

WAYLAND CONSERVATION COMMISSION

Minutes, Thursday, February 19, 2015 7:16 – 9:35PM

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

Present: Commissioners: Roger Backman, Joanne Barnett, Barbara Howell, Betty Salzberg, John Sullivan (7:41pm), **Chairperson:** Sherre Greenbaum, **Conservation Administrator:** Brian Monahan

Not present: Bob Goldsmith

Minutes: Andrea Upham

S.Greenbaum opened the meeting at 7:16 pm noting that a quorum was present.

1. **7:16 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: Meeting with Lisa Vernegaard, Executive Director, Sudbury Valley Trustees**

Discussion ensued with Lisa Vernegaard, who has been Executive Director at Sudbury Valley Trustees for eighteen months. Commission members and Ms. Vernegaard exchanged information and ideas as to how to partner together in the future. B.Salzberg noted that she monitors Sudbury Valley Trustees' Conservation Restrictions. Volunteerism was discussed and Ms. Vernegaard explained that SVT has a successful stewardship model managed by Dan Stimson. Among 36 communities, Ms. Vernegaard noted that there are 75K acres of land of importance to SVT. The Commission noted their proposal for a part-time land manager to assist with their efforts. B.Salzberg noted that trail work is needed and noted Upper Mill Brook as one area needing attention. Ms. Vernegaard mentioned the state recreational trails grant. B.Monahan commented that SVT may wish to adopt the same set of rules on land, such as the Commission's dog policy. Ms. Vernegaard was asked whether SVT connects with Mass Audubon Society and she explained that SVT hosts a camp. The Commission thanked Ms. Vernegaard for the exchange and she encouraged the Commission to phone her whenever needed.

3. **Discussion – New England Sand and Gravel, Framingham RTN3-00629**

S.Greenbaum noted that information was shared for the Commission to look over and B.Monahan noted that Linda Segal had requested an extended comment period. B.Monahan will resend the results information via email, and the Commission should send a letter of response with any comments on groundwater results and suggestions for the contact list along with any other information they want included. B.Howell and J.Sullivan will look over the material and respond next week.

4. **Minutes – January 13, 2015 and February 5, 2015**

Motion to approve the Minutes of January 13, 2015 as amended; Seconded 6-0

Motion to approve the Minutes of February 5, 2015 as amended; Seconded 6-0

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5. **7:50 p.m. – Continued Public Hearing, Arthur Gerber, Applicant, 12 Crest Road, DEP File No. 322-???:** in the Wayland Town Building, 41 Cochituate Road, Wayland, Massachusetts, the Wayland Conservation Commission will hold a public hearing to consider a 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 Arthur Gerber for a septic system repair/replacement at 12 Crest Road, Wayland, MA. The work is within the buffer zone. The property is shown on Assessor’s Map 47A, Parcel 050. **The Commission has received an e-mail asking that this item be continued to the March 12, 2015 meeting.**

Motion to continue the hearing to March 12, 2015 at 8:45pm under the Wetlands Protection Act;
Seconded 6-0

Motion to continue the hearing to March 12, 2015 at 8:45pm under the Chapter 194 Bylaw;
Seconded 6-0

6. **Other**

- a. 373 Commonwealth Road; DEP File No. 322-699
B.Monahan noted he had sent along material to the Commission and that they need to be aware and to address whether the work is in compliance. B.Monahan noted there was no notification of a new owner among other things. B.Monahan will draft a letter and send it out to commissioners. B.Monahan explained that the Permit Extension Act allowed for automatic extensions of this project.

7. **Land Management**

- a. Lincoln Road CR Walk and Update on Rules
S.Greenbaum prepared a draft letter and will mail out if no objections are noted.
S.Greenbaum did not yet meet with M.Lanza. B.Monahan noted that the CR was read differently and they will review with M.Lanza regarding jurisdiction. It is hoped that rules will be finalized within the month; please send thoughts to B.Monahan.

8. **8:00 p.m. – Continued Public Hearing, Ben Stevens, Applicant, 24/26 Covered Bridge Lane; DEP File No. 322-834:** 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 Ben Stevens, for work at 24/26 Covered Bridge Lane, Wayland proposing to construct two single-family houses and related site work, portions of which are within riverfront area and wetlands buffer. The property is shown on Assessor’s Map 35, Parcel 0300.

Ben Stevens of Trask Development and Alicja Zukowski of Samiotes Consultants were present for the discussion. B.Monahan noted the Commission looks for rate/volume data for 1, 10 and 100 storms. Discussion ensued regarding drainage designed previously for the whole project, a 13-unit conservation cluster, approved in 2007. Ms. Zukowski noted that in 2012 they received approval for the total site from the Planning Board. B.Monahan noted that they should show deviations from 2007 to now; the original subdivision had impervious surface numbers for each lot so there is a need to show how they’re compensating for Lot #5 increasing from 4,040 sf to 7,035 sf. Ms. Zukowski commented that Lot 11 has no building or impervious surface as previously counted and all lots, whether jurisdictional or not, have pervious paver driveways. Mr. Stevens summarized his understanding that the Commission would like them to look at what is proposed for this lot and if there’s more impervious surface, mitigate it. The detention basin areas on the east side were discussed.

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S.Greenbaum reviewed waivers. Evidence of Board of Health receipt was confirmed by Ms. Zukowski. Locations of temporary stockpiles were noted as up on Lot 8 and B.Monahan asked that they be noted where they should be on the plan. B.Monahan noted that trees in riverfront or buffer can be counted and the Commission would want a plan to be submitted before work begins showing all trees 6" or greater in jurisdiction – from the sediment barrier to the end of jurisdiction. Mr. Stevens said they can submit that data with their notice to start work. B.Monahan noted that clarity is needed with regard to the 30-foot no-disturbs from the original decision noting deed restrictions; the presumption was that was in place when they closed the file. Ms. Zukowski noted that the language might be in association documents. Mr. Stevens will send deed reference to B.Monahan. Plan changes were reviewed. Silt sock details were discussed; specs will be sent to B.Monahan. A rate/volume table pre and post was requested by the Commission. Drainage calculations were discussed and Ms. Zukowski confirmed the Commission's request for a summary of the 2007 existing conditions vs. proposed conditions.

**Motion to continue the hearing to March 12, 2015 at 7:35pm under the Wetlands Protection Act;
Seconded 6-0**

**Motion to continue the hearing to March 12, 2015 at 7:35pm under the Chapter 194 Bylaw;
Seconded 6-0**

9. **8:30 pm – Public Hearing, Wayland Conservation Commission – Proposed Amendments to Wayland's Stormwater and Land Disturbance Bylaw – Chapter 193:** Wayland Conservation Commission will hold a public hearing to present proposed amendments to Wayland's Stormwater and Land Disturbance Bylaw ("Chapter 193") and to listen to comments and answer any questions that any attendee may have with respect to the proposed amendments. The Conservation Commission is seeking to have these amendments adopted at the 2015 Annual Town Meeting.

Copies of the amended Bylaw draft were made available to the public. S.Greenbaum provided background that in 2008 the existing Bylaw was adopted and an amendment is now needed for better control with updated definitions to conform with the Chapter 194 Bylaw, including illicit discharge, which is a federal requirement, and clarifications on enforcement and implementation and exemptions. B.Howell noted that the exemptions were way off regarding aquifer and other things needed to be corrected. S.Greenbaum commented that lot size wasn't equitable and the proposed amendment now allows for different size lots to be treated more equitably. Tom Greenaway, Finance Committee, noted interest in receiving the handouts via email so he can provide balance to the upcoming presentation. B.Howell noted that there are already rules in place but the Commission wants all pieces to conform. B.Monahan confirmed he sent the materials to all department heads that have boards so they may share the information.

S.Greenbaum noted that the hearing is closed.

10. **Request for Certificate of Compliance [310 CMR 10.05 (9)]**
 - a. 5 Erwin Road; DEP File No. 322-579

Bob Drake of Drake Associates and Nancy and Dave Osborn, property owners, were present. Mr. Drake summarized: The original proposal was for demolition of the previous house and construction of a new house and garage. Delineation of wetlands line was reviewed on the plan and was recently reviewed on the property. The edge of lawn is the same now as at beginning of project. The original project noted a fence line for no-disturb and sprinklers not within 100-foot buffer zone. As-built plan was shown with the confirmation of wetland line crossing contour lines

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but delineation was 50' away from the original based on different interpretation. Several test holes were dug. The Osborns plan to sell the property in the spring so there is a need to identify issues concerning three sprinkler heads and a fence. The sprinkler system was used to irrigate the planting area. The requirement for inspection reports noted in the Order of Conditions was not fulfilled and the Osborns are regretful. The project was built in accordance with the plan but decision is needed on the no-disturb line and whether fence is needed.

Discussion ensued concerning matters of non-compliance. B.Monahan suggested the best approach would be to put up a barrier, remove the three sprinkler heads and provide the Commission with documentation. B.Monahan explained that the no-disturb can be delineated with native plantings with no mowing beyond that plant line; the addition of eight shrubs could meet the condition as written. Mr. Drake noted he will provide the Commission with an amended as-built plan and show the 30-foot minimum no-disturb, and the planting list and plan will be provided to the Commission in advance. B.Monahan noted that the Commission will review at a meeting in April or the first meeting in May.

- b. 119 Dudley Road; DEP File No. 322-810
B.Monahan will do a detailed listing of items of concern and the Commission can address at the next meeting.

11. Land Management

- b. High School Community Service Day Activity
B.Monahan communicated with the High School Principal and the Commission is on the list for outdoor activity volunteers. B.Howell noted that Rowan needs work. B.Monahan would like buckthorn addressed. B.Howell suggested Timberlane and Snake Brook conservation areas, which B.Monahan felt both were wonderful suggestions.
- c. Trail Easement at Town Center
B.Monahan handed out a new survey plan provided by Alf Berry. The Commission requested the addition of floodplain and existing natural heritage habitat on the plan. Parcel 14 was looked at and the basis of the legal description of the trail location was discussed.
- d. Update on Land Management Position
The part-time land manager position is confirmed in the budget and goes to Town Meeting.
- e. Potential Lands of Interest
S.Greenbaum noted moving toward updated information.
- f. Other
The old disk with open space information was converted to a flash drive but there are challenges with different word versions which are very old. Update will be provided at the next meeting.

12. Adjournment

Motion to adjourn at 9:35pm; Seconded 6-0

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The next **Regular** Conservation Commission Meeting is scheduled for **Thursday, March 12, 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
February 6, 2015 to February 19, 2015**

February 6, 2015

322-579 Request for Certificate of Compliance for 5 Erwin Road from Drake Associates
322-710 Inspection Report for Fieldstone Estates from H2O Engineering
RDA for septic project at 74 Sears Road from Grady Consulting

February 10, 2015

322-199 Response re: CoC/Superseding OOC pertaining to 35 Williams Road from MassDEP
Routine maintenance report for flexible pond leveler from Beaver Solutions

February 12, 2015

Preliminary subdivision plan for 33 Shaw Drive from S.Sarkisian
Site plan from 2004 re: Moss et al v. Lingley et al from M.Lanza

February 13, 2015

322-834 Revised NOI for 24/26 Covered Bridge Lane from Samiotes Consultants, Inc.

February 17, 2015

322-812 Inspection Report for Happy Hollow Chemical Feed/Water Main from Tata & Howard
322-816 Inspection Reports for River Trail Place from Sullivan, Connors
322-794 Inspection Reports for DPW Facility from Weston & Sampson

February 18, 2015

ZBA hearing notice – February 24, 2015 re: 281 Concord Road

February 19, 2015

322-823 Inspection Report for 68 Lakeshore Drive from The Jillson Company, Inc.

LIST OF EXPENDITURES February 6, 2015 to February 19, 2015

<i>2/17/15</i>	<i>Gatehouse Media (legal notice)</i>	<i>\$14.10</i>
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