

## **Morses Pond Beach Advisory Committee Recommendations and Considerations**

### **Morses Pond Beach and Bathhouse Project Goal**

Take a collaborative approach amongst all stakeholders to develop an ADA compliant outcome that meets the programmatic needs for Rec, environmental impact needs for NRC, operational needs for Rec staff and customer experience needs for patrons and the Wellesley community at large, while at the same time enhancing the overall natural and aesthetic qualities of the site with a design that is simple, safety oriented and sustainable, and in keeping with the inherent historical, environmental, cultural, and social site character.

**NRC and Wetlands Focus on Regulatory Compliance, Environmental Impact and Impervious Material Footprint on Site, Sustainability and Potential for Changes in the Frequency, Duration, Days and Times of Use (See 1/31/24 memo from NRC to Rec)**

### **Key Provisions from the Town of Wellesley Wetlands Protection Regulations effective May 4, 2017**

Section 2.5, (2)(a); Buffer Zone - Definition, Critical Characteristics, and Boundary - Buffer Zone is the area of land located between the boundary of Water Bodies and Waterways, Bank, or a Vegetated Wetlands and a line located 100 feet horizontally outward from said boundary.

Section 2.5(4); Performance Standards

2.5(4)(a)1. - No activity shall be allowed within the 25-foot No Disturbance Zone (i.e., land within 25 feet of the limit of Water Bodies and Waterways, Bank, or Vegetated Wetlands) and any work proposed within the Buffer Zone shall be designed to retain and preserve a minimum of 25 feet of undisturbed natural vegetation and soil adjacent to the limit of Water Bodies and Waterways, Bank, and Vegetated Wetlands.

2.5(4)(a) 2. Work in those portions of Buffer Zone found to be significant to the preservation and protection of wildlife habitat shall not impair its capacity to provide important wildlife habitat functions. An activity or activities on a single lot that cumulatively alters up to 10% or 5,000 square feet, whichever is less, of land in this resource area found to be significant to the protection of wildlife habitat per Section 2.5(1)(a)3. above, shall not be deemed to impair its capacity to provide important wildlife habitat functions. Additional alterations beyond this threshold may be permitted if they will not impair the capacity of the Buffer Zone to preserve or protect important wildlife habitat functions in accordance with the wildlife habitat assessment procedure and mitigation of altered habitat requirements contained in Section 2.10 below.

2.5(4)(a) 3. Work within the Buffer Zone that does not meet the wildlife habitat assessment threshold at Section 2.5(4)(a)2. above that results in the removal of a tree or trees (dbh 5 inches or larger) within the Buffer Zone shall require the planting of one replacement tree for each tree that is removed. The proposed replacement tree(s) shall be of a native species, have a caliper of at least 1.5 inches, be located to optimize the contribution to the Bylaw Interests and Values, and be monitored for two growing seasons after planting. Alternatively, the applicant may propose a functionally equivalent mitigation plan to the above replacement tree(s) that may include native trees, shrubs, and ground cover and/or invasive species removal with a proposed monitoring plan that serves to benefit the Bylaw Interests and Values of the Buffer Zone.

2.5(4)(a) 4. Stormwater is managed according to regulatory standards at 310 CMR 10.05(6)(k) to (q) established by the Department, as applicable, and Section 1.6(8)(b)4.g. of these regulations above, as applicable.

2.5(4)(a) 5. Where a proposed activity within the Buffer Zone will increase impervious surfaces and reduce groundwater recharge, infiltration measures must be designed to maintain existing groundwater recharge.

2.5(4)(a) 6. Activities proposed within Buffer Zone shall not impair its capacity to provide for recreation.

2.5(4)(a) 7. The limit of work shall be clearly identified on the plan and in the field and appropriate erosion and sedimentation control measures shall be implemented and maintained throughout construction. No silt or sediment may be permitted to enter any Bylaw Resource Area outside of the Limit of Work during or subsequent to construction.

2.5 (4)(a) 8. Notwithstanding Section 2.5(4)(a)1. above, the Committee may allow activities within the Buffer Zone that serve to improve the capacity of the resource area to preserve and protect the Bylaw Interests and Values, such as removal of man-made debris, invasive species removal projects, and/or the planting of native vegetation.

*Note: The Buffer Zone does not have performance standards under the Wetlands Protection Act (MGL, Chapter 131, Section 40) (the Act) or the MassDEP Wetlands Protection Regulations. As such, the performance standards listed at Section 2.5(4)(a)1. to 7. of the Town of Wellesley Wetlands Protection Regulations are more stringent than any provisions of the Act or the MassDEP Regulations.*

*Also, this project may also trigger performance standards for Bordering Vegetated wetlands (BVW), section 2.4(4) 4-7 and Bordering Land subject to flooding (BLSF), section 2.7.4.*

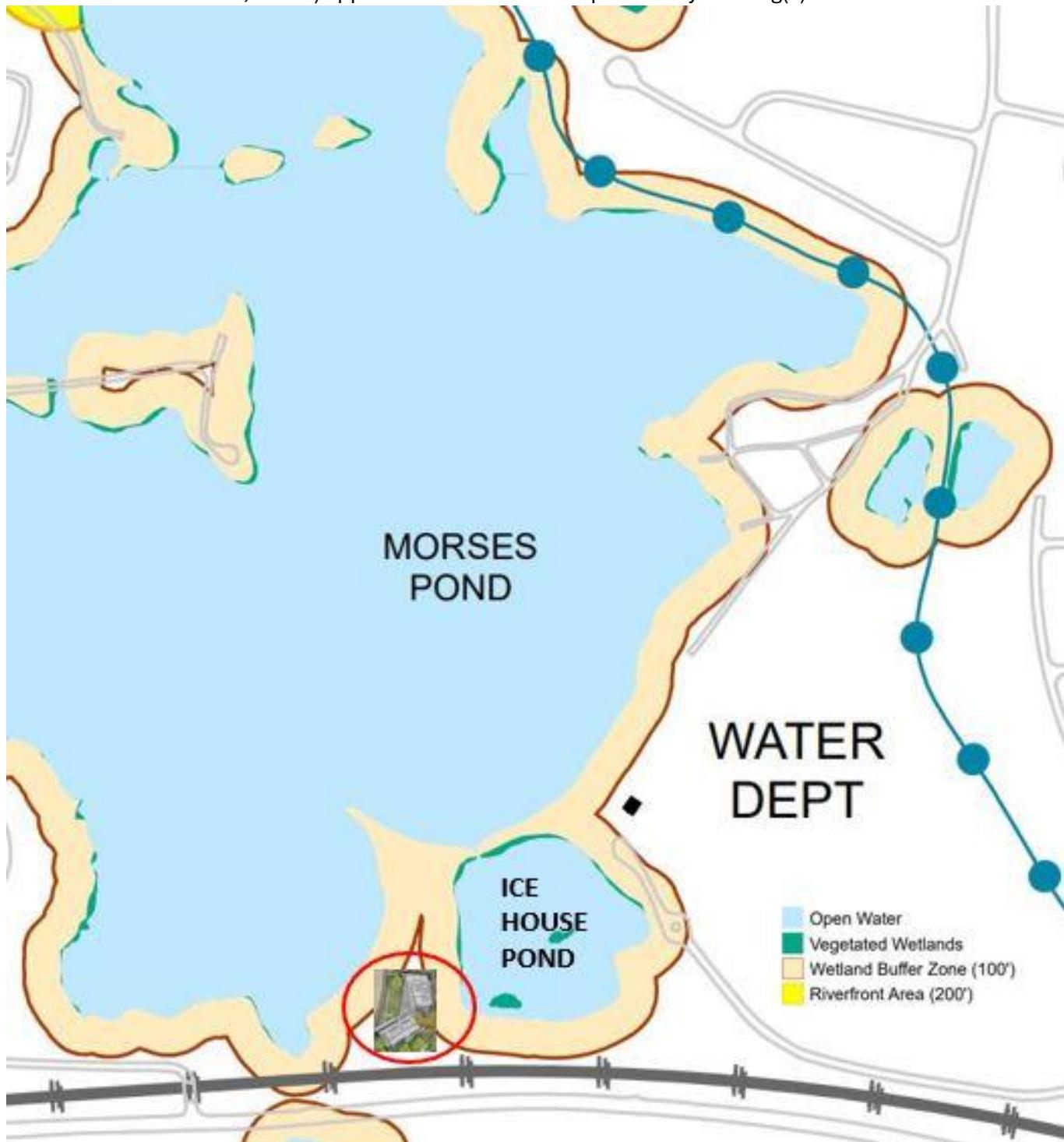
**Key Provisions from Article 97 of the Articles of Amendment to the State Constitution as adopted by voters in November 1972**

The Morses Pond site is considered protected park and conservation land under Article 97 of the Articles of Amendment to the State Constitution.

Article 97 provides that the people shall have the right to clean air and water, freedom from excessive and unnecessary noise, and the natural, scenic, historic, and esthetic qualities of their environment; and the protection of the people in their right to the conservation, development and utilization of the agricultural, mineral, forest, water, air and other natural resources is hereby declared to be a public purpose. ... Lands and easements taken or acquired for such purposes shall not be used for other purposes or otherwise disposed of except by laws enacted by a two thirds vote, taken by yeas and nays, of each branch of the general court.

### Proposed Building Location

The project will have to go through the Wetlands permitting process, irrespective of the location of any building(s) that are proximate to the beach. Placing the building(s) within the existing building footprint or other Wetlands Buffer Zone locations proximate to the beach are not precluded, subject to approval by the Wellesley Wetlands Protection Committee and any other relevant regulatory bodies. The currently proposed location (approximate location shown in red circle, below) appears to minimize the impact of any building(s) on the Wetlands Buffer Zone.



### **Recommendation # 1 – Ice House Pond Foot Paths**

Consider removing the proposed 730 foot path (circled in red, below), abutting the access road, on south side of Ice House pond, located in 25 foot No Disturbance Zone. Consider utilizing a north entrance gate to admit season pass holders and existing west side pathway, separated from the beach by a fence and shrubbery, for daily pass purchasers entrance at administrative building.

Consider removing the proposed, new 470 foot path (circled in yellow, below), on west side of Ice House pond, located in 25 foot No Disturbance Zone. Consider utilizing a north entrance gate to admit season pass holders and existing west side pathway, separated from the beach by a fence and shrubbery, for daily pass purchasers entrance at administrative building. The NRC also recommends analysis of the footbridge between Ice House and Morses ponds to ensure its structural integrity identify any needed.



### **Recommendation # 2 – Impervious Surface Footprint of Buildings**

To minimize the amount of impervious surface impact on stormwater and in order to preserve as much natural open space as possible, consider reducing the overall size of the combined footprint of the building or buildings while allowing the buildings to still meet Rec's operational and programmatic needs. Possible areas to consider for reduction include:

- Reduction in the size of the men's and women's bathrooms
- Reduction in the size and/or possible relocation of the large storage areas in bathhouse, If relocated, evaluate opportunities to reduce impervious surface impact

- Reduction in the size of the gatekeeper's room
- Reduction in the size of the concession room to accommodate vending machines only. Consider food truck use for other food & beverage needs
- Reduction in the size of the first aid room

or other alternatives proposed by Rec. While not suggesting limiting the toilet count to the following minimum requirements, MA 248 CMR10.10, Uniform State Plumbing Code, requires at public beaches, a minimum of 1 female toilets per 500 patrons and 1 male toilets per 1,000 patrons.

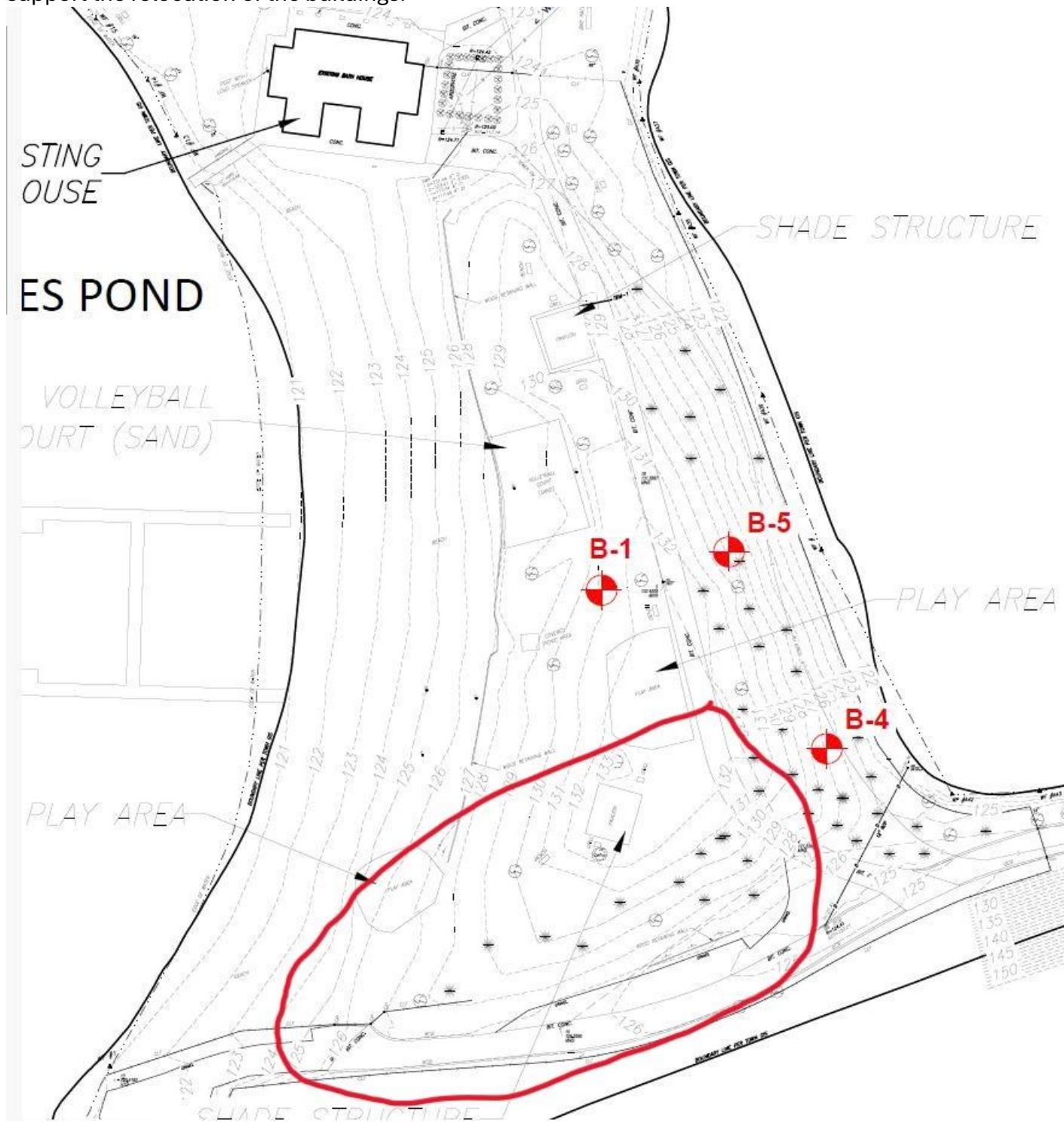
**Recommendation # 3 – Impervious Surface Footprint of Uncovered Patio Area**

Consider reduction in uncovered concrete pavers (circled in red, below) on the west side of bathhouse and administration buildings to minimize the impact of impervious surface on stormwater, maintenance requirements and in order to preserve as much natural open space as possible. Consider pervious alternatives for the identified area. Additional considerations: If patrons are sitting in chairs and at tables on the uncovered concrete pavers in front of the administration building, that may have a negative impact on visibility from the beach manager's office of beach operations and a negative impact on quick access from the lifeguard room to a beach emergency. If patrons are sitting in chairs and at tables on the uncovered concrete pavers in front of the bathhouse, there may be a potentially undesirable impact of beach patrons transiting through the tables and chairs as they come and go to the bathroom.



#### **Recommendation # 4 – Minimize Site Grading Requirements**

Confirm that when considering location of buildings (on a spectrum between the north end of the beach and the current proposal on the south end of the beach, the current proposed location has the least impact on the need for grading to make the site handicap accessible. Did the borings indicate enough separation from groundwater and the designed level of the bottom of the buildings after the planned grading to achieve ADA accessibility goals? There appears to be an approximately six-foot difference in elevation between the handicapped parking area and entrance to the proposed buildings (see below, outlined in red). Note: The Recreation Commission does not support the relocation of the buildings.



Is there a possibility of utilizing a switchback path (see red outline, below) from the handicapped parking area to the bathhouse area to reduce the need for site grading to accommodate ADA accessibility?



Alternatively, is there a possibility of utilizing the accessible boardwalk path being proposed (shown in purple, below) from the handicapped parking area to the bathhouse area to reduce the need for site grading to accommodate ADA accessibility?



**Recommendation # 5 – Confirm Items Identified in 1/31/24 NRC Memo Have Been Addressed**

Rec and NRC look at the 5 considerations identified in NRC's memo to Rec, dated 1/31/24 (see attached) and make sure both boards are satisfied that the considerations have been or are being addressed.

**Recommendation # 6 – Evaluate Any Accommodations Needed for Food Trucks (if desired)**

If food trucks are a potentially desired amenity for the beach, determine whether food trucks contain their own source of power and water or whether access to additional power and/or water is desired. If so, determine the preferred location for parking a food truck and whether any additional power or water resources should be proximately sited. In addition, consider the impact such an amenity could have on litter and garbage at the beach and formulate a plan to proactively address any potential litter and garbage issues.