

WAYLAND CONSERVATION COMMISSION

Minutes, Thursday, January 28, 2016 7:22 – 9:29PM

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

Present: Commissioners: Sean Fair, Barbara Howell, Betty Salzberg, John Sullivan (7:39pm),
Chairperson: Sherre Greenbaum, Conservation Administrator: Brian Monahan

Not present: Roger Backman, Joanne Barnett

Minutes: Andrea Upham

S.Greenbaum opened the meeting at 7:22pm noting that a quorum was present.

1. **7:22 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: Spring Programs including Lincoln Road Fields and Woodcock Walk.** John Hines will lead the 2nd annual spring bird walk on May 7 with the rain date of May 14 at Lincoln Road Fields. B.Monahan noted that the Commission will send a letter next week to the trustee giving notice as was done last year and will include an invitation to attend the event with a reminder letter sent prior to the event as done last year. B.Salzberg asked if signage is planned for the parking area and paths at the Lincoln Road Fields. S.Greenbaum agreed signs are needed ; the Commission also needs to revisit the rules. B.Harris will lead two woodcock walks in April – one at Cow Common and one at Heard Farm.

**Motion to approve two Woodcock Walks in April and 2nd Annual Spring Bird Walk in May;
Seconded 4-0**

3. **7:30 PM – Public Hearing, Proposed Stormwater and Land Disturbance Application, Fee, and Permit:** The Wayland Conservation Commission will hold a public hearing to present a proposed Stormwater Permit and Stormwater Permit application to be issued pursuant to Wayland's Stormwater and Land Disturbance Bylaw ("Chapter 193") as most recently amended and to listen to comments and answer any questions that any attendee may have with respect to the proposed Permit, application, and discussion of an application fee.

S.Greenbaum noted that the Stormwater Bylaw was revised at the last Town Meeting and this current effort is to finalize proposed draft Application and Permit documents for Chapter 193 activities regulated by the Commission. B.Monahan noted the need to consider an appropriate fee and suggested a \$100 application fee, which S.Greenbaum said seemed reasonable.

S.Greenbaum asked for any public comment. Dave Schofield inquired about process and timing. B.Monahan responded that there will be forms to accompany the existing Bylaw and the goal is a simple, straightforward approach with no hearings and no notice to abutters. Applications will be reviewed by B.Monahan and possibly a member of the Commission with summary reports provided at regularly scheduled meetings. B.Monahan noted to Mr. Schofield that any septic projects which are non-jurisdictional and using appropriate sediment erosion controls will be exempt. Mr. Schofield asked if there is any particular storm event target and B.Monahan

responded that is not specified at this point. S.Greenbaum added that if there is any kind of structure involved, the Commission will require a copy of the O&M Plan.

Motion to close the public hearing; Seconded 5-0

Motion to accept the proposed Chapter 193 Application; Seconded 5-0

Motion to accept the proposed Chapter 193 Permit; Seconded 5-0

Motion to confirm the \$100 Chapter 193 Application fee; Seconded 5-0

4. Minutes – January 7, 2016

Motion to approve the Minutes of January 7, 2015 as amended; Seconded 5-0

5. Request for Certificate of Compliance - 310 CMR 10.05 (9)

a. 23 Sylvan Way, DEP File No. 322-768

B.Monahan and S.Greenbaum visited the site and B.Monahan noted that the required site inspection is on file along with the As-Built Plan and narrative. It was mentioned that plantings weren't reviewed in depth at the site visit but Mr. Blom, former homeowner and provider of the performance guarantee, can request that the Commission address the return of the funds in the spring and they can revisit the site then and review plantings, informing the new owners of the site visit.

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

b. 2 Bow Road; DEP File No. 322-573

B.Monahan discussed the drainage mitigation for the garage with the homeowner and noted that the natural buffer around Wetland Flag 6 did not comply with condition #12 of the Bylaw decision, which will be noted on the Partial Certificate of Compliance.

Motion to issue a partial Certificate of Compliance under the Chapter 194 Bylaw; Seconded 5-0

Motion to issue a partial Certificate of Compliance under the Wetlands Protection Act; Seconded 5-0

6. 7:58 PM – Informal Discussion of Pending Notice of Intent for Solar Panels at the Wayland Town Building. NOTE: The Conservation Commission will be opening a public hearing to discuss this project on Wednesday, February 10, 2016.

Rob Bukowski of AMEC Massachusetts, Inc. and Mike Zimmer of Ameresco were present for the discussion. B.Monahan noted that this informal discussion is for the purpose of passing on to the applicants the feedback of the Commission at this point without discussion, which will be reserved for the scheduled hearing on February 10, 2016. Mr. Zimmer noted the incentive to be provided by the State and their need to close up any holes and be completely thorough so they are not at risk of this not moving forward. Mr. Zimmer noted that current sites planned are the High School, Middle School, DPW and Town Building. S.Greenbaum noted that B.Howell had reviewed the material and has suggestions.

B.Howell summarized: The scale requirement is 1 to 20 but their material used 1 to 30. The wetlands were done from aerial photography and some were missing with Mill Brook not mentioned at all (B.Monahan noted he will discuss with Mr. Bukowski). Compensatory flood storage wasn't provided, which was noted as very minor (1 gallon) but significant. The location of constructed wetlands from a previous project was noted where the dewatering area is within the

30-foot no-disturb (B.Monahan will scan and send the OOC and noted wetland flagging by Peter Fletcher). A snow management plan for winter was questioned along with the issue of buses. B.Monahan noted that straw wattles require the addition of sediment filter fence or the Commission will accept compost socks, such as Filtermitt, as an alternative.

B.Monahan noted that the hearing process will likely be two meetings and it is realistic to think of the Permit/OOC issued in March. Discussion ensued regarding preparing the plans with two scales. Soil borings were suggested. S.Greenbaum requested any revised plans one week before the next meeting; B.Monahan noted he can send out the pdf version when emailed to him.

Mr. Bukowski discussed the lay-down area and noted working with the Ameresco Construction Manager and trying to get something in the athletic fields. Mr. Bukowski confirmed that information was sent to Natural Heritage. Tom Sciacca offered that perhaps the parking lot would experience a lull in July/August but the Commission noted summer camps in session.

7. 8:20 PM – Informal Discussion – Proposed Addition at 6 Brook Trail Road

Mr. and Mrs. Greenfeld were present for the discussion. B.Monahan noted that there is an old file on a former project on the property (DEP File 322-315) which will need to be closed up in concert with any new work done. An As-built Plan will be needed to close out the old file. The Greenfelds previously did a home addition and are now exploring adding a new deck where the old addition was to go. B.Monahan noted it would be within the first 100 feet of stream and explained that while it is possible that the state would not call the stream perennial, demonstrating that under the Bylaw can be very onerous. Discussion ensued of whether there was ever a conservation restriction. B.Monahan discussed distance of riverfront and noted the 15-foot on average no-disturb for existing houses with no less than 10' within the 15' on average. Mr. Greenfeld reviewed the drawing provided noting that the colored part of the upper house is approved and the rectangle on the far right is the approved deck that was built on the far left and noted there is dialogue in the file as to activities in 1995/96. The proposed deck was described as covering the existing cement steps. The Commission confirmed a site visit will be arranged for Friday, February 5.

8. Other

- a. Discussion of warrant articles for the April, 2016 Annual Town Meeting including Mainstone Conservation Restriction

Mainstone Conservation Restriction: S.Greenbaum noted that special counsel has been requested and the CPC voted for \$5K to review the CR. SVT was setting aside 70 hours at a special rate under \$200/hour; the document is supposed to be written by seller's counsel and reviewed by our special counsel. B.Monahan noted that S.Greenbaum has done a lot of good work on CRs, such as Lincoln Road. S.Greenbaum noted that she doesn't see much disagreement between SVT and the Town and added that the timeline is getting closer and this must be ready for the warrant by 2/22/16. J.Sullivan noted that the goal is to get it accomplished, whether now or later at Special Town Meeting. S.Greenbaum noted that she shared her summary document requesting special counsel with N.Balmer.

Motion to approve the expenditure of \$5K of CPC administrative funds; Seconded 5-0

Conservation Cluster amendments: B.Monahan noted the need to continue to work with the Planning Board to express concern concerning "designated open land." B.Salzberg noted that the FinCom didn't mention Conservation issues. S.Greenbaum commented that the Planning

Board had two warrant article hearings; S.Greenbaum noted that she sent procedural suggestions for the first one that were incorporated. For the second she sent more substantive items not incorporated and S.Sarkisian said those could go into the rules and regulations. Subsequent to that the Commission met and B.Monahan wrote to S.Sarkisian but there was never another Planning Board hearing before January 15, so they didn't consider the Commission's major point concerning the open land. B.Monahan would communicate to the Planning Board that it is a deep concern and suggest that the Commission would rather work with the Planning Board to advocate for an amendment. J.Sullivan asked if they know the Commission's rationalization. S.Fair will work with B.Monahan on this and B.Monahan will send him the recent correspondence to S.Sarkisian.

b. Schedule review of the Chapter 194 Permit and O&M Plan for the H.S. Turf Field

B.Monahan noted that this issue had been previously discussed with DEP. S.Greenbaum reported that this will be on the agenda for discussion at the next meeting. Tom Sciacca asked about procedure. B.Monahan said he can make copies of the C194 Permit and O&M Plan and noted that testing was agreed to and, if completed, it wasn't shared with the Commission. The Commission invited Ben Keefe to attend the discussion at the 2/10/16 meeting. Mr. Sciacca noted issues of drainage not working as approved in the 2010 hydro study and said Lisa Eggleston had looked at it as well. Her report will be sought. It was noted that part of the drainage is heading toward the Happy Hollow Wells and the field is wearing out so where does it go? It was noted that the School Committee should look at the other health and safety issues with the turf fields. S.Greenbaum discussed a Wellhead Protection Plan excerpt which will be copied for the meeting.

c. Conservation Site Visits – February 5 has been reserved for the next site visits.

d. Library Drainage –

B.Monahan noted that S.Greenbaum has been monitoring this and the DPW is trying to come up with a design. B.Monahan and S.Greenbaum attended the recent site walk led by a Tighe & Bond engineer and represented issues to consider, such as the railroad bed and private land. There are two separate pipes under the road and it is not known whether they connect. In addition, they need to find the gas line. The DPW got an extension for the grant and have to decide upon an approach now. There was discussion of the area east of the public safety building. Concept plans will be ready by next week and will come to the Commission with permitting needed by the end of June.

e. Covered Bridge Decisions and Compliance Issues re: 32, 34, and 35 Covered Bridge Lane

S.Greenbaum referenced the recent letter from Ben Stevens, Trask Development, in response to the compliance letter sent by B.Monahan. S.Greenbaum confirmed that the required conveyance was not done for this open space and that a deed has been drafted in the last couple of days to convey the land to SVT. Revised grading done in October came up in the plan reference. The original permit that approved the conservation cluster is available, and the manner in which the property is now cut up is different than originally planned. The plan was sent to S.Sarkisian and B.Monahan can send the 4-15-15 plan via email. He will send Mr. Stevens' letter to Mark Lanza for review.

f. Update on WRAP site visits (B. Salzberg, B.Monahan, S.Greenbaum)

Approved: February 10, 2016

Page 5

B.Salzberg reported that they looked at the town building, the former DPW as well as the other side of the middle school driveway, Greenways hill area and fields in the area below Old Connecticut Path, and the daycare building on the municipal parcel. COA/CC wants another building at that latter location with additional \$12K square feet. B.Monahan will send Bill Sterling correspondence outlining riverfront issues to S.Fair. Access from Old Connecticut Path to the Greenways land may be problematic because of an existing conservation restriction; it was further discussed that one cannot put buildings on it due to a Wild and Scenic Rivers Act restriction.

9. Land Management

- a. Land Manager's December Summary – was sent out to Commissioners.
- b. Status of open space related to Conservation Clusters including 104 Plain Road and Covered Bridge – Will wait until spring for 104 Plain Road.
- c. Open Space and Recreation Plan Update – B.Salzberg wrote scope of services and B.Monahan sent to Recreation. Two questions were raised by J.Brodie, Recreation Director, concerning whether her Commission had to vote. S.Greenbaum noted that she can decide as Rec Commission's representative.
- d. Inquiry about the Sanctuary from the Garden Club – The Sanctuary was described as the land around wetlands in front of the Town Building. The area has been neglected and the Garden Club wants to do something. Information was sent to N.Balmer. B.Monahan indicated that seasonal staff can assist the Garden Club if the Selectmen don't object.
- e. Bike Racks at Conservation Areas – B.Monahan will move ahead with plans for Rocky Point and Heard Farm as discussed.

10. Adjournment

Motion to adjourn at 9:29pm; Seconded 5-0

The next Regular Conservation Commission Meeting is scheduled for **Wednesday, February 10, 2016** 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
January 8, 2016 to January 28, 2016**

January 8, 2016

322-699 Inspection Report for 373/373 Commonwealth Road from Schofield Brothers
322-843 Update of impervious area calcs re: 32/34 Covered Bridge Lane from A.Zukowski

January 12, 2016

322-850 Condition responses for 35 Covered Bridge Lane from Trask Inc.
322-843 Performance guarantee for 32/34 Covered Bridge Lane Amendment from Trask Inc.

January 13, 2016

322-612 Request for Certificate of Compliance for 12 Plain Road from S.Linden

January 14, 2016

322-699 Inspection Report for 371-373 Commonwealth Road from Schofield Brothers
D-840 Inspection Report for 11 Three Ponds Road from Stamski & McNary

January 19, 2016

322-816 inspection Reports for River Trail Place from Sullivan, Connors & Associates
Copy of 12/3/15 letter to Affordable Housing Committee re: conservation clusters from S.Sarkisian

January 21, 2016

ZBA 2/9/16 Hearing Notices – 14 Hawthorne Road and 10 Chestnut Road

January 22, 2016

NOI for solar panel project at 41 Cochituate Road from Wayland Municipal Solar LLC

January 25, 2016

Notice - new street address 202 Old Connecticut Path – from Building Commissioner
ZBA Decision – 140 Concord Road
322-710 Inspection Report for Fieldstone Estates from H2O Engineering
Energy ROW Maintenance Notice from Eversource Energy

January 26, 2016

ZBA Decisions – 67 Edgewood Road and 55 Lakeshore Drive

January 27, 2016

322-850 Response letter re: Covered Bridge Lane project(s) from Trask, Inc.

January 28, 2016

322-816 Request for Amended OOC/Permit for River Trail Place from Sullivan, Connors & Associates

LIST OF EXPENDITURES January 8, 2016 to January 28, 2016

No items to report