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**Town of Wellesley**  
**Wetlands Protection Committee (WPC)**  
**Regular Meeting Minutes**  
**March 31, 2022 – 6:30 p.m.**  
**(Meeting Location: Live Streamed and via Zoom)**

Voted to Approve 05/12/2022

**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 Present:** Jay McHale (NRC Chair); Lisa Collins (NRC), liaisons; Barry Schneider, Matt Schweisberg, Dave Hickey, Gerry Bruno, Nathaniel Stevens, Brandon Faneuf, Justin Mosca, Michelle Maheu, Jay Quattrocchi, Matt Barry, Kirsten Hummel, Marianne Cooley, Craig Bradford, Scott Henderson, Julie Hoogeboom, Rich Kirby, Nevin Fox, Molly Fox

**Public Voice:** None

**6:35 pm Administrative Business (Admin)**

1. Chairman Richard Howell read the ground rules for the meeting. A motion made by Ellie McLane was adopted by a 5-0 vote to have the WPC Wetlands Administrator Julie Meyer sign on behalf of the Committee for this meeting.
2. The Wetlands Administrator stated that the minutes for 3/10 will be ready for a vote on 4/12.
3. Ms. Meyer announced that ZBA Chair Randy Becker invited the Wetlands Protection Committee to a joint meeting to discuss "hardship," in order to enhance coordination when granting variances and waivers. The WPC expressed interest in meeting with the ZBA on the topic.
4. Ms. Meyer reminded that Committee terms for two members end on June 30: Secretary John Adams and Chair Richard Howell. Mr. Howell suggested Ms. McLane to take over the position of Chair, reminded the WPC that rotating the role of Chair is encouraged, and said the WPC should . The goal would be to promote one of the Associate members into a full member, and search for a new

Associate. Ellie McLane reminded the WPC that there were a couple of other candidates from the last round to reach out to. Richard asked the Wetlands Administrator to reach out to these residents.

## **6:49 pm Public Meeting Open (Chair)**

Chair Howell declared the opening of the public meeting and reminded participants to discuss all issues via Zoom, mute and turn off video if not participating, notify the Chair regarding a request to speak to agenda items, and use Public Speak for matters not on the agenda.

## **Active Matters (Admin)**

1. **81 Croton St** – Enforcement Order (continued)

Attendees: Barry Schneider (owner), Matt Schweisberg (consultant)

Discussion:

Consultant M. Schweisberg summarized his site visit observations to the WPC. He stated there were no bordering vegetated wetlands and that he flagged the top of the bank. Chair R. Howell stated that he would like the consultant to make a quantification of lost habitat and then provide a plan to restore it. The WPC agreed to consider an NOI in October if the restoration is in place. The WPC decided that the due date for the fine for of \$7,200 would be April 1. The Wetlands Administrator stated she will reach out to the Town Counsel about how a homeowner may appeal a fine and provide that information to the owner.

2. **132 Glen Rd** – Upon request by the Chair for updates, the Wetlands Administrator stated that she had erroneously placed that address on the meeting prep sheet but that it never made it to the agenda.

3. **80R Fuller Brook Rd** – Ms. Meyer explained a letter is forthcoming for administrative approval for invasive species management in Walker Woods, Wellesley Conservation Land Trust property.

4. **9 Pierce Rd** – Notice of Violation

Attendees: no one was present representing the residence.

Discussion: The Wetlands Administrator stated she did a site visit with the owner, confirmed that trees were cut in the buffer zone, and that the owner engaged a consultant to flag the wetland boundaries. The Administrator would like some confirmation that the boundaries shown on the ground are accurate. The WPC stated to continue the discussion after Ms. Meyer sends a draft enforcement order requiring a habitat assessment and a restoration plan and consider assessing a fine for the cut trees.

## **7:35 pm - Official Start Public Meeting Open (Chair)**

### **7: 35 Public Voice** (Chair)

No one called in for Public Voice.

## **7:36 pm Public Hearings and Meetings (Committee)**

1. **55 Rice St** (*cont.* NOI) – #324-0998 - Applicant: Town of Wellesley – Remove a building and add two buildings within the same footprint within Riverfront Area, Bordering Land Subject to Flooding, and Buffer Zone to Fuller Brook.

**Attendees:** Dave Hickey, DPW; Gerry Bruno, DPW

**New Information:** DPW resubmitted a new Notice of Intent application to correct a clerical error on WPA form at Section C6. D. Hickey clarified that proposed vegetation for this project is minimal with will be just a few new planting areas near the ticket booth due to the active use of the project site. D. Hickey stated there will be lights over the restroom doors consisting of Dark-Sky compliant, cut-off style lighting for required code and safety needs. Stormwater was recalculated and claims that the mitigation still performs under performance standards.

**Discussion:** P. Jones stated the project was what he expected to hear.

**Public Voice:** Nathaniel Stevens, Brandon Faneuf

- *Nathaniel Stevens* spoke on behalf of the Friends of Hunnewell Field. Mr. Stevens summarized a letter submitted to the WPC prior to the meeting, stating the application did not address issues raised previously, that the municipal project is being reviewed more leniently, and it does not address performance standards. Mr. Stevens stated that the wetland delineation provided relies on a decade-old delineation. In 2016 there was an acknowledgment of BVW and wonders where it had gone. Mr. Stevens reiterated that the revised NOI still does not meet performance standards for Riverfront Area; specifically, an alternatives analysis must be submitted but the alternatives analysis offered does not consider the right factors; no adverse impact discussion was provided; no attempt to revegetate the 100-foot inner riparian was proposed and no wildlife habitat evaluation was required by the WPC. Mr. Stevens stated that with regards to Bordering Lands Subject to Flooding the NOI form says that zero work will be performed but the plans show that fill is proposed within the floodplain to support the buildings and walkways. Additionally, Mr. Stevens argued that as the application claims that the playing field was lowered by 0.2 feet in 2016, the documents he reviewed did not show any spot elevations so he is not convinced the field was lowered. Even if so, he stated the standards probably were not met as the 2015 NOI table of compensatory storage at each elevation does not compensate at each elevation by incremental flood storage method at elevation 129 or 131.
- *Brandon Faneuf* of EcoSystem Solutions spoke on behalf of the Friends of Hunnewell Field. Mr. Faneuf clarified that the redevelopment provision should have been checked off on the NOI form. He wanted the WPC to require a wildlife habitat evaluation as there will be disturbance greater than 5,000 sf. Mr. Faneuf wants to state for the record that the WPC consider other work outside the project area and proposed work contained within this NOI.
- D. Hickey responded to the public voice comments: stating the wetland delineation is accurate as BVW is limited by the steep bank. He stated that the 2015 NOI provided a ½ -foot by ½ foot analysis to demonstrate that the field provided extra flood storage (64,000 cf). He stated that the project did submit an as-built with his stamp. D. Hickey reiterated that the fill was anticipated so compensation was provided for. He stated that the current project will fill slightly less volume than originally proposed by 250 cf.

**Discussion:** P. Jones stated his familiarity with the original project review and the site. He concluded that he did not see a need for a wildlife habitat assessment. Chair R. Howell added that he recalled the flood storage compensation offered.

**Decision:** The WPC accepted the wetland delineation as provided. The WPC agreed the project met buffer zone performance standards and agreed it is a Riverfront Area redevelopment project and thus should be reviewed under those performance standards. They accepted that the plan satisfies the criteria for buffer zone and riverfront area. The WPC agreed that a wildlife assessment is not needed for Riverfront Area or Buffer Zone performance standards. The agreed that the lighting around the bathrooms and concessions should be Dark Sky-Compliant.

**Action(s):** The Wetlands Administrator will draft an Order of Conditions for the next meeting. The

discussion will continue at the next hearing on April 21.

**Condition:** lighting around the bathrooms and concessions should be Dark Sky-Compliant.

**2. 106 Central Street (New RDA)** – after-the-fact fence construction adjacent to Lake Waban

**Attendees:** Justin Musca, Michelle Mahue, Jay Quattrocchi, consultants; Maryann Cooley, Wellesley College

**Discussion:** Fence was constructed without a permit at 97 Pond Road in the buffer zone to Lake Waban, including within the 25-ft No-Disturbance Zone. Mr. Musca said there were repairs to existing fencing and a new post and rails were added in the southeast corner near the lake. Mr. Musca shared photos of the new fencing. The commission agreed that it is new construction and the fact that the work was unpermitted.

**Decision:** The WPC decided to issue a fine for committing four violations for encroachments into the 25-ft NDZ, plus a \$300 fine for not submitting the proper paperwork. The total fine is \$3,000. The WPC set a due date of April 7.

**Action Steps:**

**Administrator:** sending a letter and ticket to Wellesley College

**Owners:** pay or appeal fine

**3. 97 Russell Rd. (renewed NOI)** #324-0943 – Applicant: John Mar – Demolition and rebuild of a deck within presumed 100-foot Buffer Zone to intermittent stream.

**Attendees:** Michelle Jacobs

**New Information/Discussion:** Ms. Jacobs shared new plans for 97 Russell Road. The plan is a proposed construction of a driveway and carport, a stairway with retaining walls leading to the front patio, a new single-family home and installation of a stormwater drainage system and landscaping. Special conditions will include erosion controls to protect Moses Pond, limit demolition to a dry month so nothing washes into Pond, limit to excavation and construction to dry months.

**Decision:** continue to the next meeting – April 21.

**Actions:**

**Administrator:** Draft a “scaffold” draft Order of Conditions with special conditions.

**Applicant:** Provide a revised planting plan.

**4. 106 Central St (new NOI)** MADEP #324-0997. Applicant: Michelle Maheu, Wellesley College, Irrigation installation & improve the area where the work is taking place on the campus of Wellesley College.

**Attendees:** Matt Barry, Kirsten Hummel, Maryann Cooley, Michelle Maheu, Craig Bradford.

**New Information/Discussion:** New project in the surrounding area of the new irrigation system install on campus (106 Central Street). The work is around the five feet of the new Well casing and include a new pump. To get to the well they will run the conduit to the well and include some trenching. Plan is to have erosion control and stabilize the area around the project. Minor tree cutting around the project as well. The plan is to cut down a number of small trees and saplings. No trees expected to be cut are not five inches or larger in the buffer zone.

**Decision:** Continued to April 21 with an Order of Conditions.

**5. 17 Colby Rd (new NOI)** MADEP #324-09xx Applicant: Nevin & Molly Fox - construct patio, crushed stone pad, fence, and replant native species and add stormwater infiltration within the Buffer Zone and Riverfront Area to Sunnyside Brook and associated BVW

**Attendees:** Julie Hooeboom, Scott Henderson, Rich Kirby, consultants; Nevin Fox, Molly Fox, owners

**New Information:** Wetland scientist J. Hoogeboom shared plans. Engineer S. Henderson discussed the need to improve erosion and soil conditions.

**Decision:** continue to April 21

**Administrator:** Draft a “scaffold” Order of Conditions with special conditions related to time of year restrictions, erosion and sedimentation controls, and others

**Applicant:** Provide a revised planting plan and a revised patio plan

**08:00 PM Adjournment (Chairman):**

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