

# WAYLAND CONSERVATION COMMISSION

Minutes, Thursday, March 31, 2016 7:20 – 9:41PM

**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:** Assembled from recording and notes taken at meeting.

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

1. **7:15 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: Michael Road Conservation Lands**

B.Monahan reported about inquiry from neighbors concerning more trails and noted the trail head at the end of Michael Road commenting that the Commission might do well to get that trail in; the field is still mostly Conservation land. Under the Open Space & Rec Plan update proposal, only 15 Conservation areas were included and they were going to discuss shifting some of the properties and that is why Michael Road came up. There needs to be a review for handicap accessibility, etc. and management issues should be looked at. The area of Lee Road was discussed; B.Monahan noted there is a lot of knotweed. General discussion ensued on the process for the Open Space & Rec Plan update.

3. **Minutes – March 10, 2016**

**Motion to approve the Minutes of March 10, 2016 as amended; Seconded 5-0**

4. **7:30 PM – Continued Public Hearing, Brendon Homes, Applicant, River Trail Place – Building 7; DEP File No. 322-816:** Request to amend an Order of Conditions issued pursuant to the Wetlands Protection Act and a Chapter 194 Permit issued pursuant to Wayland's Wetlands and Water Resources Protection Bylaw filed by Brendon Homes, Inc. The amendment proposes the addition of a patio to the rear of Building 7 at River Trail Place, 400 Boston Post Road. Portions of the work are within resource areas regulated by the Conservation Commission. The property is shown on Wayland's Assessor's Map 23, Parcel 52.

**Brian Card of Brendon Homes was present for the discussion.** B.Monahan explained the discussion is for purposes of an additional patio and trees included in updated information furnished to the Commission the week prior. The planting list was discussed and B.Howell noted approval. R.Backman asked where the trees were planted which Mr. Card noted are around the units.

**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 Second Amendment under the Wetlands Protection Act; Seconded 5-0**

**Motion to issue a Second Amendment under the Chapter 194 Bylaw; Seconded 5-0**

**5. Other**

a. Conservation Site Visits – Tentative date was set for April 19, 2016 @9:00AM.

- 6. 7:40 PM – Public Meeting, Chris Barnowski, Applicant, 14 Bigelow Road, File No. D-869:** Public meeting to consider a Chapter 194 application filed pursuant to Wayland’s Wetlands and Water Resources Protection Bylaw by Chris Barnowski, 14 Bigelow Road, Wayland to cut three large trees within the buffer zone of wetlands. The property is shown on Assessor’s Map 25, Parcel 110.

**Mr. Barnowski was present for the discussion.** Mr. Barnowski reviewed the proposal with the Commission and discussion ensued on plantings, which he noted may be a mix of trees and shrubs. His concern was with large trees within striking distance of the house as a few had fallen down in the past and a tree company assessed the situation. B.Monahan confirmed that the trees are large – 20-24” in size and 30-40 feet from the wetlands. Snags were discussed. Mr. Barnowski said they do plan to replace the trees as outlined rather than leaving snags. Tree size was reviewed generally and S.Greenbaum suggested they may wish to consider leaving one of the trees as a snag. B.Monahan explained the purpose of the performance guarantee and that plants must survive two growing seasons, but a return of half can be requested after one growing season.

**Motion to issue a Permit under the Chapter 194 Bylaw; Seconded 5-0**

**Motion to require a performance guarantee of \$1,000; Seconded 5-0**

- 7. 7:50 PM – Public Hearing, Emily and Kevin Ryan, Applicant, 38 Standish Road, DEP File No. 322-860:** 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 by Emily and Kevin Ryan for the construction of a single family home with work proposed within the buffer zone of wetlands including lawn and a portion of the house at 38 Standish Road, Wayland, shown on Assessor’s Map 20, Parcel 20.

**Mark Arnold of Goddard Consulting was present for the discussion.** Mr. Arnold reported on the DEP File number and noted no comments from DEP. The plan was reviewed and resource areas reviewed, including wetlands, Hayward Brook and riparian zones. Tree line and grass area was shown on the plan, which is a field that is mowed but not kept as a manicured lawn. The project was reviewed involving a single-family home mostly on the existing field with septic system, deck, porches and recharge system. The limit of work was shown on the plan with proposed Filtermitt for erosion control and sediment barriers discussed. Mr. Arnold noted the porch is 411 square feet, the house is 75?? square feet and the deck including steps is 342 square feet. Lawn area is approximately 3000 square feet. B.Monahan explained the stormwater bylaw process needed to include mitigation for the driveway. B.Monahan noted 10,385 square feet of impervious surface on the property including the driveway. Access and staging areas were shown on the plan as far away from resource areas as possible along with the driveway. Mr. Arnold noted juniper and small white pines to be included in tree removal, a total of eight within the buffer zone shown on the revised plan. B.Howell noted a planting plan will be needed and said when they did the soil testing there was 6-8” of snow on the ground; the Commission requires a May–October activity timeframe. B.Monahan explained the Commission notes they are not accepting the wetland line. Conditions concerning refueling and stockpiling were discussed and restriction on garbage

disposal noted by the Commission. B.Monahan advised Mr. Arnold to lean toward adding plantings to the planting plan as mitigation to account for the wetland line perhaps shifting.

Mr. Arnold requested that the hearing be closed under the Wetlands Protection Act. B.Monahan suggested submitting a revised planting plan and noted the Conservation Restriction on the property. Mr. Arnold confirmed they are not planting within the CR area and said they could add an additional five shrubs based on the wetland line discussion. B.Monahan said to submit the plan and the Commission can review it. B.Monahan noted the revised planting plan can be sent along and a plot plan could be included as well. B.Monahan advised that planting should be outside of the CR. Discussion ensued on potential planting areas on the property.

**Motion to close the hearing under the Wetlands Protection Act; Seconded 5-0**

**Motion to continue the hearing to April 21, 2016 at 7:30pm under the Chapter 194 Bylaw; Seconded 5-0**

8. **8:15 PM –Public Meeting, Elizabeth Hedden, Applicant, 3 Riverview Circle, File No. D-870:** Public meeting to consider a Chapter 194 application filed pursuant to Wayland’s Wetlands and Water Resources Protection Bylaw by Elizabeth Hedden, to construct a replacement septic system at 3 Riverview Circle, Wayland. Portions of the property, shown on Assessor’s Map 36C, Parcel 65, are within riverfront area.

**Bob Drake of Drake Associates was present for the discussion.** The plan and location of the property was reviewed by Mr. Drake. Mr. Drake summarized the proposed replacement septic project on the 11,000 square-foot lot with 100’ frontage. The existing system included a series of three cesspools which were dry as a result of the house not being occupied for a period of time. Soil testing was done. B.Monahan asked about top of the bank and Mr. Drake noted the water elevation at 114 and top of bank at 120 and noted no evidence of any scouring. Mr. Drake noted a large hemlock to be removed for access purposes, reviewed the plan for sediment barriers at top of bank, noted that one catch basin will include a silt sack and reported that tracking will be avoided. Mr. Drake asked if the Commission felt a Permit under the Wetlands Protection Act would be required and B.Monahan noted that there is riverfront on the property but there has been an effort to stay out of jurisdiction and so the Commission can issue a decision under Chapter 194 and note no significance and need for filing under the Wetlands Protection Act but may require an as-built plan. Mr. Drake noted that there may be future work planned on the property involving Chapter 193 and noted the bedroom count is restricted due to Zone 2 limitations. The Commission noted that any further work other than the septic repair would require a permit. B.Monahan noted that sediment erosion control will be as shown on the plan with an as-built plan required.

**Motion to issue a Permit with conditions under the Chapter 194 Bylaw; Seconded 5-0**

9. **Sale of Town Land on Sycamore Road – CC Discussion and input**

Judy Bennett, abutter to a Sycamore Road parcel, handed out a photo sheet and page of nine abutter signatures noting those who support the parcels being kept as open space. Photos were reviewed.

Ms. Bennett summarized: The neighborhood including small lots from 2441 square feet to 5970 square feet, more dense than most parts of Wayland. Two parcels add up to 12K square feet.

Community mission to have semi-rural open space to support semi-rural character is what this is about. All utilities are on Sycamore Road; no easements are on the property. DPW had done some work on trees which disrupted the land a little, taking down a 125-year old beech tree. Runoff problems have existed on Sycamore Road stretch, affecting Dudley Pond etc. Two parcels are 100% pervious and important they remain that way for the drinking water and quality of life in the neighborhood. It is a wonderful area for wildlife that migrating birds use every spring and fall. If it remains as open land, it could provide opportunity for future subsurface community wastewater. Fixing disruption left behind by the tree bulldozer would be beneficial. A development and pavement are not wanted here and neighbors agree. Selling parcels puts wildlife, drainage and community vision all at risk and ask the Commission to preserve as Town-owned land.

Mitch Brady, 3 Chestnut Street, commented that it is the last remaining open space and should not be lost.

S.Greenbaum noted she visited the land and it would be a great conservation area with views of the pond. It is currently owned by the Town and should at least be kept as open space if not a conservation area. B.Monahan noted parcels such as these have future value for BMP, for example, and noted jurisdiction under Chapter 193 and parcels were noted as 46B, 47 and 48. B.Howell noted Zone 2 and 200 feet from Dudley Pond. S.Greenbaum reviewed the options for consideration by the Commission.

**Motion to direct the Conservation Administrator to send a letter to Beth Doucette, Procurement Officer, outlining concerns that the land remain as town land with a preference it be transferred to the care and custody of Conservation; Seconded 5-0**

**10. Discussion of 2016 ATM Warrant Articles and any Conservation Commission positions**

S.Greenbaum noted the Newbury land donation item, which all commissioners are in favor of receiving. The state grant application criteria process including site study for the Library was explained by B.Salzberg and discussed by the Commission briefly. For Article 17, B.Monahan noted that the Commission's position is that the BMP and function should be preserved. Discussion ensued on other articles requiring Commission response, including COA/CC Article 21. The Commission noted that definitive plans would be needed for Commission review and opinion and an alternatives analysis would be required in addition to a concept plan.

Jean Milburn, Co-Chair of COA/CC, noted that the Tighe & Bond document is still in draft form and the committee thought it wise to share publicly. S.Greenbaum questioned how it can be presented as a concept and noted it wasn't brought to the Commission. B.Monahan advised it would have been wise to ask the Commission for their assessment prior to public opinion. Ms. Milburn noted it is a difficult process and that they could not do an official document until the architect does the drawing but can have people be advised of the scale at this point. S.Greenbaum noted the Commission's expectation that their committee come to the Commission prior to Town Meeting as previously discussed. R.Backman noted the request for \$425K. Mary Antes commented that the Commission should remain neutral if they do not have the information by which to form their opinion. S.Greenbaum noted that an acceptable alternatives analysis would be required for review by the Commission as it is a very jurisdictional project and that would be part of their current response. S.Greenbaum will draft a short statement on behalf of the Commission in preparation if asked to respond.

Soccer field renovation, Article 22, was discussed briefly with regard to jurisdictional activity. S.Greenbaum introduced the Mainstone CR discussion and provided a brief update: The draft is being worked on with some minor things to be addressed after Town Meeting. The P&S is being drafted and is being negotiated between the lawyers along with some title matters to be resolved. A site visit for seniors is occurring tomorrow morning. The Commission will note its support for the article if asked.

**Motion to support the Mainstone Conservation Restriction Article; Seconded 5-0**

**11. Request for Certificate of Compliance 310 CMR 10.05 (9)  
18/20 Covered Bridge Lane; DEP File No. 322-822**

B.Monahan recommended awaiting the answer on his inquiry concerning the approved plan before moving forward. Discrepancy was found between two plans (grading) and the item can be discussed at the next meeting.

**12. Stormwater Applications/Permits (Chapter 193)**

**a. 67 Edgewood Road**

Mr. Doucette reviewed sediment erosion control and drainage mitigation measures for the project. B.Monahan noted that straw wattles alone are not enough and that sediment fence is required as well or a mulch sock can be used; wattles require filter fabric behind them as standard procedure. B.Monahan noted there will be a permit to hand to Mr. Carr or Mr. Doucette next week. S.Greenbaum asked about any O&M Plan. Mr. Doucette noted three drywells to be capped at the surface and B.Monahan noted a new design being utilized that he will share with him that is essentially a pipe design.

**b. 31 Plain Road**

B.Monahan briefly reviewed the project with the Commission showing drainage mitigation and sediment erosion control. B.Monahan noted he will get this and other permits sent out.

**13. Other**

**b. Town Center Outstanding Items DEP File No. 322-701 – B.Monahan reported he received an email from Frank Dougherty asking that the discussion item be postponed.**

**c. Request for Performance Guarantee – 68 Lakeshore Drive; DEP File 322-823**

B.Monahan noted inspection reports were not submitted in a timely manner resulting in a \$150 penalty and the vote is contingent upon no required plantings with the project.

**Motion to release \$850 of the performance guarantee; Seconded 5-0**

**d. Covered Bridge Decisions and Compliance Issues re: 32, 34, and 35 Covered Bridge Lane**  
B.Monahan has nothing to report.

**14. Compliance Updates for Open Conservation Commission files – No items to discuss**

**15. Land Management**

**a. Conservation Restrictions - update on Mainstone, if needed – Item covered earlier**

- b. Bobolinks – B.Monahan briefly touched on farming agreements with regard to bobolinks. Farming agreements were discussed and B.Monahan noted payment is due on February 1 each year.
- c. Rail Trail Update and Concerns Raised by Town of Sudbury – B.Monahan forwarded a letter to the Commission from Sudbury. B.Monahan noted no new NOI applications have been received. S.Greenbaum is attending a meeting next week. B.Monahan said MAPC is driving this.
- d. Open Space and Recreation Plan Update – B.Monahan noted an April 27 meeting and asked for all to get the word out as public involvement is very important. Brief discussion ensued on land classified as conservation areas. B.Monahan will work with Brendan Decker; it was noted Michael Road Conservation Area is not yet identified on town maps.
- e. Status of 246 Stonebridge Road; DEP File 322-854 – B.Monahan has no update.
- f. Rules for use of Conservation Lands – J.Barnett sent information to B.Monahan. B.Monahan will send out so all will have comments to come prepared for discussion at the next meeting.
- g. Other – Brief discussion on Mahoney's property with respect to agricultural exemption.

**16. Adjournment**

**Motion to adjourn at 9:41pm; Seconded 5-0**

The next Regular Conservation Commission Meeting is scheduled for **Thursday, April 21, 2016** in the Wayland Town Building.



**TOWN OF WAYLAND  
MASSACHUSETTS  
CONSERVATION COMMISSION**

**LIST OF PUBLIC DOCUMENTS PROVIDED TO THE CONSERVATION COMMISSION  
March 11, 2016 to March 31, 2016**

**March 11, 2016**

Stormwater Application for 67 Edgewood Road from J.Carr/Doucette Engineering  
RDA for tree removal at 14 Bigelow Road from C.Barnowski  
322-855 Construction schedule for 19 White Road from Northboro Septic

**March 14, 2016**

RDA for septic project at 3 Riverview Circle from Drake Associates Inc.  
NOI for home construction at 38 Standish Road from Goddard Consulting

**March 15, 2016**

322-710 Inspection Report for Fieldstone Estates from H2O Engineering

**March 21, 2016**

322-816 Inspection Report for River Trail Place from Sullivan, Connors & Associates  
Informal summary of requested activity to move stairs at 55 Knollwood Lane from T.Dreher

**March 22, 2016**

Site elevations for 32 River Road from Drake Associates Inc.

**March 23, 2016**

Letter re: potential sale of 39-45 Waltham Road from abutter A.Cooper  
96/89 Lakeshore Drive Easements and Restrictions filing as rec'd by BoH  
322-822 Request for Certificate of Compliance for 18/20 Covered Bridge Lane from Samiotes Consultants  
D-840 Inspection Report for 11 Three Ponds Road from Stamski & McNary  
322-699 Inspection Report for 373 Commonwealth Road from Schofield Brothers  
322-726 Request for Return of Performance Guarantee for 10 Old Sudbury Road from K.Mulvey/E.Rice

**March 24, 2016**

322-816 Amendment plantings list for River Trail Place from Sullivan, Connors & Associates

**March 25, 2016**

322-823 Request for Performance Guarantee for 68 Lakeshore Drive from H.Yazijian  
C193 Stormwater Application for 31 Plain Road from D.Schofield  
322-838 Memorandum of Law re: 8 Hill Street from Town Counsel  
Revised plans for 38 Standish Road from Goddard Consulting  
Environmental Sampling (Sunoco Station) - Cochituate State Park and Main Street - from CEA, Inc.

**March 28, 2016**

Groundwater Data transmission for 430 Boston Post Road from ERM  
Letter re: proposed gas main relay projects from NationalGrid  
322-612 Notice of CoC registry filing for 12 Plain Road from King & Navins PC  
322-823 Notice of CoC registry filing for 68 Lakeshore Drive from Registry of Deeds  
322-710 Inspection Report on Fieldstone Estates from H2O Engineering  
322-855 Notice to start work at 19 White Road from C.Bailey



**TOWN OF WAYLAND  
MASSACHUSETTS  
CONSERVATION COMMISSION**

**March 29, 2016**

ZBA hearing/site visit notice for 4/26/16 at 29 Castle Gate Road  
322-701 Town Center CoC Request discussion documents from F.Dougherty

**March 31, 2016**

322-858 Filing of Permit/OOC for 3 York Road from Hornung Scimone PC

**LIST OF EXPENDITURES    March 11, 2016 to March 31, 2016**

<i>3/11/16</i>	<i>Mass Land Trust (conference)</i>	<i>\$64.00</i>
<i>3/15/16</i>	<i>Brian Monahan (parking fee)</i>	<i>41.00</i>