

WAYLAND CONSERVATION COMMISSION

Minutes, Thursday, June 25, 2015 7:18 – 9:45PM

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

Present: Commissioners: Roger Backman, Joanne Barnett, Barbara Howell, Betty Salzberg (7:20),
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. **7:17 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. **Acceptance of Gift of Conservation Land and Request B.O.S. Confirmatory Order of Taking - Sage Hill Road Open Space Parcel**

S.Greenbaum summarized that the Commission is voting to accept the Sage Hill Road open space parcel as a gift. R.Backman noted that the Selectmen's signature page incorrectly noted J.Nolan as Chair and will require correcting.

Motion to accept the Quitclaim Deed for the Sage Hill Road parcel; Seconded 5-0

3. **Land Management Item:** Discussion of license for access on the Weston Aqueduct – Application for 8(m) Permit

B.Monahan noted that the license paperwork for access is due and he will be submitting it to the MWRA for by early next week with the payment. B.Monahan suggested doing the whole aqueduct rather than pieces and see what happens. B.Monahan shared that one resident communicated not liking the parking. John Hines commented that the sandpit adjacent to Wayland High School has been abused for years and that the New England Sand and Gravel pit has been illegally trespassed on as well. It was noted that the Weston Aqueduct hearing last week was held about opening up new sections.

At 8:00pm after discussion on this item had closed, resident Duane Galbi asked to be heard on the topic, expressing interest in what is happening in his neighborhood. B.Monahan noted that the application hasn't changed. Mr. Galbi expressed he was not happy to not have known about parking being part of the application and commented that someone took an area and covered it with impervious cover close to river. Mr. Galbi expressed that he wants no parking there. B.Howell responded that landscapers have parked there for many years. B.Monahan noted that NHESP has a regulatory piece and ownership of a section for mowing and noted that the area Mr. Galbi is talking about is MWRA's so one could ask them if one can park there. Mr. Galbi said he met with MWRA. R.Backman noted it is not the Town's land, but MWRA's. B.Howell noted that the Commission looked at it and it is safer than Meadowview Road. S.Greenbaum discussed the possibility of doing away with parking or looking at the other potential parking area and making this space smaller to allow for other options. B.Monahan said he can write in Mr. Galbi's concerns with parking.

4. Project Updates

a. Heard Farm – Repurposing farm equipment

B.Monahan noted that Bill Green had a gentleman at Heard Farm who uses farm equipment for art/sculpture. The Commission expressed positivity about the concept but acknowledged potential issues with public safety – i.e. sharp edges, etc. S.Greenbaum asked B.Monahan to invite him to a future meeting to discuss the concept.

b. Solar Panel Update for WMS, WHS, and Town Building

B.Monahan noted that test borings are being done in the Town Building parking lot and noted that a public hearing will be needed. There is an issue with rain gardens at WHS and how they will handle them will need to be addressed. S.Greenbaum noted the need for a follow-up letter to Ameresco as to expectations and the Commission discussed that the concern of leaking through panels should be included. B.Monahan noted that he has provided comment on the Commission's concerns twice in the past.

5. 7:35 pm – Public Meeting, Fred Pagano, Applicant, 24 Bayfield Road, File D-861: Request for Determination of Applicability filed pursuant to the Wetlands Protection Act and a Chapter 194 application filed pursuant to Wayland's Wetlands and Water Resources Protection Bylaw, Chapter 194, filed by Fred Pagano to remove leaning/dead /weak (sic) trees within 100 feet of a wetlands at 24 Bayfield Road, Wayland, MA shown on Assessor's Map 47A, Parcel 001.

Fred Pagano and Eric Zizza were present for the discussion. Mr. Zizza, speaking on behalf of the applicant, summarized the proposed project to remove five dead/leaning trees which are weak and uprooted which had been measured conservatively from the wetlands. Both property owners noted concern with damage to live trees they lean on as well as concern with small children and falling trees. R.Backman asked if they were uprooted from wind damage. Mr. Zizza responded that he was not certain but the very large tree is closest to the house. S.Greenbaum asked about tree species and Mr. Zizza noted two as pine and the rest deciduous varieties. R.Backman asked B.Monahan if dead trees require replacement and B.Monahan noted that if the Commission is changing current policy (that they require replacement), it needs to be clearly stated. Discussion ensued on tree size. B.Monahan and S.Greenbaum will arrange a site visit to measure trees, and look at soils and plant material.

The Commission stated that no trees shall be cut until a site inspection and that all within 100 feet of wetlands shall be replaced according to the replanting schedule.

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

6. Project Updates

c. Eagle Scout Candidate pending projects

B.Monahan noted that a second raised bed is being built at the Community Gardens within 15' of existing raised bed to the left. S.Greenbaum commented on pricing out options for product. B.Monahan noted someone doing a project at Trout Brook and an effort to move ahead with someone for Rowan Hill. B.Salzberg noted the need for a sign/trail marker for

Reeves Hill. B.Monahan commented on Tempesta plans for kiosk for future use. B.Salzberg commented on the path that was planned by River Trail Place which she believed hadn't been finished yet. Discussion ensued on trails planned. B.Howell commented on signs at the Dudley Brook Conservation Area..

d. Chapter 193

B.Monahan noted that thresholds are changing and that amendments were voted and will be implemented when approved by the Atty General's office; the Commission should have a permit ready in the Conservation office. S.Greenbaum noted the permit should be completed before the regulations.

7. **Cow Common Monitoring Wells**

B.Monahan confirmed test results were shared with the Water Department and noted the need to mark the three wells better and identify all three for protection when mowing occurs.

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

a. 231 Concord Road, File D-814

B.Monahan noted that elaborate drainage was installed. B.Howell noted the plan had no datum. B.Monahan summarized that the As-Built doesn't show the limit of lawn and inspection reporting was submitted but not as required. B.Monahan said the Commission can close out the project and list items not in compliance, such as the lack of inspection reporting while drainage mitigation was being installed.

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

b. 115 Lincoln Road; 322-574 and 322-651

B.Monahan noted this item is deferred.

9. **Miscellaneous**

Brief discussion ensued on the Barlow property and it was noted that Bob Goldsmith will take the lead on this matter.

10. **Request for Return of Performance Guarantee**

18 Audubon Road – DEP File No. 322-797

S.Greenbaum noted eight dead shrubs on the property. B.Monahan communicated with the former owner as to how to move forward. The item will be on a future agenda once plantings are done.

11. **Other**

a. Minutes – May 21, 2015 – deferred

b. Work on Basin 3, Town Center; DEP File No. 322-701 – no update

c. 105 Boston Post Road – B.Monahan is trying to set up a site inspection perhaps Monday @4:30; the homeowner contacted B.Monahan.

d. 50 Rich Valley Road – B.Monahan spoke with M.Lanza regarding complaint hearing Tuesday.

e. 7 Lincoln Road – B.Monahan is speaking with the Building Department.

f. Other – Vote to issue ORAD – 26, 32, 35 Covered Bridge Lane; DEP File 322-830

Motion to issue Resource Area Determination under the Chapter 194 Bylaw; Seconded 5-0

Motion to issue ORAD under the Wetlands Protection Act; Seconded 5-0

12. 9:00 pm – Continued Public Hearing, Kenneth Todd Nelson, Applicant, 8 Hill Street, DEP File No. 322-838: 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 Kenneth Todd Nelson, consisting of a single-family home, driveway, garage, septic system, utility connections, retaining wall, grading, and associated site work. Portions of the work are located within the buffer zone at 8 Hill Street, Wayland, MA shown on Assessor’s Map 51B, Parcel 029.

S.Greenbaum communicated to all parties that the timetable was established on June 4, 2015 and required all written submissions to be received by June 11, 2015 to allow the peer reviewer time to review material; the Commission has received that report and it will be part of the record, but because of the established cutoff date, those documents that arrived later should not be part of the record. S.Greenbaum asked if there were any comments from the applicant that do not pertain to its June 23 letter. Mr. Grassia said there are no comments but he will reserve the right to comment at a later date. S.Greenbaum asked if there were any abutter comments. Mr. Samiotes spoke and noted his surprise that the applicant would get the last say. S.Greenbaum responded that she does not understand that comment and reiterated that after June 11 there were to be no written comments or oral comments based thereon included in the record. S.Greenbaum asked if the Commission has heard everything they need to close the hearing. R.Backman confirmed that Lisa Eggleston’s June 17 peer review of material received prior to June 11 is going into the record. S.Greenbaum asked if there is anything else needed to close the hearing and the Commission did not express anything additional needed.

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

S.Greenbaum noted that the Commission can now discuss any conclusions they are inclined to make, direct B.Monahan to draft a decision and at the next meeting on July 15 they can vote on the matter and make their decision.

S.Greenbaum suggested a discussion of conclusions. B.Howell noted the changing of pre-existing drainage characteristics of this wetland. S.Greenbaum listed some conclusions, including: the property meets the definition of wetlands under Chapter 194; the property may meet land subject to flooding and inundation under the Bylaw; the land across the street meets the definition for wetlands under the Bylaw; there is buffer zone on the property from wetlands and buffer zone under the Wetlands Protection Act; runoff calculations do not demonstrate compliance with requirements under the Bylaw. B.Howell read the definition of swamp from the Chapter 194 Bylaw ... “area where groundwater is at or near the surface of the ground for not less than two consecutive weeks of the growing season or where runoff water from surface drainage frequently collects above the soil surface and where at least 50% of the vegetational community is made up of ... “(wetland plants listed in definition). B.Howell noted it is not in the definition but substrate is what it is and filling it is altering it. S.Greenbaum directed B.Monahan to draft a decision for discussion on July 15.

13. Land Management

- a. Update on Land Purchase – 246 Stonebridge Road

S.Greenbaum noted that the purchase of the property closed on Monday. B.Monahan received a proposal from Sullivan Connors; the property needs a survey for purposes of a demolition permit. A future NOI filing can be addressed at the August 5, 2015 meeting.

b. Status of Land Manager Position

S.Greenbaum noted that a dozen resumes were received and two candidates with interesting backgrounds have been interviewed. Interviews will finish by the end of next week.

c. Other

J.Barnett briefly mentioned lady slippers on the rail trail and whether there is NHESP designation.

14. Adjournment

Motion to adjourn at 9:45pm; Seconded 5-0

The next Regular Conservation Commission Meeting is scheduled for **Wednesday, July 15, 2015** 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

June 5, 2015 to June 25, 2015

June 5, 2015

Amendment to 246 Stonebridge Road P&S Agreement from M.Lanza
ZBA hearing notice – 15 Doran Road

June 8, 2015

Remedy Operations Status Report for Former Raytheon Facility from ERM

June 9, 2015

ZBA Decision – 6 Winter Street

June 10, 2015

New addresses for FY16 from Assessing
D-859 Notice to start work at 22 Pequot Road from D.Viazanko
322-710 Inspection Report for Fieldstone Estates from H2O Engineering

June 11, 2015

322-838 Summary of revisions, stormwater response/report, rev. Plans for 8 Hill St from EcoTec, Inc.
D-840 Inspection Report for 11 Three Ponds Road from Stamski & McNary

June 15, 2015

322-823 Inspection Report and site visit request for 68 Lakeshore Drive from The Jillson Co., Inc.
322-816 Inspection Reports on River Trail Place from Sullivan, Connors
322-812 Inspection Report on Happy Hollow Chemical Feed and Water Main from Tata & Howard
322-310 As-Built Plan for 304 Stonebridge Road from P.Bemis, Engineering Design Consultants, Inc.
Appraisal and invoice for 265 Concord Road from Avery Associates

June 17, 2015

322-841 Notice to start work at Mill Pond from T.Largy

June 18, 2015

322-838 Stormwater Review response on 8 Hill Street from L.Eggleston

June 19, 2015

322-838 Response to EcoTec 6/10 letter re: 8 Hill Street from M.Rimmer
322-838 Response to EcoTec 6/10 letter re: 8 Hill Street from S.Garvin, Samiotes Consultants
322-842 Construction schedule for 133 Plain Road from Curtis Septic Service
New real estate closing details for 246 Stonebridge Road from M.Lanza

June 22, 2015

322-701 Inspection Report on Town Center Building 2B from Griffin Engineering
322-699 Inspection Report on 373 Commonwealth Road from Schofield Brothers
Restoration plan proposal letter for 50 Rich Valley Road tree replacement from L.Cooper
FAX re: Diquat treatment at Fiske Pond, Lake Cochituate for 6/29/15 from Aquatic Control Technology
ROW Roadway Repair Notice from Eversource
D-852 Proposed plantings for 35 Jeffrey Road from M.Ouradnik

**TOWN OF WAYLAND
MASSACHUSETTS
CONSERVATION COMMISSION**

June 23, 2015

322-701 Inspection Report on Town Center Building 2B from Griffin Engineering
ZBA Decisions – 25 Dean Road and 26 Lake Road

June 24, 2015

322-710 Inspection Report for Fieldstone Estates from H2O Engineering
Settlement Agreement for 246 Stonebridge Road from M.Lanza
322-838 Follow-up to 6/18/15 letter re: 8 Hill Street from M.Rimmer

June 25, 2015

322-837 Construction schedule for 12 Crest Road from Curtis Septic

LIST OF EXPENDITURES June 5, 2015 to June 25, 2015

6/8/15	<i>Cavicchio Greenhouses (Heard Farm wildflower seed)</i>	\$ 84.65
6/10/15	<i>MWRA (Access Permit Fee)</i>	100.00
6/19/15	<i>Eggleston Environmental (supplemental stormwater review)</i>	875.00
	<i>Peter Fletcher (484-490 Boston Post Road soils investigation)</i>	1180.00
	<i>Gatehouse Media (Wayland Town Crier subscription)</i>	62.40
	<i>Northeast Sanitation (Community Gardens portalet rental)</i>	101.63
	<i>Richey & Clapper (quart oil/misc)</i>	38.48
	<i>State Road Auto (towing charge)</i>	90.00