

WAYLAND CONSERVATION COMMISSION

Minutes, Thursday, May 8, 2014 7:35 - 10:22PM

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

Present: Commissioners: Roger Backman, Bob Goldsmith, Sherre Greenbaum, Barbara Howell, Betty Salzberg, John Sullivan (7:50 – 9:50pm), Chairman: Andy Irwin, Conservation Administrator: Brian Monahan

Minutes: Andrea Upham

A.Irwin opened the meeting at 7:35PM noting that a quorum was present.

1. **7:30 pm – Citizens Time: This is a time for input to the Commission regarding items that are *not* on the agenda.**

No comments were offered.

2. Minutes: April 24, 2014 and March 20, 2014

A.Irwin reported that the March 20 Minutes had been voted but today we are voting a correction to accurately indicate how the practice of entering Executive Session was properly conducted.

Motion to amend minutes of March 20, 2014 and approve as amended; Seconded 6-0

Motion to approve the Minutes of April 24, 2014 as edited; Seconded 6-0

3. **7:37 pm – Continued Public Hearing, Erik Thoen, Applicant, 37 Rich Valley Road, DEP File No. 322-824:** Abbreviated 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 Erik Thoen. The applicant is proposing interior home renovations along with exterior work to include two front dormers, addition over the existing garage, replacement of garage foundation and two-foot garage extension, with a portion of the work within buffer zone to wetlands at 37 Rich Valley Road, Wayland, shown on Assessor's Map 25, Parcel 22.

Eric Thoen, Applicant, and Tom Timko, Architect, were present for the discussion. Mr. Timko displayed the updated plan. A.Irwin noted the receipt of waiver information and inventory of impervious surfaces. Mr. Thoen pointed out to the Commission that one thing missing from the plan was the patio in back. B.Monahan noted that the sidewalk area was also not shown. Mr. Thoen explained that the plan is to combine all details into one single plan in the next three weeks. A.Irwin noted they are adding very little if any impervious area and asked Mr. Thoen whether, once the surveyor's work is done, we will have the required inventory of impervious surface. Mr. Thoen responded that by removing the sidewalk on the right side of the property, the net is actually a decrease. A.Irwin commented that if there is an increase, drainage mitigation will be required as a condition. Mr. Timko asked if an as-built plan is required and A.Irwin confirmed that it will be a condition in the decision. A.Irwin reviewed the requirements for site inspections during the project that will be spelled out in the permit. B.Howell noted that the As-Built plan should be 1-20.

It was confirmed that an updated plan with an inventory of impervious surface will be expected by the Commission.

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

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

Approved: June 12, 2014

Page 4

for driveway work. B.Goldsmith commented on alternative soil absorption systems that could be considered. Mr. Sullivan noted considering them always but noted that an alternative system would not be appropriate in this instance. A.Irwin asked if the property is in the aquifer protection district and Mr. Sullivan confirmed it is not. B.Howell noted no garbage disposal should be allowed with the septic system to preserve field life since the site is within Riverfront.

Motion to issue a Negative Determination w/conditions under the Wetlands Protection Act; Seconded 7-0

Motion to issue a Permit w/conditions under the Chapter 194 Bylaw; Seconded 7-0

Motion to require a performance guarantee of \$500; Seconded 7-0

7. 8:37 pm - 113 Dudley Road – Review of proposed roof mitigation and proposed walkway; File D-825

Anne Drouilhet was present for the discussion. B.Monahan explained to the Commission that this involves a proposal for roof runoff and to make a sidewalk a porous surface for drainage mitigation. The sidewalk was not included in the original application. B.Monahan noted to Ms. Drouilhet that though this is a casual presentation of the proposal, it is actually something that needs to be very precise. B.Monahan added that if it is approved as drainage mitigation, it will need gravel removal and a certain kind of stone, which is not as simple as it may seem. A.Irwin noted the need to then show the Commission that it was constructed according to manufacturer's instructions and to document the purchasing of proper materials and submit photos as well. Ms. Drouilhet said they are contracting with Sean Powers who has experience with permeable surface products. B.Monahan explained that the porous nature comes from what is underneath the paver product along with the notching, rather than the paver product itself. A.Irwin mentioned a t-shaped grid and B.Monahan noted it is not ADA compliant and others are. B.Monahan noted to Ms. Drouilhet that it is very important to note the need to use stone, not gravel. Ms. Drouilhet noted they plan to use Aqua Brick 4 pavers. A.Irwin asked about maintenance and B.Monahan said it was clear on the tear sheet. A.Irwin reiterated to Ms. Drouilhet the need to keep and submit photos, receipts and materials according to specifications and added that all excavated material should be taken off site.

Motion to accept proposed drainage mitigation proposal as compliant with the Permit decision as discussed; Seconded 7-0

8. 8:55 pm - Request for Certificate of Compliance [310 CMR 10.05 (9)]

a. 55 Knollwood Lane; File D-818

B.Monahan noted there will be an item of non-compliance for the application of preservatives on the dock along with continuing conditions that will be noted.

Motion to issue a partial Certificate of Compliance under the Wetlands Protection Act; Seconded 7-0

Motion to issue a partial Certificate of Compliance under the Chapter 194 Bylaw; Seconded 7-0

b. 248 Lakeshore Drive; D-782; DEP File No. 322-682 and DEP File No. 322-653

248 Lakeshore Drive; D-782

Motion to issue a partial Certificate of Compliance under the Chapter 194 Bylaw; Seconded 7-0

248 Lakeshore Drive; DEP File No. 322-682

Motion to issue a partial Certificate of Compliance under the Wetlands Protection Act; Seconded 7-0

Motion to issue a partial Certificate of Compliance under the Chapter 194 Bylaw; Seconded 7-0

Approved: June 12, 2014

Page 5

248 Lakeshore Drive; DEP File No. 322-653

Motion to issue a partial Certificate of Compliance under the Wetlands Protection Act; Seconded 7-0

Motion to issue a partial Certificate of Compliance under the Chapter 194 Bylaw; Seconded 7-0

c. 12 Plain Road, File D-801

Motion to issue a partial Certificate of Compliance under the Chapter 194 Bylaw; Seconded 7-0

d. Town Center, 400 Boston Post Road; DEP File No. 322-701

B.Monahan reported that a meeting time with David Faist was set up for Wednesday of next week and the Commission should enumerate items to F.Dougherty. A.Irwin raised issues of the line to the municipal pad and the issue of the drainage structure vs. stub location. B.Goldsmith noted an issue with stormwater drainage in the potential parking lot for the municipal pad and began to read from a Mike Abel letter concerning other matters. A.Irwin commented that it was not built according to the plan and the Commission needs to evaluate whether that is a significant deviation as that condition doesn't provide drainage in an area where it was proposed. .

B.Monahan noted that it was not what was approved and would require at least an amendment or possibly an additional filing. B.Monahan noted that one approach could be to write non-compliance items on a Certificate of Compliance with work required. B.Salzberg recalled the existence of two phases with separate performance guarantees. A.Irwin noted the need to see that conditions regarding checking on performance of the basins following storm events are included in any Partial Certificate. Amendment filing was discussed and A.Irwin noted that an amendment can be used provided the topic is of lesser impact but it is not allowed under the Wetlands Protection Act to make a change of greater impact. A.Irwin noted there are topics that are relevant to the performance guarantee and Certificate of Compliance that are outstanding. A.Irwin noted the need to list items of concern, such as notice of change of ownership, water quality structure, drainage pipe, Conservation Restriction, and to work with Mr. Dougherty on what he can do to resolve each item in the task list and provide target dates so this does not drag on indefinitely. B.Goldsmith noted that the O&M manual has to conform to the stormwater handbook and be approved by the Commission. A.Irwin reiterated the need to define items. B.Goldsmith will provide a list and proposed schedule of actions. A.Irwin noted the as-built plan submitted did not include the missing pipe; and expressed serious concern that the engineer failed to accurately identify the significant discrepancy from the approved plans after being specifically charged to present all discrepancies.

9. Land Management

a. Trail Easement for River Trail Place

B.Monahan reported that M.Lanza made an edit regarding liability. B.Monahan will send back the document. S.Greenbaum noted a small corner of land subject to the Twenty Wayland easement which could be a problem. B.Monahan said it can be discussed with M.Lanza.

A.Irwin said to communicate to Selectmen about the overlap of easements, questioning whether it is a flaw so it is on record that the Commission raised the matter.

Motion to express concern to the Board of Selectmen regarding the overlapping of easements for River Trail Place and to request they consider in their decision whether to accept; Seconded 6-0

Minutes – May 8, 2014

Approved: June 12, 2014

Page 7

The next Conservation Commission Meeting is scheduled for Thursday, **May 29, 2014** in the Wayland Town Building.

**TOWN OF WAYLAND
MASSACHUSETTS
CONSERVATION COMMISSION**

LIST OF PUBLIC DOCUMENTS PROVIDED TO THE CONSERVATION COMMISSION

April 25, 2014 to May 8, 2014

April 28, 2014

ZBA hearing notice 5/13/14 re: 15 Bald Rock Road and 37 Rich Valley Road
322-788 Request for return of performance guarantee for 88 Dudley Road from J.Pierce
D-801 Request for Certificate of Compliance for 12 Plain Road from S.Linden

April 29, 2014

322-816 Site inspection reports for River Trail Place from Sullivan, Connors
322-761 Request for performance guarantee for 236 Commonwealth Road from K.Hogue

April 30, 2014

Lincoln Road Conservation Restriction from M.Lanza
322-816 River Trail Easement (executed by B. Giblin) from Brendon Properties
322-794 Existing conditions photos for DPW Facility/66 River Road from G&R Construction
D-829 Inspection Report #1 for Happy Hollow Chlorine Analyzer from Tata & Howard
D-829 Notice of completion of Happy Hollow Chlorine Analyzer/request site inspection from Tata & Howard
322-710 Inspection Report on Fieldstone Estates from H2O Engineering

May 5, 2014

D-595 Request for inspection/file closeout at 36 Woodridge Road from M.Luchetti
322-624 Request for an Amended OOC for Wayland Commons from Sullivan, Connors

May 6, 2014

D-825 Water mitigation proposal for 113 Dudley Road from J.Ogletree
ZBA Decisions – 24 Glezen Lane, 52 Sherman Bridge Road, 5 Old Sudbury Road
NOI for garage construction/driveway extension at 11 Three Ponds Road from Stamski & McNary, Inc.

May 7, 2014

322-824 Supplemental materials for 37 Rich Valley Road project from T.Timko

May 8, 2014

322-824 Waiver information for 37 Rich Valley Road project from T.Timko
Proposal for post-water main break inspection at Snake Brook Dam from GZA Environmental

LIST OF EXPENDITURES April 25, 2014 to May 8, 2014

4/28/14	CMG Environmental (Town Center Review, D.Faist)	\$2,700.00
5/6/14	Sullivan Tire (two truck tires)	\$ 272.88