

Weston Conservation Commission - Public Meeting Minutes

August 4, 2020

Approved: August 18, 2020

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

7:30 p.m. Admin. Matters

1. Opportunity for Public Comment – A resident expressed a concern that due to the tropical storm, some residents lost power and may not be able to virtually attend this meeting. She encouraged the Commission to postpone any controversial hearings scheduled for this evening.
2. Land Management Updates
 - o kiosks were installed/replaced at Sears Land, Cat Rock, and Burt Field

7:35 p.m. Notice of Intent: 139 Hickory Road; M. Starrett (owner); A. Jones; Engineer

The Applicant filed this Notice of Intent to construct a replacement single family home at 139 Hickory Road. A finger of wooded BVW extends from a large area of shallow marsh wetland situated to the southeast, westward along the south site border. Approximately 60% of the existing house is located between the 50' Buffer Zone and 100' Buffer Zone. Approximately 490± SF of the existing driveway area is located within the 25-foot No Disturb Zone (NDZ). There is also a 3-foot wide grass strip along the shoulder of the south side of the driveway. Approximately 105 LF of this grass strip is also located within the 25' NDZ.

The Applicant proposes to demolish the existing house and driveway. A new house, soil absorption system, stormwater infiltration gallery, electric line, signal and gas service utilities, asphalt driveway, retaining wall, stone path and patio will be constructed. The proposed house will be located roughly in the same location of the existing house however the new driveway will be located on the north side of the house and completely outside of the 100' Buffer Zone. Work will also include site grading, landscaping and restoration of approximately 805± SF (490 + 315) of degraded NDZ in accordance with the No Disturb Zone Restoration Plan included in the Site Plan with several the following agreed upon modifications incorporated. The Agent indicated that the (2) proposed Canadian Bunchberry should be replaced with two (2) Highbush Blueberry as the Canadian bunchberry is a groundcover plant and not a shrub. Five (5) additional native shrubs should be incorporated into the restoration plan, resulting in a total of fifteen (15) native shrubs to be planted. The retaining wall proposed on the south side of the house is intended to create a side yard in the area where the existing driveway is located. The area between the south side of the retaining wall and the NDZ is proposed to be graded at a 3:1 slope. The applicant has agreed to plant native or wildflower seed mix in this sloped area along the length of the proposed retaining wall. Proposed erosion and sedimentation control consist of silt fence and 12" diameter straw wattle.

Motion by Cynthia Chapra to close the hearing an issue an Order of Conditions approving the project; seconded by Ellen Freeman Roth; Roll Call Vote taken: unanimous.

7:50 p.m. Cont. Notice of Intent: 71 Concord Road; A. Mei

The Applicant has requested a continuance until August 25, 2020; motion by Josh Feinblum to continue to 8/25/20 at 8:15 p.m.; seconded Ellen Freeman Roth; Roll Call Vote taken: unanimous.

7:55 p.m. - Approval 7/21/20 Con Com minutes

Motion by Cynthia Chapra to approve the minutes; seconded Josh Feinblum ; roll call vote: each member responded Aye.

8:00 p.m. Notice of Intent: 0, 518, and 540 South Ave; Hanover R.S. Limited Partnership

The Applicant filed this Notice of Intent for the construction of a 5-story, multi-family residential building, which will include a courtyard, parking garage, and a separate on-site sanitary wastewater treatment system. A portion of the work will occur within 100-feet of Wetland Resource Areas.

The Chair requested the applicant continue this meeting until August 18, 2020 due to the tropical storm and emails received by members of the public indicating that they have lost power and are unable to virtually attend this meeting. The applicant consented. Motion by Cynthia Chapra to continue the NOI hearing to 8/18/20 at 7:30 pm.; seconded by Josh Feinblum; Roll Call Vote taken: unanimous.

8:10 p.m. Admin. Matters

1. The WCC received the resignation from Dickson Riding Ring Volunteer Coordinator (DRRVC) and recommendation to appoint Paula Nicholas as new DRRVC. Motion by Cynthia Chapra to appoint Ms. Nicholas; seconded by Josh Feinblum; Roll Call Vote taken: unanimous.
2. Review and discussion of the Covid-19 Leash Order: The Emergency Management Team (EMT) has asked the Conservation Commission to consider relaxing the COVID leash order. After receiving and reviewing numerous email correspondence from residents as well as Covid-19 leash orders of our neighboring towns, the Conservation Department along with the Animal Control Officer and President of the Friends of Weston Reservoir suggested that the Conservation Commission recommend that the leash order be lifted from 6-11 am both on weekdays and weekends at all Conservation Land. The group considered removing the leash order at only some properties but was reluctant because there is concern that this would increase density at those properties. Additionally, this suggestion is relatively simple for dog walkers to follow and is enforceable. Discussion ensued. Paul Penfield requested that any message sent out by the EMT and/or Conservation Commission make it very clear that short leashes are still required on the Rail Trail, per DCR rules. Resident, Terry Eastman, expressed concern that many people are not wearing masks, and she would prefer that dogs remain on leash. She is concerned that by relaxing the dog leashing rule that even more people will not wear masks. Resident, Sonya Nersessian from 3 Young Road is in favor of lifting the leash order. Motion by Josh Feinblum to recommend the following to the Emergency Management Team: The Commission supports the idea of allowing off-leash dogs (under voice command) b/w the hours of 6-11 a.m., 7 days/week; however, the Commission suggested reinstating the leash order should MA revert back to Phase II. In addition, any messaging sent out by the Town should remind people that dogs must always remain on a short leash while using the Rail trail per DCR rules. The Motion was seconded by Cynthia Chapra; Roll call vote unanimous. The Commission recommends that the EMT coordinate publicizing whatever decision they make with the Conservation Department Staff and Animal Control Officer so that appropriate signage can be prepared for the launching of any new Rules/message.
3. Electronically Signing of Documents:
 - o Motion by Josh Feinblum to re-sign the Cert. of Compliance for 385 Highland Street, as requested by the landowner (since the original was lost); seconded by Alison Barlow; Roll Call Vote taken: unanimous

9:00 p.m. Notice of Violation – 21 Westerly Road – Vikram Deswal

On July 23, 2020, the Conservation Office was alerted to extensive clearing and cutting occurring at 21 Westerly Road. The Agent issued a Notice of Violation and the landowners immediately stopped clearing. Although a 2006 wetland plan shows extensive wetlands on the property, it appears the area is much drier than it historically was. The owner is in the process of hiring a wetland scientist and plans on updating the Commission by September 8th.

Meeting adjourned at 9:20 p.m.