



Wellesley
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Town of Wellesley

Wetlands Protection Committee (WPC)

Regular Meeting Minutes

May 4, 2023

Voted to Approve on 06/15/2023

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

Members Not Present: John Adams, Secretary

Staff Present: Wetlands Administrator Julie Meyer

Guests Present: Arthur Allen, Oriol Monfort Casas, Deb McConnell

6:34 PM – Public Meeting Open (Chair)

Administrative Business (Admin.)

1. Vote to Approve Minutes of March 16 _Ms. Meyer stated that the minutes for March 16 were not ready.
2. Vote to Approve Minutes of April 6: McLaren motioned to approve the minutes from the 4/6/23 meeting. Mr. Jones seconded the motion; motion was approved by roll call vote, 4-0.
3. (Not on agenda) Ms. Meyer stated that Matt Burne of BSC Group, Inc. signed the contract for the peer review for the Proposed Amendment Order of Conditions for 55 Rice Street.
4. Ms. Meyer invited new members of the Committee to take the MACC Orientation training. She also recommended the MACC's Runoff, Erosion & Sediment Control Field Guide to all.

Active Matters (Admin)**1 Sunnyside Av (Notice of Violation)**

The Committee debriefed dewatering activities and concerns that arose over the weekend during which an excavator was stuck in rising groundwater that threatened to overtop the limit of work. Ms. McLane reflected that the incident was a good stress-test of the Town response, and that it presented a learning opportunity for the Committee as to how to handle emergency issues on weekends. She said that Ms. Meyer did a great job coordinating with other departments. Mr. Jones contributed that there should be a clear chain of command. Ms. McLane noted the WPC might consider creating emergency dewatering policies which include spill kits. Mr. Jones mentioned including emergency escape guidelines and discussing these policies with the Fire Department. Mr. Hersh suggested that such a clause regarding discovery of groundwater be included in the excavation plan as a condition in Orders. Ms. Meyer stated that there is an existing dewatering condition in the Order. Ms. Meyer recommended that the Committee accept a recently submitted revised dewatering plan with notes on sequencing to allow discharge into the Town's storm drains which outlet into Sunnyside Brook. Ms. McLane stressed that such decision would be contingent on water-testing results. Ms. Meyer invited Committee Members to join her for inspection of the site tomorrow morning.

Ms. Meyer showed photographs of a damaged multi-trunked red maple tree and also of dirt on the sidewalk and street. Mr. Jones suggested taking a look at both at the site visit. Mr. Jones recommended the WPC issue "per incident" fines. Ms. Meyer referenced the \$2,100 violation fee was voted on by the Committee at the last meeting, and suggested the WPC might require the owner to replace the damaged tree should it fail. Mr. Hanron offered that red maples have the ability to survive with one or two trunks eliminated. Mr. Jones recommended the owner prune the tree, dress the cut, clean the road and sidewalk, and provide a minor plan change request to square the new activity on site with the OOC. Committee Members agreed to include tree mitigation as a requirement if the subject tree declines as a result of construction. Ms. McLane recommended adding additional language regarding additional fees be levied if the sidewalk/street is not cleaned. Mr. Jones stressed that the requirement should acknowledge that construction sediment ends up into the storm drains and ultimately into the stream.

7:00 Public Meeting Open (Chair)

Ms. McLane read aloud the remote open meeting guidelines. Mr. Jones motioned to delegate signatures of the Wetlands Protection Committee (WPC) to Wetlands Administrator Julie Meyer, for this meeting. The motion was seconded by Mr. Jones. Mr. McLaren seconded the motion. The motion was approved by a roll call vote 4-0.

Public Voice for Items not on the Agenda (Chair)

None

Public Hearings and Meetings (Committee)

1. **1 Sunnyside Av** (revised Enforcement Order) (listed as number 2. on the agenda)

Present: no one

New Information/Discussion: Approval of a revised dewatering plan to permit the disposal of frac tank water after sediments settle into the tank to be released into the Town's storm drains, contingent on the review of clean water test results as proposed by GLM and reviewed by an LSP confirms to the WPC or its Administrator that there are no hydrocarbons or other pollutions present in the water.

Decision: Mr. Jones motioned to approve the revised Restoration Plan, dated 5/1/23 for 1 Sunnyside Avenue that includes the revised dewatering plan notes. Mr. McLaren seconded the motion. The motion was approved by a roll call vote 4-0.

2. **12 Sabrina Road** (new COC) MA-DEP file #324-0978: Applicant O. Monfort Casas; retaining wall, deck, walkway, patio in Buffer Zone to Sabrina Lake. (Listed as number 3. on the agenda)

Present: Mr. and Mrs. O. Monfort Casas; Arthur Allen, Eco-Tec, Inc.

New Information:

Mr. Allen reviewed the rationale for filing a new Notice of Intent. NOI described the modifications to the original plan, that the limit of work was originally 84 and is now 55 feet from the wetland delineation. He stated that a site walk was performed by the WPC. He added that Field Resources drafted the new plan. He noted that hydroseed has been applied last fall on the new fill material excavated from the new foundations and that the slope is stabilized with an extended wall and the hydroseed. + 200-sf of new impervious area, representing a 2.8% increase across the site, and therefore stormwater requirements were not triggered; nevertheless, subsurface infiltration is still being proposed. Additionally, a mitigation planting plan provides 894-sf of new native plantings above the proposed wall and ramp.

Discussion: Committee Members agreed there was improvement presented with the new plan.

Decision: Mr. McLaren motioned to issue a complete COC (Certificate of Compliance) for 12 Sabrina Road, project #324-0978. Mr. Jones seconded the motion. The motion was approved by a roll call vote 4-0.

3. **12 Sabrina Road** (*cont.* NOI) – after-the-fact consideration of additional grading associated with previously permitted construction of decks and retaining walls in Buffer Zone to Sabrina Lake. (Listed as number 4. on the agenda)

Present: Mr. and Mrs. O. Monfort Casas; Arthur Allen, Eco-Tec, Inc.

New Information: See above.

Discussion: Ms. Meyer confirmed the NOI is shown as filed with MA-DEP, but a file number had not been issued to date. Ms. McLane confirmed that a draft would be reviewed at the next WPC meeting on May 25, 2023.

4. **60 McLean Street** (new RDA) – Applicant R. Golhar; install two permeable paver tile patios over existing lawn in Buffer Zone to Bordering Vegetated Wetlands. (Listed as number 5. on the agenda)

Discussion: Ms. Meyer provided plans which were reviewed by the Committee.

Decision: Mr. Jones motioned for a negative determination at 60 McLean Street, and to approve proposed patio, not to exceed 400 square feet. Mr. Hanron seconded the motion. The motion was approved by a roll call vote 4-0.

7:34 p.m. Adjournment

Mr. Jones motioned to adjourn the WPC meeting. Mr. McLaren seconded the motion. The motion was approved by a roll call vote 4-0.

Administrative Business

(not on agenda) **2b Pickerel Road** (cont. NOI)

Ms. Meyer confirmed that the applicant did not respond despite provided deadline for submission as agreed to by the Committee. The WPC discussed that the owners have not been responsive for many months. Ms. Meyer confirmed the applicant will be presenting at the May 25th WPC meeting, to which the WPC agreed. Ms. McLane asked the Administrator to prepare a draft EO for the 25th so that if the owners do not appear for the meeting, the WPC will have the option to require removal of the patio. Mr. Hersh asked the EO draft to be shown to the owners.

(not on agenda) **Guernsey Sanctuary**

Ms. Meyer confirmed she provided Administrative Approval for removal of invasive and approved replanting of native species.

(not on agenda) **12 Cleveland Road**

Ms. Meyer confirmed she provided Administrative Approval for removal of one tree.