

Weston Conservation Commission - Public Meeting Minutes

July 7, 2020

Approved: July 21, 2020

Members Participating Joseph Berman (Chair), Alison Barlow, Cynthia Chapra (arrived at 8:30pm),
Rebecca Loveys, Ellen Freeman Roth
Members Absent Josh Feinblum, Rees Tulloss
Conservation Staff: Michele Grzenda

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order concerning imposition on strict limitations on the number of people that may gather in one place, this Conservation Commission meeting was conducted via remote participation using Zoom.com. The Town provided access to such meeting via a link to call in. No in-person attendance of members of the public was permitted, but every effort was made to ensure that the public could adequately access the proceedings.

7:40 p.m. Notice of Intent: Newton Street Drainage Improvements; S. Fogg, Weston DPW

The DPW is proposing to install drainage on Newton Street to reduce the drainage issues and road flooding occurring in the roadway in front of 83—85 Newton Street. Currently, there are no catch basins or other drainage controls in this area of Doublet Hill Road and Newton Street. The untreated stormwater runoff from Doublet Hill Road and the section of Newton Street south of Doublet Hill Road currently flows uncontrolled off the road at the low point and into an existing paved swale at the trail head and into the 100-foot buffer zone and 25-foot No Disturb Zone associated with the intermittent stream that is located along the MWRA aqueduct in this area. The stormwater flowing from the existing short, paved swale has created an eroded pathway in the off-road and down the slope.

The new drainage will include catch basins which will collect stormwater runoff from Doublet Hill Road and the section of Newton Street from Doublet Hill Road to approximately 54 Newton Street. The runoff will be collected in new deep sump catch basins and will be routed to a water quality unit before discharging to a flared end outlet onto a rip rap pad in a wooded/grassy area just off of the west side of Newton Street next to the MWRA Aqueduct. After discharging from the drainage outlet, the stormwater will flow overland in a mild swale next to the aqueduct for approximately 250' before crossing over the aqueduct through a 24" concrete culvert, to the Pinebrook golf course. The improvements in the post construction conditions include deep sump catch basins which will collect the road runoff, and the deep sumps will provide TSS removal. Hoods will also be installed in the new catch basins to prevent debris, oil, and floatables from flowing from the catch basin. The stormwater will then be routed through a water quality treatment unit to provide additional water quality treatment before discharging through a flared end section onto a rip rap protected area to prevent erosion.

In addition to the work associated with the drainage swale, DPW will re-grade an existing eroded walking path which is receiving stormwater runoff currently from the road. This grading is intended to repair the eroded pathway in the slope to make it more pedestrian friendly.

James Rabb, resident, felt that most of the stormwater coming from Doublet Hill comes from Possum Lane and wondered why the town does not try to correct the problem upgradient. Mr. Fogg explained that Doublet and Possum Road are private roads and the town has been unsuccessful at encouraging the Weston Roads Trust to do said improvements. Mark McCaughey, abutter, expressed concern about how much stormwater flows onto Newton Street currently and has been washing down his driveway.

MWRA 8(m) Permit #2523 dated 6/22/2020 issued to the Town of Weston Department of Public Works. The permit is for the drainage work within the Weston Reservoir Aqueduct – Adjacent to 49 Newton

Street, Weston, MA. Motion by Alison Barlow to close the hearing and issue an OOC approving the project, contingent upon a DEP file number; seconded by Ellen Freeman Roth roll call vote: each member responded Aye. Special Condition: After installation of stormwater system but prior to final paving of Newton Street, DPW shall observe water flow from Doublet Hill to ensure grading is sufficient to allow water flowing from doublet hill road flows toward the newly installed catch basins.

8:10 p.m. Notice of Intent: 34 Pond Brook Circle; J. Benedick (owner, absent); D. Schofield (Engineer)

The Applicant filed this Notice of Intent to construct a replacement septic system and an addition at 43 Pond Brook Circle. The existing cesspools are located in the back yard in close proximity to the BVW. A small addition (515 sf) and deck are proposed to be added to the north side of the dwelling approximately 35 feet from the nearest edge of BVW.

The septic system will be replaced as well. The existing cesspools, located in close proximity to wetland resources, will be pumped of their contents and filled with clean fill. Soil testing was conducted at the southwestern side of the property in attempt to place leaching facilities outside the buffer zone. The proposed system is a 4 bedroom with a new 1,500-gallon septic tank located just off the drive approximately 60 feet from the nearest wetland resource. New piping will be installed as well within the buffer zone. The leaching field will be located outside of the buffer zone as far from the resource area as practicable.

The Agent inquired whether the 6 hemlock screening trees located just north of the proposed addition were going to be removed. Mr. Schofield was not aware of any tree cutting. questions were raised regarding construction access to backyard. A mini-excavator will be used. A condition will be imposed required a pre-construction meeting to discuss how equipment will access the work area in the back.

Motion by Ellen Freeman Roth to close the hearing and issue an OOC contingent upon DEP File Number; seconded by Alison Barlow; roll call vote: each member responded Aye.

8:30 p.m. Request for Determination of Applicability; 36 Church St. L. Rui (owner); A. Kearney (Minglewood Designs)

The Applicant filed this Request for Determination of Applicability for landscaping work within the 100-foot Buffer Zone at 36 Church Street. Specifically, the applicant wishes to conduct landscaping in two previously developed areas. All work will take place at least 50-feet from the BVW. The first area is consisting of removal 5 dead/decaying trees with stump grinding only, removing non-native, invasive vegetation, planting a new native tree and 4 new native shrubs and repaving the existing driveway. The second area is along the northern edge of the house and driveway. Work here consists of removing 4 trees with stump grinding only; planting of 9 new native trees, and 3 new native shrubs; and rehabilitating an area of existing lawn and replacing another area with native pollinator perennials. Per the Fire Dept. requirements, the driveway will be slightly expanded to 14-feet. Erosion controls have been adjusted to wrap around the proposed vegetable garden along the eastern portion of the property. In addition, the work has been moved to the 100-foot buffer zone at this location. Motion by Ellen Freeman Roth to issue a negative 3 Determination of Applicability; seconded Alison Barlow; Roll call vote: each member responded Aye.

8:45 p.m. Cont. Notice of Intent: 71 Concord Road; A. Mei

The Applicant requested a continuance; Motion by Ellen Freeman Roth to continue the hearing to 7/21/20 at 8:30 p.m.; seconded by Alison Barlow. Roll Call Vote taken: unanimous.

8:80 p.m. Admin. Matters (these matters may happen any time during the evening)

1. Land Management Updates
 - The commission reviewed a proposal by Land Stewardship Inc. to manage and chemically treat 5 knotweed patches on conservation and municipal land – motion by Alison Barlow to approve the proposal and hire Land Stewardship Inc. to conduct the knotweed work; seconded by Ellen Freeman Roth; Roll Call Vote taken: unanimous
 - The Agent alerted the Commission of the need to fix a blocked culvert under fire road in Jericho Town Forest. The intent is to do the work this summer, during dry conditions.
2. Electronically Signing of Documents:
 - Request for Cert. of Compliance: 3 Shaylor Lane: motion by Ellen Freeman Roth to issue a Cert. of Compliance; seconded by Cynthia Chapra; Roll Call Vote taken: unanimous.
 - Emergency certification – Cherry Brook Beaver Dam Breach, east of Merriam Street; motion by Alison Barlow to ratify the Order; seconded by Cynthia Chapra; Roll Call Vote taken: unanimous.
 - 75 Cart Path; WCC re-signed a copy of formerly issued Certificate of Compliance so that it could be recorded.
3. (Alison Barlow Recused herself from the Commission for this matter) Request to waive mitigation plantings per WCC’s Tree Removal Policy - 22 Newton Street – Alison Barlow, owner, requested a waiver from the mitigation planting requirement. Specifically, Ms. Barlow has 4 trees that were either damaged from recent storm events or in decline. Since they are medium sized trees and they are located with the 25-No Disturb Zone, mitigation plantings of either one sapling or two native shrubs are required. Due to the forested nature of her property and the fact that the trees were damaged due to recent storms, she does not wish to plant the mitigation plantings. Currently the Commission’s Tree Removal Policy does not have specific provisions for waiving the mitigation planting requirements. Joe Berman suggested that we revisit the policy at our next meeting; Cynthia Chapra believes that if a tree is damaged by a storm event, mitigation plantings should not be required. Motion by Cynthia Chapra to waive that mitigation plantings normally required for 22 Newton Street’s tree removal request; seconded by Ellen Freeman Roth; roll call vote: each member responded Aye.
4. Approval 6/16/20 Con Com minutes; Motion by Ellen Freeman Roth to approve; seconded by Alison Barlow; Roll call vote; 4:0:1.
5. School Committee’s Kindness Rocks Project– The Conservation Office received an email on 7/2 which stated: “So far this year we have carried about 45 kindness rocks out of Jericho And Ogilvie. And disposed of them in the trash for the litter that they are. Is the town planning any and leave no trace education on the subject? It’s getting out of hand.” The Commission discussed the situation and it was their opinion that the kindness rocks are well intentioned and over time, the rocks will fade and become part of nature. Alison Barlow will ask the School Committee to take down the blog in hopes that amount of kindness rocks left on conservation land will be reduced.
6. Request for permitting opinion – 52 Gun Club lane requests to make their temporary construction access permanent. The WCC requested that the owner file an NOI with a surveyed plan in order to permanently keep the driveway.

Meeting adjourned at 9:40pm