

WAYLAND CONSERVATION COMMISSION

Minutes, Thursday, October 5, 2017 7:02 – 9:20 PM

Approved: October 19, 2017

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

Present: Barbara Howell, John Sullivan, Sean Fair, Tom Klem, Joanne Barnett, Tom Davidson Chairperson: Sherre Greenbaum, Conservation Administrator: Linda Hansen

Minutes: Nicole Thomson

S.Greenbaum opened the meeting at 7:02 PM noting that the meeting was being recorded by WayCAM and that a quorum was present.

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

Duane Galbi, 190 Stonebridge Road, spoke that he will be documenting the policies of the Community Gardens for the Historical Society. Mr. Galbi asked the Commission if there is anything specific he should look at. Mr. Galbi will share results with the Commission. S. Greenbaum spoke that it is a great idea and will discuss with Mr. Galbi if anything further needs to be addressed.

2. **Land Management**

a. **Habitat Management Study at Cow Common-** L. Hansen stated that Amber Carr, Mass Audubon, will perform a habitat study with funds from the Twenty Wayland gift fund. The cost estimate for the habitat management study is \$6,000. The Board of Selectman approved the request. The total amount in the account is \$35,000, allowing further habitat work to be performed. The gift fund use is limited only to Cow Common.

b. **Sign Installation at Pine Brook and Castle Hill-** Two new signs were installed; Pine Brook Conservation Area received a sign at the entrance on Forty Acre Drive. Castle Hill Conservation Area sign placed at the entrance. A new sign should be created for Stone’s Bridge Conservation Area.

3. **7:10 pm – Continued Public Hearing, Thomas and Sarah Greenaway, Applicant, 60 Rice Road, DEP File No. 322-898:** 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 Thomas and Sarah Greenaway for 60 Rice Road, Wayland to replace single family home septic system. The property is shown on Wayland’s Assessor’s Map 45, Parcel 15.

Tom Greenaway, applicant, was present. The hearing was continued awaiting a DEP File No. A file number had been received before the hearing tonight.

Motion to close the hearing under the Wetlands Protection Act;	Seconded 7-0
Motion to close the hearing under Chapter 194;	Seconded 7-0

chips beyond the retaining wall and plant native bushes and shrubs instead. A planting plan was not included with the submittal.

L. Hansen questioned the stormwater management since different calculations were referenced throughout the entire submittal application. The Town Engineer received a copy of the stormwater management plan but has not reviewed the material yet. Issues also existed within the Notice of Intent that was submitted. L. Hansen will email comments along to A. Zukowski.

Irrigation will need to be removed within the 100 ft. buffer.

Waivers were submitted for the property.

Motion to approve the request for site plan requirement waivers;	Seconded 7-0
Motion to approve the request for drainage requirement waivers;	Seconded 7-0
Motion to approve the request for soil information requirement waivers;	Seconded 7-0

Further discussion ensued on mitigation on the property. S. Greenbaum again recommended a section of the retaining wall be moved to compensate for the section within the 30 ft. no disturb.

Another option is to have a section of the lawn on 32 Covered Bridge Lane restored back to a vegetative area. In that case L. Hansen would prefer boulders to demarcate the area.

Caitlin Dunne, 32 Covered Bridge Lane, is the homeowner and spoke that to reduce the size of yard on her property rather than mitigate the issues on 34 Covered Bridge Lane does not seem appropriate. Ms. Dunne would like to hear further suggestions to mitigate the issues at 34 Covered Bridge Lane. Commissioners agreed this did not seem equitable. A. Zukowski was instructed to propose an acceptable mitigation plan at the next hearing.

Motion to continue the hearing at the Applicant's request to October 19, 2017 at 8:10pm under the Wetlands Protection Act; **Seconded 7-0**

Motion to continue the hearing to October 19, 2017 at 8:10pm under the Chapter 194 Bylaw;
Seconded 7-0

- 6. 8:00 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.

Brian Nelson, Metrowest Engineering, and Chris D’ Antonio, applicant, were present. D. Wang submitted a report on the soil testing performed along the retaining wall. The report was submitted hours before the hearing, which did not allow enough time for review and will not be considered at the hearing tonight.

B. Nelson submitted the tree removal plan and will submit electronically. The Chapter 194 application will be withdrawn. The applicant was not required to submit a Chapter 194 application since it is a 40B project.

Motion to accept the request to withdraw the Chapter 194 Application; Seconded 7-0

The ZBA did not discuss the stormwater peer review as it was not completed before the meeting.

Scott Horsley, Horsley Whitten Group, was here to present. S. Horsley has been hired by George Bernard, 103 East Plain Street, to perform a peer review on stormwater, septic and groundwater. S. Horsley reviewed the project and found issues with wetlands resource areas and stormwater and waste water system.

S. Horsley stated that the stream from Snake Brook was shown as a perennial stream in 1970. Urbanization of the watershed created more surface water runoff. A study performed by Sudbury and Assabet Rivers showed public water supply wells in the area. S. Horsley presented a PowerPoint, which the topographic map depicted the change in urbanization from 1970 to 1987. There has been dense development including the Wayland Middle School. S. Horsley stated that the school was one of the major land use changes in the area and urbanization has caused depletion of stream flow.

Both stormwater and the septic system are proposed to be constructed in close proximity to one another, creating the likelihood of mounding. S. Horsley recommended the Commission ask for a peer review to assess cumulative groundwater mounding of the site. The Commission needs information from a groundwater study in order to determine if the required separation can be maintained for both septic and stormwater systems.

The pre and post development recharge conditions should match. S. Horsley performed calculations on the site and found post development 4 times the existing of pre development conditions.

L. Hansen spoke that private wells and public wells should be further examined. S. Horsley mentioned that the mounding for the area will occur as small amounts will go into the stream but large runoff will go towards East Plain Street.

J. Barnett asked how the stormwater drain right next to the stream on East Plain Street would affect the area; S. Horsley had not examined the area and could not comment to how the area could be affected.

Daniel Miller, 22 Dudley Road, mentioned that from his understanding Mr. Miller believed the pools behind the property are vernal pools. The construction of this development would change the nature of 24 School Street as an outfall of groundwater of septic waste could reclassify these pools. S. Horsley did not evaluate the vernal pools in the area but mentioned that the stormwater infiltration and septic will head into the area. The applicant is in the process of filing with Board of Health.

Nancy Leifer, 73 East Plain Street, presented the Commission with analysis on the property boundaries. The misplacement of the property lines will affect the Town lands and further west to the wetlands. B. Nelson stated that he did not survey the area. C. D'Antonio stated that this was not the time or place to discuss property bounds. It was decided at the ZBA hearing to have the neighbors or abutters hire a surveyor to mark the boundaries. S. Greenbaum stated that the information presented will need to be reviewed by the Commission members for jurisdictional relevancy before the meeting on October 19.

Chuck Samiotes, 65 East Plain Street, noted that although this may not be the time or place to discuss property boundaries, the Town Surveyor should visit the property to determine the boundaries.

Molly Upton, 23 Bayfield Road, requested the Conservation Commission have a survey done of town land including the brook and stream.

Brad Keyes, 91 East Plain Street, lives downstream and annually pumps his basement and encourages the Commission to perform a study on the groundwater.

L. Hansen will review the stormwater management review provided by TEC for the ZBA; if the requirements from the Commission are not met then an additional peer review will need to be done.

Motion to continue the hearing at the Applicant's request to October 19, 2017 at 8:45pm under the Wetlands Protection Act; Secoded 7-0

7. **Other**

a. **Vote on STM Warrant Article-** L. Hansen has been asked by the Board of Selectman to withdraw the application for pedestrian crossings. The Finance Committee is discouraging any financial articles for the Fall Town Meeting. Police Chief Swanick did not think that a sidewalk would make the area any safer. It is a requirement of the permit to have crossings installed. DPW may bring the warrant article forward in the spring and take control of the work.

b. **Vote on FY'17 Annual Report**

Motion to approve the FY'18 Annual Report; Secoded 7-0

c. **Personnel Board: B. Harris Increase in Hours-** On October 16, 2017 the Personnel Board will meet to discuss the increase in hours for B. Harris. L. Hansen will discuss the change in hours at the next Board of Selectman meeting.

d. **Update on Cascade Wayland 40B Project-** S. Greenbaum and J. Barnett attended the ZBA hearing on Cascade Wayland. The applicant failed to take into adequate consideration the river and current encroachment issues. The applicant described the site as a degraded area. The outcome of the project will come down to the conservation, stormwater, and septic system issues. No agricultural exemption in the area. The project will require at least a stormwater peer review when heard before the Commission.

e. Matters not reasonably anticipated by the Chair 48 hours in advance of the meeting, if any

Shooting range- The Police Department wants to temporarily move the shooting range to the old dump. There was agreement that the proposed location is not appropriate as it borders the rail trail, where people walk, and is a birding habitat area. L. Hansen will write a comment memo discouraging the usage of that site for a shooting range.

8. Request for Certificate of Compliance

a. 35 Jeffrey Road; File No. D- 852-

**Motion to Issue a Partial Certificate of Compliance under the Chapter 194 Bylaw;
Seconded 7-0**

- b. 69 Highland Circle; DEP File No. 322-368-** This property had two old filings, from 1997 and 1998. There was a 3 ft. high retaining wall placed within the 30 ft. buffer, which has become well packed down and is now an animal habitat. Yard waste has been dumped into the wetlands and will need to be removed. There is a shed that was moved without a permit; not within the 30 ft. but does appear to be in poor condition. The shed should be left alone since it is outside the no disturb buffer zone.

Conditions to be included are removal of yard waste and no sprinklers in the 100 ft. buffer.

**Motion to Issue a Certificate of Compliance under the Wetlands Protection Act
w/conditions as discussed; Seconded 7-0**

c. 69 Highland Circle; DEP File No. 322-396

**Motion to Issue a Certificate of Compliance under the Wetlands Protection Act
w/conditions as discussed; Seconded 7-0**

d. 19 White Road; DEP File No. 322- 855

**Motion to Issue a Certificate of Compliance under the Wetlands Protection Act;
Seconded 7-0**

**Motion to Issue a Partial Certificate of Compliance under the Chapter 194 Bylaw;
Seconded 7-0**

9. Request for Return of Performance Guarantee

a. 35 Jeffrey Road; File No. D- 852 (\$500)

Motion to return \$500 performance guarantee; Seconded 7-0

b. 19 White Road; DEP File No. 322-855 (\$1,100)

Motion to return \$1,100 performance guarantee; Seconded 7-0

10. Approve Minutes: September 21, 2017

Motion to approve the Minutes of September 21, 2017; Seconded 7-0

11. Adjournment

Motion to adjourn at 9:20pm; Seconded 7-0

The next **Scheduled** Conservation Commission Meeting is October 19, 2017 and will be held in the Wayland Town Building.