

Weston Conservation Commission (WCC) - Public Meeting Minutes

January 4, 2022

Approved: January 18, 2022

Members Participating: Joe Berman (Chair), Rees Tullos, Ellen Freeman Roth, Alison Barlow, Becca Loveys

Members Absent: Cynthia Chapra, Josh Feinblum

Conservation Staff: Jordan McCarron

Notes: Pursuant to Chapter 20 of the Acts of 2021, which includes an extension of Governor Baker's March 12, 2020 Order Suspending Certain provisions of the Open Meeting Law, G.L. c. 30A, §18, this meeting was held via an online meeting platform (Zoom). No in-person attendance of members of the public was available.

Joe Berman (Chair) opened the meeting at 7:30 p.m. with an opportunity for public comment.

Julie Hyde, 487 Wellesley Street, thanked the Conservation Commission for its stewardship of Wellington Farm over the previous season.

The following Administrative Matters were taken up first; Alison Barlow joined the meeting at 7:40 p.m. and was not present for the first three motions:

A motion to approve the minutes from 11/30/21 was made by Rees Tulloss; seconded by Ellen Freeman Roth. Roll call vote 4-0.

A motion to approve the minutes from 12/14/21 was made by Rees Tulloss; seconded by Becca Loveys. Roll call vote 3-0-1 (Ellen Freeman Roth abstained).

A motion to re-issue a Certificate of Compliance for 27 Carroll Drive, DEP 337-0268 was made by Ellen Freeman Roth; seconded by Rees Tulloss. Roll call vote 4-0.

The following hearings and meetings were taken up in order:

Proposal for Cedar/Juniper Farm on Conservation Land: Weston Forest & Trail Association.

Joel Angiolillo, President of the Weston Forest and Trail Association (WFTA), presented a proposal to establish one or more Eastern red cedar groves on Town Conservation Land for the purpose of providing sustainable, rot-resistant lumber for trail improvement projects.

He suggested three potential sites: The Sears Conservation Area in the area of Land's Sake's Christmas Tree plantation, the Nolte Town Forest downhill of Sunset Corner, and Town Line Field in the Jericho Town Forest.

Rees Tulloss suggested consulting with Brian Donahue to locate a site with the best soil suitability for cedar/juniper.

A motion to approve the Weston Forest and Trails Association proposal to establish a cedar/juniper grove on Town Conservation Land pending a written report with the final site selection and project narrative no later than June 1st, 2022 was made by Ellen Freeman Roth; seconded by Becca Loveys. Roll call vote 5-0.

Notice of Intent: 162 Winter Street: 337-1432; K. Zhao

Vito Colonna, Connorstone Engineering, Inc, provided an overview of the project which includes three small additions to the existing house plus a deck off the rear of the house and reconfigured walkways at the front of the house. The work will also include a new septic system located to the front of the house. Of this work, only the rear addition and deck are located within the 100-foot buffer zone. The work area is currently existing lawn and no additional tree clearing is required. No work is proposed within the 25-No Disturb Zone and the closest distance between the Bordering Vegetated Wetland and the proposed work area is 50 feet. Sedimentation and erosion controls (10" straw wattles and silt fence) are proposed along the downgradient limit of work.

The Commission previously issued an Order of Conditions for this project at its 11/30/21 meeting; however, the Notice of Intent was reopened due to failure by the applicant to properly notify abutters.

Larry Roth, 42 Sylvan Lane, expressed concern about the degradation of the wetland complex in this area, noting specifically that he had observed yard waste dumping into the wetland by several abutters along Winter Street and Sylvan Lane. Jordan McCarron and Rees Tulloss suggested that Mr. Roth contact the Conservation Office to relay these concerns more specifically, noting that the Conservation Commission relies on residents to provide this type of information.

A motion to close the Notice of Intent hearing for 162 Winter Street, DEP 337-1432, and issue an Order of Conditions was made by Rees Tulloss; seconded by Ellen Freeman Roth. Roll call vote 5-0.

Notice of Intent: 217 Summer St, DEP 337-14XX; Howe Development Corp.

Robert Melvin, Stamski and McNary, Inc., provided an overview of the project on behalf of the applicant, which involves the following improvements to the existing single-family home: construction of a new deck, two balconies, and an extension to the existing attached garage. The existing septic tank is proposed to be removed and replaced to accommodate the construction of the new deck. In order to access the southern backyard, the existing steps from the driveway are proposed to be razed and replaced with grading of fill on a 1.5 to 1 slope. A 324 square-foot driveway extension is proposed to the south of the main existing driveway with a 9-foot retaining wall. The proposed balconies on the northern face of the house will be repaired and reconstructed without the use of heavy equipment. A siltation barrier (either a 12-inch filter mitt or haybale and silt fence) is proposed at the down gradient limit of work. All work is located within the 200-foot Riverfront Area to Meadow Brook. The proposed deck and garage addition are also located within the 100-foot buffer zone.

Rees Tulloss pointed out that the footings for the front balconies, including the retaining wall on the front side of the house, appeared to be eroding and degraded and suggested the applicant consider including those repairs under the current proposal.

Jordan McCarron pointed out that the project needs to meet the Riverfront Area performance standards for redevelopment, specifically 310 CMR 10.58(5)(e), and that the applicant needs to provide more information and detailed plans on how the project will provide restoration of degraded area at a ratio of 1:1 for the additional 800 sq. ft. of degraded area being proposed.

David Howe, Howe Development Corporation, suggested several areas on the property that would be good candidates for restoration, including a pea stone patio area in the backyard of the residence and the sloped areas around the proposed driveway expansion.

Jamie O Connell, Cambridge Water Department, pointed out that the property's Riverfront Area is tributary to the Stony Brook Reservoir. Because of this, she requested that the Conservation Commission interpret the restoration requirements under 310 CMR 10.58(5)(e) more strictly, pointing out that the definition of

“degraded” within the Wetlands Protection Act requires the “absence of topsoil” and thus, any proposed restoration must be in an area that meets this definition.

Mr. McCarron and Ms. O Connell agreed to meet with Mr. Howe at the site and evaluate the areas being proposed for restoration. Mr. Howe would then need to submit updated plans, including a detailed restoration plan, for review by the Commission.

A motion to continue the Notice of Intent hearing for 217 Summer Street, DEP 337-1432, to January 18th at 8:30 pm by request of the applicant by Ellen Freeman Roth; seconded by Rees Tulloss. Roll call vote 5-0.

Notice of Intent: 355 Highland Street, DEP 337-1435; N. Keramaris

Nathanial Cataldo, Stamski and McNary, Inc, provided an overview of the project on behalf of the applicant, which involves the removal of the existing dwelling and construction of a new single-family dwelling and its appurtenances. Proposed work within 100’ of a BVW includes grading associated with the construction of the proposed dwelling, construction of a portion of steps with retaining walls, construction of a subsurface drainage structure and associated drain lines, construction of a fence, and tree clearing as well as invasives removal and replanting. A siltation barrier (12-inch filter mitt and silt fence) is proposed along the downstream limit of work line to prevent indirect alteration of the resource area during construction. A dewatering still to provide an area for construction dewatering to be pumped is proposed within the 100-foot buffer zone. No work is proposed within the Weston Conservation Commission’s 25-Foot No-Disturb Zone. This lot abuts land owned by the Weston Forest and Trails Association.

The project will go before the Planning Board for Residential Site Plan Approval with a hearing scheduled for mid-March 2022.

David Jay, the landscape designer for the project, provided a description of the landscape plan for the project, which includes a mulch walking path within the Buffer Zone and the need for extensive invasive plant work. Rees Tulloss commented on the immense *Asiatic* bittersweet population on the property.

Rob Nahigian, 365 Highland Street, expressed concern for the potential loss of privacy between his property and the subject property and requested more information about the tree removal proposed for the site. Mr. Cataldo explained that a full tree survey and tree removal plan for the property was forthcoming.

Mr. Nahigian also expressed concern that the project might encroach on the adjacent Weston Forest and Trail Association (WFTA) land. Kristin Dykema Barbieri, WFTA Trustee, agreed to meet with Mr. Nahigian and the property owner, Nicholas Keramaris, to locate and flag the corner bound of the WFTA lot.

The Commission and Mr. Cataldo agreed to continue the hearing to March 1st to allow time for Planning Board and stormwater review and comments, with the potential to continue further into March if substantial revisions to the current plans were needed.

A motion to continue the Notice of Intent hearing for 355 Highland Street, DEP 337-1435, to March 1st, 2022 at 7:30 pm at request of the applicant was made by Ellen Freeman Roth; seconded by Rees Tulloss. Roll call vote 4-0 (Becca Loveys did not vote on this motion).

Notice of Intent: 51 Cedar Road, DEP 337-1434; G. Robinson

Rob Gemma, MetroWest Engineering, provided an overview of the project on behalf of the applicant which involves the construction of three (3) additions to the existing house, installation of a new stormwater management system, construction of a subsurface sewage disposal system to replace a failed system,

construction of a new driveway and improvements to hardscaping and landscaping. The additions consist of a 1,384 SF addition proposed at the front of the house, a 509 SF addition at the rear of the house, and a 169 SF addition connecting the existing house to the existing garage.

All of the proposed work lies within the 200-foot Riverfront Area of Meadow Brook and will need to meet the Riverfront Area Redevelopment Performance Standards under 310 CMR 10.58(5)(e), which requires restoration of degraded area at a ratio of 1:1 for all proposed impervious area beyond what currently exists. In the case of this project, Mr. Gemma's proposal would increase the total degraded area on site by 2,540 square feet.

The proposed infiltration system will fall within the 100-foot Wetland Buffer Zone of the southernmost Bordering Vegetated Wetland. No work is proposed within the 25-foot No Disturb Zone.

Seven (7) trees are proposed to be removed within the 200-foot Riverfront Area, four (4) of which will require mitigation through the Commission's Tree Removal Policy. Mr. Gemma pointed out that the landscape plan for the project includes eleven (11) trees.

Christopher Shirazi, landscape designer for the project, provided a brief overview of the landscape plan for the project, which includes all native plantings and approximately 20,000 square feet of habitat meadow to replace existing turf lawn.

Jamie O Connell, Cambridge Water Department, pointed out that the property's Riverfront Area is tributary to the Stony Brook Reservoir. Because of this, she requested that the Conservation Commission interpret the restoration requirements under 310 CMR 10.58(5)(e) more strictly, pointing out that the definition of "degraded" within the Wetlands Protection Act requires the "absence of topsoil" and thus, any proposed restoration must be in an area that meets this definition.

Ms. O Connell offered that the Cambridge Water Department might consider a Conservation Restriction on the areas of the property proposed for habitat meadow in lieu of requiring restoration of previously "degraded" areas only. The Commission, Ms. O Connell and Mr. Gemma discussed the merits of taking this approach. Ultimately, Graham Robinson, the applicant and property owner, requested that Mr. Gemma re-work the design to reduce the amount of proposed new degraded area in order to comply with the Riverfront Area Performance Standards.

A motion to continue the Notice of Intent hearing for 51 Cedar Road, DEP 337-1434, by Request of the Owner, to January 18th, 2022 at 8:45 pm by Ellen Freeman Roth; seconded by Rees Tulloss. Roll call vote 5-0.

Request for Amendment to Order of Conditions, DEP 337-1196: 441 Glen Road; G. LaMaitre

Brian Nelson, MetroWest Engineering, provided an overview of the project on behalf of the applicant which involves the construction of a new garage and extension of the existing driveway. Approximately 318 SF of the proposed driveway will be located within the 100-foot buffer zone and will be located approximately 87 feet away from the wetland. The proposed garage will be located approximately 94 feet from the wetland and 41 SF will be located within the 100-foot buffer zone. A retaining wall and associated grading are proposed around the driveway extension. The limit of work is approximately 60 feet from the edge of the wetland.

The car barn comes within close proximity to a Weston Forest and Trail Association (WFTA) Conservation Restriction (CR) and trail on the property and Mr. Nelson assured the Commission that the WFTA had been consulted on the design and that the boundary of the CR was clearly staked.

The existing sub-surface stormwater system on site, located under the driveway, will be reduced by two chambers, while the basement of the proposed car barn will be modified to replicate the functionality of a sub-surface infiltration system.

Rees Tulloss questioned whether this type of system would work. Mr. Nelson verified that the Planning Board's stormwater consultant, David Conway, had reviewed and approved the design.

A punchlist of stormwater-design related items remain from the existing permit, which included the construction of the house and all associated utilities, grading, driveway reconfiguration, and stream restoration. Jordan McCarron indicated that he would include that punch list in the Findings portion of the Amended Order of Conditions. Mr. Nelson pointed out that the current plans for the car barn have included all of those punch list items.

A motion to issue an Amended Order of Conditions and extend the Existing Order of Conditions to November 29, 2022, and to include the stormwater punchlist from the existing Order of Conditions as agreed to between the applicant and the Commission in the Findings of the Amended Order of Conditions was made by Ellen Freeman Roth; seconded by Rees Tulloss. Roll call vote 5-0.

Mr. McCarron provided the following updates:

The trail relocations at 156 Highland Street and Coburn Meadows approved at the 12/14/21 meeting have been completed.

Josh Feinblum is working on a draft municipal wetlands bylaw, based on the Wellesley Wetlands Protection Bylaw, and will be working with Sandra Gonneville in the Conservation Department to get a draft in front of the Commission in the next few weeks.

Waltham Fields Community Farm has terminated its contract with the Conservation Department to lease the farm fields at Wellington Farm. The Commission expressed its support for keeping the property in active agriculture and Mr. McCarron indicated he would be speaking with Land's Sake about potentially taking over the lease for the 2022 season.

The Commission has been invited to participate in a presentation and discussion on the water storage tank upgrade project along with the Planning Board at the Select Board meeting on 1/11/22.

Joe Berman recused himself from the final hearing of the night:

Cont. Notice of Intent: 0 Wellesley Street, DEP 337-14XX; Habitat for Humanity Greater Boston

Rob Gemma, MetroWest Engineering, provided an overview of the project on behalf of the applicant which involves a six-unit, fully affordable housing project to be constructed by Habitat for Humanity of Greater Boston (HHGB). The property is owned by the Town of Weston and the project proposed under this Notice of Intent is in response to a "Request for Proposal Disposition of Municipal Real Estate for Affordable Housing Purposes", issued by the Weston Affordable Housing Trust (WAHT). The three duplex style residential homes proposed will be located near the base of the slope on the woodlot. The buildings will be located within the 100-foot buffer zone, but outside of the 25-foot NDZ and the 200-foot RFA. A very small area of site grading is proposed within the 200-foot RFA, to allow foundation construction to take place. Site access will be provided by a new common driveway located off Wellesley Street. The driveway is located almost entirely outside of Resource Areas. Sanitary sewage will be disposed of in an advanced treatment, Title 5 system. The system will feature secondary treatment, pressure-dosing-dispersal, and the sub-surface sewage disposal field will be located outside all buffer zones and the RFA. Stormwater from the new driveway will be collected and treated with proprietary stormwater treatment units, and discharged

into a large subsurface infiltration system where groundwater recharge will take place. The recharge system will also accept runoff from the roofs of the proposed buildings. Sedimentation and Erosion Controls (18-inch filter mitt) are proposed along the downstream side of the limit of work. The shortest distance between the limit of project disturbance and the wetland resource area is 25 feet.

In response to comments received from Jamie O'Connell at the Cambridge Water Department, a grass swale proposed within the 200-foot Riverfront Area that was to take runoff from the rear downspouts of two of the proposed buildings was removed from the final design in favor of simple rip-rap scour pads located outside the Riverfront Area.

Additionally, Mr. Gemma updated the Stormwater Operations and Maintenance Plan to require low-chloride de-icing products.

The project requires approvals by the Board of Health, Stormwater Permitting Authority and a Comprehensive Permit through the Planning Board; Mr. Gemma confirmed that all three boards had reviewed the project and granted preliminary approval and that the current plans were not expected to change.

Rees Tulloss confirmed with Mr. Gemma that snow would not be stored outside the Buffer Zone.

Finally, Ms. O'Connell thanked Mr. Gemma for his willingness to revise the project based on her comments, and for his thoroughness in using the MACC Buffer Zone Handbook to provide a thorough analysis of the impacts on the Buffer Zone from the project.

A motion to close the Notice of Intent hearing for 0 Wellesley Street, and issue an Order of Conditions contingent on a DEP file number and no substantive comments by Rees Tulloss; seconded by Becca Loveys. Roll call vote 4-0.

A motion to adjourn the meeting at 10:17 p.m. was made by Rees Tulloss; seconded by Ellen Freeman Roth. Roll call vote 4-0 (Joe Berman did not participate in this motion).