

River's Edge Advisory Committee (REAC)

Minutes of Meeting held on June 11, 2015

The following members were present: Jerome Heller (Chair), Rebecca Stanizzi, Daniel Hill, Robert Morrison, Bill Steinberg, and Michael Wegerbauer (7:45), constituting a quorum of the Committee.

Meeting was called to order at approximately 7:30PM.

No public comment

- Jerry explained that a meeting had not been held recently because there was no issue that required a vote and there were a number of things that had to take place before the Committee could attempt to finalize the RFP such as the vote of the BoPW, the ANR plan, the settlement with Sudbury on the septage facility, etc. He attempted to keep people informed with status messages.
- Becky said she was informed that the BOS could act to approve the RFP in the week of July 13, therefore she suggested the Committee meet next week to finalize the draft so it could be submitted to the BOS for their review in advance of that meeting. Also, she believes the BOS will take up the settlement agreement with Sudbury in Executive Session on June 24 so there is a possibility an agreement could be reached and incorporated into the RFP. However, if an agreement is not reached, she pointed out that the agreement expires in 2017 and demolition can take place following expiration. This will be reflected in the RFP.
- A review of the various issues then took place:
 - The BoPW voted to relinquish control of the land declaring it as surplus subject to being able to retain it if a deal with a developer does not take place. In addition the BoPW wants to be compensated for the additional expense they expect to incur resulting from the loss of use of the land.
 - The ANR plan has been approved by the Planning Board. This was delayed due to an error in the location of the western boundary of

the access road. The road remains under the control of the BoPW but an easement will be granted to the developer for access to the project at the southern end to the project.

- A&K drafted the application to the DEP for “presumptive approval” of the change of designation of the land from land fill to residential use. It will be submitted once the affidavit of the public works maintenance supervisor regarding past uses of the land has been completed. Discussion regarding its content is taking place with Town counsel.
- Tata and Howard completed an analysis of the adequacy of the Town water for domestic use and it was favorable under current regs. However, any water for irrigation will have to be derived from wells on the land.
- Becky and Sarki met with the new environmental secretary and found it was unlikely that any grant or other financing will be coming from the State. Therefore the RFP will have to reflect that case for waste removal.
- The ORAD is being worked on and should be available from the ConCom within the next two weeks.
- Jerry submitted the A&K invoice for the month of April for approval. Dan moved it be approved. On second, the bill was unanimously approved.
- Bill submitted a new introduction to the RFP to make it more appealing. After discussion it was agreed this was appropriate and the committee will discuss including the draft in the RFP at the next meeting.
- The Committee reviewed a list of documents and information prepared by A&K that are needed to complete the RFP as of June 10th. Becky is working with the various Town entities to obtain those items that are outstanding. The list will be attached to the minutes.
- Mike stated the Committee should be aware of a memo dated May 13,2015 from the Board of Health requesting groundwater testing of a list of chemicals and pointing out that approval of a wastewater treatment

plant can be required at both the State and local levels. It requested this information be incorporated into the RFP.

- It was agreed that the next meeting will take place on Wednesday June 17th at 6P.M. The latest drafts of the RFP and the LDA were sent to the committee electronically by A&K.
- The meeting adjourned at approximately 8:45 P.M.

Respectfully submitted by Jerome Heller

Attachments:

List of Documents and Information Needed from the Town to Complete the RFP
(as of June 10,2015)

Memo dated 5/13/15 from Board of Health



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

Julia Junghanns, R.S., C.H.O.
DIRECTOR OF PUBLIC HEALTH
TEL. (508) 358-3617
www.wayland.ma.us

To: Jerome Heller, Chairperson for the River's Edge Advisory Committee

From: Tom Klem, Chair, Board of Health

Date: May 13, 2015

Subject: RFP for River's Edge project at 484-490 Boston Post Road

Dear Mr. Heller-

A Request for Proposals (RFP) is being prepared by the Town for the purpose of inviting submissions from parties interested in development at 484-490 Boston Post Road in Wayland, commonly known as 'River's Edge'. The RFP will require environmental assessment and remediation as part of any development plan.

The Board of Health requests that groundwater at River's Edge be tested for the following, per recommendation of the Massachusetts Department of Environmental Protection (email K. Brander to J. Junghanns, 25March2015).

Ammonia/nitrogen	Antimony
Nitrate	Arsenic
Total nitrogen	Barium
Phosphorous/orthophosphorous	Beryllium
Lead	Cadmium
Chloride	Chromium
Manganese	Copper
Mercury	Nickel
Total Volatile Organic Compounds (VOC)	Selenium
Toluene	Silver
Chloroform	Thallium
4-methyl-2-pentanone	Vanadium
Bromodichloromethane	Zinc

We also ask that these parameters be included in the final RFP to document the recommendation of Massachusetts DEP pertaining to this specific location. The Board reserves the right to review the results of the testing.

Separate from the matter of groundwater analysis is the subject of wastewater treatment in the River's Edge RFP (Section 9). Approval of a wastewater treatment plan can be required at both the state (DEP) and local (Board of Health) levels depending on the specifics of the plan. We request that this information be included for each of the options outlined in this section, for benefit of the parties that will be submitting proposals.

Respectfully,

A handwritten signature in black ink, appearing to read 'Thomas Klem', with a long horizontal flourish extending to the right.

Thomas Klem
Chair, Wayland Board of Health

Cc: Julia Junghanns, Director of Public Health

Cherry Karlson, Chair, Board of Selectmen

Nan Balmer, Town Administrator

LIST OF DOCUMENTS AND INFORMATION NEEDED FROM THE TOWN TO COMPLETE THE RFP
(As of June 10, 2015)

EX.	DESCRIPTION	Party Responsible To Get
	Title Information	
4.6	Surplus Declaration and Transfer of Custody by the Wayland Department of Public Works	REAC
	Property Information and Design Guidelines	
5.1	Appraisal Report (for the highest and best use of the Property under REHOD)	REAC
5.2	Latest Draft of River's Edge Design Guidelines	REAC
5.3	List of Town Consultants	REAC
5.4	Tata & Howard Perk Tests	REAC
5.5	Site Plan with site limits and zoning	REAC
	Environmental	
6.4	Request for Presumptive Approval with Exhibits	A&K
	Wetlands	
7.1	Abbreviated Notice of Resource Area Delineation ("ANRAD") and Wayland Conservation Commission's Order of Resource Area Delineation ("ORAD")	REAC
7.2	Design requirement guidelines for riverfront issued by the Wayland Conservation Commission for design guidance prior to ORAD issuance	REAC
	Utilities	
8.1	Water Connection Fees and Rates	REAC
8.2	Sewer Connection Fees and Rates	REAC
-	Resolution of Inter Municipal Agreement Issues with Sudbury re Septage Facility	REAC (When available)
-	Tighe & Bond Description/Specifications for Town's Reserved Leaching Area and Piping (re Price Proposal Alternative 2 – Sewer Connection)	REAC
	Permitting (Traffic etc.)	
10.1	Wayland Historical Commission Letter (Property's lack of historical significance finding given absence of Native America artifacts)	REAC (Redact if necessary)
-	DHCD letter exempting Project from Interagency Agreement re 10% three bedroom units	REAC
	Documents for Information Repository	
	DEP decision resolving Access Road appeal	REAC

EX.	DESCRIPTION	Party Responsible To Get
-	Quarterly groundwater test results for operation of septage facility (Most recent 5 years)	REAC
-	Documents regarding the historical uses of the properties to be conveyed	REAC
-	Other Disclosure Documents intended to be part of the disclosure package of "Seller's Reports" referenced in LDA § 3.1 (i.e. the due diligence documents that the Town will disclose to the buyer and that will limit the buyer's ability to terminate the LDA unless there is a material difference revealed by the buyer's diligence investigations)	REAC

ANDERSON KREIGER

Anderson & Kreiger LLP
One Canal Park, Suite 200
Cambridge, MA 02141

(617) 621-6500

EIN: 04-2988950

May 13, 2015

Town of Wayland
Attn: John Moynihan
Public Buildings Director
2nd Floor, Facilities Department
41 Cochituate Road, Wayland, MA 01778

Reference # 112498 / 5415-001

In Reference To: River's Edge Special Counsel

Professional Services			<u>Hours</u>	<u>Amount</u>
4/7/2015	APK	Conference with RL re: presumptive approval application; forwarding materials to RL for same [.5].	0.50	160.00
4/7/2015	RL	Conference with APK re application for solid waste permit modification. Review relevant materials	0.60	180.00
4/8/2015	APK	Conference with RL re: presumptive approval application [.3].	0.30	96.00
4/8/2015	RL	Conference with APK re site documents and presumptive approval submission	0.60	180.00
4/9/2015	SDA	Conference with RL re draft presumptive approval application, information needed.	0.20	64.00
4/9/2015	RL	Review documents relevant to DEP presumptive approval application. Emails to and from DLW and SDA and conference with SDA re same	0.50	150.00
4/14/2015	APK	Conference with RL re: presumptive approval application (status of septic negotiations, RFP, etc.) [.1].	0.10	32.00
4/14/2015	RL	Conference with APK re next steps re DEP application. Email to SDA re same	0.20	60.00
4/15/2015	RL	Email to R. Stanizzi and M. Lanza re information for DEP application	0.20	60.00
4/16/2015	SDA	Emails from and to JH re results of meeting with JS and PC.	0.10	No Charge

4/16/2015	RL	Emails from and to R. Stanizzi re information needed for DEP application.	0.10	30.00
4/23/2015	APK	Conference with RL re: presumptive approval application to DEP (ML's question about signature authority, info from BS) [.1].	0.10	32.00
4/27/2015	APK	Conference with RL re: authority to sign application for presumptive approval [.1].	0.10	32.00
4/27/2015	RL	Review DEP requirements for signatory to Presumptive Approval application. Conference with APK re same. Voice mail message to M. Lanza re same.	0.30	90.00
4/29/2015	RL	Voice mail message from and Email to M. Lanza re question re signatory for DEP application	0.10	30.00
4/30/2015	SDA	Email to JH and re same re project status.	0.10	32.00
		Sub-total:	4.10	<u>1,228.00</u>

Sub-total Fees: 1,228.00

Attorney/Paralegal Summary

Name	Hours	Rate	Amount
Stephen D. Anderson	0.40	320.00	96.00
Arthur P. Kreiger	1.10	320.00	352.00
Rebekah Lacey	2.60	300.00	780.00

Additional Charges

			Amount
1/29/2015	Mileage	Stephen D. Anderson	28.18
		Sub-total Expenses:	<u>28.18</u>

Payments

4/30/2015	Payment	ck#404482	76,361.13
		Sub-total Payments:	<u>76,361.13</u>

Total Current Billing:	<u>1,256.18</u>
Previous Balance Due:	4,880.50
Total Now Due:	<u>6,136.68</u>

PLEASE NOTE: ALL BALANCES DUE WITHIN 30 DAYS