



Wellesley

MASSACHUSETTS

Wellesley Town Offices
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Town of Wellesley Wetlands Protection Committee (WPC) Meeting Minutes January 6th, 2022

Meeting Location:
Online Meeting

Voted to Approve 3/10/22

Members Present: Richard Howell, Chair, Peter Jones, Vice Chair (arrived at 6:45 PM); John Adams, Secretary; James McLaren; Kevin Hanron, Associate Member, Doug Hersh, Associate Member, Ellie McLane

Members Not Present: All Present

Staff Present: Julie Meyer, Wetlands Administrator

Guests: Maria and Phillip Pearl, Derek Eggiman, Byron Obara, Joyce Hastings, Kiran Reddy, Wei Wang, Thomas Schutz, Ryan Roseen, Nash Quadir, Jake Lilley, Nathaniel Cataldo, Ju Liu, Brian Nelson

Public Voice: None.

6:35 pm Administrative Business (Admin)

1. Approve 12/16/2021 minutes: John Adams made a motion to approve the minutes from 12/16/21. Pete Jones seconded the motion. The motion was approved by a 4-0 vote. Ellie McLane abstained.
2. The Wetlands Administrator announced that the NRC has hired a new Clerk.
3. The Wetlands Administrator announced that a marked-up edited Wetland Regulations draft, last updated on August 2019, is available upon request and has been uploaded to the WPC's e-packet.

Chair Richard Howell read ground rules for the meeting. Jim McLaren made a motion to delegate signatures of the Wetland Protection Committee (WPC) to the Wetlands Administrator (WA) for this meeting. Pete Jones seconded the motion. The motion was approved by a 5-0 vote.

6:53 pm Public Meeting Open (Chair)

Active Matters (Admin)

1. **934 Worcester St (Brook Maintenance and Cleaning Order of Conditions MA-DEP # 324-0856)** – DPW is the applicant asking for an Extension to the Brook Maintenance and Cleaning Order of Conditions for three additional years. Due to the tolling of permit deadlines due to covid, the new

expiration is now 1/2/2023. Pete Jones made a motion to extend the OOC until 1/2/2026. John Adams seconded the motion. The motion passed 5-0.

2. **934 Worcester St (and 21 Greylock Rd)** - A second request from DPW, applicant, regarding the same permit as above is for the WPC to approve a Minor Plan Change to the Brook Maintenance and Cleaning Order of Conditions MA-DEP # 324-0856, to add two additional segments to the Brook Maintenance and Cleaning Order of Conditions. Pete Jones made a motion to approve it prior to a site visit to understanding conditions at 934 Worcester Street. Ellie McLane seconded the motion to approve. The motion passed 5-0. The WPC emphasized the need for DPW inform the Wetlands Protection Committee through its Administrator prior to commencing work, so as to allow for the possibility of input or comments by the WPC.
3. **132 Glen Rd** – A Notice of violation was delivered in person on December 30th by the Wetlands Administrator for a sports court constructed without a permit. The Administrator also performed a site visit in the presence of the owners P. and M. Pearl. The Administrator reported that she saw no harm to the resource areas during her site visit, and that she felt the work would likely be permitted once stormwater impacts are communicated and mitigation proposed. The Administrator stated that the sports court is encroaching on the adjacent conservation property “A Patch of Land.” The owners were present on Zoom. The owner stated that they had erroneously understood their property boundary stopped at the fence separating the two properties. Owners Phillip and Maria Pearl agreed to file an after the fact NOI by the April 21, 2022 meeting. The WPC stated that fines may be issued if no Notice of Intent (NOI) is filed by this date. The owners agreed to work out the property line issue with the neighbors.
4. **1 Sunnyside Av** – The Wetlands Administrator updated the WPC on the revised Enforcement Order adding new action steps to close out the EO related to removing the house collapse debris and improving erosion controls. The Administrator reminded the Committee that the original Enforcement Order circulated in March but was not ratified. In August, the WPC decided to revoke the OOC as work to clean up the site had not moved forward. Owner Nash Quadir was present on Zoom at the meeting and agreed to the revised timelines and action items attached to the EO. Elle McLane made a motion to withdraw the OOC since it no longer applies. Jim McLaren seconded the motion and it was approved by a 5-0 vote. Ellie McLane made a motion to ratify the Enforcement Order (EO). The motion was seconded by Pete Jones and approved by a 5-0 vote.

***Remaining Active Matters were postponed until the end of the Public Meeting.**

7:30 pm - Official Start Public Meeting Open (Chair)

7: 30 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: No one
New Information: None
Decision: Continued at the request of the applicant to January 27th meeting.
Action Items: Applicant is waiting on a Tree Protection Plan from arborist.
2. **165 Winding River Rd** (*cont.* NOI) - MA-DEP #324-0987 – Applicant: A. Boyne; install a pool, patio, pool house, retaining wall, and drainage system within the 100-ft Buffer Zone.

People Present: Tom Schutz, Goddard Consulting

New Information: None

Discussion: The WPC asked if stormwater overflow from the proposed pool will enter the wetland area.

Decision: Continued to the January 27th meeting.

Actions:

- Applicant to submit an updated stormwater analysis that uses the rainfall data
- Applicant to provide engineer's opinion on whether the pool could overflow and if so if it would reach the wetland.

3. 47 Martin Rd (cont. NOI) - MA-DEP #324-0990- Applicant: W. Wang; to construct an addition and expand garage within 100-ft Buffer Zone, 25-ft No-Disturbance Zone, and Riverfront Area.

People Present: Joyce Hastings, GLM Engineering Consultants, Wei Wang

New Information: OOC was reviewed and agreed to by the applicant.

Decision: Jim McLaren made a motion to approve the project under both the Massachusetts Wetlands Protection act and the Wellesley Wetlands Protection Bylaw and issue the OOC. Pete Jones seconded the motion and it was approved by a 5-0 vote.

Action Items: WA to issue the OOC.

4. 42 Earle Rd (new NOI) - MA-DEP #324-0992- Applicant: K. and L. Lynch; for a tear-down and rebuild of an existing single-family house with an associated deck, two porches, and a terrace within Riverfront Area.

People Present: Ryan Roseen / Tom Roseen – Goddard Consulting

New Information: OOC did not get drafted, but there are no special conditions and the applicant agreed to accept standard boilerplate.

Decision: Pete Jones made a motion to approve the project under both the Massachusetts Wetlands Protection act and the Wellesley Wetlands Protection Bylaw and issue the OOC. John Adams seconded the motion and it was approved by a 5-0 vote.

Action Items: The Wetlands Administrator will draft and issue an OOC.

5. 24 Manor Av (new COC) MA-DEP #324-0983 - Applicant: I. Cedar; driveway resurfacing in Riverfront Area within the 25-foot No-Disturbance Zone.

People Present: No one.

New Information: The WPC made a site visit and had no concerns.

Decision: Ellie McLane made a motion to approve the Certificate of Compliance (COC) under both the Massachusetts Wetlands Protection act and the Wellesley Wetlands Protection Bylaw and issue the OOC. Pete Jones seconded the motion and it was approved by a 5-0 vote.

Action Item: WA to issue COC.

6. 216 Winding River Rd (new NOI) - MADEP # 324-0xya. Applicant: K. Reddy and A. Mani; construction of additions, patios, pool, small floating dock, driveway replacement in Buffer Zone, Riverfront, Bank, Bordering Vegetated Wetlands, and Bordering Land Subject to Flooding along the Charles River.

People Present: Bryan Obara, Jake Lilley, Kiran Reddy, Nathaniel Cataldo

New Information: Project presented. WPC asked if the pool could be moved towards the middle of the property to save some mature oak trees. The Wetlands Administrator will review a previous Order of Conditions to determine if there was a Condition in Perpetuity to prohibit cumulative impact of the Riverfront Area.

Decision: Continued to January 27th meeting.

Action Item: Applicant to review plans and information WA uncovers.

7. 5 Wingate Rd (new NOI) MADEP # 324-0994; applicant: B. Haber; deck construction in Riverfront Area and Buffer Zone

People Present: Ryan Roseen

New Information: The project representative presented plans and a waiver request to work in the No-Disturbance Zone (NDZ).

Decision: Continued to January 27th meeting.

Action Items:

- The Wetlands Administrator to draft an OOC.
- The WPC will discuss whether to waiving the waiver fee at the next hearing on January 27.

8. 6 Hundreds Cir (new NOI) MADEP # 324-0993; applicant: J. Liu; tree removal in Buffer Zone and Bank of an intermittent stream.

People Present: Ji Liu, Wei Wang.

New Information: The applicant and homeowner verbally presented the plan to remove six trees.

Discussion: The WPC told the homeowner to provide a visual plan to show the location and type of trees to be removed and to be planted for mitigation.

Decision: Continued to January 27th meeting.

Action Items:

- Applicant will retain an arborist to provide a report on the condition of the trees.
- The applicant will provide a planting plan.

9. 159 Dover Rd (new NOI) - MA-DEP #324-0991- Applicant: L. Macauley; for the construction of a generator pad and terrace, new plantings and the removal of three trees associated with site improvements connected to a planned reconstruction and expansion in Buffer Zone.

People Present: Brian Nelson (MetroWest Engineering)

New Information: A revised plan was submitted that removed the path through the 25-foot No-Disturbance Zone. The Wetlands Administrator and the WPC returned for a 2nd site walk to review the wetland delineation.

Discussion: The WPC stated that plans should detail how to protect trees during construction and how the homeowners will manage invasive vegetation.

Decision: Continued to the January 27th meeting.

Action Item: Wetlands Administrator to draft an OOC.

*** Active Matters (Admin) continued**

5. 23 Overbrook Dr (cont Enforcement Order) –

Eggiman (home owner) was in attendance and he had submitted a plan showing the work that was completed. He will return in June to WPC meetings to review survivability of plantings and determine calendar for approval of a COC.

6. 23 Brookfield Rd – Administrative Approval was provided to owner M. Schreiber to fully remove a cut tree trunk removal on the Bank of Boulder Brook remaining from past work removing a hazard tree that had fallen across the brook.

10:10 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.