



Wellesley

MASSACHUSETTS

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Town of Wellesley
Wetlands Protection Committee (WPC)
Meeting Minutes
August 5th, 2021

Meeting Location:
Online Meeting

Approved on 8/26/2021

Members Present: Richard Howell, Chair; Peter Jones, Vice Chair; John Adams, Secretary; James McLaren; Ellie McLane; Kevin Hanron, Associate Member; Doug Hersh, Associate Member

Members Not Present: none

Staff Present: Julie Meyer, Wetlands Administrator

Guests: Diane Simonelli, Chip Nysten, Alan Lepage, Shawn Humphrey, Lisa Humphrey, Arthur Allen, Paul Beaulieu, Scot Indermuehle, Ida Jia, Scott Henderson, Susheel Sukhtankar, Anton Bezfamilnyy, Michael Quinn, Qingli Jiang, Oriol Manfort Casas, Sean Fahey

6:30 pm - Official Start

6:30 pm Administrative Business (Admin)

1. **New Associate Members** - The Committee introduced and welcomed two new Associate Members: Douglas Hersh and Kevin Hanron.
2. **Minutes** - John Adams made a motion to approve the minutes from 6/24/2021 and Pete Jones seconded the motion. The motion was approved by a 5-0 vote. John Adams made a motion to approve the minutes from 7/15/2021. Ellie McLane seconded the motion. The motion was approved by a 5-0 vote.
3. **Waiver Fees** - John Adams made a motion to return the waiver fee to 24 Manor Avenue. Ellie McLane seconded the motion. The motion was approved by a 5-0 vote. John Adams made a motion to return the waiver fee to 113 Cliff Road. Pete Jones seconded the motion. The motion was approved by a 5-0 vote.
4. **Meeting Date Change** - The September 16th meeting conflicts with Yom Kippur. The Administrator proposed moving the meeting date, application deadline date, and additional information date, to

line up with a new meeting date of Tuesday September 14th. Jim McLaren made a motion to move the September meeting from Thursday September 16th to Tuesday September 14th. Ellie McLane seconded the motion. The motion was approved by a 5-0 vote.

5. **Letter to New Homeowners** - The Committee reviewed a letter drafted by Lisa Moore, NRC Education and Outreach Coordinator, to new homeowners on state and town wetlands regulations. The Administrator asked the Committee to provide input. Ellie McLane suggested to run the draft by real estate agents for their opinion. The Administrator also stated that Lisa Moore created an educational brochure and is working on a PSA video.
6. **Sullivan Rd – Babson College** - In the May 13, 2021 meeting the WPC incorrectly issued a Positive Determination of Applicability without also voting to determine that the applicant is not required to file a Notice of Intent with MA-DEP and thus also making a Negative Determination of Applicability. In early June, when the applicant applied to MA-DEP, they sent in an incorrect fee which then did not allow the DEP to assign a file number. On the June 24, 2021 meeting the WPC incorrectly issued an OOC by voting before a file number was issued by MA-DEP. The Administrator, after consulting with Town Counsel, recommended in the Public Meeting portion of hearing that the WPC corrects this error, voting to additionally make a Negative Determination after-the-fact for the RDA, and to reissue the OOC under the Bylaw only. The WPC did make these votes in the open meeting.

6:45 pm Public Meeting Open (Chair)

Richard Howell read the procedures for remote meetings.

Pete Jones made a motion to delegate signatures of the Wetland Protection Committee (WPC) to the Wetlands Administrator for this meeting. Ellie McLane seconded the motion and it was approved by a 5-0 vote.

Active Projects

1. **75 Old Farm Rd** – Next steps are to approve the submitted buffer zone restoration plan. The Wetlands Administrator believes that the number of trees removed are not represented accurately on the plan. Diane Simonelli of Field Resources, representing the homeowner, stated that additional removed trees not shown on the plan were undersized or out of WPC jurisdiction. The survey showed eight (8) trees removed that were sized 5” at DBH and within WPC jurisdiction. The Committee requested that the Wetlands Administrator walk the site to the address with Field Resources to verify the submitted plans. The consultant expressed concerns for the planting deadline requested by the Committee as the deadline will be 2 days following the next meeting. The WPC agreed to extend the deadline.
2. **26/28 Harris Av** – The Wetlands Administrator stated the owner has purchased erosion controls. Once they are installed, the Wetlands Administrator will do a site visit to confirm proper placement.
3. **21 Greylock Rd** – The recently relocated drainage easement on 21 Greylock was found to be clogged with sediment at the outfall, preventing stormwater from Greylock Road to flow into the drainage channel northeast off the property. The developer of the site requested DPW clean the sediment from the easement in May. The Town DPW has an active Order of Conditions to dredge the easement. Eighty cubic yards was removed since the last meeting. This was more than the Administrator had assumed during communications with DPW. The Administrator had walked the site with DPW before the work to discuss location for dewatering, and then afterwards to evaluate whether the BVW or Bank was affected by the volume of sediment still present within the Buffer Zone. Cricket Vlass, DPW Parks & Tree Landscape Planner, was present on the inspection to evaluate whether the amount of sediment is harmful to the Buffer Zone plant community. A decision was made during that site walk to

spread the sediment out but to leave it due to the quantity present for the time being until it dewater. The Wetlands Administrator stated she was concerned that the sediment could move towards the stream and the DPW returned to the site to lay jute netting to stabilize the bank. The Wetlands Administrator will return again to the site to understand if the sediment has encroached outside the easement.

4. **37 Old Farm Rd** – The Wetlands Administrator has not issued the Certification to MA-DEP yet.
5. **66 Walnut St** – A new contractor was hired and work will commence next year. The site is stable.
6. **1 Sunnyside Av** – The Committee discussed revoking the previously issued Order of Conditions as there has been no communication from the owner. Ellie McLane made a motion to revoke the previously issued Order of Conditions. Pete Jones seconded the motion. The motion was approved by a 5-0 vote. The Wetlands Administrator will notify the applicant that the Committee will revoke the Order under the Bylaw and Act after public notice and put it on the agenda for 8/26.

Public Voice (Chair)

No one called in for Public Voice.

John Adams made a motion to delegate signatures of the Wetland Protection Committee (WPC) to the Wetlands Administrator for this meeting. Pete Jones seconded the motion and it was approved by a 5-0 vote.

7:00 pm Public Hearings and Meetings (Committee)

1. **15 The Waterway** (*cont.* NOI) - MA-DEP #324-0964 – Applicant: M. Quinn; construction of a new single-family home in Riverfront Area (RFA) and Buffer Zone (BZ).

People Present: Chip Nylen

New Information: The representative Chip Nylen discussed having a survey of the property. He also stated that the applicant has the correct title. The Committee requested a title exam abstract from the applicant. The representative will make that request from the title examiner.

Decision: continued by request of the applicant until 8/26.

Action Items: The applicant to submit a full title exam by a certified title examiner to the Committee.

2. **962 Worcester St** (*cont* NOI) - MA-DEP #324-0979 - Applicant: A. Lepage; mill and resurface existing paved parking areas with the removal of a portion of parking lot to be landscaped within Riverfront Area (RFA), 100-ft Buffer Zone, and 25-ft No-Disturbance Zone (NDZ).

People Present: Alan LePage

New Information: The draft Order of Conditions, circulated before the meeting, was presented. Pete Jones asked the applicant about a site feature sticking out of the pavement adjacent to the Morses Pond edge with a label stating “Stand Clear When Operating.” The applicant is not sure what it is. Ellie asked if it could be a storage tank that may cause issues if it is within the limit of work.

Decision: Ellie McLane made a motion to close the hearing and the project under both the Wetlands Protection Act the Wellesley Wetlands Protection Bylaw. Jim McLaren seconded the motion and it passed by a 5-0 vote.

Action Item: The Wetlands Administrator will issue the Order of Conditions. The Wetlands Administrator will visit the site with Pete Jones during the preconstruction inspection and if the feature is determined to be within the limit of work, the applicant will work with the Administrator on how to proceed.

3. **Sullivan Rd (Babson College)** (*cont* NOI) - MA-DEP #324-09** - Applicant: S. Tolley; milling pavement in Buffer Zone and 25-ft No-Disturbance Zone. Hearing closed 7/15 but OOC not issued due to technicality.

People Present: none

New Information: The Determination made by the Committee in response to the applicant's RDA which was opened and voted on at the 5/13/2021 hearing did not include a negative 3 determination, as stated before the opening of the public meeting.

Decision: Pete Jones made a motion to amend the issued Determination of Applicability by including a negative determination of applicability stating that the work is within the Buffer Zone but will not alter an Area subject to protection under the Act and therefore the work does not require a Notice of Intent under the Act. Ellie McLane seconded the motion and it passed by a 5-0 vote. Jim McLaren made a motion to close the hearing and reissue an Order of Conditions for the project under the Wellesley Wetlands Protection Bylaw. Ellie McLane seconded the motion and it passed by a 5-0 vote.

Action Item: Wetlands Administrator to issue a bylaw-only Order of Conditions.

- 4. 112 Mayo Rd (cont NOI) - MA-DEP #324-0980 - Applicant: S. Humphrey; extend an existing single-family house, add a patio, walk, stoop, and plantings, and add a naturalized landscape buffer within Riverfront Area (RFA), 100- ft Buffer Zone (BZ), and 25-ft No-Disturbance Zone (NDZ).**

People Present: Diane Simonelli, Shawn Humphrey, Lisa Humphrey

New Information: The project was presented. There are improvements on the property that are requested to be removed, including moving out of the 25-ft NDZ. There will be work on the opposite side of the house including new improvements. The Plan of Land for this project was presented. The changes in impervious surface was discussed. The proposed Planting Plan for this project was presented.

Discussion: Pete asked that the applicant get a measurement for the site to ensure that the proposed Cultec subsurface stormwater chamber will be able to function properly.

Decision: continued until 8/26

Action Item: Applicant will submit the requested information regarding the proposed Cultec stormwater chambers, estimated seasonal high groundwater levels, and a revised planting plan with plant schedule.

- 5. 12 Sabrina Rd (cont NOI) - MA-DEP #342-0978 - Applicant: O. Monfort Casas; to install an addition to an existing single-family house, add 2 decks, 2 retaining walls, remove 1 tree all in Buffer Zone, and add infiltration chamber.**

People Present: Arthur Allen, EcoTec, Paul Beaulieu, Field Resources

New Information: The project representative from EcoTec presented a site plan showing a portion of the new addition is within the Buffer Zone. One tree will be removed from the buffer zone and mitigation was presented for the tree removal.

Discussion: The Committee asked whether a HydroCAD analysis on the proposed infiltration system was done. Another project representative, Paul Beaulieu of Field Resources, replied stating that the work did not trigger stormwater management but they will be adding stormwater controls to capture a 1" storm at 100%, plus the 4" PVC pipe system, which will retain additional volume. The Wetlands Administrator asked the project representatives asked if an Operations & Maintenance Plan for the infiltration system will be supplied to the owner. The project representative for Field Resources replied by saying an Operations & Maintenance is not required by mandate, and the system is fairly static with a cleanout so the owners do not need to report to the Town DPW Engineering Division regarding the infiltration system. The consultant stated the owners are being made aware of the maintenance factors to follow. The Wetlands Administrator asked if to-scale plans will be provided to the office. The Wetlands Administrator asked if DPW Engineering should review the subsurface infiltration design.

Decision: continued to 8/26

Action Item: Wetlands Administrator to verify that the proposed conditions are under a 5% increase in impervious surface for the entire site and then will draft an Order of Conditions.

- 6. 44 Hundreds Cir (New COC) - MA-DEP #324-0849 – Applicant: J. Lilley; for work on single-family house within Riverfront Area (RFA), Buffer Zone (BZ), and 25-ft No-Disturbance Zone (NDZ).**

People Present: Scot Indermuehle

New Information: a site visit was performed by the Committee

Decision: Pete Jones made a motion to close the hearing and approve the Certificate of Compliance under the Wetlands Protection Act and the Wellesley Wetlands Protection Bylaw. Jim McLaren seconded the motion and it passed by a 5-0 vote.

Action Item: Wetlands Administrator to issue a Certificate of Compliance.

7. 81 Russell Rd (New COC) - MA-DEP #324-09707 - Applicant: J. Wang; for plantings within Buffer Zone.

People Present: Ida Jia, Qingli Jiang

New Information: a site visit was performed by the Committee

Decision: Pete Jones made a motion to close the hearing and approve the Certificate of Compliance (COC) under both the Wetlands Protection Act and the Wellesley Wetlands Protection Bylaw. Ellie McLane seconded the motion and it passed by a 5-0 vote.

Action Item: Wetlands Administrator to issue a Certificate of Compliance.

8. 32 Colby Rd (New COC) – MA-DEP #324-0917 - Applicants: S. Sukhtankar & U. Multani; to certify compliance of mitigation planting and invasive plant management conditions in Riverfront Area and Buffer Zone.

People Present: Scott Henderson, Susheel Sukhtankar

New Information: Photographs of the 8 mitigation trees were presented.

Decision: Pete Jones made a motion to close the hearing and approve the Certificate of Compliance (COC) under both the Wetlands Protection Act and the Wellesley Wetlands Protection Bylaw. Jim McLaren seconded the motion and it passed by a 5-0 vote.

Action Item: Wetlands Administrator to issue a Certificate of Compliance.

9. 75 High Ledge Av (New Extension) - MA-DEP #324-0857 – Applicant: A. Bezfamilnyy; for previously approved work within Riverfront Area and Buffer Zone.

People Present: Anton Bezfamilnyy

New Information: There are no changes being made yet to the current plan. A three-year extension was requested.

Decision: Pete Jones made a motion to extend the permit for three years. Jim McLaren seconded the motion and it passed by a 5-0 vote.

Action Item: Wetlands Administrator to extend the OOC for three years

10. 14 Eisenhower Cir (*cont* NOI) – MA-DEP #324-09ab - B. Lahrman; replace wildlife habitat after-the-fact within the 100-ft Buffer Zone (BZ).

People Present:

New Information: A letter has been sent out to the abutting neighbor regarding trees that may or may not have been removed from their property. A response should be submitted by the next meeting.

Decision: Continued to 8/26/21 per request of the applicant.

Action Item: Wetlands Administrator will reach out to the neighbor to discuss plan.

Any urgent items not reasonably anticipated prior to 48 hours of meeting.

8:27 PM Adjournment (Chairman):

Pete Jones made a motion to adjourn the meeting. Ellie McLane seconded the motion. The motion was approved by a 5-0 vote.