

Wayland Conservation Commission Meeting Minutes

Wednesday, December 20, 2023

Approved: January 10, 2024

Location: Commission members participated remotely via Zoom
Present: Sean Fair, Chair; Barbara Howell, Vice Chair; Tom Davidson; Shannon Fischer; Jenny Brown; Luke Legere; Jen Pearlman; Linda Hansen, Conservation Administrator; Monica Rivas, Conservation Department Assistant
Minutes: Monica Rivas

S. Fair opened the meeting at 6:33 PM, noting that the meeting was being recorded by WayCam and a remote quorum was present consisting of Barbara Howell, Tom Davidson, Jenny Brown, Shannon Fischer, Luke Legere and Sean Fair. All participants were present virtually.

1) Public Hearings (Starting after 6:30 PM):

- a) 38 Aqueduct Rd (DEP File no. 322-1023): Notice of Intent** filed pursuant to Wayland's Wetlands and Water Resource Protection Bylaw (Chapter 194) and the Wetlands Protection Act (310 CMR 10.0), submitted by Shawn Hynes for the replacement of a subsurface sewage disposal system at 38 Aqueduct Rd in Wayland, MA. Property is shown on Assessor's Map 48, Parcel 83 and is located within 100 feet of bordering vegetated wetlands.

Matt Marro, environmental consultant, appeared before the Commission. The new septic system will accommodate recent renovations to the home. Eight trees will be removed at the front of the lot, with three within the wetland buffer zone. Replacement plantings will be installed within the 15' vegetated buffer. The project has been approved by the Board of Health.

L. Hansen requested more detailed information regarding the sizes of the trees to be removed within and outside of the buffer zone. She requested a site visit with the applicant to verify the wetland flagging.

B. Howell moved and L. Legere seconded the motion to close the hearing under the WPA and Chapter 194. S. Fair initiated a roll call vote: YEA: J. Brown, T. Davidson, B. Howell, L. Legere, S. Fischer, S. Fair. NAY: None. ABSTAIN: None. Vote in favor 6-0.

B. Howell moved and L. Legere seconded the motion to issue an Order of Conditions under the WPA and a permit under Chapter 194. S. Fair initiated a roll call vote: YEA: S. Fair, J. Brown, T. Davidson, B. Howell, L. Legere, S. Fischer. NAY: None. ABSTAIN: None. Vote in favor 6-0.

- b) Rt. 20 Landfill Cleanup (DEP File no. 322-1021): cont. Notice of Intent** filed pursuant to Wayland's Wetlands and Water Resource Protection Bylaw (Chapter 194) and the Wetlands Protection Act (310 CMR 10.0), submitted by Tom Holder for repairs to the cap of the South Landfill located at 471 and 473 Boston Post Rd in Wayland, MA 01778. The project is shown on Assessor's Map 22 Lots 1 and 2, and is located within Bordering Land Subject to Flooding and the 100 foot buffer zone of a Bordering Vegetated Wetland and Isolated Vegetated Wetland.

The applicant requested a continuance to the next hearing.

L. Legere moved and T. Davidson seconded the motion to continue the hearing under the WPA and Chapter 194 to January 10, 2024 after 6:30 PM. S. Fair initiated a roll call vote: YEA: S. Fair, J. Brown, T. Davidson, B. Howell, L. Legere, S. Fischer. NAY: None. ABSTAIN: None. Vote in favor 6-0.

- c) **124 Cochituate Rd (DEP File no. 322-1022): cont. Notice of Intent** filed pursuant to Wayland's Wetlands and Water Resource Protection Bylaw (Chapter 194) and the Wetlands Protection Act (310 CMR 10.0), submitted by David O'Leary for the construction of St. Ann's Senior Village, a 60 unit rental development, parking area, stormwater management system, and supporting utilities at 124 Cochituate Rd in Wayland, MA 01778. The project is shown on Assessor's Map 34 Lots 4 and 5, and is located within the 100 foot buffer zone of a Bordering Vegetated Wetland, and Isolated Vegetated Wetlands.

Phil Crean with POUA appeared before the Commission, as well as Steve Garvin with Samiotes Consultants, and Brad Holmes, wetland scientist with Environmental Consulting and Restoration, LLC. B. Holmes presented wetland delineation details. He found no evidence of a stream, intermittent, or perennial, onsite. He found a potential vernal pool onsite, which could be certified if submitted for that process. DEP and the Commission inquired about a stream connecting the two wetland systems, as it is shown as a perennial stream on GIS. B. Holmes stated the forested area between the two wetlands appears to be a mature forest. He found there does not appear to have been a recent filling of grade, no evidence of flow between the two, no evidence of bank, and no culvert.

J. Pearlman joined the meeting.

L. Hansen stated the earthen bridge was installed which converted the former perennial stream to a dry stream bed. She stated the flow should be reconnected so that the extra runoff from the additional impervious surface proposed can have an outlet from the vernal pool. The vernal pool would then be able to dry out seasonally instead of becoming a year-round pond. She requested a culvert be installed under the earthen bridge.

B. Holmes stated the potential drainage of the vernal pool may adversely affect the health of the pool and cause significant disturbance within the buffer zone.

S. Garvin presented the location for the new detention basin. The old drainage system will be abandoned. The snow storage is proposed behind the buildings. Discussion ensued.

Rebecca Bachand, landscape architect, appeared before the Commission. She presented plans for about 80-100 replacement plantings for the 176 trees to be removed in total. They will be installing 4400 square feet of landscaping near the new building.

L. Hansen stated she would need updated plans to submit to the stormwater peer reviewer.

L. Legere moved and B. Howell seconded the motion to continue the hearing under the WPA to January 10, 2024 after 6:30 PM. S. Fair initiated a roll call vote: YEA: S. Fair, J. Brown, T. Davidson, B. Howell, J. Pearlman, L. Legere, S. Fischer. NAY: None. ABSTAIN: None. Vote in favor 7-0.

- d) **24 School Street, (DEP file no. 322-0965): con't Notice of Intent** filed pursuant to the Wetlands Protection Act (310 CMR 10.0), submitted by Chris D'Antonio, Windsor Place LLC construction of twelve new townhouses, driveways and parking areas, subsurface sewage disposal system, stormwater management system, and supporting utilities at 24 School Street in Wayland, MA. Property is shown on Assessor's Map 52, Parcel 189 and is located within 100 feet of bordering vegetated wetlands and land under water.

The applicant requested a continuance to the next hearing.

L. Legere moved and B. Howell seconded the motion to continue the hearing under the WPA to January 10, 2024 after 6:30 PM. S. Fair initiated a roll call vote: YEA: S. Fair, J. Brown, T. Davidson, B. Howell, L. Legere, J. Pearlman, S. Fischer. NAY: None. ABSTAIN: None. Vote in favor 7-0.

- e) **23 Claypit Hill Rd (DEP file no. 322-1002): cont. Notice of Intent** filed pursuant to Wayland's Wetlands and Water Resource Protection Bylaw (Chapter 194) and the Wetlands Protection Act (310 CMR 10.0), submitted by Mevan Samaratunga for the installation of a retaining wall and perimeter fence, as well as grading and landscaping of a rear yard. The project is located within the 100' buffer zone of a Bordering Vegetated Wetland at 23 Claypit Hill Road in Wayland, MA. Property is shown on Assessor's Map 19 Parcel 35.

The applicant requested a continuance to the hearing on January 10, 2024. L. Hansen stated they are still waiting for stamped plans from a structural engineer.

L. Legere moved and T. Davidson seconded the motion to continue the hearing under the WPA to January 10, 2024 after 6:30 PM. S. Fair initiated a roll call vote: YEA: S. Fair, J. Brown, T. Davidson, B. Howell, J. Pearlman, L. Legere, S. Fischer. NAY: None. ABSTAIN: None. Vote in favor 7-0.

2) **Enforcement Order:**

- a) **108 Lakeshore Dr.:** L. Hansen stated the house at 108 Lakeshore Dr. underwent several renovations and installed a retaining wall along the street frontage. Water runoff from Beech Rd. and Lakeshore Dr. is funneled by the retaining wall into Dudley Pond, carrying dirt and debris and eroding the shoreline. The retaining wall, as well as pavers in the backyard, a deck, a dock, were all unpermitted. L. Hansen stated she issued an enforcement order requesting that they address the stormwater management onsite, and provide a restoration plan.

L. Legere moved to ratify the enforcement order issued by Linda Hansen for 108 Lakeshore Dr. T. Davidson seconded the motion. S. Fair initiated a roll call vote: YEA: S. Fair, J. Brown, T. Davidson, B. Howell, J. Pearlman, L. Legere, S. Fischer. NAY: None. ABSTAIN: None. Vote in favor 7-0.

3) **Other:**

- a) **Revised Meeting Schedule January-June 2024:** The Commission discussed the revised meeting schedule.
- b) **Violation at 10 Pequot Rd:** L. Hansen stated the homeowner removed 28 trees without a permit. A violation notice was issued under Chapter 193.

Wayland Conservation Commission Minutes

- c) CPA meeting: L. Hansen stated she presented the three proposals for CPA funding before the CPC. They agreed to support these proposals.
- d) Barbara's 90th/Holiday Celebration: The Commission discussed dates for a winter social.

4) **Public Comment**: No one appeared for public comment.

5) **Approve Minutes**:

- a) **November 29, 2023 minutes**: The Commission reviewed the minutes and had no further comments.

T. Davidson moved and L. Legere seconded the motion to approve the November 29, 2023 minutes. S. Fair initiated a roll call vote: YEA: S. Fair, J. Pearlman, J. Brown, T. Davidson, B. Howell. NAY: None. ABSTAIN: S. Fischer, L. Legere. Vote in favor 7-0.

8) **Adjournment**:

L. Legere moved and T. Davidson seconded the motion to adjourn the Conservation Commission meeting. The meeting was adjourned at 7:52 PM. S. Fair initiated a roll call vote: YEA: S. Fair, J. Pearlman, J. Brown, T. Davidson, B. Howell, L. Legere, S. Fischer. NAY: None. ABSTAIN: None. All in favor 7-0.

The next Conservation Commission meeting is scheduled for Wednesday, January 10, 2024 @ 6:30pm