:00 A.M. to 4:00 P.M. There shall be no work done on Sundays or federal holidays.
8. The applicant shall designate a liaison to be contacted during the construction process, and thereafter, who has the authority to address any problems or concerns that may arise.
9. During Construction, (1) all local, state and federal laws and regulations regarding noise, vibration, concussion, dust and blocking Town ways are followed, (2) at all times contractors use reasonable means to minimize inconvenience to the residents in the area, (3) all trucks transporting earth materials of any type to and/or from the site are covered in compliance with state law, and (4) any debris or materials that fall from such trucks onto public ways is removed and cleaned up promptly. (5) All construction vehicles and equipment shall park on-site.
10. During Construction, the applicant will ensure compliance with the Massachusetts Contingency Plan, General Laws Chapter 21E, if contamination is encountered.
11. During Construction, the applicant will work closely with the Board of Health to ensure that all issues related to past land usage have been addressed and the property is safe for recreational use.
12. During Construction, the applicant will proactively address and plan for the potential of encountering substantial ledge as it may impact the site's drainage, to avoid the waste of time and money, and unnecessary damage to the site and environment.
13. During Construction, the applicant will proactively address and plan for the potential of encountering the abandoned septic system distribution area, including soliciting input from the Health Director.

14. The applicant shall install a fabric on fence between the field and the North Pond to prevent migration of synthetic materials and/or infill from the field.
15. The applicant shall periodically review the schedule of permitted activities to control parking capacity and traffic flow. The applicant shall install signage to prohibit parking anywhere other than the parking lot.
16. The applicant shall provide a temporary restroom on-site given no permanent facilities are available in the area during the permitted seasons.
17. The applicant shall commission a post-completion monitoring assessment, which will include sports lighting, spot trip generation and parking utilization and demand data for a typical recreational event during the weekday evening and Saturday morning/midday peak period. The assessment shall be prepared within 60 days following the first recreational event scheduled for the proposed field(s).
18. The applicant shall address any demand for access near the emergency access area along Rice Road, either with signage that will discourage such traffic patterns as directed by Wayland Fire Department/EMS.
19. The applicant shall upgrade the catch basins at the bottom of the access drive at Commonwealth Road/Route 30 to provide enhanced treatment before runoff is discharged into the adjacent ponds.
20. The applicant shall require that lighting installations be installed and operated in accordance with the photometric plans provided to ensure that the minimum illumination necessary to facilitate the use of the site is used and that no light trespass upon adjacent properties or the right-of-way of Rice Road occurs.
21. The applicant shall maintain the parking lot and the landscaping shown on the approved plans.
22. In the event that the Board of Health or other agency with jurisdiction shall make a determination which impacts on construction of an artificial turf field before the start of construction, the applicant will take appropriate steps to revise the permit accordingly.

V) RECORD OF VOTE

On July 13, 2021 the members of the Zoning Board of Appeals voted to approve the Application for Site Plan Approval and Special Permit, subject to the foregoing conditions, based on the above stated facts, findings and Applicant's consent.

CERTIFICATION:

The Board of Appeals, by delivery of a copy of this Decision to the Applicants, TOWN OF WAYLAND, does hereby certify that copies of this Decision and all plans referred to in this Decision have been filed the Planning Board of the Town of Wayland and with the Town Clerk of the Town of Wayland.

DATE OF FILING OF DECISION:

BY ORDER OF THE ZONING BOARD OF APPEALS



James E. Grumbach, Chair