

WAYLAND CONSERVATION COMMISSION

Minutes Thursday, August 29, 2013 7:31 – 11:30PM

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

Present: Commissioners: Roger Backman, Sherre Greenbaum, Barbara Howell, Betty Salzberg, John Sullivan (7:55pm), Chairman: Andy Irwin, Conservation Administrator: Brian Monahan

Minutes: Andrea Upham/Brian Monahan

Not present: Markey Burke

A.Irwin opened the meeting at 7:31 PM noting that a quorum was present.

1. 7:31 pm – Citizens Time

Mike Lowery, Lakeshore Drive, shared with the Commission that he intended to record the portion of the agenda to discuss development around Dudley Pond. A.Irwin asked Mr. Lowery to please announce it at the time of the discussion item for anyone who might have joined the meeting later than the present time. Mr. Lowery confirmed it would be an audio recording. Mr. Lowery added that the Surface Water Quality Committee gave a report in 2011 regarding septic systems in the East area of Dudley Pond and gave a copy of the document along with a DVD presentation to B.Monahan. Mr. Lowery commented that he hopes that whatever suggestions come about be drawn in terms of statutory interests in general by characteristics rather than the neighborhood. A.Irwin shared that there will be no discussion during this meeting regarding any plans by the Commission to regulate, adding that the item was an agenda item rollover from the last meeting.

2. Minutes – August 8, 2013

Motion to approve the Minutes of August 8, 2013; Seconded 5-0

- 3. 7:35 pm – Continued Public Hearing, Joseph and Melissa Hicklin, 9 Reservoir Road, DEP File No. 322-804:** Notice of Intent filed pursuant to the Wetlands Protection Act and an application filed pursuant to Wayland's Wetlands and Water Resources Protection Bylaw, Chapter 194, by Joseph and Melissa Hicklin, proposing site work within the wetland buffer zone associated with the construction of a single family house including: replacement of existing driveway, stormwater management facility, grading and landscaping and work within the outer 200' of riverfront area to include sewage disposal system leaching system and associated retaining wall and grading at 9 Reservoir Road, Wayland shown on Assessor's Map 44, Parcel 112.

Dan Boucher, Schofield Brothers, and Joe and Melissa Hicklin, Applicants, were present for the discussion. Mr. Boucher began review of the revised septic system, which separates the primary and reserve areas because there isn't a need to build the reserve areas. Mr. Boucher reported that the Board of Health may need one additional deep test hole. As a result of the revised septic design, Mr. Boucher reported the elimination of the retaining wall and the disturbed area down from 5000 square feet to 4320 square feet. In addition, moving away from the riverfront area saves three trees.

Mr. Boucher reported that after the Commission's site walk, they addressed reorientation of the roof drain system to save one tree (a 19" oak) and a 5" pine and birch will also remain in the area. Mr. Boucher identified the swale on the plan between the driveway and house, which is proposed to have a poly-liner in the bottom of the trench with river rock on top. As a result of the changes, the final tree count is 34 total trees to be removed on the site, 19 of which are in the buffer zone/riverfront area. The trees were shown on the plan along with a 20" dead oak, which will remain as a snag. Mr.

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Boucher reported that they will revise the plans for construction and noted that the ribbons were recently pulled off the trees that are to be saved. A.Irwin noted that it is the Commission's intention to require the planting plan as a deliverable during the course of the work. A.Irwin suggested the hearing be kept open to allow for the revised plans to be accepted by the Commission with the hearing closed and voted at the next meeting.

**Motion to continue the hearing to September 12, 2013 at 7:35 pm under the Wetlands Protection Act;
Seconded 5-0**

**Motion to continue the hearing to September 12, 2013 at 7:35 pm under the Chapter 194 Bylaw;
Seconded 5-0**

4. **7:45 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 193, 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.

Scott Goddard, Goddard Consulting, Jack Maloney, Cornerstone Engineering, Septic Design Engineer and Walter Basnight, Applicant, were present for the discussion. Mr. Goddard noted that the new plan being reviewed is dated August 26, 2013. Changes to the plans were reviewed by Mr. Goddard, including the addition of excavator routes that were staked in the field, the stockpile area relocated near the proposed tank removal, clarification to trees proposed for removal (one dead, some burn damaged – four in total). Mr. Goddard addressed the area noted as a concern by B.Monahan around Flag 8, and Mr. Goddard acknowledged the wetter conditions in that area, reporting on a low spot he saw there with wetland vegetation between flags 7, 8 and 9.

A.Irwin asked if there was a walkout area against the water previously, noting that he didn't see such a walkout in pictures. Mr. Basnight noted there had been a doorway on the south side and double doors from the basement. A.Irwin asked if the finished floor elevation will be the same with the new structure and Mr. Basnight confirmed that as a requirement. Mr. Goddard reported that a site walk had taken place a week ago. Mr. Goddard noted that besides the updates to the plan, the biggest item was clarity on 310 CMR 10.03. A.Irwin noted that the simple approval by the Board of Health does not mean the presumption of insignificant discharge as there are setbacks required by both Title V and the local Bylaw.

Mr. Goddard reported having followed up with Pam Merrill at DEP the day after the last hearing and clarified to her that this project entailed simply a repair and replacement not affecting the effluent point. Mr. Goddard noted that Ms. Merrill affirmed that her application of these regulations is that they apply to the discharge only so DEP would have no problem, but Ms. Merrill confirmed that she does not respond in writing. A.Irwin noted that this project represents an upgrade, requiring the need to address the "no alternative location" citation in the DEP regulations. Mr. Goddard responded that they will not be renovating or replacing the discharge, noting that the DEP regulation refers to the discharge.

Mr. Basnight asked A.Irwin for clarification on where he is leading the conversation as far as relocation of the system. A.Irwin explained that Mr. Basnight will need to identify that his system will not have an impact on the wetlands and noted the requirement to either meet the setback requirement or show that they have no alternative location. A.Irwin further noted that the other alternative available is to use something that reduces the nutrient loading so that impact is mitigated.

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A.Irwin explained that the Commission is looking for consistency of approach. Mr. Basnight expressed that this project was reviewed a long time by both engineers and the Board of Health and asked if the wetland rules and regulations override Title V, and A.Irwin confirmed that they do prevail and the Commission sees this project as an upgrade. Mr. Maloney raised the issue of the setback required by the Board of Health, and A.Irwin noted that if they have the land and could use a place up gradient and further away from the water body or use treatment to reduce nutrient loading, it could stay put. Mr. Goddard raised the issue of where an alternate site might be. Mr. Basnight noted that 75 feet away would be three quarters of the way up the hill on the property. Mr. Basnight asked if the existing system would just be abandoned in place, and A.Irwin confirmed that. R.Backman asked for clarification on exactly where the up-gradient area would be, and Mr. Maloney noted it is northeasterly.

A.Irwin granted a brief recess requested by Mr. Goddard for conference.

During the recess, A.Irwin announced that the OARS annual river cleanup will be held on Saturday September 21, from 9-12 am.

Hearing resumed at 8:14pm with a request by Mr. Goddard to continue the hearing out two meetings from now to allow for the redesign of the septic/leach field. Mr. Basnight asked if construction can moved ahead in the meantime. B.Monahan encouraged Mr. Basnight to touch base with J.Abelli and get to the finish line with all boards, adding that the Conservation Commission could close and issue at the September 26, 2013 meeting and have his decision ready in a few days thereafter. A.Irwin noted that a landscaping plan will be required by the Commission.

Molly Upton, Bayfield Road, expressed being uneasy about the septic tank and asked that the Commission spec the design and construction. A.Irwin responded that it not the Commission's position to choose the make and model, and the design is not the Commission's function; the Commission is looking for a tank that doesn't leak. Mr. Maloney noted that even if a two-piece tank were used, the seam would be above the high water mark.

A.Irwin revisited the discussion of the basement area and it was clarified by Mr. Basnight that the area is for storage and access for utilities and not for occupied space. A.Irwin confirmed that if it is proposed for replacement storage, then it is fine.

Mr. Lowery noted having a clearer picture of the doorway discussed earlier, which he emailed to B.Monahan. A.Irwin confirmed that clarification of it being replaced in kind is all the Commission needed.

**Motion to continue the hearing to September 26, 2013 at 7:35 pm under the Wetlands Protection Act;
Seconded 6-0**

**Motion to continue the hearing to September 26, 2013 at 7:35 pm under the Chapter 194 Bylaw;
Seconded 6-0**

5. **8:23 pm –Public Hearing, 151 Plan Road LLC, 4 Fields Lane (portion of 151 Plain Road) DEP File No. 322-806:** Notice of Intent filed pursuant to the Wetlands Protection Act and an application filed pursuant to Wayland's Wetlands and Water Resources Protection Bylaw, Chapter 194, 151 Plain Road LLC. The project is to construct a single family house on the lot (4 Fields Lane) outside the wetland buffer zone with a portion of the septic system and grading in the buffer zone at 4 Fields Lane (lot at 151 Plain Road, Wayland) shown on Wayland's Assessors Map 25, Parcel 90.

Rick Olstein, Keystone Development, was present for the discussion on behalf of the Applicant.

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S.Greenbaum recused herself from the discussion, noting that she is an abutter to the property.

A.Irwin noted that a fair amount of fill is being brought in, and Mr. Olstein confirmed that some is proposed for the buffer zone. A.Irwin noted that clean fill is mandatory and there is a standard condition pertaining to fill in all decisions. B.Monahan asked if the existing driveway on the site is the driveway which will exist when the project is complete. Mr. Olstein said it was not and confirmed that access will be off of Fields Lane, not Plain Road. B.Monahan said he will look at the conservation cluster filing concerning driveway mitigation.

B.Monahan noted that the septic system is partially in the buffer zone so it would be nice to have two copies of the septic plan for the file. A.Irwin inquired about the limit of lawn delineation, and Mr. Olstein confirmed it to be the bio-retention strip noted on the plan. Mr. Olstein commented that planted berm was for screening purposes for abutters. A.Irwin asked about the sequence plan relative to slope stabilization. Mr. Olstein confirmed that the silt fence will be first and will remain on the wetland side, with the bio-retention done last after the septic, so they may have to move a small portion. R.Backman asked about storm drainage from the driveway to the garage. Mr. Olstein confirmed that roof drain recharges are shown to the right of the house and their intent would be to put a crown on the driveway to shed any water. Mr. Olstein added that the perc and permeability of the existing soil will take that water long before it gets elsewhere.

Warren Zeigler, Plain Road, asked about the Commission allowing a septic system on a cliff. A.Irwin responded that if a project meets the 75-foot setback with a compliant Title V system, they are presumed to not have an impact on the wetlands. A.Irwin explained that it's about the soils and whether they will mound and if it would impinge on the slope. Discussion ensued on the use of an impervious barrier on the downhill side, such as a poly-liner so it won't break out at surface but will be driven down further.

A.Irwin asked Mr. Olstein to explain the difference between the site plan dated July 19, 2013 and the Site Sewage Plan, noting that the grading appeared to be different between the two with a more peninsular berm on one. Mr. Olstein noted that the newer plan reduces the amount of fill required. A.Irwin noted that the grading plan is that shown on the Site Sewage Disposal System Design Plan showing less fill, dated July 10, 2013. A.Irwin asked B.Monahan to follow up with Mr. Olstein to get the planting plan for trees, confirming the number and locations.

Motion to close the hearing under the Wetlands Protection Act;

Seconded 5-0

Motion to close the hearing under the Chapter 194 Bylaw;

Seconded 5-0

A.Irwin noted that the Commission will vote this item at their next meeting.

6. **8:45 pm – Public Hearing, Kelt Naylor, Applicant, 21 French Avenue, DEP File No. 322-807:** Notice of Intent filed pursuant to the Wetlands Protection Act, G.L. ch. 131 s. 40 and an application filed pursuant to Wayland's Wetlands and Water Resources Protection Bylaw, Chapter 194 filed by Kelt Naylor. The project is to replace a septic system located 75' from the bordering vegetated wetlands and isolated pond at 21 French Avenue, Wayland, MA, shown on Wayland's Assessors Map 51D, Parcel 013.

Bob Drake, Drake Associates, was present for the discussion. Mr. Drake summarized the property, with an existing two-family house, 12K square foot lot and pond area in the back of the property on Town of Wayland property, which is a potential vernal pool. The septic replacement system will stay 75 feet away from bordering vegetated wetlands adjacent to the pond area in the back yard. Mr. Drake noted that the elevation of the site is 155 and the elevation of the water is 138. Mr. Drake

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commented that under Title V, a certified vernal pool requires nothing within 100 feet; however, that setback would put the system in the side yard where there is no room. Mr. Drake explained that the current two-family dwelling utilizes two individual systems; the current owners are preparing to sell the home and conducted Title V and soils inspections and plan to convert to a four-bedroom septic system in the back of the house with a 20' x 45' leaching bed. Mr. Blake noted that as of today the pond appears to have receded another foot in depth and is four feet at the steepest point, down two feet from the high water mark. Mr. Drake addressed the limit of lawn outlined on the plan, indicating they will be staying inside that line with the limit of work with no tree removal proposed. A. Irwin inquired about the stockpile area at the far side of the field from the street. Mr. Drake noted it is a potential area but probably just for loam as they anticipate most will be put in the back of a truck and taken off site.

B. Howell commented on the pond, which she has walked and observed dry many times, and noted there is much debris and waste that gets tossed in there; she noted it is not a certified vernal pool.

Motion to close the hearing under the Wetlands Protection Act; Seconded 6-0
Motion to close the hearing under the Chapter 194 Bylaw; Seconded 6-0

A. Irwin noted that the Commission will vote this item at their next meeting.

7. **8:55 pm –Public Hearing Town of Wayland, Facilities Department, Applicant, DPW Access Facility Roadway off Route 20, DEP File No. 322-808:** Notice of Intent filed pursuant to the Wetlands Protection Act, G.L. ch. 131 s. 40 and an application filed pursuant to Wayland's Wetlands and Water Resources Protection Bylaw, Chapter 194 filed by Town of Wayland – Facilities Department. The project is the DPW facility access road upgrade and environmental improvements off Route 20 shown on Assessor's Map 22, Parcels 005 & 007 and Map 17, Parcels 018 and 018C.

A. Irwin noted that Lisa Eggleston of Eggleston Environmental was present per the Commission's request to provide feedback on this application. A. Irwin explained that the real driver is that the road serves the transfer station to offset the conversion of the temporary road to a permanent road.

Roger Alcott, Jeff Alberti and James Pearson of Weston & Sampson and John Moynihan, Facilities Director, were present for the discussion.

Mr. Alcott began a review of the plans, noting that the main project is to rehab and mitigate the existing road. Mr. Alcott noted that the existing road to be maintained is 22 feet wide with the addition of grass swales and minor treatment along the way. Enhancements were reviewed by Mr. Alcott, including changing the current compost area to recreate a wetland to offset the 1978 roadway construction, and they would also like to improve flood condition, increasing by 12K cubic yards. It was noted by Mr. Alcott that a couple of culverts had deteriorated (regulated by NHESP) and they talked about cleaning and slip-lining the pipes and putting in a weir in the event it is needed during heavy flood conditions.

A. Irwin asked if Mr. Alcott had received anything in writing from Natural Heritage, and Mr. Alcott confirmed they had not. A. Irwin confirmed that would necessitate continuing the hearing. Mr. Alcott confirmed that they proposed to fill in the "Sandy Hill" area back to its original condition and provide parking for nature walk areas. Critter crossings were identified by Mr. Alcott in the areas of Sandy Hill and the second culvert to the north side. These crossing are to include concrete box culverts two feet wide and two feet deep to allow traffic of species. S. Greenbaum questioned how the number of box culverts was arrived at and whether there was a standard. Mr. Alcott responded that they would like to try two and see how they work. Mr. Pearson reviewed the existing and new contours shown on

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the plan and noted where seed mix and grasses were proposed for planting. Mr. Alcott reviewed the compost area and proposed grading on P.C4 was reviewed.

Review of P.C2 began and A.Irwin commented that for each elevation interval as much if not more volume is being cut today than with this plan. Mr. Pearson commented that they are gaining flood storage volume. A.Irwin added that the Commission did conduct a site visit with Peter Fletcher with test pits, and the conclusions were that the area had not been a wetland, so they are making replication in an area that had not been a wetland. Mr. Alcott noted that since the application filing, more information was gathered regarding historic impacts of the roadway on the wetlands and they found out that 800 linear feet of roadway was created in wetland area. Considering the width of the roadway and cross section the calculation of 74,000 square feet of required replication was revised - what was impacted was 34K square feet of original wetland, so 74,000 square feet of replication is well above the 1.5:1 ratio in the Town Bylaw. B.Howell commented that usually wetland replication is done first but the damage was done in 1978 so the Commission would want sequencing, groundwater piezometers, erosion control plans and strict monitoring. B.Howell also questioned the use of Ash trees, noting that they are dying. Mr. Alcott responded that he will check into that. A.Irwin noted that when the project and plans were brought to the Commission informally, the throat was narrower but is now expanded so there is no restriction of flow in and out. S.Greenbaum asked Mr. Alcott to check for consistency on the mention of shrubs, which differed between the narrative and the plans.

David Hill, Orchard Lane, asked about the habitat that has been created in Sand Hill and whether by recreating that you aren't destroying another habitat. A.Irwin referenced a discussion with Natural Heritage and noted a flat area is less used, but the Historic Commission notes that Sand Hill itself has value and leaving a steep slope has potential to expose more and further erode the resource of Natural Heritage. A.Irwin noted that there is a blending of interests and other things in play.

Tom Sciacca, Rolling Lane, noted his written comments dated August 29, 2013, which were handed out to the Commission. Mr. Sciacca expressed his opinion that there is no justification for the proposed amphibian crossings being adequate. Mr. Alcott noted that the matter was discussed with Natural Heritage and a wetlands biologist as to the best way to address the situation, and this method and approach was chosen. Mr. Sciacca noted that two openings do not seem adequate and he challenged the appropriateness of NHESP wanting to maintain an artificial environment – three endangered species are heard about and maintaining as artificial habitat might make it more optimum for one species but less so for others.

Linda Segal, Aqueduct Road, inquired about the peer review consultant and whether any response to the project had been submitted in writing. A.Irwin noted that a summary of Ms. Eggleston's questions had been received by the Commission this date, and Ms. Eggleston added that she had just begun her review and was not involved in the previous meetings.

Ms. Eggleston began review, asking what the road grade is in terms of flood plain, and Mr. Alcott responded that it is above it. Ms. Eggleston asked about inverts on critter crossings, and Mr. Pearson explained they are proposing a 2' x 2' box with the top surface flush with the roadway so the bottom is two feet down from the roadway. Ms. Eggleston asked about the content of what is being put back, and Mr. Pearson confirmed the same sand/silt combination material.

Tom Sciacca asked if Sand Hill was a turtle nesting area, then why not replace with sand? Mr. Pearson explained that Peter Fletcher's report describes the content. Mr. Alcott noted that they could research perhaps modifying the fill and take more sandy material for the top layer. R.Backman noted that turtles have been seen nesting in loamy soil as well.

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A.Irwin discussed the need to address the rest of the access area around the landfill, noting that it wasn't shown on the plans for the DPW building so there is no need to amend prior; the second road was not shown and because it wasn't, this portion of the work is that roadway access to the proposed building.

Discussion ensued on sheets C5 and C6 of the plan. A.Irwin commented that the salt shed will be gone. Mr. Alcott noted that area just below the existing transfer station proposed for removal along with plans to bring the roadway around through that corner and improve stormwater conditions there with a grass swale with check dams. A.Irwin inquired about any cutting on the Sand Hill slope, and Mr. Alcott noted that some grading is needed there on the far side of the landfill. J.Moynihan commented that an archaeological study is ongoing there.

Ms. Eggleston asked why grading is to drain down away from the landfill where there is a nice riprap swale along the edge of the roadway at the base, and Mr. Alcott noted that they are trying to stay away from liner as much as possible. Mr. Pearson discussed the asphalt curb feature along the edge of the roadway for the first few hundred feet to the ditch with treatment features. Ms. Eggleston asked if the fore bay is sized for that flow, and Mr. Pearson said it can be addressed in more detail.

J.Sullivan departed the meeting at 9:45 pm.

A.Irwin explained that a more in-depth discussion of Ms. Eggleston's comments and concerns can be addressed before the next hearing date. Ms. Eggleston noted that the project needs to meet the stormwater regulations to the maximum extent possible. Ms. Eggleston also noted sediment loading is a concern. Ms. Eggleston noted landfill being capped and asked what is happening to the corner where the turn is widened. Mr. Pearson confirmed the corner is being left.

Tom Sciacca commented that the challenge is that it is not a redevelopment project but a new one because the existing road was explicitly temporary. A.Irwin asked Mr. Alcott to confirm they are not increasing the paving field of the existing roadway, and Mr. Alcott confirmed no increase in impervious surface from that roadway. A.Irwin confirmed they are not altering the area.

David Hill commented on creating a wetland and asked whether the road is then in the buffer zone asking whether that creates a conflict. A.Irwin asked if the wetland is within 30 feet of the roadway, and Mr. Pearson confirmed 50 feet of distance.

Linda Segal asked J.Moynihan if there are as-built plans for the landfill liner, and he responded that they do have them for the last three cells, adding that two of the three have membranes. Ms. Segal asked when there would be a final report on the archaeological study, and J.Moynihan noted a ceremonial stone and archaeological report are expected at the end of the first week of September.

A.Irwin commented that the overview had been productive.

Tom Sciacca commented that wetlands disturbance is only allowed if there is no other alternative and noted that River Road is an alternative, which was mentioned in the Notice of Intent as unacceptable. Mr. Sciacca commented that it is not economically unsuitable but was rejected for political reasons and that the issue was whether neighbors along River Road were opposed. Mr. Sciacca felt this should be rejected based on that. A.Irwin told Mr. Sciacca his comments were noted.

**Motion to continue the hearing to September 12, 2013 at 7:40 pm under the Wetlands Protection Act;
Seconded 5-0**

**Motion to continue the hearing to September 12, 2013 at 7:40 pm under the Chapter 194 Bylaw;
Seconded 5-0**

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A.Irwin announced a five-minute break in the meeting.

8. **10:00 pm – Public Hearing, Twenty Wayland LLC, Frank Dougherty, Applicant, 400 Boston Post Road/Town Center, DEP File No. 322-701:** Application for an amendment to the Chapter 194 Permit issued pursuant to Wayland’s Wetlands and Water Resources Protection Bylaw, Chapter 194 filed by Frank Dougherty, Twenty Wayland LLC. The amendment is for a change in the bio-retention system along with the addition of riprap at the new outfall installed at the Sudbury River, at 400 – 440 Boston Post Road, Wayland Town Center (DEP File No. 322-701) shown on Assessor’s Map 23, Parcels 52, 52C, & 52F.

Frank Dougherty, Twenty Wayland LLC, and Bob Griffin, Griffin Engineering, were present for the discussion. Mr. Griffin introduced two minor changes to the Order of Conditions. Mr. Griffin outlined on the plan a 56-acre site with ten buildings constructed. The areas of modification to discuss are the bio-retention basin and the 36-inch drain outfall. Mr. Griffin explained that the bio-retention basin was changed due to timing issues. The Commission issued the OOC in May 2010 and about the same time permitting offsite improvements and that Order of Conditions was issued in February 2011. The requirements of the offsite improvements affected the bio-retention basin so it is now necessary to tidy it up. Mr. Griffin reported that the basin was originally a small basin with a stone filter strip. Mr. Griffin showed on the plan that the basin was expanded in size and the construction saved large mature trees and tall grass so represents improvement over the originally-permitted design, along with providing enhancement of wildlife habitat and more flood storage volume. A.Irwin clarified that Mr. Griffin speaking in the past tense is a result of collaboration and informal review with the Commission for changes of equal or lesser impact, adding that the Commission has a tracking list during the course of construction which calls out deviations.

Concerning the outfall north of Route 20, Mr. Griffin explained the modification to rip out CMP section and place riprap in order to stabilize; it has been in existence for over a year and is very stable during rainstorms.

Regarding the residential portion of the project, Mr. Griffin noted that the developer is selling that portion to another developer and will be requesting a certificate of completion and when that portion is sold, a new application will request a new Order of Conditions. A.Irwin commented that it might be appropriate to note that stormwater management systems would have to be constructed to deal with the residential section. Mr. Dougherty noted that the program is changing but there was one item of obligation requiring roof discharge which would continue. A.Irwin noted that nothing deferred was necessary to serve stormwater from what was built.

Linda Segal asked if a public hearing has begun, and A.Irwin responded that he believed it was with the Planning Board.

B.Salzberg asked about dead trees noted at the outfall. Mr. Dougherty said they are having them assessed and will get a landscape architect’s opinion.

Tom Sciacca inquired about previous discussions concerning a path creation from the Town Center property to the boat ramp and whether that possibility still existed. Mr. Dougherty noted that people can walk alongside of the road and such a path wasn’t part of the approved plan.

B.Monahan summarized that the bio-retention is for offsite runoff. The onsite project created flood storage and the offsite project came along and enhanced stormwater treatment.

Mike Lowery asked about the common practice to administratively deal with such issues as discussed. A.Irwin explained that they are discussed informally but to make the change, a public hearing is

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required under the Chapter 194 permit. There are issues of lesser impact but still there remains a public review process for compliance to the plan.

Motion to close the hearing under the Wetlands Protection Act; Seconded 5-0

Motion to close the hearing under the Chapter 194 Bylaw; Seconded 5-0

Motion to approve First Amendment under the Chapter 194 Bylaw; Seconded 5-0

9. **10:22 pm – Public Hearing, Christine & Dean Richard, Applicants, 183 Oxbow Road, DEP File No. 322-809:** Notice of Intent filed pursuant to the Wetlands Protection Act, G.L. ch. 131 s. 40 and an application filed pursuant to Wayland’s Wetlands and Water Resources Protection Bylaw, Chapter 194 filed by Christine & Dean Richard. The project is for a septic replacement – replacing the 3-bedroom septic system with a 4-bedroom septic system at 183 Oxbow Road, Wayland, MA shown on Wayland’s Assessors Map 03, Parcel 012.

A.Irwin announced that the applicant requested continuance of the hearing.

Motion to continue the hearing to September 12, 2013 at 8:00pm under the Wetlands Protection Act; Seconded 5-0

Motion to continue the hearing to September 12, 2013 at 8:00pm under the Chapter 194 Bylaw; Seconded 5-0

10. **10:25 pm – Public Hearing, Carmine & Anna Pompeo, Applicants, 119 Dudley Road, DEP File No. 322-810:** Notice of Intent filed pursuant to the Wetlands Protection Act, G.L. ch. 131 s. 40 and an application filed pursuant to Wayland’s Wetlands and Water Resources Protection Bylaw, Chapter 194 filed Carmine and Anna Pompeo. The project is to replace a collapsed concrete retaining wall, including new footings and backfill, at 119 Dudley Road, shown on Wayland’s Assessors Map 47A, Parcel 74.

Carmine Pompeo, Applicant, and Giuseppino Daniele Miniello of M.A.D. Construction Co., and Richard Volkin, Engineer, were present for the discussion.

Mr. Volkin explained that this project addresses the extensively collapsed concrete wall on the property. Mr. Volkin explained they have designed a specific gravity wall due to the steep slope and location, with personal concerns to move quickly based on soils, steep slope and proximity to water. Mr. Volkin explained that a “Versa-lok” style wall is appropriate, and added that he didn’t have a site plan so designed the wall for a worst-case scenario as a 10-foot wall. Mr. Volkin directed the Commission that the Versa-lok style is noted on Plan S101. Mr. Volkin confirmed that the plan entitled “Typical Wall Detail” is the title of the plan to be utilized.

Mr. Volkin reported they he had examined the wall and determined that it fell because it was not done structurally correctly. Mr. Volkin explained that the Versa-lok design is often seen along highways and is ideal because the soil behind it keeps the wall in position. Mr. Volkin explained that a drain outlet with crushed stone is included but really not necessary due to porosity of joints and the “geocloth” – a plastic mesh that is laid in the middle of the layer and the weight of the soils physically hold it. Mr. Volkin explained that if you look at the remnants of the footing, they use that as a base and put eight inches of crushed stone on that; when you start working back, the excavation is pretty much there and they are only excavating seven feet behind it (one foot of that is actual wall).

A.Irwin inquired about the temporary stockpiling of soils, and Mr. Volkin noted very little excavation left and commented that blocks can be hand carried, adding that the key is eight inches of crushed stone. Mr. Volkin explained that if the footing is cleared off and compact on existing footing and two layers are sub gradient, then you go ten feet above that to get the loading.

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B.Monahan noted that this matter will be deferred until the next meeting.

13. Compliance Updates/Complaints

Bob Drake raised a procedural question with regard to the repair of the basin at 89 Lakeshore Drive and the scope of the permit. Discussion ensued regarding the Commission's review of the submittal as part of the work. This item will be discussed at the September 12, 2013 Conservation Commission meeting.

14. Issuance of Order of Conditions/Chapter 194 Permit (Pending closing of public hearings)

a. 122-124 Lakeshore Drive; DEP File 322-802 and 322-803

Brief discussion ensued concerning the Order of Conditions and Chapter 194 Permit for this property. Trees were discussed concerning types of trees and how they perform. Conditions necessary for permitting were discussed, including management of stormwater during construction, dewatering for management of run-on during construction and requirement for weekly inspections until slope is stabilized with constructed retaining wall.

124 Lakeshore Drive; DEP File 322-802

Motion to issue a Permit under the Chapter 194 Bylaw;	Seconded 4-1 (1 opposed)
Motion to issue an Order of Conditions under the Wetlands Protect Act;	Seconded 4-1 (1 opposed)
Motion to require a performance guarantee of \$3,500;	Seconded 4-1 (1 opposed)

122 Lakeshore Drive; DEP File 322-803

Motion to issue a Permit under the Chapter 194 Bylaw;	Seconded 4-1 (1 opposed)
Motion to issue an Order of Conditions under the Wetlands Protect Act;	Seconded 4-1 (1 opposed)
Motion to require a performance guarantee of \$3,500;	Seconded 4-1 (1 opposed)

15. Correspondence/Expenditures

16. Adjournment

Motion to adjourn at 11:30pm; Seconded 5-0

The next Conservation Commission Meeting is scheduled for **Thursday, September 12, 2013** in the Wayland Town Building.

NOTE: Per changes to the Open Meeting Law, notice of any meeting of a public body shall include "A listing of topics that the chair reasonably anticipates will be discussed at the meeting". AG's Office guidelines state that the list of topics shall have sufficient specificity to reasonably advise the public of the issue to be discussed.

**TOWN OF WAYLAND
MASSACHUSETTS
CONSERVATION COMMISSION**

LIST OF PUBLIC DOCUMENTS PROVIDED TO THE CONSERVATION COMMISSION

August 9, 2013 to August 29, 2013

August 9, 2013

NOI for septic project at 21 French Avenue from Drake Associates
322-611 Summary memo for CoC on 84 Riverview Circle from Roy Barnacle
ZBA hearing notice for August 27, 2013 re: 146 Concord Road and 102 Lakeshore Drive

August 12, 2013

322-710 Inspection Report on Fieldstone Estates from H2O Engineering
322-552 Letter re: CoC for 8 Alice Drive from Edward T.T. Chiang
Abutter notification letter for 21 French Avenue NOI from Drake Associates
322-759 Inspection Report for Carriage House at Lee's Farm from EBI Consulting
322-795 Inspection Report for 11 Barney Hill Road from Schofield Brothers Engineering
NOI for DPW Site Environmental Improvements from Weston & Sampson
322-701 Amendment to Permit for Town Center On-site project from Griffin Engineering
NOI for septic replacement at 183 Oxbow Road from Samiotes Consultants
RDA for stone wall replacement at 119 Dudley Road from Carmine Pompeo

August 13, 2013

D-763 Proposed site plan remedial repair for 89 Lakeshore Drive stormwater drainage from Bob Drake

August 14, 2013

Wayland Landfill Soil Investigations Report from Peter Fletcher

August 15, 2013

Response to land clearing activities letter at 15 Reservoir Road from W.Hieronimus
Abutter Notification for Town Center amendment from Twenty Wayland LLC

August 16, 2013

322-673 Recorded CoC and notice of data logger installation at 367 Commonwealth Rd from J. O'Connor

August 19, 2013

322-611 Recorded CoC for 84 Riverview Circle from M/M Barnacle

August 20, 2013

Donation from Troop One relating to Eagle Scout Project

August 21, 2013

Letter to ZBA/ConCom re: 102 Lakeshore building proposal from Molly Upton
322-759 Inspection Report on Carriage House at Lee's Farm from EBI Consulting

August 22, 2013

322-701/744 Town Center Inspection Reports from Griffin Engineering
322-804 Revised Septic System Plan for 9 Reservoir Road from Schofield Engineering

**TOWN OF WAYLAND
MASSACHUSETTS
CONSERVATION COMMISSION**

August 26, 2013

Notice of Intent for septic project at 29 Snakebrook Road from Drake Associates
Letter re: future MBTA Rail Trail project from S.Sarkisian
Request to Conduct Soil Borings at Pinebrook Road from Tata & Howard
Inspection Report on Wayland Commons from Sullivan, Connors
Further wetlands information on 183 Oxbow Road from Mary Rimmer via Samiotes Consultants
322-804 Revised Septic Plans for 9 Reservoir Road from Schofield Brothers

August 27, 2013

ZBA Decisions – 7 Red Barn Road and 13 Tally Ho Lane
Abutter Notification for 29 Snakebrook Road NOI from Drake Associates

August 29, 2013

D-825 Notice to start work at 113 Dudley Road from J.Ogletree
322-801 Notice to Start work on Michael Road from Barberry Homes LLC

LIST OF EXPENDITURES August 9 to August 29, 2013

8/20/13	Country Home Products	\$ 19.97	<i>(Fuel Tank Valve/grommet)</i>
	Towne Auto Parts	25.59	<i>(Powered belt - truck)</i>