



Wellesley
MASSACHUSETTS

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Town of Wellesley
Wetlands Protection Committee (WPC)
Regular Meeting Minutes
August 10, 2023

Approved: November 2, 2023

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

Absent: Ellie McLane, Chair; Associate Member Eben Scanlon

Staff Present: Wetlands Administrator Julie Meyer

Guests Present: Marc Charney, Katie & Tom McGauley, Daneil DeLeon, Nick Schiffer, J. Gulati, Laura Robert, Tom Schultz, Hillary Tipping, Lucas Murchado, Katie Borrow

6:31 PM – Public Meeting Open (Chair)

1. J. Adams motioned to approve minutes for June 15th, 2023. J. McLaren seconded the motion. The minutes were approved by a vote of 4-0.
2. The WPC decided to postpone minutes of June 29, 2023 until August 31st.

Active Matters (Admin)

1. **53 Croton St** – (Cont. Notice of Violation) – Ms. Meyer confirmed that extensive research had been performed; MassDEP confirmed the Novacool/fire-fighting foam which had been released in proximity to wetlands, was biodegradable and non-toxic to aquatic organisms. The Fire Department confirmed the amount of Novacool released. And that there was no historical material left in the tank. The Wetlands Admin did not recommend the WPC ask for mitigation.
2. **Fuller Brook Park** – (New Administrative Approval) - Ms. Meyer confirmed the removal of 4 trees by DPW Parks and Tree Department was written to the NRC, as the arborist provided an ISA Risk Assessment to the WPC and confirmed the need for removal.
3. **Overbrook Dr and High Ledge Av** – (New Notification) - Ms. Meyer communicated that the WPC received notice of an upcoming gas main replacement within the previously developed and degraded roadway within Riverfront Area.
4. **39 Wingate Rd** – (New Notice of Violation) – Ms. Meyer had inspected a single-family parcel related to unpermitted hardscape construction in process within resource areas. A letter was sent to the applicant confirming an RDA application must be submitted to WPC.
5. **22 Wilson St** – (previously #1.) (Cont. Notice of Potential Violation) – The resident was present for the discussion. M. Charney confirmed that a small amount of unpermitted impervious paver patio (480-sf) was removed. He further conveyed that the work was performed with hand tools and replaced the driveway area with new pavers. In addition, he stated that a storm drain was cleared. Ms. Meyer agreed to draft an enforcement order requiring the owner provide the WPC with a planting plan and a paver maintenance plan to be ratified at the August 31st meeting.
6. **58 Russell Rd** (not on the agenda) – The Vice Chair noted that the owner has been asked to flag the trees that were planted to help the WPC and/or Admin verify mitigation has been performed.
7. **721 Worcester St** (not on the agenda) is making progress on their compliance with the enforcement order that was issued to require clean-up of landscape debris that was dumped into the drainage easement and stream.
8. **Mass-DOT Culverts behind Lexington Rd** (not on the agenda) – The Vice Chair requested that the Wetlands Administrator to keep the Committee abreast of plans. The Admin agreed to request updates from MassDOT.

7:00 PM Public Meeting Open (Chair)

At 7:00 PM, Vice-Chair Jones read aloud the remote open meeting guidelines. Mr. Adams motioned to delegate signatures of the Wetlands Protection Committee (WPC) to Wetlands Administrator Julie Meyer. The motion was seconded by Mr. McLaren and approved by roll call vote, 4-0.

Public Voice for Items not on the Agenda (Chair)

Resident **Suzanne Pasko**, 41 Old Farm Road, stated that she has reached out to Massachusetts State Representative Alice Peisch's office and collected information from other states related to her concerns about chemicals classified as hazardous substances to the environment by the EPA, DEP, and NIOSH. There are three chemicals used for blasting that are proposed for the Cliff Road development near

Wellesley's wetlands. The chemicals are cyclonite, Trinitrotoluene, and perchlorates – which are “forever chemicals,” and persist in the environment. Not all of the explosive load is consumed by the detonation. The particles stick around. The resident thanked the WPC and the Vice Chair suggested that the letter be sent to the NRC office to help with any future reviews related to blasting near wetlands.

7:07 p.m. Public Hearings and Meetings (Committee)

- 1. 58 Russell Rd** (Cont COC) – the owner requested to continue their request to a date uncertain.
- 2. 45 White Oak Rd** (Cont NOI) – MA-DEP file #324-1025; Applicant: N. Schiffer; tear down and rebuild existing single-family house with deck, walkway, driveway, retaining walls within buffer zone to intermittent stream.

Present: Tom Schutz, Goddard Consulting; Jonthan Collette, Haley Ward; Nick Shiffer, Applicant

New Information/Discussion:

Changes in response to a DPW Engineering memo include a now daylighted foundation drain, a materials staging area, a tree protection detail showing two trees to be protected, a revised water service connection, a cut and fill analysis, and additional plan Notes. Discussion centered around the DPW Engineering request to not connect rain garden subdrain to catch basin on White Oak Road.

Decisions:

- Mr. Adams motioned to approve the waiver of performance standards for work in the 25-ft no-disturbance zone as the work will enhance wildlife habitat and contribute to erosion control and storm damage protection. The motion was seconded by Mr. Hanron and the vote to approve the waiver was approved by a roll call vote, 4-0.
- Return the \$500 waiver fee check, approved by a roll call vote, 4-0.
- Mr. Adams motioned to close the hearing and issue an Order of Conditions under the State and the Town Bylaw; the motion was seconded by Mr. Hanron and approved by roll call vote, 4-0.

Action Steps:

Applicant: Provide a copy of the revised plans to the office

Administrator:

- Confirm DPW is satisfied with the latest set of revisions provided to the WPC.
- Issue an Order of Conditions upon receipt of the final revised plans.

- 3. 14 Lexington Rd** (New NOI) - Applicant H. Tipping: construct patio and retaining wall in Riverfront Area, Bordering Land Subject to Flooding, and Buffer Zone

Present: Lucas Machado, Curbs Studio

New Information/Discussion: Mr. Machado explained the project, highlighting that the permeable paver patio will increase flood storage.

Decision: continue to the next WPC meeting on 8/31/23.

Action Steps:

Applicant: provide a table showing changes of flood storage volume for every 1-ft of elevation.

Administrator: circulate a draft order to the WPC and the applicant.

4. 30 Cleveland Rd - (New RDA) - Applicant: Daniel DeLeon; owner J. Gulati:

Project: rebuild existing deck

Present: J. Gulati, Daniel DeLeon

New Information/Discussion: Mr. DeLeon explained the project included extending the existing deck by 4 feet. Ms. Meyer recommended use of erosion controls.

Decision: Mr. Hanron motioned for a negative determination under the State WPA and Wellesley Bylaw, motion was seconded by Mr. McLaren and approved by roll call vote; 4-0.

Action Steps:

Administrator: issue the negative determination to the applicant.

5. 8 Old Farm Rd - (New RDA) - Applicant: K. Barrow: manage invasive vegetation and plant native species, replace an existing footbridge and install fencing

New Information/Discussion: Ms. McGauley presented the project. Mr. Jones recommended submittal of a landscape plan and fencing information. Mr. Adams confirmed an NOI with waiver would be necessary for work described within the 25-ft no-disturbance portion of the buffer zone. Ms. Meyer confirmed that the applicant must submit an NOI and include a report from an arborist in order to remove a hemlock tree.

Decision: Mr. Adams motioned for a positive determination. The motion was seconded by Mr. Hanron and approved by roll call vote, 4-0.

Action Steps:

Administrator: issue the negative determination to the applicant.

9:48 PM – Adjournment

Mr. Hanron motioned to adjourn the WPC meeting. The motion was seconded by Mr. Adams and approved by roll call vote, 4-0.