



# Wellesley

## MASSACHUSETTS

Town of Wellesley  
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### Town of Wellesley Wetlands Protection Committee (WPC) Meeting Minutes August 26th, 2021

**Meeting Location:**  
Online Meeting

Voted to approve 9/14/2021

**Members Present:** Richard Howell, Chair; John Adams, Secretary; James McLaren; Ellie McLane; Kevin Hanron, Associate Member; Doug Hersh, Associate Member; Jay McHale, NRC Liaison

**Members Not Present:** Pete Jones, Vice Chair

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

**Guests:** Suzanne Howard, Michelle Maheu, Chip Nysten, Chuck Caron, Mike Quinn, Scott Hayes, Bill O'Neil, David Himmelberger, Diane Simonelli, Shawn and Lisa Humphrey, Oriol Monfort, Desheng Wang, Jane Magpiong, Glen Magpiong, Mitch Maslanka, Mark Cooperman, David Silverstein, Margert Boles Fitzgerald

### 6:30 pm - Official Start

Chairman Richard Howell read ground rules for the call. Ellie McLane made a motion to delegate signatures of the Wetland Protection Committee (WPC) to the Wetlands Administrator for this meeting. John Adams seconded the motion and it was approved by a 4-0 vote.

### **6:30 pm Administrative Business (Admin)**

1. **8/5/2021 Minutes** - John Adams made a motion to approve the minutes from 8/5/2021. Jim McLaren seconded the motion and it was approved by a 4-0 vote.
2. **Wetlands Outreach: PSA and Brochure** - NRC Education and Outreach Coordinator Lisa Moore has created media to raise awareness of wetlands regulations, including a script for a video to broadcast on Wellesley Media.

## **6:42 pm Public Meeting Open (Chair)**

### **Active Projects**

1. **21 and 75 Greylock Rd** – The work is compliant under the brook cleaning and maintenance Order of Conditions. DPW removed approximately 30 cubic yards of dredged material from the buffer zone. A small amount of riprap was added to a section of the bank, which was approved in advance by the Administrator during a site walk. The bank and buffer zone are stable, the stream is running clear, and vegetation is emerging.
2. **37 Old Farm Rd** – The emergency certification is being worked on and will be sent to the applicant and MA-DEP soon.
3. **106 Central St (Wellesley College, Paramecium Pond)** – The Wetlands Administrator drafted an Emergency Certification for Wellesley College to permit turning off the “tap” of the well and Town water supply used to keep Paramecium Pond at a constant elevation. Representatives from Wellesley College, Suzanne Howard, Director of Environmental Health and Safety and Michelle Maheu, Director for Planning, Design, and Construction presented a brief history of how the pond was created and explained recent water quality and quantity issues the College was facing, including PFAS levels. The WPC received a letter from Wellesley DPW Water & Sewer Superintendent Bill Shaughnessy agreeing that an emergency certification is warranted. The WPC discussed whether a Notice of Intent is required. Chair Richard Howell suggested accepting the Emergency Certification and not require an NOI. Ellie McLane made a motion to ratify the Emergency Certification in the interest of public health. Jim McLaren seconded the motion and it was approved by a 4-0 vote. The Wetlands Administrator will issue the Emergency Certification and revise the draft Exhibit A requiring the submittal of a Notice of Intent.
4. **Rosemary Brook** – The maintenance work on the pipeline has begun. A bypass system is being used to divert the brook for the work, and was presented by Algonquin as less intrusive than the dam and pump system utilized in the past.
5. **1 Sunnyside Av** – The Wetlands Administrator reported that there was some communication with the previous representative for the owner but that no NOI has been filed. The Administrator will inspect the site to confirm the suitability of the erosion and sediment controls.
6. **26-28 Harris Av** – The owner has installed erosion controls. A representative stated by email that the owner will provide a restoration plan for the next meeting of 9/14.

### **Public Voice** (Chair)

No one called in for Public Voice.

## **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 Nysten, Chuck Caron, Mike Quinn, Scott Hayes, Bill O’Neil

**New Information:** The applicant submitted to the Committee a title examination. A new revised plan was submitted to the Committee as well that removes the border path off of the property.

**Discussion:** Richard Howell shared his opinion about how the history of the plot is confusing, and he believes somebody from the town, representing the town, would be best qualified to make the final decision on what the plot physically is. Richard also received questions from the NRC regarding access to the plot from the road, and what impact this would have on the adjacent trees. Once there is a final decision on whether the plot is buildable, then the Board will need to decide if the property has

met the performance standards for Riverfront Area, and questions relating to habitat and mitigation. David Himmelberger called in to discuss concerns regarding the title examination.

**Decision:** Continued to 9/14/2021.

**Action Items:** The applicant will submit to Town Counsel a request for a final decision on the property boundary of the site.

- 2. 14 Eisenhower Cir (cont NOI) - MA-DEP #324-0982 - Applicant: B. Lahrman; replace wildlife habitat after-the-fact within the 100-ft Buffer Zone (BZ).**

**People Present:** none

**New Information:** The draft Order of Conditions was sent to the applicant and the Committee.

**Decision:** Continue discussion to 9/14/2021.

**Action Item:** The Wetlands Administrator will meet with the applicant for a site visit.

- 3. 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, Field Resources; Shawn and Lisa Humphrey, owner

**New Information:** A revised Proposed Conditions Plan was presented by the consultant. A revised Planting Plan was also presented by the consultant.

**Discussion:** Jim McLaren asked if the walkway removal in the 25-ft NDZ will be done by hand, to which the consultant agreed could be done. Chair Richard Howell asked if the groundwater level was established for the proposed subsurface infiltration chamber. The consultant stated that based on the soil survey it was between 8 – 12 feet below grade, which can be confirmed if requested. Chair Richard Howell also asked for an Operations & Maintenance Plan for the pervious pavers, which the consultant stated was submitted. Ellie McLane asked about the establishing planting bed and the risk of mulch or soil eroding or scouring the slope. The consultant stated that the mulch sock will remain until the bed stabilizes.

**Decision:** Continue discussion to 9/14/2021.

**Action Item:** Wetlands Administrator to draft an Order of Conditions

**Special Conditions:**

- Prohibit heavy machinery within the 25-ft No-Disturbance Zone except during foundation excavation.
- Retain the FilterMitt as erosion control along the top of the stream bank until the new planting bed establishes and the soil is stable.

- 4. 12 Sabrina Rd (cont NOI) - MA-DEP #342-0978 - Applicant: O. Monfort Casas; within the 100-foot Buffer Zone to Sabrina Lake: construct an addition to an existing single-family house, add 2 decks, add 2 retaining walls, remove 1 tree. Add subsurface stormwater infiltration chamber outside the buffer zone along driveway which will be regraded to accommodate unit.**

**People Present:** Oriol Monfort, owner; Paul Beaulieu, Field Resources

**New Information:** The draft Order of Conditions was submitted to the applicant and the Board.

**Decision:** John Adams 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 4-0 vote.

**Action Item:** Wetlands Administrator to issue the Order of Conditions.

- 5. 57 Valley Rd (New COC) - WPB #10 – Applicant: D. Wang; remediate basement flooding and restore resource area with subsurface recharge trench in the 100-ft Buffer Zone (BZ) and 25-ft No-Disturbance**

Zone (NDZ)

**People Present:** Desheng Wang, consultant

**New Information:** the COC package was provided with numerous photographs and dates of inspection.

**Decision:** Ellie McLane made a motion to close the hearing and approve the Certificate of Compliance (COC) under the Wellesley Wetlands Protection Bylaw. John Adams seconded the motion and it passed by a 4-0 vote.

**Action Item:** Wetlands Administrator to take a site walk to the property to confirm conditions before issuing a Certificate of Compliance.

- 6. 89 Russell Rd (New COC) - MA-DEP #324-0850 - Applicants: J. & G. Magpiong; raze & rebuild single-family home, add patios, remove trees, infiltrate stormwater in Buffer Zone and Bordering Land Subject to Flooding**

**People Present:** David Himmelberger, Jane Magpiong, Glen Magpiong

**New Information:** the COC request was presented.

**Decision:** Jim McLaren 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 4-0 vote.

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

- 7. 56 McLean St (New NOI) – MA-DEP #324-0984 - Applicants: V. Swaminathan; install second-story addition to existing single-family house, add patio and deck within the 100-ft Buffer Zone (BZ).**

**People Present:** Mitch Maslanka, Goddard Consulting

**New Information:** The Proposed Conditions Plan was presented

**Discussion:** Jim McLaren expressed concern about debris in the 25-ft NDZ that the consultant reassured could be removed. Wetlands Administrator Julie Meyer mentioned that the stormwater report was requested by DPW and has not yet been sent back. Concerns regarding a 16" maple tree arise due to proposed grading. The representative offered to make a schematic of the critical root zone for the mature tree in question with marked protection.

**Decision:** Continued discussion to 9/14/2021.

**Action Item:**

- Wetlands Administrator to draft an Order of Conditions.
- Representative to submit a revised plan with the critical root zone and tree protection marked. If grading cannot be avoided in the critical root zone, the applicant shall be accompanied by an arborist at the next meeting to discuss the impacts of placing fill over existing roots.

- 8. 76 Bristol Rd (New NOI) - MA-DEP #324-0985 – Applicant: D. Silverstein; raze & rebuild existing single-family house, remove 2 trees, change lawn line within the 100-ft Buffer Zone (BZ) and within 100-ft vernal pool habitat.**

**People Present:** Mark Cooperman, David Silverstein

**New Information:** The Proposed Conditions Plan was presented. A new septic system similar to the previously approved Order for this site will be included in a revised plan.

**Discussion:** The Board discussed the work in the 25-ft NDZ and the conversion of ivy groundcover to lawn. The applicant is requesting a waiver for this work by proposing removal of invasive species in the resource area. Wetlands Administrator raised a discrepancy between the old approved plan and the new proposed plan in the illustrated trees. A memo from the DPW was submitted regarding stormwater.

**Decision:** Continued discussion to 9/14/2021.

**Action Item:**

- Applicant to submit an Operations & Maintenance Plan as well as a revised plan that includes the location of the cesspool.

- Wetlands Administrator to draft an Order of Conditions with one special condition to remove burning bush by hand when it cannot be reached from the outside of the resource area by machinery.

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

### **8:36 PM Adjournment (Chairman):**

Ellie McLane made a motion to adjourn the meeting. Jim McLaren seconded the motion. The motion was approved by a 4-0 vote.