

WAYLAND CONSERVATION COMMISSION

Minutes, Thursday, November 3, 2016 7:16 – 8:40 PM

Approved: December 15, 2016

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

Present: Commissioners: Roger Backman, Sean Fair, Barbara Howell, Thomas Davidson, John Sullivan (7:40 PM), Chairperson: Sherre Greenbaum, Conservation Administrator: Brian Monahan

Not present: Joanne Barnett

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

1. **7:18 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. **7:15 PM - Land Management: Summary of Land Manager's Activities for September and October**

Commissioners agreed that reports were good but that more detail, e.g. hours spent at each area noted on work sheets and input into excel, would be helpful particularly to document any need for more staff. B. Monahan will discuss with B. Harris.

6.a Other – Brook Trail Place – Proposed Deck and Proposed Deed Restriction

Norton and Ellen Feldman attended for an informal discussion. The Commission discussed the deed restriction and generally agreed with its terms. Town council has reviewed it and suggested some revisions which were sent to them. Also discussed was closing out the old OOC. B. Monahan noted the November 14 deadline to submit their application for a proposed deck in order to get on the December 1 meeting agenda.

3. **7:30 PM – Continued Public Hearing, Jean Skelly, Applicant, 9 Wayland Hills Road, DEP File No. 322-880:** Notice of Intent and a Wetlands and Water Resources Protection application (Wayland's Chapter 194) filed by Jean Skelly, for a septic system repair at 9 Wayland Hills Road,, Wayland. Portions of the work are within areas regulated under the Wetlands Protection Act and/or Chapter 194. The property is shown on Assessor's Map 49, Parcel 51.

Mike Sullivan, Sullivan and Connors, attended. M. Sullivan stated that 2 bookkeeping errors were corrected on the plan. The system was changed to an innovative system at the request of the Commission since leaching field is only 45' from BVW. He proposes an advanced Presby system similar to the one recently installed on Crest Road. There is a 12" pipe with a series of membranes around it. Bacterial action within the pipe will be aerobic instead of anaerobic. This is a passive system which BOH prefers. There is a 3-year testing requirement composed of 3 samplings/year. It is designed for 3-bedrooms with no way to add to it.

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

- Motion to close the hearing under Chapter 194; Seconded 6-0**
- Motion to Issue an Order of Conditions under the Wetlands Protection Act; Seconded 6-0**
- Motion to Issue a Chapter 194 Permit with conditions to include no garbage disposal, samplings per O&M requirements and restriction to 3-bedrooms; Seconded 6-0**
- Motion to Require a Performance Guarantee of \$1,200; Seconded 6-0**

- 5. **Request for Certificate of Compliance 310 CMR 10.05 (9)- 38 River Road; DEP File No. 322-508**
Site visit completed.
Motion to Issue Certificate of Compliance with conditions; Seconded 6-0

10. **Minutes**

- Motion to accept minutes of September 15, 2016; Seconded 6-0**

- 4. **7:45 PM – Continued Public Hearing, Kevin O’Leary, P.E., The Jillson Company, Applicant, 15, 17, and**

21 Training Field Road, DEP File No. 322-874:

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 Kevin O’Leary, P.E., The Jillson Company, Inc. for a determination of resource areas at 15, 17 and 21 Training Field Road. The property is shown on Assessor’s Map 14, Parcels 21, 21A and 22.

K. O’Leary attended. B. Monahan noted distribution to Commissioners of update and apparent intention of applicant to discuss conservation cluster which was not advertised. S. Greenbaum noted possible future quorum issue. There was no discussion of delineation.

- Motion to continue hearing under the Wetlands Protection Act to November 17 at 7:30 PM; Seconded 6-0**

- Motion to continue hearing under Chapter 194 to November 17 at 7:30 PM; Seconded 6-0**

- 6.d **Update on transition and staffing** – Commissioners met with Conservation Administrator finalist on November 2 and should know more from Personnel by November 8.

- 6.c **FY2018 Staffing Requests** – S. Greenbaum emphasized importance of support at Personnel Board meeting on November 30. Two changes being sought: increase Admin Assistant to full-time which it had been previously and add part-time Assistant Conservation Administrator.

6.b **Commission Input/Comments for the November 2016 STM Articles**

S. Greenbaum noted that important revision for the Conservation Cluster Article is to expand definition of resource areas to be excluded from determination of allowable number of lots in a cluster so that fewer lots would be obtained. The proposed change protects all wetland resources except buffer. At warrant hearing she had also requested Planning Board to consider increasing required acreage from 5 to at least 7 as Commission had discussed. B. Howell noted possible inconsistency in sections and also that buffer zones should be included as resource areas. There was agreement that amendments are improvement and in line with Commission’s charge to protect resource areas. B. Howell the proposed change will protect all wetland

resources except buffer (Chapter 194). S. Fair will speak in favor of article if Commission's position is requested.

Motion to support Conservation Cluster amendments at STM; Seconded 6-0.

- 9.d Other** - S. Fair noted extensive beaver tree damage at Pantry Brook Area along Sudbury River. Tree

cover will be lost.

6.f Discussion of Generic Tree Permit – B. Monahan suggested Generic Tree permit needs updating and extending. S. Fair volunteered to do some research on it.

- 6.g Unauthorized Installation of irrigation system at 92 Lincoln Road-** B. Monahan will find out if property owners obtained a DPW Permit for system installed in buffer zone.

- 7. 90 Dudley Road – Retaining Wall Change** – Site visit completed. Dave Fuller, Building Department, had noted extensive construction at site and notified B. Monahan. B. Howell noted that approved project was almost at maximum of impervious. Wooden stairs were to be removed and new stairs modified to coordinate with wall. There is question of how much earth was removed. S. Greenbaum reviewed DEP Wetland Program Policy 85-4 for allowing amendments and discussion ensued on whether amendment or new NOI was appropriate due to significant changes in project including new impervious surface, additional wall and additional earth removal potentially requiring additional fill. Discussion ensued on existing stop work order with agreement for B. Monahan to send a formal letter stating that no further work shall be done until a new NOI has been filed and Order of Conditions issued pursuant thereto.

Motion to require a new NOI for project including new wall and additional work at the property; Seconded 6-0.

- 8. Request for Return of Performance Guarantee- 37 Campbell Road - DEP File No. 322-849**
Site visit completed. Note was made of pipes from house to wetlands.

Motion to return Performance Guarantee of \$750; Seconded 6-0

9. Land Management

- a. **246 Stonebridge Road** - Moving forward with getting Asbestos Survey proposal for RFP
- b. **Heard Road Paving Update** - Project was all ready to go but Elizabeth Doucette, Procurement Officer, noted that details of proposal, obtained with much effort by Joe Doucette, DPW, and underlying on-call contract with vendor were not totally consistent in stated pricing. Project will now need to be bid through RFP which will most likely result in higher cost.
- c. **Volunteer Day Report** - Neighbor has volunteered to be steward of Trout Brook. S. Fair volunteered to look into SVT stewardship protocol.

11. Adjournment – Motion to Adjourn at 8:40 PM; Seconded 6-0