

Weston Conservation Commission - Public Meeting Minutes

October 6, 2020

Approved: October 20, 2020

Members Participating Joseph Berman (Chair), Alison Barlow (arrived at 7:50pm), Cynthia Chapra, Josh Feinblum, Rebecca Loveys Rees Tulloss
Members Absent 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. The Agent updated the Commission on the number of emails she has received regarding a request to the EMT to lessen the Covid-19 Leash Order; The EMT requested the WCC opinion on the matter. It was the commission's opinion that the town should continue the current Covid-19 Leash Order until the State moves into Phase III.

7:35p.m. 52 Gun Club Lane (DEP# 337-1388); B. Blancha (owner); B. Doyle; Doyle Engineering

The Applicant proposes to convert an existing temporary construction access road to a permanent driveway for 52 Gun Club Lane. There is a wetland located on the east side of Gun Club Lane, across the street from the subject property. The proposed paved driveway will vary in width from 12 to 14 feet. The applicant also proposed a grass lined drainage swale along the north side of the driveway that would direct drainage from the majority of driveway to two proposed stormwater basins. Drainage from the lower 120 linear feet of the driveway will sheet drain towards the roadway. Approximately 1,370 square feet of the paved driveway is located within the 100-foot Buffer Zone. Of this area, approximately 170 square feet of the paved driveway is located within the 25-foot No Disturb Zone (NDZ). Proposed erosion and sedimentation control consist of silt fence and wood staked 8" silt sock. Drainage calculations for proposed infiltration basins have been submitted to the SWPA for review.

Approximately 80 linear feet of the proposed driveway closest to Gun Club Lane is shown as being located within the Town of Weston Wetlands and Floodplain District, drawn on the plans as a line offset 75' from the wetland line. The Applicant has reached out to the Town Planner to determine whether the proposed work will require a Special Permit for activities located within the Town of Weston Wetlands and Floodplain Overlay District.

Motion by Rees Tulloss to close the hearing an issue an Order of Conditions approving the project; seconded by Cynthia Chapra; roll call vote: each member responded Aye.

7:50 p.m. Notice of Intent, 154 Winter Street (DEP# 337-1389); B. Corson (homeowner); D. Cowell (wetland scientist); Angie Verge, Kerry Lewis Landscape Architecture.

The Applicant has filed this Notice of Intent for proposed landscaping improvements at 154 Winter St. A portion of the work lies within portions of the proposed work are located within Riverfront Area, Bordering Land Subject to Flooding, the 100-foot Buffer Zone to the BVW, and the 25' No Disturb Zone.

The Applicant proposes to replace the front porch/stairs into the house, replace the front walkway with a bluestone walkway, repair and modify a degraded existing non-conforming stone terrace at the rear of the house, install a safety fence around the home facing perimeter of the pond, and two circular bluestone sitting areas in the front of the house. The proposed plan also includes an extensive landscaping plan along the perimeter of the pond and surrounding the house. Proposed work impacts the Riverfront Area, Bordering Land Subject to Flooding, and the 25' No Disturb Zone. All work lies within the 100-foot Buffer zone to the BVW. Work located between the rear of the house and the pond is located within both the 25-foot NDZ and the Land Subject to Flooding. The 200-foot Riverfront area covers the northern portion of the lot, therefore a large percentage of the work in the front and rear yard are located within this area.

Terracing at the rear of the house is located within the 100-year floodplain. The existing grade of the proposed terracing will be held to occur at or below the existing grades detailed on the existing conditions plan. The proposed stone terrace is located within the 25-foot NDZ. 158 square feet of new impervious is proposed within Riverfront Area. Additionally, the applicant proposes the installation of a safety fence along the perimeter of the pond. The Applicant has young children and would like to prevent access to the pond to abate any risk of drowning. The safety fence has been designed with no less than 6-inches of space between the ground and fence to provide continued wildlife passage for small mammals, reptiles and amphibians. The fence posts will be hand-dug.

As mitigation, the Applicant is offering to remove an existing debris pile located at the edge of the pond and provide 238 square feet of wetland restoration to a disturbed area abutting the pond (near WA 106-107 through invasive species removal and native species planting to provide additional native vegetation cover and diversity within the NDZ.

The Commission inquired about the location of the proposed walkway to the pond. The applicant indicated that they would like to install stepping stones to allow access to the pond edge. The Commission requires field verification of the proposed path area prior to installation.

Questions were raised regarding proper oversight of the work within 25-feet of the pond. The Applicant indicated that Ms. Verge will be overseeing the project management and she agreed to monitor erosion controls and any work within the NDZ.

The Commission finds that the close proximity to the pond creates a safety risk and therefore has allowed the fence as discussed to be installed along the western edge of the pond, closest to the house.

The Commission requires the restoration plantings be monitored for two growing seasons and asked what type of maintenance would be required of the naturally restored buffer area. Ms. Verge will submit a memo that describes the long-term maintenance to be reviewed by the Commission.

Motion by Cynthia Chapra to close the hearing and issue and order of conditions approving the project; motion seconded by Rees Tulloss; roll call vote: each member responded Aye

Special conditions to require the as-built plan show topography of the new terrace and patio area to ensure there was no filling of BLSF; The applicant shall monitor the restoration areas for 2 years; an environmental monitor shall be hired by the property owner to oversee all work along the pond edge (plantings, walkway installation, fence installation).

8:10 p.m. Cont. Notice of Intent: 71 Concord Road; A. Mei (owner); Jay Thrasher, Septic Engineer, Ron Strohsahl 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 reviewed the revised plan dated 9/25/20. The revised plan shows the as-built top. The Board of Health reviewed the septic design earlier in the day and approved the project with the conditions that the owner places a garbage grinder deed restriction and inspects the pumps the tank annually. As additional mitigation for placing the septic system so close to the wetland, the Applicant proposes to plant 12 highbush blueberry bushes as shown on the plan (near wetland flags B2-B4).

Mr. Strohsahl reviewed the work associated with the driveway improvements. The proposal is to convert a section of the existing gravel driveway to asphalt. The gravel driveway will not be removed. It is the applicant's intent is to simply add a binder and top coat on top of the gravel driveway. It was the engineers' opinion that the existing gravel will be compacted down and the pavement asphalt will be placed on top. The driveway will be pitched to the east, toward to the back-lawn area, thus reducing any sediment and stormwater flow from directly entering the wetland. In order to prevent chemical or sand/salt accumulation in the nearby wetland, Mr. Strohsahl does not recommend using any deicing methods other than plowing, and using shovel/snow blower to clear snow/ice from the driveway. As the driveway is within the 25-foot buffer for the majority of its length we propose that no deicing alternatives be used to protect the wetland's functions and values.

Mr. Strohsahl reviewed the driveway surface options considered and ultimately determined an asphalt driveway was most practicable.

Mr. Strohsahl described how the contractor will protect the pipe (which connects both wetlands) during construction. Removal of the existing garage may require driving some machinery over the existing gravel driveway where the pipe travels underground. No damage to the pipe is expected because of this work. Prior to any work occurring on the construction of the new garage portions of the existing pipe will be exposed using hand tools.

Regarding the monitoring of the restoration area associated with the garage construction, the area will be monitored for 2 years.

Commission member Rees Tulloss requested confirmation that should the pipe is broken during construction, that the pipe will be removed and replaced with a PVC pipe of similar diameter, and kept at the same elevations. The applicant agreed to do this.

Mr. Tulloss also asked for confirmation that no stormwater from the driveway will run directly toward the wetlands. The Agent suggested that spot grades be shown on the as-built to confirm the stormwater will flow in the correct direction prior to issuance of the Cert. of Compliance

It was the commissions opinion that the WCC can grant a waiver for work in the NDZ due to the fact that existing garage to be demolished is currently in the NDZ, the zoning setbacks on the property preclude the new garage to be placed outside the NDZ, and the applicant has provided appropriate mitigation in the form of buffer zone restoration plantings of previously disturbed NDZ.

Motion by Cynthia Chapra to close the hearing an issue an Order of Conditions approving the project; seconded by; seconded by Josh Feinblum; roll call vote: each member responded Aye.

8:58 p.m. Cont. Notice of Intent: 0, 518, and 540 South Ave; Hanover R.S. Limited Partnership

The Chair opened the continued Notice of Intent hearing 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.

Discussion on the search for an additional independent peer reviewer ensued. Seven Request for Quotes were sent out to various consulting firms and all those firms declined to submit cost estimates. The Applicant and legal teams from the resident groups suggested additional companies to reach out to. The Agent will send out another request and it is anticipated that at the next meeting, the WCC can choose a firm. After the firm is chosen, the hope will be that the WCC can set up a deadline for the various parties to submit any additional information to consider.

Mr. Hill suggested the WCC reach out to the Town Engineering dept. to see if they can review the project from an engineering perspective and provide comments. The Agent received clarification on the Fire Department's letter – The Chief confirmed that he will accept a reduction to 14-feet wide for the first 280 linear feet (where the access road is within 25-feet of the wetland edge).

The Agent reviewed an email from Ms. Revers on 10/5/20 requesting whether the commission asked the applicant to conduct additional survey work. She received a letter from the applicant indicating that his team may need to access abutting properties to collect said additional survey work. Mr. Berman confirmed that the WCC asked for some additional work be conducted. Jonathan Buchman indicated that his team will not need to access abutting properties.

Mr. Hill requested the back-up documentation of the mod-flow data, the data file with underlying inputs and outputs.

Marta Kuzmiak, abutter 214 Winter Street – has concerns regarding the amount of stormwater and wastewater and its impact to the nearby wetlands. What mitigation plans are in place in case the Blaney aquifer and private wells are degraded as a result of this project? What effect if any will the increase of wastewater and stormwater have on the MetroWest Tunnel? The Applicant responded that they are already looking into the first two questions – the applicant will add the question about whether impacts will occur to the MetroWest tunnel to their future response letter.

Motion by Josh Feinblum to continue the hearing to 8:45 p.m. on 10/20/20; seconded by Rees Tulloss; roll call vote: each member responded Aye.

9:30 p.m. Admin. Matters, Cont.-

Electronically Signing of Documents

- 250 Boston Post Road – Extended Order of Conditions; Motion by Cynthia Chapra to issue; seconded by Rees Tulloss; Roll Call Vote taken: unanimous.
- Ratify Emergency Certificate – Beaver Dam Breaching near Merriam Street; Motion by Josh Feinblum to sign; seconded by Rees Tulloss; roll call vote: each member responded Aye.

Town Signage Working Group Update – Commission requested the Agent reach out and gather input and report back to the WCC.

Land Management Updates -

- Rees Tullos completed repairs of the Troll Bridge at College Pond

- Proposed improvements to Hemlock Pond Trails. The Agent reviewed proposed trail improvements proposed by WFTA. Discussion ensued. Alison Barlow expressed concerns about the amount of work being proposed. In particular she was concerned about bringing in fill and adding a granite curb near Hemlock Pond. Rees suggested that a site visit be conducted prior to approving this work. The Commission indicated they are ok with WFTA replacing the existing bridge in approximately the same footprint. Debbie Howell, Conservation Assistant will schedule a site visit before the next com meeting and the discussion will be continued to 9:30 p.m. on 10/20/20.
- Request for access Green Power Farm to conduct tree work on private property – The WCC authorized the Agent to coordinate access with the tree companies; additional approval shall be sought by the Select Board as Green Power is under their jurisdiction.

Request for WCC to reconsider mowing old conservation land field behind Webster Road

Last year, the WCC decided to cease mowing a small conservation land field behind 11 Webster Road. The reason for abandoning the field was due to difficult access and the fact that over the years, the field has shrunk to under .4 acres due to invasive plants. As a result, the Commission determined that the limited mowing funds could be better used elsewhere. This summer, the abutter, Mr. Larkin, expressed concerns about this un-mowed field on conservation land and requested the Commission reconsider this decision. The Larkins indicated that their house is approximately 20 feet from the conservation land, and that animals bed down in this now high grass, which they feel is too close to their home. It is their opinion that the town has created a pronounced safety risk for them. The Commission indicated that due to budget reasons, the commission decided to relinquish mowing this field, Mr. Larkin will request an estimate from Mr. Anza on the cost to mow this field and will report back to the Commission. on a cost estimate with Jim Anza.

Damage to Louisa's Wall – Case Estates – In September, an approximate 15-foot by 8-foot section of Louisa's Wall, crumbled. Louisa's wall is a 10-foot high free-standing wall that straddles the property of the Case Estates and Mr. Mannix Property (101 Wellesley Street). Mr. Mannix emailed the Conservation Commission when the wall crumbled wondering how to proceed with the repair. Mr. Mannix received a cost estimate from Brickstone Landscape Design and the repair will cost \$6,500. Discussion ensued. The Commission granted Mr. Mannix permission to fix it; If Mr. Mannix wishes for the Commission to share the cost, it will be a more complicated and cumbersome process.

Resurfacing of a Tennis Court, 14 Byron Road - The Commission reviewed a memo dated 10/6/20 from Water Street Design Associates. The work entails existing base layer to be repaired and recompact; tennis court to be resurfaced; and all existing fencing and posts will be protected and reused. Approximately half of the tennis court exists within the 100-foot buffer zone. The Commission voted to approve the work administratively with the condition that the owner contact the Agent to inspect the erosion control prior to work.

Next Conservation Commission Meeting: October 20, 2020.

Meeting adjourned at 10:35 p.m.