

To: Kevin Brander
Northeast Region
SC, Municipal Services and Wastewater Management
Massachusetts Department of Environmental Protection
Phone: 978.694.3236
Email: Kevin.Brander@State.MA.us

From: ProtectWayland.org

RE: Groundwater discharge permit application # BRP WP 83

Date: 19 August, 2020

Dear Kevin: Apparently Steven Zieff (AKA Eden Management) applied for a groundwater discharge permit for his planned apartment building project next to Pine Brook in Wayland – BRP WP 83.

This is a valuable and ecologically sensitive area, and we want to make sure you and your team have all of the data and expert testimony needed for your review of this application. Attached are five sets of documents covering:

1. FEMA ‘high risk’ flood zone issues at the site
2. Problems with the hydrogeo study and stormwater management plan
3. Pine Brook and environmental impacts
4. Threats from wastewater effluent
5. Letters from the West Suburban YMCA, OARs, Trout Unlimited and Temple Shir Tikva

Here is a summary of key issues:


- a. A FEMA “**high risk**” **flood zone** has been identified on the site and increased flood risks may pose a significant threat to public safety including to hundreds of children at YMCA Camp Chickami, a short distance downstream. The Applicant refused, however, to provide a standard flood zone study during Wayland Zoning Board of Appeals (ZBA) hearings, despite repeated requests to do so from the ZBA.

- b. Sewage effluent would ‘breakout’** (reach the surface) in a number of locations along Pine Brook, according to the Applicant’s hydrogeo study. Expert testimony and evidence showed that bacteria and viruses in this sewage effluent would create significant health risks, particularly to children at YMCA Camp Chickami who play in and around Pine Brook. The Applicant made no attempt to refute this expert testimony and evidence, and offered no mitigation measures.
- c. Pine Brook runs through the site** and is the #1 habitat for native Eastern Brook Trout in the entire Boston Metrowest area, according to the MA Fisheries & Wildlife. Expert testimony and evidence showed that chemical and biological contamination from the Project’s large septic leach fields, plus heavy excavation and the removal of tree cover will pose a serious threat to Pine Brook. This unique environment is a documented breeding area for native Eastern Brook Trout and is one mile upstream from Great Meadow National Wildlife Refuge, home to a number of endangered species. The Applicant made no attempt to refute this expert testimony and evidence, and offered no mitigation measures.
- d. The Applicant provided a defective hydrogeo study**, which is essential to assess the flow of ground water, storm runoff and septic effluent flow on the Site. Expert testimony and evidence showed that this hydrogeo study is based on defective and inaccurate data. Storm water infiltration was omitted from the Applicant’s hydrogeo model and study, although this is a significant factor on the Site.
- e. The large size of the project on this small site** drives problems with infill that would affect flood risk, runoff and the large septic leach fields that create health and safety threats. The Applicant refused, however, to reduce the number of units to match the size of the site and limitations needed to protect Pine Brook.
- f. Metrowest YMCA, Greater Boston Trout Unlimited, OARS and Temple Shir Tikva** submitted letters to the Wayland ZBA asking for this Application to be denied for the reasons summarized above.

Please contact me if you have any questions about these issues, related evidence or expert testimony. Additional research and evidence are available. Email is the best way to reach me:

MarkAllenHays@Gmail.com

Thank you for your service to Massachusetts!



Mark Hays for Protect Wayland

Attached:

1. Cascade 40B: Flood zone issues (3 documents)
2. Cascade 40B : Hydrogeo and stormwater issues (4 documents)
3. Cascade 40B: Pine Brook and environmental impacts (7 documents)
4. Cascade 40B: Septic effluent threats (5 documents)
5. Cascade 40B: Letters from the YMCA, OARs, TU and Temple Shir Tikva (5 documents)

CC: Wayland Planning Board, Zoning Board of Appeals, Board of Health, Conservation Commission, Town Administrator, ProtectWayland members