

# WAYLAND CONSERVATION COMMISSION

Minutes, Wednesday, October 22, 2014 7:15 – 10:03PM

**Location:** Selectmen's Meeting Room, Town Building, 41 Cochituate Road, Wayland, MA

**Present:** Commissioners: Roger Backman, Joanne Barnett, Bob Goldsmith (7:33pm) Barbara Howell, John Sullivan, (7:45—9:45pm)

**Chairperson:** Sherre Greenbaum, Conservation Administrator: Brian Monahan

**Not present:** Betty Salzberg

**Minutes:** Andrea Upham

S.Greenbaum opened the meeting at 7:15pm noting that a quorum was present.

1. **7:15 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.

Shortly after Citizens Time, Mike Miller, Cross Street, expressed his thanks to the Commission for their assistance addressing the boats to be moved out at Rocky Point.

2. **Land Management Discussion - Community Gardens – Discussion of rules, fees, usage, issues, and other matters related to the operation and care of the Community Gardens by the Conservation Commission.**

David Hill, Orchard Lane, provided a handout of issues to consider, including signage, upgrades to the turnaround, central compost area, increased communications, fee structure with non-resident differential, and noted the most important matter as safety in the gardens. Mr. Hill summarized an altercation he had early in the season with a non-gardener in the gardens.

Tony Lee, Brooks Road, discussed the water policy noting that other towns provide hoses at their community gardens. Given the age of most of the gardeners, Mr. Lee said a 50-75 foot hose would be a big help so people didn't have to tote water such a distance to their plots, and it could have a shut-off valve at the end to guard against wasted water.

Dee Maxted, Lakeshore Drive, said she has enjoyed the gardens for many years and noted that weeds are a big problem in general and if plots are not gardened, the weeds spread to other plots and they become quite a challenge. She suggests a deadline to begin gardening after which a plot will be given away. R.Backman suggested that the gardens be plowed in fall with a cover crop added and then plow again in spring, which will help with weeds.

Christine Hoage of Natick noted agreement about the weed problem and noted that she is alone many times at the gardens at night and only saw the Police once. Molly Faulkner noted that she has been gardening for four years and never felt worried being alone at the gardens in the evening. Mr. Hill reported that the Police commented on the lack of signage in the gardens which could help enforce regulations. B.Howell noted that she had her handmade bird boxes stolen from her plot early on in the season. B.Howell commented on people parking in the turnaround and the issue of dogs in the garden.

S.Greenbaum addressed signage and commented that 'gardeners only' should be included in any new signage. B.Monahan said he could boil down the regulations and post a sign addressing dogs, trails around the garden, etc. Penny Beer, Autumn Lane, noted that the dog scent in a

Approved: November 6, 2014

Page 2

person's garden does help to deter rodents but there is a downside of loose dogs not on call command which she has experienced. Ms. Beer thanked B.Monahan for providing the portable toilet for gardeners this season.

B.Howell noted the walking trail around the gardens as a prime butterfly and birding location and said there is no issue with walkers on the trail but there is an issue with dog walkers on that trail.

S.Greenbaum asked for any comments on a potential increase in gardening fees, which is being considered. A survey of surrounding towns showed Wayland has a very low fee of \$.027 per square feet at \$16 regular fee for a 10x30 plot, with Duxbury at \$.54 per square feet at \$65 for a 10x12 plot, which is the high end. The Commission is considering a change to the resident vs. non-resident fee structure. R.Backman said he is not opposed to raising the non-resident fee. B.Monahan noted that the gardens are subsidized close to 50%; gardeners are provided with plowing, water, straw and some compost, with half of the expenses collected in fees. B.Monahan explained that it is not the intention to break even as it is a public service but there is an argument for a different fee for non-taxpayers. B.Howell noted that if there is a different non-resident fee, then it should include a senior citizen non-resident fee as well.

B.Monahan addressed plowing and mentioned he could ask people in plowed plots to close out a little earlier to allow for plowing. Penny Beer asked if there is a wait list for unplowed plots and B.Monahan said there could be and there is a four-plot maximum. Ms. Beer noted the gardens could use more unplowed plots. B.Monahan said they may add another eight.

It was noted by gardeners that not all the straw provided gets used, so one idea is to give gardeners the option of paying for their bale. Ms. Faulkner recommended Erikson's for straw.

B.Monahan discussed designating an area with posts near the compost area for disposal of garden waste. He is hoping to get a dumpster in two weeks (Nov. 2).

Gardeners discussed interest in sharing their emails with each other. Penny Beer offered to create a Yahoo community gardeners group.

R.Backman noted a long-standing policy that the Commission doesn't allow hoses in the gardens in an effort to regulate water use. Mr. Lee noted that there could be an on/off switch at the end of the hose and noted that Concord and Weston have hoses available. Bonnie Pomfret, Old Connecticut Path, noted an issue with trimming along the edges of her plot/path and along the road. B.Howell commented on invasive species, such as black swallowwort, tangling the fence.

- 3. 8:17 p.m. – Continued Public Hearing, Wayland Department of Public Works, Applicant, Route 27 and Route 30 Intersection Improvements; DEP File No. 322-829:** Notice of Intent filed pursuant to the MA Wetlands Protection Act and a Chapter 194 application filed pursuant to Wayland's Wetlands and Water Resources Protection Bylaw, Chapter 194, filed by S.Kadlik, Wayland Department of Public Works, for an intersection improvement project at Route 27 (Main Street) and Route 30 (Commonwealth Road) in Wayland.

B.Goldsmith recused himself from the discussion. Mike Myers of TEC and Stephen Kadlik, DPW Director, were present for the discussion. Mr. Myers noted that MassDEP's comments were received and he delivered a revised plan, which he noted as the same plan with only a change of detail for

**Approved: November 6, 2014**

Page 3

deep sump catch basin now including a hood in the contract at no cost; they are paid for by the State. Revised Notice of Intent packages were provided with a summary of changes. Mr. Myers reported that DEP raised Stormwater Handbook for TSS removal credits; the current schedule is quarterly with a mechanical standard rotary broom sweeper and based on schedule, they aren't able to take the TSS 10% credit. Mr. Myers noted they have addressed DEP's comments. B.Monahan said he can send comments along. B.Howell asked if there is still an increase; Mr. Myers confirmed. B.Howell asked if they could recharge somewhere else; Mr. Myers explained all other options were in areas not controlled by the Town. B.Monahan asked if the paved swales were taken care of and Mr. Myers showed them on the plan and confirmed there are 12 deep-sump basins. Mr. Myers said once the final design is buttoned up, the State will look to pull this project up on the transportation improvement programs. B.Howell asked about a new O&M Plan and Mr. Myers said five copies to be provided. B.Monahan noted a need to have a matrix of all the O&M plans on a database. B.Howell asked about the use of vac trucks; S.Kadlik explained they are used for hoods because the clam shell won't fit. B.Monahan said there will be a condition to update info in the O&M 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**

4. **8:33 p.m. – Continued Public Meeting, Carlos Melero-Montes and Elizabeth A. Konig, Applicants, 74 Sears Road, File D-851:** Request for Determination of Applicability filed pursuant to the MA Wetlands Protection Act and a Chapter 194 application filed pursuant to Wayland's Wetlands and Water Resources Protection Bylaw, Chapter 194, filed by Carlos Melero-Montes & Elizabeth A. Konig, to install a new septic system at 74 Sears Road, Wayland. Portions of the work are within the buffer zone to a wetlands. The property is shown on Assessor's Map 15, Parcel 062. **Continued under Chapter 194 Only.**

S.Greenbaum noted the applicant's request for withdrawal to submit new applications.

**Motion to allow the request for withdrawal of the Chapter 194 Application; Seconded 6-0**

5. **Minutes to review and approve:** September 18, 2014 and October 9, 2014

**Motion to approve the October 9, 2014 Minutes as amended; Seconded 6-0**

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

- a. 11 Barney Hill Road, DEP File No. 322-795

**Motion to issue a partial Certificate of Compliance under the Wetlands Protection Act; Seconded 6-0**

**Motion to issue a partial Certificate of Compliance under the Chapter 194 Bylaw;                    Seconded 6-0**

- b. 78 Loker Street, File D-839

**Item will be deferred until the next meeting to allow for a site visit.**

- c. 10 Old Sudbury Road; DEP File No. 322-726

B.Monahan noted that the deck and grading are not according to plan. The no-disturb area was just planted and the performance guarantee will cover the plantings and will be held for two growing seasons, which will be included in the cover letter.

Approved: November 6, 2014

**Motion to issue a partial Certificate of Compliance under the Wetlands Protection Act; Seconded 6-0**  
**Motion to issue a partial Certificate of Compliance under the Chapter 194 Bylaw; Seconded 6-0**

7. Other

a. FY 2016 Operating Budget

B.Monahan noted that the budget is due at the end of the month. Discussion ensued about requesting more hours for seasonal laborers. B.Monahan noted that the budget guideline is to take items and account for inflation. Land management supplies budget will be addressed to get signage needed for Rocky Point, etc. B.Goldsmith noted level service, not level funding, and added that the Rocky Point budget could be put together in the operating budget and presented as a completely separate item from the regular budget with Heard Farm as capital or operating budget. S.Greenbaum addressed "unmet needs" and adding more time needed for seasonal help and perhaps getting surveying work done, such as Rocky Point/Loker areas. B.Monahan noted that a Conservation area could be surveyed every other year. B.Monahan said he needs the unit price for surveying by Tuesday. B. Monahan noted the buckthorn at Rocky Point that could be mowed. The need to identify a budget figure for Rocky Point conservation land unmet needs for the annual budget was discussed.

b. Possible Warrant Articles

B.Monahan raised the issue of IDDE (illicit detection) and whether the existing bylaw properly addresses illicit discharge. Some towns have separate illicit discharge bylaws. B.Goldsmith suggested finding an article from another town that is good and either put it in stormwater or have it free standing. S.Greenbaum expressed that free standing is easiest. B.Monahan will send the stormwater threshold numbers along to the Commission.

B.Goldsmith noted that the Surface Water Quality Committee has voted to support an article associated with maintenance of septic systems close to surface waters. requiring septic pumping every three years for those within 300 feet. The area around Dudley Pond was discussed. Language will be drafted. B.Goldsmith noted that the Board of Health and Conservation Commission will be approached to co-sponsor the article. B.Monahan recommended they seek response from the Board of Health swiftly and the Commission would defer a bit to the Board of Health. S.Greenbaum noted that J.Junghanns will attend a future Conservation Commission meeting for general discussion.

c. Update on Capital Budget

S.Greenbaum noted that B.Monahan is working on getting someone to write an RFP for the dam work and there is a need for someone to write specs for the spillway. Lower Millbrook and other dams were discussed. S.Greenbaum noted that FinCom wants more information on the renovation of fields. R.Backman noted the Sedgemoor weeds and the need for mowing to get meadow grass growing.

J.Sullivan was asked about the Community Preservation Committee. He reported on a push to replace the \$2M that was used and questioned whether the Commission should set up an established fund with pre-approval to allow them to act quickly if a piece of property becomes available rather than a set-aside (such as the housing trust). B.Monahan discussed pre-approval for ten properties that the Commission could move on. J.Sullivan reported that they are receptive to the idea of restoring Heard Farm. J.Sullivan discussed the \$500K for

Approved: November 6, 2014

Page 5

sprinklers in Cochituate Village dwellings; the CPC offered half but the funds were never spent.

d. Meeting Dates and Upcoming Meetings

An extra meeting is planned for Wednesday, October 29, @8:30am.

e. Dead Trees

B.Monahan noted the need to address trees that are dead and near a resource area.

f. NPDES Stormwater General Permit

B.Monahan noted there is a new permit coming out from the EPA and will send along the link.

8. Request for Performance Guarantees or Other 53G Funds

a. 9 Barney Hill Road; DEP File No. 322-760

**Motion to approve the release of the Performance Guarantee; Seconded 5-0**

b. 26 Charena Road; DEP File No. 322-796

**Motion to approve the release of the remaining Performance Guarantee; Seconded 5-0**

c. 113 Dudley Road; File D-825

**Motion to approve the release of the Performance Guarantee; Seconded 5-0**

d. 21 White Road, DEP File 322-800

This item deferred to allow S.Greenbaum to follow up on plantings.

9. Land Management

a. Update on Rocky Point Conservation Area

S.Greenbaum provided an update on efforts to address the boats and kayaks left behind and noted there will be a meeting after November 15. Chief Irving will contact the environmental police. S.Greenbaum shared information with the Dudley Pond Association and spoke to a Wayland Town Crier reporter.

b. Open Space Plan Update

A blurb will be given to J.Barnett.

c. Management Plans - item tabled.

10. Issuance of Order of Conditions [310 CMR 10.05 (6)]/Chapter 194 Permits *(Pending closing of hearings)*

a. Route 27 and Route 30 Intersection Improvements; DEP File No. 322-829

**Motion to issue a Permit with conditions under the Chapter 194 Bylaw; Seconded 4-0**

**Motion to issue an Order of Conditions under the Wetlands Protection Act; Seconded 4-0**

**Motion to require a set-aside of 5% of the bid as a performance guarantee; Seconded 4-0**

11. Correspondence/Expenditures

12. Adjournment

Minutes – October 22, 2014

**Approved: November 6, 2014**

Page 6

**Motion to adjourn at 10:03pm; Seconded 5-0**

The next Regular Conservation Commission Meeting is scheduled for **Thursday, November 6, 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**

**October 10, 2014 to October 22, 2014**

**October 10, 2014**

D-845 Notice to start work at 221 Boston Post Road from R.Cook for D.Crowe  
322-760 Request for return of performance guarantee for 9 Barney Hill Road from J.Bartick

**October 14, 2014**

D-843 Superseding Determination for 8 Hill Street from MassDEP  
322-827 Notice to start work, work schedule and contacts for 9 Reservoir Road from Eligius Homes

**October 15, 2014**

322-796 Request for performance guarantee for 26 Charena Road from M/M Bratt

**October 16, 2014**

D-847 Notice to start work at 2 Cameron Road from P.Greiff  
322-816 Inspection Reports for River Trail Place from Sullivan, Connors

**October 20, 2014**

D-840 Notice to start work and schedule for 11 Three Ponds Road from C.Wise  
322-815 Request for return of performance guarantee for 22 Pequot Road from N.Wilson  
322-710 Inspection Report on Fieldstone Estates from H2O Engineering  
D-847 Amendment for 2 Cameron Road from P.Greiff  
322-624 Request for CoC for Wayland Commons from Sullivan, Connors  
Request for tree maintenance by ConCom for rotted tree at 23 Lee Road boundary from L.Condil

**October 21, 2014**

D-846 Request for final inspection and performance guarantee for 20 Meadowview Road from T. Gulley

**October 22, 2014**

Notice of soil testing at 17 Deer Run from Land Planning, Inc.

**LIST OF EXPENDITURES    October 10, 2014 to October 22, 2014**

*No items to report*