



Wellesley Town Offices  
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**Town of Wellesley  
Wetlands Protection Committee (WPC)  
Regular Meeting Minutes  
March 2nd, 2023**

Voted to approve 04/27/2023

**Members Present:** Ellie McLane, Chair; Peter Jones, Vice Chair; John Adams, Secretary; James McLaren; Kevin Hanron; Doug Hersh, Associate; Eben Scanlon, Associate

**Members Not Present:** none

**Staff Present:** Julie Meyer, Wetlands Administrator

**Guests Present:** Heather Dorey, David Hickey, Brian Nelson, David Tinory, Tyler Hall, Ryan Roseen, Scott Henderson, Leigh A. Gilligan, Desheng Wang, Michelle Callahan, Nick Kondek, John DiCola, Guy Yehiav

**6:35 pm Public Meeting Open (Chair)**

**Administrative Business (Admin)**

1. **Approve minutes for January 19, 2023** - J. Adams made a motion to approve the minutes from the 01/19/23 meeting. P. Jones seconded the motion and it was approved by a roll call vote, 5-0.
2. **Approve minutes for February 9, 2023** - J. McLaren made a motion to approve the minutes from the 02/09/23 meeting. P. Jones seconded the motion. It was approved by a roll call vote, 5-0.

**Active Matters (Admin)**

1. **107 Livingston Rd** -The Wetlands Administrator (WA) determined there was no violation after a site visit.

- 2. 15 The Waterway** - Heather Dorey was present, representing the developer. Two trees were removed (complete with stump removal) from the site that were not previously approved for removal. As this was determined by the WPC to be in violation of the Order of Conditions (OOC), the developer was asked to present a plan to mitigate and pay a fine. Pete Jones made a motion to issue a fine for \$900.00 for three violations at \$300 per violation: one fine for each of two trees removed outside of the permit and one for not filing and receiving prior approval. James McLaren seconded the motion and it was approved by a roll call vote, 5-0.

## **7:00 pm Public Meeting Open (Chair)**

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

**Public Voice (None)**

## **7:00 pm Public Hearings and Meetings (WPC)**

- 1. 209 Cliff Rd** (*cont* NOI) MA-DEP file # 324-1012: Applicant: R. Hanss, Inc; landscape improvements, pool reconstruction in 100-ft buffer zone and 25-ft No-Disturbance Zone.

**People:** No one

**New Information/Discussion:** Plans were submitted to identify mitigation area and vegetation species. The WPC voted to issue a fine for unpermitted tree removal, as previously agreed by the applicant in an earlier meeting.

**Decision:** John Adams made a motion to close the hearing and approve the Order of Conditions under both the Massachusetts Wetlands Protection Act and the Wellesley Wetlands Protection Bylaw. The motion was seconded by Pete Jones and was approved by a roll call vote, 5-0.

**Action:** WA to issue Order of Conditions (OOC) under the Act and Bylaw.

- 2. 132 Glen Rd** (new NOI) – MA-DEP file # 324-1018; Applicant: P. & M. Pearl; bring a previously unpermitted and installed sports court into compliance with the bylaw and act showing it meets performance standards for Riverfront Area. A request was made by the applicant to open and immediately continue to the next meeting on 3/16 to notify additional abutters not previously notified, as some work was performed on the adjacent lot owned by the Wellesley Land Trust.

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

**People:** Scott Henderson

**New Information/Discussion:** Updated plans were submitted and presented to the WPC.

**Decision:** John Adams made a motion to Close the hearing and approve the Order of Conditions under both the Massachusetts Wetlands Protection Act and the Wellesley Wetlands Protection Bylaw. The motion was seconded by Pete Jones and was approved by a roll call vote, 5-0.

**Action:** WA to issue OOC under the Act and Bylaw.

- 4. 3 Stevens St** (*cont* NOI) – MA-DEP file # 324-1016; Applicants: R. & A. Ott; construct an addition on a single-family home in Buffer and Riverfront Area.

**People:** Desheng Wang

**New Information/Discussion:** The draft OOC was reviewed by applicant. Applicants committed to review soil infiltration capability during construction and submit modifications if soils were found to be unsuitable for the required infiltration rate and volume reductions.

**Decision:** James McLaren made a motion to close the hearing and approve the Order of Conditions under both the Massachusetts Wetlands Protection Act and the Wellesley Wetlands Protection Bylaw. The motion was seconded by John Adams and was approved by a roll call vote, 5-0.

**Action:** WA to issue OOC under Act and Bylaw.

**7:30 Executive Session** Chair Ellie McLane took a roll call vote (5-0) to leave the open meeting and move to an Executive Session. under Article 2A1, Purpose 3. Returned to meeting 7:57 PM.

**5. 96 Worcester St.** (new COC) - MA-DEP file # 324-0921; Applicant: Sun Life Assurance Company of Canada.

**People:** Nick Kondek

**New Information/Discussion:** The engineer stated that the project was fully completed in 2020. WPC members and the Admin confirmed that a site walk determined mitigation was complete.

**Decision:** John Adams made a motion to close the hearing and approve the Certificate of Compliance (COC) under both the Massachusetts Wetlands Protection Act and the Wellesley Wetlands Protection Bylaw. The motion was seconded by Pete Jones and was approved by a roll call vote, 5-0.

**Action:** WA to issue the COC under the Act and Bylaw.

**6. 110 Worcester St** (new NOI) - MA-DEP file # 324-1019; Applicant: J. Hyde; add electrical and gas utilities to support a lab conversion within 200-ft RFA.

**People:** Leigh A Gilligan, Michelle Callahan, David Tinory

**New Information/Discussion:** Mitigation plans were discussed and will be modified for next meeting.

**Decision:** Continued to next meeting on March 16th

**Actions:** Applicant will modify and resubmit mitigation plans

**7. 26 Harris Av** (new RDA): Applicant: Rose & Tyler Hall; removal of concrete pads, gazebo - work is within Buffer Zone

**People:** Tyler Hall

**New Information/Discussion:** Plans were presented and discussed.

**Decision:** John Adams made a motion to close the hearing and render a Negative Determination according to the Massachusetts Wetlands Protection Act and the Wellesley Wetlands Protection Bylaw. Pete Jones seconded the motion and it was approved by a roll call vote, 5-0.

**Action:** WA to issue a negative determination.

**8. 55 Rice St** (New Request to Amend OOC) – MA-DEP file # 324-0998; Applicant: D. Hickey, Town of Wellesley; install four sports lighting & sound poles, modify grading. Work to occur within bordering land subject to flooding, buffer zone, and riverfront Area to Fuller Brook. At the request of the applicant the hearing was opened and immediately continued to the next meeting on Thursday, 3/16.

**9. 71 Carisbrooke Rd** (new RDA) - Applicants: John DiCola & Alexandra Yogman; Remove existing pool, stone terrace replaced with soil work is within the Riverfront Area.

**People:** Brian Nelson, John DiCola

**New Information/Discussion:** Plans were presented and discussed.

**Decision:** Pete Jones made a motion to close the hearing and render a Negative Determination according to the Massachusetts Wetlands Protection Act and the Wellesley Wetlands Protection Bylaw. James McLaren seconded the motion and it was approved by a roll call vote, 5-0.

**Action:** WA to issue a negative determination

**10. 2B Pickerel Rd** (new NOI) – MA-DEP file # not yet issued; Applicant: Guy Yehiav; after-the-fact landscaping, patio construction in buffer zone to Morses Pond.

**People:** Ryan Roseen, Guy Yehaiv

**New Information/Discussion:** Plans were presented and discussed. The patio was installed in the NDZ and without a waiver request was deemed to not meet the performance standards. New plans need to be submitted to remove patio in NDZ and propose mitigation.

**Decision:** Continued to April 6<sup>th</sup> meeting.

**Action:** Applicant to submit revised plans stamped by a PLS showing the property boundaries by March 30<sup>th</sup> for the April 6<sup>th</sup> meeting.

### **9:06 p.m. Adjournment**

Pete Jones made a motion to adjourn the meeting. The motion was seconded by James McLaren and the motion was approved by a roll call vote, 5-0.