

# WAYLAND CONSERVATION COMMISSION

Minutes Wednesday, October 9, 2013 7:33 - 10:50PM

**Location:** Senior Center, Town Building, 41 Cochituate Road, Wayland, MA

**Present:** Commissioners: Roger Backman, Sherre Greenbaum, Barbara Howell, Betty Salzberg, John Sullivan (7:35pm), **Chairman:** Andy Irwin, **Conservation Administrator:** Brian Monahan

**Minutes:** Andrea Upham

A.Irwin opened the meeting at 7:33 PM noting that a quorum was present.

## 1. 7:33 pm – Citizens Time

**David Hill**, Orchard Lane, began to offer comment on the DPW Access Road and A.Irwin explained that the hearing is closed and it is no longer appropriate to take public input. Mr. Hill did report on hazards he noted at Sand Hill – structures that he felt could be dangerous for children, as noted in a handout he provided, along with a number of archaeological dig sites on the eastern slope that could be hazards as well. He offered to assist the Commission to locate these areas on a site walk so they can be properly addressed.

**Molly Upton**, Bayfield Road, commented that there are a lot of properties on Dudley Pond that the ZBA plays a big role in along with Conservation, and she expressed concern that some projects may pass the ZBA but then not be allowed by Conservation. A.Irwin commented that he went before the ZBA and they have added the Commission's concerns to be addressed so the goal is to avoid that type of conflict. J.Sullivan asked if there is any way for such projects to be addressed by Conservation before ZBA, but A.Irwin explained that the Commission cannot stipulate that.

## 2. 7:40 pm – Continued Public Hearing, **Walter Basnight, Applicant, 123 Dudley Road, DEP File No. 322-805:** Notice of Intent filed pursuant to the Wetlands Protection Act, MGL Chap 131, Sec 40 and an application filed pursuant to Wayland's Wetlands and Water Resources Protection Bylaw, Chapter 194, by Walter Basnight to rebuild a single family home on the same footprint of a pre-existing foundation including the replacement of a septic tank at 123 Dudley Road, Wayland, MA shown on Assessor's Map 47A, Parcel 72.

**Jack Maloney of Sullivan, Connors and Dan Wells of Goddard Consulting, were present for the discussion along with Walter Basnight, Applicant.** A.Irwin requested a brief overview only as the Commission had not had a chance to review material since it was just received by them. Mr. Maloney reviewed the draft plan and updated the Commission that the tanks are located in the same area as discussed and test holes were done. They propose two galley chambers end to end, with three small trees to come down and perhaps a fourth, which is a sizable hemlock. Plans to bring in a gravel parking area from up above 10-12 feet wide were discussed and are to be shown on the final plan. The Commission noted that they would be seeking pavers. A.Irwin inquired about tree removal for the driveway and Mr. Maloney indicated the possible removal of one small Beech 95' from the wetlands. A.Irwin inquired about whether the flow off the road from the curve at Dudley Road presents an issue, and Mr. Maloney confirmed it does not. A.Irwin thanked the group for finding it feasible to meet the Commission's requests and noted there will be a final discussion and the Commission will require a planting plan. B.Monahan asked if the area had been staked out, and Mr. Maloney said it had not but test holes can be seen. B.Monahan inquired about the removal of the existing stairs and infiltration around the replacement stairs was discussed. The Commission expressed no objection to moving the proposed septic system up on the hill.

**Approved: October 24, 2013**

Page 2

Mr. Basnight addressed the building itself, mentioning that he is allowed to add 200 square feet under the Bylaw and is considering a two-foot overhang over the existing foundation and movement of the building eight feet away from the pond with a little grading. A.Irwin raised the issue of whether that work is within the scope of the posting of the hearing and administrative processing. A.Irwin noted that impervious surface is increasing and water will be shedding off a larger area so the matter of infiltration would need to be discussed. B.Monahan mentioned that infiltration is normally in the form of drywells, drip lines or cultecs. J.Sullivan commented that he would rather see the building further from the pond provided the impact during construction is not significant. A.Irwin added that there is still a need for a natural buffer around the pond. B.Monahan urged Mr. Basnight to take this new idea and new plans to Building Dept. and Board of Health.

**Motion to continue the hearing to October 24, 2013 at 7:35pm under the Wetlands Protection Act;  
Seconded 6-0**

**Motion to continue the hearing to October 24, 2013 at 7:35pm under the Chapter 194 Bylaw;  
Seconded 6-0**

3. **8:08 pm – Public Meeting , Town of Wayland/D. Ouellette, DPW Director, Applicant, 260 Old Connecticut Path, File D-829:** Request for Determination of Applicability filed pursuant to the Wetlands Protection Act, G.L. ch. 131 s. 40 and the application filed pursuant to Wayland’s Wetlands and Water Resources Protection Bylaw, Chapter 194 by D. Ouellette, DPW Director/Town of Wayland. The applicant is proposing work consist of furnishing and installing an enclosure consisting of a chlorine analyzer and additional site work including the installation of an infiltration system for sample line discharge at 260 Old Connecticut Path, shown on Assessors Map 37, Parcel 034.

**Amanda Cavaliere and Joel Loitherstein of Tata & Howard were present for the discussion, along with Don Ouellette, DPW Director.** Ms. Cavaliere addressed the location of the drain pipes on the plan, and D.Ouellette noted that the Water Department located the water pipes for them but they also can run a rod through to locate them. B.Monahan mentioned verifying the culvert. A.Irwin noted that can be addressed as a condition. A.Irwin asked if the infiltration does in fact require a UIC, and Ms. Cavaliere confirmed they are working on it. B.Howell inquired about an O&M Plan, and Ms. Cavaliere noted SOP protocol to be followed by the Water Department, a copy of which will be furnished to the Conservation Commission.

**Motion to issue a Negative Determination w/conditions under the Wetlands Protection Act;  
Seconded 6-0**

**Motion to issue a Permit w/conditions under the Chapter 194 Bylaw; Seconded 6-0**

4. **8:22 pm – Public Hearing, Town of Wayland/D. Ouellette, DPW Director, Applicant, 266 Old Connecticut Path, DEP File No. 322-812.** in the Wayland Town Building, 41 Cochituate Road, Wayland, Massachusetts the Wayland Conservation Commission will hold a public hearing to consider a Notice of Intent filed pursuant to the Wetlands Protection Act, G.L. ch. 131 s. 40 and the application filed pursuant to Wayland’s Wetlands and Water Resources Protection Bylaw, Chapter 194 by the Town of Wayland DPW, D. Ouellette, Superintendent. The applicant is proposing furnishing and installing a precast concrete building including chemical bulk and day storage tanks, pumps, and instrumentation and control. Site work shall include installation of approx. 500 linear feet of 8-inch ductile iron water main, well pumps and associated appurtenances. The work is proposed at 266 Old Connecticut Path

**Approved: October 24, 2013**

Page 3

shown on Wayland's Assessor's Map 37, Parcels 32 and 33. Portions of the work are in or within 100 feet of resource areas.

**Amanda Cavaliere and Joel Loitherstein of Tata & Howard, along with Don Ouellette, DPW Director, were present for the discussion.** Ms. Cavaliere noted that a few months ago the Commission had listened to an informal discussion for work anticipated during the spring of next year. The wells were installed last year. Chemical Feed facility costs were higher than expected so was put on hold and re-evaluated and they are now doing the entire project at once rather than in three parts. The upcoming phase of the NOI is for all work required for the replacement wells to be put on line. The work for phase two is outside of the resource areas and the work in resource areas are installation of 8-inch water main, construction of 20-foot permanent easement for chemical conduits and electrical and signal wires. A.Irwin asked D.Ouellette about the issue of the existing well buildings in the resource areas which were to be removed as part of the project. D.Ouellette responded that the plan is for removal at the end of the project unless there is a historical reason why that cannot occur. Discussion ensued of how to ensure that the work is done and how to administratively process it. A.Irwin noted it can be done as an amendment or could be a condition of the NOI as work that is less impactful and noted that extensions can be sought. Discussion ensued concerning a waiver on the Certificate of Compliance for the existing file along with extension so termination is coincident with the current work. A.Irwin noted two UICs needed – one for analyzer and one for stormwater. B.Howell noted she couldn't see where the datum was written on the plan, and Ms. Cavaliere said she will note on the plan for the file. A.Irwin asked if there are adequate spot grades so that there is no effect on flood storage volume. D.Ouellette noted excavation is limited so that should be fine. Ms. Cavaliere commented that she will send along a copy of 'special project procedures' wording for the file. S.Greenbaum asked if any trees were proposed for removal, and Ms. Cavaliere reported anticipating nothing over 4-6". A.Irwin urged attention to the hay bale installation condition. S.Greenbaum asked if there were any special requirements from being in zone I, and Ms. Cavaliere noted that a permit application and plans must be submitted to DEP before it goes out to public bid. Ms. Cavaliere noted the work is proposed for spring, and mitigation info will be provided October 17.

**Motion to continue the hearing to October 24, 2013 at 7:40pm under the Wetlands Protection Act;  
Seconded 6-0**

**Motion to continue the hearing to October 24, 2013 at 7:40pm under the Chapter 194 Bylaw;  
Seconded 6-0**

**5. 8:50pm - Discussion of proposed plan change – Route 27 Sidewalk/Culvert**

D.Ouellette provided a sketch and discussed an old stream bed that doesn't exist anymore; the top of the pipe is one foot below the stream bed currently. A.Irwin noted the prior project approval and discussion ensued on whether amendment is needed. A.Irwin asked if there is a dewatering plan, and D.Ouellette said there is no flow; they will pump across the street and work will be done one night only. A.Irwin noted the need for sediment collection. B.Monahan commented that a filter bag on the pipe could be used and pump into the bag. S.Greenbaum commented that what the Commission was given seemed incomplete. D.Ouellette noted 18" granite curbing across the existing stream bed. D.Ouellette noted moving from a 30" to 18" pipe so there is a gain of 12" above, and the headwall will be replaced in the same location to allow for future sidewalk on the other side at roadway level. B.Monahan asked that they memorialize the difference for certification of the as-built plan. A.Irwin noted that the work will be allowed as an amendment to the existing order and then work can proceed, with markups to include elevation and as-built at the end. Revised plans incorporating D.Ouellette's sketch were requested as soon as possible.

**Approved: October 24, 2013**

Page 4

6. **9:18 p.m. Public Hearing, Roland Gray, III, Esq., Applicant, 7 Lincoln Road, DEP File No. 322-813:** Abbreviated Notice of Resource Area Delineation pursuant to the Wetlands Protection Act, G.L. ch. 131 s. 40, and the application filed pursuant to Wayland's Wetlands and Water Resources Protection Bylaw, Chapter 194 by Roland Gray, III, Esq. The applicant is seeking the verification of the delineation of the wetland resource areas including bordering vegetated wetland and mean annual high water line of Hazel Brook for land at 7 Lincoln Road, Wayland shown on Assessor's Map 11, Parcel 083.

**Art Allen of EcoTec was present for the discussion, along with Laurie Dolan of Coldwell Banker.** Mr. Allen reviewed the project for delineation of bordering vegetated wetlands and bank of Hazel Brook at 7 Lincoln Road and reviewed the area on the plan. Mr. Allen noted that Hazel Brook is perennial. A.Irwin noted that the existing house is within the inner riparian zone. B.Monahan noted standing water found on the site visit on the south side (noted by Mr. Allen as flag A15). B.Monahan noted a human-made dam in the Hazel Brook area and noted that the annual high water mark was the edge of the pond. Discussion ensued of Mill Pond. B.Monahan added that topos would have helped with the plan. B.Howell noted that she found no datum, Scale 1-40, only one transect and no elevations – not what the Commission usually accepts. B.Monahan noted two transects three feet apart in the field and mentioned that Peter Fletcher is coming out next week. Mr. Allen confirmed that he won't revise anything until Mr. Fletcher has looked at it. Mr. Allen gave his permission to continue the hearing.

**Motion to continue the hearing to November 7, 2013 at 7:35pm under the Wetlands Protection Act;**  
**Seconded 6-0**

**Motion to continue the hearing to November 7, 2013 at 7:35pm under the Chapter 194 Bylaw;**  
**Seconded 6-0**

7. **Minutes – September 26, 2013**

A.Irwin noted that the Minutes will be addressed at the next meeting.

8. **Issuance of Order of Conditions [310 CMR 10.05 (6)]/Chapter 194 Permits**

- a. DPW Access Roadway: DEP File No.322-808

B.Salzberg asked B.Monahan if the Order of Conditions was considered 'boilerplate' and B.Monahan explained that it was customized. A.Irwin noted the issue of land under water under resource areas (drains under roadway – stop blocks at ends of pipes). A.Irwin noted trees to be identified before they are cut and the new tree replacement chart will be used. Revegetation along the side of roadway near the old salt shed was noted. "Measured cross sections" every 50 feet was raised. Redevelopment section and new development section of road was mentioned. Discussion ensued of possible wording for various conditions for the decisions, including that the roadway is not to be used for access to the property behind the landfill until mitigation is complete and also that regardless of whether the DPW facility/building moves forward, the mitigation must be completed.

John Sullivan departed the meeting at 9:50 p.m.

A.Irwin noted that conditions and findings are to be reviewed.

**Motion to issue a Permit w/conditions and findings under the Chapter 194 Bylaw; Seconded 5-0**

**Approved: October 24, 2013**

Page 5

**Motion to issue an Order of Conditions as discussed and amended and as to be reviewed under the Wetlands Protect Act; Seconded 5-0**

**9. Request for Performance Guarantee or Other 53G Funds**

**a. 102 East Plain Street, DEP File No. 322-747**

**Motion to approve the release of the Performance Guarantee less \$150; Seconded 5-0**

**b. 205 Rice Road, Files D-775 and D-776**

**Motion to approve the release of the Performance Guarantee less \$150; Seconded 5-0**

**Motion to approve the release of the Performance Guarantee less \$150; Seconded 5-0**

**10. Compliance Updates**

**a. 122 Lakeshore Drive; DEP File No. 322-803**

B.Monahan noted that work has stopped and update will be provided at the next meeting.

**b. 121 Dudley Road; DEP File No. 322-775 - Update on change to scope of work**

B.Monahan reported no update has been received.

**11. Citizen Inquiries**

Oh Deer Correspondence

B.Monahan noted he will call again.

**12. Other**

**a. FY 2015 Capital Budget – Introduction and discussion**

A.Irwin noted that the budget is due October 28 so must be covered and voted at the October 24, 2013 meeting.

**b. FY 2015 Operating Budget – Introduction and discussion**

Not discussed

**c. 183 Oxbow Chapter 194 Permit Condition regarding No-disturb Requirement**

A.Irwin noted that the owner will file an ANRAD and Peter Fletcher will give us a quote on getting his opinion on the BVW line.

**d. Land Acquisition Update: Forty Acres Drive and Lincoln Road**

This item will be discussed at the next meeting.

**13. Correspondence/Expenditures**

**14. Adjournment**

**Motion to adjourn at 10:50 pm; Seconded 5-0**

The next Conservation Commission Meeting is scheduled for Thursday, **October 24, 2013** in the Wayland Town Building.



**TOWN OF WAYLAND  
MASSACHUSETTS  
CONSERVATION COMMISSION**

**LIST OF PUBLIC DOCUMENTS PROVIDED TO THE CONSERVATION COMMISSION  
September 27, 2013 to October 9, 2013**

**September 27, 2013**

322-808 Response to 9/26/13 comments on DPW access road from Weston & Sampson  
ZBA Decision for 146 Concord Road construction  
Notice of snag being left on property at 45 Knollwood Lane from M/M Filiurin

**September 30, 2013**

FY14 Real Estate Tax Bill, 50 Michael Road - \$7,188.70 due 11/1/13  
Town Clerk Notice of Resignation of B.Salzberg as Rep. of the Planning Board to the Housing Partnership

**October 2, 2013**

Donation for Conservation gift fund for Heard Farm maintenance from M.Bulyk  
322-747 Request for return of performance guarantee for 102 E.Plain Street from D.Bowman  
322-710 Inspection Report on Fieldstone Estates from H2O Engineering

**October 3, 2013**

322-701/744 Town Center Inspection Reports from Griffin Engineering

**October 7, 2013**

322-802/803 Amendment filed for 122/124 Lakeshore Drive from F.Mannix/S.Poole  
322-674 Request for return of performance guarantee for 14 Springhill Road from A.Catrina  
322-624 Wayland Commons Inspection Report from Sullivan, Connors  
322-801 Construction Schedule and Tree count for Michael Road from Barberry Homes LLC  
322-763 Request for Waiver of Certificate of Compliance from Tata & Howard

**October 8, 2013**

Letter from Selectmen appointing B.Salzberg as Conservation representative to Housing Partnership

**October 9, 2013**

322-795 Inspection Report on 11 Barney Hill Road from Schofield Brothers  
ZBA Decision re: home occupation at 180 Oxbow Road

**LIST OF EXPENDITURES    September 27, 2013 to October 9, 2013**

*No items to report*