

WAYLAND CONSERVATION COMMISSION

Minutes, Thursday, September 24, 2015 7:27—10:20PM

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: Sean Fair; John Sullivan

Minutes: Andrea Upham

S.Greenbaum opened the meeting at 7:27PM noting that a quorum was present.

1. **7:27 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. **Land Management Item: Update on Greenways work**

B.Monahan and S.Greenbaum reported that they are trying to get estimates to remove the hedge row on the south field and walked the area on Tuesday morning with Laura Mattei of SVT. It was noted that after the management study there is a need to go back and make arrangements for the big fields but there will be an effort to mow it this fall. S.Greenbaum suggested a future field trip will be planned for the Commission. Downed trees in Conservation areas such as Heard Farm, Greenways, Hamlen Woods and Castle Hill were discussed.

3. **Proposed Land Donation – Pelham Island Road**

B.Monahan discussed the donation of a parcel of land to the rear of 138 Pelham Island Road, which is the Newbury land behind their home. B.Monahan, S.Greenbaum and B.Harris walked the land today and B.Monahan showed the Commission the GIS picture of the area. S.Greenbaum reported that it is a beautiful piece of land and a gracious and generous offer from the Newbury family. The process to accept the land as a gift will be pursued and M.Lanza will look into the deed after which the land can be transferred.

Motion to accept the gift of land at 138 Pelham Island Road; Seconded 5-0

4. **7:30 PM – Continued Public Hearing, Chris D’Antonio, Applicant, 24 School Street, DEP File 322-845:** Abbreviated Notice of Resource Area Delineation 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 Chris D’Antonio for a determination of resource areas at 24 School Street, Wayland MA shown on Assessor’s Map 52, Parcel 189. **NOTE: Applicant has submitted a request to continue this hearing to October 8, 2015.**

Motion to continue the hearing to October 8, 2015 at 7:30 pm under the Wetlands Protection Act; Seconded 5-0

Motion to continue the hearing to October 8, 2015 at 7:30 pm under the Chapter 194 Bylaw; Seconded 5-0

5. **Informal Discussion with representatives from Council on Aging / Community Center Committee**

Marylynn Gentry, Ben Keefe, Facilities Director, and David Faist were present for the discussion. Mr. Faist noted he was asked to work on a feasibility study for this parcel and is working with McLure Engineering through CMG. Ms. Gentry noted she is representing Bill Sterling as a member of the committee in an effort to start one of many conversations about this project and what the committee wants to accomplish. Ms. Gentry noted that their purpose for tonight's discussion is to review the Commission's letter of December 5, 2014.

Ms. Gentry reported that the location and boundaries of the municipal parcel is now enlarged to 4.16 acres and the committee is working on scenarios now given riverfront, floodplain, wetlands, etc. S.Greenbaum responded that all resource areas need to be identified on their plan. B.Monahan commented that Basin 1 was actually compensatory flood storage and could not be used for drainage; it should be included as floodplain and should have been a map amendment. Mr. Faist noted the basin as the one to the left on the plan. B.Monahan asked if flood storage is on site or off site and Mr. Faist noted he will need to check. B.Monahan noted it was called a drainage basin and a condition for the town center project explained that the basin may not be used for drainage. Ms. Gentry asked what created it and B.Monahan responded that it could have been from widening of Route 20. B.Monahan reported that the bio filter is now the responsibility of the onsite project. The Commission noted previous comments by former Commissioner B.Goldsmith regarding Basin 2 which would be used by the municipal parcel; the stub for utilities on approved plans for that lot was never done.

Further reviewing the Commission's letter, the potential project was noted as unknown at this time. B.Monahan encouraged a focus on the septic. Discussion ensued on the issue of alternatives raised by the Commission and if an alternatives analysis would be required. The Commission noted that a project in riverfront requires that analysis. Ms. Gentry asked if the project would be considered redevelopment. B.Monahan noted that once you start going beyond the existing building, the standard changes. Ms. Gentry asked about existing parking and B.Monahan noted the absence of topsoil. B.Monahan commented that under the riverfront regulations they may get the existing building and alteration of 10% of riverfront area on the parcel in addition. B.Monahan pointed out that the new municipal pad indicated by the yellow line on the plan is a new lot to consider; the existing building is not included in the 10%.

Discussion ensued concerning rare species which will be investigated. B.Monahan noted that Alf Berry, Town Surveyor, could add on data layers to the plan. Discussion ensued about redevelopment involving just the building going up.

Ms. Gentry asked the Commission if there were anything they should be aware of with respect to riverfront mitigation. S.Greenbaum responded that the sooner the Commission can see what they're proposing the better they can respond. B.Monahan raised the issue of PCBs and noted that previously three acres of stunted growth in wetlands were taken out. S.Greenbaum asked Ms. Gentry if they are still including the boathouse. Ms. Gentry said many questions remain and they will come again with their proposal and discuss further. B.Monahan explained that when different options are considered they might choose to go in and protect the rest of the riverfront. B. Howell noted the way to look at different options would be "either/or".

6. **8:15 PM - Continued Public Hearing, Oxbow Development LLC, Applicant, 41 Shaw Drive, File D-865:** Chapter 194 application filed pursuant to Wayland's Wetlands and Water Resources Protection Bylaw, Chapter 194, filed by Oxbow Development LLC seeking to define the area of jurisdiction on the property at 41 Shaw Drive, Wayland under Chapter 194. The property is shown on Assessor's Map 39, Parcel 035.

Peter Gammie, Alan Litchfield, and Richard Cormier were present for the discussion. B.Monahan updated that Lisa Eggleston completed her review and that Mr. Gammie responded with an email late today and redefined the line. Mr. Gammie noted two possible lines identifying the boundary of isolated land subject to flooding – one is by going out in the field and seeing as with the original delineation and the second is hydrology of land through a watershed analysis. Mr. Gammie noted that Ms. Eggleston had some good points such as the 8.62” 100-year storm event and he noted that DEP talks about the bottom of the bowl being impervious. Mr. Gammie reported that looking at the model with 8.62” the elevation is 199, and the whole purpose is to determine the boundary under Chapter 194 of isolated land subject to flooding. B.Monahan clarified that in the Bylaw they are not talking about exfiltration and noted the no-disturb zone. B.Monahan noted that Ms. Eggleston’s point was that the policy is the “capability” to flood. Mr. Gammie noted they can survey it, put it on a plan and not do anything there though there may be something already done on it. B.Monahan noted the permit condition of a 199 contour and 100-foot offset and asked that the work be mindful of the trees of the abutter in their Chapter 193 plan.

Motion to close the hearing under the Chapter 194 Bylaw; Seconded 5-0
Motion to issue Resource Area Determination under the Chapter 194 Bylaw with a 199 contour line to be provided to the Commission; Seconded 5-0

7. **8:40 PM – Continued Public Hearing, Devens Hamlen, Applicant, 35 Covered Bridge; DEP File No. 322-850:** 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 Devens Hamlen for the construction of a single-family home with attached garage and related site work located at 35 Covered Bridge Lane in Wayland, Massachusetts. Portions of the work are within the buffer zone. The property is shown on Assessor’s Map 35, Parcel 030Q.

B.Monahan referenced detail sheets, the basin they hadn’t built, and the retention pond which was originally referred to as detention. The Commission discussed the retention vs. detention matter and noted they will add special conditions that they want the O&M to match the old plan or the O&M should match what it is now. There must be clarification of what is being designed. B.Monahan noted that if it is detention, it is a dry basin and there is a condition that says no sand. The Commission noted the need for permanent protection of open space for that lot which is a continuing concern.

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

Motion to issue a Permit under the Chapter 194 Bylaw; Seconded 5-0
Motion to issue an Order of Conditions under the Wetlands Protection Act; Seconded 5-0
Motion to require a performance guarantee of \$3,500; Seconded 5-0

8. **Chapter 193 Stormwater and Land Disturbance Bylaw Update**

B.Monahan noted that this is a critical need and suggested a goal be set to have a complete application and permit by the end of October. B.Monahan noted that a treed lot converted to grass is an impact that needs evaluation as trees and grass present different impact and runoff.

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

a. DPW Facility – DEP File No. 322-794

The Commission discussed the Certificate of Compliance recently issued for this project and noted that the vegetation could not be properly evaluated based on drought conditions. It was noted that the work was completed but the set aside should not be released until the vegetation is evaluated.

Motion to hold the set aside and not release until such time as the vegetation can be evaluated; Seconded 5-0

b. 10 Covered Bridge Lane – DEP File No. 322-770

S.Greenbaum noted that the deed was completed but they have not completed the Conservation Restriction on the open space parcel which is a continuing concern. Discussion ensued on addressing the CR in a condition to be included in the 35 Covered Bridge Lane decision about to be issued for DEP File 322-850.

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

10. Request for Release of Performance Guarantee

6 Cross Street, File D-854 (Pending site inspection) – B.Monahan reported he was not able to conduct a site inspection and the item will be deferred to the next meeting.

11. Other

a. Minutes – September 10, 2015

Motion to approve the Minutes of September 10, 2015 as edited; Seconded 5-0

b. Annual Report – B.Monahan will send out material.

c. Update on outstanding items for Town Center; DEP File No. 322-701

S.Greenbaum reported that under the recent settlement agreement the Board of Selectmen waived the requirement that there be a connection to the municipal pad. B.Monahan said the matter will be noted by the Commission as work not done. The CR and trail easement to Cow Common were discussed. B.Monahan noted that Alf Berry can put on the plan where the trail is today. S.Greenbaum noted that she and B.Monahan met with Frank Dougherty and Nan Balmer last week for a review and the plan needs to be stamped by an engineer/surveyor and included as part of the trail easement. S.Greenbaum noted that the CR is essentially done but there is an easement across a small corner of the CR and the revised CR was sent back to Mr. Dougherty.

d. Site Visits to Cow Common and Pelham Island – B.Monahan will arrange a date with Commissioners

e. 75 Concord Road – B.Monahan noted he needs to meet with M.Lanza

f. 50 Rich Valley Road – B.Monahan reported that the property owner sent in a planting list and B.Monahan needs to reply and noted that the violation had not yet been paid by the property owner.

- g. 89 Lakeshore Drive – Concerns were raised by an abutter. B.Monahan will draft correspondence to the property owner, Ms. Weiner.

12. Land Management

- a. 246 Stonebridge Road – Work to clear invasive plants and update, if any, on permitting

B.Monahan reported that B.Harris will be removing invasives. B.Howell reported on a new process being followed for invasives at Assabet which utilizes small plastic bags.

J.Hines reported on piles of hay apparently left behind after mowing occurred on the north/south fields of Cow Common and at Heard Farm. J.Hines also noted observing an issue of a small pond across from the Lincoln Fields where he noted disturbance. B.Monahan noted that there are agricultural exemptions which might apply there.

- 13. **Executive Session:** Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a) (6) to consider the purchase or value of the real property known as Mainstone Farm.

Motion by the Chair, S.Greenbaum, to enter Executive Session:

I move that the Conservation Commission enter into Executive Session to consider the purchase or value of the real property known as Mainstone Farm.

CHAIR: Is there a second to the motion to enter into Executive Session? Motion seconded;

CHAIR: Roll call vote noting R.Backman, J.Barnett, B.Howell, B.Salzberg and S.Greenbaum; 5-0 in favor.

The Chair declares that a public discussion with respect to the real property known as Mainstone Farm will have a detrimental effect on the discussions of the Commission.

CHAIR: S.Greenbaum invites attendance by staff member Brian Monahan, Conservation Administrator, and Andrea Upham, minute taker, for the Executive Session. Roll call vote was taken to approve the staff members' attendance noting the approval of R. Backman, J.Barnett, B.Howell, B.Salzberg and S.Greenbaum; 5-0 in favor.

S.Greenbaum announced that the Commission is now going into Executive Session at 9:55PM for the sole purpose of considering the purchase or value of the real property known as Mainstone Farm and will reconvene in open session in approximately fifteen minutes for the sole purpose of adjourning.

The Commission returned to Open Session at 10:20pm.

14. Adjournment

Motion to adjourn at 10:20pm; Seconded 5-0

The next Regular Conservation Commission Meeting is scheduled for **Thursday, October 8, 2015** in the Wayland Town Building.

**TOWN OF WAYLAND
MASSACHUSETTS
CONSERVATION COMMISSION**

**LIST OF PUBLIC DOCUMENTS PROVIDED TO THE CONSERVATION COMMISSION
September 11, 2015 to September 24, 2015**

September 14, 2015

ZBA Hearing Notice – September 29, 2015 (35 Woodland Avenue/150 Main Street)
322-838 Superseding OOC and site walk follow-up letter to MassDEP from EcoTec

September 15, 2015

ZBA Decision – 11 Maguire Road
D-861 Follow-up on tree work at 24 Bayfield Road from E.Zizza/F.Pagano

September 16, 2015

322-833 Revised plans w/datum noted for 344 Commonwealth Road from Allen Engineering

September 18, 2015

322-824 Inspection Report for 37 Rich Valley Road from The Jillson Company Inc.

September 21, 2015

322-845 Request for Continuance for 24 School Street from Chadwick Homes
322-812 Inspection Report – Happy Hollow Chemical Feed Facility/Water Main from Tata & Howard
322-843 Condition Responses for 32/34 Covered Bridge Lane from Trask Incorporated
Request to mow buffer zone at 6 Fields Lane from M/M Balicki
322-710 Inspection Report for Fieldstone Estates from H₂O Engineering
322-838 Follow-up letter to DEP site walk at 8 Hill Street from M/M Samiotes

September 22, 2015

322-849 Notice to start work and condition responses for 37 Campbell Road from Sudbury Kitchens

September 23, 2015

ZBA Decisions – 18 Glezen Lane and 4 Lawrence Road

September 24, 2015

D-821 Notice of completion and request for perf. Guarantee for 61 Highland Circle from J.Evangelista
322-699 Inspection Report for 371/373 Commonwealth Road from Schofield Brothers

LIST OF EXPENDITURES September 11, 2015 to September 24, 2015

9/15/15	Northeast Sanitation (garden portalet rental)	\$101.63
9/18/15	Voss Signs (ConCom magnetic vehicle sign)	59.45