

# WAYLAND CONSERVATION COMMISSION

Minutes, Thursday, April 21, 2016 7:17 – 10:08PM

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

**Present:** Commissioners: Roger Backman, Joanne Barnett, Sean Fair, Barbara Howell, Betty Salzberg (7:22pm) Chairperson: Sherre Greenbaum, Conservation Administrator: Brian Monahan

**Not present:** John Sullivan

**Minutes:** Andrea Upham

S.Greenbaum opened the meeting at 7:17pm noting that a quorum was present.

1. **7:17 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: Heard Road Drainage**

B.Monahan reported on response from Lisa Eggleston and noted that Alf Berry has done grades and shown the road and we are now asking if the DPW wants to work with us. Ms. Eggleston suggests doing the whole road or to pave the end where grading contributes to flooding and put in a catch basin. B.Monahan and S.Greenbaum spoke with DPW staff and will meet them next week regarding a Request for Determination of Applicability. B.Monahan noted that a catch basin will have a small outfall so drainage will be improved. Abutters will be notified. B.Howell asked who pays for the catch basin. B.Monahan responded that the Commission received money two years ago for asphalt, gravel and catch basin(s). R.Backman asked if drains can be on the DPW list to clean out, which B.Monahan noted was a good point. R.Backman commented on the need for a kiosk.

3. **Other**

B.Howell expressed the Commission's appreciation for the countless hours and tireless efforts contributed by Chair S.Greenbaum on the Mainstone Farm Town Meeting article process.

4. **Request for Certificate of Compliance 310 CMR 10.05 (9) - 163 Glezen Lane; File D-805**

**Motion to issue a Certificate of Compliance under the Wetlands Protection Act;                      Seconded 6-0**

**Motion to issue a partial Certificate of Compliance under the Chapter 194 Bylaw;                      Seconded 6-0**

5. **Other**

- a. **Request for Return of Funds**

- i. **Deposit for Consulting Services; 10 Old Sudbury Road DEP File 322-726  
Motion to return the remaining account balance of \$835; Seconded 6-0**

6. **7:30 PM – Continued 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 responded to the question of wintertime wetland delineation with a proposal for mitigation by moving the 100-foot buffer ten feet higher. This would add an 8" and 12" tree to the 100-foot buffer zone. He submitted a revised letter listing shrubs and trees as replacement plantings for trees lost (56 shrubs in total) with a plan to plant along the limit of work line in the buffer zone to provide understory. B.Monahan noted that the driveway needs drainage mitigation. Mr. Arnold said he would like to come back in two weeks to show the driveway mitigation. B.Monahan reported that the hearing was closed under the Wetlands Protection Act so the Commission will need to vote; The Bylaw portion can be left open and a Permit can be voted at the next meeting. B.Monahan added that Chapter 193 says that stormwater permits are not needed for projects that fall under the Wetlands Protection Act. Mr. Arnold noted that he does have detail in mind for the driveway but needs to confirm with architect/engineer.

**Motion to continue the hearing to May 5, 2016 @7:25pm under the Chapter 194 Bylaw;  
Seconded 6-0**

7. **7:40 PM – Public Hearing, Wayland DPW, Applicant, Water Main – Main Street, Bradford Street, Shawmut Avenue, and Harrison Street, DEP File No. 322-861:** 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 Stephen Kadlik, DPW Superintendent, for the furnishing and installing of approximately 1,200 linear feet of water main in Main Street from Plain Street to Damon Street, and approximately 2,600 linear feet of water main in Bradford Street, Shawmut Avenue and Harrison Street with associated service connections, valves, fitting, hydrants, and associated appurtenances. Portions of the work will be in resource areas regulated by the Conservation Commission. The work area is generally shown on Assessor's Map 51C.

**Amanda Cavaliere of Tata & Howard was present for the discussion.** Ms. Cavaliere summarized: The project is being presented on behalf of the Water Department who propose to replace the water main in the locations described with a small portion within buffer zone in a pre-disturbed area. They do not anticipate any negative impacts to resource areas and will utilize standard erosion control and mitigation. Drainage/stream area was shown on the plan. Catch basins will have silt sacks and erosion control provided in specified areas. B.Monahan noted that a mulch sock might work better. S.Greenbaum asked when the project will start. Ms. Cavaliere expects they will begin in mid-June and noted the area of Main Street will be done at night. R.Backman asked if the water mains were part of the old lines. Ms. Cavaliere confirmed they are old but noted they are reinforced concrete. Ms. Cavaliere reported that service connections, hydrants, etc. were all addressed. R.Backman asked where dewatering would occur if needed. Ms. Cavaliere noted that they would look at appropriate areas and run them by the Commission in advance. B.Monahan noted that there is a need to contact the Commission before they dechlorinate and discharge due to previous issues with discharge into resource areas.

**Motion to close the hearing under the Wetlands Protection Act;                      Seconded 6-0  
Motion to close the hearing under the Chapter 194 Bylaw;                      Seconded 6-0**

8. **Other**
  - a. **Conservation Intern**

B.Monahan reported being contacted by a Stonehill College student interested in a 120-hour Conservation internship. Possible areas of concentration could be Conservation Restrictions and Stormwater. B.Monahan will send background information to the Commission.

**b. Conservation site visits**

Next scheduled date will be Friday, April 29, at 9AM.

9. **7:55 PM – Public Hearing, James Morin, Applicant, 26 Damon Street, DEP No. 322-864:** 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 James Morin for a new 3-bedroom septic system at 26 Damon Street, Wayland, MA shown on Assessor's Map 51-C, Parcel 002.

**James Morin of North East Classic Engineering was present for the discussion.** Mr. Morin reviewed the plan proposing a 1500-gallon system with a 1000-gallon pump chamber up to a new leach field pushing it further away from wetlands than the existing system. The system is and will remain a three-bedroom system and the Board of Health has approved the design. B.Howell asked about the datum change which Mr. Morin confirmed. Erosion control was reviewed and B.Monahan suggested the use of mulch sock. S.Greenbaum asked about trees and Mr. Morin noted they plan to remove two 24" trees. Standard replacement language was provided to Mr. Morin. S.Greenbaum noted it would be nice to have replacement plantings along the 15' no-disturb and B.Monahan noted he can put that language in the decision. B.Monahan noted he will include language that inspections and as-built plan by a Registered Sanitarian will be accepted. Mr. Morin noted that Registered Sanitarians are allowed to delineate wetlands related to septic systems. B.Monahan noted that there will be a notation that the Commission did not accept the wetland line and added that the performance guarantee must be provided by the property owner.

**Motion to close the hearing under the Wetlands Protection Act;                      Seconded    6-0**

**Motion to close the hearing under the Chapter 194 Bylaw;                                      Seconded    6-0**

10. **8:10 PM – Public Hearing, Daniel Eng, Applicant, 163 Concord Road, DEP No. 322-862:** 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 Daniel Eng, 163 Concord Road, Wayland to install a new septic system to replace the existing failed septic system, portions of which are within the buffer zone as defined by others. The property is shown on Assessor's Map 11, Parcel 92.

**David Schofield was present for the discussion.** Mr. Schofield summarized: A septic system upgrade is needed on property that is a difficult lot north of Glezen Lane with a wetland to the rear and a back yard unsuitable for leaching. In the front yard soil testing was very good and groundwater at BVW elevation. The system is approved by the Board of Health. The pre-cast system may be substituted for HDPE plastic. The silt fence outside of the trenching area was shown. B.Monahan asked about riverfront delineation. Mr. Schofield noted no work within the buffer to trigger that. B.Monahan commented that it seems the leach field is within the 200-foot mean annual high water mark. B.Howell noted that there will be a finding in the decision noting that the Commission didn't accept the delineation and added that no garbage disposal will be permitted. R.Backman asked about access, which Mr. Schofield pointed out off the driveway where there is a little projection. B.Monahan asked about trees. Mr. Schofield said the goal is to

not remove any trees because they can move the system around in the front yard. The Commission noted inspections and As-built plan can be done by Registered Sanitarian.

**Motion to close the hearing under the Wetlands Protection Act;                      Seconded    6-0**  
**Motion to close the hearing under the Chapter 194 Bylaw;                              Seconded    6-0**

11. **8:25 PM - Public Hearing, Linda Malenfant, Applicant, 4 Shore Drive, DEP File Number 322-863:** Notice of Intent pursuant to the Wetlands Protection Act and a Chapter 194 application filed pursuant to Wayland's Wetlands and Water Resources Protection Bylaw by Linda Malenfant for a new septic system to replace the existing failed septic system at 4 Shore Drive, Wayland, MA shown on Assessor's Map 36B, Parcel 006. Work is within resource areas.

**David Schofield was present for the discussion.** Mr. Schofield summarized: The property abuts the Sudbury River and is a small site with limited leaching area; the river flowed across the lot at some time and deposited finer soils overladen with sand and gravel expected in the area. Unsuitable pervious soil was found and he designed above it with a Presby Enviroseptic (4 feet to 2 feet) compact system 19x14.5 feet, which is smaller than normal, sloped downhill at 20% slope to avoid grading on resource area side of property. All new construction is on the east side of the driveway. The system is a good use of technology to minimize impact. Variances are required by Board of Health due to leaching facility to property line distance a little over five feet. The existing condition of road runoff was mentioned. Mr. Schofield reported that the design fits in very nicely.

B.Howell noted the delineation dated 3/29/16 and said "riverfront" and "bordering land subject to flooding" should be checked off on the application and the datum said "assumed" as well. Mr. Schofield said he can either swap out the plan or provide a conversion. Mr. Schofield noted no proposed tree removal. B.Howell commented on the 3:1 slope. Jeanne Preston noted that the property has been in her family for eighty years and never floods even when the river was very high. B.Monahan commented that based on GIS there is FEMA floodplain on the property so it should be put on the plan and said that ideally NAVD88 datum should be used because the 2014 flood maps use that. B.Monahan noted verifying datum and putting 100-year floodplain on the plan. It was briefly noted that 246 Stonebridge Road utilized NGVD1929. B.Monahan noted a survey is appropriate.

Chris Orth, 8 Shore Road, shared that he is very pleased that a new septic system will be going in.

**Motion to continue the hearing to May 5, 2016 at 8:00pm under the Wetlands Protection Act; Seconded    6-0**

**Motion to continue the hearing to May 5, 2016 at 8:00pm under the Chapter 194 Bylaw; Seconded    6-0**

12. **Issue Order of Conditions – 310 CMR 10.0**

a. **38 Standish Road; DEP File No. 322-860**

**Motion to issue an Order of Conditions under the Wetlands Protection Act;                      Seconded    6-0**

b. **Water Main; DEP File 322-861**

**Motion to issue a Permit under the Chapter 194 Bylaw;    Seconded    6-0**

**Motion to issue an Order of Conditions under the Wetlands Protection Act;                      Seconded    6-0**

**Motion to require a 5% hold-aside on the project;    Seconded    6-0**

c. **26 Damon Street; DEP File 322-864**

<b>Motion to issue a Permit under the Chapter 194 Bylaw;</b>	<b>Seconded</b>	<b>6-0</b>
<b>Motion to issue an Order of Conditions under the Wetlands Protection Act;</b>	<b>Seconded</b>	<b>6-0</b>
<b>Motion to require a performance guarantee of \$1200;</b>	<b>Seconded</b>	<b>6-0</b>

**d. 163 Concord Road; DEP File 322-862**

<b>Motion to issue a Permit under the Chapter 194 Bylaw;</b>	<b>Seconded</b>	<b>6-0</b>
<b>Motion to issue an Order of Conditions under the Wetlands Protection Act;</b>	<b>Seconded</b>	<b>6-0</b>
<b>Motion to require a performance guarantee of \$1200;</b>	<b>Seconded</b>	<b>6-0</b>

**13. Conservation Clusters: Conservation Commission points, and amendments to the Bylaw**

S.Greenbaum reported on previous intentions by the Planning Board to have an amendment at Town Meeting, which needed work and ultimately was withdrawn. B.Monahan referenced conservation cluster points which were previously provided by the Commission to the Planning Board. The area of 52/54/58 Rice Road was mentioned. B.Monahan discussed the ongoing issue of access to land that is given through the conservation cluster process. Along with access, other areas of concern face the Commission, such as a proper place for equipment at the site, consistency throughout the process on properly marking land with bounds, etc. J.Barnett asked about the advantages to the developer when proposing a cluster. B.Monahan noted that the Commission does not want to adopt drainage maintenance so if a cluster needs drainage BMPs, the Commission doesn't want it; their interest is protecting the land. S.Greenbaum outlined that the Planning Board starts the cluster proposal process and then asks the Commission for suggestions and added that the minimum size is five acres, though it used to be 10 acres. Brendan Decker made the Commission a map showing what is left for 5-acre and 10-acre parcels to show available land. Reference was made to previous conservation clusters at Sage Hill and 104 Plain Road. B.Monahan noted that the Commission must insist upon what makes a valuable conservation cluster. S.Greenbaum raised the issue of usable land vs. wetlands and said there will likely be a future proposal for Special Town Meeting. Discussion ensued on the process and how the guidelines are written. J.Barnett noted that it seems there is a need to sit down with the Planning Board as this is not "one size fits all." S.Greenbaum added that open land needs to be transferred before construction starts. B.Monahan will send around the Conservation Cluster Bylaw and the Commission's points. B.Monahan noted that the intent is not to get more units but to protect valuable land and provide open space. J.Hines suggested it might be beneficial to research how surrounding communities handle the same issue and how language might vary. S. Fair volunteered to look into this. B.Monahan will contact S.Sarkisian about going forward with the amendment process.

**14. Request for Certificate of Compliance 310 CMR 10.05 (9)**

**a. 18/20 Covered Bridge Lane; DEP File No. 322-822**

B.Monahan noted issues with grading and non-compliance. The Commission would like to review changes at a meeting to determine how best to proceed.

**Motion to deny the issuance of a Certificate of Compliance; Seconded 6-0**

**b. 24/26 Covered Bridge Lane; DEP File No. 322-834**

B.Monahan noted areas of non-compliance. The Commission would like to review changes at a meeting to determine how best to proceed.

**Motion to deny the issuance of a Certificate of Compliance; Seconded 6-0**

**15. Other**

**a. Request for Return of Funds**

- i. Performance Guarantee – 10 Old Sudbury Road; DEP File 322-726  
Motion to return \$1,500 of the performance guarantee; Seconded 6-0

**b. Mission Statement – B.Monahan said this needs to be picked up again. Input from S.Fair and B.Salzberg will be sent out with existing language for discussion at the next meeting.**

**c. Other – John Hines reported on an abundance of old tires left on land at Greenways. S.Fair noted he has been busy working in the area.**

**16. Compliance Updates for Open Conservation Commission files – item not discussed.**

**17. Land Management**

**a. Rail Trail Update**

S.Greenbaum reported attending a Rail Trail meeting on April 7. DCR is pursuing funding for bridges and intends paving for trail to include a two-inch binder with one inch of asphalt on top. B.Monahan commented that asphalt is easier than stone dust from a maintenance standpoint. DCR still has to sign off on the license with Eversource in Wayland. It was mentioned that Weston is just starting to work on a rail trail and are concerned about horseback riders who do not want asphalt and they are discussing a stone dust shoulder. The Wayland representative indicated they plan to start construction in June/July. B.Monahan noted that the effective date of the Permit should be confirmed.

**b. Open Space and Recreation Plan Update**

B.Monahan shared that a public participation meeting is scheduled for next Wednesday that needs to be publicized.

**c. Update on Community Service Day**

B.Monahan said it was a successful outing and that a lot of brush and honeysuckle was dealt with as well as a downed tree cleaned up.

**d. Rules for Conservation Restriction on Lincoln Road**

The second annual bird walk is scheduled for May 7. S.Greenbaum will advertise and send the information along to SVT.

**Motion to sanction the May 7, 2016 Second Annual Bird Walk on the Lincoln Road fields led by John Hines; Seconded 6-0**

**18. Adjournment**

**Motion to adjourn at 10:08pm; Seconded 6-0**

The next Regular Conservation Commission Meeting is scheduled for **Thursday, May 5, 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**

**April 1, 2016 to April 21, 2016**

**April 1, 2016**

Mosquito spraying/pesticide application resident exclusion listing from Board of Health  
Letter to Andrew Cooper re: site proposal for 39-45 Waltham Road from N.Balmer  
Signed petition for Sycamore Road parcels for designated open space from J.Bennett

**April 4, 2016**

Notification of environmental sampling – 430 Boston Post Road – from ERM  
322-843 Inspection Report for 32/34 Covered Bridge Lane from Samiotes Consultants Inc.  
322-850 Inspection Report for 35 Covered Bridge Lane from Samiotes Consultants Inc.  
Letter re: High School/Middle School PV array site plan review from Ameresco to G.Larsen  
NOI for septic project at 26 Damon Street from North East Classic Engineering  
NOI for Water Main improvements project from Tata & Howard  
NOI for septic project at 163 Concord Road from Schofield Engineering  
NOI for septic project at 4 Shore Drive from Schofield Engineering  
322-843 Inspection Report for 32/34 Covered Bridge Lane from Samiotes Consultants, Inc.  
322-850 Inspection Report for 35 Covered Bridge Lane from Samiotes Consultants, Inc.  
322-816 Inspection Reports for River Trail Place from Sullivan Connors  
D-840 Inspection Report for 11 Three Ponds Road from Stamski & McNary  
322-699 Inspection Report for 373 Commonwealth Road from Schofield Brothers  
ZBA Decision – 120 Old Connecticut Path  
ZBA Decision – 113 Concord Road

**April 5, 2016**

D-805 Request for Certificate of Compliance for 163 Glezen Lane from M.Evangelista

**April 6, 2016**

322-843 Rev. Inspection Report for 32/34 Covered Bridge Lane from Samiotes Consultants, Inc.  
322-850 Rev. Inspection Report for 35 Covered Bridge Lane from Samiotes Consultants, Inc.

**April 7, 2016**

NOI for septic project at 22 Forty Acres Drive from Sullivan, Connors & Associates

**April 8, 2016**

322-698 Request (partial) for CoC for Dudley Pond Aquatic Management from M.Lowery, SWQC  
322-698 2015 End of Season Report for Dudley Pond Aquatic Management from M.Lowery, SWQC

**April 11, 2016**

ZBA Hearing 4/26/16 – 326/328 Old Connecticut Path and 228 Glezen Lane  
322-858 3 York Road contact info/construction schedule from Northboro Septic Service  
322-859 Evidence of condition responses for Dudley Pond aquatic project from M.Lowery

**April 13, 2016**

322-834 Request for Certificate of Compliance for 24/26 Covered Bridge Lane from Samiotes Consultants



**TOWN OF WAYLAND  
MASSACHUSETTS  
CONSERVATION COMMISSION**

**April 19, 2016**

Notice of spring aerial application in wetlands from East Middlesex Mosquito Control Project  
Transmittal of Groundwater Analytical Data for 430 Boston Post Road from ERM  
322-710 Inspection Report for Fieldstone Estates from H2O Engineering  
D-840 Inspection Report for 11 Three Ponds Road from Stamski & McNary  
322-864 Updated plans for 26 Damon Street from North East Classic Engineering  
322-758 Request for Certificate of Compliance for 125 Dudley Road from MJ DiModica

**LIST OF EXPENDITURES    April 1, 2016 to April 21, 2016**

4/4/16	<i>Forestry Suppliers (Loppers)</i>	<i>\$151.79</i>
	<i>Grainger, Inc. (Loppers)</i>	<i>196.70</i>
4/19/16	<i>Country Home Products (belt/battery)</i>	<i>108.97</i>
	<i>Northeast Sanitation (Garden portalet)</i>	<i>113.63</i>