

# Wayland Conservation Commission

Minutes: Thursday, February 13, 2020

Approved: March 5, 2020

**Location:** Meeting began in the Planning Room and then moved to the 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 7:01pm noting that a quorum was present and that the meeting was being recorded by WayCAM.

## Citizens Time

Johnathan Sax, stated that he was surprised to read the warrant article to repeal the Chapter 193 Bylaw. J. Sax stated that he thinks the warrant article to repeal the Chapter 193 Bylaw is perhaps a bit extreme and thinks the issues are negotiable.

S. Fair suggested a meeting of the chair people of relevant boards and their staff representatives to discuss and explain the current draft regulations in order to reach a level of mutual understanding and to dispel misinformation or bias.

L. Hansen mentioned that some of the comments to the draft regulations would require changing the bylaw.

J. Barnett moved, T. Davidson seconded the motion to have the meeting as described by S. Fair scheduled. All in favor 6-0.

C. Plumb inquired about the timeline for the Chapter 193 Draft Regulations.

L. Hansen stated that the Draft Regulations would likely not be approved until after town meeting, given the nature of the warrant article to repeal the Chapter 193 Bylaw. A revised draft will likely be produced after the proposed meeting between the chair people and their staff representatives.

S. Fair stated that once this revised draft is produced, it would then be open to public comment.

L. Hansen stated that vernal pools are not addressed in the Chapter 193 Bylaw and will not be included in the regulations.

# Wayland Conservation Commission

Minutes: Thursday, February 13, 2020

Approved: March 5, 2020

7:20pm - 124 Lakeshore Drive, DEP File # 322-948: 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 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.

Fred Mannix and Stephen Poole were present to explain the proposed work at 124 Lakeshore Drive to the Commission. S. Poole stated that this project would likely be split into two phases. Phase one focusing on the improvements to the house, with phase two focusing on improvements to the private road to improve drainage.

L. Hansen stated that there are four open OOCs between 124 and 122 Lakeshore Drive that would need to be closed before issuing another OOC for the new proposed work.

S. Poole stated that the plan presented to the Commission is different from the initially submitted, he will provide an updated plan to the Commission and to L. Hansen.

L. Hansen stated that it would be worthwhile to schedule a site visit, a COC request would trigger this action. This would be the opportunity to identify any outstanding conditions that have not been met for the four open OOCs. These outstanding conditions would then be carried over and added to the conditions for the current project.

S. Poole stated that he and L. Hansen should meet before the site visit to identify the outstanding OOCs for the four open permits. Once identified, a site visit including the Commission should be scheduled.

L. Hansen asked if S. Poole and F. Mannix have met with DPW regarding the proposed work on the road. F. Mannix stated that he met with Tom Holder of DPW, and they discussed that no curb cut is required, but DPW would like to observe the work on the road when it is being performed.

L. Hansen stated that a stormwater report would be required if the impervious surface in the area will be increased.

Mike Lowery, speaking as a citizen, stated that the failed catch basin that is causing drainage issues on the road, stems from a Town project. M. Lowery continued saying that any new OOC should include corrective work for the failed catch basin. M. Lowery stated that the site visit

# Wayland Conservation Commission

Minutes: Thursday, February 13, 2020

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should be scheduled after it rains, in order for the Commission to see the extent of the road pooling.

B. Howell moved, T. Klem seconded the motion to continue the hearing under the Wetland Protection Act and Chapter 194 to March 5<sup>th</sup> 2020. All in favor 6-0

7:35pm – 29 Brooks Road, DEP File # 322-XXX: 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 Murphy for the replacement of a failed septic system at 29 Brooks Road Wayland, MA. Property is shown on Assessor's Map 48 Parcel 107.

At the time of this hearing, no DEP File Number had been issued.

Vito Colonna of Sullivan Connors and Associates INC was present at the hearing to describe the project to the Commission. V. Colonna stated that a tributary of Snake Brook and the associated wetlands are located in the rear of the property. A floodplain is also located in the rear of the property, going up to the 166ft contour. A pump-chamber is required for the septic as the groundwater levels are relatively high. Geomat will be used on the property, which is thinner than conventional systems and provides additional treatment.

B. Howell asked if the soils associated with the failed septic will be wet when removed from the property. If the soils are wet when removed, b. Howell stated that special conditions might be required to prevent contaminated soils from leaking out of the truck.

L. Hansen stated that a 15ft naturalized buffer should exist on the property, lawn is maintained up to the wetlands line. L. Hansen recommended a row of shrubs be installed at this line to identify the demarcation.

B. Howell moved, T. Klem seconded the motion to continue the hearing under the Wetland Protection Act and Chapter 194 to March 5<sup>th</sup> 2020. All in favor 6-0.

7:45pm – 264 Commonwealth Road, DEP File # 322-XXX: 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 Charles Peters for the replacement of a failed septic system at 264 Commonwealth Road Wayland, MA. Property is shown on Assessor's Map 52 Parcel 172.

At the time of this hearing, no DEP File Number had been issued.

# Wayland Conservation Commission

Minutes: Thursday, February 13, 2020

Approved: March 5, 2020

Vito Colonna of Sullivan Connors and Associates INC was present at the hearing to describe the project to the Commission. V. Colonna noted that the 200ft stream buffer extends throughout the entire property and the property is not located within a flood plain.

George Barnard, abutter to 264 Commonwealth Road, stated that he is concerned that the septic replacement for this property would be a precursor to future redevelopment of the site, potentially resulting in an additional 40B project, similar to that proposed at 24 School Street.

L. Hansen stated that it is highly unlikely. V. Colonna stated that the septic replacement is only to accommodate a three bedroom dwelling.

B. Howell moved, T. Davidson seconded the motion to continue the hearing under the Wetland Protection Act and Chapter 194 to March 5<sup>th</sup> 2020. All in favor 6-0.

8:00pm – 21 Snake Brook Road, DEP File #322-XXX: 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 Bruno Tramontozzi for the demolition of the existing structure, the construction of a new single family house, new driveway, septic tank, drainage, earthwork/grading, and landscaping at 21 Snake Brook Road Wayland, MA. Property is shown on Assessor's Map 52 Parcel 54.

At the time of this hearing, no DEP File Number had been issued.

Vito Colonna of Sullivan Connors and Associates INC and Bruno Tramontozzi were present at the hearing to describe the project to the Commission. V. Colonna noted the properties to the abutting wetlands and identified an existing chain-link fence as the wetland boundary. A floodplain is located on the lower slope to the rear of the property. V. Colonna stated that a septic replacement OOC is still open from 2012. V. Colonna stated that there will be an increase in impervious surface by 1430sq ft. As part of the work within the riverfront, V. Colonna stated that the chain-link fence will be removed. The Commission discussed the merits of restoring the riverfront area or letting it naturally growing in.

B. Howell moved, T. Davidson seconded the motion to continue the hearing under the Wetland Protection Act and Chapter 194 to March 5, 2020. All in favor 6-0.

# Wayland Conservation Commission

Minutes: Thursday, February 13, 2020

Approved: March 5, 2020

## 56 Loker Street D-929: Certificate of Compliance Request

The Commission discussed the extent of the initial tree removal and how the buffer line changed partially through the project, further complicating the extent of tree removal on the property. L. Hansen stated that original survey of the site did not take into account the presence of Snake Brook in the front of the property.

T. Davidson moved, J. Barnett seconded the motion to issue a Certificate of Compliance D-929 for gas line utilities only under Chapter 194. All in favor 6-0.

## 70 and 72 Moore Road, DEP File # 322-909 and DEP File # 322-910 Respectively: Certificate of Compliance Requests

The Commission discussed L. Hansen's site visit to the properties. L. Hansen stated that a line of shrubs or boulders should be put into place to identify the demarcation between lawn and the no disturb area. The replacement plantings exceeded the requested amount, however a number of replacement plantings have been damaged by the deer. The net planting is still higher than the required. L. Hansen stated that the two year growing still applies. Permanent bounds should be on plans sent to commission. The Commission stressed the no mow boundary be memorialized.

J. Barnett moved to issue Certificate of Compliances for 322-909 and 322-910 under the Wetland Protection Act and Chapter 194.

## Cow Common Tree Removal, SMLD-49

L. Hansen stated that the Conservation Department planning to improve and expand the existing grassland at Cow Common Conservation Area by removing a 1.2 acre hedge located between the two main fields. The hedge consists of approximately 65 trees that would require the services of a contractor to safely cut down and remove from the property. The remaining hedge vegetation consists of various native and invasive shrubs. The hedge exhibits wetland characteristics, the characteristics being amplified by the area collecting run off from Old Sudbury Road. L. Hansen stated that these observations will help guide the plant selection for the restoration efforts.

T. Davidson moved, J. Barnett seconded the motion to approve the proposed hedge removal and restoration efforts at Cow Common Conservation Area. All in favor 6-0.

## Dog Walking Rules

# Wayland Conservation Commission

Minutes: Thursday, February 13, 2020

Approved: March 5, 2020

B. Howell stated that the rule speaking to dogs being leashed in the parking lot and in conservation areas contradicts with a subsequent rule stating that dogs must be leashed or under voice control at all times.

The Commission then discussed the perennial issue of unremoved dog waste from conservation properties and possible solutions such as, possible outreach campaigns, similar to Bark Rangers, or flagging all the unremoved dog waste from the property in an effort the behavior of dog walkers.

## Loker Vernal Pool

L. Hansen stated that she received an email from John Sax that included the letter from the state dated January 24<sup>th</sup>, 2020 certifying the north pond at Loker Conservation and Recreation Area as a vernal pool.

## Training Field Road Conservation Restriction

L. Hansen stated that the CR for the Training Field Road Subdivision has already been signed by the BOS, but has not been approved by the Commission. L. Hansen questioned whether or not someone has reviewed the content of the submitted documents.

Annett Lewis, stated that she does not believe the Planning Board reviewed the CR before it was sent to the Commission for signatures.

S. Fair stated that he will speak with I. Montague on the Planning Board to have the Training Field CR added to the agenda.

## Eagle Scout and School Projects

S. Fair stated that he would like the Commission to generate a list of potential projects that Eagle Scouts and School Groups could participate in while on conservation property.

## Topics not reasonably anticipated

- 48 Glezen Lane, L. Hansen noted that the property owner is still mowing the CR, despite being notified not to. S. Fair asked if there is a way to educate the homeowner about the CR and to prohibit future mowing, such as a natural barrier.
- 10 Blossom Lane, L. Hansen stated that she issued an enforcement order to the property owner for tree cutting and lawn waste dumping into a detention basin.
- 18 Loblolly Lane, L. Hansen stated that she will be meeting with the property owner to discuss the proposed tree removal. L. Hansen requested that Commission allow her to

# Wayland Conservation Commission

Minutes: Thursday, February 13, 2020

Approved: March 5, 2020

issue the permit pending the site visit. L. Hansen stated that a possible stormwater review would be required.

T. Klem moved, T. Davidson seconded the motion to allow L. Hansen to issue a Chapter 193 permit for 18 Loblolly Lane. All in favor 6-0.

## Approve Meeting Minutes: 01.23.2020

J. Barnett moved, T. Klem seconded the motion to approve the meeting minutes from 01.23.2020. All in favor 6-0.

A. Lewis stated that she was displeased with the level of public outreach associated with the proposed project at Cow Common Conservation Area and thinks the stormwater for the project might need addressing.

## Adjournment

K. Scheiber moved, T. Davidson seconded the motion to adjourn the meeting at 9:32pm. All in favor 6-0.

*The next scheduled Conservation Commission Meeting is Thursday March 5, 2020.*