

WAYLAND CONSERVATION COMMISSION

Minutes, Thursday, June 4, 2015 7:20 – 10:18PM

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

Present: Commissioners: Bob Goldsmith Barbara Howell, Betty Salzberg, Chairperson: Sherre Greenbaum, Conservation Administrator: Brian Monahan

Not present: Roger Backman, Joanne Barnett, John Sullivan

Minutes: Andrea Upham

S.Greenbaum opened the meeting at 7:20pm noting that a quorum was present.

1. **7:20 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:** G. Schuler update on Mainstone Farm

Gretchen Schuler, Chair of the Community Preservation Committee, discussed the Town's ability to possibly purchase development rights at Mainstone Farm. Ms. Schuler, Sudbury Valley Trustees and property owners are engaged in discussions. They will get another appraisal but are currently working with a figure of \$10.6M for 200 acres and have asked the Finance Director to find out how much money they can borrow (from Community Preservation funds) over 20 years. There is a need to determine how much can be spent and the remainder would be private donations from SVT fundraising and the Town doing their part. Ms. Schuler commented that at a certain point borrowing a large amount would be at the expense of other projects which then could not be addressed. Ms. Schuler asked the Commission to give J.Sullivan some idea of what the Commission thinks is appropriate for other projects that are desired.

Ms. Schuler noted that the Hamlens welcome the Commission to the property for a site visit and noted that a conservation restriction would be complicated and encouraged the Commission to visit the site. Ms. Schuler discussed borrowing \$6M for 20 years and explained they have the ability to float a bond for up to 20 years. They would need to borrow \$6M against CPA funds and add \$4M in CPA now but Ms. Schuler noted that \$500K is the debt service they are able to carry. The Commission discussed the need to prioritize projects. B.Monahan noted that an individual has been inquiring about the property. Ms. Schuler noted that based on the expense, they may need to consider proceeding with only part of the land and need to decide what they are able to pay. B.Monahan noted that the recent Lincoln Road purchase came out to \$109K/acre. Ms. Schuler noted that the CPC will be discussing in two weeks what the right number is to take to Town Meeting and CPC will be working to rewrite their plan as well. B.Howell noted that the land in the back abutting Conservation land is certainly of most interest. S.Greenbaum suggested a site visit in early July.

3. **7:38 pm – Public Meeting, S. Kadlik, DPW, Applicant, Pelham Island Road from Sudbury Town line to Heard Road, File D-860:** 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 Stephen Kadlik, Department of Public Works, Wayland, MA for work on Pelham Island Road to repair 150 feet of roadway by

Approved: August 5, 2015

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reconstructing the shoulder and to patch the existing pavement generally from the Wayland Town line to Heard Road, Wayland, MA generally shown on Assessor's Maps 26, 28 and 32.

Stephen Kadlik, DPW Director, was present for the discussion. Mr. Kadlik noted the need for emergency repairs on 150 feet of Pelham Island Road and noted an area on the pond where so much erosion occurred that a cable became visible, and the area is now hazardous. Government winter recovery money (\$73K) is available and the 150 feet is considered an emergency. The project will involve interlocking block along the edge to maintain/ be included in 22' road width. B.Monahan noted floodplain, habitat, riverfront, etc. B.Howell noted that in the future the roadway will need concrete box culverts because the whole thing is river and water will flow through. S.Kadlik said they are hoping to buy time and the longest would be five years; he is looking over the flood study of 2008. B.Howell commented on fishermen adding to erosion and asked if the roadwork will deter that. S.Kadlik said there will be a guardrail after the block. B.Monahan asked about the base underneath the blocks. S.Kadlik noted six inches of stone underneath to level the block. B.Monahan noted that it won't come above the road as one cannot fill floodplain. S. Kadlik also said patching of the road will done from that project heading toward Heard Road & continuing until the funds run out.

Chris Elbing, Pelham Island Road, noted that much of the road isn't 22' wide, widening the whole road is a much bigger project and pointed out the difference between "existing" vs. "original" width. B.Monahan noted that the intent is not to allow any portion of the road to become wider than it had been. S.Kadlik noted the current roadway condition is a big liability to the Town. B.Monahan noted that having the speed limit lowered might help.

Nicky Patterson, Pelham Island Road, asked how it was decided to stop at Heard Road, and S.Kadlik explained it was based on money. Mr. Patterson noted that the worst part of the road is past there – the section from the bridge to the pond is the worst part. Mr. Patterson asked if any consideration was given to returning the portion of roadway around the pond to gravel, noting that it would save the town a lot of money. B.Monahan encouraged Mr. Patterson to watch for the Board of Public Works agendas for discussions. B.Monahan noted the use of Filtermitt for erosion control.

Motion to issue a Negative Determination w/conditions under the Wetlands Protection Act; Seconded 4-0

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

4. Informal Discussion with TEC regarding repairing and paving the Bridge over Sudbury River at Sherman's Bridge Road

Jody Trunfio, TEC Project Manager, made a presentation outlining a coordinated effort between Sudbury and Wayland for needed maintenance work to Sherman's Bridge in an effort to preserve it and make it a more durable, safer structure. The team effort consists of TEC, the Towns of Wayland and Sudbury and the MassDOT District 3 office.

Mr. Trunfio's Powerpoint presentation summarized Existing Conditions, Proposed Work, Project Definition, Riverfront Area Protection and Discussion. Mr. Trunfio noted that it is critical to get all parties aligned moving forward and added that the bridge railing doesn't meet current safety requirements.

Work proposed involves the removal of the existing timber and installation of a new timber deck and bridge railing with the projected life span a minimum 75 years if properly maintained. The proposal is the optional paved deck surface, which was recommended, and to install new guardrail at approaches. Mr. Trunfio reported that the paved surface provides longevity based on MassDOT's experience.

Comments and questions from the public included concern that the bridge is a historic design and many want to keep it that way, which would exclude the use of asphalt. Questions from the public included what kind of preservatives are in the timbers and safety standards. Issues raised and discussed included volume and speed of traffic and concern that an asphalt surface would create even higher speeds. A question was raised as to the bridge noise with paving vs. glulam. There was inquiry as to maintenance costs related to glue lam vs. wood. Mr. Trunfio noted that MassDOT is working with both towns. S.Kadlik reported that MassDOT will not contribute to the use of wood; both towns would have to bear the cost of wood. The use of the boat ramp was raised, and Mr. Trunfio explained that the guardrail limits will not change. Concern was expressed that this is a wild and scenic river and is the only crossing giving a sense of river marsh and the use of glulam with asphalt would ruin that sense. Mr. Trunfio commented that the sidewalk would remain pressure treated as is and that today all water seeps through the deck and with the paved section it would pitch into the river. Issues with sidewalk and current vs. future access to the sidewalk were discussed. Mr. Trunfio indicated this is a "limited project" per the Wetlands Protection Act so they are looking for the Commission's opinion moving forward for a permit.

Concern from the public also included snapping turtle nests and mollusks. Inquiry was made concerning the weight addition to the bridge and its holding capacity. Mr. Trunfio explained they had looked at load carrying capacity and indicated the proposal disperses the weight.

S.Greenbaum asked Mr. Trunfio what he was looking for from the Commission at this point. Mr. Trunfio responded that they wish to know if the Town would be moving forward to take advantage of MassDOT's available funding, which ends at the end of the Fiscal Year.

S.Greenbaum noted the amount of public concern and questions expressed during the presentation and recommended that the project be vetted through a public forum somewhere.

B.Salzberg noted that the Historic Commission should be involved and B.Howell suggested a joint Conservation Commission meeting with the Town of Sudbury.

5. **8:44 pm – Continued Public Hearing, Shane and Sarah Capron, Applicant, 133 Plain Road, DEP File No. 322-842:** Notice of Intent 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 Shane & Sarah Capron, 133 Plain Road, Wayland, MA for the installation of a septic tank, pump chamber, and leach field – replacing the existing fail septic system at 133 Plain Road, Wayland, MA shown on Assessor's Map 25, Parcel 94.

Mark Farrell, Green Hill Engineering, was present for the discussion. Revisions were shown on the plan and proposed planting highlighted; updates were made to address the Commission's concerns around alternative technology benefits. Mr. Farrell explained that the leach field is a cultec system with filter fabric and a two-compartment septic tank provides more settling; the effluent filter is a screened device that helps capture solids that get pumped off site. The leach field is vented and helps with decomposition. B.Goldsmith asked about plants. Mr. Farrell noted

that there is grass on top of the leach field and there is currently plenty of understory and canopy in the area. B.Howell noted that proposed plantings cannot be in wetlands. S.Greenbaum noted that in addition to tree replacement there needs to be a vegetated buffer. B.Monahan noted a 15' on average no-disturb area and suggested that before work starts to show the proposed location, and there is a need for at least 5' where the revised wetlands are – the plants should be pulled away 5' from the wetlands line as revised. B.Monahan noted the need for sediment erosion control around the stockpile area. S.Greenbaum suggested that Mr. Farrell send along a copy of the survey plan to the Commission if he had one. Mr. Farrell will check as to whether he had a survey plan or deed that would prevent work being done on public land. B.Monahan noted that the as-built should also be laid out by a PLS. B.Goldsmith noted that the changes proposed were as good as one could do at a modest cost. B.Monahan reiterated a minimum 5' buffer from wetlands (the red line on the plan plus five feet). Mr. Farrell noted five feet in from 8R/7R/6R on the plan.

Motion to close the hearing under the Wetlands Protection Act; Seconded 4-0

Motion to close the hearing under the Chapter 194 Bylaw; Seconded 4-0

6. **9:00 pm – Continued Public Hearing – Ben Stevens, Trask Inc., Applicant, 26, 32, and 35 Covered Bridge Lane, DEP File No. 322-830:** Abbreviated Notice of Resource Area Delineation filed pursuant to the Wetlands Protection Act, G.L. ch. 131 s. 40, and the application filed pursuant to Wayland's Wetlands and Water Resources Protection Bylaw, Chapter 194, by Ben Stevens, Trask, Inc. The applicant is seeking the verification of the delineation of the wetland resource areas including wetlands, riverfront area, and buffer zone for land at 26, 32 and 35 Covered Bridge Lane, Wayland, shown on Assessor's Map 35, Parcels 30O, 30P, and 30Q.

Motion to close the hearing under the Wetlands Protection Act; Seconded 4-0

Motion to close the hearing under the Chapter 194 Bylaw; Seconded 4-0

7. **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. The applicant has requested that this hearing be continued to June 25, 2015.

Motion to continue the hearing to June 25, 2015 under the Wetlands Protection Act with a timetable for any further submissions to be provided to the Commission by June 11 for potential review by L. Eggleston at the Commission's expense. A summary of all revisions from document to document i.e. the various plans, sketches, details, reports, etc. and the reasons for the revisions will also be submitted at that time; Seconded 4-0

Motion to continue the hearing to June 25, 2015 under the Chapter 194 Bylaw with a timetable for any further submissions to be provided to the Commission by June 11 for potential review by L. Eggleston at the Commission's expense. A summary of all revisions from document to document i.e. the various plans, sketches, details, reports, etc. and the reasons for the revisions will also be submitted at that time; Seconded 4-0

8. Issuance of Order of Conditions - 133 Plain Road, DEP File No. 322-842:

Motion to issue a Permit w/ 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 performance guarantee of \$1750;	Seconded	4-0

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

a. 52 Moore Road, DEP File No. 322-660
B.Monahan noted that the as-built and narrative were not completed by a Professional Engineer.

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

b. 231 Concord Road, File D-814
B.Monahan indicated he has not yet done a site visit.

d. 115 Lincoln Road; 322-574 and 322-651
B.Monahan indicated this is not ready to address at this meeting.

e. 26 White Road; File D-803

Motion to issue a partial Certificate of Compliance under the Chapter 194 Bylaw; Seconded 4-0

10. Other

a. 50 Rich Valley Road
B.Monahan indicated receiving mail concerning a pending criminal complaint to be heard June 30, 2015. The property owner phoned B. Monahan and said he intended to do what the Commission asked. B.Monahan asked him to send that along in writing but nothing has been received.

Stephen Breit, 54 Rich Valley Road, commented that in 2012 a lot of trees were cut down and this past March a huge white pine was cut down along with other trees that were dead or dying.

Motion to issue Enforcement Order to replace trees that were cut down according to the Tree Replacement Schedule; Seconded 4-0

b. Minutes – May 7, 2015
Motion to approve the Minutes of May 7, 2015 as edited; Seconded 4-0

c. Work on Basin 3, Town Center; DEP File No. 322-701
B.Monahan reported having a site walk yesterday and reported that the blocked basin was due to permitted work removing a pipe at River Trail Place. B.Goldsmith noted that a basin is filling with runoff. B.Monahan suggested a pump could be put in a manhole beyond the basin and noted approval of dewatering from the manhole downstream of Basin 3.
B.Goldsmith noted that the concrete collar and riprap under the pipe were not part of original

design and not what was originally approved and mentioned the absence of a water line to the municipal parcel and storm water drain.

- d. ORAD – 484 Boston Post Road, DEP File No. 322-832

Motion to Issue ORAD under the Wetlands Protection Act; Seconded 4-0

Motion to issue RAD under the Chapter 194 Bylaw: Seconded 4-0

B.Monahan reported that the ORAD/RAD will note that the mean annual high water mark is not less than 115.5 and wetlands are as flagged by P.Fletcher.

11. Request for Certificate of Compliance - 304 Stonebridge Road; DEP File No. 322-310

Discussion ensued on the initial subdivision and issues and questions that arose during the process. It was reviewed that under the original Order three houses were constructed. There was an amended Order for three decks and a second amendment to relocate the deck on #304. The Commission received no As-Built plans and no further work may be done under that Order. A CR was never provided as conditioned but according to the Applicant's Engineer, Peter Beemis, and as B.Monahan determined from the file, the Conservation Restriction is on #308 Stonebridge Road. Conclusion was reached that the Applicant's engineer, Mr. Beemis, will provide B.Monahan with an updated plan and narrative, after which the partial Certificate of Compliance can be issued.

Motion to issue a partial Certificate of Compliance under the Wetlands Protection Act upon receipt of required documents; Seconded 4-0

12. Land Management

- a. Update on Land Purchase – 246 Stonebridge Road – the matter is still proceeding.

- b. Open Space and Recreation Plan Update status

Motion to not pursue the \$10K for the Open Space and Recreation Plan this Fiscal Year; Seconded 4-0

- c. Part-time Land Management Position Update

The Search Committee will consist of S.Greenbaum, B.Howell and B.Monahan.

13. Adjournment

Motion to adjourn at 10:18pm; Seconded 4-0

The next Regular Conservation Commission Meeting is scheduled for Thursday, June 25, 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
May 22, 2015 to June 4, 2015**

May 22, 2015

ZBA Hearing Notice June 9, 2015 – 25 Dean Road and 26 Lake Road
ZBA Decision – 5 Stanton Street

May 26, 2015

322-842 Updated plans for 133 Plain Road from Green Hill Engineering
322-701 Inspection Report for Town Center Building 2B from Griffin Engineering
322-816 Inspection Reports for River Trail Place from Sullivan, Connors
322-838 Letter addressing concerns with 8 Hill Street filing from C. Samiotes
D-803 Request for Certificate of Compliance for 26 White Road from M. Murawski

May 27, 2015

322-838 Revised plan and stormwater report for 8 Hill Street from EcoTec

May 28, 2015

322-838 Letter/package re: stormwater runoff for 8 Hill Street from S.Garvin, Samiotes Consultants
322-838 Stormwater Review letter for 8 Hill Street from Eggleston Environmental

May 29, 2015

Answers to Plaintiffs' Second Set of Interrogatories, Moss et al v. Lingley et al, from M.Lanza
322-838 Letter re: 8 Hill Street Notice of Intent from M. Rimmer
322-838 Series of affidavits re: 8 Hill Street from C.Samiotes
322-812 Inspection Report on Happy Hollow Chemical Feed/Water Main from Tata & Howard

June 1, 2015

322-710 Inspection Report for Fieldstone Estates from H₂O Engineering
322-310 Request for Certificate of Compliance for 304 Stonebridge Road from M/M Cohn
322-838 Request for Continuance for 8 Hill Street hearing from K.T.Nelson

June 2, 2015

322-838 Letter re: request for continuance for 8 Hill Street from T.Grassia, Esquire
322-838 Letter re: request for continuance for 8 Hill Street from C.Samiotes/D.Samiotes
ZBA Decision – 19 Amey Road

June 3, 2015

322-838 Second letter re: request for continuance for 8 Hill Street from C.Samiotes/D.Samiotes

June 4, 2015

RDA for tree removal project at 24 Bayfield Road from F.Pagano/E.Zizza

LIST OF EXPENDITURES May 22, 2015 to June 4, 2015

5/26/15 *Henderson Striker (Cow Commons Harrowing/Rototilling)* \$945.00