



Wellesley
MASSACHUSETTS

Wellesley Town Offices
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**Town of Wellesley
Wetlands Protection Committee (WPC)
Regular Meeting Minutes
February 9, 2023**

Voted to approve 03/02/2023.

Members Present: Ellie McLane, Chair, Peter Jones, Vice Chair; John Adams, Secretary; James McLaren; Kevin Hanron; Doug Hersh, Associate Member; Eben Scanlon, Associate Member (left meeting at 7:30 PM)

Members Not Present: none

Staff Present: Julie Meyer, Wetlands Administrator

Guests Present: Susan Gusmini, Michelle Callahan, Justin McCabe, Desheng Wang, Kate Dulmaine, Zoe Krouner, Scott Henderson, Ryan Roseen, Mary Trudeau, Joyce Hastings, Paul McManus, Ecotec, Inc; Dean Behrend, Maneesha Nabar, Vivian Wilson

6:35 pm Public Meeting Open (Chair)

Administrative Business (Admin)

1. The WPC considered whether to formally approve the language for Town Meeting Article 39. Secretary J. Adams made a motion to approve Article 39. The motion was approved by roll-call vote, 5-0.
2. Secretary J. Adams made a motion to approve the minutes for 12.29.23. The motion was approved by roll-call, 5-0.
3. Secretary J. Adams made a motion to approve the minutes for 01/12/23. The motion was approved by roll-call vote, 5-0.

4. The Administrator stated that minutes from January 9 will be ready for the next meeting.
5. The Administrator announced dates for the MACC Conference and how to register.

Active Matters (Admin)

1. **65 Old Farm Rd** – The Wetlands Administrator administratively approved one tree to be removed within a buffer zone to a bordering vegetated wetland.
2. **2 Dale St** – The Wetlands Administrator reviewed a plan provided by the ZBA for 2 Dale Street. She sent a memo to ZBA stating there was no requirement to file an RDA for the proposed work before an upcoming ZBA meeting.
3. **93-96-100-112 Worcester St** – Responding to a request by the Planning Department for comments related to an upcoming subdivision, NRC Director Brandon Schmitt sent a memo covering potential matters of concern to the Natural Resources Commission. The memo included recommendations that applicants provide a wetland assessment and delineate all resource areas within the parcels. It recommends the applicant file an ANRAD to the Wetlands Protection Committee and if work is determined to fall within jurisdiction of the Wetlands Protection Act or Wetlands Bylaw, to file a Notice of Intent.
4. **Online permitting** – (not on the agenda) - the Wetlands Administrator said the IT Department is working with staff to develop an online permitting program that will help applicants file and track wetland applications.
5. **107 Livingston Rd** – A Notice of Potential Violation letter was sent to the property owners in response to a report of tree cutting.
6. **50 Oakland St** (not on agenda) - Secretary J. Adams mentioned that Mass Bay was parking the buses in the area that was previously used. The parking area was to be moved farther away from the resource area according to the Order of Conditions for the recent project to repave the parking lot.
7. **15 The Waterway** – in response to a report of tree cutting, the WA will visit the site where there is active construction to determine whether there is a violation of the OOC.

7:00 pm Public Meeting Open (Chair)

Chair E. McLane read aloud the remote open meeting guidelines. John Adams made a motion to delegate signatures of the Wetlands Protection Committee (WPC) for this meeting. The motion was seconded by Pete Jones and the motion was approved by a roll call vote 5-0.

Public Voice (None)

7:00 pm Public Hearings and Meetings (WPC)

1. **9 Peirce Rd** (*cont* NOI) – MA-DEP # 324-1015; Applicant: Dean Behrend ; construct a swimming pool and patio to the rear of the existing house, remove and prune trees in the Buffer Zone, manage woody landscape debris on slope.
People Present: Paul McManus, Ecotec, Inc; Dean Behrend
New Information: Consultant P. McManus presented a summary of how the work complies under the Wellesley Wetlands Bylaw. A new plan was presented to show more details on existing plants in the buffer and those to be removed and mitigated for via a revised planting plan. The consultant stated that naturally downed woody material will remain.

Discussion: Chair E. McLane asked about how the resident will drain the pool. Mr. McManus did place specifications in the original NOI. The Wetlands Administrator made note that it was a special condition in the NOI. P. Jones suggested they review the Mass. Best management practices document.

Decision: P. Jones made a motion to close the hearing and issue the Order of Conditions under the Massachusetts Wetlands Protection Act and the Town of Wellesley Wetlands Protection Bylaw. The motion was seconded by John Adams and the WPC voted unanimously to approve the motion by a roll-call vote of 5-0.

Actions:

Administrator:

- Draft an Order of Conditions upon receiving revised plans with clerical changes.

Applicant:

- Provide a final number of shrubs to be planted and removed.
- Clarify on the plan what is counting as mitigation, which was stated to be at minimum 11 red cedar trees.
- Send 2 copies of the updated plan to the NRC office.

Eben Scanlon left the meeting at 7:39 p.m.

2. 209 Cliff Rd (cont NOI) – – MA-DEP # 324-1012; landscape improvements, pool construction in 100ft. buffer zone and 25-ft NDZ; Applicant: R. Hanss; Representative: NA

People Present: No representative for 209 Cliff Road.

New Information: The Wetlands Administrator shared the letter with the fine that was sent to the resident this week.

Discussion: The Wetlands Administrator shared that the representative asked if they wanted to revegetate the 25-ft zone instead of paying the fine. The applicants said no and will pay the fine. The discussion went to the new planting plan which included removal of hemlocks.

Decision: J. Adams made a motion to issue a fine under both the Massachusetts Wetlands Protection Act and the Wellesley Wetlands Protection Bylaw. J. McLaren seconded the motion and the motion was approved by a roll call vote, 5-0.

Decision: The hearing was continued to the March 3rd meeting.

Actions:

Administrator:

- Issue the fine to the owners of the property.

Applicant:

- Submit a revised plan on which trees are identified as mitigation.

3. 1 Springdale Av (cont NOI) - MADEP file # 324-1013: Applicant: V. Wilson; demolish existing and rebuild single-family home in Buffer and Riverfront Area.

People Present: Scott Henderson, Vivian Wilson and Mary Trudeau.

New Information: At the last meeting there was a question whether the project was to be reviewed under redevelopment or new development performance standards for Riverfront Area. It was determined to use the redevelopment performance standards. S. Henderson shared the updated mitigation plan, which included lawn restoration, removal of koi pond and construction of a rain garden. Total mitigation is 1,620 sf.

Discussion: WA asked about the stormwater review and if a summary review was included. S. Henderson shared Page 4 of the Stormwater report. WA asked about the pond and the plan for mitigation. S. Henderson said the edge of the pond consists slabs of granite. He

explained the goal is to stabilize the area. Chair E. McLane asked what the method will be to stabilize the area. S. Henderson explains it will be a small machine. E. McLane expressed worry in the machinery damaging the area. After discussion he agreed to take this off the plan. E. McLane asked about the about the drainage system and the vegetation in the Rain Garden area. S. Henderson agreed to provide an update for the vegetation in the Rain Garden area.

Decision: The WPC **continued** the NOI to next meeting.

Actions:

Administrator:

- Draft an OOC

Applicant:

- Submit updated plans and continued until March 2

4. 46 Pilgrim Rd (cont NOI) - MA-DEP file # 324-1017: Applicant: M. Sharp; add trampoline and shed, extend hardscape in Buffer and Riverfront Area.

People Present: Joyce E. Hastings, P.L.S., GLM Engineering Consultants, Inc.

New Information: Administrator circulated a draft OOC prior to the hearing. Consultant J. Hastings asked about a section of the draft that referenced a past delineation. She said that there is no BVW present along the Bank and that that had been the case in 2015 as well despite what the historical filing stated. The WPC then reviewed the findings in the draft waiver of regulation.

Discussion: Chair E. McLane asked if the only work in the 25 ft. area mitigation to which the consultant agreed.

Decision: P. Jones made a motion to approve the Waiver of Regulation and the WPC approved it, 5-0.

Decision: J. McLaren made a motion to return the wavier fee. J. Adams seconded the motion and the WPC approved it, 5-0.

Decision: P. Jones made a motion to close the hearing and approve the project under both the Massachusetts Wetlands Protection Act and the Wellesley Wetlands Protection Bylaw. The WPC approved the motion by a roll call vote, 5-0.

Actions:

Administrator:

- Issue the Order of Conditions (OOC) and return the waiver fee to the applicant.

5. 3 Stevens St (cont NOI) – MA-DEP file # 324-1016; Applicant: R. & A. Ott; add addition in Buffer and Riverfront Area

People Present: Desheng Wang, Ph.D. P.E., CWS, CSE, Creative Land & Water Engineering, LLC (CLAWE)

New Information: D. Wang shared that the main issue is the planting information needed to be updated.

Discussion: WA The Wetlands Administrator shared the plantings which was sent on 2.7.2023. The addition of the American Arborvitae as added. Chair E. McLane asked when to start the growing season and did you make it clear in the plan. It was agreed upon to start this year.

Decision: Continued to March 2 to review the draft.

Actions:

Administrator:

- Draft an OOC

6. 1 Snyder Dr, Babson College (new RDA) – Applicant: S. Gusmini; renovate patios, manage invasive plants in Buffer Zone.

People Present: Michelle Callahan, Nitsch Engineering; Babson College representatives Steve Gusmini, Kate Dulmaine

New Information: Existing building that is undergoing internal renovations. A small portion of the site is within the 100-ft. BZ. Existing patios need to be reworked for accessibility requirements. Shared that a tree in the area fell in between submission and the meeting date.

Discussion: P. Jones and Chair E. McLane asked about the updated square footage of the second patio area. M. Callahan shared the increase is just over 300 feet. J. McLaren asked about the erosion control line along the building and if the area will be protected. M. Callahan said there is not work being done but its access they will need.

Decision: J. McLaren made a motion for a negative determination under both the Massachusetts Wetlands Protection Act and the Wellesley Wetlands Protection Bylaw. P. Jones seconded the motion and the WPC approved it, 5-0.

Actions:

Administrator:

- Send the negative determination to Babson College care of Steve Gusmini and email a copy to Michelle Callahan.

7. 17 Brook St (new RDA) –Applicant: Jeffrey Rosin, Mansard House Condo Assoc.; add 3rd floor in Riverfront Area and Buffer.

People Present: Zoe Krouner, Wetland Scientist, Goddard Consulting, LLC

New Information: Z. Krouner shared her screen and reviewed the plans in the area of Cold Spring and Fuller Brook.

Discussion: Chair E. McLane asked if the construction staging material will be on the driveway. E. McLane also asked about the tree protection fencing – how far it will be around the tree. Discussion continued about the placement of the fencing. E. McLane explained they need to be protected. J. Adams mentioned it’s a tight area. Z. Krouner explained all the vehicles will be on the existing driveway.

Decision: J. Adams made a motion for a negative determination under both the Massachusetts Wetlands Protection Act and the Wellesley Wetlands Protection Bylaw. J. McLaren seconded the motion and the WPC approved the motion by roll call vote, 5-0.

Actions:

Administrator:

- Issue a negative determination to applicant.

8. 44 Mayo Rd (new RDA) – Applicant: J. McCabe; replace existing split-rail fence in Riverfront Area and Buffer Zone.

People Present: Justin McCabe, homeowner.

New Information: J. McCabe shared a plan to replace the existing fence that is falling apart.

Discussion: J. McLaren asked about the path with the steps. J. McCabe displayed a map from GIS Property Viewer. He said that there would be only a mechanical auger used to dig post holes and that any fuel needed will be stored away from the bank.

Decision: J. Adams made a motion for a negative determination under both the Massachusetts Wetlands Protection Act and the Wellesley Wetlands Protection Bylaw. P. Jones seconded the motion and the WPC approved the motion by roll call vote, 5-0.

Actions:

Administrator: Issue a negative determination.

- 9. 81 Carisbrooke Rd** (new RDA) – Applicants: S. & D. Kulkarni; add addition to SF-home in Riverfront Area and Buffer.

People Present: Jan Gleysteen from Jan Gleysteen Architects, Inc.

New Information/ Discussion: Presented the plan to add a small breakfast room extension to existing house. Also removing existing pervious outside the zone. Agreement on plantings was made at the site visit with J. Gleysteen.

Decision: J. McLaren made a motion for a negative determination under both the Massachusetts Wetlands Protection Act and the Wellesley Wetlands Protection Bylaw. J. Adams seconded the motion and the WPC approved the motion by a roll call vote, 5-0.

Actions:

Administrator:

- Issue a negative determination.

- 10. 47 Carisbrooke Rd** (cont NOI) MA-DEP file # 324-1014: Applicant: M. & A. Marx; add pool, landscaping in Riverfront.

People Present: Brian Nelson, MetroWest Engineering, Inc.

New Information: A revised plan and a waiver request was presented to conduct a mitigation planting area within the 25-foot No-disturbance zone to Cold Stream Brook. The Wetlands Administrator circulated a draft OOC since the last meeting.

Discussion: The Wetlands Administrator asked why an additional subsurface infiltration chamber was not provided to exceed required stormwater reductions for smaller storms, to which consulting engineer B. Nelson explained a rationale to the WPC.

Decision: P. Jones made a motion to approve the waiver request and the WPC approved it, 5-0.

Decision: J. Adams made a motion to waive the fee and the WPC approved it, 5-0.

Decision: J. Adams made a motion to close the hearing and issue an OOC under both the Massachusetts Wetlands Protection Act and the Wellesley Wetlands Protection Bylaw. The WPC approved the motion by a roll-call vote of 5-0.

Actions:

Administrator:

- Issue the OOC.

9:00 p.m. Adjournment

Vice Chair P. Jones made a motion to adjourn the meeting and the motion was approved by a roll call vote, 5-0.