

TOWN OF WAYLAND

**Joint Executive Session of the Permanent Building Committee, Board of Selectmen  
and the Board of Public Works**

Meeting Minutes

**Wednesday, October 16, 2013**

Approved: November 14, 2013

**Attendees:**

PMBC members: Doug Goddard- Chair, Brian Chase, Joe Lewin, Eric Sheffels

Ex-officio members of PMBC: John Moynihan, Public Buildings Director

Board of Selectmen: Tony Boschetto, Edward Collins, J Nolan (late arrival forming a quorum)

Board of Public Works: Tom Abdella, Jon Mishara, Bob Goldsmith, Mike Lowery, Mike Wegerbauer

Wayland Historical Commission: Tonya Largy, Sheila Carel

Consultants: Jeff Alberti. Weston & Sampson: Duncan Ritchie. Public Archaeology Laboratory;  
Doug Harris, Narragansett Indian Tribal Historic Preservation Office

Absent: Douglas J. Leard. Board of Selectmen. Steven Correia. Board of Selectmen. Jeff Massimo  
Taurisano. PMBC. Donna Bouchard, PMBC- Middle School Project, t Mike Gitten, PMBC-  
Middle School Project

The PMBC, Board of Selectmen (a quorum of the BOS occurred as the executive session had begun) and the Board of Public Works entered into a joint Executive Session. The Joint Executive Session was called to allow the three boards to discuss with the consultants and others present the “culturally sensitive” information found in an archeology study and a ceremonial landscape study related to the DPW project site and the related Route 20 access road. Some of the information discussed is of a nature that it should not be made public to protect any potentially, culturally sensitive sites and materials. The nature of the culturally sensitive sites/materials relates to Native Americans. J Moynihan requested that information related to the two studies not be disclosed by anyone attending the meeting.

**Archaeology Presentation and Discussion**

Duncan Ritchie of the Public Archaeology Laboratory (PAL) reviewed the background and findings of the archaeological study his firm did for the Town of Wayland. The study was done at the request of the Town and under a permit from the Massachusetts Historical Commission. It was done because there were known Native American sites in the general area.

The study was an intense archeological survey to assess the archeological sensitivity of the DPW site and some areas related to the route 20 access road. The study was to determine if there was any evidence of “pre-contact Native Americans” or “post contact” (historic) activity. The study was not to determine if

there were any “ceremonial landscape” features on or near the site. As part of PAL’s background research they contacted local residents who know the local history and sent notices to federally recognized tribes. The study included site observation, digging 43 hand dug holes, reviewing geotechnical information and the use of remote sensing ground penetrating radar of an “intact” area [REDACTED]

D. Ritchie described the general nature of the DPW site and the adjacent area as a “highly altered site.” When asked what the test pits that were dug on the construction site itself showed, he answered that it was a very “disturbed site.”

One area [REDACTED], had portions that were “intact” and did have “good integrity.” A focus of the field work was in this area. PAL found two small sites in this area with a little material, e.g. one site contained some stone flakes in the dug hole about 12 inches from the surface. The radar found four “anomalies” in this area but they did not have any archeological features. When asked if the site had been used in modern times he said it appeared that the ridge site had been plowed in last 300 years and the ridge was part of the first settlement in the 17th century. PAL found some modern period storage items and household items, e.g. ceramics. These items were not historically significant. PAL did observe the presence of some “stone features” that may be “ceremonial landscapes.” When asked he said the trees on the ridge are 70 to 80 years old.

#### **The conclusions of the PAL study were:**

- The study did not find any significant “pre-contact Native Americans” or “post contact” (historic) material on or adjacent to the DPW site.
- PAL does not recommend any further investigation.
- Most of the site is a “highly altered landscape “and there was significant “previous alterations.”
- The two small sites that did contain some archeological material are not recommended for any further study; they don’t have enough content to be potentially significant based on National Historic Places criteria.
- The more modern (historic) material found on the site was not historically significant.
- The four “anomalies” found by the radar had no archaeological features.

#### **Ceremonial Landscape Presentation and Discussion**

Doug Harris, Preservationist for Ceremonial Landscapes for the Narragansett Indian Tribal Historic Preservation Office presented his study. He began with a description of what his organization did, some history about the topic of “ceremonial landscape”, what the general issues of ceremonial landscape were, and gave some examples of his work in other parts of Massachusetts and New England. He described the types of things they looked for, [REDACTED], ceremonial stones and stone structures, one of which is stone turtles. He passed around some photos of other sites in Massachusetts and of the Wayland DPW site as examples. He described the purpose of his organization’s work as protecting and preserving ceremonial landscapes.

His study focused on two areas: 1) the [REDACTED] 2) the [REDACTED]

D. Harris said [REDACTED]. One was by [REDACTED]; a [REDACTED]. This was the more “ancient” of the two sites. When asked, he did say [REDACTED] was not of the same era [REDACTED] but was much younger. The other site was [REDACTED] [REDACTED] that had not been “disturbed.” He said one indication of [REDACTED] is that the soil below the surface is “mottled,” i.e. light and dark soil together, and that was the case at this site. He said there was also a “less formal turtle” on this site.

With regard to the [REDACTED] D. Harris said there are currently [REDACTED]. One is a [REDACTED].” He said he is still refining his position on other objects, which will be included in his final report. He will also finish his study of the alignment of the [REDACTED] by the end of the month. The [REDACTED] were about 3’ in diameter and could be identified [REDACTED] [REDACTED]

The committees then discussed possible mitigation measures for [REDACTED]. When asked if some of [REDACTED], where it was already “disturbed” could be used, D. Harris said he would like it left alone. When asked if there could be a buffer area that could be shorn up to protect the area of special attention, D. Harris said he would like to protect as much as he can and that he was looking for good stewards. E. Sheffels said that we needed a definitive line to mark off the protected area on the [REDACTED] and that a retaining wall and proper grading could be used to ensure the integrity of that site.

With regard to the ridge to the [REDACTED] of the DPW site it was asked if the [REDACTED] could be moved. D. Harris said the [REDACTED] cannot be moved. When asked if there was any way to construct the Route 20 access road with disturbing the [REDACTED], J. Alberti of Weston & Samson said that it was not possible; the grading needed to improve the road would definitely impact the [REDACTED] objects. J. Alberti noted that the slope on the on the opposite side of the hill may impact the [REDACTED] features but could be dealt with by a retaining wall. J. Nolan noted that there was another options to the access road and that was River Road, but he would like to keep the neighbors happy and was looking for a middle ground. He asked if there was something else that can be done with the road. D. Harris said he was not making a declaration about what to do with the road but that the three elements should be protected. It was suggested that the access road could be used as a one way road as is. It was noted that this area was adjacent to a great deal of previous construction and perhaps the [REDACTED] [REDACTED]

E. Sheffels asked what the [REDACTED] “was that is shown on the PAL map showing [REDACTED] [REDACTED]. (The [REDACTED].) D. Harris said there is “suspicion” of [REDACTED] in that area though “determination is unlikely.” He said if that area is impacted by construction it should be monitored during construction. When asked what monitored meant D. Harris said that he would like to be there. D. Ritchie said archaeological monitoring is not unusual and a plan could be drawn up. D. Harris said he would prefer the area not be touched but there was no good evidence of [REDACTED]. T. Abdella noted that this area had been disturbed already by the pipeline, was heavily mined and that all of the other sensitive areas were at a higher grade. D. Ritchie was asked if [REDACTED] were dug in the [REDACTED] and he said [REDACTED] were dug but did not show any significant objects.

It was asked if there was anything that could be found in [REDACTED] that could stop construction. D. Harris said if something like a [REDACTED] that could stop construction based on state regulations. When asked about federal regulations D. Harris said for federal law to apply there needs to be a federal undertaking, which is not the case here. D. Ritchie said for this site it would be up to state regulations. It was asked if there was any evidence in [REDACTED] of mottled soil related to [REDACTED]. D. Ritchie said his study didn't find anything and that this is a low sensitivity area. D. Harris said his study did not examine all of [REDACTED]. It was asked if evidence of [REDACTED] was found it could be moved. D. Harris said tribal policy does not support [REDACTED]. E. Sheffels and B. Chase both noted that construction in the [REDACTED] was necessary to have a viable site.

It was asked what the usual depths of burial are and can we determine what the original topography was to determine if there is a potential problem. J. Moynihan said that there was a 23 foot excavation/ elevation change from [REDACTED]. D. Harris said the 23 foot differential lowers his concerns regarding the [REDACTED] but needed more analysis of [REDACTED] to see if there is more evidence of [REDACTED]. He also said that there may be people "who do ceremony" and he would need to find out if people do ceremony there. T Abdella asked how many more [REDACTED] were needed [REDACTED] to determine if it was a sensitive site. D. Ritchie said he would need to confer with D. Harris. J. Alberti said that [REDACTED] have already been dug in the [REDACTED] and that it was a "stockpile", but that he will review with his geotechnical consultant.

### **Discussion on How to Proceed with the Project**

D. Ritchie asked what is needed for the project to move forward. E. Sheffels said we needed an answer for the [REDACTED] and a line for the sensitive area on [REDACTED]... D. Harris said he needed more research on [REDACTED]. T. Boschetto said there needs to be a viable site and project plan to present to Town Meeting and a clear communication plan to avoid contradictions. He said there needed to be a solution for both the building and road. J. Mishara said there must be a complete package. E. Sheffels said if we resolve the [REDACTED] and settle on grading and wall related [REDACTED], then we have a viable site.

Brian Chase suggested that a hard line be drawn for a no disturbance area on [REDACTED] and a retaining wall can protect this area. E. Sheffels concurred and said this can ensure no erosion occurs. D. Ritchie said a site avoidance plan can be worked out and that a geologist can delineate how to protect the area. S. Carel asked if the site plan can be shifted away from the [REDACTED] and J. Moynihan answered that it could not.

T. Abdella said that the access road could be disconnected from project for Town Meeting and that he could not see at this time asking for funding for the access road given all the questions that have been raised. M. Wegerbauer asked how does the access road function today. J. Moynihan said it worked for trucks and does not need improvements for truck use. M. Wegerbauer asked if we can use the road as we use it now, perhaps making it one way, with either in or out in the morning or evening. J. Mishara said this could reduce traffic by 20 or 30 vehicle trips per day and mitigate the traffic on River Road. He also noted that the 2012 resolution said that River Road could be used if no other access was available. E. Sheffels said we can't solve roadway right now; there is not enough time. E. Collins said if there is any change to the access road plan there would have to be a discussion with the neighbors. T. Boschetto said someone would need to talk to the neighbors. J. Mishara said the BPW would talk to the neighbors.

At 10:05 T. Boschetto made a motion for the Board of Selectmen to adjourn the Executive Session. J Nolan seconded the motion. The vote was 3-0 in favor.

At 10:07 T. Abdella made a motion for the Board of Public Works to adjourn the Executive Session. Mike Lowery seconded the motion. The vote was 5-0 in favor.

At 10:10PM D. Goddard made a motion for the Permanent Municipal Building Committee to adjourn Executive Session and return to Open Session. J. Lewin seconded the motion. Roll Call Vote;

Eric Sheffels Yes

Joe Lewin Yes

Brian Chase Yes

Doug Goddard Yes

Motion passes 4 - 0