



Wellesley
MASSACHUSETTS

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Town of Wellesley
Wetlands Protection Committee (WPC)
Regular Meeting Minutes
June 15, 2023

Voted to Approve 08-10-2023

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

Members Not Present: Doug Hersh

Staff Present: Wetlands Administrator Julie Meyer

Guests Present: Tommy Santos, Kristen Tam, Fatima Javaid, Hassan Javaid, Margo Phillips, James Morse, Becky Weissman, Ryan Roseen, Scott Jordan, Dana Etra, Dave Burke, Pete Lindahl, Barry Fogel, Linda Chow, Dave Hickey, David Klinch, Cynthia Westerman, Brent Willess, Shelly Griswold, Raina McManus, Leslie Hanrahan, Jo Okun, Richard Kirby, Guy Yehiav.

6:33 PM – Public Meeting Open (Chair)

Administrative Business (Admin.)

Approve Minutes

1. Approve Minutes for May 4, 2023 (approval for May 25th minutes was postponed) Mr. Adams motioned to approve the minutes from the May 4, 2023 meeting. Mr. Jones seconded the motion; motion was approved by roll call vote, 5-0.
2. Ms. Meyer announced that Committee Member James (Jim) McLaren's term is up for renewal. Ms. McLane confirmed that NRC would vote to renew the appointment at their July 6th meeting.

Active Matters (Admin.)

1. **(1.) 1000 Olin Way (Babson College)**– Notification of work occurring in Needham; Kristen Tarr, MG North America described a carport to be constructed at the Olin College campus on parking lot A on 1000 Olin Way, Needham, MA. Construction starts at the end of June. A small portion of the project will occur within a buffer zone to an isolated wetland shown on plans provided. She noted the Needham Conservation Commission issued a negative DOA.
2. **41 Hillside Road (Yotz Park)** – Administrative Approval regarding tree removal. Ms. Meyer confirmed a tree by the ball field would be cut to a snag.
3. **3 Garden Road** - Administrative Approval regarding tree removal, which would take place at the very outer most riparian area at Cold Spring Brook.
4. **Fuller Brook Park** - Administrative Approval regarding tree removal. Ms. Meyer noted a Norway Maple would be cut to a snag.
5. **721 Worcester Street** – (Notice of violation) Ms. Meyer explained that a site inspection made by Lisa Moore and George Saraceno of the Town of Wellesley drainage easement on 721 Worcester Street confirmed that landscape debris was present in the bordering vegetated wetlands on the property of 721 Worcester Street. She reported that the owner of the property agreed to remedy the situation and that staff are drafting an enforcement order including a requirement to stabilize soil after removal with seed mix with erosion controls.

(not on the agenda) discussion regarding dam at Longfellow Pond

Committee discussion about possible controls of the dam at Longfellow Pond. Mr. McLaren noted that the Charles River Watershed group aired a ZOOM meeting on the topic. Ms. Meyer stated she was included on related communications from the Watershed group, who acknowledge that Town permitting would be required to consider any possible remediation/controlling of the existing dam. Members agreed there may be opportunity for improvement at the pond.

Public meeting opened at 7:00 PM.

Ms. McLane read the rules for open meetings on Zoom. Pete Jones motioned to delegate signatures of the Wetlands Protection Committee (WPC) to Wetlands Administrator Julie Meyer. The motion was seconded by John Adams. The motion was approved by roll call vote; 5-0.

Public Voice for Items not on the Agenda (Chair)

None

Public Hearings and Meetings

1. **165 Winding River Rd** (continued request for a minor plan change to MA-DEP file #324-0987 to modify existing fencing and extend a new fence in no-disturbance zone to bordering vegetated wetlands.

Present: Tommy Santos

New Information/Discussion: Ms. Meyer explained she walked the site and believed that the work will not alter the bwv. The project representative presented the Request for Waiver of Performance Standards to construct a fence in the 25-ft No-Disturbance Zone and in the Bordering Vegetated Wetlands.

Decisions: Mr. Jones motioned to approve the waiver. Mr. McLaren seconded the motion. The motion was approved by roll call vote 5-0. Mr. Jones motioned to approve the minor plan change. Mr. Adams seconded the motion. The motion was approved by roll call vote 5-0.

Action Steps: Admin: Issue the MPC to the owner.

2. 2b Pickereel Road (Cont. NOI) - MA-DEP file # 324-1020; Applicant: G. Yehiav; allow after-the-fact landscape alterations within Buffer Zone and No-Disturbance Zone to Morses Pond.

Present: Ryan Roseen, Goddard Consulting, LLC, Guy Yehiav

New Information/Discussion: Mr. Roseen provided updates to the plan. Committee Members reviewed the associated waiver request for work to restore BVW. Ms. McLane confirmed that language describing the patio location would be changed.

Decision: Mr. Jones motioned to approve the waiver. Mr. McLaren seconded the motion. The motion was approved by roll call vote 5-0. Mr. Adam motioned to approve the order and change the language indicating the patio was owned by the Town. Mr. Jones seconded the motion. The motion was approved by roll call vote 5-0.

Action Steps:

Applicant: provide an updated plan

Admin: Issue the OOC after receiving an updated plan

3. 21 Colburn Rd (cont. NOI) – MA-DEP file #324-1021; Applicant: P. Bevilacqua; construct an addition to a single-family home and perform minor grading within buffer zone to intermittent stream.

Present: Scott Jordan, Echo Tech

New Information/Discussion: Ms. Meyer stated that she reviewed the stormwater design. Ms. Meyer requested that before construction of the proposed patio that it would be helpful to see a detail of the patio construction. Mr. Jordan agreed to provide a cross section detail of the patio construction and to provide related specification on the plans. Ms. Meyer stated that an arborist consulted to ensure mature trees will be protected from fill over the critical root zones. Mr. Jordan agreed to having an arborist review the proposed grading. The WPC expressed interest in a pre-construction site visit to include inspection of root protections.

Decision: Mr. Adams motioned to close the hearing and issue the OOC under Act and Bylaw. Mr. Jones seconded the motion. The motion was approved by roll call vote 5-0.

Action Steps:

Applicant: provide a cross-section of the patio construction and engage a certified arborist to protect critical root zones from fill.

Admin: Issue the OOC

4. 1 Fletcher Road (New RDA) – Applicant: M. Phillips; construct a shed in buffer zone to intermittent stream.

Present: Margot Phillips, Owner

New Information/Discussion: Ms. Phillips explained the proposed shed would be elevated with pervious stone/gravel being used around and under the shed. She added that the catch basin within proximity of the shed, would be protected from any infiltration materials.

Decision: Mr. Adams motioned that a negative determination was made. Mr. McLaren seconded the motion. The motion was approved by roll call vote 5-0.

Action Steps:

Admin: issue the Negative Determination to the owner

5. 55 Atwood St (New COC) – MA-DEP file #324-0808; Applicant: J. Morse; see MA-DEP file #324-0953.

Present: J. Morse, Applicant

New Information/Discussion: Ms. Meyer confirmed that the original Order of Conditions had expired before mitigation had been completed, and the owner had opened up this new NOI to complete the work. Applicant never closed the original OOC and is now looking to close it.

Decision: Mr. Adams motioned to issue the COC for the #324-0808. Pete Jones seconded the motion. The motion was approved by roll call vote 5-0.

Action Steps:

Admin: issue the COC to the owner

6. **7 Upson Road** (new NOI)-MA-DEP file #324-10xy; Applicants: D. Etra & P.Lindahl: replace concrete patio with addition; rebuild/enlarge deck; reconfigure driveway in Riverfront Area and Buffer Zone to Bogle Brook.

Present: Dana Etra, Owner; Pete Lindahl; Dave Burke, Wetlands/Conservation Expert; William Adams, Architect

New Information/Discussion: Ms. Etra noted that there are no plans to remove any trees onsite. Mr. Burke presented the current site plan and provided detail regarding the neighboring brooks, and river. He noted the impervious area would be slightly less with the proposed plan. Mr. Hanron was in favor of the proposed plan, as were other committee members. Ms. McLane questioned the steepness of the hill and related stockpiling. Mr. Burke confirmed that erosion control will be in place on the rear of the stockpile. Not much earth work taking place. Condition regarding tree root existing in the driveway and agreement to have an arborist on site during construction.

Decision: Applicant agreed to continue to June 29.

Action Steps:

Admin: draft an Order of Conditions and circulate to the WPC and the Applicants

7. **34 Eisenhower Cir** (new request to extend OOC) – MA-DEP file #324-0915: Applicant: F./H. Javaid; three years for planting.

Present: Fatima Javaid, Applicant

New Information/Discussion: Mr. Javaid confirmed that planting work had not taken place and requested additional time to plant. Mr. Meyer detailed that a permit had been issued in 2020 and will expire November, 2023, unless an extension is granted.

Decision: Mr. Adams motioned to extend the OOC for the restoration planting to have three growing seasons. Mr. McLaren seconded the motion. The motion was approved by roll call vote 5-0.

Action Steps:

Admin: issue the three-year extension to the owner

8. **17 Cedar Brook Rd** (new NOI) – MA-DEP file #324-1023; Applicant: Yang Ming Wu; construct addition to single-family house in Riverfront Area to Bogle Brook. The agenda item was moved to the end of the evening.

9. **55 Rice St** (cont. request to Amend OCO) – MA-DEP file #324-0998; Applicant D. Hickey, Town of Wellesley; to install four sports lighting poles, sound system, modify approved grading, and replace trees in BLSF, BZ, RFA.

Present: Dave Hickey, Town Engineer; Linda Chow, Wellesley School Committee; Attorney Barry Fogel, David Klinch, Consultant - Epsilon Associates

New Information/Discussion:

Mr. Hickey confirmed the draft Amended Order of Conditions had been reviewed by the Applicant. Mr. McLaren stated that he could not concur with the summary statement that the WPC finds the overall project will yield no measurable or negative impact to resource areas or interests protected by the Act and stated a new NOI would be appropriate for the proposed work. Mr. Hanron and Mr. Jones recommended that in the summary/conclusion include the language that nothing in the bylaws relate to lighting or sound in the State or Town bylaws. Ms. McLane suggested that Ms. Meyer and the applicant/s review related language and present to the Committee at the next meeting for approval/vote.

The Chair opened the floor for Public Voice:

Resident Cynthia Westerman, 25 Seaver Street, expressed her disappointment about the length of time associated with this approval process. She stressed that the Hunnewell fields have been used for recreational sports for more than 90 years, and things change.

Resident Brent Willess, 41 Belleview Road, recommended that discussion points be fair and 21 nights of light will not have minimal impacts on the wetlands. He asked that the process be shortened.

Resident Shelly Griswold, 7 Winslow Road, thanked the applicants for all their tireless efforts on this project and is fully supportive of the project.

Resident Raina McManus, 2 Mulhern Lane, stressed that WPC was the only group that can control the lighting usage in perpetuity and asked that WPC follow through with detailed conditioning within this important river front area. She thanked the Committee members for their efforts.

Resident Leslie Hanrahan, 5 Putney Road, stated she would be happy to submit documentation from some 208 residents who are not supportive of the lighting proposal for environmental reasons. She stressed the importance of conditioning. She agreed with Mr. Scanlon's request for including language to maintain the 100 hour mandate on lighting.

Resident Jo Okum, 15 Cottonwood Road, detailed the negative effects of such intense lighting. She asked the WPC carefully review the photometric overlay based on 5.8 million lumens of light before a final decision is made. She suggested waiting until a wildlife inventory and related vegetation is taken and is valid.

The WPC returned to discussion:

Ms. Meyer asked the Committee if they would like her to post the draft OOC to the Applications Under Review after she circulates a copy to the WPC and Applicants, to which the WPC agreed.

Decision: The Applicant agreed to continue to the next meeting in two weeks, June 29th.

Action Steps:

Admin: circulate a draft AOOO to the WPC and the Applicants and post it to the WPC Applications Under Review

(agenda item 8.) 17 Cedar Brook Rd (new NOI) – MA-DEP file #324-1023; Applicant: Yang Ming Wu; construct addition to single-family house in Riverfront Area to Bogle Brook.

Present: Rich Kirby, LEC Environmental Consultants

New Information/Discussion: Mr. Kirby reviewed the plan. Ms. McLean recommended change and enhancement to the plan.

Decision: The applicant agreed to continue the hearing to June 29th.

Action Steps:

Applicant: Provide an updated plan that shows location of existing catch basins and silt sacks.

9:59 p.m. Adjournment

Mr. Jones motioned to adjourn the WPC meeting. Mr. McLaren seconded the motion. The motion was approved by roll call vote, 5-0.

There being no further business, the meeting ended at 9:59 PM.