

WAYLAND CONSERVATION COMMISSION

Minutes, Wednesday, July 15, 2015 7:17 – 10:15PM

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

Present: Commissioners: Roger Backman, Joanne Barnett, Barbara Howell, Betty Salzberg, John Sullivan (7:45 – 10:00pm) **Chairperson:** Sherre Greenbaum, **Conservation Administrator:** Brian Monahan

Minutes: Andrea Upham

S.Greenbaum opened the meeting at 7:17pm 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. **Land Management Item:** Update on current activities

B.Monahan noted awaiting direction from procurement office on pursuing a Notice of Intent for the demolition of 246 Stonebridge Road. Discussion ensued on the current need for additional seasonal labor assistance.

3. **Land Management**

- a. 246 Stonebridge Road – on hold waiting for funds to pay for the Notice of Intent
- b. Status of Land Manager Position – Interviewed three people and will make a decision by the end of the week
- c. Naming Conservation Areas – the area off Lundy Lane connecting to MBTA ROW was discussed and naming it Lundy Woods was suggested
- d. Rocky Point Status – B.Monahan reported that he spoke to the sign maker today

4. **Other**

- a. Minutes – May 21, 2015

Motion to approve the May 21, 2015 Minutes as amended; Seconded 4-0

5. **7:35 pm – Public Meeting, David Todd, Applicant, 90 Dudley Road, DEP File No. 322-8??:** 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 David Todd, 90 Dudley Road, Wayland, MA, for the repair/replacement of the existing failed septic system and for construction of a 12' x 12.5' addition to the existing home at 90 Dudley Road, Wayland, MA shown on Assessor's Map 47A, Parcel 62.

V.Colonna was present for the discussion. Mr. Colonna reported: The site abuts Dudley Pond and the project involves the top of bank and no BVW. The existing house has a failed cesspool needing replacement. The new leach field and septic tank were pushed as far as possible from the bank. A depth of 12' found no groundwater. The project will include relocation of the water line and gas line and replacement of stairs will be required. There is a proposed 12'x12.5' addition 50 feet from the bank and the access area will be around the side of the property. A large undisturbed area exists in the back of the lot near resource areas.

B.Howell asked if there are deed restrictions on a 2-bedroom house. Mr. Colonna was uncertain but noted it can be included as a condition. S.Greenbaum asked if the project had been

Approved: August 5, 2015

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approved by the Board of Health and Mr. Colonna noted approval was granted in 2013 though the project was not started until now. B.Monahan noted trees on the plan and reported that it seems perhaps two trees were removed without the Commission's authorization. Mr. Colonna noted the trees on the plan were a 28" Oak and a 16" Pine. S.Greenbaum asked about the walls on the plan and Mr. Colonna identified the walls to be removed and where the new wall will be built along with confirming that most cut material will be taken away as there is little stockpile area on the property. B.Monahan suggested to Mr. Colonna that he should check with the Building Department with regard to aquifer protection. Areas to be discussed at the next meeting included stairs, whether foundation or slab, clarification that all work stops if the house is coming down, swale detail on the plan and discussion of drip line for mitigation. B.Monahan noted that the lot area on the plan is not in agreement with the lot area on record with Assessor's Office. An average 15-foot buffer to the pond was discussed. The project is almost at maximum of impervious surface allowed.

**Motion to continue the hearing to August 5, 2015 at 8:00pm under the Wetlands Protection Act;
Seconded 6-0**

**Motion to continue the hearing to August 5, 2015 at 8:00 pm under the Chapter 194 Bylaw;
Seconded 6-0**

6. **7:55 PM – Public Meeting, William Salomaa, MA DCR, Lake Cochituate Gatehouse, File D-862:** Request for Determination of Applicability filed pursuant to the Wetlands Protection Act, filed by William Salomaa, MA DCR, for repairs to address leakage at the Lake Cochituate Gatehouse in Wayland, MA shown on Assessor's Map 55, Parcel 34.

Alan Orsi and Andrea Judge of Pare Corporation were present for the discussion. Mr. Orsi summarized the repair project to conduct foundation level repairs, reporting that little has been done over many years to maintain the 1847 structure on the Federal Historic Registry. Mr. Orsi reviewed the plan noting that the majority of the structure has rotted in the mortar joints and the work entails cleaning out mortar, putting in new mortar and replacing missing blocks. Regarding sediment control they do not anticipate a lot of disturbance but propose straw wattles with a debris barrier around the gatehouse. Mr. Orsi noted they have been working with the Historic Curatorship (Peter Severin) and Cultural Resources (Jeffrey Harris). B.Monahan asked about coffer dams as an option which Mr. Orsi noted they may have considered but are not utilizing. B.Monahan noted that the Commission prefers Filtermitt or Filtrex mulch-filled socks as opposed to wattles as wattles require filter fence as well. Barrier detail and weighted barriers were discussed and Mr. Orsi reviewed dewatering. B.Monahan noted there will be a condition to clarify dewatering. Tonya Largy, member of the Historical Commission, noted that the Historical Commission had met with the Lake Cochituate Advisory Committee and had seen the gatehouse and noted concern with safety inside and asked if it was being addressed. Mr. Orsi noted that the matter had been discussed but there is no timeline to address it though DCR did put out a Request for Proposal to have architects look at restoration. Mr. Orsi noted that Cultural Resources will examine the debris from the gatehouse repair project and assess based on historic nature. Areas of wall disrepair were noted and Mr. Orsi noted that wall repair is not part of this project. The project is not yet bid so timing of the project not determined.

**Motion to issue a Negative Determination w/conditions under the Wetlands Protection Act;
Seconded 6-0**

7. **8:15 PM – Public Hearing, Ben Stevens, Trask Development, DEP File No. 322-843:** 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 Ben Stevens, Trask Development for the construction of two single-family homes, each with an attached two-car garage located at 32/34 Covered Bridge Lane and the first 100 feet of driveways for proposed houses located at 35 and 31 Covered Bridge Lane, Wayland, MA shown on Assessor’s Map 35, Parcel 030P.

Alicja Zukowski of Samiotes Consultants and Ben Stevens of Trask Development were present for the discussion. Ms. Zukowski confirmed that Lot 7 will be a future filing. Mr. Stevens confirmed that Dev Hamlen will be retaining ownership of Lot 7 and Mr. Stevens shared with Mr. Hamlen that a whole entrance area should be dealt with as one filing with established grading and plantings, which Mr. Stevens pointed out to the Commission on the plan. B.Monahan requested comparisons sheets which Ms. Zukowski distributed. B.Monahan asked for a copy of the plan showing lot numbers corresponding to house numbers. Mr. Stevens noted that Mr. Hamlen still owns Lots 6, 7 and 1A. S.Greenbaum reviewed waivers and Ms. Zukowski noted that the trees are being surveyed next week. B.Howell noted that the datum is not on one of the plans. B.Monahan initiated discussion on lot area and whether more than 500 square feet of impervious surface. Ms. Zukowski pointed out that they are adding a drywell and impervious surface so it is now less than approved in 2006. B.Monahan noted he was not sure about that waiver and discussed the issue of drainage to wetlands and changes from other areas; the table will be reviewed. Ms. Zukowski noted adding an extra drywell and added that the existing 18” pipe is to be abandoned and a new pipe installed in a slightly different location to leave room for the shared septic system, which the Board of Health is reviewing. The leach field was noted as outside the buffer zone. S.Greenbaum asked about status of the Conservation Restriction, which Mr. Stevens noted is included in Lot 4 Condominium Documents. S.Greenbaum asked for the documentation before the next hearing. B.Howell cautioned that the owner will need to put snow in the proper place. B.Monahan noted there should be no snow in the detention basin and on Lot 7 no snow plowing into the no-disturb. Ms. Zukowski noted that there will be guardrails further down to prevent that from occurring.

**Motion to continue the hearing to August 5, 2015 at 8:15 pm under the Wetlands Protection Act;
Seconded 6-0**

**Motion to continue the hearing to August 5, 2015 at 8:15 pm under the Chapter 194 Bylaw;
Seconded 6-0**

8. **8:45 PM –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.

Descheng Wang, Creative Land and Water Engineering, and Chris D’Antonio, Applicant, were present for the discussion. Mr. Wang reported on the property which includes an existing multi-family house and reviewed the plan showing the wetland line. B.Howell noted that resources the Commission is being asked to determine are not on the property and the plan was assumed datum. Mr. Wang confirmed that NAVD will be added. The stream was discussed and Mr. Wang noted that the location of the stream was not detailed on the plan. B.Monahan explained that

theWPA and Bylaw definitions of stream are different. Bylaw presumes streams are perennial unless demonstrated otherwise so the Commission would need to know its location as well as the mean annual high water mark and noted that stream detail can be found in the Bylaw regulations. B.Monahan confirmed the property could still have bordering land subject to flooding and noted to Mr. Wang to consider that if he wants it to be defined. Mr. Wang noted he can clarify that.

George Bernard, 103 E. Plain Street, commented that the property was noted as multi-family and asked for confirmation as to whether it was single- or multi-family. Mr. D'Antonio confirmed that it is a single-family dwelling with a business in back in the barn, so multi-use rather than multi-family. Mr. Bernard noted that the area floods and that in the past they have had to call DPW due to flooding issues. Mr. Bernard asked who owns the property and it was confirmed that it is owned by Linda Knowles. B.Monahan explained that the Commission is establishing jurisdiction under the Bylaw and Wetlands Protection Act. Question was raised about the intent of this activity noting the busy intersection and S.Greenbaum responded that the current project is only delineating resource areas on the property and nothing else. B.Monahan confirmed the Commission can receive Mr. Wang's calculations and he will pursue an estimate of the cost of wetland flagging in the meantime.

**Motion to continue the hearing to August 26, 2015 at 7:30 pm under the Wetlands Protection Act;
Seconded 6-0**

**Motion to continue the hearing to August 26, 2015 at 7:30 pm under the Chapter 194 Bylaw;
Seconded 6-0**

9. **9:05 PM – Public Hearing, Michael Staiti, Applicant, 5 Erwin Road, DEP File 322-???:** 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 Michael Staiti for and addition to an existing house in the buffer zone at 5 Erwin Road, Wayland MA shown on Assessor's Map 32, Parcel 12.

Michael Staiti of Keystone Development and Bob Drake of Drake Associates were present for the discussion. Mr. Staiti summarized: His clients are requesting the construction of an addition at the property. The wetland line of 2003 is being used. There is a small addition (3') to the sunroom on the NW side, and they are proposing creating more than 500 square feet of new impervious surface on the SE corner for a covered indoor pool/patio area. The issue of process for the newly amended Town Bylaw (Chapter 193) was raised. A small addition to the barn outside of Commission jurisdiction was noted. Lot coverage is 8%.

B.Howell noted that signatures on forms were not completed and Mr. Staiti noted they were provided to B.Monahan for the file. B.Monahan explained the Stormwater Bylaw being included in the application though a lot of work is beyond buffer zone but anticipated under Chapter 193. B.Howell commented on the access road compacting. B.Monahan noted getting bio-retention guidelines. Mr. Drake noted that the bio retention area will not be trafficked over and the other disturbed area will be restored as needed; there is a 600' driveway and they will be using standard operating procedures to not track off site, and Erwin Road is gravel road. Mr. Drake noted that the additional 1800 square feet will be infiltrated. S.Greenbaum inquired where the pool water will go when backwashing. Mr. Drake was not certain of town requirements are and noted that the pool is not yet designed so whether there is a need for backwashing is not yet

known. B.Monahan noted a standard dechlorination condition for regular chlorine pools used in the past.

B.Monahan noted having received a letter from abutter Evelyn Wolfson which was read into the record and a copy was provided to Mr. Staiti. Mr. Staiti responded that other than changing the footprint, the plan shows no re-grading to that side of the house. Mr. Drake noted that new downspouts in that area will feed into the same drain – 75' from wetlands with no adverse impact on wetlands. Mr. Drake pointed out two different datum on plan – NGVD 29 to NAVD – but noted that the same wetland line on both. B.Monahan noted that there is no fill associated with this project; he visited the site and saw the new no-disturb area recently created.

**Motion to continue the hearing to August 5, 2015 at 8:30 pm under the Wetlands Protection Act;
Seconded 6-0**

**Motion to continue the hearing to August 5, 2015 at 8:30 pm under the Chapter 194 Bylaw;
Seconded 6-0**

10. Issuance of Order of Conditions [310 CMR 10.05 (6)]/Chapter 194 Permit

8 Hill Street; DEP File No. 322-838

S.Greenbaum noted that this hearing was closed at the last meeting and the Commission had reviewed the draft document under the Bylaw. Town Counsel had requested a change in form so that conclusions come at the end but other than that very little is new. S.Greenbaum noted the plan to send the decision out tomorrow and asked if there were any questions on behalf of the Commission. The document is subject to Town Counsel review but content will remain the same. J.Barnett noted a couple of pieces of missing info to be filled in; S.Greenbaum said it will be reviewed one more time. B.Monahan noted he will fully write out the plan reference.

S.Greenbaum noted that under the Act the proposed project doesn't adequately address storm damage and flood control affecting the property of others. B.Howell noted there are resource areas under the Wetlands Protection Act where they said there was buffer and they haven't done anything to protect that so that the application was effectively incomplete. She added that you use hydrology when there isn't any vegetation to see.

Motion to deny a permit under the Chapter 194 Bylaw for reasons stated in July 15, 2015 draft document as revised and subject to review by Town Counsel; Seconded 6-0

Motion to deny an Order of Conditions under the Wetlands Protection Act due to information submitted by the Applicant not sufficient to describe the site, including wetlands, and the effect of the work on the interests identified in the Wetlands Protection Act including particularly habitat and storm damage and flood control affecting the property of others as specified in the Attachment A/Chapter 194 Decision Denial; Seconded 6-0

11. 9:55 PM - Informal Discussion – Proposed Septic Repair - 7 Lincoln Road

Brief discussion ensued in the absence of the engineers who were detained. Proposal is to move the septic system to the front of the house with no changes to bedroom count; where the septic ends up will be 100' away from wetlands. B.Monahan noted a statement about protection of other land and questioned its intent – "Finally, opposite side of Hazelbrook will remain unaltered and will continue to provide close to 90,000 sq. ft. of onsite wildlife habitat." B.Monahan noted

the need to present a narrative for consideration concerning alternatives analysis discussion and discussed beefing up the Bylaw discussion. B.Howell noted a request for a datum waiver but it was NAVD so the waiver was unnecessary. B.Monahan noted the public hearing will be on for 7:30pm on August 5, 2015.

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

10 Covered Bridge Lane, DEP File No. 322-770 – Item not ready for discussion.

13. Other

- a. 50 Rich Valley Road – B.Monahan reported he went to the magistrate, Framingham Court, and a date of August 22, 2015 was set by which the property owner must pay the fine.

14. Adjournment

Motion to adjourn at 10:15 pm; Seconded 5-0

The next Regular Conservation Commission Meeting is scheduled for **Wednesday, August 05, 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 26, 2015 to July 15, 2015**

June 26, 2015

ZBA hearing notice 7/14/15

June 29, 2015

322-699 Inspection Report on 371/373 Commonwealth Road from Schofield Brothers
322-804/827 Inspection Reports for 9 Reservoir Road from Schofield Brothers
322-816 Inspection Reports for River Trail Place from Sullivan, Connors & Associates
322-842 Layout and erosion control updates for 133 Plain Road from R.Carter and T.Pitts

June 30, 2015

322-839 Project details for 1 Winthrop Terrace from W.Henderson
322-812 Inspection Report for Happy Hollow Chemical Feed Facility/Water Main from Tata & Howard
D-840 Inspection Report for 11 Three Ponds Road from Stamski & McNary
322-836/309 Chapter 91 Waterways License for 107 Dudley Road from MassDEP
ZBA Decision for 15 Doran Road

July 2, 2015

Abutters notice for 5 Erwin Road from Drake Associates
Letter re: return of security for 246 Stonebridge Road from M.Lanza

July 6, 2015

D-840 Inspection Report for 11 Three Ponds Road from Stamski & McNary
322-842 Notice to Start Work at 133 Plain Road from S.Capron

July 8, 2015

322-710 Inspection Report for Fieldstone Estates from H2O Engineering Consultants
D-840 Inspection Report for 11 Three Ponds Road from Stamski & McNary

July 10, 2015

Inspection Report on 18/20 Covered Bridge Lane from Samiotes Consultants

July 13, 2015

322-839 Inspection Report on 1 Winthrop Terrace from Sullivan, Connors & Associates
322-816 Request to remove portion of sediment barriers at River Trail Place from Sullivan, Connors
322-816 Inspection Reports on River Trail Place from Sullivan, Connors
322-699 Inspection Report on 371/373 Commonwealth Road from Schofield Brothers
322-812 Inspection Report on Happy Hollow Chemical Feed Facility/Water Main from Tata & Howard

LIST OF EXPENDITURES June 26, 2015 to July 15, 2015

7/6/15	Forestry Suppliers (PVC flags, bee spray, etc.)	\$ 58.18
	Northeast Sanitation (community garden portalet)	111.63
	Country Home Products (handlebars, batteries, etc.)	152.84