

## WAYLAND PLANNING BOARD FINAL MINUTES

FILED BY: Sarkis Sarkisian, Town Planner  
DATE OF MEETING: **June 20, 2017**  
TIME OF MEETING: **7:30 P.M.**  
PLACE OF MEETING: Town Building, 41 Cochituate Road

### **REV AGENDA**

*Note: Items may not be discussed in the order listed or at the specific time estimated. Times are fluid given unpredictable duration of time.*

- 7:30 P.M. Open Meeting Comment/Correspondence/ Matters Not Reasonably Anticipated by the Chair 48 Hours In Advance Of the Meeting/Town Planner report. Wayland Open Space and Recreation Plan 2016, letter of recommendation to State for final approval.**
- 7:35 P.M. Site Plan Approval 91 Oxbow road. The Wayland Planning Board will hold a public hearing on Tuesday evening, June 20, 2017 at 7:35: PM, in the Wayland Town Building, 41 Cochituate Road, Wayland, MA. The purpose of the hearing is to act on a request for Site Plan Approval and Review for 91 Oxbow Road which is accessed off Trout Brook Road for the construction of a multi-purpose natural grass athletic field with the dimensions of 110 yards x 70 yards. The proposal will also include an additional 45 parking spaces and a turnaround on dense graded crushed stone gravel. This application is made at the request of Wayland Recreation Commission, Edward C. Sanderson.**
- 8:30 P.M. Site Plan Approval confirmation SPA Form B Approval is Not Applicable Wayland Village 297 Boston Post Road.**
- 8:35 P.M. Approval not required plan for 74 Moore Road**
- 8:45 P.M. 150 Main Street discussion/action regarding Site Plan Approval Decision 02-2013.**
- 9:00 P.M. Sign Mylars for Whittemore Place between 209 and 213 Old Connecticut Path in accordance with Decision dated May 9, 2017.**
- 9:05 P.M. 104 Plain Road Open Space Modification Decision**

**9:10 P.M. New sidewalk approval proposed by Town Center and River Rock Development that will run along Andrew Avenue and Elissa Drive.**

**9:15 P.M. Town Planner review evaluation**

**9:20 P.M. Approve minutes May 9, 2017 May 23, 2017**

**9:30 P.M Adjourn**

D. Hill – called the meeting to order 7:37 PM and went through outline of Planning Board Agenda. D. Hill, I. Montague, N. Riley and J. Steel also in attendance.

Public Comments – request to speak clearly and loudly given the lack of microphones at that night's meeting.

### **Site Plan Approval 91 Oxbow road**

I. Montague read legal notice.

D. Hill made an announcement that he would be recusing himself due to prior representation of an abutter on an unrelated matter. Recommendation was to hear the presentation, schedule a site visit and continue the hearing as the Board members present did not reach a quorum.

Present for Petitioner – Edward C. Sanderson as Wayland Recreation Commissioner & Ben Garry as consultant for the Petitioner gave the presentation. Gave historical information on site. \$300,000 in funds to construct field was approved at Spring 2017 Town Meeting. Presentation before Planning Board was triggered by a needed increase in parking.

Mr. Garry discussed the physical characteristics of the site and the plan for the same. Soccer field of 110x70 yards is in the center. 55 parking space area to be done in graded crushed gravel. 55 spaces was done based on traffic study. Alpine Field has 26 spaces, for example. Goal was to keep parking off the street. All but a strip of land would stay wooded as is currently. Test pits have been done. Loam goes 4-8" with an average of 6". Field will be stripped and graded.

I. Montague – can he explain in proximity to 40B development done previously. Mr. Garry explained where the field would be in relation to that development. Also confirmed no lighting.

S. Sarkisian – asked about hours of operation. Mr. Garry responded that the understood goal is to use this field to allow for giving other fields rest. No bleachers, only benches. Field hockey or lacrosse could also be done as they take up less space.

Mr. Sanderson confirmed use would likely be like Alpine Field. No lighting and no concessions.

I. Montague – asked about how the bunkers were filled in. Mr. Garry believed they were filled in with gravel. No test pits showed any buried pipes or the like. No evidence of oils or the like.

Mr. Sanderson – the Town worked with DEP to allow for the silos to remain in place and take off the top few feet and fill in.

S. Sarkisian – correspondence from Conservation Commission – let them know a Chapter 191 permit would be required. Also asked that the trees be inventoried. Also asked whether any consideration was made toward making the field a little smaller to allow for a stand of trees to remain.

Mr. Sanderson – shifted the field North as much as possible to conserve the ADA compliant trail on the North and South and tried to adjust to keep a certain stand of trees. Tried to work with abutters to keep a portion of the stand of trees as is currently shown on the plan.

Copy of letter dated 3.21.17 was received from Charles D. Ambrosio & Marisa Serafini. Mr. Sanderson – tried to address the request of the letter though due to a 50' buffer controlled by the Conservation Commission and the significant amount of regarding that would be required to keep the trail ADA compliant .

J. Steel – asked about the physical characteristics of the site. Mr. Garry clarified that a 20' strip of trees would be cleared. Trail is currently stone dust.

I. Montague – during a game would that impede upon using the trail? Mr. Garry responded that the use would not be impeded, though during a soccer game it may be a different feel.

J. Steel – how long is construction expected to take? Mr. Garry – likely 90 days. Mr. Sanderson – would need 2 growing seasons before activity on the field.

Public comments: Has the area ever been designated as a habitat area? Fox dens, etc. in the area. Also the question of with the Carrol School buying the mansion and not paying taxes can the Town use those fields. Mr. Sarkisian – applicant will answer the question on the habitat. Issue of use of fields came up during the Carrol School discussion. Abutters were not supportive of that concept. Decision was drafted carefully to regulate the use of those fields in terms of lights, noises, planning times, etc. Mr. Garry – no habitats were found as officially designated in the area.

Diana Beaudoin – Lincoln resident and formerly served on the Conservation Commission in Lincoln. Question about process. Have the Board of Selectman for Lincoln been in touch with the Wayland Board of Selectman? Second question was

about the study that was done. Mr. Sanderson – no contact with the Board of Selectman of Lincoln.

Margot Stipan – concern with the access to the field. The driveway for the condominium would be the access point. Was originally told it would be 25 cars. Now expectation seems much more. Concern with 2 games on Saturday and Sunday and practice during the week. Would make a request that they make a new entrance. Also pointed out that she is unaware of much going on at Alpine Field.

Patricia Thompson – abutter in Lincoln. Changes that this would make to the area are immense. Pointed out this is not in the middle of nowhere.

Tom Hoops – safety issue with this site due to the proximity of walkers, runners, bikers, etc. Traffic study shows 2/3 of the cars go over the speed limit in that area. Approx. 60 more round trips for 120 more cars for games. No one has done a traffic study on the impacts on the neighborhood and its uses. Would also have expected the project to be fully vetted with Lincoln given the impact on that community. Would hate for this project to be all about soccer and not about the safety of the neighborhood.

Amanda McLean – has been in correspondence with the Recreation Commission but a number of the terms still not addressed. Issue about safety of soil and water. Keeps getting redirected to the 2004 studies. Does not necessarily believe those are adequate. Understanding from fall meeting on this project was that additional testing would be done. Does not believe that has happened. Believes the vote at the Spring Town Meeting was done with a lot of misinformation. Would like some reassurance that the soil and water is safe. I. Montague – is there any process or plan to dig further into this issue? Mr. Sanderson - detailed analysis was done in 2003 and 2004 and that information is available on the website. Since that time the only thing done on this site was some housing and the ADA trail. J. Steel – can they talk about the construction process beyond the grading discussed and to install irrigation. Mr. Garry – test pits found mostly gravel, though they will need to import material into the site. Not doing any excavations, but really fill to level the site. Irrigation is 12-18" deep. When they lay the irrigation system it will be done with a ditch witch or the like.

Charlie Dembros – direct abutter. Echoes Tom's comments. Narrow road with no sidewalks. On weekdays 72 extra vehicle trips for after school activities. Decision on the traffic study was that the major intersections could handle the extra trips. Intersections were not the local area. Did not look at what would happen when the two ends got to Trout Brook Road. Oxbow Road is a mess. Additional use of the road with extra vehicle trips and busses. Beyond traffic and safety, there is a concern about the natural screen – the row of trees on the south of the lot that will get cut down. 5 residences directly abutting that whose backyards will be opened up. Also residents to the north. Will let activity, noise, etc. in. Asked if anyone had followed up on the lady slipper question. Mr. Sanderson – had a site visit done. In terms of endangered lady slippers his analysis showed that there was no endangered species of lady slippers.

Concerned that there is silo issue between Conservation Commission and the Recreation Committee. Have they talked to try and save that stand of trees.

Olivia Stytham – works with bees. In the fall and the spring when the bees go out of hibernation and if they do not get the pollen they may die, which is not good for the environment. The field is doing lots of good things for the wildlife. Also every spring and fall there are foxes who have kits in that field. Concern also for deer going into the road.

Sheila Correll – was out as a representative of the Historical Commission. There is a berm that is a remainder from the NIKE site that the Historical Commission was planning on keeping intact. Mr. Garry confirmed they would not be touching the berm. Asked about nearest water. When out with the archaeologist she saw a turtle laying eggs. Mr. Garry thought it was to the north. How close to nearest vernal pool or habitats. Mr. Garry agreed to find out.

Mike Lowrey – member of the Board of Public Works. Board of Public Works is custodian of the land. Because of the use that it is in the Rec Commission can construct fields as a matter of right. Board of Public Works did vote to support the fields. Wanted to point out that there would be no pesticides used on the fields. Also wanted to mention that there may be room for a separate access road to be built that would not be shared with the condo. Board of Public Works and Recreation Commission have an agreement for water usage. In order to allow for irrigation on the site they have to use the best possible measures to ensure they are appropriately collecting water.

Marisa Serifini – if the stand of trees is removed it will enormously impact the trail, which currently goes through the woods. J. Steel – asked to show the stand of trees currently. I. Montague – will have a site visit that is also advertised. Area of trees to be removed is actually around 80' in the widest area.

Joey Wexler – abutter in Lincoln. Has environmental concerns, like others, but she is a walker and walks every single day. Has watched how bad the traffic has become since Wayland has built more housing. Shares Tom's concerns. People drive much too fast. When talking about all of the extra cars, the concern is the street will not be safe for anyone who lives there. Something needs to be done with extra traffic if this goes forward.

Diana Beaudoin – Lincoln Ridge has 58 units and Fair Pond has 80 units. Lots of traffic associated with that. Lincoln is also currently under a severe water restriction. When the games are on, the area is going to be different. Within the last 2 years on the junction of 126 and Fair Road there is the Teddy Bear School. If it grows that will add to even more stress on the traffic.

Mr. Sarkisian – would like the traffic report and environmental peer reviewed, around \$2,000-\$3,000. Once we get the approval we would hire a peer reviewer. Not sure if

that would be ready for July 11<sup>th</sup>, but willing to ask. Review not to exceed \$1,500 or something along those lines?

Open questions for peer review: were 2004 tests adequate to test for TCEs?

Continue the hearing to July 11<sup>th</sup> at 7:30 PM. N. Riley moved. I. Montague seconded. 2-0 in favor.

### **150 Main Street discussion/action regarding Site Plan Approval Decision 02-2013**

D. Hill – on 150 Main Street there was a determination by the building inspector dated June 1, 2017 that the developer had to construct all of the parking on the site plan. At the time of the site plan approval, condition 31 required that shaded parking on the plan would not be constructed unless and until it was determined that demand justified the need to be constructed. Have cleared the site except the strip along Main Street. When the applicant removed the building a lot of the roots were damaged during the excavation and demolition. The building inspector's opinion is in conflict with the Planning Board's judgment and now there is an internal conflict within the Town. Applicant filed an appeal dated June 7, 2017 against the decision and argued that the Planning Board's decision was within its purview and Mr. Hill personally agrees. This is a zoning enforcement issue that is being raised and will be before the Zoning Board of Appeals. Recommends we draft and send a letter to the Zoning Board of Appeals that supports the appeal.

Condition 31 required that spaces be banked. Mr. Sarkisian did a survey and the parking seemed adequate. Applicant here did not want to file a special permit for this issue to reduce the number of parking spaces. Mr. Sarkisian informed the Building Commissioner that the intent of the Planning Board was to not require the full amount of parking. Negotiations ongoing with a neighbor across the street for landscaping. Any changes to the plan will need to go in front of the Planning Board.

I. Montague – agrees. N. Riley – agrees

M. Lowrey – asked why did we not invite the Building Commissioner to the meeting. There is a letter from the Commissioner explaining his position. Mr. Sarkisian shared a copy.

Molly Upton – endorsed the letter concept. Posited whether due to the change in ownership, perhaps they would be more amenable to coming for a special permit for a reduction in required parking.

Ken Isaacson – agrees, anything to reduce more parking and give an additional buffer would be great.

Mr. Sarkisian – in defense of the Building Commissioner, the parking is very strict and this is his opinion based on the requirements.

N. Riley made a motion in favor of a letter to support condition 31. I. Montague seconded. 3-0.

### **Approval not required plan for 74 Moore Road**

Brian Levey in favor of the applicant. D. Hill asked what frontage was required and how it was being calculated. Lot width requirement of 100'. S. Sarkisian – 705.1.8 – discussion of application.

B. Levey – confirmed ANRAD has been filed.

I. Montague – moved to approve the ANR as presented. N. Riley seconded. 3-0 in favor.

### **Site Plan Approval confirmation SPA Form B Approval is Not Applicable Wayland Village 297 Boston Post Road**

D. Hill – still not comfortable making this determination without something from the Applicant stating this is not required. Sees two likely triggers – one is alteration of pre-existing non-conforming structure. Reading of Bylaws would require Zoning Board of Appeals approval. Second likely trigger is alteration of a parking lot. What would trigger order of conditions on a redevelopment? Went through the process of a determination of applicability. Site plan approval checklist was marked as no on all of the items. Building Commissioner letter stated that it would be reasonable to determine that the proposed work (to be permitted in phases) does not require a Special Permit.

The Board tabled the discussion until applicant could appear later in the meeting.

Applicant, Frank Normandin, appeared and was asked to describe the changes to the parking area. Submitted plans to the Conservation Commission to cleanse the water before it goes into the wetlands. Replacing the catch basins. Cape cod berm plan would be new. Minor changes to landscaping area are proposed, all of which are optional. Not changing any of the curb cuts on Pelham Island Road. Taking the position that because there is currently a parking lot so there is no requirement to comply with the bylaws regarding landscaping.

Board had a lengthy discussion on whether or not to sign a letter stating Special Permit Approval was not required. Board generally was uncomfortable about the seeming lateness of this request, regardless of whether the Applicant had come before other boards.

D. Hill – motion to table the discussion on the request until July 11<sup>th</sup> meeting, in the meantime independent reviewer would look at drainage proposal and give feedback and we would ask the applicant to provide a parking lot plan that shows better landscaping and would have that reviewed and would provide feedback at the July 11<sup>th</sup> meeting. At

the July 11<sup>th</sup> meeting we would have a discussion and make a decision on the request to certify whether site plan approval is required or not required. Would also require a deposit of \$1,000 into the Town's account for a peer reviewer to give the feedback.

I. Montague – seems like the ask would include Applicant hiring a landscape architect. Applicant confirmed he would be unwilling to post any additional funds for peer review given the work that has already been done, though they are willing to discuss the improvements that can be made.

No one would second D. Hill's motion.

I. Montague – motion to accept the premise that the plan does not trigger site plan approval. N. Riley – the only reason she would contemplate seconding this motion is that the Applicant has been told this several times and has been relying on this over time. N. Riley seconded. 2-1 in favor, D. Hill opposed.

### **104 Plain Road Open Space Modification Decision**

D. Hill – came to us because the Conservation Commission does not want to accept the open space. During the course of Conservation Commission's review it was flagged that a piece of the open space (around 1/3) of an acre, was given to a trust controlled by the abutter. The transfer now makes the development less than 5 acres. Someone may have thought this was approved when an ANR plan was approved. Town Counsel was asked to draft a modification to the special permit. D. Hill believes that the developer needs to bring this project into compliance with the requirements, which as of now, would not require a modification to the special permit.

Anette Lewis – if you look at the plans they are both dated the same date. Recommends filing a document with the Registry to say both parcels are not in compliance. Several violations of the decision noted.

Developer would like us to continue this discussion. Our expectation is that he will come back to us with a proposal that will cure those defects that have come before us.

N. Riley – asked that the language included something to the effect of the failure to remedy this issue will result in a recession of the decision per the requirements of the decision.

Mr. Sarkisian will draft the letter for D. Hill's review to send to the developer.

### **Town Planner review evaluation**

Forms were presented for Board members to fill out for evaluation of Town Planner. To be discussed at next meeting.

### **Adjourn**

I. Montague – motion to adjourn. N. Riley – seconded. 3-0 in favor.