

Weston Conservation Commission - Public Meeting Minutes

July 21, 2020

Approved: August 5, 2020

Members Participating Joseph Berman (Chair), Cynthia Chapra, Josh Feinblum, Rees Tulloss, Rebecca Loveys, Ellen Freeman Roth  
Members Absent Alison Barlow  
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.

7:35 p.m. Request for Determination of Applicability; 5 Warren Place; Nazda Alam

The Applicant filed this Request for Determination of Applicability for demolition of an in-ground swimming pool within the 100-year Flood Zone. The proposal is to demolish a pool, patio, and pool house and re-seed the area as lawn. Since the area is within the 100-year flood zone, the contractor will ensure that the elevation of the surface will not change. During the site visit, the property owner indicated that the pool house may remain. Motion by Rees Tulloss to issue a negative determination of applicability; seconded by Ellen Freeman Roth; roll call vote: each member responded Aye. Special condition: install a straw wattle on downgradient side of pool adjacent to stream

7:45 p.m. Request for Determination of Applicability; 709 Boston Post Road; D. Coors (landowner absent); Vito Colonna, Sullivan Connors Engineering

(Rebecca Loveys recused herself from this discussion as she is a direct abutter.)

The Applicant filed this Request for Determination of Applicability for demolition and reconstruction of a garage; a portion of the work is within the Buffer Zone. The new garage will match the footprint of the existing garage. The work also includes a small retaining wall to the side of the garage to reduce the amount of exposed foundation and sloped grading. Closest work to the BVW is 85-feet. Due to the steep slopes at the rear of the property, it is recommended that substantial sedimentation and erosion controls be used during garage demolition and reconstruction. Motion by Ellen Freeman Roth to issue a negative determination of applicability; seconded by Josh Feinblum; roll call vote: each member responded Aye (5:0:0). Special condition: prior to work the applicant shall install entrenched siltation fence and straw wattle on downgradient side garage area.

8:00 p.m. Request for Determination of Applicability; 500 Wellesley Street; N. Danforth.

The Applicant filed this Request for Determination of Applicability for brush clearing work within the 100-foot Buffer Zone and Riverfront Area. Specifically, the owner proposes to remove invasive brush along the western edge of the rock wall which borders the eastern property line. In addition, brush will be cleared along a fence line behind the house. Nothing over 4" diameter will be removed. The intention is to keep the area annually mowed to keep a natural meadow and keep invasive plants back.

Removal of invasive plants will improve the ecological integrity of the adjacent wetland. Motion by Rees Tulloss to issue a Negative Determination of Applicability; seconded by Ellen Freeman Roth; roll call vote: each member responded Aye. Special condition – the owner shall schedule a site visit between the

Conservation Agent and the Mowing Contractor prior to work in order to review the scope of the vegetation clearing.

8:13 p.m. - Proposed Amendments to WCC's Tree Removal Policy

Commission discussed a proposed waiver provision to be added to the Policy. Motion by Cynthia Chapra to approve the amendments to the tree policy; seconded by Josh Feinblum; roll call vote: each member responded Aye.

8:15 p.m. Request for Determination of Applicability; 30 Chiltern Road. Y. Turkcan

The Applicant filed this Request for Determination of Applicability for deadwood removal in the 100-foot Buffer Zone and Weston's 25-foot No Disturb Zone (NDZ). An intermittent stream exists along the southern boundary of the property. The stream is essentially a drainage ditch that is connected to an upstream wetland by an enclosed drainage system. Downstream of the property, the drainage ditch flows into another enclosed drainage system. The southern half of the parcel is located within the 100-foot buffer zone associated with a BVW / bank bordering on a stream. The proposed work includes removing a number of downed and leaning dead trees from the 100-FT buffer zone, including approximately 6 down or standing deadwood within the NDZ, in a currently wooded area. All equipment would remain on the roadway and the crew would cut up and remove or drag out the deadwood. The applicant has indicated that it is not his intention to expand his lawn area and only wants to clean up the downed and leaning deadwood for a neater appearance. It was the Commission's opinion that no deadwood should be removed from the NDZ. Motion by Rees Tulloss to issue a Negative Determination of Applicability; seconded by Cynthia Chapra; roll call vote: each member responded Aye. Special conditions include: (1) no deadwood shall be removed from the NDZ; (2) The Commission will allow the owner to cut the flagged leaning dead trees for safety reasons; (3) the owner shall ensure that the contractor minimizes ground disturbance and deadwood/leaf litter shall remain within the NDZ; (4) the owner shall arrange a pre-tree clearing site visit between the Agent and the tree contractor to review the approved scope of work.

8:30 p.m. Cont. Notice of Intent: 71 Concord Road; A. Mei (owner); R \*\* (Oxbow Associates)

The Applicant has filed this Notice of Intent for the demolition of an existing garage, construction of new garage and deck, and driveway paving within the 100-foot Wetland Buffer Zone. In addition, the Applicant is seeking approval of an after-the-fact installation of a septic system within the 100-foot Buffer Zone.

The applicant proposes to demolish the existing detached garage within the 25-foot wetland buffer zone and construct a new garage within existing lawn, closer to the house. Following the construction of the new garage, a portion of the existing lawn and existing gravel driveway will be paved to allow access to the new garage. Additionally, the Applicant proposes to construct a new set of steps to the front of the house and move the existing bulkhead to the basement so that a new deck can be constructed off the rear of the house. Due to the configuration of the lot and the location of the wetlands on either side of the yard all work will occur within the 50-foot BVW buffer zone.

The existing garage is approximately 22 x 20 feet, totaling approximately 450 square feet. A portion of the existing garage (approx. 139 SF) is also located within the 25-foot No-Disturb Zone (NDZ) to the BVW. A corner of the garage is 14-feet from the wetland edge. The applicant has proposed to raze the existing garage and remove a portion of the existing gravel driveway. Following the demolition and removal of debris the former garage and the gravel driveway areas are proposed to be restored to either grass or natural buffer zone.

- Approx. 1,350 SF will be restored with native wetlands plants (witch hazel, highbush blueberry, and sweet pepperbush).
- Approx. 420 SF will be loamed and seeded with a seed mix

The new garage will be constructed closer to the house, within existing lawn, which will consolidate disturbance within the inner Buffer Zone on the property and will occupy previously altered landscape. The new garage is approximately 24x25 feet, totaling 600 SF. The proposed construction will place approximately 63 s.f. of the garage within the 25-foot NDZ, a reduction of approximately 45 SF. An NDZ variance request is included in this filing for proposed work within the NDZ. The closest distance from the proposed garage structure to the wetland is 17 feet. Although there will be impacts to the NDZ, the Applicant does not believe there will be significant impact to the wetland's function or values because the work will occur within already existing lawn.

Proposed driveway improvements: The applicant proposes to convert an existing gravel driveway – as sub-base, to asphalt. This will result in 524 s.f. of new asphalt in the NDZ. As mitigation, the Applicant proposes to restore 1,350 s.f. of altered buffer zone where the former garage was located; the area will be planted with 24 native plants, loamed and seeded with an upland restoration seed mix, and demarcated with boulders.

After the fact Septic System Discussion – last summer, a new septic system was installed partially within the 25-foot wetland buffer before the wetlands were delineated. Because the wetlands on the property are an Outstanding Resource Water (ORW), the Applicant's Septic System Installer is working to identify proper mitigation to reduce impacts to the ORW. The Applicant has reached out to Cambridge Water Department, DEP, and the Weston Board of Health and are anticipating a discussion on possible solutions.

The following questions/concerns were raised:

- The driveway is located along the wetland edge. What deicing alternatives does the applicant propose to use on the driveway?
- The applicant has indicated that the existing gravel driveway will not be removed and instead, will be used as a base for the driveway pavement. The pavement cross section shows that the driveway will have a top course, binder course and gravel base totaling approximately 12 inches in depth. What amount of excavation will be required during the driveway installation to achieve the proposed finished grade?
- The driveway runoff appears to be directed towards the wetland area. How does the applicant propose to manage/treat stormwater from the driveway?
- Are there alternatives to paving this portion of the driveway within the NDZ? Would gravel be better for the wetland?
- Describe how the contractor will protect the pipe (which connects both wetlands) during construction
- Consider additional strip of buffer plantings along the wetland edge (b-series) near the leaching field. Figure out how much room there is b/w the leaching field and edge of shrubs and replace that area with native plants/shrubs.

Motion by Josh Feinblum to continue the discussion to 8/4/20 at 7:50 p.m.; seconded by Ellen Freeman Roth; roll call vote: each member responded Aye

9:30 p.m. Admin. Matters

1. Land Management Updates
  - Lots of trees down on field edges
  - Only one resident complaint about conservation land tree down on private driveway near Hitching Post Lane (WCC's contractor removed it).
2. Electronically Signing of Documents - Motion by Cynthia Chapra to issue Certificates of Compliance for the following projects:
  - Cert. of Compliance: 3 Driftwood (337-1353)
  - Certificate of Compliance – 49 Lawrence Road
  - Re-sign Certificate of Compliance – 55 Radcliffe Road (337-1108)

The motion was seconded by Ellen Freeman Roth; roll call vote: each member responded Aye.
3. Motion by Ellen Freeman Roth to approve the 7/7/20 Con Com minutes; seconded Josh Feinblum; Roll Call Vote taken: unanimous.
4. Update on Dogs and Leash Order during Covid-19 – Leash order remains in effect
5. Next Conservation Commission Meeting: August 4, 2020
  - 7:35 p.m. – 137 Hickory Road
  - 8:00 p.m.- 0, 518, 540 South Ave

Meeting adjourned at 9:40 p.m.