

WAYLAND CONSERVATION COMMISSION

Minutes, Thursday, October 19, 2017 7:08 – 9:55 PM

Approved: November 2, 2017

Location: Council on Aging (COA), Town Building, 41 Cochituate Road, Wayland, MA

Present: Barbara Howell, John Sullivan, Tom Klem, Joanne Barnett, Tom Davidson (8:05- 8:55pm Remote Participation) Chairperson: Sherre Greenbaum, Conservation Administrator: Linda Hansen

Not Present: Sean Fair

Minutes: Nicole Thomson

S.Greenbaum opened the meeting at 7:08 PM noting that a quorum was present and that the meeting was being recorded by WayCAM.

S. Greenbaum stated that Tom Davidson will be participating remotely due to geographic distance. A quorum of the Conservation Commission is physically present at the meeting, all persons are audible to one another, and all votes will be roll call votes.

1. **Citizens Time: Designated time for input to the Commission regarding items that are *not* on the agenda.**

There was no comment.

2. **Land Management**

- a. **Mainstone Farm Trail Maps-** Dan Stimson, SVT, and B. Harris walked the trails with a GPS. Some of the existing trails can no longer be used since it enters onto private property. Trail markers will be placed along the trail and entrance at the new parking lot.

- b. **Community Garden Clean-up-** B. Harris organized the Community Gardens clean-up on October 14. The turnout of gardeners was lower than previous years, most likely due to not tilling any plots next season. Metal is not allowed in the dumpster and it was recommended to have an additional barrel specifically for metal next year.

The applicant from 9 Brewster Road donated a large boulder from his property and placed it at the end of the Community Gardens roadway to prevent future dumping.

3. **7:15 pm – Public Meeting, Robin Dumas, Applicant, 11 Hickory Hill Road, File No. D-917:** Request for Determination of Applicability filed pursuant to the Wetlands Protection Act and a Chapter 194 application filed pursuant to Wayland’s Wetlands and Water Resource Protection Bylaw filed by Robin Dumas for 11 Hickory Hill Road, Wayland to perform tree removal and replacement with installation of a fence at rear of property. Property is shown on Wayland’s Assessor’s Map 11, Parcel 029.

Robin Dumas, Applicant, was present. R. Dumas stated that three trees within the buffer zone will require removal since the home is heavily tree covered creating moss on roof and a hazard

of falling onto the house. These three trees are the primary cause and the arborist recommended removal. A fence will be placed around back of property. L. Hansen recommended replacement plantings be placed along buffer line. One condition includes the requirement to have a replanting plan submitted before planting begins.

Motion to issue a Negative Determination as discussed under the Wetlands Protection Act;

Seconded 5-0

Motion to issue a Permit w/conditions as discussed under the Chapter 194 Bylaw;

Seconded 5-0

4. **7:25 pm –Public Hearing, Linda Malenfant, Applicant, 4 Shore Drive Lane, DEP File No. 322-904:** Abbreviated Notice of Intent filed pursuant to the Wetlands Protection Act and a Chapter 194 application filed pursuant to Wayland’s Wetlands and Water Resource Protection Bylaw filed by Linda Malenfant for 4 Shore Drive, Wayland to install a wood deck with a railing attached to the existing single family home, removal of a pine tree with replacement plantings, and minor grading changes. The property is shown on Wayland’s Assessor’s Map 36B, Parcel 006.

Linda Malenfant and Sherman Homan, homeowner and applicant, were present. A deck would be constructed on the river side of house within the 100 ft. riverfront. The deck will be 12 ft. wide by 39 ft. long. S. Greenbaum spoke that she thought the previous permit from May 2016 stated that no further work could be performed on the property. L. Malenfant did not recall that no further work would be permitted but rather that the house footprint could not be any larger.

L. Hansen spoke that the proposed deck would be over lawn, which is already a disturbed area. The deck will not be enclosed. J. Sullivan is concerned about the deck being within the 100 ft. The lawn is not natural and the applicant would be required to do mitigation. A vegetative buffer would be recommended as part of mitigation. S. Greenbaum was also concerned with the close proximity to the river.

DEP has not provided a file number or comments for this project. The recommendation was to continue until comments from DEP were provided to determine the best approach for the project.

Motion to continue the hearing at the Applicant’s request to November 2, 2017 at 7:10pm under the Wetlands Protection Act;

Seconded 5-0

Motion to continue the hearing to November 2, 2017 at 7:10pm under the Chapter 194 Bylaw;
Seconded 5-0

5. **7:35 pm –Public Hearing, Margaret Kolm, Applicant, 1 Weir Meadow Path, DEP File No. 322-903:** 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 Resource Protection Bylaw, filed by Margaret Kolm, for a determination of resource areas at 1 Weir Meadow Path, Wayland. Property is shown on Assessor’s Map 03, Parcel 17.

Fred King, Schofield Brothers Engineering, was present on behalf of the applicant. The Kolm family is looking into renovating the property and is researching the limitations. The applicant is looking for confirmation on the BVW line and riverfront boundary. The delineation was based

demarcated using large boulders to prevent any future homeowner from extending the limit of lawn.

Motion to continue the hearing at the Applicant's request to November 2, 2017 at 8:00pm under the Wetlands Protection Act; Seconded 5-0

Motion to continue the hearing to November 2, 2017 at 8:00pm under the Chapter 194 Bylaw; Seconded 5-0

7. **8:10 pm – Continued Public Hearing, Ben Stevens, Trask Development, Applicant, 32/34 Covered Bridge Lane, DEP File No. 322-899:** Notice of Intent filed pursuant to the Wetlands Protection Act and a Chapter 194 application filed pursuant to Wayland's Wetlands and Water Resource Protection Bylaw filed by Ben Stevens, Trask Development, for 32/34 Covered Bridge Lane, Wayland to address mitigation for unpermitted work within a wetland buffer zone. The property is shown on Wayland's Assessor's Map 35, Parcel 030 P. (Owner on record is Ryan Dunne, 32 Covered Bridge Lane, and Vasant and Semma Padmanabhan, 34 Covered Bridge Lane). T. Davidson is participating remotely.

Stephen Garvin, Samiotes Consultants, was here to present on behalf of the applicant. Desheng Wang, Creative Landscape and Water Engineering, LLC, provide mitigation alternatives for the site. D. Wang proposes a 238 sq. ft. of invasive removal right beyond the retaining wall with replacement of native species and 230 sq. ft. of wetland replication. The existing outlet would be removed from the buffer and directed into the existing retention basin.

J. Sullivan spoke that it was made very clear from the previous hearing on the need to remove a section of the retaining wall would need to be removed. S. Greenbaum expressed concern that the current mitigation proposal is not enough. The section of retaining wall to be moved further from the existing location is only at 4 ft. tall. L. Hansen does not like wetland replication for this location as it most likely will not be successful. S. Garvin spoke that the mitigation proposal could be doubled.

The relocation of the retaining wall would help compensate for a section within the 30 ft. no disturb. Although the area would be disturbed, it would only be a one-time disturbance to the site. T. Klem spoke that a plan could be created to have wetland replication occur and after 2 years if the wetland replication is not successful than a section of the retaining wall can be relocated. L. Hansen was concerned that the retaining wall needs to be relocated since encroachment occurred on the no disturb and there was an increase in impervious surface beyond what was permitted.

J. Sullivan mentioned that the wall needs to be removed or replication would need to be larger and successful as an alternative. L. Hansen would like to meet with D. Wang before the next meeting for the exact location and extent of proposed wetland replication.

Semma Padmanabhan, new homeowner of 34 Covered Bridge Lane, was present and spoke that it was not ideal to have a portion of her property removed or to wait 2 years to determine if the wetland replication was successful.

Motion to continue the hearing at the Applicant's request to November 2, 2017 at 8:10pm under the Wetlands Protection Act; Seconded; Roll call vote conducted by S. Greenbaum noting J. Sullivan, T. Klem, J. Barnett, B. Howell, T. Davidson and S. Greenbaum all in favor 6-0.

Motion to continue the hearing to November 2, 2017 at 8:10pm under the Chapter 194 Bylaw; Seconded; Roll call vote conducted by S. Greenbaum noting J. Sullivan, T. Klem, J. Barnett, B. Howell, T. Davidson and S. Greenbaum all in favor 6-0.

8. **8:30 pm –Stormwater and Land Management, Chapter 193, Thomas and Sarah Greenaway, 52 Rice Road, SMLD-25.**

Tom Greenaway, applicant, was present. The stormwater management plan is for Lot #5, which is not within the resource area. T. Greenaway sent draft deeds to L. Hansen regarding the open space; since it is considered one area of land under the Special Permit, Town Counsel will need to advise if two deeds for one parcel can be submitted. L. Hansen questioned why V. Colonna submitted a stormwater permit application when the increase in 500 sq. ft. from the driveway and roof runoff is part of the Notice of Intent for 52 and 54 Rice Road.

The splash pad is in the CR easement and the Commission does not want to be responsible for the maintenance of the stormwater.

A parking spot will still be at the end of the driveway for easy access by a conservation vehicle the property. V. Colonna will be in attendance for the meeting on November 2nd and can answer any outstanding questions.

9. **8:45 pm –Continued Public Hearing, Chris D'Antonio, Windsor Place, Applicant, 24 School Street, DEP File No. 322-897:** Notice of Intent filed pursuant to the Wetlands Protection Act and a Chapter 194 application filed pursuant to Wayland's Wetlands and Water Resource Protection Bylaw filed by Chris D'Antonio, Windsor Place, LLC, for 24 School Street, Wayland to demolish the existing house, barn and driveway followed by construction of two new townhouse buildings, paved parking and driveways, new subsurface sewage disposal system, stormwater management system and supporting utilities. The property is shown on Wayland's Assessor's Map 52, Parcel 189.

The applicant, Chris D'Antonio, sent a written request for a continuance until November 2nd. At the last hearing there was concern expressed by neighbors regarding the property area and perimeter. The property boundary affects applications with the Board of Health as well as the Commission. Board of Health has agreed to pay for half the cost of a title search of the property. The Commission will need to vote to have a title search performed on the property and it would be financed using the Wetland Filing Fee account. A perimeter survey could be performed after if necessary.

Motion to have a title examiner review the title for 24 School Street and if necessary perform a perimeter survey based on the findings; Seconded; Roll call vote conducted by S. Greenbaum noting J. Sullivan, T. Klem, J. Barnett, B. Howell, T. Davidson and S. Greenbaum all in favor 6-0.

Shelia Carel, 18 Joyce Road, spoke that she examined the numbers from the Comprehensive permit provided by the applicant and it came out to 31,800 sq. ft. , different than what was provided.

Motion to continue the hearing at the Applicant's request to November 2, 2017 at 8:30pm under the Wetlands Protection Act; Seconded; Roll call vote conducted by S. Greenbaum noting J. Sullivan, T. Klem, J. Barnett, B. Howell, T. Davidson and S. Greenbaum all in favor 6-0.

10. Other

- a. Town Field irrigation request-** Brud Wright, Vice Chair of Recreation Commission, was present. B. Wright spoke that sprinkler heads were installed within the 100 ft. buffer. The Commission clearly stated during the meeting on the application on August 10 that no sprinkler heads are allowed in the buffer. The permit also was clear. With the slight pitch of the field the water could trickle down from sprinkler heads surrounding the area. Handheld water is also allowed. B. Wright explained that the DPW cannot hand water the section. Discussion ensued on allowing the current sprinkler heads to stay within the 100 ft. buffer which is not allowed by law despite any benefit to recreation programs.

A recommendation was made for B. Wright to research underground irrigation systems to eliminate the need for sprinkler heads and present the findings at the following meeting with alternative systems. Currently, the existing sprinkler heads can stay until the next meeting.

- b. iPad Agreement** – The IT Department has not provided an iPad Agreement yet.
- c. Matters not reasonably anticipated by the Chair 48 hours in advance of the meeting, if any**

Rail trail- Preconstruction meeting will be held the week of October 23, 2017. Historic artifacts have been salvaged.

Peer review- TEC was hired to perform a peer review on 24 School Street. TEC did recommend the hiring of a hydrogeologist. The Conservation Commission and Zoning Board will need to hire a more qualified peer reviewer for Cascade Wayland. L. Hansen suggested Niche Engineering, Planning Board suggested Tetra Tec.

11. Request for Certificate of Compliance

- a. 113 Concord Road; DEP File No. 322-828-** No inspection reports were sent in for any of the projects (113 and 115 Concord Road). The shed was removed, screening along the east boulder was not installed, and no O&M Plan or Stormwater Plan submitted. The potable well was installed but not the geothermal well. Pictures were never submitted. L. Hansen advises against the issuance of a COC until further information can be gathered.
- b. 113 Concord Road; DEP File No. 322-852-**above
- c. 115 Concord Road; DEP File No. 322-853-**above

12. Approve Minutes: October 5, 2017

Motion to approve the minutes of October 5, 2017; Seconded 5-0

13. Adjournment

Motion to adjourn at 9:55pm; Seconded 5-0

The next **Scheduled** Conservation Commission Meeting is November 2, 2017 and will be held 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.