

# WAYLAND CONSERVATION COMMISSION

Minutes, Thursday, November 20, 2014 7:18 – 9:47PM

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

**Present:** Commissioners: Roger Backman, Joanne Barnett, Barbara Howell, Betty Salzberg  
**Chairperson:** Sherre Greenbaum, **Conservation Administrator:** Brian Monahan

**Not present:** Bob Goldsmith; John Sullivan

**Minutes:** Andrea Upham

S.Greenbaum opened the meeting at 7:18pm noting that a quorum was present.

1. **7:18 p.m. – Citizens Time: This is a time for input to the Commission regarding items that are not on the agenda.**

No comments were offered.

2. **Land Management Item: Discussion of proposed Community Garden Rules and Changes**

S.Greenbaum asked Commissioners for any input on recent proposed changes to the rules and regulations for the Community Gardens. R.Backman expressed that the item which noted a monetary fine was unnecessary. B.Monahan said that the regulation had been in place for several years. R.Backman said the penalty is too strong for certain infractions. B.Monahan will reword to “non-criminal penalty” of rules on Conservation land and will expand on the wording, sending a draft to the Commission. Any suggested edits should be sent along to B.Monahan. It was noted that the major change to the rules is that any plot not being gardened by June 15 of a given year may be reassigned by the Conservation Administrator and the fee shall be forfeited. Changes will be made to annual application forms to reflect other changes, such as hay bale orders. Changes to rules and regulations will be formally voted during a scheduled hearing at the December 18, 2014 meeting.

3. **7:35 p.m. - Public Meeting, Michael Ouradnik, Applicant, 35 Jeffrey Road; File D-852:** Request for Determination of Applicability filed pursuant to the Massachusetts Wetlands Protection Act and an application filed pursuant to Wayland’s Wetlands and Water Resources Protection Bylaw, Chapter 194, filed by Michael Ouradnik for tree removal and replanting at 35 Jeffrey Road, Wayland, portions of which work is within riverfront area and the buffer zone. The property is shown on Assessor’s Map 28, Parcel 013.

**Michael Ouradnik was present for the discussion.** Mr. Ouradnik summarized: A row of tall pines planted in 1960 are starting to come down and one red pine tree took out power lines. They are proposing both tree pruning and tree removal to avoid future issues with fallen trees. There are a total of nine trees, with four planned for removal and five to be cut and left as snags. All trees are along the border of their neighbor’s lot; 2/3 of replanting is planned in the same area and 1/3 will be replanted in the existing lawn area closer to wetlands. Mr. Ouradnik provided the surveyor’s map, tree map and site plan to show replanting areas. The area is within 200 feet of riverfront. B.Monahan noted that the house is not in the Natural Heritage and Endangered Species zone nor is the planned tree cutting. It was noted that the wetlands line is from 2004. B.Howell asked

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what kind of pines are to be planted and Mr. Ouradnik said they were not yet specified. B.Monahan noted that plants should be cleared with the Commission prior to moving ahead with them. Mr. Ouradnik noted that he plans to cut trees now and do the replacement plantings in spring. Abutters, Mr. and Mrs. Slep of 40 Jeffrey Road, stressed the need for the trees to come down as they are hazardous to both homes and power lines.

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

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

**Motion to require a performance guarantee of \$500; Seconded 5-0**

**4. Proposed Planting Plan for 9 Reservoir Road; DEP File No. 322-804**

Mr. and Mrs. Hicklin were present for the discussion. It was noted by the Commission that many plants on the planting list they provided were non-native but the Commission would need to determine if the non-native plants proposed are located within Commission jurisdiction. B.Howell discouraged non-native grasses as they can travel and become very problematic; particularly pachysandra should not be used. B.Monahan suggested B.Howell give three or four choices of native grasses. The area of Conservation jurisdiction was shown on the plan. Regarding the trees, B.Howell noted that the proposed Crabapple was non-native. S.Greenbaum suggested that the landscape architect substitute the size, shape and color of proposed plantings with similar characteristics offered in native species plantings. B.Monahan will send B.Howell's notes to the Hicklins.

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

a. Wayland Commons; DEP File No 322-624

A notation will be added that O&M reports are needed December 31 of each year.

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

b. 74 Lakeshore Drive; DEP File No. 322-814

It was noted that no inspection reports were 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. 8 East Road; File D-770

**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**

d. 121 Dudley Road; DEP File No. 322-775

B.Howell commented that the project involved the installation of an alternative septic system. B.Monahan noted that there were also repairs to the foundation which was deeper than approved and there were changes to the roofline requiring additional filings. A letter was

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sent to the applicant and his response indicated the requested information would be forthcoming but was not received. A second letter will be sent by B.Monahan. The Commission will need to consider whether the changes to the project can be addressed as an Amendment or will require a new filing.

**Motion to deny the Certificate of Compliance under the Wetlands Protection Act; Seconded 5-0**  
**Motion to deny the Certificate of Compliance under the Chapter 194 Bylaw; Seconded 5-0**

**6. Other**

**a. Other – Birding Event**

S.Greenbaum welcomed John Hines to the discussion and suggested scheduling a birding event in the future that could be advertised as part of the Commission's regular communication in the Spring Recreation brochure. Mr. Hines suggested May 2015 would be a good time, and approximately 1.5 hours could be set aside. May 9, 2015 was suggested with a rain date of May 16, 2015; a start time of 8am was suggested. Lincoln Road fields could be utilized and Hazel Brook could provide an optional extension. No pets would be allowed on the walk. The Commission will notify the grantor of the planned event.

Brief discussion ensued on the Lincoln Road article that appeared in the Sudbury Valley Trustees newsletter.

Discussion ensued on the Aqueduct from Framingham (Stonebridge Road) to Weston (Blossom Road). Permission to walk is being addressed for Wayland. A question arose as to horseback riding. B.Salzberg is working on guidelines for Wayland. It was noted that dogs must be on leash. J.Hines suggested looking at the Framingham website as to aqueduct rules and regulations.

- b. FY 2016 Operating Budget Update** – B.Monahan will send narrative with outline for areas for more money. Monday evening is Personnel Board meeting to discuss Land Manager position. B.Monahan, S.Greenbaum, B.Howell and B.Salzberg plan to attend.

**c. Possible Warrant Articles Update – IDDE and Amending Chapter 193**

B.Howell noted an error where Section 7 should be Section 8 and will propose some rewriting as appropriate. B.Monahan noted that IDDE should refer to C193.

**d. NPDES Stormwater General Permit Update**

B.Monahan will address at a future meeting.

**e. 4 School Street Response**

A draft response letter will be prepared before the December 4 meeting.

**7. Land Management**

**a. Status of Open Space Plan Update**

B.Monahan needs scope of services and is still working on it.

**b. Update on any possible Land Acquisition Warrant Article/s**

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B.Monahan sent a map to see which Commissioners would like a full-sized copy and noted he received no response. B.Salzberg, S.Greenbaum and B.Howell indicated they would like a copy. An additional bound set of assessor's maps will also be pursued with Surveying. Mid-sized copies of the Open Space Plan will also be pursued.

- c. Update on removing boats at Rocky Point  
B.Monahan spoke to the Chief of Police. The remaining boats will be stored for thirty days at the Conservation storage shed and then disposed of by staff. J.Hines reported two boats had recently been removed. J.Hines raised the issue of a wooded parcel he believed was owned by the Town near Rocky Point, opposite Cottage Street, where he noted two canoes are resting.

- d. Other: Minutes – November 6, 2014  
**Motion to approve the November 6, 2014 Minutes as amended; Seconded 5-0**

**8. Request for Performance Guarantee**

- a. 22 Pequot Road; DEP File No. 322-815  
**Motion to approve the release of the Performance Guarantee; Seconded 4-1 (abstain)**

- b. 20 Meadow View Road; File D-846  
**Motion to approve the release of the Performance Guarantee; Seconded 5-0**

- c. 29 Damon Street, DEP File 322-817  
B.Monahan noted that no site inspection reports were submitted and recommended return of the performance guarantee less \$150.  
**Motion to approve the release of the Performance Guarantee less \$150; Seconded 5-0**

**9. Adjournment**

- Motion to adjourn at 9:47pm; Seconded 5-0**

The next **Regular Conservation Commission Meeting** is scheduled for **Thursday, December 4, 2014** 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  
November 7, 2014 to November 20, 2014**

**November 10, 2014**

322-817 Request for return of performance guarantee for 29 Damon Street from R.Small  
Annual Dues mailing from MACC  
322-812 Response to Permit Conditions for Happy Hollow Chemical Feed Facility from Tata & Howard

**November 12, 2014**

322-710 Inspection Report on Fieldstone Estates from H2O Engineering  
322-816 Inspection Report on River Trail Place from Sullivan, Connors

**November 13, 2014**

322-775 Request for CoC for 121 Dudley Road from Green Hill Engineering  
322-832 Notice to Start Work at 8 East Road from P.Jalandoni (retracted/resending with new date)

**November 17, 2014**

322-624 Two copies of Stormwater O&M Plan for Wayland Commons from Sullivan, Connors  
322-794 Inspection Reports (3) on DPW Facility from Weston & Sampson

**November 18, 2014**

ANRAD for Covered Bridge Lane from Creative Land & Water Engineering LLC

**LIST OF EXPENDITURES    November 7, 2014 to November 20, 2014**

11/18/14	Commonwealth of Mass. NHESP (Vascular Plants, 3 copies)	\$ 75.00
	Commonwealth of Mass. State Bookstore (310 CMR 10.00, 8 copies)	\$116.50