

WAYLAND CONSERVATION COMMISSION

Minutes, Wednesday, February 10, 2016 7:16 – 9:45PM

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

Present: Commissioners: Roger Backman, Joanne Barnett, Sean Fair, Barbara Howell, Betty Salzberg, John Sullivan (7:50 – 9:40pm), Chairperson: Sherre Greenbaum, Conservation Administrator: Brian Monahan

Minutes: Andrea Upham

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

1. **7:16 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: Rice Road dam update and scope of services**

B.Monahan noted that Andy Irwin has been retained to develop a scope of services to help get this project started. S.Greenbaum noted that once that is complete, Beth Doucette, Financial Analyst, will be addressing hiring an engineer. S.Greenbaum encouraged any interested Commissioners to step forward to take an interest in this matter moving forward. B.Monahan noted that a pike pole was purchased for B.Harris to enable him to regularly clear the spillway.

3. **Minutes – January 28, 2016**

Motion to approve the Minutes of January 28, 2016 as edited; Seconded 6-0

4. **Other**

- a. Conservation Site Visits – Scheduled site visits for 2/5 were suspended due to weather. B.Monahan is waiting to hear back concerning a date for the 373 Commonwealth Road visit. Commissioners shared availability and B.Monahan will schedule the next date for site visits, possibly 2/19/16.

- b. Library Drainage – no report was made.

- c. Conservation Cluster Zoning Amendments –

S.Greenbaum met with the Planning Board and it was determined it will be best to wait until Fall to address this; she will speak with S.Sarkisian after Town Meeting as to how to proceed. B.Monahan noted that the issue with the new wording concerning open land is that floodplain and wetlands would not be counted as open space.

- d. Covered Bridge Decisions and Compliance Issues re: 32, 34, and 35 Covered Bridge Lane –

B.Monahan reported he is looking at discrepancies and noted that between the initial plan and amending the plan there was a note made that grading had been changed. B.Monahan will draft follow-up correspondence.

5. **7:30 PM – Public Hearing, Wayland Municipal Solar LLC, Applicant, 41 Cochituate Road, DEP File No. 322-856:** 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 Jim Walker, Wayland Municipal Solar LLC, to install solar photovoltaic parking canopies within the

existing parking lot of the Wayland Town Offices, 41 Cochituate Road, Wayland, MA. 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 001.

Rob Bukowski of AMEC and Mike Zimmer of Ameresco were present for the discussion. Mr. Zimmer noted that AMEC partners with Ameresco for permitting. Mr. Zimmer introduced the proposed solar carport project at the Town Building with three main canopies and the plan was reviewed. The Town Building parking portion will be 250 kilowatts of the larger town project which includes the High School, Middle School and DPW roof. Mr. Bukowski reported no direct BVW impact but some in the buffer zone to 200-foot riverfront and floodplain. The lay-down area was shown on the south side of the dual parking row and the interconnection to the transformer pad was shown. Mr. Bukowski noted that dewatering is required due to depth of groundwater so an application has been filed with the EPA for a construction general permit. They will put down stone or riprap though Mr. Bukowski noted they are expecting just sediment removal for comments back from the EPA.

R.Backman asked how the water to the BVW will be filtered and Mr. Bukowski explained the process used with a hose in bag gravity feed which will slowly leach from the bag. B.Howell asked if the dewatering is out of the constructed wetlands area and Mr. Bukowski explained it is in the buffer zone off of the asphalt and noted flexibility on discharge. B.Howell noted both Mill Brook and Pine Brook and B.Monahan said they flow together and only really needed to know floodplain which is based on 2014 elevation. Mr. Herzog noted that the mean annual high water was measured.

S.Greenbaum led a review of the waivers noting that the plans were revised to 1" = 20' scale. B.Monahan noted that most waivers are not applicable and noted he will include a condition about not storing fuel and having a spill containment kit on site. Mr. Zimmer noted a 20-30' depth and a 36" diameter for the supports. Soils were provided and snow storage was questioned. Mr. Zimmer noted there will be no change from the current procedure. Mr. Zimmer noted that S.Kadlik requested 14.6' clearance. B.Monahan noted there will be a condition to plow to the field. B.Howell raised the issue of buses turning in the corner and Mr. Bukowski showed the access area on the plan. Mr. Zimmer explained the Y-shape design utilized on the canopies to allow snow to collect to avoid the snow sliding off onto cars; the Y-design allows the snow to drip through at the low point. B.Monahan shared the letter noting that Natural Heritage had received confirmation of the project. Mr. Zimmer noted that the face-down lighting to be installed will be an improvement.

Janot Mendler de Suarez, Orchard Lane, said she understands there is time pressure related to this project and thanked the Commission for continuing to expedite efficiently. Tom Sciacca also requested that the Commission move this along.

B.Monahan noted some of the standard conditions to expect – performance guarantee, site inspection(s) by a P.E. to monitor compliance, an as-built plan is standard at completion. Mr. Bukowski noted they can get some shots at each foundation point and also show the location of the electrical. R.Backman asked about the one gallon flood storage which Mr. Bukowski explained is a very small depression – approximately 1/3 of one foundation. B.Monahan reported that the Board of Health is concerned with interference with the septic area and requested that they please work closely with the Board of Health, which will also be a condition in the Permit. Mr. Bukowski noted that proper precautions will be taken. B.Monahan noted that sediment erosion

control was switched to Filtermitt and discussed perhaps adding an orange plastic fence to clearly mark the lay-down area. Mr. Bukowski responded that perhaps they can paint the area. Ben Keefe, Facilities Director, noted that the perimeter still has to be open but there won't be much available parking.

B.Monahan explained it was difficult to find a comparable project to compare performance guarantees but thought that \$2500 was appropriate. Conditions in the Permit will include spill containment, snow storage, lay-down area and inspections, among others. Mr. Bukowski requested a scanned copy of the decision once complete.

Motion to close the hearing under the Wetlands Protection Act;	Seconded 7-0
Motion to close the hearing under the Chapter 194 Bylaw;	Seconded 7-0
Motion to issue a Permit under the Chapter 194 Bylaw;	Seconded 7-0
Motion to issue an Order of Conditions under the Wetlands Protection Act;	Seconded 7-0
Motion to require a performance guarantee of \$2500;	Seconded 7-0

6. 8:01 PM – Informal Discussion – COA/CC Site Assessment – Town Center

Bill Sterling, Co-Chair of the CoA/CC Committee, Marylynn Gentry, Committee member, and Jenny Moonan with Tighe & Bond, were present for the discussion.

Revised aerial plans were handed out to the Commission for review and discussion. Commissioners noted the resource area markings on the new plans being very difficult to read. Ms. Gentry noted that the goal tonight is to review each of the three proposed scenarios and get feedback and any red flags on each scenario from the Commission so they can return to the next meeting with one plan. New sheets C1/A, C2/B and C3/D were provided as three possible alternatives for one site. It was noted that Ms. Moonan worked with Mr. Sterling to lay out alternatives on the site and Ms. Moonan noted resource area issues were raised by B.Monahan so they were revised to address those points. Ms. Moonan noted that FEMA flood zone was NGVD29 and is now NAVD88 and reported that discrepancies will be remedied for the next meeting. The aerial sheets were reviewed by Ms. Moonan:

Ms. Moonan stated that the delineation comes from the 2009 ANRAD/ORAD and noted that an older 1999 plan from the daycare proposal was found. Ms. Moonan presented that plan on the easel asking why resource areas between the two plans are different. B.Monahan took issue with the older plan shown and explained that river on that plan is based on top of bank of the Sudbury River and noted that line is 200 feet from top of bank and he is unaware of anyone using that as the mean annual high water mark. Riverfront law came in 1997. Ms. Moonan asked if the ANRAD/ORAD plan is what should be used moving forward. B.Monahan explained this line was heavily looked at when Town Center came in and S.Greenbaum agreed. Ms. Moonan asked for a full copy of the plan which B.Monahan will provide. B.Monahan noted having a scanned portion of the ANRAD/ORAD plan.

Mr. Sterling went through the alternative concepts on the site: C2/B – Mr. Sterling noted that the 10,500 sq ft footprint can be built on without counting as disturbance so a 21K square-foot building would approach the program needs present and future but a two-story structure reduces efficiency as there is a need for an elevator and a large expanse of space on one floor making the two-story alternative not desirable. Ms. Moonan noted that not all drainage solutions are complete at this point and asked about the drainage basin with riverfront. S.Greenbaum noted

that would be considered an alteration. Ms. Gentry asked if that is a concern. S.Greenbaum said if not connecting the building to basin 2 as originally intended, a new drainage basin would be an additional alteration counted toward any allowable alteration. B.Monahan noted the Town Center basin 2 by River Trail Place was designed to handle so much runoff, but stubs didn't get put in to allow the building to be connected to the basin. Mr. Sterling said they will look into connecting to basin 2.

C3/D – plan includes the existing daycare building which is considered a free-standing separate building and an additional building. Chosen activities would be in one building or the other making it awkward with outdoor space in between the two. Activities include all areas of the combined Senior Center/Recreation Center/Community Center.

C1/A – This plan re-uses the existing building and was presented as the Committee's preferred alternative on the site. The Committee asked for any questions or concerns from the Commission for the next meeting. B.Salzberg asked what square footage is going to be disturbed. Mr. Sterling asked about the maximum allowed. S.Greenbaum asked about square footage in the whole lot. Ms. Moonan said she will add measurements for the next meeting. Mr. Sterling noted 4.16 acres with under 5K square feet of disturbed area. B.Monahan noted regulating alteration for riverfront, both temporary and permanent. Ms. Moonan quoted 95,700 square feet. B.Monahan said he would need to see the riverfront area on the parcel. Ms. Gentry asked if he wants riverfront on the total 4.16 acres and B.Monahan confirmed. B.Monahan and B.Howell clarified that the word "may" is included, noting that the Commission "may allow" up to 10% riverfront alteration, and pointed out that a robust alternatives analysis is assumed. B.Monahan explained that means they must look at and consider other municipally-owned parcels in town. Ms. Gentry asked if they must be a similar size and B.Monahan said he will get wording from the regulations to her. When asked for possible alternative sites, S.Greenbaum said the old DPW Building would be one such area as well as Greenways. Ms. Moonan said the group would like to have a more detailed follow-up discussion in two weeks. S.Greenbaum asked if their alternatives analysis would be provided at that time and Ms. Moonan noted that the timing will be tight. Mr. Sterling noted this could be considered existing area redevelopment as they would be going over a stripped parking lot. B.Monahan responded that is not what the Commission saw during their site visit. J.Sullivan commented that there had been previous discussions with Frank Dougherty during Town Center development where the Commission explained it was too long since it was a parking area and the area had become naturalized, which Mr. Dougherty came to accept, so the Committee should be realistic to look at that and have strong arguments to present.

S.Greenbaum encouraged the group to review the 12/5/14 letter previously sent to Mr. Sterling and she read excerpts to highlight areas of focus previously pointed out by the Commission.

Mr. Sterling asked where the 100-foot riverfront buffer zone is located and Ms. Moonan noted she called it out as just '100-foot buffer zone' and will add more detail for the next session.

Tom Sciacca, River Stewardship Council, commented that a concern is the viewscape from the river. They do not want to see buildings from the river; anything under the tree line is acceptable, but two-story structures would be a concern. Mr. Sciacca added citizen comment stating that the notion that redevelopment can be applied to anything that was ever developed is silly; Colonists and Native Americans used every inch so where once disturbed is not a valid argument.

Janot Mendler de Suarez, Orchard Lane, asked if permeable products are required for parking area and wondered if the area closer to Andrews Avenue behind The Local could serve as additional parking. Mr. Sterling said all was studied and they had a small area outside the setback and space was awkward. Ms. Moonan noted that permeability is desirable and will be vetted in their process.

7. 8:50 PM Review of Chapter 194 Permit and O&M Plan for HS Turf Field

Tom Sciacca and Ben Keefe, Facilities Director, were present for the discussion. S.Greenbaum noted that this discussion began as a result of inquiry and concern noted by Mr. Sciacca. Mr. Sciacca summarized that the turf field drainage is not working as it was supposed to work and needs enforcement by the Commission.

B.Keefe noted that Facilities will be responsible for stadium fields. Mr. Sciacca noted that from the Commission's standpoint the owner is the schools even if they choose to delegate. B.Monahan noted that the issue of snow plowing last year caused a review of the O&M and dialogue began with the DEP individual who issued (Nancy White, who has since passed away). There is a need to have dialogue with DEP. B.Monahan noted going through the OOC and noted that there is very little material in the file. The State added conditions, the design was changed and drainage needs review with respect to monitoring requirements.

Mr. Sciacca summarized: The original drainage by Gale Associates went into Zone 1 of Happy Hollow wells and commented that he visited the area many times and never noticed water in the designed swale even after a storm, and he could actually look into the drainage pipe and found it was never wet (September to November). He recalled that in the middle of winter former Town Administrator F.Turkington tried to get it looked at and nothing was coming out to be measured. In 2010 the Wellhead Protection Committee engaged a hydrogeologist to study the Happy Hollow Well drainage pattern and found that one third of the field is in the capture zone and draining toward the Happy Hollow wells; the intent was drainage away from the wells and it isn't working. The Wellhead Protection Committee recommended a test well be driven on the edge of the field for testing and it was never done. There have been several bacteria hits in the wells since 2007. Mr. Sciacca commented on negligence in protection of town drinking water.

B.Keefe said that he had no argument with Mr. Sciacca's summary but didn't know of any test well and noted that the first step is to determine whose job it is as it is time to re-carpet the field. It was noted that the Wellhead Protection Committee recommended grass. S.Fair commented that discussions concerning artificial turf fields being carcinogenic have been very prominent. Mr. Sciacca commented that the whole gravel structure under the artificial turf soaks up water, and the foundation and membrane can be removed and replaced with loam and grass.

B.Monahan noted that Lisa Eggleston's review included the recommendation of a well. B.Keefe commented on his FY17 capital budget and the need to design an upgraded field and work with the Recreation Director to do a master plan that addresses field locations as well. S.Greenbaum suggested to first seek community feedback before putting in the budget to be aware of direction. B.Keefe said he will be putting in for the design and that the design could be for a grass or artificial surface.

B.Monahan reported that the O&M plan is not in compliance and that the file contains no submission of test results. B.Keefe said he does remember seeing a couple of tests and noted that the school is responsible.

S.Greenbaum asked Mr. Sciacca what he is expecting from the Commission. Mr. Sciacca responded that correspondence should be sent to the Superintendent of Schools. B.Monahan said he will send a memo to Paul Stein with a copy to B.Keefe.

Janot Mendler de Suarez asked if compliance on testing would help with impact on wells. B.Monahan said they are independent and noted that in Lisa Eggleston's letter to the Board of Public Works she said: "It would be prudent to establish one or two monitoring wells between the capture zone area turf field and the well field and to periodically test the groundwater to ensure that there is no impact." B.Monahan noted he can send Ms. Eggleston's letter to Don Millette, Water Superintendent, and inquire. Mr. Sciacca suggested that in the letter to Mr. Stein the Commission should note that any additional work on field will require another NOI filing. Mr. Sciacca also noted that the actual contaminants can differ from carpet to carpet since the tires making up the crumb rubber differ. Inquiry was made about the capture zone study and Mr. Sciacca noted it is available on the waylandwells.com site. S.Greenbaum encouraged the Commission to send any suggestions to B.Monahan for the letter he will be drafting.

8. Other

B.Monahan reported that a hearing has been set up for the next meeting to discuss an Amendment request filed for the addition of a patio at River Trail Place.

9. Land Management

a. Land Manager's January Summary – B.Harris' report was sent out.

b. Conservation Restrictions including update on Mainstone –

B.Monahan noted an outstanding issue with a CR that was never properly recorded by the former property owner at 153 Glezen Lane.

S.Greenbaum provided update on Mainstone noting that lawyers for Mr. Hamlen are to come up with a draft for him with a deadline of Monday, February 15 to Ms. Collins at SVT. The Board of Selectmen will be voting tomorrow to allow the Commission to have special counsel. There is speculation that this may not come together in time for the April town meeting. All three parties – Mr. Hamlen, the Town and SVT – will have their own counsel.

c. Open Space and Recreation Plan Update status – B.Monahan noted a little forward progress.

d. Rules for use of Conservation Lands – B.Monahan noted the need to review Minutes to address most current wording. B.Howell mentioned dog rules; model airplanes and drones were briefly mentioned.

e. Heard Road Drainage – B.Monahan noted he hasn't heard from S.Kadlik yet; will work on it.

10. Adjournment

Motion to adjourn at 9:45pm; Seconded 7-0

The next Regular Conservation Commission Meeting is scheduled for **Thursday, February 25, 2016** in the Wayland Town Building.

**TOWN OF WAYLAND
MASSACHUSETTS
CONSERVATION COMMISSION**

**LIST OF PUBLIC DOCUMENTS PROVIDED TO THE CONSERVATION COMMISSION
January 29, 2016 to February 10, 2016**

February 1, 2016

322-816 Inspection Reports for River Trail Place from Sullivan, Connors
322-699 Inspection Report for 371/373 Commonwealth Road from Schofield Brothers

February 2, 2016

Soils Investigation Report for Community Garden from Peter Fletcher

February 3, 2016

322-816 Amendment to OOC for River Trail Place from Sullivan, Connors
322-856 Revised plans and soil borings for Town Building Solar project from AMEC Massachusetts Inc.
Submittal narrative and plans for CoA/Community Center proposals from Tighe & Bond
NOI for septic project at 3 York Road from Green Hill Engineering

February 9, 2016

Annual Earth Day Charles River cleanup request letter from the Charles River Watershed Association

February 10, 2016

322-695 Request for Certificate of Compliance for 67 Edgewood Road from Doucette Engineering
ZBA Decision – 34 Bradford Street
322-710 Inspection Reports on Fieldstone Estates from H2O Engineering
Proposed and as-built septic plans (C193) for 10 Sears Road from Drake Associates Inc.

LIST OF EXPENDITURES January 29, 2016 to February 10, 2016

No items to report