



Wellesley Town Offices  
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**Town of Wellesley**  
**Wetlands Protection Committee (WPC)**  
**Regular Meeting Minutes**  
**September 21, 2023**

Approved: November 16, 2023

**Members Present:** Chair Ellie McLane; Vice-Chair Peter Jones; Secretary John Adams; Kevin Hanron; Associate Member Doug Hersh

**Absent:** James McLaren; Associate Member Eben Scanlon

**Staff Present:** Wetlands Administrator Julie Meyer

**Guests:** Diane Simonelli, Dave Kelley, Kate O'Donnell, Paul McManus, Joe Onorato, Lloyd Geisinger, Frances Alves, Verne Porter, Sophie Shapiro, Bill Heffernan, Brian Waterman, Clay Snook, A. Baaj and R. Alzahabi

**6:35 PM – Public Meeting Open (Chair)**

**Administrative Business (Admin)**

Approve Minutes for July 20, 2023 – Mr. Adams made a motion to approve the minutes from 07/20/23. Mr. Jones seconded the motion. The motion was approved by a 4-0 vote.

Approve Executive Session Minutes for July 20, 2023 - Mr. made a motion to approve the executive session minutes from 07/20/23. Mr. Jones seconded the motion. The motion was approved by a 4-0 vote.

### **6:38 pm Active Matters (Admin.)**

**1.** (2<sup>nd</sup> on the agenda) **6 Wilson St** (new NOV) – a notice of violation was sent to the residents regarding potential unapproved changes to the project site that may require permitting within Isolated Vegetated Wetland or its Buffer Zone, and the Riverfront Area. Diane Simonelli, representing the owners, presented an overview of recent activity and that a plan would be submitted within the next week or so for the WPC to be prepared to discuss on October 12<sup>th</sup>, the WPC's next meeting.

**2. 1 Sunnyside Av** – (cont NOV) – Ms. Meyer reported a notice of violation had been sent to the applicant on August 31st regarding the absence of erosion controls at the limit of work and hydraulic fluid spill within resource areas as observed August 24th and 25th. She reported that the NRC office had not received: violation fees totalling \$2,400.00, weekly SWPPP reports for September 1-7 and September 8-15, a tree removal mitigation plan, or a report of completed BVW restoration. Ms. Meyer recommended a third-party monitor to be paid for by the applicant to monitor erosion at the limit of work. The WPC directed Ms. Meyer to contact GLM Engineering to find out if they are being retained by the applicant and whether they are preparing requested materials. The WPC agreed to revoke the permit at the next meeting on October 10<sup>th</sup> if the three outstanding requests had not been addressed by the applicant and to require the applicant hire a monitor.

Mr. Jones made a motion for the Wetlands Administrator to inform the applicant that the site is out of compliance and sediment is extending beyond limit of work and into the bvw and stream and if the restoration is not completed by 10/12, the permit will be revoked on 10/12/23. Mr. Adams seconded the motion. The motion was approved by a 4-0 vote. Ms. McLane made a motion to direct the applicant to cease construction until the BVW is restored per the prior issued enforcement order, and to complete removal of sediment, plant ferns, and removing straw bales from the streambank before the 10/12/23 WPC meeting. Mr. Adams seconded the motion. The motion was approved by a 4-0 vote. Mr. Jones made a motion to require the applicant to hire a third-party monitor to ensure the BVW is restored and to perform weekly erosion sediment control inspections or as needed if more than 2.5" of rain falls. Mr. Hanron seconded the motion. The motion was approved by a 4-0 vote. Ms. Meyer agreed to determine if a petroleum smell was present at 111 Manor Avenue after obtaining permission to inspect the parcel.

### **7:09 PM Public Meeting Open (Chair)**

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

### **Public Voice for Items not on the Agenda (Chair)**

None presented.

### **Public Hearings and Meetings (Committee)**

**1. 14 Lexington Rd** (cont NOI) - MA-DEP file #324-1026; Applicant H. Tipping: construct patio, retaining wall in Riverfront Area, Bordering Land Subject to Flooding, and Buffer Zone. Ms. McLane recused herself from the discussion.

People Present: none

New Information/Discussion: The applicant provided a requested maintenance plan for the proposed permeable paver patio.

Decision: Mr. Adams made a motion to close the hearing and issue an Order of Conditions under Act (for the State) and Wellesley Wetlands Bylaw. Mr. Jones seconded the motion. The motion was approved by a 3-0 vote.

Action Step:

Admin: issue the OOC to the applicant

**2. (see below)**

**3. 209 Cliff Rd (new MPC) - MA-DEP file # 324-1012: Applicant: C. Cahalane; minor changes decreasing impervious area within the Buffer Zone.**

People Present: none

New Information/Discussion: none

Decision: Mr. Adams made a motion to approve minor changes decreasing impervious area within the Buffer Zone. Mr. Jones seconded the motion. The motion was approved by a 4-0 vote.

**4. Sabrina Lake (new NOI) - MA-DEP file #324-xxxx; Applicant Friends of Sabrina Lake: removing and managing invasive species at Sabrina Lake.**

People Present: Kate O'Donnell; EcoTech, Inc; Joe Onorato, consultant; Lloyd Geisinger, Friends of Sabrina Lake

New Information/Discussion: WPC members advocated for a more holistic approach, inclusion of natural buffer zone, rather than chemical usage as requested, to maintain buffer zones between the lake and properties and curb fertilizer use. In consideration of the dams and levy area being in hazardous condition, a more comprehensive plan should be included. Ms. Meyer agreed to reach out to Needham Conservation Commission and recommended the Friends of Sabrina Lake contact DCR regarding the proposed NOI.

Decision: Continue the hearing to the November 2, 2023 WPC meeting.

***Mr. Adams left the meeting at 7:45 PM.***

**2. 3 Stevens St (new minor plan change) - MA-DEP file #324-1016: Applicant: Roger & Ann Ott; inter-grate the tiered yard by existing timber retaining wall.**

People Present: Francis Alves, consulting engineer for Creative Land & Water Engineering

New Information/Discussion: Mr. Alves presented the project change to terrace the back yard to a maximum slope ratio of 3:1. WPC asked what the proposed cubic yards of fill will be added; and requested the plan show tree protection according to an accepted standard.

Decision: Continue the hearing to the October 12, 2023 WPC Meeting.

**5. 100 Wellesley Av** (new NOI) - MA-DEP file #324-xxxx; Applicant: P. Bevilacqua: raise a single-family house and detached garage to construct two single-family houses in the 100 ft. Buffer Zone & 200 ft. Riverfront Area.

People Present: Kate O'Donnell, Verne Porter, Paul McManus

New Information/Discussion: WPC members requested the applicant have an arborist assess the condition of the two trees on the site; provide a planting plan with specific species identified, and provide assurance the proposed listed trees be compatible in sandy soil. WPC members indicated an aged sugar maple is declining and should be considered for removal from a safety perspective. Ms. Meyer presented concerns emailed by abutters at 89 Seaver Street: will silt fences be part of the erosion and sediment control measures, will there be inspections, what is the impact on the site by heavy equipment, will there be controls on dust. Representatives of the applicant agreed to address these considerations at the next WPC meeting.

Decision: Continue the hearing at the WPC meeting on October 12, 2023.

**6. 43 College Rd** (new NOI) - MA-DEP file #324-xxxx; Applicant: Bill Heffernan: to add an addition and new patio with the footprint of the existing patio area, as well as an over-hang and stairs off the deck. The works is in the 100-ft. Buffer Zone along Morses Pond.

People Present: Sophie Shapiro, Bill Heffernan

New Information/Discussion: WPC members requested submission of a revised planting plan in order to spread the proposed mitigation plantings throughout the property, and to submit an Invasive Vegetation Management Plan.

Decision: Continue the hearing at the WPC meeting on October 12, 2023.

Public Speak: Stephanie Juma, 38 College Road, indicated her support for the 43 College Road project.

**7. 42 Cottage St.** (new NOI) - MA-DEP file #324-1029; Applicant: A. Baaj & R. Alzahabi; to restore & expand an existing home, removal of the garage and convert lawn to native vegetation. Work is location in the 100-ft. Buffer Zone & the 200-ft. Riverfront Area.

People Present: Brian Waterman, WDA Design Group

New Information/Discussion: WPC members requested that the applicant submit a riverfront comparison tables, pre and post construction. Ms. Meyer would provide a draft COC at the next meeting.

Decision: Continue the hearing to the next WPC meeting on October 12, 2023.

### **Adjournment**

Mr. Jones made a motion to adjourn the WPC meeting. Mr. Hanron seconded the motion. The motion was approved by a 3-0 vote.

The meeting was adjourned at 8:54 PM.