

Wayland Conservation Commission

Minutes: Thursday, January 09, 2020

Approved: 01.23.2020

Location: Selectmen Meeting Room, Town Building, 41 Cochituate Road, Wayland, MA

Present: Sean Fair (Chair), Barbara Howell (Vice Chair), Kathy Schreiber, Tom Davidson, Joanne Barnett, Tom Klem, and Linda Hansen (Conservation Department Director).

Not present: John Sullivan

Minutes: Ryan Brown

S. Fair opened the meeting at 7:02pm noting that a quorum was present and that the meeting was being recorded by WayCAM.

Citizens Time

No public comments were made during citizen's time.

Approve Minutes

The Commission discussed adding the votes to motion to adjourn to meetings that are missing that information and adding the votes to the second motion for the OOC for 5 Glen Road back on November 21st, 2019.

J. Barnett moved, T. Klem seconded the motion to approve the minutes from December 5th 2019 as amended. All in favor 6-0.

J. Barnett moved, T. Klem seconded the motion to approve the minutes from December 19th 2019 as amended. All in favor 6-0.

Chapter 193 Regulations

L. Hansen stated that the comment period for the Chapter 193 Regulations has been extended to January 20th 2020.

Heard Farm Management Plan

L. Hansen reminded the Commission to read through the draft plan and to comment on it.

7 Ellen Mary Lane Update

L. Hansen stated that the property owner sent the Commission an update on the agreed on work. L. Hansen stated that the property owner appears to be complying with the agreed on mitigation efforts.

Open Meeting Law Complaint Update

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S. Fair noted that moving forward, roll call will be taken for every vote involving a Commission member who is remotely participating in a meeting.

S. Fair called for a motion to ratify votes from the November 21, 2019 meeting including votes pertaining to the following: 5 Glen Road DEP File No. 322-947 (Motion to close the hearing 7-0, motion to issue order of conditions under the WPA 7-0, issue a permit under Chapter 194 7-0), 51 Riverview Circle DEP File No. 322-946 (Motion to continue the hearing to December 5, 2019 7-0), 28 French Road D-946 (Motion issue a negative determination under WPA and Chapter 194 7-0), 8 Brackett Road SMLD-46 (Motion to allow L. Hansen to issue a permit 7-0), 383 Commonwealth Road SMLD-47 (Motion to allow L. Hansen to issue a permit 7-0), 66 Claypit Hill Road SMLD-48 (Motion to allow L. Hansen to issue a permit depending on the results of the peer review 7-0).

T. Klem moved, T. Davidson seconded the motion to ratify all the votes from the November 21, 2019 meeting of the Conservation Commission. All in favor 6-0.

51 Riverview Circle, DEP File No. 322-946. Continued Public Hearing: 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, submitted by Nasif Quadir for construction of a garage and septic installation in bordering land subject to flooding at 51 Riverview Circle, Wayland, MA. Property is shown on Assessor's Map 36C, Parcel 46.

Jonathan Schuster and Nasif Quadir were present at the meeting. J. Schuster stated that after meeting with L. Hansen to discuss project alternatives, the project has been revised. The proposed garage has been replaced with a sunroom / utility room built on top of sonotubes, raising it above the floodplain and reducing the footprint. Proposed driveway has also been removed from the project. Compensatory grading has been maximized to accommodate flood storage and an invasive removal area has also been proposed, a portion of which is located on the grading area. No flood vents will be used as flood storage in the basement. Cesspool will be crushed and filled.

L. Hansen asked about comments from DEP regarding the revised plan. J. Schuster stated he has not submitted the revised plans and will do so.

B. Howell moved, T. Davidson seconded the motion to close the hearing under the Wetland Protection Act and Chapter 194. All in favor 6-0.

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B. Howell moved, T. Klem seconded the motion to issue an order of conditions under the Wetland Protection Act including items discussed by the Commission and depending on any comments from DEP following the submission of the revised plan to them. All in favor 6-0.

B. Howell moved, T. Klem seconded the motion to issue a permit under Chapter 194 including conditions discussed by the Commission. All in favor 6-0.

124 Lakeshore Drive, DEP File No. 322-948. Public Hearing. 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, submitted by James P. Long for reconstruction of existing cottage structure, raising the roof level to provide a garage at street elevation, additional retaining walls, and miscellaneous plantings and drainage facilities at 124 Lakeshore Drive, Wayland, MA. Property is shown on Assessor's Map 46B, Parcel 031.

Applicant asked for a continuance, as the application is currently incomplete.

J. Barnett moved, K. Schreiber seconded the motion to continue the hearing to February 13th at 7:15pm. All in favor 6-0.

Proposed Tree Removal at The Hills At Mainstone

L. Hansen stated that she met with a representative from the Hills at Mainstone. Tree removal is proposed, but boundary between Conservation property and the Hills at Mainstone is unclear. L. Hansen will be meeting with representatives from the Hills at Mainstone to discuss what would be required of them in regards to permitting.

Ratify 24 School Street Enforcement Order

L. Hansen stated that neighbors to 24 School Street recently observed a dump truck delivering fill to the property, depositing some within the Commission's jurisdiction. L. Hansen noted that she visited the property and issued an enforcement order for fill within a wetland. The individuals responsible for this action are unknown, the property owner has not responded to the enforcement order and the applicant stated that he does not know who deposited the fill. The enforcement order issued a cease and desist, required erosion control, fill removed from the Commission's jurisdiction, and stated a new filing is required before any work can begin on the property and a restoration plan detailing what will be done about the fill.

S. Fair asked about the timeframe for removal. L. Hansen noted that she will correspond with the applicant to establish a timetable.

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George Barnard asked about the origin of the fill, specifically if the fill is clean fill, given that the property owner and applicant do not know who deposited the fill on the property. It was not know if the police were notified of the dumping.

B. Howell stated that the fill should be tested to ensure it is clean fill.

The DEP had ordered a new filing within 120 days, but no new filling has been submitted as of January 9th, 2020. The Commission will require a new Wetland Delineation.

J. Barnett moved, K. Schreiber seconded the motion to ratify the enforcement order with conditions as discussed. All in favor 6-0.

46 Moore Road, D-947. Public Hearing. Request For Determination of Applicability filed pursuant to the Wetlands Protection Act and a Chapter 194 application filed pursuant to Wayland's Wetlands and Water Resource Protection Bylaw, submitted by Shannon Fischer for proposed renovation of an existing single-family home and proposed landscape plan for invasive vegetation removal and native plant restoration at 46 Moore Road, Wayland, MA. Property is shown on Assessor's Map 10, Parcel 048

Shannon Fischer, applicant, was present and described the project to the Commission. S. Fischer noted that the work will be phased, the first phase focusing on renovating the house, with phase two focusing on extensive landscaping and invasive species removal. Phase one work will push the lot coverage out to 1578 square feet.

The Commission briefly discussed allowing herbicide (cut and paint) treatment of the Norway maple stumps.

B. Howell moved, K. Schreiber seconded the motion to make a negative determination under the Wetland Protection Act with discussed conditions. All in favor 6-0.

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

Adjournment

J. Barnett moved, T. Davidson seconded the motion to adjourn at 8:21pm. All in favor 6-0.

The next scheduled Conservation Commission Meeting is Thursday January 23th, 2020.

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