

WAYLAND CONSERVATION COMMISSION

Minutes Thursday, April 25, 2013 7:31 – 8:55PM

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

Present: Commissioners: Roger Backman, Ted Harding, Larry Kiernan, John Sullivan (7:40) Chairman:
Andy Irwin, Conservation Administrator: Brian Monahan

Minutes: Andrea Upham

Not present: Barbara Howell, Markey Burke

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

1. 7:31 pm – Citizens Time

No comments were offered.

2. Minutes – April 11, 2013

Motion to approve the April 11, 2013 Minutes as edited; Seconded 4-0

3. CVS – 325 Boston Post Road

A.Irwin gave a brief update on CVS and brief discussion ensued concerning the use of data loggers.

4. Citizens Inquiries – Starbucks at 44 Main Street

A.Irwin noted a discrepancy with the BMPs at 44 Main Street concerning an open dumpster on the premises.

5. 7:35 pm – Public Hearing, David & Lillian Watkins, Applicants, 20 Forty Acres Drive, DEP File No.

322-799: 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 David & Lillian Watkins proposing a septic system repair at 20 Forty Acres Drive, Wayland MA, Assessor's Map 29, Parcel 008.

David Watkins, Applicant, was present for the discussion. Mr. Watkins summarized that they have owned the home since 1999 and in 2002 a new septic system was installed, which currently requires weekly pumping due to saturation in the back yard. Mr. Watkins noted a previous addition to the home and a swimming pool, and explained that three years ago rain began causing the system to back up. B.Monahan reviewed the Plan and noted that NGVD datum will be required and a condition can be put in place noting that the plan must be updated and submitted prior to the project. A.Irwin asked if there will be material excavated and removed, and Mr. Watkins confirmed that the driveway is proposed to be used as a staging area. A.Irwin encouraged that the potential resurfacing of the driveway should be covered by the Permit should that become necessary. Truck access and staging was reviewed by the Commission, and silt sacks and sediment barriers around the driveway were discussed. R.Backman asked Mr. Watkins how the new system will make the leach field better, and Mr. Watkins explained they are planning to explore whether there was damage from the pool installation which may be causing the issues. A.Irwin confirmed that no garbage grinder was noted on the plan. Brief discussion ensued on dewatering, and Mr. Watkins confirmed that it will be taken off site. The discussion closed with a summary of conditions to be covered in the Permit including NGVD plan datum, dewatering, a driveway cover/container and inclusion of potential resurfacing of the existing driveway with no change in footprint.

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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 issue a Permit under the Chapter 194 Bylaw;	Seconded 5-0
Motion to issue an Order of Conditions under the Wetlands Protect Act;	Seconded 5-0
Motion to require a performance guarantee of \$750;	Seconded 5-0

6. Proposed changes to WPA Regulations and Waterways Regulations

B.Monahan gave a brief update to the Commission, commenting that with proposed rules DEP is pushing the regulatory burden more onto towns by giving more exemptions in the state regulations. Formal process for exemption was discussed. A.Irwin stated that it is best from a procedural standpoint that if someone is taking advantage of that exemption, they be required to notify locals that they're doing the work and identify separation from wetland resources.

7. 7:55 pm – Public Meeting, Malcolm Astley, Applicant, 143-147 Boston Post Road, File D-817:

Request for Determination of Applicability filed pursuant to the Wetlands Protection Act and an application filed pursuant to Wayland's Wetlands and Water Resources Protection Bylaw, Chapter 194, by Malcolm Astley and Dan Burke, proposing clearing dead and obstructing trees on a right-of-way off Boston Post Road serving 143 and 147 Boston Post Road, Assessor's Map 29, Parcels 042, 044, 045, and 050.

Malcolm Astley and Dan Burke, Applicants, were present for the discussion. Mr. Astley informed the Commission that a year and a half ago a tree fell on his car and caused damage, and he began to be more aware of the trees and who has responsibility to look after trees on a right-of-way. Mr. Astley spoke to Town Counsel, who felt it was the person who owns the right-of-way to keep it clear. Mr. Astley reported checking with Conservation and Highway Departments, and Highway told him it was not a Town road so he approached Conservation due to the nearby wetlands. Brief discussion ensued on utility R.O.W exemption. A.Irwin expressed no general objection to the project but inquired as to how many trees are proposed for cutting, and Mr. Astley noted eleven on the map, mostly red maple and ash, which are dying. A.Irwin noted that due to the wooded area, there is no loss of vegetative canopy so there will be no required plantings based on site specifics. A.Irwin inquired about stumps, and Mr. Astley said they plan to leave them. A.Irwin asked how the slash will be managed, and Mr. Astley responded that it could be left behind. A.Irwin expressed a need to be consistent and requested removal of the remains.

Motion to issue a Negative Determination w/conditions under the Wetlands Protection Act;
Seconded 5-0

Motion to issue a Permit under the Chapter 194 Bylaw; Seconded 5-0

Motion to require a performance guarantee of \$250; Seconded 5-0

General discussion ensued about treatment of tree handling on easements and R.O.W. A.Irwin suggested to Mr. Astley and Mr. Burke to research the paper trail and that there may be a statement of handling of the easement at the time of the original conveyance, where the matter of purpose and activity may be more defined.

8. Other

a. NSTAR R.O.W. Yearly Operational Plan (YOP) Notice

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It was requested that the Commission submit comments to B.Monahan. A.Irwin reminded B.Monahan that he would like to walk the alignment and look at the flagging before NSTAR proceeds, adding that they should minimize use of pesticides. L.Kiernan noted his appreciation for how they're trying to turn the area into a field, adding that buckthorn has been depleted. A.Irwin noted that the Commission does not want the remains of prior cutting in the wetlands.

b. Cow Common

The use of phosphates was discussed. B.Monahan will check fertilizer does not contain high levels of phosphates. A.Irwin commented he should look for an analysis of soil for nutrient need and have application rate set accordingly. B.Monahan stated that the farming agreements need to be looked at and added that Don Ouellette stated there should be no herbicides on Cow Commons. A.Irwin commented that language from the Town 2002 SWAP regarding getting training and integrated pest management was communicated to Mr. Henderson. A.Irwin and expressed that he would like to have a copy of the agreement making commitments about restricted use of phosphates.

c. Rice Road Dam

B.Monahan noted waiting for water levels to go down for camera inspection of gate house outlet pipe but that shouldn't hold up preparation of engineering specifications for contracting spillway repairs and removal of stumps from the dam face.

d. Certificate of Compliance – 14 Valley View Road 322-783

Motion to issue a partial Certificate of Compliance under the Wetlands Protection Act;

Seconded 4-0

Motion to issue a partial Certificate of Compliance under the Chapter 194 Bylaw;

Seconded 4-0

(J.Sullivan was absent during this agenda item). A.Irwin and B.Monahan discussed that the performance guarantee can be addressed at the next meeting. B.Monahan noted that the Certificate of Compliance for 197 Glezen Lane can be addressed at the next meeting as well, once the applicant provides the form and fee.

Discussion ensued on performance guarantees with regard to tardy inspection reports from engineers.

9. Land Management

a. Other

L.Kiernan asked about trail maps for conservation land, and B.Monahan noted that Brendan Decker is working on prototypes which B.Howell has been proofreading and editing.

b. Greenways Trail

A.Irwin mentioned recent correspondence and noted that at this point the work will be above floodplain

c. R.Backman raised issue of recent correspondence regarding the Elm Tree on 9 Barney Hill Road and brief discussion ensued on Elm vs. Sassafras.

10. Correspondence/Expenditures

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11. Adjournment

Motion to adjourn at 8:55pm; Seconded 5-0

The next Conservation Commission Meeting is scheduled for **Thursday, May 16, 2013** in the Wayland Town Building.

**TOWN OF WAYLAND
MASSACHUSETTS
CONSERVATION COMMISSION**

LIST OF PUBLIC DOCUMENTS PROVIDED TO THE CONSERVATION COMMISSION

April 12, 2013 to April 25, 2013

April 12, 2013

322-Amended Plan for 211 Commonwealth Road septic project from Green Hill Engineering
322-691 Response letter from Vanasse Hangen Brustlin, Inc. re: 325 Boston Post Road Monitoring Data

April 16, 2013

Notification to Abutters for 20 Forty Acres Drive Notice of Intent

April 18, 2013

322-701/744 Town Center Inspection Reports from Griffin Engineering Group, LLC
322-624 Inspection Report on Wayland Commons from Sullivan, Connors
322-710 Inspection Report on Fieldstone Estates from H2O Engineering
Groundwater Analytical Data for 430 Boston Post Road from ERM

April 19, 2013

Letter from Mass Historical Commission to SVT re: Greenways erosion control project
322-665 Inspection Report on 137 Boston Post Road from Hayes Engineering

April 22, 2013

ZBA continued hearing 5/14/13, David/Lillian Watkins, 63 Edgewood Road
ZBA continued hearing 5/14/13, Ruth/David Choi, 29 Snake Brook Road

April 23, 2013

322-759 Inspection Report for Carriage House at Lee's Farm from EBI Consulting

April 24, 2013

ZBA Decision re: zoning relief required for 1 Wildwood Road

April 25, 2013

RDA for dock replacement at 55 Knollwood Lane from Tim Dreher

LIST OF EXPENDITURES April 12, 2013 to April 25, 2013

4/19/23	David Poirier/Problem Animal Control	\$575.00 (<i>Lee Road/beavers</i>)
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