

WAYLAND CONSERVATION COMMISSION

Minutes Thursday, January 24, 2013 7:32 - 10:10 PM

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

Present: Commissioners: Roger Backman, Markey Burke, Ted Harding, Barbara Howell, Larry Kiernan,
Chairman: Andy Irwin, **Conservation Administrator:** Brian Monahan

Minutes: Andrea Upham

Not present: John Sullivan

A.Irwin opened the meeting at 7:32 PM noting that a quorum was present.

1. 7:32 pm – Citizens Time

No comments were offered.

2. Minutes – January 10, 2013

Motion to approve the Minutes of January 10, 2012 as edited; Seconded 6-0

3. Citizen Inquiries

Rice Road Farm Pond Dredging and Heavy Equipment

A.Irwin reported that activity at Rice Road was brought to the Commission's attention in the area north of Covered Bridge. B.Monahan visited the site and work was completed. A.Irwin mentioned that there is certain agricultural work which can be done as exempt from the normal procedure, though tracking was noted on the road. The Commission will determine how to proceed.

4. 7:35 pm – Continued Public Hearing, Boston Gas Company (dba National Grid), Concord Road/Lincoln Road, DEP File No. 322-793: 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 Boston Gas Company (dba National Grid) proposing to remove an above-ground gas regulation station, the installation of a new gas regulator and 40-feet of 4-inch gas line. All work will be within disturbed land associated with the right-of-way of Concord Road. Work is within the right-of-way of Concord Road at junction of Lincoln Road, Wayland.

B.Monahan reported that the applicant requested continuance to the February 7, 2013 meeting.

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

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

5. 7:35 pm – Continued Public Hearing, William Roberts, 237 Rice Road, File D-812: Application filed pursuant to Wayland's Wetlands and Water Resources Bylaw, Chapter 194 by William Roberts. The applicant is proposing to construct an in-ground pool and associated deck at 237 Rice Road, Wayland. The property is shown on Wayland's Assessor's Map 35, Parcel 0301.

Ted Doucette, Samiotes Consultants, was present representing Mr. Roberts, Applicant. Mr. Roberts also attended the hearing. Mr. Doucette addressed issues raised at the last meeting. A request was made to investigate the status of Wayland isolated land subject to flooding under Chapter 194 and

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evaluate the wetland line. Mr. Doucette reported that Mary Rimmer, a wetland scientist, went out and found over 50% hydric soils and plants; it is a wetland only under the Bylaw, and noted it was topographically isolated from any other wetland or water body. Mr. Doucette reviewed grading and offsets shown on the plan with the Commission and confirmed that all work is outside the 100-foot buffer zone to state wetlands, and the line for isolated land subject to flooding didn't move. Mr. Doucette addressed concerns expressed at the last meeting by neighbors regarding water running onto their property. He pointed out the swale on the plan which will prevent flow to neighboring properties and explained they updated the grades to the sides to direct water around the side of the pool to the swales. Concerning the issue raised about the grate on the dry wells, the specifications will show the grate with smaller holes. Mr. Doucette pointed out the reserve area to the Commission to address questions about the pool encroaching on the reserve area. Mr. Doucette further explained that comments regarding the filter system were added to the narrative and a pervious feature to provide stabilization will be expected in the conditions. Mr. Doucette confirmed that erosion control was added to the detail sheet for the contractor. Responding to questions raised about the size of the pool, Mr. Doucette showed photos to Commissioners of other homes in the area with pools of similar size. Bill Roberts, Applicant, spoke and explained that he has owned the home for seven years and many prospective buyers have inquired about the ability to put in a pool, which is why he is expediting the process to assist with the sale.

B.Howell raised the issue of underground infiltration, and A.Irwin commented that discharge from pools can be infiltrated into the ground but infiltration must be registered separately as special discharge from the drywell with BMPs for dissipation. The UIC permitted infiltrator approval will be expected before construction begins.

A.Irwin invited questions from abutters present at the meeting while confirming that the Permit issued will be valid for a period of three years and the current owner doesn't currently plan to build the pool himself.

Mr. Kroll asked about the flow on the right-hand side of the pool where it is steep. Mr. Doucette pointed out the swale on the plan that addresses the area of concern to Mr. Kroll. A.Irwin told Mr. Doucette that if the deck were to be lowered a bit, that might be an improvement. Mr. Doucette explained that he attempted to design for the worst case scenario and tried to stay level and not go any higher. A.Irwin responded that the Permit could contain a condition that the deck height would be the maximum height and that it could be beneficial if lowered. A.Irwin inquired about construction dewatering and explained that if construction dewatering is part of the construction project, they will need to submit a plan for that. A landscaping plan and specifics on pool depth would also be requested. B.Monahan raised the issue of existing grades and Mr. Doucette said he will provide those from the original plan.

Pat Jones asked for confirmation of the pool dimensions, and M.Burke replied that it is 20' x 55'. Mrs. Kroll inquired about dewatering if coinciding with heavy rain periods. A.Irwin responded that there would be no dewatering more than once per year except for emergency repairs. Mr. Roberts explained that the pool at his residence is similar in size and the process is to take it down a few feet at the end of the season and leave the pool 3/4 full. R.Backman commented that sprinklers are not permitted in wetland resource areas. A.Irwin explained that a planting plan would need to identify how to maintain the slope downhill for stability, with particular plantings identified. Mr. Roberts confirmed that no trees are proposed for removal.

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

A.Irwin explained the process for performance guarantees to Mr. Roberts. Performance Guarantee will be recommended and voted at the February 7, 2013 meeting.

6. **8:03 pm – Public Meeting, Wendy Safe, Applicant, 231 Concord Road, File D-814:** Request for Determination of Applicability pursuant to the Wetlands Protection Act and an application filed pursuant to Wayland's Wetlands and Water Resources Protection Bylaw, Chapter 194, by Wendy Safe proposing the construction of a freestanding 24' x 24' garage and additional 88 square feet of driveway at 231 Concord Road, Wayland. All work will be within the buffer zone of wetlands. The property is shown on Wayland's Assessor's Map 007, Parcel 058E.

Wendy Safe, Applicant, was present for the discussion. Ms. Safe summarized the proposal to construct a 24 x 24 carriage house at the end of her driveway at driveway level with a full foundation with storage below and above. A.Irwin reviewed elevation and footings and inquired about construction dewatering. A.Irwin explained that in order to pour concrete shapes, the contractor will need to pump water out to cast the concrete which would need to be appropriately filtered to ensure there is no silt. L.Kiernan explained to Ms. Safe that the Commission is simply looking for the contractors to have a plan in place to handle the water. B.Monahan commented that it is possible that neither the contractor nor the engineer has thought about dewatering. A.Irwin stated that the Permit will include a condition that if dewatering activities are conducted, they will need to submit a plan to the Commission as to how it will be treated and discharged. B.Monahan highlighted the grading on the plan and shared with the Commission that the surveyor had responded concerning the plan datum used, which was confirmed as NAVD 88. A.Irwin stated the decision will include the standard infiltration condition and BMPs for concrete washout.

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

Motion to issue a Permit under the Chapter 194 Bylaw; Seconded 6-0

Motion to require a Performance Guarantee of \$750; Seconded 6-0

7. **8:18 pm – Public Hearing – Town of Wayland, Applicant Proposed DPW Facility, 68 River Road; DEP File 322-794:** 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 the Town of Wayland for DPW facility construction at 68 River Road, Wayland. Portions of the work are within vegetated wetland, riverfront, flood plain, and the buffer zone. The area where work is proposed is shown on Wayland's Assessor's Map 21, Parcel 010A and 012, Map 17, Parcels 018 and 018C, and Map 22, Parcels 004, 005, 006, and 007.

Roger Alcott and Jeff Alberti of Weston & Sampson were present for the discussion. J.Moynihan began by addressing the Commission and explaining that the project has been split into two separate phases with the roadway and mitigation separate and Weston & Sampson will outline Phase I. He further explained that the Permanent Building Committee has no funding to design mitigation measures to deal with wetlands so it is in everyone's best interests to concentrate on the River Road site itself and then get funding. A.Irwin summarized that the application showed a larger project so with the current footprint being a smaller subset, there is no need to re-notice the project.

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Jeff Alberti, Project Manager, explained that the existing salt shed will be relocated to the other side of the 37K square-foot facility. The building plans were shown and detail reviewed. Mr. Alberti explained that one of the major benefits of the new design is that anything that comes off the vehicles in the building will go to the tight tank system registered with the DEP – a double-walled system capturing any runoff so it doesn't go into storm water.

Roger Alcott explained that wetland flagging was completed and focused on the pond area with the entire length of the access road flagged. He summarized that other resource areas include floodplain and riverfront, adding that in the riverfront an Environmental Scientist identified the line which runs along the tree line. A.Irwin asked if a topographical survey had been conducted, and Mr. Alcott responded that it was based on visual observations. B.Monahan reported that the Town Surveyor had an aerial photo done with the 118 contour shown and showed the photo to the group. Mr. Alcott said that shrub meadow to wooded meadow was key for delineation. B.Monahan commented that regardless of the methodology used, either way they are not in riverfront. A.Irwin added that floodplain does not necessarily define riverfront.

Mr. Alberti explained that Phase 2 will warrant a closer look. B.Monahan commented that the Town Surveyor can combine the plans, overlaying one on the other. Mr. Alcott reviewed the plan for Phase I with a paved area for access to the salt shed and proposed paved area around the building with grading to minimize water velocity and work to be conducted within site constraints (gas line, etc.). Mr. Alcott pointed out a general grade change left to right with catch basins and below-grade infiltration chambers; roof runoff will go to the leaching structure and overflow to subsurface leaching system, then above-surface system and then spillway. Mr. Alcott discussed snow storage along the River Road area and bank with a swale graded in with a perforated drain line below it to minimize freezing on pavement.

L.Kiernan departed the meeting at 8:45pm.

R.Backman commented that Tata & Howard would be conducting soil borings. J.Moynihan explained that their work related to the Sudbury water for Fire service and is not associated with this project and has no bearing on the cost of this project.

A.Irwin asked if there is wetland on the north side of River Road, and Mr. Alcott said not within 100 feet. A.Irwin asked what will be the net cut fill on this phase of the project, and Mr. Alcott said roughly 10K cubic yards of excess. A.Irwin cautioned to be clear on the scope of work as to the limit of work. J.Moynihan explained that they haven't had time to regroup on the issue of excess material. B.Howell asked if the material from the big dig is clean, and Mr. Alberti confirmed that it has all been tested and all is clean. B.Howell raised the issue of salt and phragmites. Mr. Alberti responded that the goal is to dump inside and not lose salt all over the site so they plan for better housekeeping processes in play.

Linda Segal inquired about phasing and asked what was the delta in dollars. J.Moynihan responded that all funding with the exception of around \$8K has been allocated to contract estimated amount to do design work, so \$40K plus delta. Ms. Segal asked about the timing of Phase 2. J.Moynihan responded that if Town Meeting approves it in its entirety, the work will start in May on design work, which will take four weeks. By September/October they will plan to put a package out for bidding, which should mean mid-November.

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Dave George of the Permanent Building Committee asked whether or not permitting could occur prior to the new contract, and J.Moynihan said they won't go out to bid until they have an Order of Conditions in hand. A.Irwin raised the issue of the Lord hill reconstruction and whether those soils are being considered. A.Irwin reported that the Commission would like to conduct a peer review for drainage. A.Irwin reminded of the need for communication to DEP and Natural Heritage.

Linda Segal inquired in what year could public expect traffic exit onto Route 20 rather than River Road. J.Moynihan responded that, if on schedule, the end of October 2014.

A.Irwin commented that Phase 2 will be for flood storage and the access road to the transfer station would then be permanent so flood and wet area filled would be offset by mitigation construction with working hydraulics. B.Monahan and J.Moynihan will discuss peer review process. B.Monahan stated that the peer reviewer will pick up materials tomorrow hoping to get some comments back next week.

A.Irwin requested permission to continue the hearing to February 7, 2013 at 8:00PM, which was granted.

Motion to continue the hearing to February 7, 2013 at 8:00pm under the Wetlands Protection Act; Seconded 5-0

Motion to continue the hearing to February 7, 2013 at 8:00pm under the Chapter 194 Bylaw; Seconded 5-0

A.Irwin closed noting that a broad set of minimum conditions will be worked on, adding that the Historic Commission's concerns would fall under the Phase 2 project.

8. Request for Return of Performance Guarantee

7 Brackett Road: DEP File No. 322-712

B.Monahan stated that engineering reports were not received in a timely manner and recommended a \$150 penalty from the performance guarantee. Discussion ensued and it was agreed to handle the matter after other items on the agenda.

Motion to table discussion to later in the meeting; Seconded 5-0

9. Request for Certificate of Compliance [310 CMR 10.05 (9)]

a. 286 Boston Post Road; DEP File No. 322-62

Motion to issue a Certificate of Compliance under the Wetlands Protection Act; Seconded 5-0

b. 9 Sylvan Way; DEP File No. 322-767

B.Monahan noted that site inspections were not submitted.

Motion to issue a partial Certificate of Compliance under the Wetlands Protection Act; Seconded 5-0

Motion to issue a partial Certificate of Compliance under the Chapter 194 Bylaw; Seconded 5-0

c. Covered Bridge Conservation Cluster; DEP File No. 322-648

B.Monahan explained this will be deferred to the next meeting.

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- d. 14 Springhill Road; DEP File No. 322-674
B.Monahan explained this will be deferred to the next meeting.

- e. 20 Harrison Street; DEP File No. 322-706

B.Monahan inquired about the O&M Plan, and recalled the project as an addition to the existing house. A.Irwin stated that the one-page maintenance plan must be filed with the Certificate of Compliance at the Registry of Deeds. B.Monahan noted that timely inspection reports were not received in the file.

Evidence of registration of the Cultec will be sent by the applicant to the DEP.

**Motion to issue a partial Certificate of Compliance under the Wetlands Protection Act;
Seconded 5-0**

**Motion to issue a partial Certificate of Compliance under the Chapter 194 Bylaw;
Seconded 5-0**

10. Compliance Updates/Complaints

- a. 89 Lakeshore Drive

B.Monahan reported that a letter was received from Mike Lowery regarding the catch basin in the street, which was backed up again and causing a safety hazard. B.Monahan issued a second non-criminal penalty to the property owner. A.Irwin commented that corrective action needs to be taken to avoid a third penalty. B.Monahan will communicate with the owner regarding the need for the name of the engineer for the next Conservation Commission meeting.

- b. 55 Knollwood Lane

B.Monahan reported that a letter is going out to the property owner requesting a planting plan by March.

- c. 50 Rich Valley Road

B.Monahan reported that a letter was sent to the property owner regarding the need for a revised planting plan.

- d. 50 Sherman Bridge Road

B.Monahan reported that a letter was sent to the property owner regarding future activities.

11. Land Management

- a. Rice Road Dam

A.Irwin reported that the Commission was asked if we had other funding sources. A.Irwin commented that the Historic Commission wants historical information on the significance of the pump. Linda Segal said the waylandwells.com website has historical documents which she will try to send to the Commission.

B.Monahan will seek an estimate on a camera being utilized in the discharge pipe to check blockage.

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- b. CPC Funding Request. B.Monahan reported that appraisal services are underway for the Plain Road parcel.
- c. Other – A.Irwin reported attending the Finance Committee meeting on January 23, 2013.

12. Other

- a. Tree Committee/Proposed Chapter 193A

Discussion ensued with Scott Machanic around a joint committee effort. Issues discussed concerned land disturbance and conflict with Chapter 193. B.Monahan commented on a draft set of regulations already in place. A.Irwin explained there are pitfalls around implementation in the current form, adding that Chapter 193 deals with alteration of land by grading and the other is cutting of vegetation. It was agreed that the discussion will be continued with the subset of the Commission previously arranged.

13. Request for Return of Performance Guarantee

7 Brackett Road: DEP File No. 322-712

Motion to return \$850 of the \$1000 Performance Guarantee; Seconded 5-0

The Commission will discuss general enforcement and penalties issued due to lack of inspection reports at a future meeting.

14. Correspondence/Expenditures

15. Adjournment

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

The next Conservation Commission Meeting is scheduled for **Thursday, February 7, 2013** in the Wayland Town Building.

**TOWN OF WAYLAND
MASSACHUSETTS
CONSERVATION COMMISSION**

LIST OF PUBLIC DOCUMENTS PROVIDED TO THE CONSERVATION COMMISSION

January 11, 2013 to January 24, 2013

January 11, 2013

AUL Filing Notice for 430 Boston Post Road from ERM
Inspection Report on Carriage House at Lee's Farm from EBI Consulting
322-767 Request for Certificate of Compliance for 9 Sylvan Way from Sullivan, Connors
322-701/744 Town Center Inspection Reports from RJ O'Connell
322-648 Request for Certificate of Compliance for 223, 229 Rice Road from Samiotes

January 14, 2013

322-665 Inspection Report on 137 Boston Post Road from Hayes Engineering
Notice of soil testing at 20 Forty Acres Drive from A.S. Elliott & Associates
322-674 Request for Certificate of Compliance for 14 Springhill Road from Alan Catrina

January 15, 2013

322-624 Inspection Report on Wayland Commons from Sullivan, Connors

January 16, 2013

322-770 Notice to start work at 10 Covered Bridge Lane from Samiotes
D-813 Notice to start work at 128 Glezen Lane from New England Stonemasonry
Attachments re: AUL Filing Notice for 430 Boston Post Road from ERM rec'd 1/11/13
322-374 Request for CoC for 57 Concord Road from Paul Finger Associates

January 17, 2013

D-812 Letter addressing ConCom concerns on 237 Rice Road project from Samiotes

January 18, 2013

Letter to PBC from Historic Commission re: DPW facility project
322-748 Request for Certificate of Compliance for 14 Squirrel Hill Road from GPR, Inc.
322-748 Observation Report and photos/plant list for 14 Squirrel Hill Road from GPR, Inc.
322-706 Request for Certificate of Compliance for 20 Harrison Street from Stephen Dirrane

January 22, 2013

322-624 Inspection Report on Wayland Commons from Sullivan, Connors
Town Clerk memo re: adopting/amending Bylaws (Articles 2, 5, 6)

January 23, 2013

ZBA continued hearing notice 2/26/13 Habitat for Humanity/89 Stonebridge Road
Board of Appeals Decision modifying YMCA Permit
322-770 Inspection Report on 10 Covered Bridge Lane from Samiotes

**TOWN OF WAYLAND
MASSACHUSETTS
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Abutter Notification re: Danforth Green, LLC Nol to develop gravel pit from Vanasse Hangen Brustlin
322-710 Inspection Report on Fieldstone Estates from H2O Engineering
Comm of Mass Historical Commission letter to Public Building Committee re: New DPW Facility
322-701/744 Town Center Inspection Reports from RJ O'Connell

LIST OF EXPENDITURES January 11, 2013 to January 24, 2013

1/15/13	Cook's Automotive	\$121.20 (<i>Gasoline</i>)
1/23/13	International Bronze	\$135.00 (<i>2012 Ken Moon Plaque</i>)