

## Wayland Conservation Commission Meeting Minutes

Wednesday, February 7, 2024

Approved: February 28, 2024

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

**S. Fair opened the meeting at 6:31 PM, noting that the meeting was being recorded by WayCam and a remote quorum was present consisting of Shannon Fischer, Luke Legere, Jen Pearlman, and Sean Fair. All participants were present virtually.**

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

- a) **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.

*Tom Davidson joined the meeting.*

Steve Garvin with Samiotes Consultants and Phil Crean with POUA appeared before the Commission. They received approval for a comprehensive permit from the ZBA, but Board of Health and Conservation approvals are pending. They presented updated conceptual plans. They reconfigured the lighting structures and moved the detention basin as discussed. Approval of the septic system is pending a mounding analysis peer review requested by the Board of Health.

L. Hansen stated she is still working with the applicant to get a peer reviewer on board. The scope of work was updated to accommodate a request by the Board of Health for a mounding analysis peer review. A quote from BSC Group and TetraTech was received, but they are still awaiting a quote from Meridian Associates. The three peer reviewers need to submit updated quotes to include the additional scope.

L. Legere moved and T. Davidson seconded the motion to continue the hearing under the WPA to March 20, 2024 after 6:30 PM. S. Fair initiated a roll call vote: YEA: S. Fair, T. Davidson, J. Pearlman, L. Legere, S. Fischer. NAY: None. ABSTAIN: None. Vote in favor 5-0.

- b) **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.

L. Hansen stated she asked the peer review consultant to move forward with the peer review.

C. D' Antonio appeared before the Commission, as well as his consultant, Desheng Wang. He requested that the peer review consultant send comments to his team to ensure that they can review the data used for the model and ensure consistency with their own data.

L. Legere moved and J. Pearlman seconded the motion to continue the hearing under the WPA to February 28, 2024 after 6:30 PM. S. Fair initiated a roll call vote: YEA: S. Fair, T. Davidson, L. Legere, J. Pearlman, S. Fischer. NAY: None. ABSTAIN: None. Vote in favor 5-0.

## **2) Public Meetings, Request for Determination of Applicability (RDA):**

- a) **13 Pollock Rd (D-1021): Request for Determination** filed pursuant to Wayland's Wetlands and Water Resource Protection Bylaw (Chapter 194) and the Wetlands Protection Act (310 CMR 10.0), submitted by Carlos Villatoro for the renovation and construction of an addition to a single family house in Wayland, MA 01778. The project is shown on Assessor's Map 52 Lot 180 and is located within the 200 foot Riverfront Area.

L. Hansen stated that the proposed project will require a new septic system as the proposed addition will double the size of the house. The Board of Health would not approve the project without a septic plan. The applicant should return before the Commission when they have septic plans so that the addition and septic system can be issued under one permit. Discussion ensued.

L. Legere moved and J. Pearlman seconded the motion to continue the hearing under the WPA to February 28, 2024 after 6:30 PM. S. Fair initiated a roll call vote: YEA: S. Fair, T. Davidson, L. Legere, J. Pearlman, S. Fischer. NAY: None. ABSTAIN: None. Vote in favor 5-0.

- b) **27 White Rd (D-1023): Request for Determination** filed pursuant to Wayland's Wetlands and Water Resource Protection Bylaw (Chapter 194) and the Wetlands Protection Act (310 CMR 10.0), submitted by Deborah Loomis for the construction of a deck and walkway in Wayland, MA 01778. The project is shown on Assessor's Map 25 Lot 54 and is located within the 200 foot Riverfront Area.

L. Hansen stated she has been working with the applicant to come up with a plan for the deck addition. Because the deck will be installed over existing lawn, a wetland delineation was not required. She requested a layer of gravel under the deck to absorb runoff from the additional impervious surface.

Leon Gordon appeared before the Commission. He stated the work closest to the wetlands will be located 90 feet away.

L. Legere moved to issue a Negative Determination under the WPA and a permit under Chapter 194. T. Davidson seconded the motion. S. Fair initiated a roll call vote: YEA: S. Fair, T. Davidson, L. Legere, J. Pearlman, S. Fischer. NAY: None. ABSTAIN: None. Vote in favor 5-0.

- c) **COA Trails Project (D-1020): Request for Determination** filed pursuant to Wayland's Wetlands and Water Resource Protection Bylaw (Chapter 194) and the Wetlands Protection Act (310 CMR 10.0), submitted by Linda Hansen for the construction of a 0.3 mile trail from the current path of the Bay Circuit Trail at Cow Common to the Council on Aging building in Wayland, MA 01778. The project is shown on Assessor's Map 23 Lot 52O, 52Q, 52S and is located within the 200 foot Riverfront Area.

Monica Rivas, Conservation Department Assistant, presented the plans to the Commission. After a site visit conducted by the Appalachian Mountain Club and River Stewardship Council to plan trail construction, they decided they will be using the grant funding to build a bridge over the wetlands, which will likely be done as soon as the trail is cleared out by Conservation Staff.

L. Legere moved to issue an amendment to the Negative Determination under the WPA and a permit under Chapter 194 approved at the February 7<sup>th</sup> meeting. T. Davidson seconded the motion. S. Fair initiated a roll call vote: YEA: S. Fair, T. Davidson, L. Legere, J. Pearlman, S. Fischer. NAY: None. ABSTAIN: None. Vote in favor 5-0.

**3) Stormwater and Land Disturbance (SWLD):**

- a) **102 Boston Post Rd (SWLD-119):** L. Hansen stated this was an after-the-fact filing for tree removal completed without a permit. Much of the lot was cleared.

Lawrence and Laura Grone appeared before the Commission. They stated some of the trees were removed to accommodate power lines and concerns for safety.

L. Hansen stated that additional mitigation plantings will be required.

S. Fischer suggested tree removal guidelines be added to the next tax bill or water bill to try to educate the public before transgressions are made.

L. Legere moved to authorize Linda to issue a permit under Chapter 193 when planting plan is ready. J. Pearlman seconded the motion. S. Fair initiated a roll call vote: YEA: S. Fair, T. Davidson, L. Legere, J. Pearlman, S. Fischer. NAY: None. ABSTAIN: None. Vote in favor 5-0.

- b) **5 Edgewood Rd (SWLD-120):** Steve Murray, homeowner, and Nick with Level Design appeared before the Commission. He presented plans to add a deck, screened in porch, and patio to the house. Runoff from the patio, porch, and garage will be directed to a raingarden.

L. Hansen raised concerns about the storage capability of the raingarden and the overflow outlet being directed to the neighbor's yard. She stated that raingardens usually use wetland plants and not daylilies as proposed.

Nick stated there is crushed stone around the garden area that will absorb runoff, and the system will overflow only in the case of a 100-year storm. He stated that wetland plants would not be suitable for the lot as the soils are very dry.

L. Hansen requested more information regarding the stormwater system, and suggested scheduling a meeting offline to clarify outstanding issues.

Shannon Fisher stated daylilies would be a problematic planting as they are considered invasive in the mid-Atlantic region and can become difficult to control.

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L. Legere moved to authorize Linda to issue a permit under Chapter 193 after meeting with the consultant and modifying all issues discussed. J. Pearlman seconded the motion. S. Fair initiated a roll call vote: YEA: S. Fair, T. Davidson, L. Legere, J. Pearlman, S. Fischer. NAY: None. ABSTAIN: None. Vote in favor 5-0.

### 4) **Request for Certificate of Compliance (COC):**

- a) 240 W Plain St. (D-1008): L. Hansen stated this work was for the replacement of a septic system. The project was closed by the Board of Health and there are no outstanding issues with the site.

T. Davidson moved and L. Legere seconded the motion to issue a Certificate of Compliance under Chapter 194. S. Fair initiated a roll call vote: YEA: S. Fair, T. Davidson, L. Legere, J. Pearlman, S. Fischer. NAY: None. ABSTAIN: None. Vote in favor 5-0.

### 5) **Other:**

- a) Wetland Protection Act Revisions and Comments for DEP: Comments for DEP are due by March 1st. L. Hansen stated many of the revisions were for management of coastal wetlands. She is also working with the Town Engineer to finalize the stormwater management regulations. They will be referencing the Stormwater Management Handbook, but the Department will have to evaluate whether waivers should be developed for minor stormwater projects as most stormwater filings they receive are for minor projects.
- b) MACC annual conference on March 2, 2024: L. Hansen stated Commission members are welcome to register for the annual MACC conference.
- c) Crumb Rubber at the high school turf field: The Commission discussed outstanding issues and proposed solutions to the continued release of crumb rubber into the wetlands from the high school turf field. A feasible solution would be a grit chamber to filter out the crumb rubber.

### 6) **Public Comment:** none

### 7) **Approve Minutes:**

- a) January 24, 2024 minutes: Linda Hansen added minor comments to the minutes on the 24 School St. hearing. The Commission had no other comments on the minutes.

L. Legere moved and T. Davidson seconded the motion to approve the January 24, 2024 minutes. S. Fair initiated a roll call vote: YEA: S. Fischer, L. Legere, S. Fair, J. Pearlman, T. Davidson. NAY: None. ABSTAIN: Vote in favor 5-0.

### 8) **Adjournment:**

L. Legere moved and T. Davidson seconded the motion to adjourn the Conservation Commission meeting. The meeting was adjourned at 7:42 PM. S. Fair initiated a roll call vote: YEA: S. Fair, J. Pearlman, T. Davidson, L. Legere, S. Fischer. NAY: None. ABSTAIN: None. All in favor 5-0.

*The next Conservation Commission meeting is scheduled for Wednesday, February 28, 2024 @ 6:30pm*